

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, September 3, 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
Gina Waiss, Councilmember
Randy Crist, Councilmember
Gwendolyn Bork, Councilmember
John Cieszki, 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

Councilmember Waiss Moved and Councilmember Crist seconded the Motion to Table the Minutes and Synopsis of the Regular Meeting of August 5, 2024; August 12, 2024 Special Meeting; and Regular Meeting of August 9, 2024. CONCERNS: Randy Crist mentioned Town Board Procedure 8371-5. John Cieszki stated that the minutes must be made available.

CARRIED

Ayes 5 Pautler, Bork, Waiss, 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"	\$9,238.63		\$9,238.63
HIGHWAY FUND "DA/DB"	\$6,869.32		\$6,869.32
PART-TOWN FUND "B"	\$4,364.73		\$4,364.73
SR CTR EXPANSION/4 SEASON "HS"			\$0.00
CONSOLIDATED WATER "WR"	\$4,396.88		\$4,396.88
SPECIAL FIRE PROTECTION "SF"			\$0.00
SEWER DIST. #1 FUND "SI"			\$0.00
SEWER DIST. #2 FUND "SA"	\$605.17		\$605.17
TRUST & AGENCY "T"	\$30,722.78		\$30,722.78
SPECIAL REFUSE FUND "SR"			\$0.00
STREET LIGHTING FUND "SL"			\$0.00
PERIWINKLE LTG. DIST."SL1"			\$0.00
WATER DIST. EXCHANGE "WX"			\$0.00

WATER DIST. NO. 1 "WA"		\$0.00
TOTAL	\$56,197.51	\$56,197.51

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

CARRIED

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

7:05pm – PUBLIC HEARING – LOCAL LAW #2 “RE-ZONING OF REAL PROPERTY AT THE REAR OF 11290 BROADWAY”

Councilmember Waiss moved and Councilmember Crist seconded the Motion to leave Regular Meeting and enter into Public Hearing; All in favor.

Notice of Public Hearing was read by 1ST Deputy Town Clerk Marzolf

Supervisor Pautler opened the floor to public comment.
 Supervisor Pautler asked a 2nd time for comments or concerns regarding Local Law #2.
 Supervisor Pautler asked for the 3rd and final time if there were any concerns or questions from the floor.

7:08 pm - Councilmember Waiss moved and Councilmember Crist seconded the Motion to leave Public Hearing and return to Regular Meeting; All in favor.

BUSINESS FROM THE FLOOR

1. MARLENE ROLL (13492 Henskee Road) Representing VFW Post 7967 - Requesting to use Community Center on Saturday, October 19th, 2024 from 8:00am – 12:00pm. Event is about the National Cemetery. No reservation forms are available on website. Concerned that she has had no response for a reservation. Asked for the reservation process to be added to a Work Session. 1st Deputy will find the reservation form for Mrs. Roll.

2. MARLENE ROLL (13492 Henskee Road) Representing VFW Post 7967. Concerned with situation at Alden Cemetery on Sandridge Road since the Right of Way was sold by the Town of Alden to a neighboring property owner. No parking has been established as agreed in Sales contract. Overgrown and inaccessible from the road. Trash and debris are thrown to the back of the cemetery along a creek bank. Groups like the Boy Scouts and the Alden Historical Society are no longer able to access this valuable and historic cemetery. Councilmember Bork thanked Mrs. Roll for bringing this to the attention of the Board. All Board members agreed that this was an issue for the upcoming Work Session on 9/9/2024.

3. DEB WOODS (Meals on Wheels) – Requesting to use inside of Town Hall on Election Day (November 5, 2024 from 4:00pm-7:00pm) for a Fundraiser “Drive-Thru” Polish Dinner with possible “sit down to eat area” if needed?

4. DEB WOODS (Meals on Wheels) Wants to plan a Kids Craft Day on Saturday, October 5, 2024. Meals on Wheels will supply the craft materials and a snack. Work Session?

Supervisor Pautler asked if there were no more comments from the floor.

PRESENTATIONS of COMMUNICATIONS from BOARD MEMBERS and OTHER TOWN OFFICIALS

Colleen Pautler, Town Supervisor

1. Received August report from Building Inspector’s Office
2. Intermunicipal Cooperation Agreement – received Town Clerk’s signature. Supervisor will sign and Town Attorney will notarize. The School Board will sign and this agreement will be valid.

John Cieszki, Councilmember

Does the Town have an Amazon account? Bill Rogers said that he has accounts with Home Depot and Grainger. Would that work? Town Clerk can also be consulted for access to the Town’s Amazon account.

Jennifer Strong, Town Attorney

- 1. Zoning notice regarding Crittenden/Genesee
- 2. Cayuga Creek Water District packet has been received by entity.

Randy Crist, Councilmember

- 1. Please add to WORK SESSION: Can lights be added over Joe Panza Trail?
- 2. What is the status of new tables and chairs for Senior Center?

Supervisor Pautler: The order has been shipped.

Bill Rogers: May need to move chairs and tables to Town Hall for Election Day if order is not delivered by 11/5/2024. The Senior Center is borrowing Town Hall tables at this time.

Gina Waiss, Councilmember

Nothing at this time.

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 payments for supplies and maintenance of Sewer District No 2, 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
SA.8130.0401	\$5,000	SA.8130.0429	Repairs to Alaura Sewer District	\$5,000
SA.8130.0401	\$500	SA.8130.0419	Supplies increase in testing	\$500
	\$5,500		TOTAL	\$5,500

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 3, 2024, as follows:

CARRIED.

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

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

Whereas, for thirty years, NAWBO Buffalo Niagara has been a beacon of empowerment and support for women entrepreneurs across our region, embodying the spirit that Women Mean Business®;

Whereas, NAWBO Buffalo Niagara is part of the illustrious National Association of Women Business Owners, the only dues-based organization advocating tirelessly for the interests of women entrepreneurs across all industries, with chapters spanning the nation;

Whereas, NAWBO Buffalo Niagara has been instrumental in propelling women business owners into greater economic, social, and political spheres of power, locally and globally;

Whereas, the community of NAWBO Buffalo Niagara offers unparalleled understanding, encouragement, ideas, and celebration to women at every stage of their entrepreneurial journey;

Whereas, since its founding in 1975, NAWBO has been a powerful voice for women business owners, ensuring representation at the highest levels of decision-making and advocating on bipartisan issues crucial to our community;

Whereas, NAWBO Buffalo Niagara continues to uphold the values of diversity, equity, inclusion, and belonging, welcoming all women entrepreneurs regardless of race, religion, age, sexual orientation, national origin, or disability;

Whereas, NAWBO Buffalo Niagara's mission to strengthen the wealth-creating capacity of its members, promote economic development, foster innovative change, and build strategic alliances has profoundly impacted our business culture;

Now, therefore, we proclaim September 11, 2024, as a day of celebration and recognition of the 30th Anniversary of NAWBO Buffalo Niagara. We commend NAWBO Buffalo Niagara for its unwavering dedication to supporting women entrepreneurs and its pivotal role in shaping a vibrant business landscape in our region.

We call upon all members of our community to join in honoring NAWBO Buffalo Niagara for thirty years of advocacy, leadership, and camaraderie, and to continue supporting its mission to empower women entrepreneurs for generations to come.

The foregoing Proclamation was duly put to a roll call vote at a regular meeting on September 3, 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, the Highway Superintendent has advised the Alden Town Board that the Highway Department is in need of a new and unused 2025 John Deere 85 P-Tier Excavator which will be purchased pursuant to State Bid (NYS OGS Contract PC70139/Sourcewell Contract 011723-JDC) from Five Star Equipment, Inc.;

WHEREAS, the Highway Superintendent has further advised the Alden Town Board that the 2011 John Deere 85D Excavator with 1243 hours of use is beyond its useful life and is no longer needed for Town purposes and should be declared surplus;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the State Bid Contract List;

WHEREAS, The Town Board after full and careful review and consideration of the request finds the request to purchase the Excavator as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the John Deere 85D Excavator is not needed for Town purposes and is surplus property and should be traded in at a value of \$32,000.00 towards the purchase of the new and unused 2025 John Deere 85 P-Tier Excavator;
2. The Town Board approves the purchase of new and unused 2025 John Deere 85 P-Tier Excavator from Five Star Equipment, Inc. as described on the attached Purchase Agreement, after trade-in of the John Deere 85D Excavator at a cost of \$105,766.43;
3. The Highway Superintendent is authorized to sign any and all necessary documents to effectuate this trade-in and purchase; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 3, 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 CRIST, TO WIT;

Motion to allow Courtney Krull, Supervisor's Confidential Secretary/Clerk, to work full time at an hourly rate of \$22.00, effective immediately for the remainder of 2024. The Town Supervisor is hereby authorized and directed to make any appropriate filing with Erie County Civil Service to establish this full time position.

The foregoing motion was duly put to a roll call vote at a regular meeting on September 3, 2024, as follows:

CARRIED.

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

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER CRIST, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER CIESZKI, 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 Julie Bobo 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 Julie Bobo 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 September 3, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki

Nays 0

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

WHEREAS, the Town Board of the Town of Alden has been made aware of traffic safety concerns of its residents with respect to the intersection of North Road and Crittenden Road in the Town of Alden, and

WHEREAS, North Road and Crittenden Roads are county roads, owned and maintained by the County of Erie but under the traffic jurisdiction of the Department of Transportation, State of New York,

WHEREAS, the Erie County Sheriff has reported that 65 motor vehicle accidents have occurred at this intersection since 2004;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board of the Town of Alden hereby formally requests that a speed, traffic and safety study be conducted for the intersection of North Road and Crittenden Road in the Town of Alden;
2. These studies are requested due to high speed traffic on North and Crittenden Roads and due to the over 65 motor vehicle accidents as this intersection traffic accidents;
3. The Town Clerk shall send the appropriate paperwork, including a TE9 form and resolutions to the proper agencies for action on this said resolution; and
4. This Resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on September 3, 2024, as follows:

CARRIED.

Ayes 5 Paulter, 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 of Alden has been awarded a grant of \$100,000 from the Erie County Legislature for the purpose of purchasing a fireplace and a boiler for the Town of Alden Senior/Community Center; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Alden Town Board authorizes the Town Supervisor to sign and submit and execute an Intermunicipal Agreement with the County of Erie awarding a grant of \$100,000 to the Town for the purpose of a fireplace and a boiler for the Town of Alden Senior/Community Center; and
2. This resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on September 3, 2024, as follows:

CARRIED.

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

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

Local Law No.: 3 of 2024 Authorizing Informational Enclosures with Tax Bills

SECTION 1: PURPOSE AND LEGISLATIVE INTENT

Section 1826 of the Tax Law of New York State forbids a municipality from mailing or delivering with tax bills any notices, circulars, pamphlets, cards, or similar printed materials unless the municipality has passed local legislation pursuant to Municipal Home Rule Law Sections 10 and 22 allowing for that practice and so long as neither the legislation nor the practice provide for the dissemination of political or propaganda materials. The purpose of this local law is to authorize the Town Board, by unanimous resolution, to allow the Town Clerk to enclose with the tax bills certain notices or other enclosures allowed by law concerning matters of public interest, but excluding enclosures of a political nature, entailing propaganda, or advertisements.

SECTION 2: ADOPTION OF LOCAL LAW SUPERSEDING SECTION 1826 OF THE TAX LAW AUTHORIZING INFORMATIONAL ENCLOSURES WITH TAX BILLS

Pursuant to authority granted by Municipal Home Rule Law Section 10 and 22, this local law is adopted authorizing the Alden Town Board, by resolution unanimously adopted, to allow the Town Clerk to enclose notices, circulars, pamphlets, cards, handbills or other enclosure allowed by law concerning matters of public concern, subject to the following:

- A. Such enclosures shall exclude any and all matter of political nature, entailing propaganda or any type of advertisement.
- B. Each enclosure shall be approved by a separate unanimous resolution of the Town Board.
- C. Said enclosures shall be included in the County/Town tax bills only.

SECTION 3: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York Secretary of State.

The foregoing local law was duly put to a roll call vote at a regular meeting on September 3, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki

Nays 0

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

WHEREAS, the Town Board of the Town of Alden (“Town Board”) has fully and properly considered adopting Local Law # 3 of 2024, a Local Law entitled “Authorizing Informational Enclosures with Tax Bills” (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 September 3, 2024, as follows:

CARRIED.

Ayes 5 Paulter, Waiss,Crist, Bork, Cieszki

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Building Inspector Pease – Town Law/Codes on abandoned vehicles; what to do moving forward.
Observing Court bench project.

Councilwoman Waiss moved to leave Regular meeting and enter into an Executive Session for a personnel matter, second by Councilmember Crist. 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:

September 9, 2024

@ 7:00 PM

REGULAR BOARD MEETING

September 16, 2024

@7:00 PM

MEMORIAL REMEMBRANCE – Fanny Holtz, Beryl Small, Mary Ruhland, Edwin Ewert, Delyle Leo, Alice Parker, David Gutowski, Marlene Sutter, Ronald Barnhard, Robert Delisle, Edward Heslin, Ida Smith, Thomas Hersee, Roger Erny, Robert Schnitzer, Kimberly Schroeder

ADJOURNMENT

At 8:07 P.M. Supervisor Pautler adjourned the Meeting.

Linda Marzolf, First Deputy Town Clerk

Alecia Barrett, Town Clerk