

**BOARD MEETING NO.17
REGULAR NO. 14**

**TOWN BOARD MEETING
TOWN OF ALDEN**

**Monday, August 3, 2026
6:00 PM**

The Town Board Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, N.Y. on Monday, August 3rd at 6:00 P.M. Councilmember Kerl, called the Meeting to Order and led the Pledge of Allegiance.

The Roll Call was taken by Alyssa Cooper, who is the Town Clerk.

PRESENT: Randy Crist, Councilmember
Gwendolyn Bork, Councilmember
Colleen Pautler, Supervisor
Mark Drogi, Councilmember
Mark Kerl, Councilmember

Town Clerk: Alyssa Cooper

OTHERS PRESENT: Town Attorney, Jennifer Strong, Budget Officer Colleen Rogers, Highway Superintendent Bill Rogers, Code Enforcement Officer Rick Coburn, Town Engineer Mike Metzger. Residents : Ron Rebmann, Kevin Martin, Lynn & Paul Baker, Carol & Jack Rice.

Motion to approve Minutes of the Borad Meeting of July 20, 2026, was made by Councilman Crist, seconded by Councilman Kerl.

The forgoing Motion was duly put to a Roll Call vote, July 20, 2026 and was:

CARRIED

Ayes: 5(Crist, Bork, Drogi, Pautler, Kerl)

Nays: 0

Aug-26

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilmember Bork, SECOND BY Councilmember Kerl , WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS # [694] to # [724]. ALL BILLS REVIEWED BY THE TOWN BOARD.

ACCOUNT

GENERAL FUND "A"

HIGHWAY FUND "DA/DB"

PART-TOWN FUND "B"

<u>AMOUN T</u>					
8/3/2026					TOTAL
\$16,276.49					\$16,276.49
\$300.16					\$300.16
\$2,401.92					\$2,401.92

SR CTR EXPANSION/4 SEASON "HS"						\$0.00
GRANTS "G"						\$0.00
SPECIAL FIRE PROTECTION "SF"						\$0.00
SEWER INDUSTRIAL PARK "SI"						\$0.00
SEWER DIST. #2 FUND "SA"						\$0.00
TRUST & AGENCY "T"	\$1,675.33					\$1,675.33
SPECIAL REFUSE FUND "SR"						\$0.00
STREET LIGHTING FUND "SL"						\$0.00
PERIWINKLE LTG. DIST."SL1"						\$0.00
ZOELLER RD. WATER DIST."WZ"	\$3,220.50					\$3,220.50
WATER DIST. NEWSTEAD "WO"						\$0.00
CONS. WATER DIST "WR"						\$0.00
WATER DIST. EXCHANGE "WX"	\$4,237.50					\$4,237.50
CAYUGA CREEK WATER DIST "HY"	\$3,596.76					\$3,596.76
CAPITAL PROJECTS SALT BARN "HB"						\$0.00
WATER DIST. NO. 1 "WA"						\$0.00
TOTAL	\$31,708.66	\$0.00	\$0.00	\$0.00	\$0.00	\$31,708.66

BUSINESS FROM THE FLOOR

Supervisor Pautler- Addressed the room before opening to Business from the Floor, Supervisor Pautler announced that the Code Enforcement Officer, Rick Coburn, is here to give an update first, after the update from Mr. Weber's property.

Code Enforcement Officer, Rick Coburn: Cars have all been removed from the outside of the building. The building has been posted hazardous to enter, do not enter and we have put out 13 bate trapes. We are working on an RFP order of condemnation and demo at the 8/11/2026 Court date. More information to come.

PRESENTATIONS OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS

Supervisor Pautler- Received the Town Clerk's monthly report and a report from North Millgrove Fire Department. Received an email from Denise Walczak asking for a follow up on the Weber property.

Councilmember Kerl- Nothing to report

Councilmember Drogi- Nothing to report

Town Clerk- Nothing to report

Town Attorney Strong- All insurance and Letter of Indemnification has been received and reviewed for National Night Out.

Councilmember Bork- Nothing to report.

Councilmember Crist- Nothing to report.

NEW BUSINESS

Order Calling Public hearing for Local Law # 4 of 2026
A Local Law to Regulate Battery Energy Storage Systems

THE FOLLOWING ORDER WAS OFFERED BY COUNCILMEMBER KERL WHO
MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER DROGI

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 6:10 p.m. on the 17th day of August, 2026, for the purpose of hearing all persons interested in the proposed Local Law# 4 of the Year 2026 A Local Law to Regulate Battery Energy Storage Systems; 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# 4 of the Year 2026, entitled "A Local Law to Regulate Battery Energy Storage Systems" 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 August 3, 2026 which resulted as follows:

Councilman Crist	Aye
Councilwoman Bork	Aye
Supervisor Pautler	Aye
Councilman Drogi	Aye
Councilman Kerl	Aye

Order Calling Public hearing for Local Law# 5 of 2026 Override of Tax Cap

THE FOLLOWING ORDER WAS OFFERED BY COUNCILMEMBER DROGI , WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR PAUTLER

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 17th day of August, 2026, for the purpose of hearing all persons interested in the proposed Local Law# 5 of the Year 2026 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# 5 of the Year 2026, 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 August 3, 2026 which resulted as follows:

Councilman Crist	Aye
Councilwoman Bork	Aye
Supervisor Pautler	Aye
Councilman Drogi	Aye
Councilman Kerl	Aye

RESOLUTION FOR LEAD AGENCY FOR MINOR SUBDIVISION OF 11630 GENESEE STREET

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

WHEREAS, the Alden Town Board is considering an application by MillGen LLC/Matt Stucke) on behalf of Clark and Lois Bono for the subdivision of two lots. The entire property currently consists of 1.3292 ± acres of improved land at 11630 Genesee Street in the Town of Alden, further identified as SBL# 85.03-1-5. The first proposed lot ("Parcel 1") will be .936 ± acres and contains the existing three family structure, barn and shed; and the second proposed lot ("Parcel 2") will be the .3932 ± vacant acres (the "Proposed Action") which will be attached to a parcel known as 11650 Genesee Street and 3542 North Millgrove Road creating a 2.941 ± acre parcel;

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Department provided notice to the Erie County Division of Planning, for this Proposed Action, as required under Section 239-m of the General Municipal Law and no comment was received;

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQRA determination;

WHEREAS, the Alden Town Board did assume Lead Agency Status on July 20, 202 and all comments from involved agencies have been addressed;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQRA Intake Officer; and

WHEREAS, during review of this Proposed Action, the Town of Alden assessed areas of environmental concern and determined that no significant negative impacts would occur. In reaching this decision, the Town carefully considered all "Criteria" for Determination of Significance listed in the SEQRA Regulations.

WHEREAS, the Town of Alden Planning Board on May 12, 2026, reviewed the Proposed Action and recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;

The Town of Alden, as Lead Agency, hereby concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration as further stated in the attached Negative Declaration Certificate;

That the following parcels, more particularly described on the attached legal descriptions are given subdivision approval contingent upon deeds being filed within 90 days hereof, with the Erie County Clerk to combine the parcels known as 11650 Genesee Street and 3542 North Millgrove Road with the newly subdivided lot to create the Parcel described as Parcel 2; and

4. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on August 3, 2026, the results of which were as follows:

Councilmember Crist:	AYE
Councilmember Bork:	AYE
Supervisor Pautler:	AYE
Councilmember Drogi:	AYE
Councilmember Kerl:	AYE

PROPOSED PARCEL DESCRIPTION
11630 Genesee Street
Town of Alden

All THAT TRACTOR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being part of Lot No. 46, Township 11, Range 5 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Lot 46, also being the center line of Genesee Street distant 202.72 feet westerly from the southeast corner of Lot 46;thence N 89°46'44" W along the south line of Lot 46 a distance of 205.94 feet to the southeast corner of lands deeded to Melvin Ward Sievenpiper and Doris K. Sievenpiper by deed recorded in the Erie County Clerk's Office in Liber 3759 of Deeds at page 202; thence N 01°03'31" E along the east line of said lands deeded to Sievenpiper and parallel with the east line pf Lot 46 a distance of 198.00 feet; thence S 89°46'44 E and parallel with the South line of Lot 46 a distance of 205.94 feet; thence S 01°03'31 W and parallel with the east line of Lot 46 a distance of 198.00 feet to the point of beginning.

Subject to the rights of the public and others in and to that portion of the above described premises lying within the bounds of the public highway known as Genesee Street.

PROPOSED DESCRIPTION
11650 GENESEE STREET
TOWN OF ALDEN

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie, and State of New York, being part of Lot No. 46, Township 11, Range 5 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the southeast corner of Lot 46; thence N 89°46'44" W along the south line of Lot 46, also being the center line of Genesee Street a distance of 202.72 feet; thence N 01°03'31" E. and parallel with the east line of Lot 46 a distance of 198.00 feet; thence N 89°46'44" W and parallel with the south line of Lot 46 a distance of 205.94 feet to the east line of lands deeded to Melvin Ward Sievenpiper and Doris K. Sievenpiper by deed recorded in the Erie County Clerk's Office in Liber 3759 of Deeds at page 202 ; thence N 01°03'31" E along the east line of said lands deeded to Sievenpiper and parallel with the east line of Lot 46 a distance of 57.81 feet to a line established by a boundary line agreement recorded in the Erie County Clerk's Office in Liber 1910 of Deeds at page 201; thence N 46°19'25" E along said line established by a boundary line agreement a distance of 225.93 feet; thence N 40°11'35" E continuing along said line established by a boundary line agreement a distance of 77.04 feet to the south line of lands deeded to Susanna Herzog by deed recorded in the Erie County Clerk's Office in Liber 429 of Deeds at page 221; thence S 88°56'29" E along the south line of said lands deeded to Herzog a distance of 199.50 feet to the east line of Lot 46, also being the center line of North Millgrove Road; thence S 01°03'31" W along the east line of Lot 46 a distance of 468.60 feet to the point of beginning containing 2.941 acres of land, more or less.

Subject to the rights of the public and others in and to that portion of the above-described premises lying within the bounds of the public highways known as Genesee Street and North Millgrove Road.

NEGATIVE DECLARATION
Determination of Non-Significance

Date: July 7th, 2026

Town of Alden Town Board

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Conservation Law (State Environmental Quality Review Act ("SEQRA"))).

The Town of Alden Town Board ("Board"), as lead agency, has determined the project submitted on behalf of Matt Stucke, located at 11630 Genesee Street (SBL No. 85.03-1-5) will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Matt Stucke

Location of Action: 11630 Genesee Street, (SBL No. 85.03-1-5) Alden New York 14004 Erie County.

SEOR Status: Unlisted

Description of Action: Purchaser desires to purchase the "rear" vacant land portion of the lot, which requires formal subdivision into a front & rear lot. No new development is planned

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in a Short Environmental Form. The Town analyzed the project under the criteria for determining significance listed in 6 NYCRR §617.7(c) (1) and in accordance with 6 NYCRR §617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR §617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact**
3. Will the proposed action impair the character or quality of the existing community? **No impact**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environment

ntal Area (CEA)? **The Town of Alden has not established a Critical Environmental Area (CEA).**

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact**

6. Will the proposed action cause an increase in the use of energy, and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact**

7. Will the proposed action impact existing: a. Public/private water supplies? **No impact**
public/private wastewater treatment utilities? **No impact**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact**

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? **No impact.**

10} Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact**

11} Will the proposed action creates a hazard to environmental resources or human health?
No impact

For Further Information:

Richard Coburn- Code Enforcement Officer Town of Alden
3311 Wende Rd
Alden, New York 14004 (716) 937-6969 Ext. 143

RESOLUTION TO APPROVE THIRD PARTY CUSTODIAN AGREEMENT

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

WHEREAS, New York State General Municipal law requires that the Town of Alden Fire Protection Trust enter into a Third Party Custodian Agreement with OceanFirst Bank N.A. and The Bank of New York Mellon.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board does hereby authorize Supervisor Pautler to enter into and execute all necessary documents to effectuate a Third Party Custodian Agreement with OceanFirst Bank N.A. and The Bank of New York Mellon; and

2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting on August 3, 2026, the results of which were as follows:

Councilman Crist	Aye
Councilwoman Bork	Aye
Supervisor Pautler	Aye
Councilman Drogi	Aye
Councilmen Kerl	Aye

REPORTS OF COMMITTEE, OFFICIALS AND PERSONAL-

Councilmember Kerl- Please add to the work session Building department- what can we do in the department, structure about Rec. Fees.

Councilmember Drogi- Nothing to report

Town Clerk Cooper- Nothing to report

Town Attorney Strong- Please add subdivision to the work session.

Councilmember Bork- Submitted grant for the new masterplan, currently looking into a few other grants. Please add Grants, Website, Town Line and Genesee intersection to the work session.

Councilmember Crist- Would like to thank the Highway and Parks department for fixing the water issue in the Town Park. They addressed the issue and corrected it very fast, no events had to be canceled due to their prompt response. Can the COE go out to the property on Four Rod Road and review it, COE Rick will stop out to the property.

Code Enforcement Officer Coburn- We have three more parcels that need to be reviewed in the Town. Reviewing enforcement action from DOT for road setbacks. We need to review who is violating road setbacks and limiting the ability to see. Add RFP to cleanup and extension of process. Town Attorney, Strong said we should send a list to the County of the dangerous roads.

Budget Officer Rogers- We are short a member for the planning board. Spoke with Carl from Drescher & Malecki about our budget.

Town Engineer Metzger- Cayuga Creel contractor has been reaching out to residents of where they would like the water hook up. Town Line Water District, Erie County Water and Erie County Health Department have the plans. Developer review Buffalo Solar. Storm Water prevention plan is needed for Precious Metals; we have received the site plans.

Highway Supervisor- Do we have an update on West Main Street? Supervisor Pautler spoke with Don Gregor, he has a lot of questions. Should have more information in 1-2 weeks. They sent a potential of what it could be.

ANNOUNCEMENTS FROM THE SUPERVISOR: Thank you for all attending, we are going to go into executive session for personal matters in the Clerks office. I will need the board and the budget officer to stay for the executive session.

NOTICE OF MEETINGS

Work Session – Monday August 10, 2026- 6:00pm

Reg. Board Meeting – Monday August 17, 2026- 6:00pm

MEMORIAL REMEMBRANCE: Eileen Barron and Thaddeus Kolankowski

Adjournment

Supervisor Pautler made a motion to leave regular board meeting and Councilmember Drogi seconded the motion to go into executive session at 6:35pm. At 6.48 pm Councilmember Kerl motioned to leave executive session and Councilmember Crist seconded the motion, with no action taken and to return to the regular meeting. All in favor.

Immediately thereafter, Supervisor Pautler motioned to adjourn the regular board meeting and Councilmember Bork seconded the motion to adjourn the meeting. All is favor.

Councilman Crist	Aye
Councilwoman Bork	Aye
Supervisor Pautler	Aye
Councilman Drogi	Aye
Councilman Kerl	Aye