

Approved BOARD MINUTES July 13, 2021

The Village Board meeting was called to order at 7:30 pm by Mayor Manicki, 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: Mayor Manicki, Trustees Prucnal, Becker, Refermat & Pruitt, Superintendent Sitzman, CEO Czechowski, Clerk Galbraith, Attorney Trapp, Eugene Nuwer, Shawn Eastland, Patrick Cavanaugh, Dan Czelusta, Mark Pruitt.

MOTION by Trustee Prucnal, seconded by Trustee Becker, to approve the minutes dated June 22, 2021. On the question – no comment, 5 ayes, Carried.

MOTION by Trustee Pruitt, seconded by Trustee Prucnal, to approve for payment bills on abstract dated July 13, 2021.

Payroll	\$39,689.04
Abstract	\$561,066.05

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

MOTION by Trustee Becker seconded by Trustee Pruitt, to approve the following monthly reports for June: Fire calls, Erie County Sheriff, CEO, Court, DPW, fire fuel. Addendum to PW for March, April and May. On the question – no comment, 5 ayes, Carried.

COMMUNICATIONS

Requests from Alden Hook & Ladder co liquor license and Marilla Auto Show Committee co car show. Correspondence: letter to John Sullivan co DWI report for first 6 months, letters to police enforcement co curfew, notice from Town of Alden co inspections, notice from Nussbaumer & Clarke, Inc. co DPW Roof replacement, notice from CEO to MHP co inspections. Erie County – sales tax notice and RBC Wealth portfolio.

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

Resolutions/Appointments/Requests/Motions for July 13, 2021

MOTION by Trustee Pruitt and seconded by Trustee Refermat, to approve the final annual report for LOSAP as submitted by Penflex inc. On the question – no comment, 5 ayes, Carried.

MOTION by Trustee Prucnal and seconded by Trustee Becker, to accept the Cyber Security Policy. On the question – no comment, 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Prucnal, to approve the Alden Hook & Ladder Fire Company fund raisers for 2021, and permission to apply for their annual temporary beer and wine permit license for the following event:

- Summer Steak Outing, at Alden Station #2, August 19, 2021 (5 pm-12 am)
- Chicken BBQ, in Village Park, September 12, 2021, no alcohol will be served at this event.
- Fall Meat Raffle, Village Municipal Building, Oct. 23, 2021 (6 pm-12 am)

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

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

Resolution to establish capital projects.

WHEREAS the Village of Alden needs to replace Elm St. drainage and **WHEREAS**, the estimated cost of engineering and construction of this project is \$300,000, now therefore be it

RESOLVED that the Village Clerk/Treasurer is hereby directed to create Capital Project: Elm St. Drainage in the amount of \$300,000 in the Village of Alden Capital Fund effective as of July 13, 2021. The cost of this project will be paid by issuance of Bond Anticipation Notes. On the question – no comment, 5 ayes, Carried.

EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

July 13, 2021

* * *

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on July 13, 2021.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Trustee Douglas Becker, Trustee Loren Prucnal, Trustee Jeannine Pruitt, Trustee Mary Refermat

There were absent: none.

Also present: Sue Galbraith, Village Clerk

* * *

Trustee Becker offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED JULY 13, 2021, AUTHORIZING THE REPLACEMENT OF EXISTING STORM SEWERS AND INSTALLATION OF NEW STORM SEWERS ON ELM STREET, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$300,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to replace existing storm sewers and install new storm sewers on Elm Street, between Railroad Street and Broadway, including installation of storm sewer treatment structures and any related or ancillary work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$300,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the

authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on July 13, 2021, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted July 13, 2021, authorizing the replacement of existing storm sewers and installation of new storm sewers on Elm Street, stating the estimated maximum cost thereof is \$300,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$300,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to replace existing storm sewers and install new storm sewers on Elm Street, between Railroad Street and Broadway, including installation of storm sewer treatment structures and any related or ancillary work; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$300,000 to finance said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$300,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 13, 2021

SUE GALBRAITH
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred

to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Trustee Prucnal and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

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

Resolution to establish capital projects.

WHEREAS the Village of Alden needs to replace Crittenden Road waterlines and **WHEREAS**, the estimated cost of engineering and construction of this project is \$400,000, now therefore be it

RESOLVED that the Village Clerk/Treasurer is hereby directed to create Capital Project: Crittenden Rd. Water Line Replacement in the amount of \$400,000 in the Village of Alden Capital Fund effective as of July 13, 2021. The cost of this project will be paid by issuance of Bond Anticipation Notes. On the question – no comment, 5 ayes, Carried.

EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

July 13, 2021

* * *

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, Alden, New York, on July 13, 2021.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Trustee Douglas Becker, Trustee Loren Prucnal, Trustee Jeannine Pruitt, Trustee Mary Refermat.

There were absent: none

Also present: Sue Galbraith, Village Clerk

* * *

Trustee Refermat offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED JULY 13, 2021, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO WATERLINES ON CRITTENDEN ROAD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$400,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$400,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct improvements to waterlines on Crittenden Road, consisting of abandonment of an existing water main and transfer of approximately 42 water services and 10 main connections to another existing main, including capping and abandonment

of services and mains, as needed, and also including any ancillary or related work in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$400,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$400,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of

validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the “*Alden Advertiser*,” a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on July 13, 2021, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted July 13, 2021, authorizing the construction of improvements to waterlines on Crittenden Road, stating the estimated maximum cost thereof is \$400,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$400,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to construct improvements to waterlines on Crittenden Road, consisting of abandonment of an existing water main and transfer of approximately 42 water services and 10 main connections to another existing main, including capping and abandonment of services and mains, as needed, and also including any ancillary or related work in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$400,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$400,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$400,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the

proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 13, 2021

SUE GALBRAITH
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Trustee Pruitt and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

MOTION by Trustee Becker and seconded by Trustee Prucnal, to allow the Alden Car, Truck and Cycle Show Committee the following: use of Alden Firemen's Memorial Bandstand Park July 25, provide electricity to park, close Church St., close Park and W. Main St –local traffic only,

post W. Main St. no parking from Broadway to Town Park, post no parking signs on West side of Emerson and 3 handicapped parking spaces on Broadway, dumpster for the gazebo area. On the question – no comment, 5 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Prucnal, to award the bid for the DPW Garage Roof Replacement project to Arrow Sheet Metal Works, Inc. for the sum of \$224,500.00. Award includes the Main Roof (base bid) and Office roof (bid Alternate No. 1), and authorizes Mayor Manicki to sign all contract documents. On the question – no comment, 5 ayes, Carried.

MOTION by Trustee Pruitt and seconded by Trustee Refermat, to authorizing Mayor Manicki to sign the contract with Integrated for cloud-based services. Ayes – Manicki, Prucnal, Refermat and Pruitt, Nays – Becker. Carried.

Motion by Trustee Prucnal and seconded by Trustee Pruitt, to authorize Mayor Manicki to sign the engineering agreement with Nussbaumer & Clarke, Inc. for bidding and construction services for the DPW Roof replacement project for a cost “not to exceed” \$21,300. On the question – no comment, 5 ayes, Carried.

BUSINESS FROM FLOOR-

REPORTS FROM COMMITTEES/DEPARTMENT

Superintendent Sitzman – ECWA connection on Exchange should begin soon, may cause traffic restrictions by Maple Ridge but will give the residents notice. Erie County has started Crittenden Road, projected completion date is November 24.

Trustee Pruitt – inquired to if the Auctions International submission has been done. Sitzman confirmed it has been. Pruitt also asked about the Dig Safe bill, who sees it and why are their late charges on it? Sitzman answered he, Sue Lorenzi and the water guys are sent notices, but he had no idea about the late fees. Pruitt asked about the 2 new computers and a printer for the DPW. Sitzman – there are 5 total computers in the DPW Building, the ones replaced were for he and Sue. 2 more are scheduled to be replaced this year – for Shawn and Mark. There is one at the Sewer Treatment Plant that is 4 years old.

Trustee Refermat – asked Keith about the cameras in the building that are not installed yet. Superintendent Sitzman explained they are waiting for cameras that are compatible with our system. Refermat asked about posting a child at play sign on Railroad, as a resident inquired about it. Mark Pruitt will investigate it. Refermat also questioned the voucher for the online course that Dan did for credit and suggested certificates should accompany the vouchers.

Trustee Becker – inquired about the flag at the Sewer Treatment Plant and if it was illuminated? Dan Czelusta – is having a problem with it holding but working on it and yes it has a solar light.

Clerk Galbraith – sent out 13 canvas letters from the Civil Service list for the DPW Clerk position

Mayor Manicki – Erie County COVID Vaccination van will be at the Farmer’s Market Saturday from 8-1

UNFINISHED AND TABLED BUSINESS:

Bike Path- some millings from Crittenden Road will be stockpiles at the DPW for the bike path.
Emergency Contact System – Mark Pruitt meeting with town representative next week.

ADJOURNMENT

Motion by Trustee Reformat, seconded by Trustee Pruitt, to adjourn the regular meeting at 7:54 pm, with a moment of silence for Jeanne Gorney and Donna Bisbing. On the question – no comment, 5 ayes, Carried.

I respectfully submit.

Sue Galbraith,
Village Clerk