

**PRIORITY OF BUSINESS SET BY SUPERVISOR PURSUANT TO
CHAPTER §A371 OF THE ALDEN TOWN CODE**

- 1. PLEDGE OF ALLEGIANCE – COUNCILWOMAN WAISS**
- 2. CALLING THE ROLL OF BOARD MEMBERS BY THE TOWN CLERK**
- 3. OFFER OF THE MINUTES OF THE PROCEEDINGS OF THE REGULAR MEETING OF JUNE 5, 2023**
- 4. APPROVAL OF VOUCHERS**
- 5. BUSINESS FROM THE FLOOR**
- 6. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS**
- 7. NEW BUSINESS**
 - A. Motion to hire part-time seasonal Parks worker per S/BS**
 - B. Motion to approve park use by AJFC per S/BS**
 - C. Resolution declaring Lead Agency for minor subdivision on Crittenden Rd per S/BS**
 - D. Resolution declaring SEQRA Neg Dec and approving minor subdivision on Two Rod Rd per S/BS**
 - E. Resolution to approve lease agreement with Alternative Care Services of WNY, Inc. per S/BS**
 - F. Resolution declaring Type II SEQRA Action for LL#3 of 2023; Ethics per S/BS**
 - G. Resolution calling Public Hearing for Local Law #3 of 2023 “Town of Alden Code of Ethics” per S/BS**
 - H. Resolution authorizing Intermunicipal Cooperation Agreement for Dog Kennel Services with the Town of Newstead per S/BS**
 - I. Resolution to reject sealed bids for the construction of Cayuga Creek Water District per S/BS**
 - J. Resolution authorizing the Town Board to bid construction of the Cayuga Creek Water District per S/BS**
 - K. Resolution requiring property owner to maintain lawn at 1232 Mayfield Dr. per S/BS**
 - L. Resolution to purchase tack tank from NYS bid per S/BS**
 - M. Resolution to adopt revised NYS mandated sexual harassment policy for NY Employers per S/BS**
- 8. UNFINISHED & TABLED BUSINESS**
- 9. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**
- 10. ANNOUNCEMENTS FROM THE SUPERVISOR**
- 11. NOTICE OF MEETINGS:**

WORK SESSION:	June 26, 2023	@ 7:00 PM
REG. BOARD MEETING:	June 20, 2023	@ 7:00 PM
SPECIAL WORK SESSION	June 29, 2023	@ 7:00 PM
- 12. MEMORIAL REMEMBRANCE:**
- 13. ADJOURNMENT**

Jun-23

**COUNCILPERSON _____ MOVED AND COUNCILPERSON _____
SECONDED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND
PAID.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$15,866.05		\$15,866.05
HIGHWAY FUND "DA/DB"	\$10,277.87		\$10,277.87
PART-TOWN FUND "B"	\$2,125.00		\$2,125.00
GRANT "G"			
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	\$224.00		\$224.00
TRUST & AGENCY "T"	\$1,832.02		\$1,832.02
SPECIAL REFUSE FUND "SR"	\$41,822.15		\$41,822.15
STREET LIGHTING FUND "SL"	\$4,880.92		\$4,880.92
PERIWINKLE LTG. DIST."SL1"	\$93.02		\$93.02
ZOELLER RD. WATER DIST."WZ"			
WATER DIST. NEWSTEAD "WO"			
WATER DIST. EXCHANGE "WX"			
WATER DIST. NO. 1 "WA"			
TOTAL	\$77,121.03		\$77,121.03

AP GL Distribution Report Parameters

Report ID: Year: 2023
Period: 1 To: 12
Date Range: Pay Due Date Range: 06/09/2023 To: 06/16/2023
Check ID: To: Print Certification: No Certification Option: Voucher A
Voucher No: To: Include Description: No
Batch No: To: Print Parent Account: No
Minimum Amt: 0.00 Expenses Only: No
Include: All Print Over Budget Message: No
Dept Totals: Yes, no Page Break Use Alt Fund: No
Sort By: Voucher No Include Prior Years Outstanding Vouchers: No
Summary Only: No Include Vouchers Paid/Deleted After Specified Period/Year: No

Account Table:

Alt. Sort Table:

Sort:	Sort	Subtotal	Page Break	Subheading
1	Fund	Yes	Yes	Yes
2	Dept	Yes	No	Yes

TOWN OF ALDEN

AP GL Distribution Report

Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No. Voucher No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund A											
Dept 1010											
GENERAL FUND											
COUNCILMEN											
A.1010.0401		00001		0000002777	WAISS, GINA	06022023	06/13/2023	06/13/2023	6	0.00	250.00
20230501											
Total A.1010.0401										0.00	250.00
COUNCILMEN.OFFICE SUPPLIES											
COUNCILMEN											
Total Dept 1010										0.00	250.00
Dept 1110											
TOWN JUSTICES											
TOWN JUSTICES.PT CONSTABLES											
A.1110.0106		00001		0000001424	BIELAT, PAULA D	06062023	06/13/2023	06/13/2023	6	0.00	125.00
20230502				0000002790	ANA BRIGNONI	437	06/15/2023	06/15/2023	6	0.00	170.00
20230534				0000002733	CHAUVIN-WILKS, GABRIELA	51623	06/15/2023	06/15/2023	6	0.00	170.00
Total A.1110.0106										0.00	465.00
TOWN JUSTICES.PT CONSTABLES											
TOWN JUSTICES.OFFICE SUPPLIES											
A.1110.0401		00001		0000002489	W. B. MASON CO. INC.	*****	06/15/2023	06/15/2023	6	0.00	17.58
20230536											
Total A.1110.0401										0.00	17.58
TOWN JUSTICES.OFFICE SUPPLIES											
TOWN JUSTICES.EXPENSE & TRAVEL											
A.1110.0404		00001		0000001893	WALLACE, MICHELLE	03292023	06/15/2023	06/15/2023	6	0.00	42.00
20230535											
Total A.1110.0404										0.00	42.00
TOWN JUSTICES.EXPENSE & TRAVEL											
TOWN JUSTICES.LAW BOOKS											
A.1110.0411		00001		0000002973	BLUE360 MEDIA	IN230219992	06/15/2023	06/15/2023	6	0.00	22.35
20230538											
Total A.1110.0411										0.00	22.35
TOWN JUSTICES.LAW BOOKS											
TOWN JUSTICES											
Total Dept 1110										0.00	546.93
Dept 1220											
SUPERVISOR											
A.1220.0415		00001		0000001764	ADP, INC.	269459	06/13/2023	06/13/2023	6	0.00	1,214.83
20230510											
Total A.1220.0415										0.00	1,214.83
SUPERVISOR.COMPUTER SUPPLIE - ADP											
SUPERVISOR											
Total Dept 1220										0.00	1,214.83
Dept 1355											
ASSESSOR											
A.1355.0450											
Total A.1355.0450										0.00	1,214.83
ASSESSOR.REASSESSMENT LITIGATION											

TOWN OF ALDEN

Alt. Sort Table:

AP GL Distribution Report

Prepared By: CLERK 4

Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund A					GENERAL FUND						
Dept 1355					ASSESSOR						
A.1355.0450					ASSESSOR,REASSESSMENT LITIGATION						
20230511		00001		0000002572	EMMINGER NEWTON PIGEON MAGY/05232023		06/13/2023	06/13/2023	6	0.00	5,300.00
Total A.1355.0450										0.00	5,300.00
Total Dept 1355										0.00	5,300.00
Dept 1360					ASSESSMENT REVIEW						
A.1360.0401					ASSESSMENT REVIEW,BOARD MEMBERS						
20230504		00001		0000002668	CASCIO, CHRISTIE		06/13/2023	06/13/2023	6	0.00	100.00
20230505		00001		0000001275	GERHART, JENNY		06/13/2023	06/13/2023	6	0.00	100.00
20230506		00001		0000002831	HERGENRODER, SUSAN		06/13/2023	06/13/2023	6	0.00	100.00
20230507		00001		0000000041	DEWITT, MICHAEL		06/13/2023	06/13/2023	6	0.00	100.00
Total A.1360.0401					ASSESSMENT REVIEW,BOARD MEMBERS					0.00	400.00
A.1360.0405					ASSESSMENT REVIEW,SECRETARY						
20230503		00001		0000002793	SUSAN SCHUMACHER		06/13/2023	06/13/2023	6	0.00	220.00
Total A.1360.0405					ASSESSMENT REVIEW,SECRETARY					0.00	220.00
Total Dept 1360					ASSESSMENT REVIEW					0.00	620.00
Dept 1610					INTERNET						
A.1610.0400					INTERNET,CONTRACTUAL EXPENSE						
20230543		00001		00000001862	CHARTER COMMUNICATIONS		06/16/2023	06/16/2023	6	0.00	129.99
20230544		00001		00000001862	CHARTER COMMUNICATIONS		06/16/2023	06/16/2023	6	0.00	147.98
Total A.1610.0400					INTERNET,CONTRACTUAL EXPENSE					0.00	277.97
Total Dept 1610					INTERNET					0.00	277.97
Dept 1620					BUILDINGS						
A.1620.0406					BUILDINGS,TELEPHONE						
20230496		00001		00000000653	VERIZON WIRELESS		06/13/2023	06/13/2023	6	0.00	50.34
20230499		00001		0000002968	CUSTOM TEL, LLC		06/13/2023	06/13/2023	6	0.00	119.67
20230542		00001		0000002732	VERIZON BUSINESS		06/16/2023	06/16/2023	6	0.00	2.39
20230546		00001		0000002064	VERIZON, ACCT. 156347582000177		06/16/2023	06/16/2023	6	0.00	178.12
Total A.1620.0406					BUILDINGS,TELEPHONE					0.00	350.52
A.1620.0407					BUILDINGS,LIGHT						

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Fund A			GENERAL FUND								
Dept 1620			BUILDINGS								
A.1620.0407			BUILDINGS.LIGHT								
20230545		00001	0000000111	NYSEG		06092023	06/16/2023	06/16/2023	6	0.00	1,211.71
Total A.1620.0407			BUILDINGS.LIGHT							0.00	1,211.71
A.1620.0409			BUILDINGS.WATER								
20230492		00001	0000000183	ERIE COUNTY WATER AUTH		06092023	06/13/2023	06/13/2023	6	0.00	63.78
Total A.1620.0409			BUILDINGS.WATER							0.00	63.78
A.1620.0440			BUILDINGS.ALARM SYS COMM CTR								
20230530		00001	0000001278	DOYLE SECURITY SYSTEMS, INC.		1456263	06/15/2023	06/15/2023	6	0.00	119.82
Total A.1620.0440			BUILDINGS.ALARM SYS COMM CTR							0.00	119.82
Total Dept 1620			BUILDINGS							0.00	1,745.83
Dept 1670			CENTRAL MAILING								
A.1670.0403			CENTRAL MAILING.PRINTING & ADVERTISING								
20230539		00001	0000000118	ALDEN ADVERTISER		4161	06/16/2023	06/16/2023	6	0.00	158.36
Total A.1670.0403			CENTRAL MAILING.PRINTING & ADVERTISING							0.00	158.36
A.1670.0410			CENTRAL MAILING.OFFICE EQUIP RENT								
20230497		00001	0000002922	XEROX FINANCIAL SERVICES		4333024	06/13/2023	06/13/2023	6	0.00	254.95
Total A.1670.0410			CENTRAL MAILING.OFFICE EQUIP RENT							0.00	254.95
Total Dept 1670			CENTRAL MAILING							0.00	413.31
Dept 3120			PUBLIC SAFETY								
A.3120.0403			PUBLIC SAFETY.BACKGROUND CHECKS								
20230512		00001	0000002455	PROTECT YOUTH SPORTS		1063456	06/13/2023	06/13/2023	6	0.00	12.95
Total A.3120.0403			PUBLIC SAFETY.BACKGROUND CHECKS							0.00	12.95
Total Dept 3120			PUBLIC SAFETY							0.00	12.95
Dept 5010			HIGHWAY								
A.5010.0401			HIGHWAY.OFFICE SUPPLIES								
20230528		00001	0000001330	EATON OFFICE SUPPLY CO INC.		PINV1111547	06/15/2023	06/15/2023	6	0.00	188.97

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Fund A					GENERAL FUND						
Dept 5010					HIGHWAY						
A.5010.0401					HIGHWAY.OFFICE SUPPLIES					0.00	188.97
Total A.5010.0401					HIGHWAY.OFFICE SUPPLIES					0.00	188.97
Total Dept 5010					HIGHWAY					0.00	188.97
Dept 5132					HIGHWAY GARAGE						
A.5132.0406					HIGHWAY GARAGE.TELEPHONE						
20230546		00001		0000002064	VERIZON, ACCT. 156347582000177	06162023	06/16/2023	06/16/2023	6	0.00	34.60
Total A.5132.0406					HIGHWAY GARAGE.TELEPHONE					0.00	34.60
A.5132.0407					HIGHWAY GARAGE.LIGHT						
20230545		00001		0000000111	NYSEG	06092023	06/16/2023	06/16/2023	6	0.00	408.85
Total A.5132.0407					HIGHWAY GARAGE.LIGHT					0.00	408.85
A.5132.0438					HIGHWAY GARAGE.REPAIRS & MAINT						
20230515		00001		0000002543	LAWSON PRODUCTS	*****	06/13/2023	06/13/2023	6	0.00	122.95
20230537		00001		0000002069	TRACTOR SUPPLY COMPANY	06122023	06/15/2023	06/15/2023	6	0.00	79.63
Total A.5132.0438					HIGHWAY GARAGE.REPAIRS & MAINT					0.00	202.58
A.5132.0439					HIGHWAY GARAGE.JANITORIAL SUPPLIES						
20230540		00001		0000001386	HOME DEPOT CREDIT SERVICES INC *****		06/16/2023	06/16/2023	6	0.00	69.98
Total A.5132.0439					HIGHWAY GARAGE.JANITORIAL SUPPLIES					0.00	69.98
Total Dept 5132					HIGHWAY GARAGE					0.00	716.01
Dept 6772					PROGRAMS FOR AGING						
A.6772.0401					PROGRAMS FOR AGING.NUTRITION PROGRAM						
20230495		00001		0000002770	ERICKSON, MARY	05082023	06/13/2023	06/13/2023	6	0.00	14.28
Total A.6772.0401					PROGRAMS FOR AGING.NUTRITION PROGRAM					0.00	14.28
A.6772.0440					PROGRAMS FOR AGING.RECREATION SUPPLIES						
20230494		00001		0000002890	GADD, MICHELLE	113-2937544-3137	06/13/2023	06/13/2023	6	0.00	26.93
20230495		00001		0000002770	ERICKSON, MARY	05082023	06/13/2023	06/13/2023	6	0.00	79.27
20230514		00001		0000002318	TOPS FRIENDLY MARKETS	07012023	06/13/2023	06/13/2023	6	0.00	100.00
Total A.6772.0440					PROGRAMS FOR AGING.RECREATION SUPPLIES					0.00	206.20

