

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Tuesday, September 18, 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 Town Clerk.

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

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
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 September 5, 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 #812 - 869 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$19,612.98		\$19,612.58
HIGHWAY FUND "DA/DB"	\$43,364.12		\$43,364.12
PART-TOWN FUND "B"	\$5,459.75		\$5,459.75
CONSOLIDATED WATER "WR"			\$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		\$233.59
TRUST & AGENCY "T"	\$1,932.30		\$1,932.30
SPECIAL REFUSE FUND "SR"	\$42,648.58		\$42,648.58
STREET LIGHTING FUND "SL"	\$124.51		\$124.51
PERIWINKLE LTG. DIST."SL1"			
ZOELLER RD. WATER DIST. "WZ"			
TOTAL	\$119,000.62		\$119,000.62

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON SEPTEMBER 18, 2023 AND

ADOPTED.

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

BUSINESS FROM THE FLOOR

Deb Woods, Meals On Wheels – Submitted proposal for wreath making fundraiser. Ribbon cutting and Open House scheduled for 9/30.

John Cieski, Exchange – Questioned when school taxes were mailed out and the procedure for FOIL responses.

Kevin Martin, Townline – follow up on documentation submitted for Townline water district.

Matthew Duck, Four Rod Rd. – Received letter from Code Enforcement Officer regarding demolition of property. Stated he has a report from a third party engineer stating that parts of the home can be salvaged and that it is not unsafe. Questioned CEO Snyder’s interpretation of the Code regarding deeming his home unsafe and it needing demolition. Mr. duck’s Aunt Claudia questioned what makes the home unsafe and asked what other options they have to appeal CEO Snyder’s letter.

COMMUNICATIONS

Brett Sitzman, Town Supervisor

- 1. Received petitions from Townline Residents for water
- 2. Email from Senator Gallivan’s Office that Crittenden VFD exempt from residency law
- 3. Request from MOW for wreath making fundraiser at Community Center
- 4. Report from Village CEO from coverage of CEO Snyder
- 5. Sales tax YTD receipts ahead of last year
- 6. ACS notice regarding SEQRA Lead Agency for project at primary school and possible property purchase

Colleen Pautler, Councilwoman

- 1. E-mail from Paul Luderman requesting an update on the Duck property on Four Rod Rd
- 2. Message from several people at Town Park; add shape of restrooms to next WS

Gina Waiss, Councilwoman

- 1. Letter from a resident applying to the WD#5 Committee. This is the only one received. Requested the ad be run again as well as posted on the Town’s Facebook page.

PUBLIC HEARING LOCAL LAW #5, OVERRIDE OF TAX CAP

Councilwoman Pautler moved to enter into Public Hearing, second by Councilwoman Waiss. All in Favor.

Town Clerk read the Notice of Public hearing.

Supervisor Sitzman explained the purpose of the Public Hearing and opened the floor to public comment.

Tom Weisbeck, Broadway – This is a bad idea, the budget should be held to 2% or less increase.

Councilwoman Waiss – We pass this resolution every year; it’s a safety net.

Matthew Duck, Four Rod Rd. – Have we ever gone over the 2%?

Councilwoman Waiss – No.

Councilwoman Pautler – No.

Councilwoman Pautler moved to exit Public Hearing and enter back into regular session, second by Councilwoman Waiss. All in Favor.

NEW BUSINESS

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

Motion to rehire the following lifeguards at the following hourly rates:

Sierra Warner \$16.52

Mackenzie Fronczak \$15.12

Anthony Kudla \$15.00

Liam Farrell \$15.00

Brianna Quinn \$15.42

Ayden Daigler \$15.00

James Fecio \$15.12

Abby Blendowski \$18.36

And to hire the following lifeguards at the following hourly rates:

Skylar King \$15.00

Avery Stahl \$15.00

Noah Toczek \$15.00

contingent upon successful completion of all pre-employment checks, commencing on September 19, 2023 through December 25, 2023.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on September 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

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

WHEREAS, a Proposed Local Law # 4 of 2023, known as Local Law #4 of 2023 entitled "Amendment of Chapter 52 Purchase Contracts"; was introduced to the Alden Town Board for consideration by Councilwomen Pautler on July 17, 2023,

WHEREAS, a resolution was duly adopted by the Alden Town Board calling a public hearing to be held by the Alden Town Board on August 7, 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 August 17, 2023 and all parties in favor of and opposed to the local law were heard,

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 a Type II Action,

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law on August 9, 2023, and

WHEREAS, the Town submitted the 239m Notice and a “no recommendation” was received on September 8, 2023;

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. 4 of the Year 2023 entitled “Amendment of Chapter 52 Purchase Contracts”; 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.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on September 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Waiss
Nays 0

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

WHEREAS, Robert Ryan has filed an application for a Special Use Permit to Harbor Chickens at his residence located at 798 S. Blossom Lea Drive in the Town of Alden (further identified by SBL # 118.16-2-11.11); and

WHEREAS, the Town Board, pursuant to Section 365-11(C)(4) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. A Public Hearing on the application for a Special Use Permit to Harbor Chickens made by Robert Ryan be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on October 2, 2023 at 7:05 P.M. Local Time;
2. That the Building Department is hereby directed to publish the Notice of Public Hearing in the Alden Advertiser; to post the same on the Town Bulletin Board; and to mail the Notice to the property owners within 200 feet, which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take 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 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Waiss
Nays 0

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

WHEREAS, the Town properly, authorized, advertised, received and opened sealed bids for four Prime Contracts for General Construction, Electrical, Mechanical and Plumbing at the Senior Center for the Senior Center Expansion Project and no plumbing bids were received;

WHEREAS, the Town properly hired NCI Construction, for general construction, who possesses sufficient skills and qualifications to complete the necessary general construction work has requested a Change Order in the amount of \$5,600.00 for electrical vault work and a Change Order for \$18,755 for flooring work from the Town to allow them to complete the general construction; and

WHEREAS, the Town Board after full and careful consideration finds that it is in the public interest to authorize the Change Orders.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the Change Orders (attached) at a total cost of \$24,355.0;
2. The Supervisor is authorized and directed to sign any and all necessary documents to effectuate these Change Orders; and
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 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Waiss
Nays 0

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

Motion to approve the request of Alden's Meals On Wheels to use the Community Center on November 2, 2023 and on November 15, 2023 from 7 pm until 9pm for holiday wreath decorating class fundraiser.

The Town Clerk is hereby directed to promptly send notice of this approval; to the Alden Meals on Wheels.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on September 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Waiss
Nays 0

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

WHEREAS, a Proposed Local Law No. 5 of 2023 entitled "Override of Tax Cap" was introduced to the Alden Town Board for consideration by Councilwomen Pautler on August 21, 2023.

WHEREAS, a resolution was duly adopted by the Alden Town Board calling a public hearing to be held by the Alden Town Board on September 5, 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, and

WHEREAS, said public hearing was duly held on September 18, 2023 and all parties in favor of and opposed to the local law were heard; and

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 a Type II Action, and

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

WHEREAS, the Town submitted the 239m Notice and a “no recommendation” was received on September 8, 2023;

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. 5 of the Year 2023 entitled “Override of Tax Cap”, 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.
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 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

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

WHEREAS, The Alden Town Board adopted its 2023 Budget on November 7, 2022;

WHEREAS, the Town needs to transfer monies to allow for payment of various invoices and vouchers for the Town Highway and the Town Recreation Departments; and

WHEREAS, these budget transfers will not render the Town of Alden insolvent.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

The Alden Town Board hereby authorizes the following transfers:

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
-----------------------	--------	---------------------	------------------------	--------

DB.5112.0433	\$1,416.80	DB.5112.0499	Highway	\$1,416.80
A.7140.0106	\$8,084.61	A.7140.0104	Recreation Attendants	\$8,084.61
A.7140.0108	\$525.96	A.7140.0104	Recreation Attendants	\$525.96
A.7140.0108	\$14.04	A.7140.0102	Recreation Ass. Director	\$14.04
	\$10,041.41		TOTAL	\$10,041.41

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 18, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Weiss

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Town Engineer Mike Metzger – Cayuga Creek Water District working on updating cost; reached out to Jeff Smith for a good percentage to use.

CEO Chris Snyder - Regarding Duck property violations; someone on the Board needs to talk to the Judge because they are not doing anything about the violations in Court. They live in a motorhome in front of the house, they have multiple unlicensed vehicles on the property, the property has garbage everywhere. It has been in Court for months and nothing is coming of it. They do not give reports or notify when the property owner will be in Court. This is not the only property in Court for violations and the Judge isn't doing anything about it. The Judge needs to be talked to. These are direct Code violations.

Town Attorney Jennifer Strong stated no Board member can speak to the Judge on matters in Court.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:

September 25, 2023

@ 7:00 PM

REGULAR BOARD MEETING

October 2, 2023

@7:00 PM

MEMORIAL REMEMBRANCE - Gilbert Dussault Jr.

ADJOURNMENT

At 7:40 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk