

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, August 19, 2024 at 7:00 P.M. Town Supervisor Pautler called the Meeting to Order and Councilmember Waiss 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
Randy Crist, Councilmember
Gina Waiss, Councilmember

RECORDING SECRETARY: Linda Marzolf, 1st Deputy Town Clerk

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

Approval of meeting minutes, TABLED.

TABLED.

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

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

<u>ACCOUNT</u>	<u>AMOUNT</u>				
	ABSTRACT #1	ABSTRACT #1A	ABSTRACT #2		TOTAL
GENERAL FUND "A"	\$36,899.72	\$6,957.12	\$39,961.10		\$83,817.94
HIGHWAY FUND "DA/DB"	\$3,590.39		\$135,680.03		\$139,270.42
PART-TOWN FUND "B"	\$5,599.40		\$4,847.81		\$5,599.40
SR CTR EXPANSION/4 SEASON "HS"	\$26,180.00				\$0.00
CONSOLIDATED WATER "WR"					\$0.00
SPECIAL FIRE PROTECTION "SF"					\$0.00
SEWER DIST. #1 FUND "SI"					\$0.00
SEWER DIST. #2 FUND "SA"	\$404.17	\$11.25	\$142.74		\$558.16
TRUST & AGENCY "T"	\$3,281.56		\$44,479.22		\$47,760.78
SPECIAL REFUSE FUND "SR"			\$44,332.71		\$44,332.71
STREET LIGHTING FUND "SL"		\$11,349.14			\$11,349.14
PERIWINKLE LTG. DIST."SL1"					\$0.00
ZOELLER RD. WATER DIST."WZ"	\$3,729.00				\$0.00
WATER DIST. NEWSTEAD "WO"					\$0.00
WATER DIST. EXCHANGE "WX"	\$4,830.75				\$0.00

WATER DIST. NO. 1 "WA"						\$0.00
TOTAL	\$84,514.99	\$18,317.51	\$269,443.61	\$0.00	\$0.00	\$372,276.11

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

TABLED

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

7:05 PUBLIC HEARING – Local Law #1, Override of Tax Cap

Councilmember Weiss moved and Councilmember Crist seconded the motion to leave regular meeting and enter into Public Hearing. All in Favor.

First Deputy Town Clerk Marzolf read the notice of public hearing.

Supervisor Pautler opened the floor to public comment.

No comments were heard.

Councilmember Weiss moved and Councilmember Crist seconded the motion to leave public hearing and return to regular meeting. All in Favor.

BUSINESS FROM THE FLOOR

Deb Crist, Mechanic St – Abstract is incorrectly prepared and must be corrected.
Town Attorney Strong – It was corrected and distributed to the Town Board

Kim Westmiller, Crittenden Rd – Intersection at Crittenden and North is very dangerous, contacted Sheriff’s Dept. for a traffic study. In 20 years the Sgeriff’s Dept. has record of 65 accidents. Residents are requesting a traffic light or stop signs.

COMMUNICATIONS

Colleen Pautler, Supervisor

1. Received new Ambulance Certificate
2. Commended Judge Mussari on his handling of the Weber property
3. Thanked Bill Rogers for his work at the Alaura Sewer District
4. Thanked Scott PEASE FOR HIS WORK WITH THE Town Prosecutor

Jennifer Strong, Town Attorney

1. Presented the Townline Water application
2. Add LL#2 to WS

Gina Weiss, Councilmember

1. Add to WS; Girl Scouts request to use Community Center

NEW BUSINESS

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 Senior Citizens Club to use the Community Center on Thursday from 1.00 pm until 3.00 pm to play cards for the remainder of the 2024 calendar year.

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

The foregoing motion was duly put to a roll call vote at a regular meeting on August 19, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Bork, Cieszki, Crist & Waiss

Nays 0

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

Motion to allow the Alden Substance Abuse Coalition to use the Town Park on August 19th, 2024 from 4 pm until 8 pm for the National Night Out Event and to have access to the Park during that day to set-up prior to the event.

Alden Substance Abuse Coalition has submitted proof of liability insurance and has signed an indemnification agreement.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 19, 2024, as follows:

CARRIED.

Ayes 4 Bork, Cieszki, Crist & Waiss

Nays 0

Abstain 1 Pautler

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

WHEREAS, the Alden Town Board would like to adopt a Voucher Policy to standardize the procedure for submitting, preparing and paying vouchers in the Town of Alden; and

WHEREAS, the Alden Town Board and the Alden Town Clerk have reviewed and provided input on the Voucher Policy.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby adopts, effect August 19, 2024 the attached Voucher Policy for the Town of Alden;
2. The Town Clerk's Office is directed to send copies of the policy to all Town Department Heads; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 19, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Bork, Cieszki, Crist & Waiss

Nays 0

THE FOLLOWING ORDER WAS OFFERED BY COUNCILMEMBER WAISS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER CRIST, 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 3rd day of September, 2024, for the purpose of hearing all persons interested in the proposed Local Law No. 2 of the Year 2024; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated by the Town as its official newspaper for this publication, such publication to be not less than ten days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than ten days before the date of the Public Hearing and notify County Planning as required under §239-m of the General Municipal Law; and

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed "Local Law No. 2 of the Year 2024, entitled "Rezoning of Real Property on Broadway and Zoning Map Amendment", 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 19, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Bork, Cieszki, Crist & Waiss

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 2 of the Year 2024, entitled "Rezoning of Real Property at the rear of 11290 Broadway" (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels 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 such decisions; 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 Building Department has sent notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a coordinated review shall be conducted.
2. The Town of Alden Code Enforcement Officer is directed to send notice of this resolution to the New York State Department of Transportation and the Erie County Department of Planning.
3. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 19, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Bork, Cieszki, Crist & Waiss

Nays 0

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

WHEREAS, the Town Parks Supervisor has noticed the need for new concrete in the Town Park between the concession stand and the pickle ball courts and has recommended the installation of concrete sidewalks to the Alden Town Board;

WHEREAS, the Town Board has reviewed and discussed and decided that new concrete sidewalks are needed the cost of which is estimated to be over \$10,000.00 but less than \$53,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, three quotes, for the work and materials were requested and received by the Parks Supervisor as follows:

the highest quote is from Craig Construction LLC at \$17,040.00;

the second highest quote is from DGB Concrete at \$17,000.00; and

the lowest quote is from J.M.M. Construction of WNY, Inc. at \$16,945.00;

WHEREAS, J.M.M. Construction of WNY, Inc. is the lowest responsible quote.

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the installation of concrete sidewalks as recommended by the Park Supervisor.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of J.M.M. Construction of WNY, Inc. at a cost not to exceed \$16,945.00, as per the attached quote.
2. J.M.M. Construction of WNY, Inc. must pay prevailing wages and follow all NYS labor law requirements as to posting and certifying payroll and shall file proof of insurance, naming the Town of Alden as an additional insured before starting the work.
3. That the Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this project; 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 19, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Bork, Cieszki, Crist & Waiss

Nays 0

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

WHEREAS, the Town Board would like to install a fireplace in the newly constructed addition at the Alden Senior Center and has asks the Parks Supervisor to obtain quotes;

WHEREAS, the Town Board has reviewed and discussed and decided that new fireplace is needed and that the cost of which is estimated to be over \$10,000.00 but less than \$35,000.00;

WHEREAS, the Town intends to apply for a County Grant monies to assist with cost of the new fireplace;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, three quotes, for the work and materials were requested and received by the Parks Supervisor as follows:

the highest quote is from Country Side Stove & Chimney at \$27,655.00;

the second highest quote is from; Fireplace Outlet, Inc. at \$27,562.00 and

the lowest quote is from Pro Fireplace Inc. at \$23,712.00;

WHEREAS, Pro Fireplace Inc.. is the lowest responsible quote.

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of Pro Fireplace Inc. at a cost not to exceed \$23,712.00, as per the attached quote.
2. Pro Fireplace Inc. must pay prevailing wages and follow all NYS labor law requirements as to posting and certifying payroll and shall file proof of insurance, naming the Town of Alden as an additional insured before starting the work.
3. That the Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this project; 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 19, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Bork, Cieszki, Crist & Waiss

Nays 0

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

WHEREAS, the Town of Alden (“Town”), through the Town Clerk/Receiver, Alecia Barrett, collects school taxes for the Alden Central School District (“District”);

WHEREAS, the District desires to have the Town continue to undertake responsibility for collecting school taxes for the District from residents of the Town of Alden who reside within the boundaries of the District (“Residents of the Town”);

WHEREAS, the Town has in place office space, equipment and personnel with the requisite experience to undertake this responsibility;

WHEREAS, the Town and the District have determined that it would be mutually beneficial to engage in an agreement for the District to designate the Town to collect school taxes from Residents of the Town and to memorialize the terms and conditions of this arrangement; and

WHEREAS, pursuant to the laws of the State of New York, including Article 5-G of the New York State General Municipal Law, the Town, Ms. Barrett and the District are authorized and empowered to enter into this Agreement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby approves the attached Intermunicipal Cooperation Agreement and hereby directs and authorizes the Town Supervisor to execute said Agreement;
2. The Town Board hereby requests that the Town Clerk/Receiver, Alecia Barrett or her first deputy execute said Agreement;
3. This resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on August 19, 2024, as follows:

CARRIED.

Ayes 5 Pautler, Bork, Cieszki, Crist & Waiss

Nays 0

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

Motion to approve new dates for Spooktacular event and use of the Town Park on 10/25/24 and 10/26/24 and to allow Town Constables to work the event.

The foregoing motion was duly put to a roll call vote at a regular meeting on August 19, 2024, as follows:

CARRIED.

Ayes 4 Bork, Cieszki, Crist & Waiss

Nays 0

Abstain 1 Pautler

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilmember Cieszki – Commend Bill Rogers and staff for their work at Alaura Sewer District; Metzger and DEC met at the facility; passed inspection.

Councilmember Bork – Add items to WS: quotes for and information on replacing the bandshell, county grant and LL#3

Councilmember Waiss – Summer Rec season is over, Recreation Director Michelle Gadd ran a well-executed season.

Councilmember Crist – Add dog enumeration to WS. Thanked Bill Rogers and Mike Metzger for their work on outside bathrooms.

Highway Superintendent Rogers – Thank you to Supervisor Pautler and Councilmember Crist for their support with DEC inspection.

Building Inspector Pease – add to WS: suggestions on how to move forward with structure concerns for the Weber property.

Town Engineer Metzger – The contracting plumber will be replacing the concrete slab at the Community center at no cost to the Town.

Budget Officer Rogers – Down to the wire with 2025 Budget, only need a couple more numbers. LL#1/2024 could help.

Councilmember Waiss moved to leave Regular meeting and enter into an Executive Session for a contract negotiations and attorney client privilege, second by Councilmember Crist. All in Favor.

Councilmember Waiss moved to leave Executive Session and enter into Regular Meeting, second by Councilmember Crist. All in Favor.

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:

August 26, 2024

@ 7:00 PM

REGULAR BOARD MEETING

September 3, 2024

@7:00 PM

MEMORIAL REMEMBRANCE –

ADJOURNMENT

At 8:41 P.M. Supervisor Pautler adjourned the Meeting.

Alecia Barrett, Town Clerk