

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, February 7, 2022 at 7:00 P.M. Supervisor Sitzman called the Meeting to Order and Councilwoman Waiss led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Brett Sitzman, Town Supervisor
Gina Waiss, Councilwoman
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Mike Metzger, Town Engineer
Lenny Weglarski, DCO
Chris Snyder, CEO
Sarah Miller, Deputy Town Supervisor
Residents

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of January 18, 2022.

CARRIED

Ayes 3 Sitzman, Waiss & Pautler
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY COUNCILWOMAN WAISS, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #49-92 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$17,126.41	\$8,569.62	\$25,696.02
HIGHWAY FUND "DA/DB"	\$19,477.00	\$24,415.13	\$43892.13
PART-TOWN FUND "B"	\$4,387.80	\$570.00	\$4,957.80
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"	\$9,291.33	\$9,387.60	\$18,678.93
WATER DIST. #1 FUND "WA"			
WATER DIST.EXCHANGE ST. "WX"		\$20,593.50	\$20,593.50
SEWER DIST. #2 FUND "SA"	\$195.77	\$164.00	\$359.77
TRUST & AGENCY "T"	\$2,933.51	\$1,977.19	\$4,910.70
SPECIAL REFUSE FUND "SR"		\$34,947.44	\$34,947.44
STREET LIGHTING FUND "SL"	\$5,139.68		\$5,139.68
PERIWINKLE LTG. DIST."SL1"	\$46.82		\$46.82
ZOELLER RD. WATER DIST. "WZ"		\$14,237.50	\$14,237.50
TOTAL	\$58,598.32	\$114,861.97	\$173,460.29

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON FEBRUARY 7, 2022 AND

ADOPTED

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

7:05 PUBLIC HEARING – Proposed Boundary Line Agreement

Supervisor Sitzman read letter from resident Joe Czechowski

Councilwoman Pautler announced the Village has agreed to sign the Intermunicipal Agreement

Laura Loehr, Henskee – Sandridge Road covered by 3 fire companies is hypocritical. Boundary lines are not in the best interest of the residents.

Melissa Goff, Lavender Lane – why was boundary line agreement made by Councilwomen, and not fire companies?

Tom Wesibeck, Broadway Street – as a member of St. Johns; boundary lines do not make sense. Expects same response time from Millgrove & Crittenden as what would be provided by Hook & Ladder.

7:10 PUBLIC HEARING – Proposed contract with the Village of Alden (Alden Hook & Ladder)

Laura Loehr, Henskee – paragraph 13 & 14 of contract difficult to understand; contract was not written for regular people to understand. Disappointed in Budget Planning for 2022. Thanked all volunteers for their service.

Mr. Swiatek, Esq. explained his language in the paragraphs in question

Fred Mitchell, Main Street – experience of volunteers is being overlooked. Go to per call pay.

BUSINESS FROM THE FLOOR

Laura Loehr, Henskee Rd – a lot of outdated information on the website

COMMUNICATIONS

Brett Sitzman, Supervisor

1. Received letter from ECIDA President
2. List of Officers from Alden Youth Baseball
3. Chris Whittingham resignation from Zoning Board of Appeals
4. Letter from Alden Meals on Wheels

Alecia Barrett, Town Clerk

1. Received request for AJFC registration dates, further discussion at WS

NEW BUSINESS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Alden Town Board has duly established the Cayuga Creek Water

District;

WHEREAS, the Town Board needs to hire an engineering firm in regard to the proposed construction of the Cayuga Creek Water District more specifically to assist with: design and approvals; survey coordination; bidding assistance; and construction contract administration;

WHEREAS, the Town Engineer, Metzger Civil Engineering, PLLC has existing knowledge of this project, having prepared the Map, Plan and Report;

WHEREAS, engineering services are a professional services, that are not required to be bid under the General Municipal Law or under the Town's Procurement Policy; and

WHEREAS, Metzger Civil Engineering, PLLC has submitted the attached Agreement for Professional/Technical Services dated January 21, 2022.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby authorize and direct the Town Supervisor to sign the attached Agreement for Professional/Technical Services in regard to the Cayuga Creek Water District with Metzger Civil Engineering, PLLC; and
2. This resolution shall take effect immediately.

*On the Question – Tom Weisbeck, Broadway Street – breakdown of cost for service?
At the request of the Town Board, Mr. Metzger gave a breakdown.*

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on February 7, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SITZMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application, by Zoladz Construction Company Inc. for site plan approval of two proposed storage buildings at the northeast corner of Broadway and Two Rod Road (now known as 11668 Broadway), in the Town of Alden, further identified by SBL # 118.00-2-13.2; 118.00-2-14.12; and 118.00-2-14.11 (The "Proposed Action");

WHEREAS, the Alden Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and has conducted a coordinated review;

WHEREAS, the Alden Town Board believes that this Board: is the agency primarily responsible for undertaking decisions as to site plan review; is the agency with the broadest governmental powers for investigating the impact of the proposed action; has the greatest capacity for providing the most thorough environmental assessment of the proposed action; and is the most local agent with permitting authority;

WHEREAS, the Town of Alden has provided notice to Erie County Planning as required under Section 239-m of the General Municipal Law;

WHEREAS, the New York State Environmental Quality Review Act requires the Town Board to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, the SEQRA Intake Officer has prepared the Short Environmental Assessment Form, which is now on file with the Town Board;

WHEREAS, any comments received from the involved agencies have been fully addressed by the SEQRA Intake Officer;

WHEREAS, during review of this Proposed Action, the Town of Alden assessed areas of environmental concern, and determined that no significant negative impacts would occur. In reaching this decision, the Town carefully considered all "Criteria" for Determination of Significance listed in the SEQRA Regulations; and

WHEREAS, the Town of Alden Planning Board and the Town Engineer have recommended the approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA; that a proper coordinated review has been conducted; and that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
2. The Town of Alden, as Lead Agency hereby concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration; and that the project will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said Proposed Action;
3. The Town Board finds that the Proposed Action is consistent with the Town Code and the Town Comprehensive Plan and approves the site plan; and
4. This Resolution shall take effect immediately.

On the question – Supervisor Sitzman – will the entrance still be on Tow Rod? Yes.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on February 7, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

Town Board of the Town of Alden, New York

Resolution Approving Site Plan for Greatbatch, Ltd. / Integer
11870 Walden Avenue (SBL No. 96.00-3-44.111)

The following resolution was introduced:

WHEREAS, Greatbatch Ltd. / Integer (hereinafter "Applicant") filed a Site Plan Application on July 6, 2021 for real property commonly referred to as 11870 Walden Avenue (SBL No. 96.00-3-44.111); and

WHEREAS, on July 12, 2021, the Town of Alden Planning Board unanimously recommended approval of the site plan to the Alden Town Board; and

WHEREAS, on July 12, 2021, the Town of Alden Planning Board unanimously recommended approval of the site plan to the Alden Town Board; and

WHEREAS, on July 20, 2021, the Alden Town Board approved the Rezoning of the Property by removing a portion of said property from the R-2 Residential District and R-A Rural-Agricultural District Zoning District and adding said portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) to the M-1 Manufacturing District and the Town Board issued a Negative Declaration pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, on August 10, 2021, Local Law No. 2 of 2021 which enacted the aforesaid Rezoning was filed with the New York State Department of State; and

WHEREAS, the Town Engineer approved the engineered plans subject to the Applicant being granted area variances from the Town of Alden Zoning Board of Appeals and approval from Erie County of the Applicant's application to become an out of district sewer customer; and

WHEREAS, on January 12, 2022, Town of Alden Zoning Board of Appeals unanimously approved the Applicant's application for area variances; and

WHEREAS, on January 20, 2022, the Town Engineer was provided documentation that Erie County had approved the Applicant's application to become an out of district sewer customer; and

WHEREAS, all legal requirements, including compliance with New York State General Municipal Law § 239-m.

NOW THEREFORE BE IT RESOLVED BY THE ALDEN TOWN BOARD has made the following required findings regarding the aforesaid Site Plan Application:

- A. The Site Plan is in compliance with the Town Zoning Code and is compatible with the Town Master Plan.
- B. The location, arrangement, size, design and general site compatibility of buildings, lighting and signs are adequate and meet the provisions of the Town Zoning Code.
- C. The location, arrangement, appearance and of off-street parking and loading are sufficient.
- D. The arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience is adequate.
- E. Stormwater, drainage facilities and water supply and sewage disposal facilities are adequate.
- F. The type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation, are adequate.

G. The fire lanes and other emergency zones and the provision of fire hydrants are adequate.

H. Any impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion has been adequately addressed in the Site Plan.

I. The overall impact on the neighborhood, including compatibility of design considerations, is adequate; and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on February 7, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Alden Town Board having on the 7th day of February, 2022 commencing at 7:05 P.M. duly held a public hearing for the purpose of considering an Boundary Line Agreement Amendment with: the Town Line Volunteer Fire Department, Inc.; the Crittenden Volunteer Fire Department, Inc.; the Millgrove Volunteer Fire Department, Inc.; and the Village of Alden/Alden Village Fire Department; which Agreement shall define the responsibilities and geographical limitations of the four fire companies within the "Town of Alden Fire Protection District," and having heard all persons desiring to be heard in the matter and the matter of said Boundary Line Agreement Amendment having been fully discussed and considered.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:

1. The Councilwomen Pautler be and hereby is authorized to execute said Boundary Line Agreement Amendment, a copy of which is on file in the office of the Town Clerk, on the terms and conditions contained therein beginning January 1, 2022; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on February 7, 2022, which resulted as follows:

CARRIED.

Ayes Waiss & Pautler

Nays 0

Abstain Sitzman

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Alden Town Board having on the 7th day of February, 2022 commencing at 7:10 P.M. duly held a public hearing for the purpose of considering an Intermunicipal Agreement for Alden Fire Protection District for the years 2022 through 2026 with the Village of Alden; said Intermunicipal Agreement shall be for fire protection to "Town of Alden Fire Protection District," and having heard all persons desiring to be heard in the matter and the matter of said Intermunicipal Agreement for such fiscal years having been fully discussed and considered.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:

1. That Councilwomen Pautler be and hereby is authorized to execute said Intermunicipal Agreement for Alden Fire Protection District, with attached boundary line agreement, copies of which are on file in the office of the Town Clerk, on the terms and conditions contained therein, for the fiscal years beginning January 1, 2022 and ending on December 31, 2026; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on February 7, 2022, which resulted as follows:

CARRIED.

Ayes Waiss & Pautler

Nays 0

Abstain Sitzman

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SITZMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the both of Town of Alden Justice Court Clerks have left the positions, leaving the Court without any Court Clerks;

WHEREAS, the Office of Court Administration has found two temporary/fill-in Court Clerks who are willing to assist in the Town of Alden Justice Court; and

WHEREAS, Both Justice Cole and Justice Cummings have consented to the persons recommended;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board appoints, retroactive to January 1, 2022 and until the Court Clerk vacancies can be permanently filled: Sarah Hinsken at a rate of \$22.00 per hour, with no benefits and Brenda Barry at a rate of \$18.65 per hour, with no benefits; both positions not to exceed 19 hours per week; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on February 7, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Colleen Pautler, Councilwoman – Received info from TMP signs. Will discuss more at WS. H as given Attorney, Jeff Swiatek the employee handbook to review.

Jennifer Strong, Town Attorney – at the request of the Town Board has sent out reminder about ZBA training.

Mike Metzger, Town Engineer – working with Jennifer Strong on list of steps for completing Water District #5.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:

February 14, 2022

@7:00 PM

REGULAR BOARD MEETING

February 22, 2022

@7:00 PM

MEMORIAL REMEMBRANCE - Roger Frey, Alexander Kozak and Michael Gleiser

ADJOURNMENT

At 7:50 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk