

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, June 17, 2024 at 7:00 P.M. Town Supervisor Pautler called the Meeting to Order and Councilmember Cieszki led in the Pledge of Allegiance. The Roll Call was taken by Town Clerk Barrett.

PRESENT: Colleen Pautler, Town Supervisor  
Gina Weiss, Councilmember  
Randy Crist, Councilmember  
Gwendolyn Bork, Councilmember  
John Cieszki, Councilmember

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Scott Pease, CEO  
Mike Metzger, Town Engineer  
Colleen Rogers, Budget Officer  
Linda Marzolf, First Deputy Town Clerk  
Residents

Councilmember Weiss Moved and Councilmember Crist seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of June 3, 2024.

**CARRIED**

Ayes 5 Pautler, Bork, Weiss, Crist, Cieszki  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER BORK, SECOND BY COUNCILMEMBER WAISS.

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$15,377.52		\$15,377.52
HIGHWAY FUND "DA/DB"	\$7,926.81		\$7,926.81
PART-TOWN FUND "B"	\$1,609.50		\$1,609.50
SR CTR EXPANSION/4 SEASON "HS"	\$618.41		\$618.41
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"	\$1,100.00		\$1,100.00
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	\$61.74		\$61.74
TRUST & AGENCY "T"	\$26,649.18		\$26,649.18
SPECIAL REFUSE FUND "SR"	\$40,747.67		\$40,747.67
STREET LIGHTING FUND "SL"	\$6,439.30		\$6,439.30
PERIWINKLE LTG. DIST."SL1"			
WATER DIST. EXCHANGE "WX"			
WATER DIST. NO. 1 "WA"			
<b>TOTAL</b>	<b>\$100,530.13</b>		<b>\$100,530.13</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON JUNE 17, 2024 AND

**CARRIED**

Ayes 5 Pautler, Waiss, Crist, Bork, Cieszki  
Nays 0

**BUSINESS FROM THE FLOOR**

**COMMUNICATIONS**

**Colleen Pautler, Town Supervisor**

1. Welcomed Linda Marzolf, First Deputy Town Clerk, to her first Meeting
2. Received Retirement Resignation from Mary Ann Arnold
3. Received COO for Community Center

**Jennifer Strong, Town Attorney**

1. Followed up with Waste Management on pick up calendar mailer

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER CIESZKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BORK, 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 Sarah Lewalski as a member; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Sarah Lewalski 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 June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Pautler, Waiss, Crist, Bork, Cieszki  
Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Adam Mazzarieilla for site plan approval of proposed new 50 foot x 50 foot commercial building on the existing foundation building at 13500 Genesee Street, in the Town of Alden, further identified by SBL# 86.04-1-8 (The "Proposed Action");

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to site plan approval; is the agency with the broadest governmental powers for investigating the impact of the Proposed Action; and has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority; and

WHEREAS, the Town Building Inspector is directed to provide notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval is an Unlisted Action under SEQRA;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the site plan approval; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki  
Nays 0

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

WHEREAS, effective as of January 1, 2017, the Town of Alden and the County of Erie entered into evergreen contract # 17-73-SS for congregate dining services for senior citizens at the Alden Community/Senior Center; and

WHEREAS, the County of Erie has proposed an amendment to the Contract, adding Technology Installation and Special Event Programming, to be provided to the Town of Alden by the County of Erie.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board does hereby authorize Supervisor Pautler to enter into and execute all necessary documents to effectuate the Contract Amendment (17-73-SS (amend 1)with the County of Erie; and

2. This Resolution shall take effect immediately.

The foregoing Motion was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILMEMBER WAISS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER CIESZKI, TO WIT;

Motion to hire Charles Weatherbee at a rate of \$16.00 per hour, starting June 11, 2024 for an employment term not to exceed five months as apart time seasonal parks laborer, subject to successful completion of all pre-employment checks/

The foregoing motion was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 4 Paulter, Waiss, Bork, Cieszki

Nays 0

Abstain 1

THE FOLLOWING MOTION WAS OFFERED BY COUNCILMEMBER CRIST, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER CIESZKI, TO WIT;

Motion to approve the request of Alden Travel Soccer to use the grounds (which are not lined for a soccer field) at Town Hall for soccer practice from June 18, 2024 through July 31, 2024 on Mondays from 6.30 pm until 8.00 pm and on Saturdays from 10.30 am until 12.00 pm.

Alden Travel Soccer will not practice in the areas of the Meals on Wheel Garden and is fully responsible to repair and replace, at its expense, any damage their participants cause to the garden.

Alden travel soccer must submit proof of general liability insurance naming the Town of Alden as an additional insured to the Town Recreation Department prior to using the Town Hall grounds.

All participants must sign Waivers, to be filed with the Town Recreation Director, prior to participating in any games or practices.

The Town Clerk is directed to promptly send notice of this approval to Alden Travel Soccer.

The foregoing Order was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILMEMBER CIESZKI, SECONDED BY COUNCILMEMBER BORK, TO WIT;

Motion to hire the attached Recreation Attendants and Supervisors at the listed pay rates, contingent upon successful completion of all pre-employment checks, commencing on June 24, 2024 through August 9, 2024; not to exceed 19.5 hours per week.

The foregoing Motion was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki  
Nays 0

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

Motion to hire the attached Lifeguards and Substitutes at the listed pay rates, contingent upon successful completion of all pre-employment checks, commencing on June 24, 2024 through August 27, 2024; ~~not to exceed 19.5 hours per week.~~

*On the question: Councilmember Waiss – Lifeguards are not limited to 19.5 hours per week. Strike from Motion.*

The foregoing Motion was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki  
Nays 0

**POLLED AND ADDED WITH NO OBJECTIONS:**

THE FOLLOWING ORDER WAS OFFERED BY SUPERVISOR PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER WAISS, TO WIT;

WHEREAS, the Town Board of the Town of Alden (herein called the “Town”), in the County of Erie, New York has received a petition, signed and acknowledged or proved as required by law and in full compliance with the requirements of Section 191 of the Town Law, for the establishment of a water district in a portion of the Town, as described therein and herein; and

WHEREAS, the Town has received and reviewed a map, plan and report dated October 27, 2020 as updated May 20, 2024, prepared by Metzger Civil Engineering, PLLC, competent engineers duly licensed by the State of New York (the “Engineer”), for the proposed establishment of the Cayuga Creek Water District (the “District”), in the Town, and the construction of a water system therein, consisting of 8-inch waterlines along the streets in the new district, fire hydrants and line valves and other work required in connection therewith, including original equipment, assemblies, machinery, furnishings, valves, fittings, connections,

fill, appurtenances and related site work and other ancillary work, as needed (referred to herein as the “Water Improvement”); and

WHEREAS, said map, plan and report dated October 27, 2020 as updated May 20, 2024 has been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the proposed District is bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being part of the tract of land called the Buffalo Creek Reservation, known and distinguished as part of Lot 66, in Township 10, Range 5, bounded and described as follows:

Commencing at a point on the center of Cayuga Creek Road (f/k/a West Alden Road) where said road intersects southerly boundary of Lot 66, thence east along the southerly boundary of Lot 66, 981.42 feet to the southeast corner of Lot 66, thence northerly 5,452.69 feet to the northeast corner of Lot 68, thence westerly along the north line of Lot 68, 2,289.30 feet to a point on the north line of lot 68.

Thence north to the north line of Lot 70, thence west along the north line of Lot 70 to a point 404 feet east from the centerline of Three Rod Road where the same meets the north line of Lot 71, also being the northwest corner of Zdrujewski at Liber 10963 Page 7963.

Thence south 121 feet, thence west 370.4 feet to a point in the centerline of Three Rod Road, thence southerly along the centerline of Three Rod Road a distance of 210 feet, thence westerly along the north line of Lot 71 a distance of 1,382.80 feet to a point in the northwest corner of Lot 71, then southerly a distance of 2,421.50 feet to the centerline of Cayuga Creek, then continuing along the centerline of Cayuga Creek a distance of 8,806.50 feet to the south line of Lot 66, thence easterly 80 feet to the centerline of Cayuga Creek Road (f/k/a/ West Alden Road) to the place of beginning.

WHEREAS, the Town, as lead agent, has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law, and the Town Board has reviewed a Long Environmental Assessment Form and has determined that the project will not result in any significant adverse environmental impacts and the Town Board has adopted a Negative Declaration; and

WHEREAS, the maximum amount proposed to be expended for the establishment of the District and the construction of a water system therein, as set forth in the notice of public hearing on the establishment of the District and in the resolution duly adopted on March 16, 2021, was originally estimated to be \$887,600; and

WHEREAS, due to the increased cost of labor and/or materials, and based upon the determination of the Engineer, the maximum amount now proposed to be expended for the establishment of the District and the construction of a water system therein, is \$1,306,400 which is planned to be financed by the issuance of not to exceed \$1,306,400 bonds of the Town to finance said cost, and the levy and collection of assessments from the several lots and parcels of

land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; provided, however, that grant funds have been or may be received in the anticipated amount of \$532,560.00 to pay a part of such cost and any grant funds received from such sources and any other funds received from the United States of America and/or the State of New York in connection with the project described herein shall be applied towards the cost thereof or redemption of the Town's obligations issued therefor, or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds, and the principal amount of bonds or notes issued to finance the project shall be reduced by the amount of grant funds received;

Now therefore, be it

DETERMINED AND STATED that the estimated cost of hook-up fees is \$1,500.00 and the estimated cost of the establishment of the District and the construction of the Water Improvement to the Typical Property (as defined in the Town Law) is \$1,454.60; and that the Town Board has heretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and further that the cost of the establishment of the District and construction of the Water Improvement to such Typical Property is above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller; and be it

ORDERED, that a public hearing shall be held on July 1, 2024 at 7:05 o'clock P.M. (Prevailing Time) at a meeting of the Town Board to be held at the Town Hall, 3311 Wende Road, Alden, New York, to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "*Alden Advertiser*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such

public hearing; and that the Town Clerk shall mail, or cause to be mailed, by first class mail to each owner of taxable real property in the District, a copy of this Order; and be it

FURTHER ORDERED, that the Town Clerk file a copy of this Order with the State Comptroller on or about the date of the publication of a copy of this Order.

The foregoing Order was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss, Crist, Bork, Cieszki  
Nays 0

Councilmember Waiss moved to Un-Table the Resolution of Standard Work Days for Elected and Appointed Officials and move to New Business, second by Councilmember Crist. All in Favor.

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

BE IT RESOLVED AS FOLLOWS THAT:

1. The Town of Alden hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name/4 digit SSN	(Hrs/day)	Standard Work Day Term Begins/Ends	Submitted ROA?	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on record of activities)
<i>ELECTED OFFICIALS:</i>						
Town Justice	Hon. Louis C. Mussari/xxxx	6.5	1/1/2023-12/31/2026	Y	N	2.42
Town Justice	Hon. Michael W. Cole/xxxx	6.5	1/1/2021-12/31/2024	N	N	n/a
Councilmember	Gwendolyn Bork/xxxx	6.5	1/1/2024-12/31/2025	Y	N	5.75
Councilmember	John Cieszki/xxxx	6.5	1/1/2024-12/31/2027	Y	N	14.61
Town Supervisor	Colleen Pautler/xxxx	6.5	1/1/2024-12/31/2025	Y	N	9.83
Town Clerk	Alecia Barrett/xxxx	6.5	1/1/2022-12/31/2025	N	N	n/a
<i>APPOINTED OFFICIALS:</i>						
Town Prosecutor	Matthew B. Herdzyk, Jr., Esq./xxxx	6.5	1/2/2024-12/31/2024		N	.42
Budget Officer	Colleen Rogers/xxxx	6.5	1/2/2024-12/31/2024	Y	N	5.34

2. The Town Clerk's Office is directed to post this Resolution for a minimum of thirty (30) days; and

3. This resolution shall take effect immediately.



The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 17, 2024, as follows:

**CARRIED.**

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Jennifer Strong, Town Attorney – Working on applications to Audit & Control for both Cayuga Creek & Townline. LL#1 of 2024 has been drafted and circulated; add to WS

Councilmember Waiss – Add to WS; Renting New Community Center and Open container law for Farmer’s Market/Car Show

Town Engineer Metzger – Finalized payments for contracts for Community Center. Will follow up with NCI on sewer/water issue

Budget Officer Rogers – Budget meetings will be forthcoming

**UNFINISHED AND TABLED BUSINESS**

**NOTICE OF MEETINGS**

**WORK SESSION:**

**June 24, 2024**

**@ 7:00 PM**

**REGULAR BOARD MEETING**

**July 1, 2024**

**@7:00 PM**

**MEMORIAL REMEMBRANCE –** Donald

**ADJOURNMENT**

At 7:20P.M. Supervisor Pautler adjourned the Meeting.

Alecia Barrett  
Town Clerk