

Approved BOARD MINUTES March 14, 2023

MOTION by Trustee Casell, and seconded by Trustee Becker, to enter into an Executive Session to discuss personnel, litigations, 7:05 pm. On the question –no comment, 4 ayes, Carried.

Motion by Trustee Casell, seconded by Trustee Refermat to adjourn from the Executive Session at 7:28 p.m., On the question –no comment, 4 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: Refermat, Casell and Becker, Attorney Trapp. Clerk Galbraith, CEO Czechowski Patrick Cavanaugh, Shawn Eastland, Ralph Airey and Karen Howard, Senator Gallivan’s Office.

Absent: Trustee Pruitt and Superintendent Pruitt

MOTION by Trustee Becker seconded by Trustee Casell, to approve the minutes dated February 28, 2023. On the question, 4 ayes, Carried.

MOTION by Trustee Becker seconded by Trustee Casell, to approve for payment bills on abstract dated March 14, 2023.

Payroll	\$ 39,379.38
Abstract	\$ 35,978.17, On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Becker seconded by Trustee Refermat, to approve the following monthly reports: E.C. Sheriff, court, BI and DPW. On the question –no comment, 4 ayes, Carried.

COMMUNICATIONS

Erie County – Association minutes & meeting notice, tax payment March – 37.14% greater than last year. check for taxes re-levied to Erie County. RBC Wealth portfolio. Agenda from Town of Alden, litigation concerning private property slip and fall. Resumes for the Planning Board position and a resignation. NYS: Public Service co. broadband connectivity and NYCOM webinar on equal rights amendment.

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

Resolutions/Appointments/Requests/Motions for March 14, 2023

MOTION by Trustee Becker and seconded by Trustee Refermat, to accept the resignation of Provisional Superintendent of Public Works, Mark Pruitt, effective April 30, 2023. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to accept the request of the Alden Substance Abuse Coalition to erect signs in Firemen’s Memorial Bandstand Park and Village Hall for the month of March for a take it to the box campaign, to safely dispose of medication. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to accept with regrets the resignation of Randy Crist, Court officer effective 4-1-23. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to approve the Village Clerk's request that all unpaid delinquent water and sewer accounts be re-levied to the 2023-2024 village taxes. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker, to set a Public Hearing April 11 at 7:35 pm to hear comments regarding the 2023-2024 Tentative Budget. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Refermat, to accept the resignation of Tracie Manske, from the Ethics Committee, effective immediately. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to accept the appointment of Tracie Manske, to the Planning Board, effective immediately. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Refermat, to accept the appointment of John Lombardi to the position of Ethics Committee, effective immediately. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Refermat and seconded by Trustee Becker, to extend the formal site plan for residential apartments at 1515 Rusher Drive, as proposed by 13447 Broadway Property LLC, with the following conditions:

- 1) 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.
- 2) 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.
- 3) The two apartment structures will have multi-tone vinyl siding and will include 3-4' of cultured stone along the front facades.
- 4) The headlight/buffer issue raised by the existing residential property owner immediately west of the subject property must be addressed.
- 5) Safety fencing shall be installed along the Broadway sidewalk to protect pedestrians during construction. Said fencing shall not be removed until approved by the Superintendent of Public Works.
- 6) Details of the master water meter, sub-meters, and backflow prevention devices must be included on the final plans.
- 7) Comments on the Stormwater Pollution Prevention Plan (SWPPP) as per Superintendent of Public Works must be addressed and included on the final plans.

- 8) No Construction may commence on the project until final plans, including items 3 through 7 above, have been submitted and reviewed by the Village of Alden.

Approval shall expire on May 30, 2023.

Roll call vote: Trustee Becker - aye.

Trustee Pruitt - absent

Trustee Refermat - aye

Trustee Casell - aye

Mayor Prucnal -aye On the question –no comment, 4 ayes, Carried.

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

Re: Opposition to the Proposed Ban on Natural Gas Heating and Appliances in New York State

WHEREAS, Governor Hochul’s state-of-the-state address contained a proposal to “...end the sale of new fossil powered heating equipment by 2030 by calling for construction of – all new construction needs to be zero emission – starting in 2025 for small buildings and 2028 for large buildings,”; and

WHEREAS, President Biden and the White House have come out against any prohibition of gas stoves; and

WHEREAS, the State’s proposal is intended to help address climate change, but could create a burden for our region’s working-class residents; and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for Western New York with harsh winter weather and exposed electrical infrastructure. Appliances used to heat water and cook food need to work during power outages especially during times of inclement weather; and

WHEREAS, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days. Gas appliances, fed by more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food for the days needed to clear the roads and restore electricity. Nearly four dozen people died during this storm, many more would have suffered if they had to rely on our power grid for cooking and emergency heating; and

WHEREAS, what is more, alternatives to natural gas-powered heating have yet to be proven reliable as a sole-source heating system in cold-weather climates; and

WHEREAS, electrical appliances have more moving parts and are expensive to maintain and repair, mandating their purchase is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS, currently, due to market conditions and technology limitations, most electric appliances are less efficient and absent improvements in electricity efficiencies and the electrical infrastructure grid, would likely cause increases in energy costs; and

WHEREAS, as we have seen with California’s recent push to make everything electric, improperly planned energy transitions can lead to an increased strain on a state’s electrical grid, leading to black outs and rationing, which is especially dangerous with the winter weather we experience; and

WHEREAS, the costs to transition the state’s energy infrastructure grid should go through a more thorough review to understand how this will impact the energy production and distribution system as a whole, as well as the impact on residential energy systems, before any action is taken.

NOW, THEREFORE, BE IT

RESOLVED, that the Association of Erie County Governments hereby urges Governor Hochul and the New York State Legislature to pause in their rush and to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul’s Office, the Western New York Delegation to the New York State Senate and Assembly, and any other party deemed necessary and proper.

Roll call vote: Trustee Becker - aye!

Trustee Pruitt - absent

Trustee Refermat - aye

Trustee Casell - aye

Mayor Prucnal -aye On the question –no comment, 4 ayes, Carried.

BUSINESS FROM THE FLOOR

Karen Howard, Senator Gallivan’s office. As with most communities there is a lack of volunteers. Some municipalities, like Depew are giving a 10% firemen’s exemption on taxes, as an incentive. Attorney Trapp cautioned them they cannot take it off of the income tax. Trustee Casell agreed there is a lack of volunteers overall. We need to promote the community involvement. There is an election, and it is unopposed. We seldom have any attendance at meetings. The board thanked Karen for attending.

REPORTS FROM COMMITTEES/DEPARTMENT

Clerk Galbraith – working on budget, election on March 21 for 1 year trustee, There will be two work sessions to discuss the budget on March 15 & 29, 6 pm.

Trustee Refermat- Attended the meeting with Senator Gallivan on March 2. NYS budget \$227 billion dollars. Want increase in the number of low-income housing units. At this point, the question arose of using the E C. Home for housing. Raising taxes and minimum wage increase. 70% of NY electricity to come from renewable by 2030. In 2025 the state will consider changing the laws to prohibit natural gas service to existing buildings. Employee evaluations should be done in April. We should recognize the two women from the ladies Auxiliary for their year of service.

UNFINISHED AND TABLED BUSINESS:

ADJOURNMENT

Motion by Trustee Casell, seconded by Trustee Refermat, to adjourn at 7:50 p.m., On the question –no comment, 4 ayes, Carried.

I respectfully submit.

Sue Galbraith,
Village Clerk