MEETING NO. 11 REGULAR TOWN BOARD MEETING June 6, 2022

REGULAR NO.10 TOWN OF ALDEN 7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, June 6, 2022 at 7:00 P.M. Supervisor Sitzman called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Brett Sitzman, Town Supervisor

Gina Waiss, Councilwoman

Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Lenny Weglarski, DCO

Mike Metzger, Town Engineer

Sarah Miller, Deputy Town Supervisor

Residents

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of May 16, 2022.

**CARRIED**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY COUNCILWOMAN WAISS, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #387 - 440 **ALL BILLS REVIEWED BY** **THE TOWN BOARD.**

|  |  |  |  |
| --- | --- | --- | --- |
| **ACCOUNT** | **AMOUNT** | | |
|  | **ABSTRACT #1** | **ABSTRACT #2** | **TOTAL** |
| **GENERAL FUND "A"** | **$7,021.16** | **$29,391.16** | **$36,412.32** |
| **HIGHWAY FUND "DA/DB"** | **$4,908.72** | **$6,526.22** | **$11,434.94** |
| **PART-TOWN FUND "B"** | **$3,843.51** | **$649.79** | **$4,493.30** |
| **CONSOLIDATED WATER “WR”** |  |  |  |
| **SPECIAL FIRE PROTECTION “SF”** |  |  |  |
| **SEWER DIST#1 FUND “SI”** |  |  |  |
| **WATER DIST. NEWSTEAD “WO”** |  |  |  |
| **WATER DIST.EXCHANGE ST. “WX”** |  |  |  |
| **SEWER DIST. #2 FUND "SA"** | **$570.21** | **$220.91** | **$791.12** |
| **TRUST & AGENCY "T"** | **$3,194.67** | **$1,802.39** | **$4,997.06** |
| **SPECIAL REFUSE FUND "SR"** | **$37,584.83** |  | **$37,584.43** |
| **STREET LIGHTING FUND "SL"** | **$4,010.75** |  | **$4,010.75** |
| **PERIWINKLE LTG. DIST."SL1"** | **$71.02** |  | **$71.02** |
| **WATER DIST. NO. 1 “WA”** |  |  |  |
| **TOTAL** | **$61,204.87** | **$38,590.47** | **$99,795.34** |

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON JUNE 6, 2022 AND

ADOPTED

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

**BUSINESS FROM THE FLOOR**

**COMMUNICATIONS**

**Brett Sitzman, Town Supervisor**

1. Questioned why restrooms at Town Park were closed – they were vandalized
2. E-mail from Senator Gallivan’s Office regarding food drive
3. Building Inspector’s Monthly Report
4. Erie County Clerk Annual Report
5. Correspondence with County Clerk regarding Zombie Properties

**Gina Waiss, Councilwoman**

1. Letter from resident for softball tournament; add to WS for further discussion

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7:05 PUBLIC HEARING ON SPECIAL USE PERMIT TO HARBOR CHICKENS

Councilwoman Pautler moved to enter into Public Hearing, seconded by Councilwoman Waiss.

Town Clerk Barrett read the Notice of Public Hearing.

No comments were made for or against.

Councilwoman Pautler moved to exit the Public Hearing and return to regular session, seconded by Councilwoman Waiss.

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**NEW BUSINESS**

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Parks Department has informed the Town Board that two new soccer nets with wheels are needed for the town soccer fields.; the estimated cost of which is more than $5,000.00 but less than $10,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, three quotes were requested and received (for two nets with wheels) as follows:

the highest bidder is Soccer.com at $8,189.98;

the second highest bidder is Anthem Sports at $7,871.90 and

the lowest bidder is Pioneer Athletics at $5,898.00.

