

## Approved BOARD MINUTES June 11, 2015

The Village Board meeting was called to order at 7:30 pm by Mayor Manicki, who led the pledge to the flag.

**PRESENT:** Mayor Manicki, Trustees Daluisio, Retzlaff, Warmus and Mezydlo, Clerk/Treasurer Wachowiak, Deputy Clerk Galbraith, CEO Czechowski, Attorney Trapp Superintendent Sitzman, Eugene Nuwer, Michael Sitzman, Randy Rogers and Sue DeWitt, Alden Advertiser.

**MOTION** by Trustee Daluisio, seconded by Trustee Warmus, to approve the minutes of the May 28, 2015 meeting. Carried.

**MOTION** by Trustee Retzlaff, seconded by Trustee Mezydlo, to approve for payment bills on abstract dated June 11, 2015. Carried

Payroll	\$32,990.27
Abstract	\$141,615.77

**MOTION** by Trustee Warmus, seconded by Trustee Daluisio, to approve the following reports for April: DPW and Planning Board for May: Court, CEO, Fire, Fire Fuel (revised) and DPW. Carried.

### COMMUNICATIONS

Newsletters from J.O'Connell and Assoc. and Grant Action News, meeting minutes from: Erie County Consortium, Town of Alden and Alden Chamber of Commerce, requests from: E.C. Board of Elections, the Mayor to NYS Troopers and E.C. Sheriffs concerning curfew, Alden Fire Dept. for fireworks for carnival, Alden Village Estates concerning extension for sight plans and complaint about Zoladz, and sign requests from Alden Car Show and Alden Fire Dept. RBC Wealth Management portfolio, Conferences for relief NY and Economic Development Course, Lawyer correspondence concerning Radio Shack and Time Warner NYS Dept. of Labor unemployment insurance, letter from E.C. Executive concerning bridge road and infrastructure advisory board, meeting notice from Assoc. of E.C. Governments and information concerning invasive species and a thank you from Ellie DeFilippo.

**MOTION** by Trustee Retzlaff, seconded by Trustee Warmus, to file as received all correspondence. Carried.

### RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:

#### Motions for June 11, 2015

**MOTION** by Trustee Mezydlo, and seconded by Trustee Retzlaff, to authorize Mayor Manicki to sign the application to join PERMA and the resolution to join Municipal Group Self Insurance Program. Carried.

**MOTION** by Trustee Warmus, and seconded by Trustee Daluisio, to approve Erie County Board of Elections request to use the Community Room for polling sites from 5:30 am to 10:00 pm on the following days:

Thursday, September 10, 2015 – Primary election  
Tuesday, November 3, 2015 – General election Carried.

MOTION by Trustee Warmus, and seconded by Trustee Retzlaff, to approve the Alden Fire Dept. request to erect a sign in Firemen's Memorial Band Stand Park from June 18 – June 28 to advertise their carnival. Carried.

MOTION by Trustee Daluisio, and seconded by Trustee Retzlaff, to approve the fire/EMS for period covering May 16-29, 2015. Carried.

MOTION by Trustee Warmus, and seconded by Trustee Mezydlo, to approve an extension to Alden Village Estates, 13515 Broadway, to provide a final park layout plan for the original section of the Alden Village Estates Mobile Home Park. Plan must be submitted on or before July 31, 2015 for review & approval. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Daluisio, to approve Ryan Sheedy, Carnival Chairman's request to have Young's Explosives set off fireworks on June 25<sup>th</sup> during the carnival. Carried.

MOTION by Trustee Retzlaff, and seconded by Trustee Mezydlo, to approve Alden Car Show's request to erect 2 signs in Firemen's Bandstand Park from July 21-26, 2015 to advertise their show. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Daluisio, to approve the following Proclamation:

### PROCLAMATION

WHEREAS, the Alden Historical Society was founded in 1965 with the mission to preserve, promote, and present the history of Alden to not only the inhabitants of the Village and surrounding area, but also with all who visit our Village and Town, and

WHEREAS, the function of the Historical Society could not be achieved but through the charitable and continual efforts of the volunteers who help to preserve our proud heritage, and

WHEREAS, there is a continuing need to preserve the history of our community through the collection of artifacts and documents of historical significance which will educate all who follow and instill pride in all that has been accomplished over the years since the incorporation of the Village in 1869, and

WHEREAS, the Trustees and Officers of the Alden Historical Society ensure the dissemination of information to the public at large through regular programs, speakers, and the display of the various collections housed at the museum, and

WHEREAS, the Alden Historical Society provides a valuable service that enriches the fabric of the lives of all of the residents of the Village,

NOW, BE IT THEREFORE RESOLVED, that the Board of Trustees of the Village of Alden, in proud recognition of the golden anniversary of the Alden Historical Society and in honor of all of the volunteers, both past and present, of the Society, who graciously and tirelessly perform a valuable public and community service, hereby proclaim June 12, 2015 as Alden Historical Society Day in the Village of Alden.

