

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Tuesday, September 5, 2023 at 7:00 P.M. Town Supervisor Sitzman called the Meeting to Order and Councilwoman Waiss led in the Pledge of Allegiance. The Roll Call was taken by the Deputy Town Clerk.

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

RECORDING SECRETARY: Joanna Eisensmith, Deputy Town Clerk

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

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of August 21, 2023.

**CARRIED**

Ayes 3 Sitzman, Pautler & Waiss  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY COUNCILWOMAN WAISS, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #763 - 811 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$33,787.39	\$17,971.75	\$51,759.14
HIGHWAY FUND "DA/DB"	\$205,115.79	\$4,895.84	\$210,011.63
PART-TOWN FUND "B"	\$2,143.93	\$19,406.08	\$21,550.02
CONSOLIDATED WATER "WR"		\$5,096.88	\$5,096.88
SPECIAL FIRE PROTECTION "SF"			
WATER DIST. #1 FUND "WA"			
WATER DIST.EXCHANGE ST. "WX"	\$5,085.00		\$5,085.00
SEWER DIST. #2 FUND "SA"	\$233.59	\$247.78	\$481.37
TRUST & AGENCY "T"	\$37,085.47	\$4,313.61	\$41,399.08
SPECIAL REFUSE FUND "SR"	\$42,383.75		\$42,383.75
STREET LIGHTING FUND "SL"	\$88.07		\$88.07
PERIWINKLE LTG. DIST."SL1"			
ZOELLER RD. WATER DIST. "WZ"	\$3,898.50		\$3,898.50
<b>TOTAL</b>	<b>\$334,584.21</b>	<b>\$51,931.94</b>	<b>\$386,516.15</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON SEPTEMBER 5, 2023 AND

**ADOPTED.**

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

**BUSINESS FROM THE FLOOR**

Bud Milligan, Blossom Lea – New Senior Citizen looks good. Going on the record, requesting access to a water faucet. The one that used to be accessible was in the vestibule. Also power for the lights to the monument be restored as soon as possible, they are not working.

Jim Guarino, North – Read article in the Advertiser regarding Water District #5 Committee to carry petitions to solicit signatures from potential WD#5 residents, has no issue with the petition process, but does not believe it's the Town's place to solicit positive signatures. This was already voted down in the past, there has already been input recently from the community. If there were two petitions (for and against) that would be better, the Town should not be soliciting positive signatures.

Noted previously, there was question on frontage charge for agricultural areas. Agriculture District Law states no more than 300 feet of homestead frontage itself can be charged for in an agricultural and farm district. This is something that was previously disagreed upon, but confirmed by NYS Ag & Markets as true.

**COMMUNICATIONS**

**Brett Sitzman, Town Supervisor**

1. E-mail of updated report on 2022 elections

**NEW BUSINESS**

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

WHEREAS, the Town Board of the Town of Alden ("Town Board") has fully and properly considered adopting Local Law # 5 of 2023, a Local Law entitled Override of Tax Cap (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.
3. 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 September 5, 2023, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Pautler & Waiss  
Nays 0

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

NOW, THEREFORE, IT IS HEREBY 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 18th day of September, 2023, for the purpose of hearing all persons interested in the proposed Local Law No. 5 of the Year 2023 Override Of Tax Cap; 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. 5 of the Year 2023, entitled "Override of Tax Cap" 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 September 5, 2023, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Pautler & Waiss  
Nays 0

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

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 a second time 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 July 18, 2023, for the construction of Cayuga Creek Water District Park are hereby rejected because the bids came in at more than the budgeted and approved construction costs; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on September 5, 2023, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Pautler & Waiss  
Nays 0

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

Motion to approve the request of the Alden Chamber of Commerce to use the Community Center on Friday, December 8, 2023 for setup and on Saturday, December 9, 2023 for a Holiday Market Place from 8am until 3pm; and to use the Town Park Shelters and the Town Park on Saturday, December 9, 2023 from 5pm until 8pm for a Christmas Light display event and visits with Santa with food and goodies.

The Alden Chamber of Commerce will submit proof of liability insurance naming the Town of Alden as an additional insured to the Town Clerk prior to using the Park.

The Town Clerk's Office is hereby directed to promptly send notice of this approval to the Chamber of Commerce.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on September 5, 2023, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Highway Superintendent Bill Rogers – Bob DeGraff contacted him regarding lights being out at the football field, add to WS.

Town Engineer Mike Metzger – Senior Center addition framing done, roof ready for final cover, siding will be done soon. HVAC will be getting ready to be worked on.

Supervisor Sitzman – Ribbon cutting on September 30<sup>th</sup> at 9am for Meals On Wheels

**UNFINISHED AND TABLED BUSINESS**

**NOTICE OF MEETINGS**

**WORK SESSION:**

**September 11, 2023**

**@ 7:00 PM**

**REGULAR BOARD MEETING**

**September 18, 2023**

**@7:00 PM**

**MEMORIAL REMEMBRANCE** - Michelle Edmonds and Michael Justinger

**ADJOURNMENT**

At 8:20 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett  
Town Clerk