WHEREAS, Pioneer Athletics is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the purchase of the two new soccer nets on wheels.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of two soccer nets with wheels, at a total cost of $5,898.00 from Pioneer Athletics;

2. The Parks Supervisor is authorized to sign any and all necessary documents to

effectuate this purchase and installation; and

3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SITZMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Town Board would like to enter into an Agreement with the American Red Cross regarding billing and registration for Red Cross Training used by Town Lifeguards;

WHEREAS, the American Red Cross has offered a service contract to the Town of Alden; and

WHEREAS, the Town of Alden believes that it is in the best interests of its residents to enter into the Contract.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. That the Town Board does hereby direct and authorize Supervisor Sitzman to enter into and execute all necessary documents to effectuate the Service Agreement with the American Red Cross, at no charge to the Town of Alden; and

2. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

WHEREAS, the Highway Superintendent has informed the Town Board that the Highway and Parks Department are in need of a new RTG72 Bushog Tiller the estimated cost of which is less than $5,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least two (2) vendors;

WHEREAS, three quotes were requested and received as follows:

the highest bidder is Alexander Equipment at $4,299.00;

the second highest bidder is Lamb & Webster at $4,250.00 and

the lowest bidder is Eden Tractor & Equipment at $3,950.00.

WHEREAS, Eden Tractor & Equipment is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the purchase of a new bushog tiller.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a RTG72 Bushog Tiller from Eden Tractor & Equipment, at a total cost of $3,950.00;

2. The Highway Superintendent is authorized to sign any and all necessary documents to

effectuate this purchase; and

1. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Alden Town Board is considering an application by Mason and Kira Jaroslawsky for a Special Use Permit to Harbor Chickens at their residence located at 234 Two Rod Road in the Town of Alden (further identified by SBL # 129.01-1-13.1); (the “Proposed Action”);

WHEREAS, the Town Code Enforcement Officer has inspected the premises and has found the same in compliance with all requirements of the Alden Town Code;

WHEREAS, the notice of public hearing was mailed to the neighboring parcel owners and the public hearing was held on June 6, 2022, after due publication in the Alden Advertiser; and

WHEREAS, at said public hearing all persons appearing in favor of and against the proposed action were heard and all concerns have been addressed.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby directs the Code Enforcement Officer to issue to Mason and Kira Jaroslawsky a Special Use Permit to Harbor Chickens limited to six (6) hen chickens for a period of one year; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SITZMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, Christopher Cummings has resigned as Alden Town Justice;

WHEREAS, pursuant to Town Law § 64 the Town of Alden may by majority vote, fill the vacancy with a qualified candidate;

WHEREAS, the Town Board believes that Louis C. Mussari, Esq. is a qualified candidate to fill the vacant Town Justice position.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board nominates and appoints Louis C. Mussari, Esq. to fill the vacant Town Justice position through December 31, 2022.

1. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

Motion to approve the request of Alden Women’s Softball to use Robert O. Smith Park for their games on Tuesdays starting June 7, 2022 until July 26, 2022 for games at 7.00 pm and 8:15 pm.

Alden Women’s Softball is responsible for complying with all Town, County, State and Federal Rules and Regulations regarding the CoVid-19 Pandemic.

Alden Women’s Softball has submitted proof of insurance.

All players must sign Waivers, to be filed with the Town Clerk, prior to participating in any games.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILWOAMN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

Motion to approve the request of Alden Substance Abuse Coalition’s use of Alden Town Park to show family friendly movies on July 7, 14, 21 and August 2 (weather permitting) from 7.30 pm until midnight.

The Coalition is responsible for complying with all Town, County, State and Federal Rules and Regulations regarding the CoVid-19 Pandemic.

The Coalition must submit proof of insurance to the Town Clerk prior to the first movie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

WHEREAS, the Alden Town Board needs to have prepared a topographic survey to assist in the design and construction of the Four Seasons Shelter;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden and the New York General Municipal Law (“GML”) state that professional services are exempt from the Guidelines and from the GML;

WHEREAS, despite the professional service exemption, the Town Engineer has requested quotes from four surveyors;

WHEREAS, four quotes were received as follows:

Fradina Engineering and Land Surveying PC (WBE/MBE) at $5,330.00

McIntosh & McIntosh PC at $2,000.00

Niagara Boundary and Mapping Services at $1,900.00 and

True North Land Surveying at $1,700.00.

WHEREAS, True North Land Surveying is the lowest responsible bidder;

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the topographic survey work.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

The Town Board approves the attached Agreement with True North Land Surveying for a topographic survey of the Four Seasons Shelter at a total cost of $1,700.00.

The Town Supervisor is authorized to sign any and all necessary documents to effectuate this hiring; and

This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

WHEREAS, the Alden Town Board has noted the need to update Schedule A (list of Department Heads) on the Town’s Procurement Policy and Procedure Guidelines (“Policy”).

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby adopts (revoking all former Procurement Policy and Procedure Guidelines) the attached Policy as its Official Procurement Policy effective June 7, 2022;
2. The Town Clerk is hereby directed to send a copy of the Policy to all Town Board Members and Department Heads and each Town Board Member and each Department Head; and
3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

***POLLED AND ADDED WITH NO OBJECTION***

THE FOLLOWING MOTION WAS OFFERED BY COUNCILWOMAN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

Grace Leonard, Jordan Kuhl, Michael Frisicaro, Isabelle Lippert, Jonathan TenBroeck and Alexander Lysiak as part time summer recreation attendants, not to exceed 19 hours per week at a rate of **$14** per hour;

Mackenzie Fronczak, Aubrey Matthewson, Jordan Strasser, and Kristina Wilson as part time summer lifeguards, not to exceed 19 hours per week at a rate of **$14.00** per hour;

Subject to successful completion of all pre-employment checks

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

Motion to hire: Nathan Zobrest as a part time seasonal highway laborer at a rate of $18 hour not to and George Baran as part time seasonal parks laborer at a rate of $16 per hours per week, subject to successful completion of all pre-employment checks

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY SUPERVISAOR SITZMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

Motion to approve the Alden Kiwanis Club use of the Town Park and Shelter on August 3, 2022 for their Annual Steak Outing from 11 am until 9 pm.

The Kiwanis Club must provide a certificate of liability insurance and liquor liability insurance with the Town of Alden named as an additional insured in the amount of $1,000,000 per occurrence, $3,000,000 aggregate, and the Kiwanis Club must sign an indemnification agreement no later than July 1, 2022.

The Kiwanis Club is responsible for complying with all Town, County, State and Federal Rules and Regulations regarding the CoVid-19 Pandemic.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOAMN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SITZMAN, TO WIT;

WHEREAS, the Alden Town Board has applied for and received CDBG - CARES ACT Funding for the construction a Four-Season Shelter and installation of outdoor fitness equipment, adjacent to the Alden Community/Senior Center, to help the Town accommodate its growing senior memberships and handicapped residents (the “Project”);

WHEREAS, the Town Board has not received any public comment on the environmental review of this Project;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Town Board hereby re-affirms the Notice of Finding of No Significant Impact adopted by the Town Board on April 4, 2022 and hereby authorizes and directs the Town Supervisor to sign and submit the Attached Request for Release of Funds and Certification; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on June 6, 2022, which resulted as follows:

**CARRIED.**

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Colleen Pautler, Councilwoman - add to Work Session, Senior requests for van use.

Gina Waiss, Councilwoman – Online registration for Summer Recreation going very well. Add pay rates for returning Rec Employees and Supervisors to next WS agenda

Len Weglarski, DCO – picked up 2 dogs.

**ANNOUNCEMENTS FROM SUPERVISOR**

Board will go into Executive Session after Memorial Remembrance. Moved by Supervisor Sitzman, second by Councilwoman Pautler. All in favor.

7:44 Supervisor Sitzman moved to end executive session with no action taken. Seconded by Councilwoman Pautler. All in favor.

**NOTICE OF MEETINGS**

**WORK SESSION: June 13, 2022 @7:00 PM**

**REGULAR BOARD MEETING June 21, 2022 @7:00 PM**

**MEMORIAL REMEMBRANCE -**  Donald Muench

**ADJOURNMENT**

At 7:45 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett

Town Clerk