

Approved BOARD MINUTES September 13, 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, Pruitt, Refermat and Casell. Clerk Galbraith, Superintendent Pruitt, Attorney Trapp, Dan Czelusta and Patrick Cavanaugh
Absent: CEO Czechowski,

MOTION by Trustee Becker, seconded by Trustee Pruitt, to approve the minutes dated August 23, 2022. On the question – no comment, 5 ayes, Carried.

MOTION by Trustee Pruitt seconded by Trustee Refermat, to approve for payment bills on abstract dated September 13, 2022.

Payroll	\$ 40,848.85
Abstract	\$ 268,564.65

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

MOTION by Trustee Casell seconded by Trustee Becker, to approve the following monthly reports for August: Building Inspector, Erie County Sheriff, court and Public Works. On the question – no comment, 5 ayes, Carried.

COMMUNICATIONS

NYS: letter from NYS Dept. of Public Services co NYSEG price increase proposal, EFC concerning clean watershed survey, NYGFOA concerning IRS mileage rate 62.5 cents per mile, NYCOM webinar on cybersecurity and Comptroller webinars. Erie County: Office of Agriculture accepting applications for Agriculture Planning Protection Program, September sales tax, 7.42% greater than last year. brochure on Parking lot and traffic control solutions, Town of Alden agenda, sign request Alden Central School, results from the closing of the 2022 Ban in the amount of \$3,845,510., letters from the CEO concerning: Mobile Home Park renewals with stipulations and inspection log for town. Solicitation for digital speed signs, RBC Wealth Management Portfolio for August - \$202,506.14. Request from Wetzl Development concerning one water meter per parcel.

MOTION by Trustee Refermat and seconded by Trustee Becker, to file as received all. correspondence. On the question –no comment, 5 ayes, Carried.

Resolutions/Appointments/Requests/Motions for September 13, 2022

MOTION by Trustee Casell and seconded by Trustee Pruitt, to authorize Mayor Prucnal to sign the Engineer's Statement of Completion for the DPW garage roof replacement project in sum of \$31,852.62, revised contract amount \$233,902.62.

On the Question: This is to close out the project and give final payment for pay app 5 for \$22,450.00 for retainage and pay app #6 change order #1 (snow bars) for \$9,402.62. On the question –no comment, 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to authorize Superintendent Pruitt to send 4 employees to NYCOM Public Works School October 3 – 5, 2022 at Lake George, NY. On the Question: This is a budgeted item. Trustee Refermat – can we have the attendees' names for the record? Pruitt – Shawn Eastland, Wypij and Kramer. On the question –5 ayes, Carried.

MOTION by Trustee Pruitt and seconded by Trustee Refermat, to approve the request from Alden Central School to erect a sign in Alden Firemen’s Memorial Bandstand Park from May 8-16, 2023, to advertise the annual budget vote and election. On the question –no comment, 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to authorize Superintendent Pruitt to move forward with County Line Stone to do the mill and paving of Railroad, Mechanic, and the paving of Austin and Heisler at a cost of \$190,261.40.

On the Question: This is a budgeted item using our CHIPS funds and these are county bid prices. On the question –no comment, 5 ayes, Carried.

The following resolution was offered by Casell, who moved its adoption, seconded by Trustee Refermat

To wit:

WHEREAS 13447 Broadway Property LLC is requesting site plan approval for a multi-family residential housing development; and

WHEREAS the site plan approval is classified as Unlisted actions and are 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, 13447 Broadway Property LLC has prepared a short 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, upon taking an independent hard look and reasoned evaluation of the above-referenced information, comments and written documentation, 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. On the question –no comment, 5 ayes, Carried.

**SEQR Negative Declaration
Reasons Supporting Determination
For: 13447 Broadway Property LLC Apartments, 1515 Rusher Drive**

The Village of Alden acted as lead agency for the project.

The proposed 13447 Broadway Property LLC Apartments located at 1515 Rusher Drive reflects the use of land within the Village of Alden as recommended by the Village of Alden's Comprehensive Master Plan. The property immediately south is in an R-C Residential-Commercial Zoning District. The properties immediately west and east are in a C-1 Commercial District. The property immediately north is in a B-1 Business District.

The Village of Alden Board of Trustees decided that a potential moderate to large impact could occur related to changes in use and intensity of use of the property. This is because the action will result in an increase in density of use of the subject property because it is currently vacant.

After analysis, the Village of Alden Board of Trustees decided that those impacts which would be moderate in magnitude over the long term probably will occur and thus are potentially significant impacts. However, the project design and layout are consistent with the setback and density requirements of the Code of the Village of Alden for the proposed use; is in an area zoned for the proposed use; is generally consistent with the Comprehensive Plan; and there are properties immediately adjacent and across from the subject property with identical uses as multi-family residential housing.

Therefore, the Village of Alden Board of Trustees has determined that there is likely to be no adverse environmental impacts relating to this project.

Considering there are no indicators of significant effect on the environment and these changes are consistent with the Village of Alden's Comprehensive Master Plan, a negative declaration is declared.

Roll call vote: Trustee Becker – aye
Trustee Pruitt – aye
Trustee Refermat – aye
Trustee Casell – aye
Mayor Prucnal – aye On the question –no comment, 5 ayes, Carried.

MOTION by Trustee Pruitt and seconded by Trustee Becker, to approve 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.

Roll call vote: Trustee Becker – aye

Trustee Pruitt – aye

Trustee Refermat – aye

Trustee Casell – nay

Mayor Prucnal – aye On the question –no comment, 4 ayes, 1 nay, Carried.

MOTION by Trustee Refermat and seconded by Trustee Refermat, to schedule a Public Hearing on October 11, 2022 @7:35 pm regarding Community Development Block Grant funds in the Village of Alden. On the question –no comment, 5 ayes, Carried.

BUSINESS FROM THE FLOOR

REPORTS FROM COMMITTEES/DEPARTMENT

Superintendent Pruitt we used mor Erie County water this month. We had 2 wells down and Zoladz was mulching. The guys did a great job repairing the lift station to get it up and running. Green Mountain is wrapping up the sewer lining project. Elm St. will go out to bid next week. Have been working with other towns on projects. Junk Day Sept. 26. Mark will be off Sept. 15 &16.

Clerk Galbraith – looking for ideas to submit for the JCAP Grant this year, please let me know if you are aware of something we should apply for. Are we submitting information to New Wave Energy? Trustee Casell – yes you can submit a month worth of energy bills for comparison.

CEO Czechowski – The board needs to review SEQR for the Zoladz project. Executive Session for possible litigation

Trustee Refermat –CEO and I are working on the Personnel Policy and then will review it with Attorney Trapp

Trustee Becker – will not be at the next meeting.

Mayor Prucnal –Marzec well head protection ordinance is 300’ radius distance around village well. Would like the boards opinion. Trustee Casell – would like to see Marzec design first before making a decision. Superintendent Pruitt – Erie County Health Dept. will review it after there is a submittal. Trustee Casell – make sure the Planning Board is aware of our thoughts. Code Red – Attorney Trapp has the initial draft, then can be signed. Mayor to take fire dept. expenditures to the next Alden Town Board meeting in person, so they can sign off that they received them.

UNFINISHED AND TABLED BUSINESS:

ADJOURNMENT

MOTION by Trustee Reformat seconded by Trustee Becker, to adjourn the meeting at 8:05 pm. With a moment of silence for: Pam Schjersing, Marcia McCarthy and James Creighton. On the question – 5 ayes, Carried.

I respectfully submit.

Sue Galbraith,
Village Clerk