

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, April 17, 2023 at 7:00 P.M. Supervisor Sitzman called the Meeting to Order and Councilwoman Waiss led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

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

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Bill Rogers, Highway Superintendent
Mike Metzger, Town Engineer
Chris Snyder, CEO
Residents

Councilwoman Waiss Moved and Supervisor Sitzman seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of April 3, 2023.

CARRIED

Ayes 2 Sitzman & Waiss
Nays 0
Abstain 1 Pautler

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY COUNCILWOMAN WAISS, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #320 - 361 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$28,963.74		\$28,963.74
HIGHWAY FUND "DA/DB"	\$10,497.77		\$10,497.77
PART-TOWN FUND "B"	\$2,438.88		\$2,438.88
WATER DIST. NEWSTEAD "WO"			
SPECIAL FIRE PROTECTION "SF"			
WATER DIST. #1 FUND "WA"	\$3,859.20		\$3,859.20
WATER DIST.EXCHANGE ST. "WX"			
SEWER DIST. #2 FUND "SA"	\$210.86		\$210.86
TRUST & AGENCY "T"	\$1,598.95		\$1,598.95
SPECIAL REFUSE FUND "SR"	\$38,398.88		\$38,398.88
STREET LIGHTING FUND "SL"	\$5,096.80		\$5,096.80
PERIWINKLE LTG. DIST."SL1"	\$102.34		\$102.34
ZOELLER RD. WATER DIST. "WZ"			
TOTAL	\$749,595.29		\$779,318.40

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON APRIL 17, 2023 AND

ADOPTED

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

BUSINESS FROM THE FLOOR

Robert Wohlgemuth, 11849 Genesee St. – Provided Board members with a handout. Requested Town Board pass a Resolution supporting legislation for audit of voter rolls.

Bradley Bowen, 1241 E. Laray – Read statement and asked questions of Supervisor Sitzman, Town Engineer Metzger and Code Enforcement Officer Snyder. Questioned inspections. Reiterated storm water regulation guidelines and Alden Town Code. Questioned elevations and if inspections had been performed since the last meeting.

COMMUNICATIONS

Brett Sitzman, Supervisor

1. Sales tax YTD 4.92% ahead of last year at this time
2. Colleen Babcock, ASAC, National Night Out & Spooktacular schedules
3. Request to gather around flag pole at Town Hall for National Day of Prayer

Colleen Pautler, Councilwoman

1. Legislation is out for potential property tax discount for volunteer firefighters and ambulance workers

Jennifer Strong, Town Attorney

1. Received insurance info from Library & Village

Gina Waiss, Councilwoman

1. Request for memorial at park

NEW BUSINESS

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

Motion to approve the request of John Drogi to use the Alden Town Park (paved areas) for a Car Cruise Night on the first Monday of May, June, July and August from 5pm until 8pm. The Chamber of Commerce will sell food and is responsible to obtain all needed Erie County Health Department permits. A DJ will be provided.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on April 17, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by 6161 Broadway, LLC for site plan approval of three new 3,200 square foot office/warehouse buildings with a 10,000 square foot storage yard at 12240 Walden Avenue, in the Town of Alden, further identified by SBL # 96.00-3-32 (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a coordinated review;

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

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

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

WHEREAS, any comments received from the involved agencies have been fully addressed by the Code Enforcement Officer; and

WHEREAS, the Town of Alden Planning Board has recommended the approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a proper coordinated review has been conducted;
2. The Town Board has determined that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
3. The Town of Alden, as Lead Agency, hereby determines that the Proposed Action 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 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;
4. The Town Board finds that the Proposed Action is consistent with the Town Code and approves the site plan and hereby waives the paving requirement for the fenced in area behind buildings 1 and 2 (these building face Walden Avenue); and
5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on April 17, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden has fully considered the adoption of Local Law # 2 of the Year 2023, entitled "Small Wireless Technology in the Public Right-Of-Way" (the "Proposed Action"); and

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

WHEREAS, the 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 a "no recommendation" was received from the Division on; and

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Town Board did assume Lead Agency status on December 5, 2022; and

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's SEQR Intake Officer; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board did determine that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board did determine that it should be the Lead Agency for all environmental review of the Proposed Action.
3. The Town Board, as Lead Agency, hereby determines that the Proposed Action 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 concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration; and
4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on April 17, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

WHEREAS, a Proposed Local Law # 2 of 2023 entitled " Small Wireless Technology in the Public Right-Of-Way" was introduced as Local Law # 2 of 2022; was introduced to the Alden Town Board for consideration by Councilwomen Waiss on September 6, 2022, and then amended and reintroduced as Local Law # 1 of 2023 for consideration by Councilwomen Pautler on December 5, 2022;

WHEREAS, a resolution was duly adopted by the Alden Town Board calling a public hearing to be held by the Alden Town Board on March 20, 2023 at the Alden Town Hall, to hear all interested parties on a proposed Local Law;

WHEREAS, notice of said public hearing was duly published in the Alden Advertiser;

WHEREAS, said public hearing was duly held on March 20, 2023 and no parties appeared in favor of or opposed to the local law;

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act it has been determined by the Alden Town Board that the Local Law is an Unlisted Action;

WHEREAS, the Town of Alden Planning Board reviewed and recommendation the first draft of the Local Law on November 7, 2022 and of the second draft on January 10, 2023;

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Alden Town Board, as Lead Agency, as solicited on December 5, 2022, that adoption of said proposed Local Law is an Unlisted Action and will not have a significant effect upon the environment;

WHEREAS, the Erie County Division of Planning issued a "no recommendation";

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law on March 6, 2023, and

WHEREAS, said Local Law will not have any adverse impact on the current land uses in this area; and

WHEREAS, the Alden Town Board, after due deliberation, finds it in the best interest of said the Town of Alden to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts said Local Law No. 2 of the Year 2023 entitled "Small Wireless Technology in the Public Right-Of-Way"; and, a copy of which is attached hereto and made a part of this resolution,
2. That the Alden Town Clerk enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Alden, and to give due notice of the adoption of said Local Law to the Secretary of State of New York, post the same on the Town Bulletin Board and publish the same in the Alden Advertiser, and
3. This Resolution shall take effect immediately.

On the question, Councilwoman Waiss – the date notices were mailed needs to be filled in.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on April 17, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Colleen Pautler, Councilwoman – not heard from Mary Lynn on port-o-potties

Jennifer Strong, Town Attorney – working on WD#5 information with Mike Metzger. Add ethics code to WS

Gina Weiss, Councilwoman – vending machine at Town Park

Mike Metzger, Town Engineer – Senior Center addition pre-bid meeting tomorrow, bid opening next week. Waiting for County water response Cayuga Creek Water District, will discuss dates for bidding at WS.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:

April 24, 2023

@7:00 PM

REGULAR BOARD MEETING

May 1, 2023

@7:00 PM

MEMORIAL REMEMBRANCE - Wyatt Francis

ADJOURNMENT

At 7:54 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk