

## Approved BOARD MINUTES April 12, 2022

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

**PRESENT:** Mayor Prucnal, Trustees: Becker, Refermat and Pruitt, Clerk Galbraith, CEO Czechowski, Superintendent Pruitt, Attorney Trapp, Mark Casell, Shawn Eastland, Ralph Airey, Richard Kegler, Sue and Mike DeWitt, Mike Manicki, Jason Kroh and Patrick Cavanaugh.

### ORGANIZATIONAL MEETING

MOTION by Trustee Becker, and seconded by Trustee Pruitt, to accept Mark Casell's resignation from the Planning Board, effective immediately. On the question – 4 ayes, Carried.

MOTION by Trustee Prucnal, and seconded by Trustee Refermat, to appoint Mark Casell, to the position of Trustee, term to expire March 31, 2023. On the question – 4 ayes, Carried. Trustee Casell was given his oath of office from Mayor Prucnal.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to approve all following appointments on the reorganizational meeting.

**RESOLVE** that the regular meeting of the Board of Trustees shall be held on the 2nd and 4th Tuesday of the month.

**RESOLVE** that the regular meeting of the Board of Trustees shall convene at 6:30 P.M. for a work session and the regular meeting start at 7:30 P.M. The clock in the board room shall be designated as the official time.

**RESOLVE** that the regular meeting of the Planning Board be held the third Wednesday of each month.

**RESOLVE** that the regular meeting of the Zoning Board of Appeals be held the third Tuesday of each month on an as needed basis.

**RESOLVE** that the Board of Trustees shall authorize payment in advance of audit of claims for utility services, postage, payroll, and debt service, all such claims shall be presented at the next regular meeting for audit.

**RESOLVE** to designate the Alden State Bank, as the official depositories of Village funds.

**RESOLVE** to designate the Alden Advertiser as the Village of Alden's official newspaper.

**RESOLVE** that the Treasurer be authorized to invest surplus funds as per investment policy.

**RESOLVE** that the Mayor be authorized to sign checks in the absence of the Village Clerk/Treasurer.

**RESOLVE** to authorize the Mayor Board of Trustees, and other municipal officials to attend at reasonable expense to the village, meetings of the following named organizations to which the Village of Alden or an official is a member: Conference of Mayors, Village Officials Association of Erie County, Western New York Village Officials Association, Erie County Governments, Municipal Administrative Officers Association, Water Pollution Control Federation, American Water Works Association, New York State Bar Association, New York State Court Clerks Association, Niagara 2 Frontier Building Officials Association, NYS Magistrates Association, Judges & Police Conference of Erie County, NYS Rural Water Association, NEST, Alden Chamber of Commerce, Western New York Storm Water Coalition, NYS Society of Municipal Finance Officers, New York Planning Federation, International Codes Council, American Public Works Association.

**RESOLVE** to approve the Alden Hook & Ladder Fire Company Inc., to conduct fund raisers throughout the upcoming fiscal year as submitted.

**RESOLVE** to approve the Alden Hook & Ladder Fire Company's list of active, and fire police members as Volunteers for the Village of Alden Fire Department, Village of Alden Emergency Medical Services Department.

**RESOLVE** to approve travel reimbursement for mileage at the current IRS rate, to approve toll and parking receipts, and those meals be at reasonable cost to the Village, while performing their official duties on behalf of the Village.

**RESOLVE** to approve the use of Village owned and/or insured vehicles by Village employees and/or volunteers while performing their official duties on behalf of the Village.

**RESOLVE** to approve a stipend rate of \$230 per month for the Code Enforcement Officer/Building Inspector, for the use of his personal vehicle and personal cell phone while performing his official duties on behalf of the Village.

**RESOLVE** to adopt the Procurement Policy on file in the Village Clerk's office.

**RESOLVE** to adopt the investment policy of the Village of Alden on file in the Village Clerk's office.

**RESOLVE** to approve the annual performance evaluations every April 1<sup>st</sup>.

**RESOLVE** to approve \$35 per meeting to members of Planning Board and Zoning Board of Appeals.

**RESOLVE** to approve \$45 per meeting to secretaries/clerks and Chairmen of Planning Board and Zoning Board of Appeals.

**RESOLVE** to approve any changes made to the Chapter A220 Fee Schedule of the Village Code Book as reviewed by all department heads.

**RESOLVE** to approve the Village of Alden Disaster Plan on file in the Village Clerk's office.

**RESOLVE** To allow Village employees to respond to Fire/EMS calls during regular business hours.

**RESOLVE** to adopt the EMS Transportation Rates for 2022-2023 as follows:

Lift assist \$50

Treat & Release \$500.00

Basic Life Support \$1100.00

ALS I \$1150.00

ALS II \$1400.00

Mileage Rate \$40.00/mile

**RESOLVE** to approve the use of village vehicles outside of village limits for the following: approved training, seminars, meetings, emergency purposes (hospital on ambulance call, mutual aid calls), parades, and other village business. Any other use of any Village owned vehicle outside the Village limits must be approved by Village Board. On the question – 5 ayes, Carried.

#### **MAYOR'S APPOINTMENTS**

**MOTION** by Trustee Casell and seconded by Trustee Pruitt, to approve Mayor Prucnal's appointment of Trustee Becker as Deputy Mayor of the Village of Alden for term to expire 3/31/2024. On the question – 5 ayes, Carried.

**MOTION** by Trustee Refermat and seconded by Trustee Pruitt, to approve Mayor Prucnal's appointment of Susanne Galbraith as Clerk/Treasurer term to expire 3/31/2024. On the question – 5 ayes, Carried.

**MOTION** by Trustee Casell and seconded by Trustee Pruitt, to approve Mayor Prucnal's appointment of Donna Taylor as Deputy Clerk/Treasurer term to expire 3/31/23. On the question – 5 ayes, Carried.

**MOTION** by Trustee Becker and seconded by Trustee Casell, to approve Mayor Prucnal's appointment of Pat Meyer as 2<sup>nd</sup> Deputy Clerk/Treasurer term to expire 3/31/2023. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to approve Mayor Prucnal's appointment of Diane Casell as Clerk to Village Justice, term to expire 3/31/2023 at an hourly rate. On the question – 5 ayes, Carried.

On the question: Trustee Refermat inquired as to the hourly rate, which is \$17.48. Trustee Casell abstained from the vote. 4 ayes, 1 abstain. Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to approve Mayor Prucnal's appointment of Randy Crist, Officer of the Court, at a rate of \$50 per session. On the question: Trustee Refermat inquired as to what the rate was last year. It was the same at \$50/session. 5 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Refermat, to approve Mayor Prucnal's appointment of Sue Galbraith, Clerk & Secretary to the Zoning Board of Appeals. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Mayor Prucnal's appointment of Karen Muchow, as Village Historian. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to approve Mayor Prucnal's appointment of Robert Woods, as Associate Village Justice term to expire 3/31/2023. On the question – 5 ayes, Carried.

MOTION by Trustee Pruitt and seconded by Trustee Refermat, to approve Mayor Prucnal's appointment of Joseph Czechowski as SEQR and Development Officer for the Village of Alden. On the question – 5 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Pruitt, to approve Mayor Prucnal's reappointment of Sue Galbraith as Secretary to the Planning Board. On the question – 5 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to approve Mayor Prucnal's appointment of Sue DeWitt as a member of the Planning Board, term to expire 3/31/2029. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Mayor Prucnal's appointment of Tom Kirzenstein as a member of the Zoning Board of Appeals, term to expire 3/31/2027. On the question – 5 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker, to approve Mayor Prucnal's appointment of Trustee Casell, as Disaster Coordinators for a one-year term, upon completion of the required classes. Trustee Casell abstained from the vote. On the question – 4 ayes, 1 abstain. Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Mayor Prucnal's appointment of Bob Eleczko as alternate Disaster Coordinators for a one-year term. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Mayor Prucnal's appointment of Chris G. Trapp as Village Attorney/Village Prosecutor term to expire 3/31/2023. On the question – 5 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker, to approve Mayor Prucnal's appointment of Mark Pruitt, Supt. of Public Works as alternate representative to the NEST board. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Mayor Prucnal's appointment of Mark Pruitt, Supt. of Public Works as Storm Water Management Officer. On the question – 5 ayes, Carried.

**RESOLVE** by Trustee Casell and seconded by Trustee Becker, to approve the following list of committees.

**COMMITTEES FOR 2022-2023**

**CHAIRPERSON: Trustee Casell**

- Budget Officer-Prucnal

- Disaster Coordinator- Asst. Coordinator
- Multi-channel Service - Chris Trapp
- Insurance Refermat
- Fiscal Oversight Committee- Refermat
- Nest Representative -Superintendent Pruitt

**CHAIRPERSON Trustee Becker**

- Streets & Sidewalks- Casell
- Solid Waste-Supt. Pruitt, Prucnal
- Sanitary & Storm Sewers- Casell
- Liaison to Alden Chamber of Commerce- Prucnal

**CHAIRPERSON: Mayor Prucnal**

- Personnel-Refermat
- Municipal Building Maintenance & Cleaning-Supt. Pruitt
- Liaison to the School- Pruitt
- Ordinances- Counsel CEO/BI Czechowski, Attorney Trapp

**CHAIRPERSON: Trustee Refermat**

- Water- Prucnal, Casell
- Affirmative Action and Fair Housing Officer
- Safety-Supt. Pruitt, Clerk/Treasurer Galbraith, Fire Chief, Becker
- Parks-Superintendent Pruitt and Becker
- Liaison to the Town

**CHAIRPERSON: Trustee Pruitt**

- Grant writers
- Fire Dept. & EMS Dept., Prucnal
- Computer- Supt. Pruitt, Prucnal

Roll Call Vote:

Trustee Becker-aye  
 Trustee Refermat-aye  
 Trustee Pruitt-aye  
 Trustee Casell- aye  
 Mayor Prucnal-aye

**Public Hearing 2022-2023 Tentative Budget**

**MOTION** by Trustee Becker seconded by Trustee Casell, to enter into the Public Hearing 7:35 pm.

Taxes are only applied to the General Fund, as the other funds self-sufficient. General Fund Spending: \$2,872,960, Revenue \$1,204,917 and a fund balance of \$635,647. Tax Levy: \$1,032,396 within the tax cap Tax Rate: \$6.76 up \$.25

Ambulance: Appropriations and revenues balance at \$45,740, so no fund balance had to be expended. This service is supported totally by user fees and is staffed by volunteers, it continues to struggle to remain financially viable. We are short of workforce. We need EMT's to staff the ambulance.

Water fund Appropriations was \$657,337. The revenue was \$539,390, using a fund balance of \$117,947 to balance the budget. Sewer fund appropriations was \$832,269 with a revenue of \$663,465 using a fund balance of \$168,804.

Refuse appropriations \$323,804, and a fund balance of \$13,604 allowed us to keep the rate at \$225 per unit. No public comment.

Motion by Trustee Casell and seconded by Trustee Becker, to leave the Public Hearing and re-enter into the regular meeting 7:38 pm. Carried.

**MOTION** by Trustee Becker seconded by Trustee Casell, to approve the minutes dated March 22, 2022. On the question – 5 ayes, Carried.

**MOTION** by Trustee Pruitt, seconded by Trustee Refermat, to approve for payment bills on abstract dated April 12, 2022.

Payroll \$41,939.43

Abstract \$48,019.04

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

**MOTION** by Trustee Pruitt seconded by Trustee Refermat, to approve the following monthly reports: DPW, Court, EC Sheriff, Treasurer, Building Dept. there were 19 permits totaling \$625,479.10. On the question – no comment, 5 ayes, Carried.

### **COMMUNICATIONS**

From Erie County: 1<sup>st</sup> quarter sales tax distribution \$101,416.71, PERMA conference information, reimbursement check from VFIS to cover deductible from a prior accident, list of officers for 2022 from the Alden Hook & Ladder Fire Company, Mark Casell's resignation from the Planning Board and resume for the village board, request for reappointment from Court Officer Crist. Toll reimbursement from NJ Port Authority for dive teams' deployment, RBC Wealth Management account portfolio. From NY State: NYCOM meeting, advocacy update, Community Revitalization Conference, AIM Funding increase initiative. Annual Special Franchise report. From NYS Comptroller – fiscal stress score for this year for the village is a 0.0, last year was 3.3. Environmental stress this year is 3.3 down from 10.0.

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

### **Resolutions/Appointments/Requests/Motions for April 12, 2022**

Motion by Trustee Becker and seconded by Trustee Pruitt, to approve the Fire/EMS calls for March 12-April 8, 2022. On the question – 5 ayes, Carried.

Motion by Trustee Refermat and seconded by Trustee Becker, to appoint Terry Scutt to the position of Alternate Crossing Guard, pending passing the drug and alcohol testing. He has passed the background check. On the question – 5 ayes, Carried.

**MOTION** by Trustee Refermat and seconded by Trustee Pruitt, to approve the following elected chiefs as voted on and approved by membership:

Chief - Erik Maderer

1<sup>st</sup> Assistant Chief – Bryce Gossel

2<sup>nd</sup> Assistant Chief – Albert Boucher

3<sup>rd</sup> Assistant Chief – Fred Mitchell on the question – 5 ayes, Carried.

**MOTION** by Trustee Refermat and seconded by Trustee Pruitt, to approve the Special Permit for the Alden Community Church, 1400 Sullivan Road, for the purposes of conducting the Cross Over the Line Rodeo on Saturdays from May 28<sup>th</sup> through September 3<sup>rd</sup>, 2022, and will run from 5-7:30 pm, with the following conditions.

- 1) The events shall be held between the hours of 5:00-7:30PM DST, with an additional reasonable amount of time allotted before and after the actual event for set-up, clean-up, and take-down.
- 2) No parking shall be permitted on either side of Broadway along the Church property or within one thousand feet of the intersection with Sullivan Road.
- 3) No parking shall be permitted on either side of Sullivan Road along the Church property or within one thousand feet of the intersection with Broadway.
- 4) The Village of Alden shall be named as additional insured on all policies related to this event by both the Alden Community Church and Cross Over the Line Rodeo and must be received and approved prior to the first date of the event.
- 5) All lighting and sound amplifiers shall be directed away from residences on Sullivan Road.
- 6) All COVID-19 protocols as mandated by the CDC, State of New York, County of Erie, and Department of Health shall be maintained at all times.
- 7) All necessary approvals shall be obtained from any Federal, State, or County authority prior to the first date of the event, and a copy of said approvals shall be submitted to the Village of Alden.
- 8) No animals shall be kept on the Church property overnight.
- 9) All refuse must be securely maintained at all times and removed from the premises each day of the event.
- 10) The Church shall be responsible for all safety and security related to the event, including, but not limited to, parking, invitees, etc.
- 11) All fencing and seating may be stored on the premises after the last performance date, provided the event is planned to be held the following year. If the event is not planned to be held again or is not approved, all materials must be removed within seven (7) days after written notice by the Village of Alden. All materials must be kept in a neat and orderly fashion. On the question – 5 ayes, Carried.

**MOTION** by Trustee Pruitt and seconded by Trustee Reformat, 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 of 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, 2023.

- 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: Trustee Casell – there seems to be an excessive number of vehicles on site, can we limit the number of vehicles? Unlicensed vehicles, parts cars? Trustee Refermat – can regulate vehicles for sale, registered dealers? CEO it is going to be based on the lot area, licensed or not, we are working on the revisions. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Peggy Green as a Supporting Member of the Alden Hook & Ladder Fire Co., Inc. as voted on by the fire department membership. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Superintendent Pruitt to go forward with NYSEG energy saver program to replace the lighting out at the DPW with LED at a cost of \$3,347.88. This is just 40% of the cost and the program will pay for the other 60%, add after 1 year we should see a \$3,039.15 savings a year. On the question – 5 ayes, Carried.

MOTION by Trustee Pruitt and seconded by Trustee Refermat, to enter into a contract with the Auding firm of Drescher & Malecki for the year 2022. On the question – 5 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Pruitt, to enter into a contract with Ann McDonnell for the purpose of grant writing for the year 2022. On the question – 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve allowing Mr. Hamilton to spend the night in Bandstand Park, during the St. Aidan's annual plant sale to stand guard over the inventory. On the question – 5 ayes, Carried.

### **BUSINESS FROM THE FLOOR**

Jason Kroh – Exchange St. trains are blocking exchanges street leading to dangerous safety issues. Emergency vehicles cannot respond, and kids are climbing between the cars to get home. The trains are longer, and the administration has changed, so they do not seem to have any safety concerns. We need pressure law enforcement, get federal marshalls involved and report the stopped trains on the federal website. Kroh – passed out contact information on who to contact. Richard Kegler – Mechanic St., had several questions: would like a list of Committee Members available if people want to talk to someone on a specific issue. Committee lists are on the website and area posted in the display case in the hallway. Would like the FOIL request changed. In the newspaper articles during the fire contract negotiations, it said anyone could look at the paperwork, but when I asked, I was told I would have to fill out a FOIL request. He was insulted by this requirement. Attorney Trapp – it is standard procedure to fill out a FOIL request. Kegler – suggested the Legislator and board walk the village. the property between the road and sidewalk on Crittenden are mud piles, especially near the corner of Broadway where the crossing guard parks, she is now parked illegally on Broadway. Mike Manicki – Westcott – decided as a board that grass would be planted, and a section near the corner would be blacktopped. Trustee Casell – will need to reseed & sod, more resilient. Weather turned too quickly. Mayor Prucnal – they are not done with the punch list. Kegler – when I was Mayor 12 years ago, we were looking into lighted crossings on Broadway, there are now blinking white lights which do not signal vehicles to stop, should be amber or red. Mayor Manicki – we wanted to put lighted pedestrian crossings at all three crossings on Broadway, but the state would not allow it. Kegler – has anyone done anything about the junk yard on Railroad, needs to be addressed. Kegler – tell me about this bike

path, location? Who is constructing? Trustee Casell – from Colonial Woods to RO Smith Park, we are seeking funds, and hoping to do work inhouse. We are saving millings for the construction. CEO Czechowski – working with the town for maintenance & assistance. Securing property ROW.

#### **REPORTS FROM COMMITTEES/DEPARTMENT**

**Clerk Galbraith** – thank you for my reappointments

**Superintendent Pruitt** – flushing is going well, bulk trash is 4/25, sewer lining is 60% done. Finishing DPW Roof, thank you to the guys for all their hard work.

**CEO Czechowski** – updates to the rodeo, collaborating with Attorney Trapp on code updates.

**Attorney Trapp** – thank you for my reappointment. Will collaborate with Trustee Refermat on Personnel Policy.

**Trustee Refermat** – it is unfortunate that apartments are being built on Broadway as opposed to businesses. No benefit to the residents. Trustee Casell – better us of property would be where the hotel was.

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

Bike Path- Emergency Contact System –working on both Emergency contact and bike path

#### **ADJOURNMENT**

Motion by Trustee Casell, seconded by Trustee Becker, to adjourn into the Executive Session at 8:45 pm With a moment of silence for Thelma “Bunny” Hauck, Richard DeVita, Paul Henry, and Theodore “Ted” Mezydlo. On the question –no comment, 5 ayes, Carried

Motion by Trustee Casell, seconded by Trustee Becker, to adjourn from the Executive Session at 8:56 pm. On the question –no comment, 5 ayes, Carried

Motion by Trustee Pruitt seconded by Trustee Refermat, to adjourn the meeting at 8:57 pm. On the question –no comment, 5 ayes, Carried

I respectfully submit.

Sue Galbraith,  
Village Clerk