

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Tuesday, January 3, 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
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 December 19, 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 #1081 - 1111 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$39,721.13	\$26,167.47	\$65,888.60
HIGHWAY FUND "DA/DB"	\$34,069.48	\$12,934.98	\$47,004.46
PART-TOWN FUND "B"	\$3,206.34	\$2,126.38	\$5332.72
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
WATER DIST. #1 FUND "WA"			
WATER DIST.EXCHANGE ST. "WX"			
SEWER DIST. #2 FUND "SA"	\$385.19	\$196.37	\$581.56
TRUST & AGENCY "T"	\$4,399.21	\$1,532.20	\$5,931.41
SPECIAL REFUSE FUND "SR"	\$34,641.06		\$39,641.06
STREET LIGHTING FUND "SL"	\$5,006.17		\$5,006.17
PERIWINKLE LTG. DIST."SL1"	\$99.08		\$99.08
ZOELLER RD. WATER DIST. "WZ"			
TOTAL	\$126,527.66	\$42,957.40	\$169,485.06

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 3, 2023 AND

ADOPTED

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

BUSINESS FROM THE FLOOR

Michelle Hoffman – Submitted summary of the 2022 Senior Van use

COMMUNICATIONS

Brett Sitzman, Supervisor

1. Received Senior Van Report
2. CEO monthly & year end report
3. Thanked everyone for their hard work and effort during the blizzard

Colleen Pautler, Councilwoman

1. Thanked Highway Superintendent and all Highway Employees and the Fire Companies for all their efforts during the blizzard

NEW BUSINESS

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

WHEREAS, the Town Board must retain special labor and employment counsel to represent and defend the Town of Alden in a threatened matter of litigation tax against the Town;

WHEREAS, hiring an attorney falls under the professional service exemption of the Town of Alden’s Procurement Policy & Procedure Guidelines and the General Municipal Law;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. Bond Schoeneck & King, PLLC is hereby hired as special labor and employment counsel to the Town of Alden to represent the Town of Alden in its defense of a threatened matter of litigation and the Supervisor is hereby authorized and directed to sign a retainer agreement, upon review of the same by the Town Attorney; and
2. This resolution shall take effect immediately.

On the Question – Councilwoman Pautler: Has the firm been contacted?

Supervisor Sitzman: No, they will be tomorrow.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on January 3, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

REORGANIZATION MEETING 1/3/2023

SUBJECT	Page	Section

SUPERVISOR'S APPOINTMENTS:	4	
Town Board Committees		
Assistant to the Supervisor		
Deputy Supervisor		
Town Historian		
I. TOWN BOARD APPOINTMENTS:		
First & Second Deputy Town Clerk/Receiver	5	1A
Highway Superintendent's Clerk	5	1B
Registrar and Foil Officer	5	1C
Designation of Town Clerk to Receive Notices of Claims	5	1D
Crossing Guard and Alternate Crossing Guard	5	1E
Recreation Director	5	1F
Dog Control Officer and Deputy Dog Control Officer	5	1G
Storm Water Officer	5	1H
Right to Farm Law Resolution Committee	5	1I
Town Service Officer	5	1J
Court Clerks Part Time	6	1K
Chairman Town Planning Board, Planning Board and Secretary and Planning Board Member	6	1L
Chairman Zoning Board of Appeals, Secretary and Member	6	1M
Board of Assessment Review	6	1N
Bingo Inspector	6	1O
Town Attorney	6	1P
Town Prosecutor	6	1Q
Parks and Buildings Maintenance Worker	6	1R
Part Time Building Maintenance Man Town Hall	6	1S
Nutrition Program Site Director and Alternates	6	1T
Senior Van Driver and Alternate	6	1U
Ceramic Instructor	6	1V
Parks Supervisor	6	1W
Affirmative Action Officer	6	1X
Deputy Tax Receiver	6	1Y
Recreation Advisory Board	6	1Z
Board of Ethics	7	1AA
Emergency Management Coordinator	7	1BB

SUBJECT	Page	Section
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Assessor Trainee	7	1DD
Part Time Clerk/Floater	7	1EE
NEST Representatives	7	1FF
Senior Exercise Program Coordinator	7	1GG
Alaura Sewer District Testers	7	1HH
Town Constables	7	1II
Comprehensive Plan Implementation Committee	7	1JJ
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II. DESIGNATIONS		
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IV. CONTRACTUAL APPOINTMENTS		
Town Engineer/Planning Consultant/Alaura Sewer Plant Supt.	10	4A
Grant Writer	10	4B
HodgsonRuss, LLP Special Labor Counsel	10	4C
Joel Kurtzhalt, Esq. Special Council Tax Assessment	10	4D
Agreement to Spend Highway Funds	10	4E
Drescher & Malecki, LLP Accounting Agreement	10	4F

APPENDICES

SCHEDULE OF TAX PENALTIES

SCHEDULE OF SALARIES

SCHEDULE OF VOUCHERED SALARIES

PAYROLL SCHEDULE

PETTY CASH FUNDS

TOWN ELECTED AND APPOINTED OFFICIAL'S BONDS

PROCUREMENT POLICY AND PROCEDURE GUIDELINES

FEE SCHEDULE

NOTICE OF THE SUPERVISOR'S APPOINTMENTS OF THE TOWN BOARD
COMMITTEE CHAIRPERSONS:

COUNCILWOMAN WAISS

Refuse/Recycling
Contract/Purchasing (Co-Chair)
Parks and Recreation
Historical Society (Co-Chair)
Drainage
Sewers
Environmental Commission
Cemeteries
Lighting
Zoning & Planning
Fire Protection Ambulance (Co-Chair)
Personnel Policy

COUNCILWOMAN PAUTLER

Finance and Audit (Co-Chair)
Association of Towns (Alternate Delegate)
Water Districts
Parks and Recreation (Co-Chair)
Dogs
Local Laws and Legislation
Historical Society
Insurance (Co-Chair)
Seniors
Chamber Liaison
Highways
Capital Improvements (Co-Chair)

SUPERVISOR SITZMAN

Finance and Audit
Police and Safety
Economic Development Committee
Contract/Purchasing
Fire Protection/Ambulance
Capital Improvements
Inter-municipal Agreements/Municipal Liaison
Insurance
Personnel Policy (Co-Chair)
Association of Towns Delegate
Building Maintenance
Highways (Co-Chair)
Disaster Coordinator/OEM
Personnel/Employee Benefits

ALL COUNCILMEMBERS ARE RESPONSIBLE FOR AUDITING EVERY
VOUCHER.

NOTICE OF THE SUPERVISOR'S APPOINTMENTS:

ASSISTANT TO THE SUPERVISOR
DEPUTY SUPERVISOR
TOWN HISTORIAN

Sarah Miller
Sarah Miller
Karen Muchow

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

WHEREAS, with the commencement of the Year 2023, the Town of Alden must reorganize for said new year.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the following appointments are made and/or confirmed for the 2022 year, all salaries as per the Schedule of Salaries unless otherwise specified and all benefits as per the Employee Handbook unless otherwise specified:
 - A. The appointment of Joanna Eisensmith by the Town Clerk as First Deputy Town Clerk/Receiver is hereby confirmed; the First Deputy Town Clerk shall have all the powers and duties of the Town Clerk, not inconsistent with Law. Hours shall not exceed 19-1/2 hours per week; The appointment of Danielle Decker by the Town Clerk as Second Deputy Town Clerk/Receiver is hereby confirmed; the Second Deputy Town Clerk shall have all the powers and duties of the Town Clerk, not inconsistent with Law. Hours shall not exceed 19-1/2 hours per week;
 - B. Jeanine Pruitt is appointed Highway Clerk Part Time, not to exceed 19 hours per week;
 - C. Alecia Barrett is appointed as Registrar and FOIL Officer;
 - D. Alecia Barrett is designated, in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 3311 Wende Road, Alden, NY 14004 and is directed to file the required certificate with the Secretary of State informing him or her of the Town's designation and applicable time limitation for filing a notice or claim with the Town;
 - E. Jane Mahaney is appointed Crossing Guard and Barbara Trybuskiewicz is appointed Alternate Crossing Guard;
 - F. Michelle Gadd is appointed Part Time Recreation Director;.
 - G. Robert Olsen is appointed Dog Control Officer and **TBD** is appointed Deputy Dog Control Officer. The Supervisor is authorized to sign a Kennel Agreement with **TBD**;
 - H. Christopher Snyder is appointed Storm Water Officer;
 - I. James Guarino and Steve Fox (alternate) are appointed to the Right to Farm Law Resolution committee along with the Town Code Enforcement Officer Christopher Snyder and Supervisor Sitzman;
 - J. Pursuant to Section 67 of the Social Services Law, Supervisor Sitzman is hereby directed to exercise the powers and duties of the Town Service Officer;
 - K. Michelle Wallace and Wendy Rath are appointed Part Time Court Clerks hours not to exceed 19-1/2 hours per week;
 - L. Michael DeWitt is appointed Chairman of the Planning Board and Susan Schumacher is appointed as Secretary to the Town Planning Board to expire on December 31, 2023. Bob Meyer is appointed to the Planning Board for a term to expire on December 31, 2027;
 - M. Sue Galbraith is appointed Chairman of the Zoning Board of Appeals; Susan Schumacher is appointed Secretary to the Zoning Board of Appeals to expire on December 31, 2023. Sarah Hinsken is appointed to the Zoning Board of Appeals for a term to expire on December 31, 2027;
 - N. **TBD** is appointed as a member of the Board of Assessment Review for a term to expire on September 30, 2027 and **TBD** is appointed Secretary to the Board of Assessment review;

- O. Thomas Kirszenstein is appointed as Bingo Inspector;
- P. Jennifer L. Strong, Esq. is appointed as Town Attorney with no benefits except NYS Retirement;
- Q. Matthew B. Herdzik, Jr. Esq. is appointed as Town Prosecutor with no benefits except NYS Retirement;
- R. Scott Dreyer is appointed as Full Time Parks and Buildings Maintenance Worker;
- S. Paul Roll is appointed as Part Time Maintenance Man (Town Hall);
- T. Mary Erickson is appointed as Nutritional Program Site Director and Donna Zinter and Michele Hoffman are appointed as Alternates, not to exceed 9 hours per week;
- U. Michele Hoffman is appointed as Part Time Senior Van Driver hours not to exceed 19 hours per week and that Ron Bowman is appointed alternate Senior Van Driver on an as needed basis;
- V. Kathryn Wild is appointed as Ceramics Instructor;
- W. Hwy. Superintendent Bill Rogers is appointed as Parks Supervisor;
- X. Gina Weiss is appointed as the Affirmative Action Officer; and that the Town Clerk shall notify the County of Erie Department of Environment and Planning of this appointment;
- Y. Alden State Bank is appointed as Deputy Tax Receiver for the sole purpose of collecting (but not accepting) tax payment monies;
- Z. Recreation Director Michelle Gadd and Councilwoman Weiss are hereby affirmed as the two (2) permanent members of the Recreation Advisory Committee. The following four (4) persons shall serve on the Recreation Advisory Committee for a one (1) year term to expire December 31, 2023: Kevin Clifford, David Kocher, Matt Newman and Ben Baker; and the following five (5) persons shall serve on the Recreation Advisory Committee for a two (2) year term to expire on December 31, 2024: Ryan Tracy, William Kissel, William Rogers, Mike Gadd and Joe Jankowski;
- AA. Harry Milligan, Richard D. Koelbl, William J. Rogers and Jean Weisbeck are appointed to the Board of Ethics;
- BB. Robert Elesko is appointed as the Disaster Coordinator and David Metz is appointed Assistant Disaster Coordinator;
- CC. Susan Schumacher is appointed as Part Time Clerk for the Code Enforcement Office, not to exceed 19 hours per week;
- DD. Daniel McMahon is appointed as Administrative Assistant to the Assessor, not to exceed 19-1/2 hours per week;
- EE. **TBD** is appointed as Part Time Clerk in the Supervisor's office, not to exceed 19-1/2 hours per week;
- FF. Sarah Miller and Ronald Snyder are appointed as representatives to NEST;
- GG. Judy Bowman is appointed as Senior Exercise Program Coordinator;
- HH. Chris Snyder will receive an annual stipend of \$6,480.00 for 2023 daily testing monitoring and maintenance of SD2 and Ian Torregrossa will receive \$32.40 per day for weekend/holiday testing;
- II. Dale Adamski, Afshar Yusuf, and **TBD** are appointed as Town Constables; and;
- JJ. The following persons are hereby appointed to the Town of Alden Comprehensive Implementation Committee: Supervisor Brett Sitzman, Planning Board Member Mike DeWitt, Code Enforcement Officer Christopher Snyder and the following citizens who are members of local businesses or organizations and/or possess relevant skills, experience and education: Christopher Gust, Ryan Rogers and Stephanie Pautler Bea.
- KK. Leeza Brown is appointed as Town of Alden Liaison for summer concerts.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on January 3, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

NOW THEREFORE, BE IT RESOLVED:

1. That following designations are made for the 2023 year:
 - A. The Alden Advertiser is designated as the official newspaper of the Town and The Buffalo News is designated as the alternate official newspaper;
 - B. The Alden State Bank is designated as the official depository for the Town and that the Supervisor, Town Clerk/Receiver, Code Enforcement Officer and Court Clerks be authorized and directed to deposit all funds coming into their hands by virtue of their offices in said Bank;
 - C. Town Hall Offices will be open from 9:00 a.m. to 4:30 p.m. Monday through Friday, Except for the Courts that will be closed on Fridays. All offices will be closed for the following Holidays:

NEW YEARS DAY	COLUMBUS DAY
MARTIN LUTHER KING DAY	VETERANS DAY
PRESIDENTS DAY	THANKSGIVING
GOOD FRIDAY	DAY AFTER THANKSGIVING
MEMORIAL DAY	CHRISTMAS
JUNETEENTH	
INDEPENDENCE DAY	
LABOR DAY	

Town Offices also may be closed on special days at the discretion of the Supervisor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on January 3, 2023, 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;

NOW THEREFORE BE IT RESOLVED:

1. That the following policies are adopted for the 2023 Year:
 - A. The Town Clerk/Receiver is instructed to collect the tax roll for the year 2023 according to the appended Schedule of Tax Penalties;
 - B. The Town Clerk/Receiver is authorized to include in the Tax Bills an enclosure advising taxpayers that they are able to make payments at Alden State Bank;
 - C. All Town Officials and employees are authorized to be paid \$.50 per mile for the use of their automobiles on all Town business provided that mileage reimbursement does not exceed budgeted appropriations and proper and sufficient documentation is provided monthly thereof;
 - D. The appended Schedule of Salaries is approved for Year 2023;

- E. The appended Schedule of Vouchered Salaries is approved for the Year 2023;
- F. Town Officials and Town Employees will be paid on a bi-weekly basis (See appended Payroll Schedule) ;
- G. The appended petty cash funds are authorized;
- H. The Supervisor shall submit to the Town Clerk within 30 days after the closed of the fiscal year a copy of the ANNUAL FINANCIAL REPORT in accordance with Section 29, Paragraphs 10 and 10A of the New York State Town Law;
- I. Town Elected and Appointed Officials' Bonds are approved as to form and sufficiency of surety in the appended amounts;
- J. The Procurement Policy (see appended Procurement Policy) is hereby adopted;
- K. The appended Fee Schedule is hereby reaffirmed;
- L. The "official" work day of six and one half (6.5) hours for all elected and appointed officials who are members of the retirement system with the exception of eight (8) hours for the Highway and Parks Departments is hereby confirmed; and
- M. As of January 1, 2012, all newly hired (eligible) employees and elected officials will pay twenty-five percent (25%) of the health insurance premiums subject to annual increase by the Town Board. The Supervisor is authorized to sign the contract for employee health insurance.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on January 3, 2023, 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;

NOW THEREFORE BE IT RESOLVED THAT:

1. The following contracts are approved for the 2023 Year and the appropriate Town Official(s) are authorized to sign said Contracts:
 - A. Metzger & Associates is retained as Town Engineer, Planning Consultant for \$25,500.00 And the Supervisor is directed to sign a contract and as Alaura Sewer Plant Superintendent for \$2,200.00;
 - B. Rotella Grant Management is retained for the 2023 year at a rate of \$1,800 per month as Grant Writer and the Supervisor is directed to sign a contract to this effect;
 - C. HodgsonRuss, LLP are retained as special labor counsel on a variable hourly rate per Contract for labor and employment matter and the Supervisor is directed to sign a contract to this effect;
 - D. Joel Kurtzhalt, Esq. is retained on a variable hourly rate as special counsel to represent the Town of Alden in tax assessment challenges;
 - E. Agreement to Spend Town Highway Funds for 2023, as allowed by Section 284 of the New York State Highway Law (see appended Agreement);
 - F. Drescher & Malecki, LLP will provide independent accounting and auditing services to the Town of Alden during the years 2023 - 2026 as follows: for the Year ending 12/31/2023 at \$30,800; for the Year ending 12/31/2024 at \$31,300 and for the Year ending 12/31/2025 at \$31,800.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on January 3, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler
Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Colleen Pautler, Councilwoman – concerns over kitchen use at the Community Center

Alecia Barrett, Town Clerk – phones are still not working properly, service calls are in to Verizon for repair.

Gina Waiss, Councilwoman – AYB requested change of dates for registration events at the Community Center.

Councilwoman Waiss moved to approve new registration dates of 1/14 and 1/28, second by Supervisor Sitzman. All in Favor. Passed

Bill Rogers, Highway Superintendent – thanked highway and parks employees for all their hard work during the blizzard

Mike Metzger, Town Engineer – update on Cayuga Creek water district and 12240 Walden. Thank you for reappointment.

Chris Snyder, CEO – received new site plan for Ledgestone

Jennifer Strong, Town Attorney – thank you for reappointment

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:	January 9, 2023	@7:00 PM
REGULAR BOARD MEETING	January 17, 2023	@7:00 PM

MEMORIAL REMEMBRANCE - Gregory Lewis and Joan Lang and Lawrence Selbert and Barbara Newman and Donna Hamme

ADJOURNMENT

At 7:38 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk