

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, December 18, 2023 at 7:00 P.M. Town Supervisor Sitzman called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

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

RECORDING SECRETARY: Alecia Barrett, Town Clerk

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

Councilwoman Weiss Moved and Supervisor Sitzman seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of December 4, 2023.

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 #1057-1092 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

| <u>ACCOUNT</u> | <u>AMOUNT</u> | | |
|------------------------------|---------------------|-------------|---------------------|
| | ABSTRACT #1 | ABSTRACT #2 | TOTAL |
| GENERAL FUND "A" | \$91,839.57 | | \$91,839.57 |
| HIGHWAY FUND "DA/DB" | \$31,741.03 | | \$31,741.03 |
| PART-TOWN FUND "B" | \$13,019.00 | | \$13,019.00 |
| SR CTR EXPANSION/4SEASON"HS" | | | |
| SPECIAL FIRE PROTECTION "SF" | | | |
| WATER DIST. #1 FUND "WA" | | | |
| WATER DIST.EXCHANGE ST. "WX" | | | |
| SEWER DIST. #2 FUND "SA" | \$340.20 | | \$340.20 |
| TRUST & AGENCY "T" | \$2,437.98 | | \$2,437.98 |
| SPECIAL REFUSE FUND "SR" | \$39,480.81 | | \$39,480.81 |
| STREET LIGHTING FUND "SL" | \$6,957.91 | | \$6,957.91 |
| PERIWINKLE LTG. DIST."SL1" | \$164.84 | | \$164.84 |
| ZOELLER RD. WATER DIST. "WZ" | | | |
| TOTAL | \$185,981.34 | | \$185,981.34 |

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

ADOPTED.

Ayes 3 Sitzman, Pautler & Waiss
Nays 0

BUSINESS FROM THE FLOOR

Laura Loehr, Henskee Rd. – Merry Christmas and Happy New Year. Thank you to Supervisor Sitzman for his work as Town Supervisor; best wishes.

COMMUNICATIONS

Brett Sitzman, Town Supervisor

1. Kiwanis request for Community Center for chicken BBQ fundraiser
2. Letters of request of reappointment
3. Letter from Metzger Engineering regarding payment application for Senior Center drainage work
4. Notice of County sales tax
5. Notification that Erie County CDBG Grant application was awarded for additional Senior Center items
6. Received WIIA Grant award for Cayuga Creek Water District

Jennifer Strong, Town Attorney

1. Follow up on Springbrook contract

NEW BUSINESS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOAMN 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 wages for Recreation Attendants, the Supervisor’s Assistant/Bookkeeper, Highway Department employees, Central Printing & Mailing and NYSEG electricity costs; 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 |
|-------------------------------|----------------------|-----------------------------|---|---------------|
| A.7140.0106 A.7140.0424 | \$800.00 \$980.00 | A.7140.0104 | Recreation Attendants | \$1,780.00 |
| A.1620.0100 | \$4,957.34 | A.1220.0103 | Supervisor’s Assistant Bookkeeper | \$4,957.34 |
| DB.5142.0100 | \$3,098.22 | DB.5110.0100 | Highway Employees | \$3,098.22 |

| | | | | |
|-------------|--------------------|-------------|-------------------|--------------------|
| A.1620.0408 | \$5,000.00 | | | |
| A.1620.0409 | \$500.00 | | | |
| A.1620.0444 | \$5,010.01 | A.1620.0407 | Electricity Costs | \$10,510.01 |
| A.1670.0403 | \$1,862.32 | A.1670.0402 | Postage | \$524.61 |
| | | A.1670.0410 | Rental Fees | \$295.28 |
| | | A.1670.0415 | Supplies | \$1,042.43 |
| | \$22,207.89 | | TOTAL | \$22,207.89 |

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 18, 2023, as follows:

CARRIED.

Ayes 3 Sitzman Pautler & Waiss
Nays 0

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

WHEREAS, the Alden Town Board has noted the need to update the Town’s accounting software and to migrate the current accounting software to the new software;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden and the New York State General Municipal Law state that the Town must obtain written quotes, except in the case of a sole source provider;

WHEREAS, the Town Board has determined that Springbrook is a sole source provider;

WHEREAS, The Town Board after full and careful review and consideration of the purchase request finds that it is in the public interest to authorize the execution of an Agreement for the purchase of Municipal Accounting Software and data migration.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby directs and authorizes the Town Supervisor to execute and deliver the attached Agreement with Springbrook for the provision of municipal accounting software and data migration at a cost of \$25,970.00; and
2. This resolution shall take effect immediately

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 18, 2023, 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 of Alden has been awarded a Water Infrastructure Improvement Act Grant award not to exceed \$532,560 from the New York State Environmental Facilities Corporation for the purpose of the Cayuga Creek Water District; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Alden Town Board hereby authorizes and directs the Town Supervisor to sign and submit the Acknowledgement and Acceptance of WIIA Grant Award; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 18, 2023, 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 Alden Town Board is considering an application by Joseph Sterns for the subdivision of three lots. The entire parcel currently consists of approximately 49.6 acres at 2313 Townline Road, in the Town of Alden, further identified as SBL#s 107.00-1-38 and 39. The first proposed lot ("Parcel A") will be approximately 13.12 vacant acres; the second proposed lot ("Parcel B") will be approximately 11.42 acres; and the remaining parcel will be approximately 25.06 acres with existing structures (The "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning, for this Proposed Action, as required under Section 239-m of the General Municipal Law and no comment was received;

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, the Alden Town Board did assume Lead Agency Status on November 6, 2023;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQRA Intake Officer; and

WHEREAS, during review of this Proposed Action, the Town of Alden assessed areas of environmental concern and determined that no significant negative impacts would occur. In reaching this decision, the Town carefully considered all "Criteria" for Determination of Significance listed in the SEQRA Regulations.

WHEREAS, the Town of Alden Planning Board on November 14, 2023, reviewed the Proposed Action and recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;

2. The Town of Alden, as Lead Agency hereby concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration;
3. That the following parcels, more particularly described as:

Parcel A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York being part of Lot No. 49, Township 11, Range 5 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING AT A POINT in the centerline of Townline Road distant, 1335.60 feet southerly from the northwest corner of Lot 49, said centerline being the west line of Lot 49; THENCE easterly at right angles to the west line of Lot 49 and centerline of Townline Road, and through the lands conveyed to 2313 Townline Rd, LLC as described in Deeds filed in the Erie County Clerk's Office in Liber 11318 of Deeds at Page 1046 and Liber 11318 of Deeds at Page 1049, a distance of 1718.51 feet to a point in the easterly line thereof; THENCE southerly forming an interior angle of 91°03'50" and along the easterly line of the aforementioned 2313 Townline Rd, LLC, a distance of 260.00 feet to a point, said point being in the northerly line of lands conveyed to the D.L. & W. Railroad Company; THENCE westerly forming an interior angle of 94°14'30" and along the southerly line of lands conveyed to 2313 Townline Rd, LLC, a distance of 1730.76 feet to a point in the centerline of Townline Road, being the west line of Lot 49; THENCE northerly forming an interior angle of 84°41'40" and along said centerline a distance of 420.00 feet to THE POINT OR PLACE OF BEGINNING, EXCLUDING, ACCEPTING AND RESERVING THEREFROM, that part of the above-described premises line within the bounds of Townline Road, and resulting in conveyance of a parcel containing 13.119 Acres+/-.

Parcel B

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York being part of Lot No. 49, Township 11, Range 5 of the Holland Land Company's Survey bounded and described as follows: BEGINNING AT A POINT in the centerline of Townline Road distant, 1045.60 feet southerly from the northwest corner of Lot 49, said centerline being the west line of Lot 49; THENCE easterly at right angles to the west line of Lot 49 and centerline of Townline Road, and through the lands conveyed to 2313 Townline Rd, LLC as described in Deeds filed in the Erie County Clerk's Office in Liber 11318 of Deeds at Page 1046 and Liber 11318 of Deeds at Page 1049, a distance of 1713.13 feet to a point in the easterly line thereof; THENCE southerly forming an interior angle of 91° 03'50" and along the easterly line of the aforementioned 2313 Townline Rd, LLC, a distance of 290.05 feet to a point, THENCE westerly forming an interior angle of 88°56'10", a distance of 1718.51 feet to a point in the centerline of Townline Road, being the west line of Lot 49; THENCE northerly at right angles to the previously mentioned course and along said centerline, a distance of 290.00 feet to THE TRUE POINT OR PLACE OF BEGINNING. Containing 11.42 acres+/-.

Are given subdivision approval; and

4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 18, 2023, as follows:

CARRIED.

Ayes 3 Sitzman Pautler & Waiss

Nays 0

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

Motion to approve the request of the Alden Soccer Club to use the Town Parks for a tournament as follows:

The Alden Soccer Club must submit proof of insurance to the Town Clerk, naming the Town of Alden as an additional insured before using the Town Parks.

Alden Soccer Club Tournament

2024 Dates: June 28 Friday, 4:00 p.m.- 8:45 p.m.

June 29, Saturday, 8:00 a.m.- 8:45 p.m.

June 30, Sunday, 8:00 a.m.- 8:45 p.m.

Field Locations: Town Park Fields 1 and 2

All participants (players, coaches and referees, etc.) must sign Waivers, to be filed with the Town Clerk, prior to participating in any practices or games.

The Town Clerk is hereby directed to send a copy of this approved motion to the Alden Soccer Club.

The foregoing Motion was duly put to a roll call vote at a regular meeting on December 18, 2023, 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;

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 2nd day of January, 2024, for the purpose of hearing all persons interested in the Current CDBG Project for Town of Alden Senior Center Improvements; 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

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 18, 2023, 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 appoint, Colleen Pautler as EEO Officer; MWBE Liaison; SVDOB; Fair Housing Officer; Section 3 Coordinator; and Labor Standards Compliance Officer.

The Town Clerk is directed to send a certified copy of this motion to Rotella Grant Management.

The foregoing Motion was duly put to a roll call vote at a regular meeting on December 18, 2023, as follows:

CARRIED.

Ayes 2 Sitzman & Waiss

Nays 0

Abstain 1 Pautler

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 Town Hall Gym for basketball practice from December 19, 2023 through February 29, 2024 Mondays through Thursday from 6 p.m. until 9 p.m.

The Alden Youth Basketball must submit proof of insurance to the Town Clerk, naming the Town of Alden as an additional insured before using the Town Gym.

Basketball must remove all of its equipment from the Town Gym promptly after February 29, 2024.

Basketball is responsible for repairing any damage to the Town Gym caused by its activities.

All participants (players, and coaches) must sign Waivers, to be filed with the Town Clerk, prior to participating in any practices.

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

The foregoing Motion was duly put to a roll call vote at a regular meeting on December 18, 2023, 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, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Crittenden Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in receiving worker's compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Crittenden Volunteer Fire Department has approved Kristen M. Tower and Jack B. Tower as members; and

WHEREAS, Crittenden Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of these new members.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Kristen M. Tower and Jack B. Tower for membership in the Crittenden Volunteer Fire Department; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 18, 2023, as follows:

CARRIED.

Ayes 3 Sitzman Pautler & Waiss

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Colleen Pautler, Councilwoman – Been a wild two years, but we made it through; best of luck to you (Supervisor Sitzman)

Jennifer Strong, Town Attorney – Has sent out training reminders to Planning Board and Zoning Board Members.

Gina Waiss, Councilwoman – Best wishes to you (Supervisor Sitzman) and you family on the next chapter of your life. It wasn't always easy but we did it.

Bill Rogers, Highway Superintendent – Congratulations, it's been a pleasure working with you (Supervisor Sitzman). Looking forward to working with the new Board.

Mike Metzger, Town Engineer – Congratulations on retirement (Supervisor Sitzman). It's been a pleasure. Merry Christmas to everyone.

Brett Sitzman, Supervisor – Saturday, 12/30 at 9am there will be a ribbon cutting ceremony at the Community Center. Read a "Thank You" letter he composed to everyone who helped throughout his term. Challenged people to volunteer in the community.

Councilwoman Pautler moved to exit regular meeting and enter into an executive session for personnel in the CEO Office, second by Councilwoman Waiss. All in favor.

Councilwoman Waiss moved to exit executive session and enter back into regular meeting with no action taken, second by Councilwoman Pautler. All in favor.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

REGULAR BOARD MEETING

January 2, 2024

@7:00 PM

WORK SESSION:

January 8, 2024

@ 7:00 PM

MEMORIAL REMEMBRANCE - Violet Savage

ADJOURNMENT

Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk