

**Approved BOARD MINUTES May 10, 2022**

**MOTION** by Trustee Becker, seconded by Trustee Refermat, to adjourn into the Executive Session at 7:10 pm On the question –no comment, 3 ayes, Carried

**MOTION** by Trustee Becker, seconded by Trustee Refermat, to adjourn from the Executive Session at 7:28 pm. On the question –no comment, 3 ayes, Carried

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. Clerk Galbraith, CEO Czechowski, Superintendent Pruitt, Attorney Trapp, Mike Sitzman, Dave Siegel, and Hayden Goff.

Absent: Trustees Casell and Pruitt

**MOTION** by Trustee Becker, seconded by Trustee Refermat, to approve the minutes dated April 26, 2022. On the question – 3 ayes, Carried.

**MOTION** by Trustee Refermat seconded by Trustee Becker, to approve for payment bills on abstract dated May 10, 2022.

Payroll	\$39,677.14
Abstract	\$90,543.79

On the question – Trustee Becker, there is a voucher for the fired dept. for first responder subscription renewal to 2 yrs., saving 15%, voucher to be modified. 3 ayes, Carried.

**MOTION** by Trustee Becker seconded by Trustee Refermat, to approve the following monthly reports: Erie County Sheriff Dept., CEO, DPW, Treasurer and Alden Central School On the question – no comment, 3 ayes, Carried.

**COMMUNICATIONS**

NYS: NYSLRS webinars, NYCOM: regional training information, state budget. Erie County: Village Officials notice, Assoc. of EC Gov – sales tax, meeting minutes, zoom meeting notice. Early voting notice for Erie County, ACS Board of Education meeting schedule. Requests: Birch Creek Run HOA to use hall, St. John’s to place sign. financial assistance (grants) information. RBC Wealth Portfolio and Town of Alden minutes and agendas.

**MOTION** by Trustee Refermat and seconded by Trustee Becker, to file as received all. correspondence. On the question –no comment, 3 ayes, Carried.

**Resolutions/Appointments/Requests/Motions for May 10, 2022**

**MOTION** by Trustee Becker and seconded by Trustee Refermat, to allow Clerk Galbraith, to make yearend budget transfers. (inter-fund/over). On the question – 3 ayes, Carried.

**MOTION** by Trustee Becker and seconded by Trustee Refermat, to set a public hearing on Tuesday, June 14, 2022, at 7:35PM for the purposes of hearing comments on the requests for renewal of Home Occupation Permits for the following:

<u>NAME</u>	<u>ADDRESS</u>	<u>OWNER</u>
The Cutting Image	1730 Meadow Dr.	Renee Hoffman
Laura Ross	13390 Irving Street	Laura Ross

On the question – 3 ayes, Carried.

**MOTION** by Trustee Refermat and seconded by Trustee Becker to set a Public Hearing for Mobile Home Park License renewals on Tuesday, June 28, 2022, at 7:35PM. On the question – 3 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker to approve the Erie County Board of Elections use of the Village Hall from 5:30 am – 9:30 pm for the following dates:

Tuesday, June 28 – Primary election

Tuesday, November 8– General election.

Also, to approve the Erie County Board of Elections use of the Village Hall for the following dates for early voting: Saturday, June 18th through Sunday, June 26th. Weekday polling hours will run from 12:00 p.m. to 9:00 p.m. and will require access from 11:30 am until at least one-half hour after polls close. Saturday and Sunday polling hours will run from 9:00 a.m. to 5:00 p.m. and will require access from 8:30 a.m. until at least one-half hour after polls close.

Saturday, October 29th through Sunday, November 6th. Weekday polling hours will run from 12:00 p.m. to 9:00 p.m. and will require access from 11:30 am until at least one-half hour after polls close. Saturday and Sunday polling hours will run from 9:00 a.m. to 5:00 p.m. and will require access from 8:30 a.m. until at least one-half hour after polls close.

On the question: Trustee Becker-who opens and closes? Clerk Galbraith – there is a list of people who sign up to open & close. They get compensated \$15 if it is not during business hours and the county pays us \$900 for the rental of the room for 10 days. 3 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to approve LOSAP Chairman Pruitt’s final submittal with changes. On the question – 3 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker to authorize Mayor Prucnal’s signature on the PERMA renewal agreement for Workers Comp. On the question – 3 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to approve Birch Creek Run Condominium Committee to use the village hall Community Room Tuesday June 7<sup>th</sup> at 7 pm for their annual meeting. It is expected to last 1 ½ hours. ON the question: They will have to pay \$30 for someone to come in after hours to open and close. – 3 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker to approve the fire/EMS calls for April 23- May 6, 2022. On the question – 3 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker, to allow a neighborhood block party on Friday June 10,2022 from 6:00pm to 11:00pm and allow them to rope off one lane of traffic in front 1847-1857 Lafayette Drive (4 houses). On the question – 3 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to approve Superintendent Pruitt to award MJ Mechanical Services, Inc. the contract to install the new control system for the Municipal building Roof Top units at a cost of \$17,724.51.

On the question: Trustee Becker – is this the control system. Superintendent Pruitt – yes for all the work. the other bids came in at \$26,900 and \$46,000. On the question – 3 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker to approve St. John’s to erect a sign in Firemen’s Memorial Bandstand Park from May 15-22 and on the electronic sign to advertise their Spring Cash Raffle and chicken/rib BBQ. On the question – 3 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to approve the following resolution:

WHEREAS a “Zombie Foreclosure” occurs when a homeowner vacates their property after a mortgage default and threat of foreclosure, with the home becoming a “Zombie” because the bank has not completed the foreclosure process; and

WHEREAS, the longer a property remains in the foreclosure process, the more often neighboring homeowners will struggle with a multitude of issues, such as an unattended home becoming a danger to children, a potential place for vagrants and squatters to move in without fear of eviction, as well as unkempt landscaping leading to an increase in unwanted wildlife during the summer months and obstructed sidewalks during the winter months; and

WHEREAS, vacant homes diminish the value of surrounding properties, sometimes significantly lowering the sale price of an entire street, and blighted properties may result in demolition; and

WHEREAS diminished property values present budgetary and property tax revenue challenges for towns, villages, and cities in Erie County; and

WHEREAS, the Erie County Clerk, Michael P. Kearns, and the Western New York Law Center (the “Law Center”) for over a decade have been undertaking various efforts and initiatives to combat the impacts that Zombie Foreclosures have on neighborhoods in Erie County; and

WHEREAS, the New York State Legislature passed the 2016 Zombie Property and Foreclosure Prevention Law (the “Zombie Foreclosure Law”), which in part amends New York Real Property Actions and Proceedings Law (“RPAPL”) Section 1308 to require holders of first lien mortgages, or their servicing agents, to secure and maintain vacant one-to-four family properties; and

WHEREAS the Law provides the following tools in the fight against Zombies: banks or servicers that fail to maintain properties can face potential penalties of up to \$500 per day per property; creation of an expedited foreclosure process; and RPAPL Section 1310’s establishment of a statewide database of abandoned properties to be maintained by the New York State Department of Financial Services.

WHEREAS, the Erie County Legislature has provided the Erie County Clerk, Michael P. Kearns, and the Western New York Law Center with effective resources to deliver technical assistance to County municipalities; engage the community to persuade lenders to complete the foreclosure process and perform regular property maintenance; and enforce the Zombie Foreclosure Law; and

WHEREAS, in September of 2019, Erie County Clerk, Michael P. Kearns, announced the creation of the Erie County Clerk’s ZOMBIES Initiative (Zero tolerance; Open lines of communication; Municipal participation; Bank accountability; Investment in neighborhoods; Engage and educate communities; Solutions) to provide additional resources to Erie County municipalities and communities facing Zombie Foreclosures; and

WHEREAS the emergence of the COVID-19 pandemic and its widespread financial impacts caused the statewide default on mortgages to soar to 11.8% at the height of the pandemic, and recent numbers from October 2021 showed that 7.4% of all homeowners in New York State were behind on their mortgage payments; and

WHEREAS, in February of 2021, the Erie County Clerk and members of the Erie County Zombie Foreclosure Task Force created the “Stay in Your Home Campaign” to introduce effective strategies to combat foreclosures caused by the COVID-19 pandemic; and

WHEREAS, ever changing state and federal regulations have temporarily staved off a surge in foreclosures but it is anticipated that foreclosures will sharply increase once these measures end; and

WHEREAS hundreds of homes in Erie County are currently considered “Zombies,” stuck in foreclosure limbo and a drastic increase in the number of foreclosures will escalate the possibility of more Zombie properties; and

WHEREAS, the Erie County Clerk’s ZOMBIES Initiative has resolved issues with dozens of Zombies in Erie County; and

WHEREAS the County of Erie is New York State’s leader in combatting Zombies.

WHEREAS, tackling the problem of Zombies in Erie County requires effective communication and cooperation to ensure properties are appropriately targeted and municipalities have potent and practical resources to protect their communities.

NOW THEREFORE, BE IT

RESOLVED, that the Village of Alden, the Erie County Clerk's ZOMBIES Initiative and the Stay in Your Home Campaign; and be it further

RESOLVED, that the Village of Alden, hereby pledges to avail itself of the technical assistance available from the ZOMBIES Initiative to develop a strategy to address and prevent Zombies; and be it further

RESOLVED, that the Village of Alden, encourages community engagement to report Zombies; and be it further

RESOLVED, that the Village of Alden Clerk shall forward a certified copy of this resolution to Erie County Clerk, Michael P. Kearns. On the question – 3 ayes, Carried.

### **BUSINESS FROM THE FLOOR**

**Mike Sitzman, Church St.** on behalf of the Alden Community Garden – would like the villages support. Hoping the village would donate some mulch and weed barrier to the location behind the Alden State Bank. Would make for less labor-intensive work for volunteers. The board agreed and the DPW will deliver the supplies.

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

**Clerk Galbraith** – Tax bills June 1<sup>st</sup>, due by July 1. Banners should be arriving soon, anticipating having them up for Memorial Day celebrations, which everyone is encouraged to attend. Response was great, have a waiting list. Attorney Trapp – response is incredible, better than much larger towns.

**Superintendent Pruitt** -monthly sampling of well for total chloroform, tested upstream and downstream, resample negative. 2 wells show total chloroform and 1 for e coli – in the raw water, not in distribution system. Chlorinated and cleaned the well, tested negative and is now up and running. Total chloroform is a natural bacteria ECWA would test positive for e-coli, as Lake Erie is so polluted.

**CEO Czechowski** – public hearings, sent out

**Trustee Refermat** – attended the Assoc. Of Erie County Governments meeting. NRTA took notes, very unfortunate supplies division of current health contact info for board.

**Mayor Prucnal** – The Clerk on the Go van will be at the Alden Farmers Market on July 30<sup>th</sup>.

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

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

### **ADJOURNMENT**

Motion by Trustee Becker seconded by Trustee Refermat, to adjourn the meeting at 7:50 pm, with a moment of silence for Edith Overhoff. On the question – 3 ayes, Carried.

I respectfully submit.

Sue Galbraith,  
Village Clerk