

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, August 4, 2024 at 7:00 P.M. Town Supervisor Pautler called the Meeting to Order and Councilmember Bork led in the Pledge of Allegiance. The Roll Call was taken by 1st Deputy Town Clerk Marzolf.

PRESENT: Colleen Pautler, Town Supervisor
Gwendolyn Bork, Councilmember
John Cieszki, Councilmember

RECORDING SECRETARY: Linda Marzolf, 1st Deputy Town Clerk

OTHERS PRESENT: Scott Pease, CEO
Bill Rogers, Highway Department
Mike Metzger, Town Engineer
Residents

Councilmember Bork moved to approve the meeting minutes of the Regular Town Board meeting of July 1, 2024; second by Councilmember Cieszki and to table July 15th meeting minutes. All in favor.

CARRIED

Ayes 3 Pautler, Bork, Cieszki
Nays 0

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

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$45,261.73	\$36,875.17	\$82,136.90
HIGHWAY FUND "DA/DB"	\$6,869.32	\$3,590.89	\$26,417.77
PART-TOWN FUND "B"	\$4,364.73	\$5,599.40	\$6,063.02
SR CTR EXPANSION/4 SEASON "HS"		\$26,180.00	\$26,180.00
CONSOLIDATED WATER "WR"			0.00
SPECIAL FIRE PROTECTION "SF"			\$0.00
SEWER DIST. #1 FUND "SI"			\$0.00
SEWER DIST. #2 FUND "SA"	2,409.13	\$404.07	\$2,813.30
TRUST & AGENCY "T"	\$5,800.74	\$3,281.56	\$9,082.30
SPECIAL REFUSE FUND "SR"	\$40,394.57		\$40,394.57
STREET LIGHTING FUND "SL"			\$0.00
PERIWINKLE LTG. DIST."SL1"			\$0.00
WATER DIST. ZOELLER "WZ"		\$3,729.00	\$0.00
WATER DIST. EXCHANGE "WX"		\$4,830.75	\$0.00
TOTAL	\$117,156.67	\$84,490.94	\$201,647.61

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON SEPTEMBER 3, 2024 AND

TABLED

Ayes 3 Pautler, Bork, Cieszki
Nays 0

BUSINESS FROM THE FLOOR

Tom Weisbeck, 11452 Broadway – Why are we paying Metzger Civil Engineering \$4,000; wasn't Cayuga Creek already funded? *Mike Metzger – monthly billing for services rendered once work is completed.*
Has the DASNY grant been received for community shelter? *Mike Metzger – should receive final funding soon.*

Rezoning for Ledgestone; granted to Lucas James? Rezoned all the way to RR crossing south of Kieffer?
Has consideration been given for drainage issues on surrounding properties?

Jennifer Strong – The local law will be introduced.

Mike Metzger – Complex issue, site plan that addresses drainage has been discussed.

COMMUNICATIONS

John Cieszki, Councilmember

- 1. Job training for Deputy Clerks, Policy book available?

Jennifer Strong, Town Attorney

- 1. CON renewal from Mark Butler
- 2. Agreement with ACS for school tax collection

Gwendolynn Bork, Councilmember

- 1. Receiving quotes regarding replacing Band Shell

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

WHEREAS, The Alden Town Board adopted its 2024 Budget on November 6, 2023;

WHEREAS, the Town needs to transfer monies to allow for payment to PERMA for the annual Workers' Compensation Insurance policy; and

WHEREAS, this budget transfer 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
SF.9010.0800	\$3,462.00	SF.3410.0400	PERMA Annual Workers' Comp Insurance Policy (money needs to be moved within the SF budget line)	\$3,462.00
	\$3,462.00		TOTAL	\$3,462.00

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki
Nays 0

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

WHEREAS, The Alden Town Board adopted its 2024 Budget on November 6, 2023;

WHEREAS, the Town needs to transfer monies to allow for payment to Metzger Civil Engineering, PLLC for invoices for engineering work performed in relation to the Cayuga Creek Waterline and Townline Water District from 2/24-4/24; and

WHEREAS, this budget transfer 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.1990.0400	\$4,363.47	A.1440.0415	Metzger Civil Engineering (Cayuga Creek Waterline Inv. 9459)	\$4,363.47
A.1990.0400	\$870.00	A.1440.0415	Metzger Civil Engineering (Townline Water District Inv. 9461)	\$870.00
	\$5,233.47		TOTAL	\$5,233.47

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki
Nays 0

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

WHEREAS, The Alden Town Board adopted its 2024 Budget on November 6, 2023;

WHEREAS, the Town needs to transfer monies to allow for payment to Metzger Civil Engineering, PLLC for invoices for engineering work performed in relation to the Four Seasons Shelter project that exceeds the DASNY grant reimbursement; and

WHEREAS, this budget transfer 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.1990.0400	\$206.59	A.1440.0415	Metzger Civil Engineering (Remainder of Inv. 9380 – work done in January, 2024)	\$206.59
A.1990.0400	\$7,799.60	A.1440.0415	Metzger Civil Engineering (Inv. 9449 – work done 2/24-5/21/24)	\$7,799.60
A.1990.0400	\$1,275.00	A.1440.0415	Metzger Civil Engineering (Inv. 9460 - work done 5/22/24-5/31/24)	\$1,275.00
	\$9,281.19		TOTAL	\$9,281.19

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki
Nays 0

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

WHEREAS, The Alden Town Board adopted its 2024 Budget on November 6, 2023;

WHEREAS, the Town needs to transfer monies to allow for payment of Administrative Services; Keith Borden Sewage Treatment and Disposal Fiscal Year 2024 and;

WHEREAS, this budget transfer 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
SA. 8130.0401	5814.00	SA. 8130.0100	Administrative Services Alaura Sewage Treatment	5814.00

	5814.00		TOTAL	5814.00
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This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

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

WHEREAS, The Alden Town Board adopted its 2024 Budget on November 6, 2023;

WHEREAS, the Town needs to transfer monies to allow for payment of Refuse and Garbage Tax Cancellations Fiscal Year 2024 and;

WHEREAS, this budget transfer 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
SR. 8160.0400	\$1,177.88	SR. 8160.0435	Refuse and Garbage Tax Cancellations	\$1,177.88
	\$1,177.88		TOTAL	\$1,177.88

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

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

Motion to establish a temporary citizen advisory committee to investigate and determine the needs for sports facilities within the Town of Alden

The following persons, as volunteers, are hereby appointed to said committee: Councilwomen Gina Weiss, Recreation Director Michelle Gadd, Supervisor Colleen Pautler, Highway Superintendent/Parks Supervisor Bill Rogers, Budget Officer Colleen Rogers, and citizens: Brandon Ripstein, Bob DeGraff, Ryan Tracy and Chris Knapp.

The foregoing motion was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

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

Motion to allow the Alden Substance Abuse Coalition to use the Town Park and the Community Center on October 25 and 26, 2024 (instead of the previously approved dates of October 18 and 19) and from 6 pm until 9pm for a Halloween Spooktacular Event and to have access to the Park during October for set-up in the weeks prior to the event.

The Town hereby authorizes the Town Constables to provide security at this event, the cost of which will be paid by the Town.

The Town will request security from the Erie County Sheriff and the NYS Troopers for the event.

Alden Substance Abuse Coalition must submit proof of liability insurance to the Town Clerk prior to the event naming the Town of Alden as an additional insured.

The foregoing motion was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

TABLED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

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

Motion to approve the request of the Alden Lancaster Art Club to use the Community Center on September 8, 2024 from 7.30 am until 4.00 pm for the annual Alden Lancaster Fall Art Show.

The Town Clerk is directed to promptly send notice of this approval to the Alden Lancaster Art Club.

The foregoing motion was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

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

Motion to allow the Erie County Board of Elections to use the Town Hall Auditorium for training courses for election inspectors on September 3, 2024 at 9:00 am and 1:00 pm and on September 4, 2024 at 9:00 am and 1:00 pm.

The foregoing motion was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki
Nays 0

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

NOW, THEREFORE, IT IS HEREBY ORDERED 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 19th day of August, 2024, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2024 Override Of Tax Cap; 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

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 1 of the Year 2024, entitled "Override of Tax Cap" available at her office for inspection and distribution to any interested person during business hours.

The foregoing order was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki
Nays 0

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

WHEREAS, the Town Board of the Town of Alden ("Town Board") has fully and properly considered adopting Local Law # 1 of 2024, a Local Law entitled Override of Tax Cap (the "Proposed Action"); and

WHEREAS, the Town Board, after completing the Short Environmental Assessment Form has determined that the Proposed Action is a Type II Action under SEQRA; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby adopts the attached Determination of Type II Action.
2. The Town of Alden, as Lead Agency, hereby determines that the Type II action described in the attached Determination, will not have a significant effect on the environment and that an

environmental impact statement is not required to be prepared with respect to said Proposed Action.

3. This resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

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

WHEREAS, the Alden Town Court has noticed the need to refurbish the crowded court bench area for which grant monies from the Justice Court Assistance Program are available;

WHEREAS, the Court has been awarded Justice Court Assistance Program grant monies in the amount of \$30,000.00 that have to be spent within 180 days of the receipt of said funds;

WHEREAS, the estimated cost of this project is less than \$30,000.00 but greater than \$10,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden states that the Town must obtain written quotes from at least three (3) vendors for this project;

WHEREAS, a written request for proposals was made by the Court to four (4) vendors for the refurbishment of the Court Room bench area and written quotes were received as follows:

- A. NCI Construction; Phil Arnold; and Lumber Jack City did not submit any quote;
- B. The only bidder is Dubs Construction LLC at \$29,881.65; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the attached proposal of Dubs Construction LLC, the lowest responsible bidder, at a total cost of \$29,881.65 to refurbish the crowded court bench area;
2. Dubs Construction LLC must pay prevailing wages and comply with all labor law requirements and postings; and must provide proof of insurance (worker's compensation and liability) prior to starting any work;
3. The Town Justices are authorized to sign any and all necessary documents to effectuate this project and to receive the grant monies; and
4. This Resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki

Nays 0

POLLED AND ADDED WITH NO OBJECTIONS

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

Motion to introduce Local Law #2 of 2024 entitled “Rezoning of Real Property at the rear of 11290 Broadway” and to refer the same to the Town of Alden Planning Board for review and recommendation.

The foregoing motion was duly put to a roll call vote at a regular meeting on August 5, 2024, as follows:

CARRIED.

Ayes 3 Paulter, Bork, Cieszki
Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilmember Cieszki – Heist overpayment, contact information is on the check

Town Attorney Strong – Jeff has requested documents for Cayuga Creek and Townline Water Districts

Building Inspector Pease – Petschke & NCI found a pipe with an issue at the Senior Center; will need to remove concrete slab on sidewalk. Met with fireplace company for Senior Center; will need gas line and electric to the fireplace.

Town Engineer Metzger – Community Center has another roof leak; original contractor will come back to inspect. Firestone was onsite today and will report back.

Budget Officer Rogers – Had budget meeting, is working on budget, will send to Town Clerk when completed.

Assessor Sivecz – Will contact IT Consultant to discuss having a meeting during a Work Session.

Councilmember Cieszki moved to leave Regular meeting and enter into an Executive Session for a personnel matter, second by Councilmember Bork. All in Favor.

Councilmember Waiss moved and Councilmember Crist seconded a motion to leave executive session, with no action taken and to return to regular meeting.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:	August 12, 2024	@ 7:00 PM
REGULAR BOARD MEETING	August 19, 2024	@7:00 PM

MEMORIAL REMEMBRANCE – David Ayrie and Beryl Smallfoot

ADJOURNMENT

At 8:08 P.M. Supervisor Pautler adjourned the Meeting.

Alecia Barrett, Town Clerk