

Approved BOARD MINUTES April 14, 2020

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

Due to Covid-19 Shutdown this meeting will be conducted via tele conference.

The public was invited to join by calling in.

PRESENT: Mayor Manicki, Trustees Warmus, Daluisio. Clerk Galbraith
Telecomm: Trustee Overhoff & Casell, Superintendent Sitzman, CEO
Czechowski, Attorney Trapp, Shawn Eastland, Sue DeWitt, Alden Advertiser

MOTION by Trustee Casell, seconded by Trustee Daluisio, to approve the minutes dated March 10, 2020. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - abstain
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- abstain carried

MOTION by Trustee Warmus, seconded by Trustee Daluisio, to approve the minutes dated March 24, 2020. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff -abstain
Trustee Daluisio- aye
Mayor Manicki- aye Carried.

MOTION by Trustee Warmus, seconded by Trustee Daluisio, to approve for payment bills on abstract dated April 14, 2020.

On the question – Trustee Casell -something came in for CPL so we could pay on Crittenden Road, was that figured out where we could pull that from? \$13,000 payment for that project, we really do not have a project, is there somewhere that we can pull the funds from for engineering and such? Clerk Galbraith – borrowed from Capital fund water and will repay when we receive funding. Trustee Casell – so we are making a loan until we can get this project funded? Clerk Galbraith – that is correct.

Payroll	\$35,717.40
Abstract	\$41,246.33

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff -aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried.

MOTION by Trustee Warmus seconded by Trustee Casell, to approve the following monthly reports OR March: CEO, DPW, Fire fuel, EC Sheriff.

On the question – no comment, 5 ayes, Carried.

COMMUNICATIONS

Read by Mayor Manicki –from NYS-NYCOM to Municipal Mayors suggest to Governor elections be held June 16 coincide with villages that have June elections, support of the Coronavirus community relief act, providing \$250 billion stand alone fund for COVID-19 related costs for communities with fewer than 500,000 residents, letter for annual dues – there is a lot of good information on their website, guidance for COVID 19 response, continue to update. Budge analysis AIM Funding and CHIPS remain the same, restored \$65 million on winter recovery funding. Money for pave NY, money for drinking water and wastewater infrastructure. Bail reform, prevailing wage. NYS Dept. of Envir. Cons – comprehensive inspection WWTP – no deficiencies noted, letter from Justice Feroletto – no court related work can be done from home due to cyber security issues. From Erie County: sales tax Dec., Jan, & Feb. - \$94,389.97 first sign of flattening out, but still up for the year, letter from EC Comptroller – potential loss of revenue from sales tax may be staggering. Analysis of loss calculated, if down 10% we lose over \$11,000. We will monitor and will prepare to adjust budget accordingly. Charter One Franchise Fee paid yearly - \$38,640.41. Minutes from March 17 Town of Alden board meeting. RBC Wealth portfolio statement for Firemen’s LOSAP program \$169,592.36.

MOTION by Trustee Daluisio and seconded by Trustee Overhoff, to file as received all correspondence. On the question – no comment, 5 ayes. Carried

Resolutions/Appointments/Requests/Motions for April 14, 2020

MOTION by Trustee Warmus and seconded by Trustee Casell, to approve the fire/EMS calls Feb. 29- April 10, 2020. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

MOTION by Trustee Daluisio and seconded by Trustee Warmus to adopt the following rate increases. Increase to take effect in the August 2020 billing quarter

Water charge within village-increase from \$6.00 per thousand to \$6.10 per thousand.

Water charge outside village-increase from \$9 per thousand to \$9.15 per thousand. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

MOTION by Trustee Casell and seconded by Trustee Warmus, to adopt the following rate increase: Garbage/Refuse increase from \$197.40, to \$205.00/per unit. On the question – Trustee Daluisio effective when? Mayor Manicki – effective June taxes.

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

MOTION by Trustee Warmus and seconded by Trustee Casell, to adopt the 2020-2021 village budget at a tax rate of \$6.506418 per thousand. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

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MOTION by Trustee Casell and seconded by Trustee DALuisio. to approve the following properties as exempt from the requirements of Chapter 203 of the Code of the Village of Alden, as it pertains to the storage of unlicensed vehicles on said properties. All the following have submitted appropriate request letters accompanied by valid New York State Department of Motor Vehicles licenses for this type of activity. Approval to expire March 31, 2021.

- Impala Brothers, 13409 Broadway
- Orlando DiCenso Auto Sales, 13429 Broadway
- MW Equipment Sales, 13448 Broadway
- JJB's Automotive, 13450 Broadway
- Diversified Automotive, 13374 Broadway

On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

MOTION by Trustee Warmus and seconded by Trustee Daluisio, to waive the Temporary Certificate of Occupancy renewal fee (\$250.00) for Willey Car Wash, 101 Slade Drive, as all nonessential construction is currently prohibited by the COVID-19 epidemic as per Governor Cuomo's Executive Orders. Outstanding items include sidewalks and landscaping. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

MOTION by Trustee Casell and seconded by Trustee Daluisio, to repeal Local Law #1-2020, 2% tax cap, as we will be under the cap this year. On the question – no comment

Roll Call Vote: Trustee Casell- aye
Trustee Warmus - aye
Trustee Overhoff - aye
Trustee Daluisio- aye
Mayor Manicki- aye Carried

BUSINESS FROM FLOOR-

REPORTS FROM COMMITTEES/DEPARTMENTS:

CEO Czechowski - Village of Alden COVID-19 Building Department Regulations

NOTE: These regulations are in effect until further notice and reflect the intent of the Executive Orders of the State of New York to limit activity to only emergency and essential matters in order to protect health, safety and welfare of individuals including essential personnel within the Village of Alden The Village of Alden will accept, via mail or in the drop-box at the Village Hall, applications for Building Permits. We will continue to review all applications for code compliance and contact you with any questions or additional documents needed to complete the review. Permit applications will be held in our office after review. No Building Permits will be issued until such time that all local, County, State & Federal restrictions on construction and social distancing have been removed, except for emergency and essential construction as defined in said regulations. No inspections will be performed until such time that all local, County, State & Federal restrictions on construction and social distancing have been removed, except for emergency and essential construction as defined in said regulations.

2 motions – repair garage approvals, and Willey car wash – waive temporary C of O. Mike Metzger, Engineer – dropped off plans for Alden Landings to alleviate drainage/easement to Westcott, similar to what they did in the back, will give copy of plans to Keith. Review and if ok, when construction start, they will proceed.

Clerk Galbraith working on entering data into new software. Next water bills May 1st. Re-levying delinquent bills to taxes.

Superintendent Sitzman- Projects -Streetscape: the contractor is gearing up to resume work and complete the project. I am working with our engineers to address several claims from the contractor for extra work, we are past the deadline. I am requesting a schedule from the contractor so we can inform the businesses and minimize business access and disruption.

Wastewater Project: The contractors are working on final punch list items to finish up phase 2. There were generator issues but have now been repaired. Wrapping up engineering. I will be working with GHD to proceed with phase 3, Collection System very soon.

Baxter Outfall Project: I have discussed a few issues with our engineer which could reduce the cost of the project, I will review the proposed project with the homeowners, and we will be able to proceed to bidding.

ECWA Connections: Our engineers are going to reach out to the Health Dept and the ECWA for answers to outstanding questions on the Exchange St connection. We have

decided to proceed with bidding of this connection as waiting for design of the Broadway connection could unnecessarily delay the Exchange St connection. The engineers are going to proceed with documentation to EFC for the grant funding and will be submitting a proposal for the engineering on the Broadway connection.

Attorney Trapp – County released 10 more executive orders tonight -employees must wear masks and gloves, all campground will be closed for camping – none in village. Cable television: I am going to hold off on contacting them until after the PAUSE is lifted

Internet: - you should review with Keith regarding any requirements he would have for the DPW building and sewer plant

Prosecution: The Courts are working on setting up virtual courts and may include the Village Court soon, but nothing is set yet.

Ambulance collections although we can prepare the paperwork, we cannot file any new cases or file any default motions until the Courts open again which will not be until May unless we can do it virtually. Please note that we have not gotten many cases from PAB or LVAC with regard to any calls which means that they are either doing a great job with the collections or they are not taking any calls, which seems unlikely.

Policy manual: I hope to have something to you by the end of the month, but the pandemic has raised quite a few issues that I must address on a priority basis.

Sexual Harassment training: - I will need a list from Sue about who was missed

Car show: documents completed and out for signatures. have we gotten them back?

Local Laws: I did send LL#1 to the State for filing, but I do not have a response back from the State yet.

Better Buffalo case: still waiting for a decision from the Federal Court judge which I do not think we will see before the Fall. with the Federal Courts closed for only essential cases, even though the motion has been filed and I believe already briefed by both sides which means that it can be decided even now, I still suspect that the motion has been pushed further down the list of things to do

Zoladz and Homecourt: I have not heard from the other attorney since he said that his client was going to sit down with Joe to discuss options. I suspect that the hold on any construction will bring this matter to a halt as well.

Norfolk Southern: - I am going to continue to leave this alone until we hear from them again.

Bankruptcy: if the establishments file for the PPP grants and the EIDL loans through the SBA, they might be able to survive, but the lost revenue from being closed for six to eight weeks will be lost forever

Crittenden Road waterline: - I just wrote to them again to check on the status, but was wondering if Keith has heard anything

Solid waste: - I saw on the WARN website that Allied Waste was laying off 111 employees due to the purchase by Republic effective June 17th

Gamma: filed a WARN notice on April 7th for laying off 46 out of 60 employees

Inspections: Joe and I have discussed the Executive Orders and notices from the ESD corporation and agree that the waiver for single employee companies does not apply to non-essential work since it would still require an inspection by Joe - a notice has been posted to that effect by Sue

Elections: everything is still on hold and we do not have any new dates as of yet, therefore, all appointments remain as they are until a new Board is put in place - after that, it is my opinion that any annual appointments will not be for a full year, but rather, will end on March 31, 2021 or until new appointments are made.

Budget: still needs to be adopted before the end of the month. Fortunately, the Board already had its public hearing before all meetings went virtual

Public hearings: are still possible, but require specific procedures - might be best to wait until after the June 1 deadline unless critical to complete before that date

Regular meetings: must be transcribed so it is important that all votes be done by roll call and everyone identify themselves prior to speaking and not talk over each other because it will be difficult, even with an audiotape to get everything down. Please remember that you still have to vote on the meeting minutes from the 10th of March because of some absences at the later meeting - Sue has the information on who must abstain from each vote on the minutes.

Trustee Casell - I see the DPW is keeping track of COVID hours, is there any way to recoup those costs? Funding? Any discussion from other Mayors or towns on what funds they would be seeking? Mayor Manicki – not an item FEMA would typically reimburse for, hoping funding for smaller municipalities. FEMA usually equipment, hoping to get some money back for locality. Brought workers back so we would not need to lay anyone off and not get too far behind.

Trustee Daluisio – Chris I have a question for you. With Poloncarz camping restrictions, does t effect Fire Dept. camping grounds behind substation? Mayor Manicki – is that for profitable campgrounds – not nonprofit? Attorney Trapp – camp out back yard ok, it is for other entities, Fire Dept. no violation.

Mayor Manicki – DPW will be back to full crew NYS Exec order 202.4 with proper precautions. Court closed indefinitely. CEO working remotely. Clerk’s office: One person at a time except for payroll and training

Brush pickup – suspended, Junk Day Apr 27 will be done using precautions.

Waive Water/Sewer late fees for billing cycle for May 28

UNFINISHED AND TABLED BUSINESS:

ADJOURNMENT

MOTION by Trustee Warmus seconded by Trustee Daluisio with a moment of silence for Gloria Holtz 7:58 pm. On the question – no comment, 5 ayes. Carried.

I respectfully submit

Sue Galbraith,
Village Clerk