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Fund A			GENERAL FUND								
Dept 6772			PROGRAMS FOR AGING							0.00	220.48
Total Dept 6772			PROGRAMS FOR AGING								
Dept 7110			PARKS								
A.7110.0413			PARKS.RESURFACE PARK ROADS								
20230519		00001	0000000164	COUNTY LINE STONE CO., INC.	151534	06/13/2023	06/13/2023		6	0.00	95.94
Total A.7110.0413			PARKS.RESURFACE PARK ROADS							0.00	95.94
A.7110.0429			PARKS.REPAIRS & MAINTENANCE								
20230531		00001	0000002953	FREEDOM AUTOMOTIVE INC.	3308	06/15/2023	06/15/2023		6	0.00	1,258.25
Total A.7110.0429			PARKS.REPAIRS & MAINTENANCE							0.00	1,258.25
A.7110.0434			PARKS.LANDSCAPING MATERIALS								
20230522		00001	0000002659	MITCHELL GREENHOUSES	466467	06/15/2023	06/15/2023		6	0.00	474.45
Total A.7110.0434			PARKS.LANDSCAPING MATERIALS							0.00	474.45
A.7110.0436			PARKS.SHELTER								
20230524		00001	0000001473	SHERWIN-WILLIAMS	6076-8	06/15/2023	06/15/2023		6	0.00	262.08
20230540		00001	0000001386	HOME DEPOT CREDIT SERVICES INC *****		06/16/2023	06/16/2023		6	0.00	461.96
Total A.7110.0436			PARKS.SHELTER							0.00	724.04
A.7110.0437			PARKS.PERMITS								
20230521		00001	0000000028	COMMISSONER OF FINANCE	QUAL202431881	06/15/2023	06/15/2023		6	0.00	147.00
Total A.7110.0437			PARKS.PERMITS							0.00	147.00
A.7110.0438			PARKS.BUILDING MAINTENANCE								
20230500		00001	0000001487	SITZMAN'S APPLIANCE CENTER INC. 147949		06/13/2023	06/13/2023		6	0.00	50.00
20230532		00001	0000002341	GUIJ LUMBER ACE HARDWARE *****		06/15/2023	06/15/2023		6	0.00	243.43
Total A.7110.0438			PARKS.BUILDING MAINTENANCE							0.00	293.43
A.7110.0439			PARKS.JANITORIAL SUPPLIES								
20230525		00001	0000002739	STATE CHEMICAL SOLUTIONS *****		06/15/2023	06/15/2023		6	0.00	434.81
Total A.7110.0439			PARKS.JANITORIAL SUPPLIES							0.00	434.81
A.7110.0450			PARKS.MATERIALS & SUPPLIES								
20230523		00001	0000001148	PIONEER ATHLETICS	INV883012	06/15/2023	06/15/2023		6	0.00	269.90
20230529		00001	0000002824	KEPLER CULLIGAN WATER	284598	06/15/2023	06/15/2023		6	0.00	10.95

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Fund A					GENERAL FUND						
Dept 7110					PARKS						
A.7110.0450					PARKS.MATERIALS & SUPPLIES					0.00	280.85
Total A.7110.0450					PARKS.MATERIALS & SUPPLIES					0.00	280.85
Total Dept 7110					PARKS					0.00	3,708.77
Dept 7140					RECREATION						
A.7140.0403					RECREATION.PRINTING & ADVERTISING						
20230498		00001		0000000118	ALDEN ADVERTISER	4234	06/13/2023	06/13/2023	6	0.00	160.00
Total A.7140.0403					RECREATION.PRINTING & ADVERTISING					0.00	160.00
A.7140.0437					RECREATION.PORTABLE TOILETS						
20230520		00001		0000001287	CREEKSIDE SEPTIC & RENTALS, INC *****		06/13/2023	06/13/2023	6	0.00	490.00
Total A.7140.0437					RECREATION.PORTABLE TOILETS					0.00	490.00
Total Dept 7140					RECREATION					0.00	650.00
Total Fund A					GENERAL FUND					0.00	15,866.05

Date Prepared: 06/16/2023 01:55 PM

Report Date: 06/16/2023

Account Table:

Alt. Sort Table:

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Account No.	Voucher No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund B						PART TOWN FUND						
Dept 8020						PLANNING						
B.8020.0409						PLANNING:TOWN ENGINEER						
20230513			00001		0000001144	METZGER CIVIL ENGINEERING, PLLC 06012023		06/13/2023	06/13/2023	6	0.00	2,125.00
Total B.8020.0409						PLANNING:TOWN ENGINEER					0.00	2,125.00
Total Dept 8020						PLANNING					0.00	2,125.00
Total Fund B						PART TOWN FUND					0.00	2,125.00

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Fund DB					HIGHWAY FUND - PART TOWN						
Dept 5110					MAINTENANCE OF ROADS						
DB:5110.0433					MAINTENANCE OF ROADS,RESURFACING MATERIALS						
20230518		00001		0000001403	VALLEY FAB & EQUIPMENT, INC	134992	06/13/2023	06/13/2023	6	0.00	130.00
Total DB:5110.0433					MAINTENANCE OF ROADS,RESURFACING MATERIALS					0.00	130.00
Total Dept 5110					MAINTENANCE OF ROADS					0.00	130.00
Dept 5112					ROAD CONSTRUCTION						
DB:5112.0433					ROAD CONSTRUCTION,MATERIALS & SUPPLIES						
20230526		00001		0000000164	COUNTY LINE STONE CO., INC.	151533	06/15/2023	06/15/2023	6	0.00	1,314.21
Total DB:5112.0433					ROAD CONSTRUCTION,MATERIALS & SUPPLIES					0.00	1,314.21
Total Dept 5112					ROAD CONSTRUCTION					0.00	1,314.21
Dept 5130					MACHINERY						
DB:5130.0409					MACHINERY,COMMUNICATION SYSTEM						
20230496		00001		0000000653	VERIZON WIRELESS	9935667382	06/13/2023	06/13/2023	6	0.00	27.08
Total DB:5130.0409					MACHINERY,COMMUNICATION SYSTEM					0.00	27.08
DB:5130.0424					MACHINERY,REPAIRS AND MAINTENANCE						
20230517		00001		0000002666	POWERHOUSE SERVICES, INC.	3268	06/13/2023	06/13/2023	6	0.00	2,986.62
20230537		00001		0000002069	TRACTOR SUPPLY COMPANY	06122023	06/15/2023	06/15/2023	6	0.00	120.37
20230540		00001		0000001386	HOME DEPOT CREDIT SERVICES INC *****		06/16/2023	06/16/2023	6	0.00	221.54
Total DB:5130.0424					MACHINERY,REPAIRS AND MAINTENANCE					0.00	3,328.53
Total Dept 5130					MACHINERY					0.00	3,355.61
Dept 5140					MISCELLANEOUS (BRUSH AND LEAVES)						
DB:5140.0449					MISCELLANEOUS (BRUSH AND LEAVES),MATERIALS & SUPPLIES						
20230516		00001		0000002659	MITCHELL GREENHOUSES	466658	06/13/2023	06/13/2023	6	0.00	178.60
20230540		00001		0000001386	HOME DEPOT CREDIT SERVICES INC *****		06/16/2023	06/16/2023	6	0.00	394.87
Total DB:5140.0449					MISCELLANEOUS (BRUSH AND LEAVES),MATERIALS & SUPPLIES					0.00	573.47
Total Dept 5140					MISCELLANEOUS (BRUSH AND LEAVES)					0.00	573.47
Dept 5142					SNOW REMOVAL						
DB:5142.0449					SNOW REMOVAL,MATERIALS & SUPPLIES						

TOWN OF ALDEN

AP GL Distribution Report

Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No. Voucher No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund DB					HIGHWAY FUND - PART TOWN						
Dept 5142					SNOW REMOVAL						
DB:5142.0449					SNOW REMOVAL.MATERIALS & SUPPLIES						
20230527		00001		0000002705	CYNCON EQUIPMENT	92349	06/15/2023	06/15/2023	6	0.00	546.50
Total DB:5142.0449					SNOW REMOVAL.MATERIALS & SUPPLIES					0.00	546.50
Total Dept 5142					SNOW REMOVAL					0.00	546.50
Dept 9060					HOSPITAL AND MEDICAL INSURANCE						
DB:9060.0800					HOSPITAL AND MEDICAL INSURANCE.EMPLOYEE BENEFITS						
20230508		00001		0000001773	NYS TEAMSTERS COUNCIL HEALTH .06022023		06/13/2023	06/13/2023	6	0.00	4,358.08
Total DB:9060.0800					HOSPITAL AND MEDICAL INSURANCE.EMPLOYEE BENEFITS					0.00	4,358.08
Total Dept 9060					HOSPITAL AND MEDICAL INSURANCE					0.00	4,358.08
Total Fund DB					HIGHWAY FUND - PART TOWN					0.00	10,277.87

