

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, October 2, 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 September 18, 2023.

CARRIED

Ayes 3 Sitzman, Pautler & Waiss
Nays 0

BUSINESS FROM THE FLOOR

Paul Luderman, Four Rod – questioned status of the demolition of the Duck property?

Kevin Martin, Townline – Any updates on Townline Water District?

Laura Loehr, Henskee – Asked the Board to speak up, she was having difficulty hearing in the back of the room.

Tom Weisbeck, Broadway – Two questions on New Business Resolution to adopt updated procurement policy: paragraph 7F, why is an RFP not required on professional services? Is an estimate requested for professional services cost? 7J transfer regarding fees for WD#5 and Cayuga Creek; are those for previous services or current services?

COMMUNICATIONS

Brett Sitzman, Town Supervisor

1. \$10k check received for Senior Center for tables & chairs
2. CEO monthly report
3. DEC will be conducting low level flights throughout October

Joanna Eisensmith, Deputy Town Clerk

1. Tentative Budget for 2024 has been received and electronic as well as hard copies have been distributed to the Town Board members.

Gina Waiss, Councilwoman

1. Received information on Splash pad; add to Work Session

PUBLIC HEARING ON SPECIAL USE PERMIT TO HARBOR CHICKENS AT 798 S. BLOSSOM LEA DR.

Councilwoman Pautler moved to exit regular meeting and enter into Public hearing, second by Councilwoman Waiss. All in favor.

Deputy Town Clerk read the notice of Public Hearing.

Supervisor Sitzman opened the floor to public comment.
Councilwoman Pautler moved to exit public hearing and enter into regular meeting, 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;

WHEREAS, grant monies are available through the New York State Unified Court System to enhance the operation, security, and facilities of municipal Justice Courts;

NOW THEREFORE, BE IT:

RESOLVED, that the Town of Alden Justice Court is authorized to submit a grant application through the Justice Court Assistance Program to request up to the maximum amount available, and, BE IT FURTHER

RESOLVED, that the Town Supervisor and Town Court Justices be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 2, 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, Thomas Wisnowski has filed an application for a Special Use Permit to Harbor Chickens at his residence located at 3225 Zoeller Road in the Town of Alden (further identified by SBL # 96.00-2-24); and

WHEREAS, the Town Board, pursuant to Section 365-12(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 Thomas Wisnowski be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on October 16, 2023 at 7:15 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 order was duly put to a vote on roll call, at a regular meeting on October 2, 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, the Town Board is considering the establishment of a new Water

District, the Townline Water District, on Townline Road in the Town of Alden, outside the boundaries of any existing water districts of the Town and outside of any incorporated Villages; and

WHEREAS, the Town Board prior to going forward with the establishment has determined that it is necessary to have a general map and plan prepared in advance of the establishment of the proposed Townline Water District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby authorize the appropriation of the sum of no more than \$1,500.00 from the general fund to provide for the cost of preparation of a map and plan by Metzger Civil Engineers, the Town Engineers, in accordance with the requirements of Section 192 of the Town Law; 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 October 2, 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 Budget Officer of the Town of Alden on September 25, 2023, duly filed the Tentative Budget of said Town (including special districts) for the fiscal year beginning January 1, 2024 with the Town Clerk of said Town; and

WHEREAS, the Town Clerk of the Town of Alden duly presented the Tentative Budget to the Town Board via email on September 25, 2023 and the hard copies at a meeting held on October 2, 2023;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Tentative Budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2024;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by her to the public for inspection during regular business hours;

3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the Year 2024, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on October 16, 2023, at 7:10 P.M. Local Time;

4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the NYS Town Law be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; 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 October 2, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Weiss

Nays 0

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

NOW, THEREFORE, IT IS HEREBY RESOLVED 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 16th day of October, 2023, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden; and

ORDERED, that the Town Clerk's Office 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 five (5) days before the date of the public hearing; (b) and post as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 2, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Weiss

Nays 0

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

WHEREAS, the Alden Town Board has noted the need to update the Town's Procurement Policy and Procedure Guidelines ("Policy").

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby adopts (revoking all former Procurement Policy and Procedure Guidelines) the attached Policy as its Official Procurement Policy effective October 2, 2023;
2. The Town Clerk is hereby directed to send a copy of the Policy to all Town Board Members and Department Heads; 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 October 2, 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, on July 3, 2023, the Town of Alden ordered the lawn mowing of the following properties in the Town of Alden: 178 Two Rod Road and 11133 Broadway.

WHEREAS, the lawn mowing cost the Town of Alden a total of 366.60;

WHEREAS, the property owners have refused to reimburse the Town for the cost of the mowing; and

WHEREAS, the Alden Town Code Chapter 263 allows the Town to relevy such costs onto the property taxes of the affected parcels.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$150.00 onto the 2024 county/town taxes of 178 Two Rod Road also known as SBL #129.01-1-15.1.
2. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$216.60 onto the 2024 county/town taxes of 11133 Broadway also known as SBL# 117,12-4-2.11;
3. The 2024 Town Budget at line A.0440.00 is hereby authorized to receive this relevy of \$366.60; 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 October 2, 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, 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 Code Enforcement Officer has inspected the premises and has found the same in compliance with all requirements of the Alden Town Code;

WHEREAS, the notice of public hearing was mailed to the neighboring parcel owners and the public hearing was held on October 2, 2023, after due publication in the Alden Advertiser; and

WHEREAS, at said public hearing all persons appearing in favor of and against the proposed action were heard and all concerns have been addressed.

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

1. The Town Board hereby directs the Code Enforcement Officer to issue to Robert Ryan a Special Use Permit to Harbor Chickens limited to six (6) hen chickens for a period of one year; 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 October 2, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Weiss
Nays 0

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

Motion to approve the request of Alden Youth Basketball to use the Community Center on October 10, 2023 from 6 pm until 8 pm and on October 14 and 21, 2023 from 10 am until 12 pm for Alden Youth Basketball registration.

The Town Clerk is hereby directed to promptly send notice of this approval; to Alden Youth Basketball.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 2, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Weiss
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 Engineering Services for Proposed Water District 5 and Cayuga Creek and Auditing Services; and

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

The Alden Town Board hereby authorizes the following transfers:

| From (budget code) | Amount | To (budget code) | General Explanation | Amount |
|--------------------|------------|------------------|---|------------|
| A.1990.0400 | \$6,576.43 | A.1440.0415 | Engineering Services for proposed water districts: WD5 & Cayuga Creek | \$6,576.43 |
| A.1990.0400 | \$1,300.00 | A.1990.0400 | Additional funds for Auditor Services | \$1,300.00 |
| Total | \$7,876.43 | | | \$7,876.43 |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on October 2, 2023, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Pautler & Weiss
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 #870 - 912 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

| <u>ACCOUNT</u> | <u>AMOUNT</u> | | |
|------------------------------|---------------------|---------------------|---------------------|
| | ABSTRACT #1 | ABSTRACT #2 | TOTAL |
| GENERAL FUND "A" | \$19,612.98 | \$29,177.09 | \$48,790.07 |
| HIGHWAY FUND "DA/DB" | \$43,364.12 | \$33,216.10 | \$76,580.22 |
| PART-TOWN FUND "B" | \$5,459.75 | \$2,895.30 | \$8,355.05 |
| SR CTR EXPANSION/4SEASON"HS" | | 321,179.83 | \$321,179.83 |
| SPECIAL FIRE PROTECTION "SF" | | | |
| WATER DIST. #1 FUND "WA" | | | |
| WATER DIST.EXCHANGE ST. "WX" | \$5,085.00 | \$33,378.68 | \$33,612.27 |
| SEWER DIST. #2 FUND "SA" | \$233.59 | | \$233.59 |
| TRUST & AGENCY "T" | \$1,932.30 | \$3,555.80 | \$5,488.10 |
| 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 | \$124,085.62 | \$423,402.80 | \$547,488.42 |

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON OCTOBER 2, 2023 AND

ADOPTED.

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Town Engineer, Mike Metzger – Received updated list of property owners in Cayuga Creek Water District, amended proposed cost and emailed information to the Board. Add to WS.

Councilwoman Pautler moved to leave regular meeting and enter into a session of attorney client privilege, second by Councilwoman Waiss. All in favor.

Councilwoman Pautler moved to leave session of attorney client privilege with no action taken, second by Councilwoman Waiss. All in favor.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:

October 10, 2023

@ 7:00 PM

REGULAR BOARD MEETING

October 16, 2023

@7:00 PM

MEMORIAL REMEMBRANCE -

ADJOURNMENT

At 8:15 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk