

**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 AUGUST 21, 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. Resolution regarding SEQRA Local Law #5 – “Tax Cap Override” per S/BS**
 - B. Order Calling Public Hearing for Local Law #5 per S/BS**
 - C. Resolution to reject sealed bids for the construction of Cayuga Creek Water District per S/BS**
 - D. Motion to approve Alden Chamber of Commerce request to use Community Center and Town Park 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:	September 11, 2023	@ 7:00 PM
REG. BOARD MEETING:	September 18, 2023	@ 7:00 PM
- 12. MEMORIAL REMEMBRANCE: Michelle Edmonds and Michael Justinger**
- 13. ADJOURNMENT**

Aug-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"	\$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"	\$2,143.94	\$19,406.08	\$21,550.02
GRANT "G"			
CONSOLIDATED WATER "WR"		\$5,096.88	\$5,096.88
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST. #1 FUND "SI"			
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"	\$4,762.71		\$4,762.71
PERIWINKLE LTG. DIST."SL1"	\$88.07		\$88.07
ZOELLER RD. WATER DIST."WZ"	\$3,898.50		\$3,898.50
WATER DIST. NEWSTEAD "WO"			
WATER DIST. EXCHANGE "WX"	\$5,085.00		\$5,085.00
WATER DIST. NO. 1 "WA"			
TOTAL	\$334,584.21	\$51,931.94	\$386,516.15

TOWN OF ALDEN

AP GL Distribution Report

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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 A					GENERAL FUND						
Dept 1410					TOWN CLERK						
A.1410.0401 TOWN CLERK.OFFICE SUPPLIES											
20230801		00001		0000002489	W. B. MASON CO. INC.	224384776	08/31/2023	08/31/2023	8	0.00	4.46
20230802		00001		0000002489	W. B. MASON CO. INC.	240473565	08/31/2023	08/31/2023	8	0.00	82.47
20230804		00001		0000002489	W. B. MASON CO. INC.	223930469	08/31/2023	08/31/2023	8	0.00	37.60
Total A.1410.0401					TOWN CLERK.OFFICE SUPPLIES					0.00	124.53
Total Dept 1410					TOWN CLERK					0.00	124.53
Dept 1610					INTERNET						
A.1610.0400 INTERNET.CONTRACTUAL EXPENSE											
20230800		00001		0000001862	CHARTER COMMUNICATIONS	146018401082223	08/31/2023	08/31/2023	8	0.00	39.99
Total A.1610.0400					INTERNET.CONTRACTUAL EXPENSE					0.00	39.99
A.1610.0402 INTERNET.COMPUTER SUPPORT											
20230764		00001		0000002562	WVNETWORKS	00004807	08/24/2023	08/24/2023	8	0.00	500.00
Total A.1610.0402					INTERNET.COMPUTER SUPPORT					0.00	500.00
Total Dept 1610					INTERNET					0.00	539.99
Dept 1620					BUILDINGS						
A.1620.0406 BUILDINGS.TELEPHONE											
20230811		00001		0000000653	VERIZON WIRELESS	9942796029	08/31/2023	08/31/2023	8	0.00	50.43
Total A.1620.0406					BUILDINGS.TELEPHONE					0.00	50.43
A.1620.0409 BUILDINGS.WATER											
20230810		00001		0000000183	ERIE COUNTY WATER AUTH	08312023	08/31/2023	08/31/2023	8	0.00	70.16
Total A.1620.0409					BUILDINGS.WATER					0.00	70.16
A.1620.0439 BUILDINGS.JANITORIAL SUPPLIES											
20230777		00001		0000001386	HOME DEPOT CREDIT SERVICES INC *****	224384776	08/29/2023	08/29/2023	8	0.00	19.96
20230801		00001		0000002489	W. B. MASON CO. INC.	224384776	08/31/2023	08/31/2023	8	0.00	192.94
Total A.1620.0439					BUILDINGS.JANITORIAL SUPPLIES					0.00	212.90
Total Dept 1620					BUILDINGS					0.00	333.49
Dept 1670					CENTRAL MAILING						

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Fund A												
Dept 1670												
A.1670.0402					CENTRAL MAILING.POSTAGE							
20230781		00001		0000001841	PAUTLER, COLLEEN	08152023	08/29/2023	08/29/2023	8	0.00	7.38	
Total A.1670.0402										0.00	7.38	
A.1670.0403												
20230805		00001		0000002489	W. B. MASON CO. INC.	224937968	08/31/2023	08/31/2023	8	0.00	241.00	
Total A.1670.0403										0.00	241.00	
Total Dept 1670										0.00	248.38	
Dept 1990												
A.1990.0400					CONTINGENT ACCOUNT.CONTRACTUAL EXPENSE							
20230778		00001		0000002997	FIRST DUE EMERGENCY ENCLOSUR	09042023	08/29/2023	08/29/2023	8	0.00	1,929.00	
Total A.1990.0400										0.00	1,929.00	
Total Dept 1990										0.00	1,929.00	
Dept 3510												
A.3510.0441					DOGS.DOG KENNEL							
20230773		00001		0000001365	TOWN OF NEWSTEAD. TOWN SUPER	23-DOG01	08/29/2023	08/29/2023	8	0.00	150.00	
Total A.3510.0441										0.00	150.00	
Total Dept 3510										0.00	150.00	
Dept 5132												
A.5132.0406					HIGHWAY GARAGE.TELEPHONE							
20230787		00001		0000001862	CHARTER COMMUNICATIONS		144633601080723	08/29/2023	08/29/2023	8	0.00	129.99
Total A.5132.0406										0.00	129.99	
A.5132.0438												
20230791		00001		0000000342	GRAINGER	*****	08/29/2023	08/29/2023	8	0.00	73.08	
Total A.5132.0438										0.00	73.08	
Total Dept 5132										0.00	203.07	
Dept 6772												
PROGRAMS FOR AGING												

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Fund A Dept 6772			GENERAL FUND PROGRAMS FOR AGING								
A.6772.0112		00001	PROGRAMS FOR AGING,NUTRITION PROGRAM ATTENDANT	0000002008	ZINTER, DONNA	08032023	08/31/2023	08/31/2023	8	0.00	44.70
20230803			PROGRAMS FOR AGING,NUTRITION PROGRAM ATTENDANT							0.00	44.70
Total A.6772.0112			PROGRAMS FOR AGING							0.00	44.70
Total Dept 6772			PROGRAMS FOR AGING							0.00	44.70
Dept 7110			PARKS								
A.7110.0413		00001	PARKS.RESURFACE PARK ROADS	0000001386	HOME DEPOT CREDIT SERVICES INC *****		08/29/2023	08/29/2023	8	0.00	171.21
20230777			PARKS.RESURFACE PARK ROADS							0.00	171.21
Total A.7110.0413			PARKS.AUTO PARTS & ACCESSORIES							0.00	171.21
A.7110.0432		00001	PARKS.AUTO PARTS & ACCESSORIES	0000002061	DELACY FORD, INC.	FOCSS263260	08/29/2023	08/29/2023	8	0.00	583.77
20230792			PARKS.AUTO PARTS & ACCESSORIES							0.00	583.77
Total A.7110.0432			PARKS.LANDSCAPING MATERIALS							0.00	583.77
A.7110.0434		00001	PARKS.LANDSCAPING MATERIALS	0000001386	HOME DEPOT CREDIT SERVICES INC *****		08/29/2023	08/29/2023	8	0.00	549.00
20230777			PARKS.LANDSCAPING MATERIALS							0.00	549.00
20230791		00001	PARKS.LANDSCAPING MATERIALS	0000000342	GRAINGER	*****	08/29/2023	08/29/2023	8	0.00	103.08
Total A.7110.0434			PARKS.CHEMICALS							0.00	652.08
A.7110.0435		00001	PARKS.CHEMICALS	0000002897	CRANES POOLS	*****	08/31/2023	08/31/2023	8	0.00	1,450.00
20230793			PARKS.CHEMICALS							0.00	1,450.00
Total A.7110.0435			PARKS.PERMITS							0.00	282.00
A.7110.0437		00001	PARKS.PERMITS	0000000028	COMMISSONER OF FINANCE	QUAL202433663	08/29/2023	08/29/2023	8	0.00	282.00
20230775			PARKS.PERMITS							0.00	282.00
Total A.7110.0437			PARKS.JANITORIAL SUPPLIES							0.00	282.00
A.7110.0439		00001	PARKS.JANITORIAL SUPPLIES	0000000342	GRAINGER	*****	08/29/2023	08/29/2023	8	0.00	12.12
20230791			PARKS.JANITORIAL SUPPLIES							0.00	12.12
Total A.7110.0439			PARKS.MATERIALS & SUPPLIES							0.00	12.12
A.7110.0450		00001	PARKS.MATERIALS & SUPPLIES	0000001386	HOME DEPOT CREDIT SERVICES INC *****		08/29/2023	08/29/2023	8	0.00	41.54
20230777			PARKS.MATERIALS & SUPPLIES							0.00	41.54
20230789		00001	PARKS.MATERIALS & SUPPLIES	0000000039	PETSCHKE, INC	52231	08/29/2023	08/29/2023	8	0.00	279.00
20230790		00001	PARKS.MATERIALS & SUPPLIES	0000002824	KEPLER CULLIGAN WATER TREATM	285643	08/29/2023	08/29/2023	8	0.00	42.45

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Fund A			GENERAL FUND									
Dept 7110			PARKS									
A.7110.0450			PARKS.MATERIALS & SUPPLIES			*****	08/29/2023	08/29/2023	8	0.00	283.02	
20230791		00001		0000000342	GRAINGER							
Total A.7110.0450			PARKS.MATERIALS & SUPPLIES							0.00	646.01	
Total Dept 7110			PARKS							0.00	3,797.19	
Dept 7140			RECREATION									
A.7140.0401			RECREATION.OFFICE SUPPLIES									
20230766		00001		0000002489	W. B. MASON CO. INC.	240080903	08/24/2023	08/24/2023	8	0.00	108.74	
Total A.7140.0401			RECREATION.OFFICE SUPPLIES							0.00	108.74	
A.7140.0413			RECREATION.SUMMER CONCERT SERIES									
20230797		00001		0000002736	TMP SIGNS, ATTN: TAMARA PARKER	07182301	08/31/2023	08/31/2023	8	0.00	400.00	
Total A.7140.0413			RECREATION.SUMMER CONCERT SERIES							0.00	400.00	
A.7140.0432			RECREATION.DUES & SUBSCRIPTIONS									
20230767		00001		0000002890	GADD, MICHELLE	03877-41644148	08/29/2023	08/29/2023	8	0.00	11.94	
Total A.7140.0432			RECREATION.DUES & SUBSCRIPTIONS							0.00	11.94	
Total Dept 7140			RECREATION							0.00	520.68	
Dept 7410			LIBRARY									
A.7410.0411			LIBRARY.EWELL FREE LIBRARY									
20230808		00001		0000000055	EWELL FREE LIBRARY	08292023	08/31/2023	08/31/2023	8	0.00	5,000.00	
Total A.7410.0411			LIBRARY.EWELL FREE LIBRARY							0.00	5,000.00	
Total Dept 7410			LIBRARY							0.00	5,000.00	
Dept 9060			HOSPITAL AND MEDICAL INSURANCE									
A.9060.0800			HOSPITAL AND MEDICAL INSURANCE									
20230765		00001		546	0000002768	HIGHMARK BCBSWNY	230818071248	08/24/2023	08/24/2023	8	0.00	547.65
Total A.9060.0800			HOSPITAL AND MEDICAL INSURANCE							0.00	547.65	
Total Dept 9060			HOSPITAL AND MEDICAL INSURANCE							0.00	547.65	
Total Fund A			GENERAL FUND							0.00	17,971.75	

Date Prepared: 08/31/2023 02:21 PM

Report Date: 08/31/2023

Account Table:

Alt. Sort Table:

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Fund A											
GENERAL FUND											

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Fund B					PART TOWN FUND						
Dept 6989					OTHER ECONOMIC OPPORTUNITY & DEVELOPMENT						
B.6989.0411					OTHER ECONOMIC OPPORTUNITY & DEVELOPMENT.CONTRACTUAL SERVICES						
20230768		00001		0000002805	ROTELLA GRANT MANAGEMENT	2023112	08/29/2023	08/29/2023	8	0.00	1,800.00
Total B.6989.0411					OTHER ECONOMIC OPPORTUNITY & DEVELOPMENT.CONTRACTUAL SE					0.00	1,800.00
Total Dept 6989					OTHER ECONOMIC OPPORTUNITY & DEVELOPMENT					0.00	1,800.00
Dept 8540					STORMWATER MGMT PROGRAM						
B.8540.0419					DRAINAGE.OTHER UNCLASSIFIED						
20230784		00001		0000000164	COUNTY LINE STONE CO., INC.	152029	08/29/2023	08/29/2023	8	0.00	16,510.78
Total B.8540.0419					DRAINAGE.OTHER UNCLASSIFIED					0.00	16,510.78
Total Dept 8540					STORMWATER MGMT PROGRAM					0.00	16,510.78
Dept 9060					HOSPITAL AND MEDICAL INSURANCE						
B.9060.0800					HOSPITAL AND MEDICAL INSURANCE						
20230765		00001	546	0000002768	HIGHMARK BCBSWNY	230818071248	08/24/2023	08/24/2023	8	0.00	1,095.30
Total B.9060.0800					HOSPITAL AND MEDICAL INSURANCE					0.00	1,095.30
Total Dept 9060					HOSPITAL AND MEDICAL INSURANCE					0.00	1,095.30
Total Fund B					PART TOWN FUND					0.00	19,406.08

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Fund DB			HIGHWAY FUND - PART TOWN								
Dept 5130			MACHINERY								
DB.5130.0409			MACHINERY.COMMUNICATION SYSTEM								
20230811		00001		0000000653	VERIZON WIRELESS	9942796029	08/31/2023	08/31/2023	8	0.00	27.11
Total DB.5130.0409			MACHINERY.COMMUNICATION SYSTEM							0.00	27.11
DB.5130.0424			MACHINERY.REPAIRS AND MAINTENANCE								
20230783		00001		0000002705	CYNCON EQUIPMENT	*****	08/29/2023	08/29/2023	8	0.00	26.01
20230788		00001		0000001534	CJR MACHINE INC.	*****	08/29/2023	08/29/2023	8	0.00	710.25
Total DB.5130.0424			MACHINERY.REPAIRS AND MAINTENANCE							0.00	736.26
Total Dept 5130			MACHINERY							0.00	763.37
Dept 5142			SNOW REMOVAL								
DB.5142.0449			SNOW REMOVAL.MATERIALS & SUPPLIES								
20230785		00001		0000002461	CORFU MACHINE COMPANY, INC.	149693	08/29/2023	08/29/2023	8	0.00	2,438.00
20230786		00001		0000002461	CORFU MACHINE COMPANY, INC.	149634	08/29/2023	08/29/2023	8	0.00	1,427.55
Total DB.5142.0449			SNOW REMOVAL.MATERIALS & SUPPLIES							0.00	3,865.55
Total Dept 5142			SNOW REMOVAL							0.00	3,865.55
Dept 9060			HOSPITAL AND MEDICAL INSURANCE								
DB.9060.0800			HOSPITAL AND MEDICAL INSURANCE.EMPLOYEE BENEFITS								
20230780		00001		0000000024	WNY TEAMSTERS WELFARE FUND	09042023	08/29/2023	08/29/2023	8	0.00	266.92
Total DB.9060.0800			HOSPITAL AND MEDICAL INSURANCE.EMPLOYEE BENEFITS							0.00	266.92
Total Dept 9060			HOSPITAL AND MEDICAL INSURANCE							0.00	266.92
Total Fund DB			HIGHWAY FUND - PART TOWN							0.00	4,895.84

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Fund SA Dept 8130					SEWER ALAURA DRIVE SEWAGE TREATMENT AND DISPOSAL						
SA.8130.0409					SEWAGE TREATMENT AND DISPOSAL.WATER						
20230799		00001		0000000183	ERIE COUNTY WATER AUTH	08302023	08/31/2023	08/31/2023	8	0.00	63.78
Total SA.8130.0409					SEWAGE TREATMENT AND DISPOSAL.WATER					0.00	63.78
SA.8130.0419					SEWAGE TREATMENT AND DISPOSAL.OTHER UNCLASSIFIED						
20230782		00001		0000002656	EC PUBLIC HEALTH LAB. ATTN: ACCC 8230003		08/29/2023	08/29/2023	8	0.00	184.00
Total SA.8130.0419					SEWAGE TREATMENT AND DISPOSAL.OTHER UNCLASSIFIED					0.00	184.00
Total Dept 8130					SEWAGE TREATMENT AND DISPOSAL					0.00	247.78
Total Fund SA					SEWER ALAURA DRIVE					0.00	247.78

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Fund T											
Dept 0000											
					TRUST & AGENCY						
					0000						
T.0000.0017					DEFERRED COMPENSATION PLAN						
20230763		00001	545	0000002471	NEW YORK STATE DEFERRED COMF	08252023	08/24/2023	08/24/2023	8	0.00	1,832.02
Total T.0000.0017					DEFERRED COMPENSATION PLAN					0.00	1,832.02
T.0000.0018					STATE RETIREMENT						
20230807		00001	548	0000000381	NYS & LOCAL RETIREMENT SYSTEM	08292023	08/31/2023	08/31/2023	8	0.00	1,949.23
Total T.0000.0018					STATE RETIREMENT					0.00	1,949.23
T.0000.0024					ASSOCIATION & UNION DUES						
20230806		00001		0000001631	TEAMSTERS LOCAL 264	09012023	08/31/2023	08/31/2023	8	0.00	280.00
Total T.0000.0024					ASSOCIATION & UNION DUES					0.00	280.00
T.0000.0085					OTHER						
20230770		00001		0000002971	COLE, MEGHAN	09042023	08/29/2023	08/29/2023	8	0.00	111.71
20230771		00001		0000002751	FREEMAN, CAROLYN	09042023	08/29/2023	08/29/2023	8	0.00	56.87
20230772		00001		0000002969	STREIT, RILEY	09042023	08/29/2023	08/29/2023	8	0.00	83.78
Total T.0000.0085					OTHER					0.00	252.36
Total Dept 0000					0000					0.00	4,313.61
Total Fund T					TRUST & AGENCY					0.00	4,313.61

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Fund WR		CONSOLIDATED WATER DISTRICTS									
Dept 9710		SERIAL BONDS									
WR.9710.0700		SERIAL BONDS,INTEREST									
20230809		00001	549	0000001763	JP MORGAN CHASE BANK, N.A.	09012023	08/31/2023	08/31/2023	8	0.00	5,096.88
Total WR.9710.0700		SERIAL BONDS,INTEREST									
Total Dept 9710		SERIAL BONDS									
Total Fund WR		CONSOLIDATED WATER DISTRICTS									
Grand Total											

Dept. No.	Name	Enc. Amount	Exp. Amount
0000	0000	0.00	5,413.61
1110	TOWN JUSTICES	0.00	1,355.86
1220	SUPERVISOR	0.00	45.96
1320	AUDITOR	0.00	2,031.25
1410	TOWN CLERK	0.00	124.53
1610	INTERNET	0.00	539.99
1620	BUILDINGS	0.00	333.49
1670	CENTRAL MAILING	0.00	248.38
1990	CONTINGENT ACCOUNT	0.00	1,929.00
3510	DOGS	0.00	150.00
5130	MACHINERY	0.00	763.37
5132	HIGHWAY GARAGE	0.00	203.07
5142	SNOW REMOVAL	0.00	3,865.55
6772	PROGRAMS FOR AGING	0.00	44.70
6989	OTHER ECONOMIC OPPORTUNITY & DEVELOPI	0.00	1,800.00
7110	PARKS	0.00	3,797.19
7140	RECREATION	0.00	520.68
7410	LIBRARY	0.00	5,000.00
8130	SEWAGE TREATMENT AND DISPOSAL	0.00	247.78
8540	STORMWATER MGMT PROGRAM	0.00	16,510.78
9060	HOSPITAL AND MEDICAL INSURANCE	0.00	1,909.87
9710	SERIAL BONDS	0.00	5,096.88
Grand Total:		0.00	51,931.94

A

RESOLUTION REGARDING SEQRA FOR LOCAL LAW # 5 of 2023

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

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 above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on September 5, 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 August 29, 2023 filed an Environmental Assessment Form (EAF) with the Alden Town Board, a copy of which is attached hereto and made a part hereof relating to the Local Law # 5 of 2023 Override of Tax Cap.
2. Pursuant to 6 NYCRR section 617.5 of the SEQR regulations it is hereby determined that the action proposed in said application 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: September 5, 2023

Brett A. Sitzman, Supervisor Town of Alden

B

Order Calling Public hearing for Local Law # 5 of 2023 Override of Tax Cap

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:

Councilwomen Weiss	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 August 21, 2023, for adoption a proposed Local Law to be known as Local Law No. 5 of the Year 2023 entitled "Override of Tax Cap" The purpose of this local law is to allow the Town Board in the 2024 Budget to increase the tax levy beyond the 2 % tax cap set by the State, in the event that said override is needed.

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 18th day of September, 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 wheel chair accessible. Those needing special arrangements should call the Town Hall at 937-6969.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF ALDEN

Dated: September 5, 2023

Local Law No. 5 of 2023 (text as of 8.15.23)
Town of Alden, County of Erie
Title: Override of Tax Cap

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ALDEN, COUNTY OF ERIE AS FOLLOWS:

SECTION ONE Legislative Intent

The State Constitution, Article XVI, §1, reserves all taxing power to the State and therefore local governments possess only that taxing power which has been expressly delegated to them by the State Legislature (Opns St Comp, 1990 No. 90-39; Opns St Comp, 1981, No. 81-331; Opns St Comp, 1973, No. 72-1085, unreported; 23 Opns St Comp, 1967, p 788).

The Town Board of the Town of Alden, County of Erie has reviewed the financial needs and obligations of the town. Due to contract obligations, limited revenue from non-real property tax sources, the rising cost of commodities and health care, compliance with unfunded mandates, reductions in state and federal revenue sharing programs coupled with the limitations on raising revenue set forth in General Municipal Law, §3-c, the Town Board of the Town of Alden, County of Erie, hereby determines that it necessary to override the tax cap for the fiscal year 2024.

SECTION TWO Authority

General Municipal Law, §3-c (5) authorizes the town board to adopt a local law overriding the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

SECTION THREE Tax Cap Override

The Town Board of the Town of Alden, County of Erie hereby overrides the tax cap as required by General Municipal Law, §3-c as for the town fiscal year of 2024.

SECTION FOUR. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION FIVE. Effective date.

This local law take effect immediately upon filing with the Secretary of State.

C

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 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 foregoing Resolution was duly put to a roll call vote at a regular meeting of the Alden Town Board held on September 5, 2023 , as follows:

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

D

Motion to approve Alden Chamber of Commerce request to use Community Center and Town Park

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 8 am until 3 pm; and to use the Town Park Shelters and the Town Park on Saturday December 9, 2023 from 5pm until 8 pm for a Christmas Light display event and visits with Santa with food and goodies.

The Alden Chamber of Commerce The School 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.