TOWN OF ALDEN

Account Table:

AP GL Distribution Report

Prepared By: CLERK 4

Alt. Sort Table:

Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund SA					SEWER ALAURA DRIVE						
Dept 8130					SEWAGE TREATMENT AND DISPOSAL						
SA.8130.0400					SEWAGE TREATMENT AND DISPOSAL.CONTRACTUAL EXPENSE						
20230513		00001		0000001144	METZGER CIVIL ENGINEERING, PLLC	06012023	06/13/2023	06/13/2023	6	0.00	183.33
Total SA.8130.0400					SEWAGE TREATMENT AND DISPOSAL.CONTRACTUAL EXPENSE					0.00	183.33
SA.8130.0408					SEWAGE TREATMENT AND DISPOSAL.ELECTRIC						
20230545		00001		0000000111	NYSEG	06092023	06/16/2023	06/16/2023	6	0.00	8.51
Total SA.8130.0408					SEWAGE TREATMENT AND DISPOSAL.ELECTRIC					0.00	8.51
SA.8130.0410					SEWAGE TREATMENT AND DISPOSAL.PHONE						
20230547		00001		0000002957	VERIZON, ACCT. 452644532000153	06162023	06/16/2023	06/16/2023	6	0.00	32.16
Total SA.8130.0410					SEWAGE TREATMENT AND DISPOSAL.PHONE					0.00	32.16
Total Dept 8130					SEWAGE TREATMENT AND DISPOSAL					0.00	224.00
Total Fund SA					SEWER ALAURA DRIVE					0.00	224.00

TOWN OF ALDEN

AP GL Distribution Report

Prepared By: CLERK 4

Alt. Sort Table: Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No. Voucher No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund SL											
Dept 5182											
					CONSOLIDATED LIGHTING						
					STREET LIGHTING						
SL:5182.0411					STREET LIGHTING:LIGHTING CONTRACTS						
20230545		00001		0000000111	NYSEG	06092023	06/16/2023	06/16/2023	6	0.00	4,880.92
Total SL:5182.0411					STREET LIGHTING:LIGHTING CONTRACTS					0.00	4,880.92
Total Dept 5182					STREET LIGHTING					0.00	4,880.92
Total Fund SL					CONSOLIDATED LIGHTING					0.00	4,880.92

TOWN OF ALDEN

AP GL Distribution Report

Alt. Sort Table: Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No. Voucher No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund SL1					PERWINKLE LIGHTING DISTRICT						
Dept 5182					STREET LIGHTING						
SL1.5182.0410					STREET LIGHTING, MAINTENANCE AND OPERATION						
20230493		00001		0000000111	NYSEG	06092023	06/13/2023	06/13/2023	6	0.00	93.02
Total SL1.5182.0410					STREET LIGHTING, MAINTENANCE AND OPERATION					0.00	93.02
Total Dept 5182					STREET LIGHTING					0.00	93.02
Total Fund SL1					PERWINKLE LIGHTING DISTRICT					0.00	93.02

Date Prepared: 06/16/2023 01:55 PM
 Report Date: 06/16/2023
 Account Table:

TOWN OF ALDEN

AP GL Distribution Report

Alt. Sort Table: Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund SR					REFUSE COLLECTION DISTRICT						
Dept 8160					REFUSE AND GARBAGE						
SR:8160.0400					REFUSE AND GARBAGE:REFUSE COLLECTION						
20230541		00001		0000002723	WM CORPORATE SERVICES, INC., AS	0020078-1342-7	06/16/2023	06/16/2023	6	0.00	41,822.15
Total SR:8160.0400					REFUSE AND GARBAGE:REFUSE COLLECTION					0.00	41,822.15
Total Dept 8160					REFUSE AND GARBAGE					0.00	41,822.15
Total Fund SR					REFUSE COLLECTION DISTRICT					0.00	41,822.15

TOWN OF ALDEN

AP GL Distribution Report

Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Account No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
Fund T					TRUST & AGENCY						
Dept 0000			0000								
T.0000.0017					DEFERRED COMPENSATION PLAN						
20230509		00001	533	0000002471	NEW YORK STATE DEFERRED COMF 06052023		06/13/2023	06/13/2023	6	0.00	1,832.02
Total T.0000.0017					DEFERRED COMPENSATION PLAN					0.00	1,832.02
Total Dept 0000					0000					0.00	1,832.02
Total Fund T					TRUST & AGENCY					0.00	1,832.02
Grand Total										0.00	77,121.03

Dept. No.	Name	Enc. Amount	Exp. Amount
0000	0000	0.00	1,832.02
1010	COUNCILMEN	0.00	250.00
1110	TOWN JUSTICES	0.00	546.93
1220	SUPERVISOR	0.00	1,214.83
1355	ASSESSOR	0.00	5,300.00
1360	ASSESSMENT REVIEW	0.00	620.00
1610	INTERNET	0.00	277.97
1620	BUILDINGS	0.00	1,745.83
1670	CENTRAL MAILING	0.00	413.31
3120	PUBLIC SAFETY	0.00	12.95
5010	HIGHWAY	0.00	188.97
5110	MAINTENANCE OF ROADS	0.00	130.00
5112	ROAD CONSTRUCTION	0.00	1,314.21
5130	MACHINERY	0.00	3,355.61
5132	HIGHWAY GARAGE	0.00	716.01
5140	MISCELLANEOUS (BRUSH AND LEAVES)	0.00	573.47
5142	SNOW REMOVAL	0.00	546.50
5182	STREET LIGHTING	0.00	4,973.94
6772	PROGRAMS FOR AGING	0.00	220.48
7110	PARKS	0.00	3,708.77
7140	RECREATION	0.00	650.00
8020	PLANNING	0.00	2,125.00
8130	SEWAGE TREATMENT AND DISPOSAL	0.00	224.00
8160	REFUSE AND GARBAGE	0.00	41,822.15
9060	HOSPITAL AND MEDICAL INSURANCE	0.00	4,358.08

Date Prepared: 06/16/2023 01:55 PM

Report Date: 06/16/2023

Account Table:

Alt. Sort Table:

TOWN OF ALDEN

AP GL Distribution Report

Fiscal Year: 2023 Period From: 1 To: 12 Pay Due Date 06/09/2023 To: 06/16/2023

Prepared By: CLERK 4

Account No.	PO No.	Check ID	Check No.	Vendor Code	Vendor Name	Invoice No.	Invoice Date	Pay Due	Period	Enc. Amount	Expense Amount
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Grand Total: 0.00 77,121.03

Motion to hire Part-time Seasonal Parks Worker

Motion to hire Shane Henning, effective immediately, as part time seasonal parks worker at a rate of \$16.00 per hours for the 2023 parks season; contingent upon successful completion of all pre-employment checks.

B

Motion to approve Park Use by AJFC

Motion to approve the request of Alden Junior Football & Cheerleading ("AJFC") to use the Town Park football fields for football practice on Monday through Friday from 6 pm until 8 pm from July 31, 2023 until the official commencement of the 2023-2024 Alden Central School Year in September, 2023; and on Tuesday through Friday from 6 pm until 8 pm from the date that the Alden Central 2023-2024 School Year commences until October 31, 2023; and for football games on Saturdays from 9 am until 6 pm from August 26, 2023 until October 31, 2023.

All participants must sign Waivers, to be filed with the Town Clerk prior to participating in any practice or game.

AJFC must submit proof of insurance naming the Town of Alden as an addition insured to the Town Clerk prior to its first practice.

