

Approved BOARD MINUTES December 14, 2021

Motion by Trustee Becker, seconded by Trustee Refermat, to exit the Work Session and enter an executive session at 7:00 p.m. On the question – no comment, 4 ayes, Carried.

Motion by Trustee Pruitt, seconded by Trustee Becker to exit the executive session at 7:21p.m. On the question – no comment, 4 ayes, Carried.

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

Due to Covid-19 this meeting was conducted with social distancing.

The public was invited to join by following social distancing guidelines.

PRESENT: Deputy Mayor Prucnal, Trustees Becker, Refermat & Pruitt, Clerk Galbraith, CEO Czechowski, Attorney Trapp, Superintendent Pruitt, Eugene Nuwer, Shawn Eastland, Patrick Cavanaugh, Kevin Wypij, Mark Casell, Paul & Max Marzac, Chris Wood, Glen Wetzl and Peter Sorji.

Absent: Mayor Manicki

MOTION by Trustee Refermat, seconded by Trustee Becker, to approve the minutes dated November 23, 2021. On the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker, seconded by Trustee Pruitt, to approve for payment bills on abstract dated December 14, 2021.

Payroll	\$39,373.75
Abstract	\$65,645.98

On the question – no comment, 4 ayes, Carried.

MOTION by Trustee Refermat seconded by Trustee Pruitt to approve the following monthly reports for November: E.C. Sheriff, Building Inspector, Court, Public Works, fire dept, fuel and monthly report. On the question – no comment, 4 ayes, Carried.

COMMUNICATIONS

From Attorney Trapp- letter to NYS Thruway Authority concerning tolls charged to Alden Fire Department while responding to deployment, notification of ambulance collection recommendation, letter to CEO concerning cannabis and special use permits and code dealing with smoking in parks, RBC Wealth Management portfolio, notification from Matt Poole advising us that he will be our new reporter from the Alden Advertiser, Municipal Counsel Committee minutes, Annual fund drive request from Alden Meals on Wheels, correspondence from a resident concerning hopes that we do not follow the mask mandate feeling it is unconstitutional and information on Divide NY, Request from the Alden Hook and Ladder membership request, Correspondence from town residents Paul and Laura Loehr concerning information pertinent to the fire districts and fire protection service from the town, From NYCOM – Winter Legislative Meeting, water/sewer infrastructure survey, which has been submitted, request to contact Governor Hochul to request \$210million increase in municipal aid – we have sent in our support for the “Municipal investment initiative”, four NYCOM webinars available in January, we have signed up for 3 of them, From Erie County – course for Tier 3 Emergency Management training, sales tax for November up 26.65% from last year, Mortgage tax for 4/21-9/21 \$17,303.13, Erie County Water Authority minutes.

MOTION by Trustee Pruitt, seconded by Trustee Becker, to file as received all correspondence. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Pruitt and seconded by Trustee Refermat, to exit the regular meeting and enter the Public Hearing at 7:40 pm. On the question –no comment, 4 ayes. Carried.

CEO Czechowski explained the rezone which encompassed the following parcels located in the southwest portion:

12901 Broadway, Village of Alden (SBL No. 119.06-2-4)

VL Broadway, Village of Alden (SBL No. 119.06-2-6.1)

VL Broadway, Village of Alden (SBL No. 119.06-2-10)

VL Broadway, Village of Alden (SBL No. 119.06-2-8)

VL Exchange Street, Village of Alden (SBL No. 119.07-4-3.1)

When the original Comprehensive Master Plan was developed, we did not know the significant extent of wetlands in this location. Once this became apparent, the Planning Board reviewed the available developable land in the area and crafted a new vision and proposed zoning based on what was now available. The proposed rezoning retains most of the existing Zoning Districts in the current Comprehensive Plan but redistributes the areas in a more effective arrangement. It should be noted that a large portion of the area is actually down-zoned from the existing C-2 to the proposed C-1 district. CEO Czechowski also notified the Board that the Erie County Dept. of Development and Planning had no objections/recommendations.

There was no public comment.

Motion by Trustee Refermat and seconded by Trustee Pruitt to exit the Public Hearing and re-enter into the regular meeting at 7:43 pm. On the question –no comment, 4 ayes. Carried.

Resolutions/Appointments/Requests/Motions for December 14, 2021

MOTION by Trustee Pruitt, and seconded by Trustee Becker, to close the Village offices, and DPW staff all day on Friday, December 24, and all-day Friday, December 31, 2021. On the question –no comment, 4 ayes. Carried.

Motion by Trustee Becker and seconded by Trustee Pruitt, to approve Cameron Eastland at a rate of \$21.845 per hour, effective 12/6/2021. ON the question – this is replacing the motion of November 23 at a rate of \$21.85 per hour and the effective date after passing background check and drug/alcohol testing. On the question –no comment, 4 ayes. Carried.

Motion by Trustee Becker and seconded by Trustee Pruitt, to increase water rates as follows:

Water charge within village-increase from \$6.30 per thousand to \$7.05 per thousand.

Water charge outside village-increase from \$9.45 per thousand to \$10.58 per thousand

Increase to be reflected in the February 2022 billing quarter. On the question –no comment, 4 ayes. Carried.

MOTION by Trustee Refermat and seconded by Trustee Pruitt, to approve Albert Boucher to the position, Mechanic to be paid at a rate 5% less than the mechanic rate (\$25.47) effective December 4, 2021. On the question –no comment, 4 ayes. Carried.

Motion by Trustee Becker and seconded by Trustee Pruitt, to authorize Deputy Mayor Prucnal to sign the hosting agreement with Integrated Services. On the question –no comment, 4 ayes. Carried.

Motion by Trustee Becker and seconded by Trustee Pruitt, to authorize Attorney Trapp and the Village Clerk to close the collection file with respect to Hollabough as uncollectible. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Refermat and seconded by Trustee Pruitt, to authorize Clerk Galbraith to sign the Low-Income Household Water Assistance Program Vendor Agreement with NYS. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Pruitt and seconded by Trustee Becker, to authorize Deputy Mayor Loren Prucnal to sign the shared services agreement between NYSDOT the village. This is a four-year agreement and will expire 12/15/2025. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Becker and seconded by Trustee Pruitt, to approve the fire/EMS calls for Nov. 20 -December 3, 2021. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Becker and seconded by Trustee Pruitt, to approve crediting account #17090, water/sewer billing \$150.00 due to unforeseen construction complications. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Refermat and seconded by Trustee Pruitt, to approve Cearra Puzan into Fire/EMS membership as voted on by the Alden Hook and Ladder Fire Company. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Refermat and seconded by Trustee Becker, to approve the sign permit application for Alden Community Church, 1400 Sullivan Road, as per submitted application. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Pruitt and seconded by Trustee Refermat, to authorize Deputy Mayor Prucnal to sign the WIA grant agreement. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Becker and seconded by Trustee Refermat, to waive last fees for water/sewer account #31560. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Pruitt and seconded by Trustee Becker, to approve Superintendent Pruitt's recommendation of Austin Kremer to the position of Laborer at a rate 15% less than the Laborers rate (\$21.845) effective as of the completion of the background check and physical.

On the question – Trustee Refermat – this is a new position and according to our policy, this should have been advertised. Residents should have been notified of the vacancy. The village needs to be consistent and follow the policy. Trustee Becker – we need to fill the vacancy as soon as possible, as we are shorthanded. Superintendent Pruitt – we had 266 hours of DPW employees off due to COVID. Ayes – Prucnal, Becker and Pruitt. Nay – Refermat. Carried.

The following resolution was offered by Trustee Refermat who moved its adoption, seconded by Trustee Becker
To wit:

WHEREAS, The Village of Alden, NY is proposing the rezoning of certain properties within the corporate limits of said Village of Alden; and

WHEREAS the proposed rezoning 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, the Village of Alden has prepared a full 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.

Roll Call Vote Trustee Becker-aye
Trustee Reformat-aye
Trustee Pruitt-aye
Deputy Mayor Prucnal-aye On the question –no comment, 4 ayes, Carried.
On the question- CEO Czechowski explained that this is part 2 of the SEQR, there is no change of function, no development, strictly rezone.

MOTION by Trustee Pruitt and seconded by Trustee Becker, to approve the proposed rezoning of the following parcels, pursuant to a completed public hearing by the Village of Alden Board of Trustees:

- 12901 Broadway, Village of Alden (SBL No. 119.06-2-4)
- VL Broadway, Village of Alden (SBL No. 119.06-2-6.1)
- VL Broadway, Village of Alden (SBL No. 119.06-2-10)
- VL Broadway, Village of Alden (SBL No. 119.06-2-8)
- VL Exchange Street, Village of Alden (SBL No. 119.07-4-3.1)

Roll Call Vote Trustee Becker-aye

Trustee Refermat-aye
Trustee Pruitt-aye
Deputy Mayor Prucnal-aye On the question –no comment, 4 ayes, Carried.

BUSINESS FROM FLOOR-

REPORTS FROM COMMITTEES/DEPARTMENT

Clerk Galbraith – delinquent water and sewer bills will be going out this week with a letter to explain the low-income household water assistance program.

CEO Czechowski – will do the paperwork for the re-zone and update the map.

Superintendent Pruitt – taking the minimum amount of water from ECWA, 2400/day. Wells still off for 6 hrs./day. The last yard waste pick up will be this week with a special brush pick up next week due to windstorm. There is a temporary shelter on the connection on Exchange St. Elm St. is done and the DPW roof is nearly completed. Working on proposals for lift station on Broadway.

Attorney Trapp – sent a letter to NYS Thruway Authority concerning fines from when the Fire Department was deployed.

Trustee Refermat – wished everyone a very Merry Christmas

UNFINISHED AND TABLED BUSINESS:

Bike Path- after January

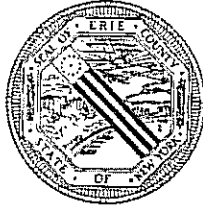
Emergency Contact System – no further progress

ADJOURNMENT

Motion by Trustee Prucnal, seconded by Trustee Pruitt, to adjourn the meeting with a moment of silence for Sandy Gaffney, Cynthia Dorminy and Norbert Klaczyk, at 7:57pm. On the question – no comment, 4 ayes, Carried.

I respectfully submit.

Sue Galbraith,
Village Clerk



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

November 16, 2021

Mr. Joseph Czechowski
Code Enforcement Officer
1336 Broadway
Alden, NY 14004

Re: **Rezoning Request – Wetzl Development, LLC**

Location: **12901 Broadway**
Review No.: **ZR-21-647**

Dear Mr. Czechowski:

Pursuant Section 239-m of New York General Municipal Law, the Erie County Department of Environment and Planning (DEP) has reviewed the above-referenced project referred to us on October 18, 2021 and offers the following comments:

- According to the Erie-Niagara Framework for Regional Growth (2006), the project site is located in a Rural Area. The Framework recommends, “Expand efforts to strengthen the region’s rural economy, including efforts to support conservation of agricultural lands, protection of rural character, and enhancement of initiatives targeted toward rural economic development.” The Framework can be found at www.erie.gov/regionalframework.
- With regard to the proposed project area, the *Village of Alden 2015 Comprehensive Plan* states the following: “The southwestern quadrant of the Village is recommended for commercial and light industrial development, in a park-like setting, that is deemed suitable with respect to protection of the underlying aquifer.” The Plan also envisions a roadway connection between Broadway and Exchange Street. (Page 5-14)

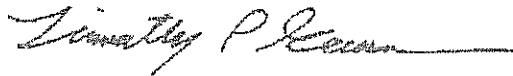
The Plan further states that this area is well-suited for planned unit development, and recommends conservative use of impervious surfaces to minimize stormwater runoff and improve groundwater recharge. While many of these recommendations are reflected in the submitted concept plan, the Town should work with the applicant to ensure that such features are retained in final development plans.

- The submitted concept plan indicates a fieldhouse and ball fields for public use. Final plans should clearly specify ownership and maintenance responsibility for these facilities, i.e., whether the applicant intends to assume maintenance responsibility, or to dedicate such areas to the Village.

- Affordable housing options should be included in the proposed market rate housing component. Erie County strongly supports the provision of affordable housing, with varied densities and building types, as a means of providing opportunities to young people, as well as enabling residents to age in place. Affordable housing is generally defined as housing on which the occupant pays no more than 30 percent of their income for housing costs.

This review pertains to the above-referenced project submitted to the Erie County DEP. This letter should not be considered sufficient for any County approvals. The Village of Alden and/or the developer must still obtain any other permits and regulatory approvals applicable to this project.

Sincerely,

A handwritten signature in cursive script that reads "Timothy P. German". The signature is written in black ink and includes a horizontal line extending to the right.

Timothy P. German
Planner

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: ZR-21-647

Postmark/Delivery Date: 10-18-2021

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, replay is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Village of Alden
2. Hearing Schedule: Date TBD Time _____ Location _____
3. Action is before: Legislative Body Board of Appeals Planning Board
4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment
- Site Plan Variance Special Use Permit Other
5. Location of Property: Entire Municipality Specific as follows See attached
6. Referral required as State or County Municipal Boundary Farm Operation located in
Site is within 500' of: Property/Institution an Agricultural District
- Expressway County Road State Highway Proposed State or County
 Road, Property, Building/
 Institution, Drainageway
7. Proposed change Rezoning of several parcels of land
or use (be specific): _____
8. Other remarks (SBL#, etc.): See attached
9. Submitted by: Joseph Czechowski
10. Return Address: 13336 Broadway, Alden, NY 14004

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 10-18-21. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Comment on proposed action is attached hereto.
3. The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: *Timothy P. [Signature]* Date: 11-16-21