

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, October 16, 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  
Bill Rogers, Highway Superintendent  
Mike Metzger, Town Engineer  
Bill Sivecz, Assessor  
Residents

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of October 2, 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 #913 - 945 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$4,388.23		\$4,388.23
HIGHWAY FUND "DA/DB"	\$6,259.47		\$6,259.47
PART-TOWN FUND "B"	\$2,653.00		\$2,653.00
SR CTR EXPANSION/4SEASON"HS"			
SPECIAL FIRE PROTECTION "SF"			
WATER DIST. #1 FUND "WA"			
WATER DIST.EXCHANGE ST. "WX"			
SEWER DIST. #2 FUND "SA"	\$629.92		\$629.92
TRUST & AGENCY "T"	\$12,892.25		\$12,892.25
SPECIAL REFUSE FUND "SR"	\$40,740.32		\$40,740.32
STREET LIGHTING FUND "SL"	\$6,088.49		\$6,088.49
PERIWINKLE LTG. DIST."SL1"			
ZOELLER RD. WATER DIST. "WZ"			
<b>TOTAL</b>	<b>\$73,651.68</b>		<b>\$73,651.68</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON OCTOBER 16, 2023 AND

**ADOPTED.**

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

**BUSINESS FROM THE FLOOR**

Rachel Black, Clearvue – New to Alden, asked if we had programs in place to protect native plants and deal with invasive species in the Town Park. What is going in behind Tops?

Laura Loehr, Henske – Thanked the Board for the outline paint on the Town Hall parking lot that she brought up last year

Art Eisensmith, E. Laray – Any updates on Lucas James phase #3?

Holly Ahl, E. Laray – Will the privacy fence for phase 2 be up for any more approvals?

Paul Luderman, Four Rod – Update on the Duck property? What was the content of the letter sent to the property owner?

Mayor Prucnal – Questioned if Councilwoman Waiss had seen the County is giving away AEDs?

Tom Weisbeck, Broadway – AEDs would be good to have at the Senior/Community Center.

**COMMUNICATIONS**

**Brett Sitzman, Town Supervisor**

- 1. Erie Co. Dept. of Public works regarding road restrictions
- 2. Cayuga Creek water district letter is going out to property owners of that district
- 3. Received letter from DEC regarding SD2; add to WS
- 4. Sales tax YTD receipts running ahead of this time last year
- 5. Letter of resignation from Joanna Eisensmith
- 6. Information received about emergency shelters
- 7. Met with someone regarding AV for CDBG Grant

**Colleen Pautler, Councilwoman**

- 1. Reached out for updated proposal on tables & chairs

**Jennifer Strong, Town Attorney**

- 1. Received complaint from resident regarding intersection of Genesee & Pohl
- 2. Received complaint from resident, would like to discuss with Board in a session of attorney-client privilege
- 3. Requested executive session for a matter of litigation

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**7:05 PUBLIC HEARING ON FEDERAL COMMUNITY DEVELOPMENT GRANT**

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

Town Clerk read the notice of Public Hearing.

Supervisor Sitzman opened the floor to public comment; and stated there was a list of desired items verbalized at a previous meeting.

Mayor Prucnal – Can this money be used to demolish the Erie County Home?

Supervisor Sitzman – it’s not for enough money to do that. The grant money gets put towards benefiting senior citizens because they are a group that qualifies within the Town.

Tom Weisbeck, Broadway – What is the existing list?

Supervisor Sitzman – tables, chairs, audio visual equipment and sound system.

Mayor Prucnal – The Village has three streets that qualify.

Melanie Rimkus, Genesee – What about under privileged children? YMCA? Programs for disadvantaged kids, not just seniors?

Rachel Black, Clearvue – How often can you apply for the grant? Senior citizens can benefit from interaction with children.

Supervisor Sitzman – we apply whenever it is available.

Councilwoman Pautler moved to exit the 7:05 public hearing and enter into the 7:10 public hearing, second by Councilwoman Waiss. All in favor.

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**7:10 PUBLIC HEARING ON 2024 PRELIMINARY BUDGET**

Supervisor Sitzman introduced Carl Widmer from Drescher & Malecki who prepared a power point presentation.

Town Clerk read the notice of Public Hearing.

Supervisor Sitzman opened the floor to public comment.

Mayor Prucnal – SF.34100.0910.0800; is the \$130,000.00 being split 3 or 4 ways?

Supervisor Sitzman –

Tom Weisbeck, Broadway – What is “unallocated insurance?” Is “contingency” for unexpected legal fees? Law enforcement liability? Is Public Safety A.3120.0104 for Constables or Court Officers? Are Constables enforcing law enforcement duties? Our taxes fund troopers & sheriff’s deputies, do we have access to them for patrols? Programs for the aging – can CDBG funds be used to offset senior activities and personal services? A.7140.0104 Senior Recreation Attendants has \$60,000 budgeted.

Melanie Rimkus, Genesee – Does the Town equally gift to all non-profits or the food bank?

Councilwoman Pautler moved to exit the 7:10 public hearing and enter into the 7:15 public hearing, second by Councilwoman Waiss. All in favor.

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**7:15 PUBLIC HEARING ON SPECIAL USE PERMIT TO HARBOR CHICKENS - WISNOWSKI**

Town Clerk read the notice of Public Hearing.

Supervisor Sitzman opened the floor to public comment.

Rachel Black, Clearvue – How many chickens can you have?

Councilwoman Waiss – 6 hens, no roosters.

Councilwoman Pautler moved to exit the 7:15 public hearing and enter back into regular meeting, second by Councilwoman Waiss. All in favor.

**NEW BUSINESS**

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

WHEREAS, the Erie County Water Authority has informed the Alden Town Board that two parcels of property located in the Town of Alden have failed to pay their water charges.

WHEREAS, pursuant to NYS Town Law section 198 and the Direct Service Agreement between the Town of Alden and the Erie County Water Authority; the Town must relevy the unpaid water charges onto the 2024 county/Town Tax Bills; and

WHEREAS, the Erie County Water Authority has mailed notices to the delinquent property owners and said owners continue in default.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The following sums for the following parcels be relevied onto the 2024 county/town tax for said parcels all for delinquent water charges:

\$85.89 for delinquent water charges for 1145 Greenfield Drive (SBL # 117.12-2-14);

\$67.69 for delinquent water charges for 12113 Walden Avenue (SBL # 96.00-6-39.11).

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 16, 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, WITH NO SECOND;

Motion to appoint Danielle Decker, to the position of First Deputy Town Clerk, for 19.5 hours per week, beginning October 25, 2023 at the budgeted rate for the First Deputy Town Clerk; pro-rated for the remainder of 2023.

Danielle has worked as the Second Deputy Town Clerk since December of 2022. She has proven herself to be a well-qualified asset to the Town Clerk's Office.

*On the question: Supervisor Sitzman – what is the reason for the objection?*

*Councilwoman Waiss - rate of pay.*

*Councilwoman Pautler – rate of pay.*

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 16, 2023, which resulted as follows:

**DEFEATED.**

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

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 16, 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 Thomas Wisnowski 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 16, 2023, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Pautler & Waiss  
Nays 0

***POLLED AND ADDED WITH NO OBJECTION***

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

The Town of Alden hereby establishes Trick or Treat Hours in the Town of Alden from 6pm until 8pm on Tuesday October 31, 2023.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on October 16, 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 SUPERVISOR SITZMAN, TO WIT;

Motion to approve AJF to use the Town Hall Gym.

Motion to approve AJF to use the Town Hall Gym (weather permitting) on:

10/17/2023 – 10/20/2023

10/24/2023 – 10/27/2023

10/31/2023 – 11/3/2023

From 6:00 pm – 8:00 pm

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 16, 2023, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Pautler & Waiss

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Highway Superintendent, Bill Rogers – Spooktacular is this weekend, would like confirmation of Sheriff and Trooper presence for the event.

Town Engineer, Mike Metzger – Proposed Townline Water District has a few outstanding things with the water authority; continuing work with them. Floor is in in the Senior Center addition. Most electrical is done, the project is moving along.

Assessor, Bill Sivecz – Asked for update from Board on the exemption for volunteer firefighters and EMT workers. Add to WS agenda.

Councilwoman Pautler moved for an executive session and attorney-client privilege for a matter of potential litigation and personnel in the Code Enforcement Office, second by Councilwoman Waiss. All in favor.

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

**UNFINISHED AND TABLED BUSINESS**

**NOTICE OF MEETINGS**

<b>WORK SESSION:</b>	<b>October 23, 2023</b>	<b>@ 7:00 PM</b>
<b>SPECIAL MEETING (CDBG)/1<sup>ST</sup> Dep.TC</b>	<b>October 23, 2023</b>	<b>@7:30 PM</b>
<b>SPECIAL WORK SESSION (CC water)</b>	<b>November 2, 2023</b>	<b>@7:00 PM</b>
<b>REGULAR BOARD MEETING</b>	<b>November 6, 2023</b>	<b>@7:00 PM</b>

***November 20, 2023 Regular Town Board Meeting will be at 4:30pm, not 7:00 pm***

**MEMORIAL REMEMBRANCE** - Michael Brinkerhoff and Willis Hahn and Lynda Tucker and

**ADJOURNMENT**

At 9:45 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett  
Town Clerk