

Approved BOARD MINUTES November 14, 2023

Motion by Trustee Becker, seconded by Trustee Casell to enter into an Executive Session at 7:08 p.m., to discuss personnel and contract negotiations. On the question - no comment 3 ayes, carried.

Motion by Trustee Casell, seconded by Trustee Becker to exit the Executive Session at 7:25 p.m., 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: Casell, Becker, Attorneys Chris Trapp, CEO Czechowski, Clerk Galbraith, Superintendent of Public Works Phil Fleck, Working Crew Chief, Patrick Cavanaugh, Kyle Kavanagh, DPW Clerk, Theron Kibbe, John and Brenda Cieszki, Randy Crist, and Sr. WWTP Operator, Dan Czelusta.

Absent – Trustee Refermat

MOTION by Trustee Becker seconded by Trustee Casell, to approve the minutes dated October 24, 2023. On question -3 ayes, carried.

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

Payroll	\$38,340.04
Abstract	\$61,988.64

On the question - no comment 3 ayes, carried.

MOTION by Trustee Casell seconded by Trustee Becker, to approve the following reports: court, DPW, fuel and tax collector. On the question - no comment 3 ayes, carried.

COMMUNICATIONS

NYS – NYCOM advocacy update, NYSEFC water infrastructure community assistance guide. RBC Wealth management portfolio. Erie County – Association of Erie County governments minutes, zombies initiative, sales tax remittance. Resumes for the open Trustee position from: Theron Kibbe, Michael Retzlaff, Kristie Rogers and Brenda Cieszki, Request from Eilley’s Car Wash, notice from NYSEG concerning relocating a regulator box on Broadway near Crittenden. Correspondence from Village Attorney, Chris Trapp concerning: traffic safety concerns in from of the school on Crittenden and questions concerning the policy manual. Town of Alden minutes and agendas.

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

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

MOTION by Trustee Becker and seconded by Trustee Casell, to appoint Phillip Fleck as the Stormwater Officer. On the question - no comment 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve Erik Maderer to attend Grade 3 Supervision and Technical Operations training at SUNY Buffalo State on March 11-15. This is a budgeted item.

On the question – Trustee Casell, is this for Grade 3 sewer? Yes. 3 ayes, carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to approve the fire/ems calls 10/21-11/3/2023. On the question - no comment 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve the following: Pursuant to section 15-104(3)(a) of the Election Law of the State of New York, please take notice that one (1) four year term for Mayor, one (1) four year term for Trustee and one (1) one year term for Trustee will be vacant at the end of the current official year, and shall be filled at the Village election to be held on Tuesday, March 19, 2024 in the Community Room of Village Hall, 13336 Broadway, Alden, New York from 12 noon until 9:00 PM. On the question - no comment 3 ayes, carried.

MOTION by Trustee Casell and seconded by Trustee Becker to approve the following: Change Order #1, concerning the reconstruction of Elm Street from Union Concrete and Construction Corp. to accept to that contract reduces the contract amount by \$23,460.48 to \$498,329.52 On the question - no comment 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve the recommendation of the engineers from Nussbaumer Clarke, to accept the proposal of \$79,200, by Argauer Excavating LLC for the Water System Improvement Well Site 1 Project.

On the question: Sicoli Construction Services. Inc. was awarded the proposal for \$67,950.00, but has since withdrawn their proposal, due to a misunderstanding of the work scope.

Roll call vote: Trustee Becker- aye

Trustee Reformat - absent

Trustee Casell- aye

Mayor Prucnal- aye on the question: Trustee Casell – can they do that?

Yes, at the bid opening deadline, there were no bids submitted. 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to authorize Mayor Prucnal to sign the Stormwater Control Facility Maintenance Agreement for the Birch Creek Run Condominium, 13030 West Main Street, Alden, NY 14004.

On the question: Trustee Casell – please explain this. CEO Czechowski this is a NYS requirement, to maintain. It keeps storm water provisions in place. 3 ayes, carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to authorize Mayor Prucnal to sign the revised Agreement with J & M Development regarding the Homecourt extension. A letter of Credit to be provided in the amount of \$450,000. On the question - no comment 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to approve the sign permit for Alden Bakery & Cafe, 13256 Broadway, as per submitted application. On the question - no comment 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to appoint Christopher Twaragowski as Assistant Code Enforcement Officer, provisional pending Civil Service Examination. Starting salary to be \$45,000.00 per year. Start date to be December 4,

2023. Appointment is subject to successful completion/passing of a background check and drug & alcohol test.

Roll call vote: Trustee Becker- aye

Trustee Refermat - absent

Trustee Casell- aye

Mayor Prucnal- aye On the question - no comment 3 ayes, carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to approve the Mayoral appointment of Theron Kibbe, to the open Trustee position. Term expires 3/31/2024.

Roll call vote: Trustee Becker- aye

Trustee Refermat - abs

Trustee Casell- aye

Mayor Prucnal- aye On the question - no comment 3 ayes, carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to authorize CEO Czechowski to issue a temporary Certificate of Occupancy for 30 days for 106 Birch Creek Run, after the outstanding engineering bill for Birch Creek Run is paid in full. On the question - no comment 3 ayes, carried.

BUSINESS FROM THE FLOOR

REPORTS FROM COMMITTEES/DEPARTMENT

Clerk Galbraith -Covid test kits available for free in clerks' office & fire dept., the parking ban is in effect from Nov.1 – April 1. Water bills are due Nov. 28 & unpaid taxes re-levied to county.

CEO Czechowski -executive session to discuss personnel. Slade Dr construction on buildings in future, Birch creek Run – documents signed and will file Homecourt signed & executed.

Attorney Trapp – executive session negotiations.

Superintendent of Public Works Fleck - Phil was welcomed by the board to his first meeting reported normal operations, leaves, brush, garbage. Working on proposal for garbage. Will work with Dave Britton on CMOM report.

Trustee Casell -is it a thru street between Slade and Exchange? Or for emergencies? CEO – no, this is going to be a public road, that is why they put in the traffic circle

Trustee Becker – will not be at the Nov. 28 meeting.

Mayor Prucnal - parking ban November 1, 2023- April 1, 2024. Thank you for all your hard work.

UNFINISHED AND TABLED BUSINESS:

Motion by Trustee Becker, seconded by Trustee Casell to enter into an Executive Session at 7:55 p.m., to discuss personnel and contract negotiations. On the question - no comment 4 ayes, carried.

Motion by Trustee Becker, seconded by Trustee Casell to exit the Executive Session at 9:08 pm., On the question - no comment 4 ayes, carried.

Motion by Trustee Becker, seconded by Trustee Casell to adjourn the regular meeting at 9:09 p.m., with a moment of silence for Rosemary Freed. On the question - no comment 3 ayes, carried.

I respectfully submit.

Sue Galbraith,
Village Clerk