

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, October 20, 2025 at 6:00 P.M. Town Supervisor Pautler called the Meeting to Order and 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
Colleen Rogers, Budget Officer
Bill Rogers, Highway Superintendent
Jesse Jesonowski, CEO/Building Inspector

Residents: Debra A. Crist, Mark Drogi, Kevin Martin, Ron Rebmann, Matthew Rennicks, Jillian Nachtrieb, Justin Napieralski, Emily Schweinfurth, Kevin Newman, Jsaon Tamol, Jeremy Kroll, Megan Haefner and a few others that came in later.

MEETING NOTE:
Due to a publication error no Public Hearings were held during this meeting.

6:01 PM Motion to leave Regular Session and go into Executive Session with the Town Board and the Town Attorney for a Matter of Personnel in the Town Clerk’s Office was made by Councilmember Waiss with a second by Councilmember Crist.
The foregoing Motion was duly put to a roll call vote at the Regular meeting on October 20, 2025, resulting as follows:
CARRIED.
Ayes 5 Crist, Waiss, Bork, Kerl and Pautler
Nays 0

6:19 PM Motion to leave Executive Session **with no action taken** and go back into Regular Board Meeting with **no action taken** was made by Councilmember Waiss with a second by Councilmember Crist.
The foregoing Motion was duly put to a roll call vote at the Regular meeting on October 20, 2025, resulting as follows:
CARRIED.
Ayes 5 Crist, Waiss, Bork, Kerl and Pautler
Nays 0

Motion to Approve the Minutes of the Regular Meeting of **October 06, 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 October 20, 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;

Oct-25						
THE FOLLOWING RESOLUTION WAS OFFERED BY Councilmember , SECOND BY Councilmember , WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO <u>WIT</u> ; VOUCHERS # [902] to # [1007]. ALL BILLS REVIEWED BY THE TOWN BOARD.						
ACCOUNT	AMOUNT					
	10/6/2025	10/20/2025				TOTAL
GENERAL FUND "A"	\$25,784.96	\$35,620.86				\$61,405.82
HIGHWAY FUND "DA/DB"	\$10,351.56	\$8,838.40				\$19,189.96
PART-TOWN FUND "B"	\$636.48	\$32.75				\$669.23
SR CTR EXPANSION/4 SEASON "HS"						\$0.00
GRANTS "G"		\$4,834.00				\$4,834.00
SPECIAL FIRE PROTECTION "SF"						\$0.00
SEWER INDUSTRIAL PARK "SI"						\$0.00
SEWER <u>DIST.</u> #2 FUND "SA"	\$33,129.68	\$376.45				\$33,506.13
TRUST & AGENCY "T"	\$2,302.75	\$4,463.90				\$6,766.65
SPECIAL REFUSE FUND "SR"	\$225.00	\$45,863.82				\$46,088.82
STREET LIGHTING FUND "SL"		\$5,321.32				\$5,321.32
PERIWINKLE LTG. DIST."SLI"	\$109.07	\$48.33				\$157.40
ZOELLER RD. WATER DIST."WZ"						\$0.00
WATER DIST. NEWSTEAD "WO"						\$0.00
CONS. WATER DIST "WR"						\$0.00
WATER DIST. EXCHANGE "WX"						\$0.00
WATER DIST. NO. 1 "WA"						\$0.00
TOTAL	\$72,539.50	\$105,399.83	\$0.00	\$0.00	\$0.00	\$177,939.33

The foregoing Motion was duly put to a roll call vote at a regular meeting on October 20, 2025, resulting as follows:

CARRIED:

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

BUSINESS FROM THE FLOOR

Matthew Rennicks (11820 Genesee):

- Would like to have two more events in 2026 similar to recent “Small Business” Fair help recently in the fall.
- Would like to start getting our paperwork as soon as possible. We did the last event in a month and a half.
- We raised \$800 for donation. One half to Andrew’s Army (blood bank) and one half to Rozwell Cancer.
- We are looking for a spring date and a fall date. Possibly May 16th and October 03rd .
- Gina helped us out a lot. We want to make it bigger.
- Meals on Wheels is involved. And the Substance Abuse Coalition as well. Connie Babcock is backing me up (co-organizer?)
- I doubled my insurance. We would like to double our profits for charity.
- I am a cancer survivor and we want to give back

- WHY do we not have a carnival anymore?
- I have questions about Rules and Regulations that are not in the current paperwork. Concrete usage and how far we can go down with safety liability.
- We pulled from Como Park event (held on same day)

Supervisor Pautler and Board comments to Mr. Rennicks:

- Carnival was put on by the Fire Department. That would be a question for them.
- Please submit everything that you submitted for the recent event and we can discuss it at a Work Session. It's never too early as that is our Fall Baseball season and Spring sports.
- When you bring your proposal to the Work Session you can attend the Work Session. If we have questions you will be there to answer them.
- Once you get the application in then we'll get it on the Work Session.
- Councilmember Kerl: Matthew, that's important that people like yourself bring this stuff into the community. This is what makes Alden special.

Christopher Tornabene (11631 Parkwood Dr.):

- I've been trying to talk to the Building Inspector and I understand there is a lot of movement in that office right now. I hope this is the place to talk about this.
- I live at the last house on the west end of Parkwood Dr.
- I want to voice my concerns and get some information about that new build.
- I will follow up with the Building Inspector when I can.
- I work in Orchard Park and we moved to Alden for a little bit of land and some privacy.
- We had a 15 foot (tall) hedge row was cleared by Marzec Development including about 100 feet of mature raspberry bushes and including trees. These trees offered shade to our gardens that we planted as shade gardens. My fiancée put \$1000s of plants for shade and invested hundreds of hours.
- We received an unaddressed and unstamped letter in our mailbox telling us to check our survey maps. We did have a professional surveyor come out. The (title) clearing company did indeed make a mistake and intrude on Marzec's land by about 5 or 6 feet.
- That letter also stated that building a house at that location fit the aesthetic of the neighborhood. This street is all ranches and he builds large \$750,000 houses.
- We put in a 6 foot privacy fence. Where he plans on building this house it's going to look right over our fence.
- It's pretty upsetting to us as we built there specifically for the trees.
- We are working with the clearing company in terms of the bushes removed but it's going to be a bit of a process for us.
- Snow removal: they always push the snow to the dead end of the roadway. Now where are they going to put it? On my property since my driveway is not too far from the dead end. There's a fire hydrant at the other end and I would hope they wouldn't put the snow there.
- Mail pick up: can they put a mailbox there? The entrance to the driveway is the tip of the dead end. There's nowhere else to put the driveway that doesn't intrude on either person's property.
- Garbage pickup: I don't want their trash cans on my property. And the garbage truck can't turn around.
- The reason I am here – on November 01, 2021 there was a Zoning Board of Appeals meeting. Marzec Development requested a variance because they needed a 100 feet of frontage. That variance was unanimously denied.
- Miraculously at the next Planning Board meeting that variance was approved because there was 100 feet of frontage. There is not 100 feet of frontage.
- My concern is I don't know how he got approval to build there and there is a For Sale sign there.
- I want to voice my concerns and get some answers.
- Marzec did in the past commit to maintaining a tree line between the properties to the prior owner of my property. All the trees are completely gone and I can see Two Rod Road now.
- The two meetings were: Zoning Board of Appeals was 11/01/2021 and the Planning Board Meeting was 11/08/2021.

Jennifer Strong (Town Attorney): I can review the minutes of those two meetings and report back to the Board.

Jillian Nachtrieb (35 Two Rod Road):

- As Chris just told us, my family moved on to Two Rod looking for privacy and looking for the country feel. We used to live in Clarence.
- When we first bought the property it was from Marzec. The listing said it was just under TWO acres. We thought it was beautiful with a tree line behind us.
- Once we got into the process of buying the house we learned that survey sketch we learned that our property was actually just under ONE acre of land. (0.8 acres)
- Mr. Marzec chalked it up to the minutes of the Town and said that the survey hadn't caught up with the listing.
- In lieu of that mistake Marzec offered an easement so that we had the right to walk across his property to get over to Parkwood.
- The easement still stands and our lawyer sent a letter to Mr. Marzec letting him know that there should be a notation on the listing that there is an easement (on Mr. Marzec's land that is for sale).
- To our knowledge there isn't a permit for a house to be built on this land. We thought it was New York State law that you need a permit to build a house.
- Why is Mr. Marzec allowed to have this For Sale sign up and a listing for this on Zillow?
- We want to bring to light these things.
- We feel that this was a deception. And the (current) listing of Marzec's land and our original survey depiction show two different boundaries. We understand that this is just a rendering. People need to understand what they're buying.

Supervisor Pautler and Board comments to Mr. Rennicks:

- **Jesse Jesonowski** (CEO, Building Inspector) answering Supervisor Pautler: Mr. Marzec is scheduled to come in and discuss a number of permits. I can also talk with you (Jillian) about this.
- **Mike Metzger** (Town Engineer) Jesse, are you familiar with the application for the subdivision and the variance and plans?
- **Jesse:** Not with Cary Rd. but I have been working on Marzec's permits.
 - **Jesse and Jillian have discussion about the area.**
 - **Councilmembers thank the resident Jillian for bringing the matter to the Board's attention and want to schedule a meeting with Jesse.**

Justin Napieralski (27 Two Rod Road):

- I want to echo what Christopher on Parkwood and Jillian on Two Rod have just said.
- Emily and I bought our house in one of Paul Marzec's first new developments.
- Similar problem with the TWO acre listing but less than ONE acre in actual size. (0.8 acres)
- It is starting to sound like a repetitive thing (with Marzec) that you come in thinking you are getting one thing and go through the process and you find out that it's something different.
- I found out when talking with the tax department that the acreage wasn't quite right. The acreage assigned to our lot was different. The combination of information that I was hearing from Paul Marzec and the Tax department was that someone was doing something right. That was in February and hopefully our taxes are getting straightened out.
- We moved to Alden looking for the privacy without living in a subdivision like Marrano homes, etc. It was kind of private and lots of trees that were removed.
- Another comment from Marzec to feel free to walk on his lot back to Parkwood. Emily and I would need permission from new owner as we don't have an easement from Marzec.
- We would have liked a heads up that this was happening. (new build) I took down a large pine tree and would not have done that if I had known.
- Powerlines moving and trees – no answer as to that process back in August.
- The whole thing changed from what we thought we were getting and our expectations. So much changed 8 months into being in our first home.

Jennifer Strong (Town Attorney): Jesse, I will pull up the previous subdivision approval and make sure those legal descriptions are over to you. That will help you look at the plans that go back maybe ten years. I will find those historical records and get them over to your office.

Jesse Jesonowski (CEO): We need to make sure that what was approved and what he is doing are the same.

Supervisor Pautler: We need to make sure that there is a legal easement on the property.

Councilmember Waiss: Discussion with residents regarding the attorneys at closing and did they catch the difference in lot sizes.

Kevin Martin (3551 Townline Rd.):

- I want to bring Urgency to the need for the (Townline) Water District to happen.
- I'm not sure if the Board is aware but there's numerous homes in our area in Corfu and south and north that are losing their wells. Exponential.
- I don't know how long my well is going to last. I can get water from my old house. But in the winter this won't be possible.
- You're on the Board. You could call State, County, Federal people to get a date.

Jennifer Strong, Town Attorney: It's in the State Comptroller's hands now. I received a strange phone call on Friday from the Clerk of the Erie County Legislature telling me that the State Comptroller's office had sent them a letter regarding the Townline Water District. My best guess is that there was supposed to be a copy of the letter sent to me as I was CC'd on the bottom. I haven't received a copy. They are supposed to file it with the Erie County Clerk, not the County Legislature. I have reached out to the Comptroller and asked what was going on and I haven't received a response yet.

Councilmembers comments: Can residents contact the State to put pressure on them? Can anyone? Is there anyone within the Comptroller's office that we should be directing the calls to? YES. Call local representatives at County and State. Tell them it's about the Approval of the Townline Water District. State reps DiPietro and Gallivan would be the ones to go straight to put pressure on the State Comptroller's office. You've been very patient Kevin.

- **Kevin Martin:** I would ask all of you to go home and turn off your water and put a bunch of spoiled eggs all over your house. I am getting 'iron mud' out of the ground. It's just horrible. I think it's the drought. It may take years to fill my well because it's over 100 feet deep. It's 847 days since we started this journey (for Townline Water District) – started in June of 2023. I did all the work to get it going.

PRESENTATIONS of COMMUNICATIONS from BOARD MEMBERS and Other TOWN OFFICIALS

Supervisor Pautler:

- I received from Ag & Market the October 07th DCO Inspection Report from NY Ag and Markets – Marilla Kennel. Findings are Satisfactory.
- I received the Building Inspector's report for September.
- I received a letter from Mr. Poloncarz from Erie County with revisions for the Erie County Sanitary Code.

Councilmember Kerl:

- DCO inspection is satisfactory.

Councilmember Bork:

- Nothing at this time.

Town Attorney Strong:

- Nothing at this time.

Councilmember Waiss:

- Nothing at this time.

Councilmember Crist:

- Nothing at this time.

NEW BUSINESS

**RESOLUTION TO APPROVE BUDGET TRANSFER WITHIN THE 2025 BUDGET
FOR HODGSON RUSS LLP**

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

WHEREAS, the Alden Town Board adopted its 2025 Budget on November 4, 2024;

WHEREAS, the Town needs to pay Hodgson Russ LLP for legal services rendered;

WHEREAS, funds need to be transferred so invoices are paid out of the proper budget accounts;

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	\$2,405.00	A.1420.0402	Hodgson Russ LLP (Invs. 1311279, 1311280)	\$2,405.00
	\$2,405.00		TOTAL	\$2,405.00

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 20, 2025, resulting as follows:

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

RESOLUTION TO APPROVE AGREEMENT WITH SPCA SERVING ERIE COUNTY

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilmember BORK, WHO
MOVED ITS ADOPTION, SECONDED BY Supervisor PAUTLER

WHEREAS, the Town of Alden Dog Control Officer uses the services of the SPCA Serving Erie County (“SPCA”) to surrender stray dogs;

WHEREAS, the SPCA has given notice to terminate the current Agreement between the Town and the SPCA and has proposed a new Agreement; and

WHEREAS, the Alden Town Board believes that entering into a new Agreement the SPCA to allow the Town to continue to surrender dogs is in the best interests of the residents of the Town of Alden.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

- 1. The Town Board approves the proposed Agreement (with auto renewal provisions) with the SPCA as being consistent with its policies and in the interest of the residents of the Town of Alden;
- 2. The Town Supervisor is hereby directed to and authorized to sign any and all necessary documents to effectuate this Agreement; and
- 3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 20, 2025, as follows:

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

Motion to Set Town of Alden Trick or Treat Hours for 2025 (10.20.25)

Motion to set Trick or Treat Hours in the Town of Alden from 6.00 PM through 8.00 PM on ~~Thursday~~ Friday, October 31, 2025.

- 1st: SUPERVISOR PAUTLER**
- 2nd: COUNCILMEMBER WAISS**

Councilmember Crist	Aye with the date change
Councilmember Waiss	Aye with the date change
Councilmember Bork	Aye with the date change
Councilmember Kerl	Aye with the date change
Supervisor Pautler	Aye with the date change

Order Calling Public Hearing for Local Law # 6 of 2025 Override of Tax Cap

THE FOLLOWING ORDER WAS OFFERED BY Councilmember WAISS, WHO MOVED ITS ADOPTION, SECONDED BY Councilmember CRIST

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 6:05 p.m. on the 3rd day of November, 2025, for the purpose of hearing all persons interested in the proposed Local Law No. 6 of the Year 2025 Override Of Tax Cap; 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 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’s Office is to make copies of the proposed Local Law No. 6 of the Year 2025, entitled “Override of Tax Cap” available at their office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on October 20, 2025 which resulted as follows:

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

10/20/2025 1ST Deputy sent Legal Notice to Akron Bugle for publication

10/20/2025 Posted on Clerk's board

10/20/2025 Copy placed in Clerk's office folder for Local Law #6 of 2025

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF ALDEN, NEW YORK**

PLEASE TAKE NOTICE, that there has been presented to the Alden Town Board on September 15, 2025, for adoption a proposed Local Law to be known as Local Law No. 6 of the Year 2025 entitled "Override of Tax Cap" The purpose of this local law is to allow the Town Board in the 2026 Budget to increase the tax levy beyond the tax cap set by the State, in the event that said override is needed.

THEREFORE, pursuant to the Municipal Home Rule Law Rules, the Alden Town Board shall hold a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 3311 Wende Road, Alden, New York at 6:05 p.m. on the 3rd day of November, 2025, at which time persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. 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: October 20, 2025

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 ACCEPT INSURANCE COVERAGE TOWN OF ALDEN

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

WHEREAS, the Alden Town Board decided to review its health insurance coverage and has received quotes from several insurance brokers and conducted interviews for new policies in an attempt to save taxpayer monies;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that professional services are exempt from the Guidelines;

WHEREAS, a request for proposal was made by the Town to Haylor, Freyer & Coon, who investigated comparable polices through several insurance carriers, with Highmark Western New York being the best value;

WHEREAS, The Town Board, after full and careful review and consideration of the request, finds that it is in the public interest to purchase health insurance from Highmark of Western New York.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

- 1. The Town Board approves the policy offered by Haylor, Freyer & Coon through Highmark Western New York for a period of twelve months;**
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this policy; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 20, 2025, as follows:

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

**RESOLUTION TO ADOPT COLLECTIVE BARGAINING AGREEMENT HIGHWAY
DEPARTMENT**

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

WHEREAS, the Town of Alden Highway Employees are subject to a Collective Bargaining Agreement with the Town of Alden;

WHEREAS, The Town Board after full and careful review and consideration of the proposed Collective Bargaining Agreement, finds that it is in the public interest to enter into the Agreement with the Highway Employees;

WHEREAS, the Town of Alden and the Town of Alden Highway Workers on or about April 17, 2025 agreed upon the terms of a Collective Bargaining Agreement for a term retroactive to January 1, 2025 and ended on December 31, 2026, said Agreement is currently on file in the Office of the Town Supervisor.

NOW THEREFORE BE IT RESOLVED A FOLLOWS:

1. That the Town Board does hereby ratify the Collective Bargaining Agreement with the Town of Alden Highway Employees for a term of January 1, 2025 through December 31, 2026; and
2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting on October 20, 2025, the results of which were as follows:

Councilmember Crist	AYE
Councilmember Waiss	AYE
Councilmember Bork	AYE
Councilmember Kerl	AYE
Supervisor Pautler	AYE

RESOLUTION TO CALL PUBLIC HEARING FOR 2026 PRELIMINARY BUDGET

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilmember BORK,
WHO MOVED ITS ADOPTION,
SECONDED BY Supervisor PAUTLER.

WHEREAS, the Budget Officer of the Town of Alden on September 30, 2025, duly filed the Tentative Budget of said Town (including special districts) for the fiscal year beginning January 1, 2026 with the Deputy Town Clerk of said Town; and

WHEREAS, the Deputy Town Clerk of the Town of Alden duly presented the Tentative Budget to the Town Board via email on September 30, 2025 and by and by placing a copy on each board members desk on October 6, 2025;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

- 1. That the Tentative Budget was hereby approved and become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2026 on October 6, 2025;**
2. That said Preliminary Budget was been filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by her to the public for inspection during regular business hours;
- 3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the Year 2026, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 3, 2026, at 6:10 P.M. Local Time;**

4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the NYS Town Law be published in the Akron Bugle, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and

5. This Resolution shall take effect immediately.

The adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on October 20, 2025, the results of which were as follows:

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

10/20/2025 1ST Deputy sent Legal Notice to Akron Bugle for publication
10/20/2025 Posted on Clerk’s board
10/20/2025 Copy placed in Clerk’s office folder for Local Law #6 of 2025

TOWN OF ALDEN
NOTICE OF PUBLIC HEARING ON THE
PRELIMINARY BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2026

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Alden for the fiscal year beginning January 1, 2026, including general Town funds, highway/public works funds, fire protection district funds, lighting district funds, and special districts has been completed and filed in the office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004; where it is available for inspection by any interested person during office hours.

The Preliminary budgets states that the proposed compensation for the following elected officials is as follows:

<u>Position</u>	<u>Proposed Compensation</u>
Councilmember	\$13,730.00 each (there are four)
Supervisor	\$28,000.00
Town Clerk/ Receiver of Taxes and Assessments	\$51,171.00
Highway Superintendent	\$76,002.00

The Town Board of Alden shall hold a public hearing on said preliminary budget on November 3, 2025 at 6:10 PM Local Time, showing such changes, alterations and revisions as shall have been made therein by the Town Board of the Alden. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained.

Citizens have the right to provide written and oral comments and ask questions concerning the entire budget and the relationships of entitlement funds to the entire budget. Handicapped citizens or senior citizens who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned Town Clerk to request such assistance.

Dated: October 20, 2025

Linda J. Marzolf
Deputy Town Clerk

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

POLL TO ADD:
RESOLUTION TO APPOINT DEBRA A. CRIST REGISTRAR OF VITAL STATISTICS

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

WHEREAS, the Town Board has been informed by New York State Department of Health that Alecia Barrett has failed to qualify for the position of Registrar of Vital Statistics, as appointed by the Alden Town Board for years 2022, 2023, 2024 and 2025; due to her failure to file her Oath of Office and due to her failure to complete and file Form DOH-1556 with the Department of Health;

WHEREAS, the Town Board has been further informed by New York State Department of Health that Alecia Barrett failed to properly appoint a Deputy Registrar of Vital Statistics; and

WHEREAS, the failure of Ms. Barrett to effectuate her own appointment and the appointment of a Deputy Registrar of Vital Statistics has created a vacancy in the office of Registrar of Vital Statistics and of Deputy Registrar of Vital Statistics.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 1. The Town Board hereby appoints retired Town Clerk, Debra A. Crist as Registrar of Vital Statistics from today through January 30, 2026; and
- 2. The Deputy Town Clerks are hereby directed to immediately prepare an Oath of Office for Ms. Crist in her capacity as Registrar of Vital Statics; to prepare three certified copies of this resolution; and to prepare three NYS DOH Form 1556; all for immediate filing with: New York State Department of Health; Erie County Clerk and the Town of Alden;
- 3. As the Registrar of Vital Statistics Ms. Crist is hereby given access to the Town Clerk’s Office including the vital records; computer with the DAVE system and printer therein;
- 4. Ms. Crist is directly to appoint a Deputy Registrar of Vital Statistics as soon as she is able to identify a qualified person; and
- 5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 20, 2025, as follows:

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

10/20/2025 Three Oath of Office forms were typed.
10/20/2025 DOH-1556 forms were printed from the DOH website.
10/20/2025 Three letters to certify per 1st Deputy that the resolution was duly passed were typed.
10/21/2025 All required documents were sent CERTIFIED Mail with RETURN RECEIPT to both Erie County and to the DOH Vital Records Department in Albany, NY.

UNFINISHED AND TABLED BUSINESS

None

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Mark Kerl, Councilmember

1. Nothing at this time.

Gwendolyn Bork, Councilmember

1. I am in communication with Rotella Grant as far as the progress of the Comprehensive Grant that is potentially going to be released. We are going to look at that and see how we can prepare for that.

Jennifer L. Strong, Town Attorney

1. Nothing at this time.

Gina Waiss, Councilmember

1. Add Sunnking contract to the next Work Session. The contract is up and I am in communication with them.

Randy Crist, Councilmember

1. I'd like to put on the 10/27/2025 Work Session to discuss hiring another alternate senior van driver.
2. I'd also like to put on the Work Session going to five day senior nutritional lunch program at the Community Center.

Bill Rogers, Highway Superintendent

1. Spooktacular – Our biggest event in the parks and we literally had 1000s of people both nights and it was a huge success. The Alden Substance Abuse Coalition put it on. As always, they did a tremendous job supported by Supervisor Pautler who did a lot of work there and the Town Parks department who did an amazing job. Thanks to everybody. **Supervisor Pautler** recognized the Highway Department's participation and hard work and (also) that of Bill Rogers and the time he put in at the event.

Mike Metzger, Town Engineer

1. Ledgestone Project Phase IV – we received some new information and some revised information last week. I have reviewed it and there are a couple of items that the applicant should be able to work out. We can talk about it at the next Work Session. There are a few things that need some input from the Town Board on the landscaping and the architecture to make sure we are solid there.
2. Sewer District No. 2 – the DEC (Department of Environmental Conservation) has done their comprehensive inspection. Councilmember Kerl and I met on site and talked about it with Keith Borden. We have a couple more things to talk about and I need to prepare a response letter by the end of the month to the DEC. I will do that and I want to work out a couple of things with Councilmember Kerl.

Colleen Rogers, Budget Officer

1. Budget is done as far as I am concerned. We were \$19,000 short and I couldn't sleep at night.
2. I went back and looked over it many times.
3. Thanks to dog licenses coming in and more revenue generated there I adjusted the budget there.
4. I was able to adjust some items in Highway, mostly revenue side.
5. We are \$1.00 under the Cap.
6. Whatever you guys do with it from now on...
7. I am meeting with Carl Wittmer on Thursday to discuss it. (Town CPA)
8. I want to thank the Town Clerks and Councilmember Kerl as the revenues are ticking upward.

- 9. I watch those numbers more than I watch my own. I am very cognizant of the taxpayers and how difficult it can be to have to pay electric bill and everything without taxes going up as well.

Board Members thanked Colleen Rogers for her efforts.

Jesse Jesonowski, Building Inspector & Code Enforcement Officer

- 1. Things are going well in the Building Department.
- 2. Rick Coburn and I are part-time and we’re working through things.
- 3. We’ve lost the department Clerk (Michaeline White) and we are starting on the ground floor.
- 4. I am confident.

Linda J. Marzolf, 1st Deputy Town Clerk

- 1. Thank you to townspeople for getting your taxes in on time. We were able to, with Board support, collect and process over \$11,000, 000. School board has been picking up the receipts on Fridays. It was as smooth as could be as we were missing a full time employee.
- 2. **This is my last Board Meeting. So everybody, it’s been a pleasure to work with my co-workers as the Board and I all receive our salaries from you. So thank you from my co-workers point of view and mine.**
- 3. The Clerk’s Office is always there and we receive a lot of questions that might not be ours but we always find a way to find somebody for you to talk to.
- 4. Thanks for letting me be here for awhile and maybe I’ll see you at a meeting soon.

Board Members comments: Thank you for your service. Best of luck to you.

ANNOUNCEMENTS FROM THE SUPERVISOR

Reminder that I will be out of town from Friday night October 24 – November 2nd (?) without cell service. The Town’s Deputy Supervisor, Gina Waiss, will be in charge. If anyone in our other departments has an issue please reach out to Gina.

NOTICE OF MEETINGS

WORK SESSION	October 27, 2025	@ 6:00 PM
REGULAR BOARD MEETING	November 03, 2025	@ 6:00 PM

MEMORIAL REMEMBRANCE

Raymond Orr (October 10th)

ADJOURNMENT

Thank you for attending.
Supervisor Pautler adjourned the Meeting.

Minutes recorded by 1st Deputy Town Clerk Linda J. Marzolf – October 20, 2025
Transcription of minutes completed by 1st Deputy Town Clerk Linda J. Marzolf – October 27, 2025