

Approved BOARD MINUTES October 10, 2023

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: Casell, Refermat, Attorneys Chris and Joe Trapp, Clerk Galbraith, Working Crew Chief, Patrick Cavanaugh, Planning Board Chairman Dave Metz, Mathew Cummings and Jerry Wright from Young & Wright and Sr. WWTP Operator, Dan Czelusta.
Absent: Trustee Becker & CEO Czechowski

MOTION by Trustee Casell seconded by Trustee Refermat, to approve the minutes dated September 26, 2023, as amended. On the question - 3 ayes carried.

MOTION by Trustee Refermat seconded by Trustee Casell, to approve payment bills on abstract dated October 10, 2023.

Payroll	\$35,868.68
Abstract	\$53,052.99

On the question - no comment 3 ayes, carried.

MOTION by Trustee Refermat seconded by Trustee Casell, to approve the following monthly reports; court, Ethics Committee minutes and Building Inspector. On the question - no comment 3 ayes, carried.

COMMUNICATIONS

Erie County – checks for – primary election \$1,000, sales tax \$89,162.42, minutes and agenda for Village Officials, agenda for Association of Erie County Governments. NYS – \$165 million available for transportation projects, notice from NYSDOT concerning inspections and updates to Civil Service laws. Town of Alden agenda. Requests from Alden Chamber of Commerce to set up for Christmas in the park and Alden Central school concerning purchasing rock salt. Residential complaints crossing guard and dead deer. Agenda for pre-construction meeting for West Main St manhole,

MOTION by Trustee Casell and seconded by Trustee Refermat, to file as received all correspondence. On the question - no comment 3 ayes, carried.

MOTION by Trustee Refermat seconded by Trustee Casell, to enter into the Public Hearing, 7:35 pm. On the question - no comment 3 ayes, carried.

Public Hearing – Community Development Block Grant Funding (CDBG) The Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs. The NYS CDBG program provides financial assistance to eligible cities, towns, and villages with populations under 50,000 to develop viable communities by providing decent, affordable housing, and suitable living environments, as well as expanding economic opportunities, principally for persons of low and moderate income. No public comment.

MOTION by Trustee Casell and seconded by Trustee Refermat, exit the Public Hearing, and reenter the regular meeting, 7:40 pm

Resolutions/Appointments/Requests/Motions for October 10, 2023

MOTION by Trustee Refermat and seconded by Trustee Casell, to declare the following as surplus from the DPW: Air compressor and line locator.

On the question: Trustee Casell – selling items at auction? Czelusta – yes with a reserve. The air compressor is from 1984. -3 ayes carried.

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

Community Development Resolution

At a meeting of the Village Board held on October 10, 2023, the board authorized Mayor Prucnal to sign, submit and execute the contract with Erie County Community Development Block Grant (ECDBG) program in the amount no greater than \$150,000 for the following project upon approval of ECCDBG.

#1). Sidewalk on Kellogg St.

#2). Drainage on Kellogg St.

On the question: Trustee Casell – what are our chances of getting this, this year? Mayor Prucnal – we do not qualify for the next two years, because we were delinquent on the due date for the last project.

Roll Call Vote: Trustee Becker - absent

Trustee Refermat – aye

Trustee Casell - aye

Mayor Prucnal- aye -3 ayes carried.

MOTION by Trustee Refermat and seconded by Trustee Casell, to hold Halloween in the Village on Tuesday, October 31, 2023, from 6-8 pm. On the question -3 ayes carried.

MOTION by Trustee Casell and seconded by Trustee Refermat, to accept with regrets the resignation of Trustee Jeannine Pruitt, effective 09/29/2023, On the question -3 ayes carried.

MOTION by Trustee Casell and seconded by Trustee Refermat, to accept the resignation of DPW Clerk Justine Jarczewski, effective 9/28/2023. On the question -3 ayes carried.

MOTION by Trustee Casell and seconded by Trustee Refermat, to hire Kyle Kavanaugh as the Provisional DPW Clerk starting October 23, 2023, at a rate of \$19/hr. On the question: already had background check and drug testing through the fire department. Will have to pass Civil Service Clerk exam. On the question -3 ayes carried.

MOTION by Trustee Refermat and seconded by Trustee Casell, to approve the following request from The Alden Chamber of Commerce: step up 10 Christmas Trees in the Alden Fireman's Park before Friday, December 1st and be taken down on Friday, January 5th, have power for the trees and for the power to be turned on Saturday, December 2nd at 5pm.and installation of the Snowflakes throughout the Village prior to December 2nd. This is for the annual Christmas in the Park event held in the Town Park.

On the question – Trustee Casell – will we have time to do this? Kavanaugh – yes, when we take down the banners, we will put up the snowflakes. On the question -3 ayes carried.

MOTION by Trustee Refermat and seconded by Trustee Casell, to approve the formal site plan received August 4, 2023, for a commercial accessory structure at 13394 Broadway, by New2You Consignment Shop, 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.

On the question: Trustee Casell – PB Chairman Metz, wasn't there an issue with drainage on this parcel previously? Metz – drainage opened up, excavated. Drainage goes towards DI in front of driveway. According to code, drainage cannot go to other properties Trustee Casell and Working Crew Chief Cavanaugh were not aware of any excavating taking place. Trustee Casell would like to see a stipulation concerning drainage issues, especially to properties to the north, for that reason a third condition has been added.

- 3) If there are any complaints regarding drainage 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. On the question -3 ayes carried.

MOTION by Trustee Casell and seconded by Trustee Refermat, to approve the change to the previously approved Formal Site Plan for the Wetzl/Slade Drive Project, as per submission received August 4, 2023, as recommended by the Planning Board. Said change reflects moving the primary ARC building south from its approved location. On the question -3 ayes carried.

MOTION by Trustee Casell and seconded by Trustee , to extend the deadline for the condition of the issuance of the Mobile Home Park License for the period of September 1, 2023 – August 31, 2024, for Bayview of Alden, 13391 Broadway, as follows:

- 1) Potholes/patching/paving work must be completed by November 30, 2023. (Previous deadline of September 30, 2023).

This is in response to the park owner doing additional work on the above items beyond the Village's requirements, as per letter dated September 29, 2023.

There was no second on this motion, as Trustee Refermat would not agree to extend the deadline, citing, they have had enough time. Motion proposed but failed for lack of second.

MOTION by Trustee Casell and seconded by Trustee , to approve the formal site plan for the Alden State Bank, 13200 Broadway, received August 4, 2023, with the following conditions:

- 1) Updated copies of the finalized site plan must be submitted to the Village of Alden for final review & endorsement.
- 2) At the applicant's request, the requirement for approval from the New York State Department of Transportation may remain as a condition of final site plan approval, understanding that lack of NYS DOT approval for the submitted plan may result in additional reviews and approvals needed by the Village of Alden.

- 3) 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.
 - 4) 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.
 - 5) The Village of Alden Board of Trustees will review and determine the necessity/safety of on-street parking in front of the site and may amend the Village Code through the Local Law process as necessary.
 - 6) Entrance and exit signs shall be posted to direct traffic appropriately.
- There was no second on this motion, as Trustee Refermat would not agree to this, unless we get approval from NYSDOT. Motion proposed but failed for lack of second.

BUSINESS FROM THE FLOOR

Matt Cummings, Young & Wright- for the Alden State Bank

We have met with the Planning Board and made all the changes they had suggested during the meeting. We don't feel we need NYSDOT approval, as we are using a pre-existing curb cut entrance, no changes. Are there any other changes you would like to see, so we can begin?

Chairman Metz – yes, we would like to see a pedestrian crossing from the west to the northwest corner of the building. Remove one parking spot to the north that would allow for the pedestrian walkway. Speed bumps and extra signage. Trustee Casell – we need to vote on the recommendations from the Planning board, but it appears there are some discussions concerning safety.

Mayor Prucnal – we can hold a special meeting, if need be, once we hear from NYSDOT. Attorney Trapp – all 3 members must agree for approval.

REPORTS FROM COMMITTEES/DEPARTMENT

Mayor Prucnal - thank you to the DPW, they are doing a great job.

UNFINISHED AND TABLED BUSINESS:

Motion by Trustee Casell, seconded by Trustee Refermat to adjourn the regular meeting at 8:07 p.m., with a moment of silence for Walter "Walt" Czechowski and Mr. Stanley Wypij. On the question - no comment 3 ayes, carried.

I respectfully submit.

Sue Galbraith,
Village Clerk