

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, September 15, 2025 at 6:00 P.M. Town Supervisor Pautler called the Meeting to Order and Councilmember Kerl led the Pledge of Allegiance. The Roll Call was taken by 1st Deputy Town Clerk, Linda J. Marzolf

PRESENT:

Colleen Pautler, Town Supervisor
Gina Waiss, Councilmember
Randy Crist, Councilmember
Gwendolyn Bork, Councilmember
Mark Kerl, Councilmember

RECORDING SECRETARY:

Linda J. Marzolf, 1st Deputy Town Clerk

OTHERS PRESENT:

Mike Metzger, Town Engineer
Jennifer L. Strong, Town Attorney

Residents: Debra A. Crist, Kevin Martin, Mark Drogi, Charley Holcomb, Ron Rebmann, Alan Haungs from Unite4Freedom, Jeff Souder from DiPietro’s office, Kevin Newman

Motion to Approve the Minutes of the Regular Meeting of **September 02, 2025** was made by Councilmember Gina Waiss with a second by Councilmember Crist.
The foregoing Motion was duly put to a roll call vote at a regular meeting on September 02, 2025, resulting as follows:
CARRIED.
Ayes 5 Crist, Waiss, Bork, Kerl and Pautler
Nays 0

APPROVAL OF VOUCHERS

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

Sep-25						
THE FOLLOWING RESOLUTION WAS OFFERED BY Councilmember , SECONDED BY Councilmember , WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS # [854] to # [901]. ALL BILLS REVIEWED BY THE TOWN BOARD.						
ACCOUNT	AMOUNT					
	9/2/2025	9/15/2025				TOTAL
GENERAL FUND "A"	\$48,081.29	\$12,543.35				\$60,624.64
HIGHWAY FUND "DA/DB"	\$390,250.51	\$9,823.36				\$400,073.87
PART-TOWN FUND "B"	\$16,328.19	\$3,718.10				\$20,046.29
SR CTR EXPANSION/4 SEASON "HS"						\$0.00
GRANTS "G"	\$12,359.86	\$2,565.00				\$14,924.86
SPECIAL FIRE PROTECTION "SF"						\$0.00
SEWER INDUSTRIAL PARK "SI"						\$0.00
SEWER DIST. #2 FUND "SA"	\$336.65	\$525.45				\$862.10
TRUST & AGENCY "T"	\$1,154.77	\$4,053.76				\$5,208.53
SPECIAL REFUSE FUND "SR"		\$45,687.47				\$45,687.47
STREET LIGHTING FUND "SL "		\$6,069.70				\$6,069.70
PERIWINKLE LTG. DIST."SL1"		\$78.98				\$78.98
ZOELLER RD. WATER DIST."WZ"						\$0.00
WATER DIST. NEWSTEAD "WO"						\$0.00
CONS WATER DIST "WR"	\$3,696.88					\$3,696.88
WATER DIST. EXCHANGE "WX"						\$0.00
WATER DIST. NO. 1 "WA"						\$0.00
TOTAL	\$472,208.15	\$85,065.17	\$0.00	\$0.00	\$0.00	\$557,273.32

The foregoing Motion was duly put to a roll call vote at a regular meeting on August 18, 2025, resulting as follows:

CARRIED:

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

BUSINESS FROM THE FLOOR

Alan Haungs, Evans, N.Y. (716) 361-4111 Requested a copy of the Unite4Freedom resolution if passed at tonight’s Board meeting. **1st Deputy Marzolf** asked him to give his contact information at the end of the meeting.

PRESENTATIONS of COMMUNICATIONS from BOARD MEMBERS and Other TOWN OFFICIALS

Mark Kerl, Councilmember

- Nothing at this time

Gwendolyn Bork, Councilmember

- Nothing at this time

Colleen Pautler, Supervisor

- Nothing at this time

Jennifer L. Strong, Town Attorney

- I am happy to tell you that once again I have sent in everything on both the Cayuga Creek Water District and the Townline Water District. Thank you to 1st Deputy Linda for certifying many copies.

Gina Waiss, Councilmember

- Nothing at this time

Randy Crist, Councilmember

- Nothing at this time

NEW BUSINESS

Motion to Appoint Retired Town Clerk Debra Crist as Senior Advisory Consultant (9.15.25)

As the Alden Town Board has been advised of the lack of guidance and efficiency in the Alden Town Clerk’s office, to take action, the Alden Town Board hereby appoints retired Town Clerk Debra Crist to the position of “Senior Advisory Consultant” to assist, train and advise staff in that office, to bring that office into compliance and address noted deficiencies. The Alden Town Board hereby grants permission for her to have access to the Alden Town Clerk’s office to effectuate the above. The position will be bonded. No benefits. On an as needed basis at the direction of the Alden Town Board. Not to exceed 19.5 hours weekly at a rate of pay of \$21.00 per hour.

1st Councilmember Kerl

2nd Councilmember Bork

Motion carried:

Councilmember Crist	Abstain
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Resolution to Hire Contractor to Install Acoustic Sound Panels at the Town of Alden Senior Center

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

WHEREAS, the Town Board has realized the need to install acoustic sound panels at the Town of Alden Senior Center the cost of which is estimated to be less than \$10,000.00;

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 two (2) vendors;

WHEREAS, the Town Supervisor’s Office has obtained two quotes as follows:
the highest quote is from Clarence Wall & Ceiling, Inc. at \$12,301.00;
the lowest quote is from Park Place Installations, Inc. at \$9,414.30;

WHEREAS, Park Place Installations, Inc. is the lowest responsible quote and is Registered with NYS DoL; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the installation of acoustic sound panels at the Town of Alden Senior Center.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 1. The Town Board hereby approves the hiring of Park Place Installations, Inc. to install acoustic sound panels at the Town of Alden Senior Center at a cost not to exceed \$9,414.30;**
- 2. Park Place Installations, Inc. must pay NYS Prevailing wages to any non-owner employees and must comply with all labor law requirements and postings prior to starting any work and must provide proof of liability insurance to the Town prior to starting any work; and
- 3. That the Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this 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 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

(Corrected)

Resolution To Hire Contractor To Replace the Air Conditioning System in the Alden Town Hall Board Meeting Room

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

WHEREAS, the Town Board has realized the need to replace the air conditioning system in the Alden Town Hall Board Meeting Room the cost of which is estimated to be less than \$35,000.00;

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, the Councilman Crist obtained three quotes as follows:
the highest quote is from T-Mark Plumbing Heating Cooling and Electric at \$7,441.00
the second highest quote is from Cellino Plumbing Heating Colling & Electric at \$7,173.77; and
the lowest quote is from Petschke, Inc. at \$6,500.00;

WHEREAS, Petschke Inc. (who is registered with the NYS DoL) is the lowest responsible quote; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the replacement of the air conditioning system in the Town Hall Board Meeting Room.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 3. The Town Board hereby approves the hiring of Petschke, Inc. to replace the air conditioning system in the Town Hall Board Meeting Room at a cost not to exceed \$6,500.00;**
- 4. Petscke, Inc. must pay NYS Prevailing wages and must comply with all labor law requirements and postings prior to starting any work and must provide proof of liability insurance to the Town prior to starting any work; and
- 5. That the Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this 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 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Resolution To Hire Contractor To Install an Air Conditioning System in the Alden Town Hall Planning Board Meeting Room

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

WHEREAS, the Town Board has realized the need to install an air conditioning system in the Alden Town Hall Planning Board Meeting Room the cost of which is estimated to be less than \$35,000.00;

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, the Councilman Crist obtained three quotes as follows:
the highest quote is from T-Mark Plumbing Heating Cooling and Electric at \$17,404.00;
the second highest quote is from Cellino Plumbing Heating Colling & Electric at \$11,400.87; and
the lowest quote is from Petschke, Inc. at \$7,700.00;

WHEREAS, Petschke Inc. (who is registered with the NYS DoL) is the lowest responsible quote; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the installation of an air conditioning system in the Town Hall Planning Board Meeting Room.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 6. The Town Board hereby approves the hiring of Petschke, Inc. to install an air conditioning system in the Town Hall Planning Board Meeting Room at a cost not to exceed \$7,700.00;**
7. Petschke, Inc. must pay NYS Prevailing wages and must comply with all labor law requirements and postings prior to starting any work and must provide proof of liability insurance to the Town prior to starting any work; and
8. That the Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this 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 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Motion to Accept Retirement of Suzanne Galbraith as of August 30, 2025 (9.15.2025)

Motion to accept the retirement of Suzanne Galbraith (ZBA Chair and member) as of August 30, 2025 .

1st: COUNCILMEMBER CRIST

2nd: COUNCILMEMBER KERL

MOTION CARRIED

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Motion to Appoint Suzanne Galbraith as ZBA Chairperson and Member (9.15.2025)

Motion to appoint Suzanne Galbraith as Chair and Member of the Town of Alden Zoning Board of Appeals for the remainder of the 2025 calendar year, to fill a vacancy, effective as of 9/15/2025. Stipend as per Schedule of Salaries. No Benefits.

1st: COUNCILMEMBER KERL

2nd: COUNCILMEMBER BORK

MOTION CARRIED.

Councilmember Crist	Aye
Councilmember Waiss	Aye

Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

RESOLUTION TO PURCHASE WESTERN 9’6 MVP STEEL FLEX PLOW WITH INSTALLATION

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

WHEREAS, the Parks Supervisor advised the Alden Town Board that the Parks Department is in need of a new and unused Western 9’6 MVP Steel Flex Plow with installation (“Plow”) which will be purchased from Sourcewell Contract (Contract # 062222-DDY) from Casullo’s Auto Accessories & Upholstery;

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

WHEREAS, The Town Board after full and careful review and consideration of the request finds the request to purchase the Plow 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 approves the purchase of the Plow from Casullo’s Auto Accessories & Upholstery as described on the attached Quote at a cost of \$10,210.04;**
- 2. The Town Supervisor is authorized to sign any and all necessary documents to effectuate this purchase; and**
- 3. This resolution shall take effect immediately.**

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Motion to Introduce Local Law # 6 of 2025: Tax Cap Override (9.15.25)

Motion to introduce Local Law # 6 of 2025: Tax Cap Override for consideration of adoption by the Alden Town Board.

1st : SUPERVISOR PAUTLER

2nd : COUNCILMEMBER WAISS

MOTION CARRIED.

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Local Law No. 6 of 2025 (text as of 9.9.25)
Town of Alden, County of Erie
Title: Override of Tax Cap

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ALDEN, COUNTY OF ERIE AS FOLLOWS:

SECTION ONE Legislative Intent

The State Constitution, Article XVI, §1, reserves all taxing power to the State and therefore local governments possess only that taxing power which has been expressly delegated to them by the State Legislature (Opns St Comp, 1990 No. 90-39; Opns St Comp, 1981, No. 81-331; Opns St Comp, 1973, No. 72-1085, unreported; 23 Opns St Comp, 1967, p 788).

The Town Board of the Town of Alden, County of Erie has reviewed the financial needs and obligations of the town. Due to contract obligations, limited revenue from non-real property tax sources, the rising cost of commodities and health care, compliance with unfunded mandates, reductions in state and federal revenue sharing programs coupled with the limitations on raising revenue set forth in General Municipal Law, §3-c, the Town Board of the Town of Alden, County of Erie, hereby determines that it necessary to override the tax cap for the fiscal year 2026.

SECTION TWO Authority

General Municipal Law, §3-c (5) authorizes the town board to adopt a local law overriding the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

SECTION THREE Tax Cap Override

The Town Board of the Town of Alden, County of Erie hereby overrides the tax cap as required by General Municipal Law, §3-c as for the town fiscal year of 2026.

SECTION FOUR. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION FIVE. Effective date.

This local law take effect immediately upon filing with the Secretary of State.

RESOLUTION TO APPOINT WILLIAM B. SIVECZ AS TOWN ASSESSOR

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

WHEREAS, Supervisor Pautler, has recommended the continuation of appointment for William P. Sivecz, Assessor, part-time, for the Town of Alden; and

WHEREAS, the Town Board has determined that William P. Sivecz is qualified under the laws of New York State to serve as Town Assessor, and wishes to appoint William P. Sivecz for a six (6) year term, commencing on October 1, 2025, until September 30, 2031; and

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS THAT:

- 1. William P. Sivecz is hereby designated as Assessor, part-time, for the Town of Alden from October 1, 2025, until September 30, 2031, not to exceed 19.5 hours per week with no benefits except NYS Retirement at a rate of pay as per the 2025 Schedule of Salaries; 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 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER CRIST, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KERL

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 6:05 p.m. on the 6th day of October, 2025, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden; and

ORDERED, that the Town Clerk’s Office is directed to (a) publish a notice of public hearing in the Akron Bugle, designated as the official newspaper for this publication, such publication to be not less than five (5) days before the date of the public hearing; (b) and post as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on September 15, 2025, which resulted as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
NOTICE TO THE CITIZENS OF THE TOWN OF ALDEN, NY

A public hearing will be held on October 6, 2025, at 6:05 pm in the Council Chambers of the Alden Town Hall, 3311 Wende Road, Alden, New York regarding the use of Federal Community Development Funds in the Town of Alden.

The Town of Alden is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of this hearing is to provide an opportunity for citizens to express community development and housing needs, and to discuss possible projects which would benefit low and moderate income persons in the Town of Alden.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Alden’s section of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities.

The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Clerk at 937-6969.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF ALDEN

Dated: September 15, 2025

Motion to Approve Alden Historical Society Request to Use Community Center (9.15.25)

Motion to approve the request of the Alden Historical Society to use the medium room of Community Center on the 2nd Thursdays of each month from 6:30 PM until 9:30 PM from September 2025 through June 2026 for its monthly programs, which are open to the public.

1st: COUNCILMEMBER KERL

2nd: COUNCILMEMBER BORK

MOTION CARRIED.

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

Motion to Hire Fall - Winter Lifeguards (9.15.2025)

Motion to hire the following persons as lifeguards at the noted rates of pay, contingent upon successful completion of all pre-employment checks and receipt of valid lifeguard certification, commencing on 9/23-12/20/2025 not to exceed 39 hours per week:

Brianna Quinn - \$19.91 per hour

James Fecio - \$17.50 per hour

Zoey Turton - \$17.00 per hour

Sheanne DeFedericis - \$17.00 per hour

Mackenzie Lang - \$17.00 per hour

Ayden Daigler - \$17.00 per hour

Skylar King - \$17.00 per hour

Nathan Williams - \$17.00 per hour

Anthony Kudla - \$17.00 per hour

Meghan Cole - \$17.50 per hour

Isabel King - \$17.00 per hour

MOTION CARRIED.

1st: COUNCILMEMBER BORK

2nd: SUPERVISOR PAUTLER

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

RESOLUTION SUPPORTING FREE AND FAIR ELECTIONS

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

WHEREAS, Free and fair elections form the cornerstone of the Republic of the United States. As stated in *Reynolds v Sims* (377 U.S. 533, 1964), “*the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting for free exercise of the franchise.*”

WHEREAS, Election officials bear the responsibility to ensure elections remain accurate and free from manipulation. In *In re Coy* (127 U.S. 731, 1888), the United States Supreme Court affirmed that election officials must strictly adhere to federal and state laws governing process, defining election misconduct as follows: “*The evil intent consists in disobedience to the law.*”

WHEREAS, Our constitutional system of representative government relies on four fundamental principles for validity in our elections:

- 1. Accurate Voter Rolls:** Election officials must maintain voter registration lists that are current and correct, which includes facilitating the registration of eligible citizens as well as preventing the registration of noncitizens, fictitious names, and ineligible applicants (National Voter Registration Act, 1993).
- 2. Eligible Votes Only:** Election officials must only count votes cast by eligible citizen voters (U.S. Constitution, Fourteenth Amendment, Section 2).
- 3. Vote Reconciliation:** Election officials must ensure that the number of votes counted matches the number of participating voters.
- 4. System Accuracy:** Voting systems must achieve accuracy standards set by Congress. Election officials must substantiate assertions of accurate outcomes with transparent records.

WHEREAS, Election accuracy is defined as the ability to capture and report voter selections without error. By definition, only eligible citizens are voters. Election officials violate civil rights, undermine public trust, and jeopardize national security when they certify an election that fails to reach this standard.

WHEREAS, The irregularities in the official records of the 2024 General Election call into question the validity of the election, threatening the guaranteed protection of our natural rights

under a republican form of government. This emergency inflicts immeasurable harm upon our families, our way of life, and the fabric of these United States. It raises the specter of false representation in U.S. Congress and state governments – an allegation that election officials are currently unable to disprove.

THEREFORE, Be it resolved The Town of Alden demands immediate action to ensure a legally valid and transparent 2026 General Election by implementing the following measures:

- 1. Infrastructure Compliance:** Election officials must ensure that all voting systems meet Federal Information Security Modernization Act (FISMA) standards and maintain compliance throughout the election process.
- 2. Voter Verification:** Verify all voters are legally eligible U.S. citizens before their votes are counted. If a voter’s eligibility is in question, their vote must be held as provisional until legally verified.
- 3. Ballot Security:** Enforce all issued and counted ballots to comply with robust chain-of-custody protocols to secure ballots from forgery, tampering, coercion, destruction, or injection.
- 4. Accurate Counts:** Ensure all voted ballots are received, and every valid ballot is accurately counted, with any material questions resolved through lawful adjudication procedures with oversight.
- 5. Proven Outcomes:** Election officials must investigate and resolve, or if necessary, re-administer any election that cannot be proven accurate and compliant. In every jurisdiction, officials must provide records substantiating election and initiative results to citizens. Additionally, officials must securely store all ballots and operational records – including electronic records – to protect them for auditing purposes from tampering or alteration.

BE IT FURTHER RESOLVED That the Town of Alden calls upon the State of New York and federal legislators, law enforcement agencies, prosecutors, judges, and election boards to uphold these principles, ensure legal compliance and restore public confidence in our electoral system.

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

RESOLUTION TO CALL PUBLIC HEARING on the Application for Site Plan, Planned Unit Development and Minor Subdivision Approval at 11580 Walden Avenue

**THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER
WAISS, WHO MOVED ITS ADOPTION,
SECONDED BY COUNCILMEMBER CRIST,**

TO WIT;

WHEREAS, 11580 Walden Avenue LLC and its affiliate North Eastern Alliance have filed an application for Site Plan, Planned Unit Development and Minor Subdivision Approval for premises located at 11580 Walden Avenue, LLC in the Town of Alden (further identified by SBL # 96.00-2-20);

WHEREAS, the Town of Alden Planning Board has reviewed the Application and has recommended approval, with conditions, of the Application to the Alden Town Board; and

WHEREAS, the Town Board, pursuant to Section 365-51(B)(3) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

- 1. A Public Hearing on the Application for Site Plan, Planned Unit Development and Minor Subdivision Approval at 11580 Walden Avenue submitted by 11580 Walden Avenue LLC and its affiliate North Eastern Alliance be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on October 6, 2025 at 6:05 P.M. Local Time;
- 2. That the Town Clerk’s Office is hereby directed to publish the Notice of Public Hearing in the Akron Bugle and to post the same on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and
- 3. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on September 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
SITE PLAN, PLANNED UNIT DEVELOPMENT AND MINOR SUBDIVISION
11580 WALDEN AVENUE, TOWN OF ALDEN
TOWN OF ALDEN

PLEASE TAKE NOTICE, that the Town Board of the Town of Alden will conduct a public hearing pursuant to Section 365-51(B)(3) of the Alden Town Code on the application of 11580 Walden Avenue LLC and its affiliate North Eastern Alliance for Site Pan, Planned Unit Development and Minor Subdivision Approval for 11580 Walden Avenue, Alden, NY.

THEREFORE, pursuant to the Alden Town Code the Alden Town Board shall hold a public hearing on the proposed Application at the Alden Town Hall, 3311 Wende Road, Alden, New York at 6:05 p.m. on the 6th day of October, 2025, at which time interested parties may be heard. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 937-6969.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF ALDEN

Dated: September 15, 2025

Supervisor Pautler polled the Board for permission to add the following Resolutions to the Agenda. There were No Objections.

**A RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY’S
ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO GOVERNMENT-
MANDATED NATURAL GAS BANS**

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER CRIST, WHO
MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KERL

WHEREAS, affordable and reliable energy is essential to the health, safety, and economic
prosperity of New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source
used by millions of New Yorkers to heat their homes, cook their food, and power their businesses;
and

WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection
Act (CLCPA), which mandates aggressive emissions reductions and serves as the foundation for
sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State
Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel
hookups in most new residential and commercial buildings, effective 2026 for smaller buildings,
and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to
affordable energy; and

WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of
her administration’s climate and energy agenda, despite widespread concerns that such mandates
will increase costs, strain grid reliability, and restrict energy diversity; and

WHEREAS, these top-down policies undermine affordability, threaten reliability during peak
demand, and strip away the freedom of consumers and businesses to choose the energy sources
that best meet their needs; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West
Virginia introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures
state and local governments cannot restrict consumer access to natural gas and other affordable
energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals,
farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-
the-above” energy strategy that strengthens reliability and affordability;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Alden strongly
supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and
Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the
CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Alden urges Congress to
pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve
reliable access to natural gas for New Yorkers; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick
Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck
Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State
Legislature.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 15,
2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye

Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

RESOLUTION TO HIRE GLENN CHRISTNER AS PART TIME CIVIL SERVICE CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KERL,
WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BORK

WHEREAS, Erie County Civil Service has given clearance to the Town of Alden to hire a part time Civil Service Code Enforcement Office/Building Inspector.

WHEREAS, Glenn Christner is an available candidate and has completed the training required by New York State.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 1. The Town Board approves the hiring of Glenn Christner as the Town of Alden part time Building Inspector/Code Enforcement Officer at an hourly wage of \$43.49 not to exceed 19.5 hours per week, no benefits except NYS Retirement and upon successful completion of all pre-employment requirements with a start date of September 16, 2025; 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 15, 2025, as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Councilmember Kerl	Aye
Supervisor Pautler	Aye

UNFINISHED AND TABLED BUSINESS

None

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Mark Kerl, Councilmember

1. I'd like to recognize Lisa Pritikin, Linda J. Marzolf & Debra Crist for all their efforts that they had with the school taxes for the 2025 season.
2. Also their efforts helping with sending out delinquent dog re-licensing notices. A lot of this was caused by the failures of the Alden Town Clerk who did not have a handle on this. Thank you. I appreciate your efforts.
3. I'd like to recognize Keith Borden down at the Alaura Sewage Treatment Plant. He's done a good job and brings his expertise from the Alden Village and that's been helping an area of need, for sure. We did have a meeting, myself and Keith and (Town Engineer) Mike Metzger on Friday. We discussed a lot of things. Most importantly making sure that we are adhering to the all of the needs of the DEC findings. And we've got that under control pretty well.
4. I will be talking to the Board about service needed for the plant generator. Also a back flow valve that's needed for purchase.

Gwendolyn Bork, Councilmember

1. Nothing at this time

Colleen Pautler, Superviso

1. Nothing at this time

Jennifer L. Strong, Town Attorney

1. I have been working very diligently with both Debbie and Mike on the FEE Schedule. I believe that we are going to have a really good draft to present to the Board at the next Work Session, in the hopes of cleaning everything up.
2. The Local Law that we introduced tonight (Local Law #6 of 2025 – Tax Cap Override) who is going to be SEQR EAF and the 239 N's? They come out of the Building Department. Will that be Glenn Christner or will that be Rick (Richard Coburn)
Supervisor Pautler: I would reach out to Rick. He'll be back tomorrow.

Gina Waiss, Councilmember

1. Nothing at this time

Randy Crist, Councilmember

1. I'd like to put on the 09/22/2025 Work Session agenda "The Stay Fit" Dining meals program from the County. We have it 3 days/week and there's interest in 5 days/week.

Mike Metzger, Town Engineer

1. I've reached out to the development team at 1158 Walden to have them (encourage) them to respond to any comments they have received so that we can get things worked and have the Plan as accurate as it can be before the Public Hearing so the public can see.
Supervisor Pautler: I think that Rick's going to stay on top of that.
2. We received the letter from the DEC, the report on their inspection from July 2025. It looked reasonable. Not seeing anything scary in there.

Debra A. Crist, Retired Town Clerk

1. Nothing at this time.

Linda J. Marzolf, 1st Deputy Town Clerk

- We are up and running for School Tax collection
- Ran the web tool to synchronize the data from today's office collection up to our Town website. We're excited to know about this feature. Every day Lisa or I will run that update.
- Other than that, the Town Clerk's office is running as efficiently as possible.

ANNOUNCEMENTS FROM THE SUPERVISOR

I would like to call an Executive Session for a matter of personnel in the Town Clerk's office with the Town Attorney, Town Board, Debbie Crist, and 1st Deputy Linda to attend.

NOTICE OF MEETINGS

WORK SESSION	September 22, 2025	@ 6:00 PM
REGULAR BOARD MEETING	October 06, 2025	@ 6:00 PM

MEMORIAL REMEMBRANCE

J.A. Frank Neal
Michael G. Manicki

6:29 PM Motion to leave Regular Town Board Meeting and enter into Executive Session for Personnel Matters in the Town Clerk's Office with the following in attendance: the Board, Town Attorney, Deb Crist and 1st Deputy Marzolf.

1st: Councilmember Waiss **2nd:** Councilmember Crist

Motion Carried with 5 Ayes: Crist, Waiss, Bork, Kerl and Pautler

7:49 PM Motion to leave Executive Session and return to Regular Town Board Meeting.

1st: Councilmember Waiss **2nd:** Councilmember Crist

Motion Carried with 5 Ayes: Crist, Waiss, Bork, Kerl and Pautler

ADJOURNMENT at 7:50 PM Supervisor Pautler adjourned the Meeting.

Minutes recorded by 1st Deputy Town Clerk Linda J. Marzolf – September 15, 2025
Minutes transcription completed by 1st Deputy Town Clerk Linda J. Marzolf – September 16, 2025