C

RESOLUTION DECLARING LEAD AGENCY FOR MINOR SUBDIVISION ON CRITTENDEN ROAD

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Alden Town Board is considering an application by Chris Snyder for the subdivision of four (4) lots. The entire parcel currently consists of approximately 6.75 vacant acres at Crittenden Road, in the Town of Alden, further identified as SBL# 108.00-2-27.111. The first proposed lot ("Parcel 1") will be an approximate 1.4-acre parcel; the second proposed lot ("Parcel 2") will be an approximate 1.2-acre parcel; the third proposed lot ("Parcel 3") will be an approximate 1.98-acre parcel; and the fourth proposed lot ("Parcel 4") will be the remaining approximate 1.98-acre parcel (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; 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 Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board has determined that it should be the Lead Agency for all environmental

review of the Proposed Action.

3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden June 20, 2023 , the results of which were as follows:

Councilwomen Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

D

RESOLUTION DECLARING SEQRA NEGATIVE DECLARATION AND APPROVING MINOR SUBDIVISION ON TWO ROD ROAD

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Alden Town Board is considering an application by Stephen Zinter for the subdivision of two (2) lots. The entire parcel currently consists of approximately 3.5 improved acres at 482 Two Rod Road, in the Town of Alden, further identified as SBL 118.18-2-20. The first proposed lot ("Parcel A") would be an approximately 2.1-acre parcel containing an existing house and outbuilding; and the second proposed lot ("Parcel B") would be an approximately 1.4-acre vacant parcel (the "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning, for this Proposed Action, as required under Section 239-m of the General Municipal Law and no comment was received;

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

WHEREAS, the Alden Town Board did assume Lead Agency Status on May 1, 2023;

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

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.

WHEREAS, the Town of Alden Planning Board on May 9, 2023, reviewed the Proposed Action and recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

- 1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;**
- 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;

3. That the following parcel, more particularly described as:

*ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Alden, County of Erie and State of New York, being part of Lot 162, Township 10, Range 5 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at the northwest corner of lands conveyed to Stephen B. Zinter by deed recorded in the Erie County Clerk's office in Liber 11211 of Deeds at page 2638; THENCE: Easterly, along the north line of said Stephen B. Zinter lands, having an interior angle of 86°-38'-00", a distance of 320.91 feet to the southwest line of lands appropriated by the People of the State of New York by Notice of Appropriation recorded in Liber 7020 of Deeds at page 422 Map No. 15, Parcel No. 15; THENCE: Southeasterly, along said southwesterly line of Map No. 15, Parcel No. 15, having an interior angle of 134°-19'-48", a distance of 71.67 feet to an angle point; THENCE: Southerly, along the westerly line of said Map No. 15, Parcel No. 15, having an interior angle of 141°-30'-12", a distance of 112.60 feet to a point; THENCE: Westerly, through said Stephen B. Zinter lands, having an interior angle of 85°-58'-24", a distance of 372.32 feet to the west line of said Stephen B. Zinter lands; THENCE: Northerly, along the said west line of Stephen B. Zinter lands, having an interior angle of 91°-33'-36", a distance of 175.33 feet to the POINT or PLACE OF BEGINNING having an area of 1.41 acres more or less.
EXCEPTING AND RESERVING a ten foot wide private drainage easement over a storm sewer drain, the centerline of said easement being distant 21.85 feet westerly from the southeast corner of said described parcel as measured along the south line of said described parcel, thence running northly through said parcel to a point on the northeasterly line of said parcel distant 27.2 feet northwesterly from said angle point in the west line of said Map No. 15, Parcel No. 15, as measured along said northeasterly line of said described parcel.*

Is given subdivision approval; and

4. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Alden Town Board on June 20, 2023, the results of which were as follows:

Councilwomen Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

E

RESOLUTION TO APPROVE LEASE AGREEMENT WITH ALTERNATIVE CARE SERVICES OF WNY, INC.

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Alden Town Board and Alternative Care Services of WNY, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have negotiated a Lease Agreement for a currently unused kitchen portion of Town Hall located at 3311 Wende Road for the operation of a Meal-On Wheels Service;

WHEREAS, the Town Board is aware that a large number of residents of the Town of Alden are eligible for and participate in the Alternative Care Services of WNY Inc.'s Meals-On-Wheels Program and is desirous of continuing such services for its residents;

WHEREAS, Alternative Care Services of WNY, Inc. is the sole source provider of a Meals-on-Wheels Program in the Town of Alden;

WHEREAS, Alternative Care Services will pay rent to the Town at a fair and reasonable rent as required by Town Law Section 64;

WHEREAS, the Town and Alternative Care Services of WNY, Inc. have come to full agreement on the terms of such Lease Agreement to run as of August 1, 2023 , until July 31, 2026; and

WHEREAS, the Alden Town Board believes the entered into said Lease Agreement is consistent with its policies and in the best interests of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. **The Town Board hereby, pursuant to Town Law Sections 64(2) and 29(11) hereby approves a Lease Agreement with Alternative Care Services of WNY Inc., for the operations of a Meals On Wheels Service and authorizes and directs the Town Supervisor to sign said Lease Agreement; and**
2. Pursuant to section 64(2) of the Town Law this resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the Alden Advertiser, and posted at Town Hall, a Notice in substantially the form appearing in Exhibit A hereto.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2023, the results of which were as follows:

Councilwomen Weiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

EXHIBIT A
PUBLIC NOTICE TOWN OF ALDEN

NOTICE IS HEREBY GIVEN that the Alden Town Board, at a regular meeting thereof, held on June 20, 2023, duly adopted, subject to a permissive referendum, a Resolution, a summary of which is as follows: RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH ALTERNATIVE CARE SERVICES OF WNY, INC.

WHEREAS, the Alden Town Board and Alternative Care Services of WNY, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have negotiated a Lease Agreement for a currently unused kitchen portion of Town Hall located at 3311 Wende Road for the operation of a Meal-On Wheels Service;

WHEREAS, Alternative Care Services will pay rent to the Town at a fair and reasonable rent as required by Town Law Section 64; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT: The Town Board hereby, pursuant to Town Law Sections 64(2) and 29(11) hereby approves a Lease Agreement with Alternative Care Services of WNY Inc., for the operations of a Meals On Wheels Service and authorizes and directs the Town Supervisor to sign said Lease Agreement; and 2. Pursuant to section 64(2) of the Town Law this resolution is subject to a permissive referendum.

CERTIFICATE OF TOWN CLERK

I, Alecia Barrett, Town Clerk of the Town of Alden, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That the resolution entitled: RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH ALTERNATIVE CARE SERVICES OF WNY, INC. a copy of which is attached hereto and made a part hereof, was adopted by the Alden Town Board on June 20, 2023, and that a notice setting forth the date of adoption of the resolution and containing an abstract of said resolution concisely stating the purpose and effect thereof was duly posted and published as required by law.

That no petition for permissive referendum, as prescribed by Section 91 of Town Law, protesting against said resolution and requesting that said resolution be submitted to the qualified electors of the Town for their approval or disapproval has been filed with the Town Clerk within 30 days after the date of adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this ____ day of July, 2023.

Alecia Barrett

(Seal)

F

RESOLUTION DECLARING TYPE II SEQRA ACTION FOR LOCAL LAW # 3 of 2023:
ETHICS

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO
MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Town Board of the Town of Alden (“Town Board”) is fully and properly considering adopting Local Law # 3 of 2023 “Town of Alden Code of Ethics” which shall; replace in its entirety Chapter 29 of the Alden Town Code (the “Proposed Action”); and

WHEREAS, the Town Board, after completing the Short Environmental Assessment Form has determined that the Proposed Action is a Type II Action under SEQRA; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The Town Board hereby adopts the attached Determination of Type II Action;**
2. The Town of Alden, as Lead Agency, hereby determines that the Type II action described in the attached Determination, 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; and
- 3. This resolution shall take effect immediately.**

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on June 20, 2023, the results of which were as follows:

Councilwomen Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

Determination of Type II Action
TOWN OF ALDEN

In the Matter of the Application of the Town of Alden
for an Environmental Assessment Pursuant to the
State Environmental Quality
Review Act (SEQR)

1. The Town of Alden, on or about June 13, 2023, completed an Environmental Assessment Form (EAF), a copy of which is attached hereto and made a part hereof relating to Local Law # 3 of 2023 "Town of Alden Code of Ethics".
2. Pursuant to 6 NYCRR section 617.5 of the SEQR regulations it is hereby determined that the action proposed in said EAF constitutes a Type II action as defined under said regulation and does not require an environmental impact statement or any other determination or procedure. More Specifically: 6 NYCRR Section 617.5(c)(26) and (33) state that routine continuing administration and management of the Town and the adoption of local legislation in relation thereof are Type II actions. The adoption of a local law to rescind a local law requiring residency of Town employees is local legislation regarding the continuing administration and management of the Town of Alden.

Date: June 20, 2023

Brett A. Sitzman, Supervisor Town of Alden

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town of Alden			
Name of Action or Project: Local Law # 3 of 2023: Town of Alden Code of Ethics			
Project Location (describe, and attach a location map): Town Wide			
Brief Description of Proposed Action: Local Law eastablishing a new Code of Ethics and rescinding the current Code of Ethics			
Name of Applicant or Sponsor: Alden Town Board		Telephone: 716.937.6969	
		E-Mail: brett.sitzman@erie.gov	
Address: 3311 Wende Road			
City/PO: Alden		State: NY	Zip Code: 14004
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 0 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): town wide local law			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Brett A. Sitzman</u> Title: <u>Supervisor</u>		

G

Resolution Calling Public hearing for Local Law # 3 of 2023 "Town of Alden Code of Ethics"

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO MOVED ITS ADOPTION, SECONDED BY _____.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 3rd day of July, 2023, for the purpose of hearing all persons interested in the proposed Local Law No. 3 of the Year 2023 "Town of Alden Code of Ethics" which will establish a new Code of Ethics and rescind the current Code of Ethics; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than ten (10) days before the date of the public hearing; (b) and post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 3 of the Year 2023, entitled "Town of Alden Code of Ethics" available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on June 20, 2023, which resulted as follows:

Councilwomen Waiss	AYE	NAY
Supervisor Sitzman	AYE	NAY
Councilwomen Pautler	AYE	NAY

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF ALDEN, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board on June 5, 2023, for adoption a proposed Local Law to be known as Local Law No. 3 of the Year 2023 entitled "Town of Alden Code of Ethics" The purpose of this local law is to adopt a new Code of Ethics and to rescind the current Code of Ethics.

THEREFORE, pursuant to the Municipal Home Rule Law Rules, the Town Board of the Town of Alden shall hold a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 3rd day of July, 2023, at which time persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town Clerk at 716-937-6969.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF ALDEN

Dated: June 20, 2023

RESOLUTION AUTHORIZING INTERMUNICIPAL COOPERATION AGREEMENT FOR DOG KENNEL SERVICES WITH THE TOWN OF NEWSTEAD

THE FOLLOWING RESOLUTION WAS OFFERED BY _____ WHO MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Town of Alden and the Town of Newstead agree that it is in the best interests of their residents and that it is cost effective to both municipalities to share Dog Kennel Services pursuant to the terms and conditions of the attached Intermunicipal Cooperation Agreement;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Alden Town Board does hereby authorize and direct the Supervisor to enter into and execute all necessary documents to effectuate an Intermunicipal Cooperation Agreement in the form attached hereto with the Town of Newstead for shared Dog Kennel services for a term to commence on July 1, 2023, and expire on June 30, 2024; and

2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting of the Alden Town Board held on June 20, 2023, as follows:

Councilwomen Waiss	AYE	NAY
Supervisor Sitzman	AYE	NAY
Councilwomen Pautler	AYE	NAY

INTERMUNICIPAL COOPERATION AGREEMENT
DOG KENNEL SERVICES

THIS AGREEMENT, made this ____ day of _____, 2023, by and between the TOWN OF ALDEN, a municipal corporation having an office located at 3311 Wende Rd, Alden, New York 14004, (hereinafter "Alden"), and the TOWN OF NEWSTEAD, a municipal corporation having an office located at 5 Clarence Center Road, Akron, New York 14001 (hereinafter "Akron").

WITNESSETH:

WHEREAS, the Town of Newstead operates a shelter for dogs (hereinafter the "Newstead Dog Kennel") and is authorized, pursuant to Article 7, §114 of the Agriculture & Markets Law, to enter into a contract for pound or shelter services for dogs seized pursuant to laws, ordinances, rules, and regulations applicable in other Towns such as the Town of Alden (hereinafter "Alden") for lost, strayed, or homeless dogs, and for the destruction or other disposition of seized dogs not redeemed as provided for in the Agriculture & Markets Law; and

WHEREAS, Alden desires to enter into an Intermunicipal Cooperative Agreement pursuant to Article 5G of the General Municipal Law for such services with Newstead covering all Alden dogs which are brought to the Newstead Dog Kennel by the Dog Control Officer from Alden; and

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter contained, the parties hereto do mutually agree as follows:

1. **Term.** The term of this Agreement shall commence on the 1st day of July, 2023 and be in effect for a duration of 1 year, expiring on June 30, 2024.
2. **Services Provided by the Town of Newstead.** During the Term of this Agreement, the Town of Newstead will provide and maintain in proper order a kennel for dogs seized by the Dog Control Officer within the Town of Alden. Such kennel shall, at all times during the term hereof, be under the care and charge of the Newstead Dog Control Officer. Food and water supplies for all dogs brought into the kennel shall be provided by the Town of Newstead Dog Control Officer.
3. **Services provided by the Town of Alden.** During the Term of this Agreement, the Town of Alden Dog Control Officer shall be required to properly provide all care necessary

for any dogs brought to the Newstead Dog Kennel and when necessary, humanely euthanize or make available for adoption seized dogs not redeemed as provided in Article 7 of the Agriculture & Markets Law and the local laws of Alden. The Town of Alden shall pay all costs and expenses incurred in connection with the keeping and disposing of said animals delivered to the Newstead Dog Kennel by the Alden Dog Control Officer.

3. **Availability of Services.** The Dog Control Officer for the Town of Alden shall be given access to the Newstead Dog Kennel by the Newstead Dog Control Officer 24 hours per day, seven (7) days per week and the Alden Dog Control Officer shall keep the Newstead Dog Control Officer apprised of any and all dogs brought into the shelter at all times. The Town of Alden will be allowed to hold a maximum of two (2) dogs at the Newstead Dog Kennel at one time.

4. **Location of Dog Kennel.** The Newstead Dog Kennel is located on Lewis Road, Akron, New York 14001 next to the Village of Akron Water Treatment Plant.

5. **Reports.** The Alden Dog Control Officer shall keep a record of his own New York State Ag & Markets required reports for submission to the State and shall provide one copy for the Newstead Dog Control Officer to maintain at the shelter. The Town of Alden shall provide any other reports reasonably requested by the Town of Newstead within thirty (30) days of the request.

6. **Indemnification.** Alden assumes responsibility and liability for any and all claims and/or damages of any nature or character whatsoever with respect to, arising out of, or in any way related to its use of the Newstead Dog Kennel, and Alden agrees to defend, indemnify, and hold harmless the Town of Newstead, its Boards, Officers, Agents, and Employees, from and against all such claims, demands, liabilities, interests, laws, damage, fines, penalties, attorney's fees, costs and expenses of whatever kind or nature, including property damage or for personal injuries (including death) to any and all persons resulting from the activities of Alden at the Newstead Dog Kennel or arising therefrom or occurring in connection therewith. Prior to commencement of any activity under this Agreement, Alden, shall, at its sole expense, maintain the following insurance:

- a) Commercial General Liability insurance with limits of not less than \$2,000,000.
- b) Automobile Liability insurance with limits not less than \$1,000,000.
- c) Workers' Compensation Coverage with Statutory Limits.

The above insurance is to be endorsed to indicate that the Town is an Additional Insured.

7. **Fees.** During the term of this Agreement, Alden shall pay to Newstead a monthly fee of \$150.

If for any reason, the Alden Dog Control Officer cannot be on site daily to care for a dog(s) that are under his/her care, then the Newstead Dog Control Officer will care for said dog(s) with the following fees applicable and billed to the Town of Alden:

- (a) Shelter and/or Pound (Kennel) Services – Fifteen and 00/100 Dollars (\$15.00) per dog, per day;
- (b) Euthanasia Services – actual itemized expenses incurred;
- (c) Veterinary Fees for Unredeemed Seized Dogs – actual itemized expenses incurred with prior approval of the Alden Dog Control Officer for costs in excess of \$250;
- (d) Crematory and Disposal Services - actual itemized expenses incurred.

9. **Payment of Fees.** An itemized statement of total monthly fees owed to Newstead shall be mailed monthly by the Town of Newstead to the Town of Alden.

10. **Cancellation of Agreement.** Any party hereto shall have the right upon thirty (30) days prior written notice to cancel this Agreement or any extension thereof.

IN WITNESS WHEREOF, the parties hereto have caused their hands and seals to be hereunto affixed and these presents to be signed the day and year first above written.

TOWN OF ALDEN

seal

By: _____
Brett Sitzman, Supervisor

TOWN OF NEWSTEAD

seal

By: _____
Dawn D. Izydorczak, Supervisor

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 2023, before me, the undersigned, personally appeared Brett Sitzman, Supervisor of the Town of Alden, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 2023, before me, the undersigned, personally appeared Dawn D. Izydorczak, Newstead Town Supervisor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Handwritten mark resembling a stylized 'H' or 'I' with a vertical line and two diagonal lines.

Resolution to Reject Sealed Bids for the construction of Cayuga Creek Water District

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO
MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Alden Town Board duly established the Cayuga Creek Water District at an estimated maximum cost of \$887,600.00;

WHEREAS, the Town Board did properly let, receive and review sealed bids for the construction of the Cayuga Creek Water District.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. That the sealed bids that were received and opened on June 8, 2023, for the construction of Cayuga Creek Water District Park are hereby rejected because the bids came in at \$300,000.00 more than the budgeted and approved construction costs; and**
- 2. This resolution shall take effect immediately.**

The foregoing Resolution was duly put to a roll call vote at a regular meeting of the Alden Town Board held on June 20, 2023 , as follows:

Councilwomen Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

J

**RESOLUTION AUTHORIZING THE TOWN BOARD TO BID
CONSTRUCTION OF THE CAYUGA CREEK WATER DISTRICT**

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO
MOVED ITS ADOPTION, SECONDED BY _____

**WHEREAS, the Town of Alden, upon receiving permission of the NYS
Comptroller, has duly created the Cayuga Creek Water District;**

WHEREAS, the Town of Alden has authorized Metzger Civil Engineering to
complete the application, plans and specifications for this Water District Construction
Project; and

WHEREAS, Metzger Civil Engineering has completed the plans and
specifications and has received the approvals from the necessary reviewing agencies; and

**WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of
Alden requires that all estimated public works projects over \$35,000.00 shall be
formally bid pursuant to General Municipal Law section 103.**

**WHEREAS, the sealed bids received by the Town on June 8, 2023 have been
rejected as exceeding the authorized project cost;**

**WHEREAS, The Town Board after full and careful review and consideration
of the request finds said request to receive new bids in the public interest.**

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

- 1. The Town Board hereby authorizes the Town Clerk to advertise for bids as
outlined in the attached Notice to Bidders, full information and specifications
are available at the Office of the Town Clerk at 3311 Wende Road, Alden,
New York 14004 on June 23, 2023 during normal business hours.**
- 2. The Town Board hereby authorizes the Town Clerk to publish Notice in the
Alden Advertiser. Said Notice must be published more than ten (10) days prior to
July 18, 2023 and must state the time when and place where the sealed bids will
be publically opened and read by the Town Clerk. The Town Clerk is further
authorized to fax or email the Notice of Bidders to interested contractors;**
- 3. The Town Board hereby authorizes the Town Clerk to receive sealed bids
until 11:00 AM Prevailing time on July 18, 2023; and**
- 4. This resolution shall take effect immediately.**

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2023, as follows:

Councilwomen Weiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

SECTION A - NOTICE TO BIDDERS

FOR

**TOWN OF ALDEN
CAYUGA CREEK WATERLINE**

Notice is hereby given that, pursuant to a resolution of the Town Board of the Town of Alden, Erie County, New York, sealed proposals will be publicly opened and read aloud on the 18TH day of July, 2023 at 11:00 AM in the Town Hall of the Town of Alden located at 3311 Wende Road in the Town of Alden, NY 14004. The proposals shall be a comprehensive bid for furnishing all materials and equipment together with all labor for the installation of approximately 6,123 lineal feet of waterline along Cayuga Creek Road and approximately 316 lineal feet of waterline along Three Rod Road within the Town of Alden, all in accordance with the Contract Documents as prepared by Metzger Civil Engineering, PLLC, for the Town of Alden. Sealed proposals will be received up to 11:00 AM on the bidding date at the office of the Town Clerk.

A copy of the Contract Documents will be on file and available for inspection during the usual business hours at the office of the Town Clerk on and after June 23, 2023. Copies may be secured from the Town upon payment of a non-refundable fee of \$50.00 per set of documents. Checks shall be made payable to the Town of Alden. Copies of all the Contract Documents will also be posted to online contract database platforms including The Construction Exchange of Buffalo & WNY, Dodge Analytical and Construction Management Data. However, the online materials are available for reference only and all formal bids need to be made using the hard copy bid documents available at the Town Clerk's office.

A pre-bid meeting will be held at the Alden Town Hall at 3311 Wende Road in the Town of Alden, New York on Thursday, July 6, 2023 at 10:00 am for all interested parties.

The envelopes containing the bids must be sealed and addressed to the Town of Alden, 3311 Wende Road, Alden, NY 14004 and must be designated as "Bids for the Cayuga Creek Waterline". Any bids not delivered in person shall be mailed to the Town of Alden, 3311 Wende Road, Alden, New York 14004 to the attention of the Town Clerk and must be received by the date and time noted above.

Each bid must be accompanied by a non-collusive bidding certification and a certified check of the bidder in the amount of 5% of the bid (made payable to the Town of Alden) or a bid bond prepared on the form of bid bond acceptable to the Town of Alden, duly executed by the bidder as principal and having as surety thereon a surety company approved by the Town of Alden in the amount of 5% of the bid. Such checks or bid bonds will be returned to all except the three lowest bidders promptly after the opening of the bids, and the remaining checks or bid bonds will be returned promptly after the Town of Alden and the accepted bidder have executed the Contract, or if no award has been made within 60 days of bid opening, upon demand of the bidder at any time thereafter, so long as he has not been notified of the acceptance of his bid.

