

## APPROVED BOARD MINUTES JANUARY 10, 2013

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

**PRESENT:** Mayor Manicki, Trustees Warmus, Mezydlo, Daluisio, Clerk/Treasurer Wachowiak, Deputy Clerk/Treasurer Galbraith, Supt. Keith Sitzman, CEO Czechowski, Eugene Nuwer, Dan Czelusta, Andy Janiszkeski, Shawn Eastland, Jeff Gerhart, Michael Metzger and Linda Okonzak, Horizon Realty.

**ABSENT:** Trustee Sitzman and Attorney Trapp

**MOTION** by Trustee Warmus, seconded by Trustee Mezydlo, to approve the minutes of the December 27, 2012 meeting. Carried. Carried.

**MOTION** by Trustee Mezydlo, seconded by Trustee Daluisio, to approve for payment bills on abstract dated January 10, 2013. Carried

Payroll \$33,574.21

General Fund \$66,727.12

**MOTION** by Trustee Daluisio, seconded by Trustee Mezydlo, to approve the following monthly reports for December 2012 as follows: courts, Fire Dept., Fire Chief Fuel report, DPW, Treasurers, CEO monthly and 2012 summary.

### COMMUNICATIONS

Correspondence from Time Warner Cable concerning changes in programming, request from Alden Youth Baseball to erect a sign advertising baseball registration, notice of claim from Erie County Supreme Court concerning gas line damage on Arlington Dr., meeting notice from Village Officials Association for January 17 meeting in Kenmore, Association of Erie County Governments meeting to be held January 24, in Hamburg, RBC Wealth Management account status report, bill from Erie County for the cost of preparation and spreading of Village Tax for 2012, and letter from Erie County concerning land banks in NYS, minutes from the Chamber of Commerce December meeting, information on upcoming NYCOM winter legislative meeting in February, receipt for Erie County sales tax to the Village in the amount of \$87,427.54 for Sept. – Nov. 2012, a copy of the Comptroller's report and comparisons on Mortgage Tax Collection in Erie County, newsletters from Crisis Services, and Wyoming Technology Transfer Center, team building seminar for managers and supervisors, recent NYCOM legislation, information on tier 6 NYS retirement, letter from Ralph Mohr with on funding available to municipalities to improve the accessibility of polling places, HP computer catalog, American City and County magazine,

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

**RESOLUTINS/APPOINTMENTS/REQUESTS/MOTIONS:**

**Motion January 10, 2013**

MOTION by Trustee Daluisio, and seconded by Trustee Warmus, to allow Alden Youth Baseball permission to erect a sign in Firemen's Bandstand Park from January 11 – 19 to advertise baseball registration. Carried.

MOTION by Trustee Warmus, and seconded by Trustee Mezydlo, to identify the polling placed as 13336 Broadway Village Municipal Building and the hours from noon – 9 pm. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Warmus, to approve Mayor Manicki's appointment of the following member to the Village of Alden Ethics Committee for the following term of office:  
Joseph Czechowski term to expire 12/31/2015 Carried.

MOTION by Trustee Daluisio, and seconded by Trustee Mezydlo, to authorize CEO Czechowski to attend the 2013 New York Planning Federation Annual Conference in Saratoga Springs, NY on April 21st-April 23rd, 2013, at reasonable expense. This is a budgeted item. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Warmus, to authorize the following agencies to perform electrical inspections within the Village of Alden as per Chapter 78 of the Code of the Village of Alden:  
Commonwealth Electrical Inspection Service  
Middle Department Inspection Agency  
*On the questions: Trustee Daluisio, asked if it was up to the home owners or contractors to contact the approved agencies. CEO Czechowski said yes. Carried.*

Motion Trustee Mezydlo, seconded Trustee Daluisio, to authorize Mayor Manicki to sign the contract with OSEA to prepare and submit the 2013-2014 New York State Hazard Abatement Board Grant application at a cost of \$100. Carried.

**BUSINESS FROM FLOOR:**

Jeff Gerhart, 13240 Railroad St.: questioned the color scheme on the zoning map available online. The colors for R-1 and R-A are both yellow. Gerhart, also asked about the R-A zoning on the map, but there is no longer R-A zoning in the village.