Roll Call Vote: Trustee Retzlaff-aye  
Trustee Warmus-aye  
Trustee Mezydlo-aye  
Trustee Daluisio-aye  
Mayor Manicki-aye. Carried.

MOTION by Trustee Warmus, and seconded by Trustee Daluisio, to approve the following Resolution:

**RESOLUTION SUPPORTING  
PRODUCT STEWARDSHIP PROGRAM FOR PAINT**

**WHEREAS**, it is estimated that roughly 3.1 million gallons of leftover paint are generated in New York each year, and

**WHEREAS**, management of leftover paint in New York results in a cost that typically represents 50% of municipal household hazardous waste budgets, and

**WHEREAS**, a statewide paint stewardship program would mean that the paint industry would be responsible for collecting and managing leftover paint in New York, and

**WHEREAS**, the American Coatings Association, a trade association representing paint manufacturers from across the United States has created PaintCare, a non-profit program to manage the reuse, recycling and disposal of leftover paint, and

**WHEREAS**, other states, including Rhode Island, Connecticut and Oregon have passed legislation implementing paint recovery programs managed by PaintCare, saving local municipalities tens of thousands of dollars to manage the paint as part of household hazardous waste collection programs, and

**WHEREAS**, in addition to reducing government costs, a paint stewardship program would create green sector jobs, reduce waste and encourage the public to purchase the right amount of paint for a job, and

**WHEREAS**, the Erie County therefore wishes to express its support for an industry-sponsored statewide paint collection system, now, therefore be it

**RESOLVED**, that the Village of Alden hereby urges the New York State Legislature to enact paint recycling legislation which would require the paint industry to be responsible for collecting and managing leftover paint in New York. This Resolution shall take effect immediately.

Roll Call Vote: Trustee Retzlaff-aye  
Trustee Warmus-aye  
Trustee Mezydlo-aye  
Trustee Daluisio-aye  
Mayor Manicki-aye Carried.

MOTION by Trustee Retzlaff, and seconded by Trustee Warmus, to approve the following Resolution:

**RESOLUTION URGING STATE REPRESENTATIVES TO AMEND THE New York  
STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT**

**WHEREAS**, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) were to assist local governments with managing the fast-growing electronics waste stream by relying on electronics manufacturers to fund a recycling

infrastructure and relieve municipalities from the recycling and end-of-life management costs, and;

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs), and;

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant as a growing number of municipalities such as Erie County are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities, and;

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state, and

WHEREAS, once manufacturers have met their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to un-expecting, cash-strapped local governments, and;

WHEREAS, the issue is worsened by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage, and;

WHEREAS, this has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale.

RESOLVED, that the Legislature of the County of Erie does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to build toward the long-term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the Proposed Statutory Changes to the Act to provide for year round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations—that help alleviate the immediate financial pressures faced by local governments, and be it further

RESOLVED, that the County of Erie shall forward copies of this Resolution to Governor Cuomo, Environmental Conservation Committee Chairman Thomas O'Mara, State Senator, Patrick M. Gallivan; Member of the Assembly, Jane L. Corwin; Erie County Legislator, District 8, Ted Morton; the New York State Association of Counties and its Board of Directors; the County Legislatures and Boards of Supervisors of all counties within the State of New York.

Roll Call Vote: Trustee Retzlaff-aye  
Trustee Warmus-aye  
Trustee Mezydlo-aye  
Trustee Daluisio-aye  
Mayor Manicki-aye Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Daluisio, to approve the following Resolution:

**CONCURRING RESOLUTION**

The purpose of the resolution is to have on record a statement confirming that the applicant has formally requested a grant, has designated an official to perform the required duties between the applicant and the Erie County Department of Environment and Planning and has assured, where applicable, the provision of local matching funds. In addition, the applicant will comply with all other provisions of the CDBG application.

Resolution of the Village of Alden authorizing the filing of an application for funds with the Erie County Department of Environment and Planning.

WHEREAS, the Village of Alden is desirous of obtaining funds from the Department of Environment and Planning in the amount of \$325,000. Under the Federal Housing and Community Development Act as amended.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Alden does hereby formally request funding from the Department of Environment and Planning: and

BE IT FURTHER RESOLVED that the Village of Alden does hereby authorize Keith Sitzman, Superintendent of Public Works as the official to sign, submit and execute all applications, forms, and contact between the Village of Alden and Erie County.

Roll Call Vote: Trustee Retzlaff-aye  
Trustee Warmus-aye  
Trustee Mezydlo-aye  
Trustee Daluisio-aye  
Mayor Manicki-aye Carried.

On the question: asked by the reporter for the Alden Advertiser, what is the grant for? Mayor Manicki – sidewalk renovations from the Presbyterian Church to Neil and Strong, W. Main St. also submitted is a request for lighted pedestrian crosswalks, for a more walk able community.

Motion by Trustee Retzlaff, and seconded by Trustee Daluisio, to adjourn from the regular meeting to enter into the Public Hearing. Carried.

**Public Hearing – Mobile Home Park License Renewals, 7:45 pm.**

There was no comment from those in attendance.

CEO Czechowski, explained there were no written or verbal comments received regarding the issue of licensing.

CEO Czechowski and Superintendent Sitzman will inspect the park and report back to the board.

Motion by Trustee Retzlaff, and seconded by Trustee Mezydlo, to adjourn from the Public Hearing to re-enter into the regular meeting. Carried.

**BUSINESS FROM FLOOR-**

Michael Sitzman, 1490 Church St., and Randy Rogers, 13134 Broadway were present with concerns about advertising signs in the village. Michael started that he is not opposed to businesses having the right to advertise realizing it is a necessity, but the digital signs need to have some restrictions on the hours and brightness. Feeling the intense illumination of Alden Automotive's sign, which lights up his house and his neighbors especially at night, is a distraction and a safety issue, especially located so closely to a pedestrian crossing. Sitzman explained the

three ways of measuring the intensity of the sign, and would appreciate if the board would examine them with possibly incorporating them into the code. Sitzman wondered if hours were set on when the sign could be lit, as it might go off at 11 pm, but is back on thru the morning. Trustee Daluisio asked why neither of the gentlemen were at the Public Hearing, or the ZBA meeting? Sitzman explained he was not aware of any variance or meetings. Randy Rogers had approached Jeremy, the owner of Alden Automotive, and was told he would look into it. Rogers asked to not have any white backgrounds, as they are blinding. Sitzman feels it is a detriment to the village, as it is like a search beacon and not what the village should be known for.

Attorney Trapp questioned why it does not go off at 11 pm.

CEO Czechowski explained that if it does go off, it comes back on after 11 pm.

Mayor Manicki will write a letter to Jeremy to try to handle it amicably.

CEO Czechowski and Attorney Trapp will work together to research the subject.

Trustee Daluisio commended Mike and Randy for coming in subdued and educated, good job.

Rogers was appreciative for any help the board could provide.

#### **REPORTS FROM COMMITTEES/DEPARTMENTS:**

**Superintendent Sitzman** –progressing with the repairs of right of way from the Nov. Storm, patching potholes.

**CEO Czechowski** – will conduct inspection of Mobile Home Parks and report back to board

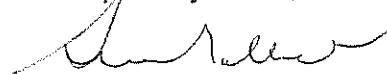
**Mayor Manicki** – still have water on corner of Crittenden and Irving, DPW to dig it up. Sales tax increase 1.04% from last year. Emailed Erie County Engineer concerning the numerous complaints about Crittenden and Exchange Streets three weeks ago, but no response. Talked to Legislator Morton about it. Spoke to Mitch Martin a representative from Senator Gallivan's office about the detoured traffic to avoid the viaduct. NYSDOT surveyed and has remarked the entire clearance as 12'8". The actual height is 13'8", but the state has to post 1ft. lower. Waiting to hear results from survey of viaduct.

#### **UNFINISHED AND TABLED BUSINESS:**

#### **ADJOURNMENT**

Motion by Trustee Retzlaff, seconded by Trustee Mezydlo, to adjourn the meeting at 8:10 p.m.

I respectfully submit,



Sue Galbraith,  
Deputy Village Clerk