

Approved BOARD MINUTES April 28, 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 was conducted via Zoom.

The public was invited to join by calling in.

PRESENT: Mayor Manicki, Trustees Casell, Daluisio. Clerk Galbraith
Zoom: Trustee Overhoff & Warmus Superintendent Sitzman, CEO Czechowski,
Attorney Trapp, Shawn Eastland, Patrick Cavanaugh, Loren Prucnal, Eugen Nuwer and Sue DeWitt, Alden Advertiser

MOTION by Trustee Warmus, seconded by Trustee Casell, to approve the minutes dated April 14, 2020. On the question – no comment, 5 ayes

MOTION by Trustee Daluisio, seconded by Trustee Casell, to approve for payment bills on abstract dated April 28, 2020.

Payroll	\$43,678.93
Abstract	\$273,820.08

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

MOTION by Trustee Overhoff seconded by Trustee Warmus, to approve the following monthly reports for March: DPW, DPW Addendum and fire.

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

COMMUNICATIONS

Read by Mayor Manicki – correspondence from Attorney Trapp concerning postponed village election & Penflex concerning program points during pandemic., minutes Town of Alden board minutes, NYCOM – co local government aid left out of stimulus package. Erie County –Looking for a permanent site for hazardous household waste site. Guidance for reduction in minutes from EC Village Official meeting and contend agreement relative to Community Development Block Grant.

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

Resolutions/Appointments/Requests/Motions for April 28, 2020

MOTION by Trustee Warmus seconded by Trustee Overhoff, to authorize Mayor Manicki’s signature on the 2020-2021 tax warrant.

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 – still following guidelines concerning Covid 19. Trustee Warmus – are you out driving around? CEO – yes, still working, working from home checking in with the office. Issuing permits and inspections shut down unless emergency or essential. Mayor Manicki – how are codes coming? CEO working on signs, trying to find a common ground. Will have something down & will invite business owners for input. Trustee Daluisio – signs? CEO – complete revision of sign code, antiquated. Need consistency. Once rough draft to board, then invite businessowners in. Trustee Daluisio – don't forget to invite the Chamber. Trustee Overhoff – what about the signs on Crittenden Rd by the school? Mercer Dr. no parking? CEO – will draw up draft but then need Public Hearing, but need restrictions lifted first. Trustee Overhoff -worried for the kids. CEO hoping to take care of in the summer, so when and if school resumes in the fall, we will be all ready to go.

Clerk Galbraith wanted to remind residents to not put out their garbage/recyclables Tuesday night, if it supposed to be windy. There is a motion for the Mayor to sign Tax Warrant re-levies are included. May water/sewer bills mailing out May 1, due by May 28.

Superintendent Sitzman- Projects -Streetscape: Notice re-start this week. Issues with contractor and working with Chris.

Wastewater Project: on hold, none of the contractor's have been out. Everything running, just punch list to wrap up, hopefully wrap up next couple of weeks.

Baxter Outfall Project: waiting on answers from engineer and cost estimate. I think it is going to come down to the number they originally gave us. Will go over plans with property owners, close to going out to bid to get that one done.

Bulk trash yesterday and today all picked up. Done, went well. A lot of scrappers out. Went to several places to get ppe, enough to last a little while to keep guys safe.

Brush -have been holding off, work on a plan this week, go to regular brush pick up

Yard waste – on going when we have guys available.

Electronic waste – working on ideas, residents need it, even if it is 2 hrs. on a Saturday, will work it out & let board know. Will put it in the paper a couple weeks' notice, no longer daily thing.

A grant out there I signed up for, for charging stations – 80% grant (\$5,000) our share, any electric cars in village.

ECWA Connections: engineering on Broadway connections, waiting on Exchange St. info. From Water authority & health dept., so we are ready for hot weather in case we need it.

New plow truck received yesterday, voucher in there.

Trustee Casell – any word on Crittenden project, if they will be moving forward? Sitzman – as far as I know they are planning on it, waiting on inter municipal agreement. Between us & county, signed off on agreement, once done can go out to bid. Attorney Trapp -county attorney's office has approved it, somewhere in legislature. Trustee Warmus – what is going on with Covid – will it push everything back? Sitzman – I don't think so, infrastructure exempt. Trustee Casell - has not gone to bid, still waiting. Trustee Overhoff – all the village workers back? All in good shape? Sitzman – yes, all back. One has been off by Dr. direction – self quarantine 14 days.

Did not get tested. Staying home 14 days has to cost more than test. easy way out. Trustee Casell – back to Crittenden Rd project – don't know when or if they will start - prepare for potentials of millings question – can we send out letters to people who have easements property, prepared ahead? Ducks in a row? Opportunity to get material for bike path. Have owners sign off we will be doing work on easement. Sitzman – no easements. Trustee Casell – no easements for sewer treatment plant? Sitzman – easement for sewer line is for installation & maintenance of sewer line. Would require separate easement for bike path. That is where they ran into issues where people said no 15 years ago. Trustee Casell – that is what I would like to explore, so we can be prepared. Sitzman – would need to plot path & have Chris write a letter to them. Go thru Meadow and connect STP to ROS Park. CEO - Chris we would not need an easement from the town if they did their own portion? Our bike path? On town property? Would the town take it over & maintain with park system? Attorney Trapp – 2 private owners, Koelbl & Zoladz.

Attorney – who would maintain, would have to work that out. Sitzman – does anyone have copies of original proposal? Town says does not have anything, should talk to Bud.
Trustee Casell – can we get garbage bid verbiage? So, we can review. Also, camera installation parts available, so we can move forward. Sitzman – a couple parts need to be ordered. Having issues re-initializing village debit card. Village hall phone #, must call from that number.
Automated phone system. Just need to get it done. Mayor Manicki – give board overview of what is going on with skipped meter reads. Sitzman – last read 128 did not read, 100 are registers that are not transmitting, right at point when warranty 10 years up this summer, then pro-rated, so we are working with manufacturer. Send bad ones back & then wait 3-4 months for replacements. Working with new vendor send 100 meters up front. 255 replaced, continuing?
Trustee Warmus – are there batteries involved? Sitzman – yes, that is what the problem is.
Mayor Manicki – Governor says work at STP is essential. Sitzman – I will reach out to them.
Will see if we can wrap it up.

Attorney Trapp – CEO and I have discussed issuing permits & inspections.

Opens meeting law no rush on doing minutes, audio keep 4 months

Village elections waiting on updates.

Shawn – have Lenny call me.

Will see if I have any information on bike path. Trustee Warmus will touch base with Mary Riddoch.

Trustee Daluisio – have we heard anything from car show? Agreements in hand? Mayor - still early, emailed agreements.

Have several motions concerning sidewalk contractor, when would you like to discuss it? Mayor start meeting first – then go into Executive Session. Attorney Trapp Can go into separate room.

Trustee Warmus – can have extras drop off from meeting. Mayor Manicki – 3 members here we can hold a conference call. Attorney Trapp – will not be able to adjourn from regular meeting until after Executive Session.

Trustee Warmus – we know we will be losing sales tax, any idea on how much? Mayor Manicki – it will go down; we do not know how much. Car sales are a big driver of sales tax, not looking good right now, need some suggestions on reducing expenses. Mayor Manicki – we have an estimate 10-50% depending on how long it lasts. Trustee Casell – we also need to remember with the courts closed, loss of revenue there. Attorney Trapp – not writing a lot of tickets, people are not driving around.

Trustee Casell – thank you to the DPW for going out & picking up all that trash safely. Nice jobs fellows.

UNFINISHED AND TABLED BUSINESS:

ADJOURNMENT

MOTION by Trustee Warmus seconded by Trustee Daluisio to adjourn into Executive session for litigation concerning the contractor. After that, the only action will be a motion concerning the Broadway streetscape. 7:41 pm. On the question – no comment, 5 ayes. Carried.

I respectfully submit

Sue Galbraith,
Village Clerk

MOTION by Trustee Daluisio, seconded by Trustee Casell to adjourn from the Executive session and enter into regular meeting 8:17 pm. On the question – no comment, 5 ayes. Carried.

Motion by Trustee Warmus seconded by Trustee Overhoff, to authorize the Mayor to send a notice to the contractor, Occhino Corp., upon the recommendation of the Superintendent of Public Works and the Village's consultant engineers terminating the agreement with the contractor based upon a failure to timely complete the work; failure to fully and adequately perform the contract; failure to provide for a safe environment; negligent construction; breach of contract; excessive, inappropriate, and unwarranted extra charges; and such other and further reasons as may be set forth upon further review of the services performed.

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

Motion by Trustee Daluisio, seconded by Trustee Overhoff to authorize the Village Attorney to undertake such appropriate action against Occhino Corp., with respect to such breach of contract and contract termination, including, but not limited to, instituting legal action against the contractor and/or defending any claims made against the Village by the contractor with regard to the services provided by the contractor.

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 adjourn from the regular meeting 8:23 pm. On the question – no comment, 5 ayes. Carried.