CEO Czechowski confirmed the colors online are hard to distinguish, that the map need some updating, and R-A zoning has been changed to R-O. Gerhart also questioned why gardens are not dealt with the same pressure as his chickens were. There was no response from the board, as they need to consult with their attorney on this issue.

Gerhart also said it appeared there were no houses in the area zoned R-O, where poultry was allowed. Mayor Manicki explained there were 3 houses on Sullivan and one on Broadway falling under those jurisdictions, and that chickens were not allowed at his residence, as it is not zoned properly, and is densely populated.

Gerhart also questioned why Tractor Supply zoned Commercial was allowed to house chickens, which the village attorney is investigating.

Mayor Manicki, reiterated the fact that, no chickens are allowed in the R-C district in which he resides. There are open space areas zoned for raising of poultry that is the way the code is written. The board is unwilling to change the codes at this time and Gerhart 's next step would be to retain a lawyer, which Gerhart, responded that he already has.

When Mayor Manicki tried to wrap up the discussion, Gerhart replied "it was an open forum, and he would like to speak his peace." Gerhart read the criteria that passed the ZBA requirements, and noted that this was reported incorrectly in the Alden Advertiser. Mayor Manicki, acknowledged that it passed 3 criteria out of 5, but that Gerhart created their own hardship. Gerhart questioned the codes variations on the violations he received, to this it was corrected that he was not the land owner, but a tenant, and he did not receive the violations.

Linda Okonzak, representative from Horizons, who manages Alden Landings Mobile Home Park was present with their engineer, Michael Metzger, to update the board on their progress. The park was unsuccessful at obtaining the easement necessary to alleviate the drainage problems plaguing the park. Metzger questioned whether eminent domain was a possibility. This would have to be deferred to the Village's Attorney. Metzger did have a plan B to resolving the 2 areas of standing water, in the northwest and southwest quadrans of the park. Metzger suggested regarding the areas and directing the water into shallow retention ponds. Mayor Manicki and the board are looking for possible solutions to the long standing problem.

Metzger will set up a meeting with the CEO, and the Supervisor to look over plans within the week.

Trustee Daluisio questioned the possible attractive nuisance the ponds may provide to children.

While Metzger did agree, it is a possible problem, he didn't feel it would be a big issue, as the ponds would be shallow, can be posted, add rocks, and plantings if needed.

#### **REPORTS FROM COMMITTEES/DEPARTMENTS:**

**CEO Czechowski** – Annual Building Report for 2012 was submitted (\$10,750), annual reports to NYS Dept of state and census was also filed.

**Clerk Wachowiak** – petitions available for 3 open Trustee positions (4 yrs), Winterfest is February 1&2.

**Superintendent Sitzman** - Nice article recently in the Alden Advertiser concerning the laws governing snow plowing, and wanted to remind residents it is against code to plow into streets and sidewalks.

**Trustee Warmus** – asked about the progression of the Firemen's calendar.

**Trustee Mezydlo** – asked Supervisor Sitzman to be aware of sidewalks being blocked by snow from private snowplows.

**Dan Czelusta & Clerk Wachowiak** – cautioned children playing in the snow, not to construct forts, on the side of the road, and use caution on tubing or sledding, not to enter the roadways.

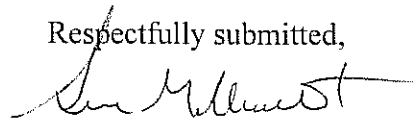
**Mayor Manicki** – updated the public on the Villages social media sites. Winterfest and the Village of Alden have facebook pages. With a thank you to Ryan Sheedy, the village's facebook is Village of Alden, New York. Department Heads area asked to start looking at the 2013-2014 annual budget figures.

**UNFINISHED AND TABLED BUSINESS:**

- Policy Manual Update- will arrange a meeting
- Surplus equipment to auction – working on it.

**MOTION** by Trustee Daluisio, seconded by Trustee Mezydlo, to adjourn the board meeting at 8:05 PM.. Carried.

Respectfully submitted,



Sue Galbraith  
Deputy Village Clerk/Treasurer