

Approved BOARD MINUTES January 10, 2019

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

PRESENT: Mayor Manicki, Trustees: Casell, Daluisio, Overhoff, and Warmus, Attorney Trapp, Superintendent Sitzman, Clerk Galbraith, CEO Czechowski, Loren Prucnal, Eugene Nuwer, Patrick Cavanaugh, Shawn Eastland, Mark Pruitt and Sue DeWitt, Alden Advertiser reporter.

MOTION by Trustee Warmus, seconded by Trustee Casell, to approve the minutes of the December 27, 2018 meeting. Carried.

MOTION by Trustee Daluisio, seconded by Trustee Overhoff, to approve for payment bills on abstract dated January 10, 2019. Carried.

Payroll	\$41723.09
Abstract	\$37573.17

MOTION by Trustee Daluisio, seconded by Trustee Casell, to approve the following monthly reports for December: DPW, court, E.C. Sheriff, DPW, fire, fuel. Carried.

COMMUNICATIONS:

From Erie County: sales tax distribution for 4th quarter of 2018 and notice of consortium funding for Storm sewers on Elm Street has not been granted. From Legislator Bruso – notice of funding to local organizations - \$14,00 to Pet Connection and ACTS (Alden Christian Theater) \$10,000 to Alden Substance Abuse Coalition. From NYS: training notification, information on Historical grants, NYCIM summary of Legislation and Grant Action News. Information on Fox wood Wildlife Rescue. Notification from Charter concerning channel changes, RBC Wealth management portfolio, Minutes from Village Officials and Town requests from Alden School and Alden Hook & Ladder, notification from EPA for non-compliance of STP _ is due to updates under way.

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

Resolutions/Appointments/Requests/Motions for January 10, 2019

MOTION by Trustee Warmus, and seconded by Trustee Casell, to authorize Clerk Galbraith to destroy all outdated records following NYS Sara regulations. Carried.

MOTION by Trustee Casell and seconded by Trustee Daluisio, to identify the polling place for the March 19th election, as 13336 Broadway, Village Municipal Building and the hours from noon- 9 pm. Carried.

MOTION by Trustee Overhoff and seconded by Trustee Daluisio, to confirm there will not be a village registration day. Carried.

MOTION by Trustee Warmus and seconded by Trustee Casell, to approve the following election inspector's for the March 19st election:

Lynda Tucker and Brenda Keller. Carried.

MOTION by Trustee Overhoff, seconded by Trustee Casell, to set a public hearing January 24, 2019 at 7:35 PM in Village Hall to hear comments on the 2% tax cap for budgetary purposes as required by New York State. Carried.

MOTION by Trustee Warmus and seconded by Trustee Casell, to approve the change in statue for Brian Tichy from Exempt to Active Exempt as approved by Alden Hook & Ladder membership. Carried.

MOTION by Trustee Casell and seconded by Trustee Overhoff, to approve the Fire/EMSE calls for Dec. 22, 2018 – Jan. 4, 2019. Carried.

MOTION by Trustee Casell and seconded by Trustee Warmus, to approve the following companies to perform electrical inspections in the Village of Alden, as per submitted applications:

Middle Department Inspection Agency Carried.

MOTION by Trustee Daluisio and seconded by Trustee Overhoff, to approve Temporary Business Signs for the following businesses as per submitted applications, to expire on December 31, 2019:

EG Tax, 13221 Broadway Carried.

MOTION by Trustee Casell and seconded by Trustee Warmus, to approve the Mobile Home Park License for the period of January 10, 2019 – August 31, 2019 for Alden Landings, 13391 Broadway, with the following conditions:

- 1) Roadways/drainage – The Village of Alden requires that a detailed plan to fully address these issues be submitted by 3/31/2019 with a completion date for all of the necessary work to be before 5/31/2019.

The Village of Alden will perform inspections as necessary to determine completion of the above items. Failure to complete said items within the required timeframes may affect the status of the Mobile Home Park License. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Overhoff, to move the village meetings to the second and fourth Tuesday of the month starting in February 2019. Carried.

MOTION by Trustee Casell and seconded by Trustee Daluisio, to approve Alden Central Schools request to erect a sign in Firemen’s Memorial Bandstand Park from Feb. 1-10, 2019 to advertise the musical Maar Poppins. Carried.

MOTION by Trustee Warmus and seconded by Trustee Casell, to approve Richard Greis to the position of 9-1. Carried.

The following resolution was offered by Trustee Warmus, who moved its adoption,
Seconded by Trustee Casell
To wit:

WHEREAS, Joseph Kraus/New 2 You is requesting site plan approval for a retail commercial structure; and

WHEREAS, the site plan approval is classified as an Unlisted action and is subject to review within the requirements of the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Metzger Engineering/Joseph Kraus has prepared a short environmental assessment form, which is now on file with the Village of Alden, and may be reviewed at the Village offices, 13336 Broadway, Alden, New York 14004; and

WHEREAS, pursuant to the Law, the Village of Alden Board of Trustees assumes lead agency status;

NOW, THEREFORE, BE IT:

RESOLVED, that the Village of Alden Board of Trustees hereby assumes the role of lead agency for the purpose of determining what significance this project has on the environment, and be it further

RESOLVED, that the Village of Alden Board of Trustees, as Lead Agency, hereby determines that the proposed Unlisted actions, as described in the attached SEQR Negative Declaration, Notice of Determination of Non-Significance, which attached notice is hereby made part of this resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said proposed action.

**SEQR Negative Declaration
Reasons Supporting Determination
For: Commercial Retail Building, 13394 Broadway**

The proposed Commercial Retail Structure reflects the use of land within the Village of Alden as recommended by the Village of Alden's Comprehensive Master Plan. The properties immediately west, north, and east of the subject property are in a B-1 Business Zoning District., which is the zoning that is identical to that of the subject property. The property to the immediate south of the subject property is in a C-1 Commercial Zoning District, which is complimentary to that of a B-1 Business Zoning District. Additional requirements have been placed on the development to address buffering with

neighboring properties to further mitigate any possible concerns of impact on neighboring properties in that area of the Village of Alden.

MOTION by Trustee Daluisio and seconded by Trustee Overhoff to approve the formal site plan submission for Joseph Kraus, 13394 Broadway, as per submitted application, with the following conditions:

- 1) All of the items addressed in the attached letter from CEO Czechowski dated July 19, 2016 must be addressed to the satisfaction of the Village of Alden. This shall include resolving any non-compliance issues with parking as per the Village Code.
- 2) All of the items addressed in the attached letter from Supt. Sitzman dated July 20, 2016 must be addressed to the satisfaction of the Village of Alden.
- 3) The water service will be taken from Westcott Avenue. Final plans must reflect this.
- 4) The proposed gas and electric service locations to the structure must be shown on the final plans.
- 5) If there are any complaints regarding exterior illumination of the site within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.
- 6) If there are any complaints regarding buffering of the site adjacent to the residential properties within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.
- 7) A walkway from the Broadway public sidewalk to the front porch area of the proposed building must be installed.
- 8) Guard rails/parking bumpers must be installed on the 3 parking spaces on the west side of the building (west property line) to prevent vehicles from rolling towards the slope in that area.
- 9) The Westcott egress drive may be reduced in width (minimum width of 15 feet), and the asphalt will be sloped to the center of the driveway with drainage inlets located in the center of the driveway as well.
- 10) Finalized site plans, showing all of the above, in the quantity required, must be submitted to the Village of Alden for final review and endorsement. Carried.

The Village of Alden Board of Trustees decided that no potential moderate to large impacts could occur related to changes in use and intensity of use.

Therefore, the Village of Alden Board of Trustees has determined that there is likely to be no adverse environmental impacts relating to this project.

Considering there are no indicators of significant effect on the environment and these changes are consistent with the Village of Alden's Comprehensive Master Plan, a negative declaration is declared.

BUSINESS FROM FLOOR-

REPORTS FROM COMMITTEES/DEPARTMENTS:

Attorney Trapp –sending Franchise agreement to Time Warner. Will be working with CEO Czechowski on more revisions.

CEO Czechowski – will be training Planning and Zoning Board of Appeals on Sexual Harassment training.

Trustee Daluisio – NPR program concerning the changes in fighting fires and new dangers to firefighters. Old materials were organic/natural, new buildings are plastic, causing toxic fumes and quicker burn times. CEO Czechowski – new regulations will require sprinkler systems in new builds in the future. Chief Pruitt – taking every safety precaution. Wear proper equipment, decontamination, updating documentation. Trustee Warmus – thank you for serving.

Trustee Casell – Planning Board should review regulations – so lighting issues do not occur again like at Birch Creek. Winterfest is Feb. 1&2, working with Sesquicentennial theme. A lot of activities planned.

Mayor Manicki –recycling cost are increasing and the market is decreasing, need to educate residents to recycle.

UNFINISHED AND TABLED BUSINESS:

Sesquicentennial –, all welcome to attend.

ADJOURNMENT

Motion by Trustee Warmus, seconded by Trustee Casell, to adjourn, the regular meeting at 7:46pm with a moment of silence for Doris Kosticky, a lifetime Village resident and Kevin Rinker, brother in law of CEO Joseph Czechowski. Carried.

I respectfully submit

Sue Galbraith,
Village Clerk