Town Clerk
Town of Alden

RESOLUTION REQUIRING PROPERTY OWNER TO MAINTAIN LAWN AT 1232 MAYFIELD DRIVE

K

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Building Inspector/Code Enforcement Officer has informed the Alden Town Board that the lawn at 1232 Mayfield Drive, in the Town of Alden is not being properly maintained;

WHEREAS, the Property owner passed away in May 2022 and no Estate Proceeding has been opened with the Erie County Surrogates Court;

WHEREAS, the Property is in foreclosure with the mortgage holder, Alden State Bank;

WHEREAS, Chapter 263 of the Alden Town Code allows the Alden Town Board to adopt a resolution requiring a property owner to cut, trim or remove brush, grass, rubbish or weeds on their lands; and

WHEREAS, Donna J. Rzepka, deceased, is the owner of record of 1232 Mayfield Drive also known by SBL 119.05-1-7 situated in the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. Donna J. Rzepka , deceased, or the Fiduciary appointed for Donna J. Rzepka or her heirs are hereby ordered by the Alden Town Board to cut, trim and remove the brush, grass, rubbish and weeds on her above listed property no later than June 30, 2023;

2. Should the Fiduciary or heirs fail to cut, trim and remove the brush, grass, rubbish and weeds on said property no later than June 30, 2023, the Town of Alden will authorize the lawn maintenance to be performed by a third party and paid for from the general fund of the Town of Alden;

3. The Town Board shall then cause the general fund to be reimbursed by the property owner by levying the costs incurred by the Town onto the property owner's County/Town Tax Bill for Tax Year 2024;

4. The Town of Alden Building Department shall mail a copy of this resolution to the owner of record at her last known address; and

5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2023, as follows:

Councilwomen Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

RESOLUTION TO PURCHASE TACK TANK FROM NY STATE BID



THE FOLLOWING RESOLUTION WAS OFFERED BY _____,
WHO MOVED ITS ADOPTION, SECONDED BY _____.

WHEREAS, the Highway Superintendent has advised the Alden Town Board that the Highway Department is in need of a new Tack Tank with 12-foot spray bar and standard tank and trailer for paving projects in the Town; which will be purchased pursuant to State Bid from Monroe Tractor (State Bid # 060122-VTL);

WHEREAS, the Town of Alden’s Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the State Bid Contract List;

WHEREAS, The Town Board after full and careful review and consideration of the request finds the request to purchase the Tack Tank as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the Tack Tank from the Monroe Tractor State Bid List as described on the attached Purchase Agreement at a total cost of \$21,819.55;

2. The Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase; and

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2023, as follows:

Councilwoman Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwoman Pautler	Aye	Nay

Purchase Agreement



MONROE TRACTOR
we keep you working

Order date: 5/30/2023 Acct no. ALDEN001 Phone: 7167252526

Sold To: TOWN OF ALDEN

Address: 12800 W MAIN ST. ALDEN. NY 14004

Store info: Buffalo - 5035 Genesee St Buffalo, New York 14225 • 716-681-7100

New/Used/Rental	Stock number	Description (make and model)	Serial number	Price
NEW	H048462	LEEBOY - L300T TACK TANK	150-381409	\$21,819.55
		12FT SPRAY BAR		
		STANDARD TANK - TRAILER		
		4.8 HP GAS PULL START ENGINE		
		LIST PRICE - \$24,243.94		
		NYS OGS CONTRACT #060122-VTL		
		10% OFF LIST PRICE		

Trade-in equipment

Year	Make	Model	Serial #	Hours	Trade allowance	Loan pay off	Net trade equity
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
Subtotal					\$0.00	\$0.00	\$0.00

Subtotal	\$21,819.55
-----------------	-------------

Sale price	\$21,819.55
Net trade equity	\$0.00
Net balance	\$21,819.55
Sales tax	
Total	\$21,819.55
Down payment	
Net due	\$21,819.55

Sold as is, no warranty of any kind have been given by dealer or its agent. Sold with new manufactures warranty 2 YEAR

Special agreements: _____

Financing terms: _____

THERE ARE NO OTHER WARRANTIES MADE BY THE DEALER, EXPRESS OR IMPLIED, OR TO MERCHANT ABILITY OR FITNESS FOR A PARTICULAR PURPOSE. DEALER SHALL NOT BE RESPONSIBLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES WHETHER OR NOT ANY WARRANTIES ARE EXTENDED TO BUYER BY DEALER OR MANUFACTURER. ALL WARRANTY REPAIRS MADE UNDER THIS AGREEMENT MUST BE MADE IN DEALER'S SHOP AND BUYER IS RESPONSIBLE FOR HAULING EQUIPMENT FOR REPAIR. NO WARRANTY IS GIVEN BY THE DEALER FOR TIRES, BATTERIES, OR ACCESSORIES. BUYER IS FULLY RESPONSIBLE FOR REPAIRS NECESSITATED BY ACCIDENT, MISUSE, OR NEGLIGENCE. ANY WARRANTY GIVEN BY DEALER UNDER THIS AGREEMENT IS NOT TRANSFERABLE.

Seller: Monroe Tractor & Implement CO., INC.
Salesperson: JOHN SCHARLOCK
Approved: BRUCE KLEMENTOWSKI

Purchaser: TOWN OF ALDEN
Print name: _____
Signature: _____

M

RESOLUTION TO ADOPT REVISED NEW YORK STATE MANDATED SEXUAL HARASSMENT POLICY FOR NEW YORK EMPLOYERS

THE FOLLOWING RESOLUTION WAS OFFERED BY _____, WHO MOVED ITS ADOPTION, SECONDED BY _____

WHEREAS, the Alden Town Board seeks to promote a productive work environment and due to changes in New York State Law would like to adopt a revised Sexual Harassment Prevention Policy (“Policy”); and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Town of Alden Sexual Harassment Prevention Policy, to be effective June 21, 2023, at 12:01 a.m.;
2. The Town Clerk is hereby directed to promptly provide the Policy to all Town of Alden employees; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2023, as follows:

Councilwomen Waiss	Aye	Nay
Supervisor Sitzman	Aye	Nay
Councilwomen Pautler	Aye	Nay

Sexual Harassment Policy for All Employers in New York State



Combating Sexual Harassment

This model policy is a template that can be used by employers to meet the New York State Labor Law requirements for a sexual harassment prevention policy. Employers are encouraged to tailor this policy to their individual needs, though as the minimum standard, no section in this policy should be omitted. The list of examples provided in this model policy is not meant to be exhaustive.

Purpose and Goals

The Town of Alden is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the **Town of Alden** recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the **Town of Alden's** commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the **Town of Alden**. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy:

1. The **Town of Alden** policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the **Town of Alden**. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the **Town of Alden** who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the **Town Supervisor or a Town Board Member**. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The **Town of Alden** will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The **Town of Alden** will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the **Town of Alden** will act as required. In addition to any required discipline, the **Town of Alden** will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination

or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the **Town Supervisor or a Town Board Member**.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse

because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the **Town of Alden's** policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:

- Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama";
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager or the **Town Supervisor or a Town Board Member**. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or **Town Supervisor or a Town Board Member**.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee’s behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to **Town Supervisor or a Town Board Member**. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. **The Town of Alden** will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The Town of Alden recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the **Town Supervisor or Town Board Member**:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, **Town Supervisor or a Town Board Member** will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. **The Town Supervisor or Town Board Member** will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the **Town of Alden** but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following

governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the **Town of Alden** does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of

harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees at the **Town of Alden** and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

Complaint Form for Reporting Sexual Harassment



Combating
Sexual Harassment

Town of Alden

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment or gender discrimination, you are encouraged, but not required, to complete this form and submit it to the **Town Supervisor ADD EMAIL ADDRESS**; via email. No employee will be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy, and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name:

Work Address:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

Email

Phone

In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of sexual harassment is made about:

Name: _____ Title: _____

Work Address: _____ Work Phone: _____

Relationship to you: Supervisor Supervisee Co-Worker Other (please specify)

2. Please describe what happened and include as many details as possible. You may use additional sheets of paper if necessary. If you have any relevant documents, please include them. .

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. If possible, please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously provided information (verbal or written) about related incidents? If yes, when and to whom did you provide information?

This is not required, but if you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____

Date: _____

Instructions for Employers

If you receive a complaint about alleged sexual harassment, follow your sexual harassment prevention policy.

An investigation involves:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

Sexual harassment occurs on a spectrum and employers are encouraged to view all potential allegations with an open mind. Disciplinary action should meet the severity of the alleged actions.

Employers should document the findings of the investigation and basis for your decision along with any corrective actions taken. Notify the employee and the individual(s) against whom the report was made of the investigation's outcome and corrective actions taken. This may be done via email.