

Approved BOARD MINUTES August 11, 2016

The Village Board meeting was called to order at 7:30 pm by Mayor Manicki, who led the pledge to the flag.

PRESENT: Mayor Manicki, Trustees: Mezydlo, Green and Daluisio, Clerk/Treasurer Wachowiak, Deputy Clerk Galbraith, CEO Czechowski, Superintendent Sitzman, Attorney Trapp, Pat Cavanaugh, Eugene Nuwer, Mark Casell, Mike Sitzman, John Espersen, Robert Overhoff, Paul Kosinski, Albert Boucher and Sue DeWitt, Alden Advertiser.

Absent: Trustees Warmus

MOTION by Trustee Mezydlo, seconded by Trustee Daluisio, to approve the minutes of the July 28, 2016 and special meeting of 8/3/2016 meetings. Carried.

MOTION by Trustee Mezydlo, seconded by Trustee Daluisio, to approve for payment bills on abstract dated August 11, 2016. Carried.

Payroll	\$37,734.67
Abstract	\$91,290.39

MOTION by Trustee Green, seconded by Trustee Mezydlo, to approve the following reports for July: CEO, Court, Fire, Fire fuel, Treasurer and DPW. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio to adjourn from the regular meeting and enter into the Public Hearing, 7:35 pm.

Public Hearing

CEO Czechowski gave a brief summary of the proposed changes.

Local Law #3, 2016 Village Code – Licenses and Permits

Includes licensing and regulating food trucks and firm up door to door sales regulations

No public comment

Local Law #4, 2016 Village Code – Mobile Home Parks.

Both Mobile Home Parks located in the village have been given the proposed revisions. Bulk requirements on installation, and setbacks. Newer home are typically larger and the lots are smaller.

No public comment

Local Law #5, 2016 Village Code – Peace & Good Order.

Proposed changes address noise conduct, but not as in depth as a noise ordinance.

Paul Kosinski – 13376 Maple Ridge Rd. - I would like more information on this.

Attorney Trapp – concerns burning trash in yards not fire pits, no discharge of firearms, noise levels, to what police can enforce, mufflers, parties, house alarms...

Reasonable hours for Construction approved work times 7am-8pm Monday-Saturday.

No nights or overnight.

Local Law #6, 2016 Village Code – Streets & Sidewalks

Hazardous conditions, snow and ice removal.

Resident's damage sidewalks would have to repair

No public comment

Local Law #8, 2016 Village Code – Abandoned & Unlicensed Vehicles.

Motor vehicle repair shops in the village have been notified. Any vehicle not for sale of service would need to be behind a fence/buffer screening to keep a more appealing appearance.

Eugene Nuwer – who is going to enforce it?

CEO Czechowski will enforce and every year they obtain permits, and this will be part of the renewal conditions.

Local Law #9, 2016 Village Code – Zoning.

Parking in B-1 district, currently in the rear, language incorrect, should read no parking in front, but side and rear ok, accessory structure lot percentage, off street parking waiver, gun club regulations in future, and HOP floor area

ZBA hearing expiration date for decisions, penalties, court action for fencing

No public comment.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio to adjourn from the Public Hearing and re-enter into the regular meeting, 7:50 pm.

COMMUNICATIONS

Request from: landlord to forgo penalties on tenant's delinquent bill was denied, Alden Substance Abuse Coalition for Spooktacular, letter to Senator Gallivan for funds for WWTP project and a complaint on a water bill. Code changes from CEO Czechowski, American City & County Magazine, notices from: NYS Education Dept. of LGRMIF grant rejection, RBC Wealth Management account statement, Town of Alden board minutes and Proposed Local Law No.2: "Solar Siting", Alden Village Estates MHP reply to license renewal requirements, newsletters from J.O'Connel & Assoc and NYSIF, Unemployment charges, NYSDOH issuance of upgrade from drought watch to drought warning, Erie County Water Authority news release and supplemental supply agreement, meeting notices from Assoc. of Erie County Governments and Village Officials. Correspondence from Alden Hook & Ladder Fire Co., Inc. concerning two approvals for membership and a legal issue of failure to return equipment.

MOTION by Trustee Green, seconded by Trustee Mezydlo, to file as received all correspondence. Carried.

RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:

Resolutions/Appointments/Requests/Motions for August 11, 2016

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve Mayor Manicki's signature on the letter of support concerning the Certificate of Need letter to Orchard Park Fire District EMS. Carried.

MOTION by Trustee Green and seconded by Trustee Daluisio, to approve the fire/EMS calls for July 23- August 5, 2016. Carried.

MOTION by Trustee Green and seconded by Trustee Daluisio, to appoint the following crossing guards for the 2016-2017 school year: Pam Comstock, Marge Szyjka, and Linda Hey, alternates: Robert Fiorello. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve the change for David Nuwer from Exempt to Active Exempt as voted on by membership. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Mezydlo, to approve Austin Kremer into Fire/EMS as voted on by membership. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to authorize Mayor Manicki's to sign the grant and execute the agreement with OSEA for safety training. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Green, to approve Alden Substance Abuse Coalition's request for the following: use of the Firemen's Memorial Bandstand Park on Oct. 21 & 22nd, the park lite up on both days, Church St. closed on Oct. 22 from noon – 4 pm, a sign in Bandstand Park from October 12-22, 2016, decorate the park for Halloween Oct. 1-November1 and have the DPW put the ghost and a banner on the bandstand from Oct.5-30. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve Local Law #1-2016, regarding Chapter 17, Ethics.
On the question-CEO Czechowski, there was a Public Hearing held on July 28 for Local Laws #1, #2, and #7. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Green, to approve Local Law #2-2016, regarding Chapter 66, Animals. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve Local Law #3-2016, regarding Chapter 125, Licenses & Permits. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve Local Law #4-2016, regarding Chapter 131, Mobile Home Parks. Carried.

MOTION by Trustee Green and seconded by Trustee Daluisio, to approve Local Law #5-2016, regarding Chapter 147, Peace & Good Order. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve Local Law #6-2016, regarding Chapter 177, Streets & Sidewalks. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Green, to approve Local Law #7-2016, regarding Chapter 181 Subdivision of Land. Carried.

MOTION by Trustee Green and seconded by Trustee Daluisio, to approve Local Law #8-2016, regarding Chapter 203, Abandoned Vehicles. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Green, to approve Local Law #9-2016, regarding Chapter 210, Zoning. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Green, to approve a refund in the amount of \$60.00 to Christine Kisiel, 1824 Lafayette Drive, due to an overcharge on permit fees for Building Permit number 7-60-16. Overcharge was due to applicant over estimating the length of fence. Carried.

MOTION by Trustee Green and seconded by Trustee Daluisio, to approve the sign permit for Root to Life Yoga, 13295 Broadway, as per modified submitted application. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Mezydlo, to approve the formal site plan submission for Joseph Kraus, 13394 Broadway, as per submitted application, with the following conditions:

- 1) All of the items addressed in the attached letter from CEO Czechowski dated July 19, 2016 must be addressed to the satisfaction of the Village of Alden. This shall include resolving any non-compliance issues with parking as per the Village Code.
- 2) All of the items addressed in the attached letter from Supt. Sitzman dated July 20, 2016 must be addressed to the satisfaction of the Village of Alden.
- 3) The water service will be taken from Westcott Avenue. Final plans must reflect this.
- 4) The proposed gas and electric service locations to the structure must be shown on the final plans.
- 5) 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.
- 6) 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.
- 7) A walkway from the Broadway public sidewalk to the front porch area of the proposed building must be installed.
- 8) Guard rails or parking bumpers must be installed on the 3 parking spaces on the west side of the building (west property line) to prevent vehicles from rolling towards the slope in that area.

- 9) The Westcott egress drive may be reduced in width (minimum width of 15 feet), and the asphalt will be sloped to the center of the driveway with drainage inlets located in the center of the driveway as well.
- 10) Finalized site plans, showing all of the above, in the quantity required, must be submitted to the Village of Alden for final review and endorsement.
- 11) ~~Signage must be installed at the west end of the Westcott exit drive, indicating “DO NOT ENTER, EXIT ONLY” or similar language to prevent vehicles from using the drive for ingress.~~
- 12) West driveway limited to single axel vehicles. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve the Temporary Business Sign Permit for Verizon Wireless, 13123 Broadway, as per submitted application.

On the question- Trustee Green asked how long a temporary permit is good for. CEO Czechowski – one year, we currently have 15. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve emergency RBC repairs, parts and labor from sewer reserves Applied Industrial Technologies in the amount of \$6,078.62 and Hohl Industrial Services in the amount of \$8968. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve additional cost of \$120 on approved budgeted purchase of trackless snow blower, budgeted amount was \$10,000 actual cost was \$10120. Carried.

BUSINESS FROM FLOOR-

Robert Overhoff – 1784 Crittenden Rd. Citing a letter from an Erie County Engineer from 15 years ago – questioned the quality of the water, because he quoted the engineer as saying it smelled “like septic”. He also questioned the need to build the water tower on Maple Ridge which in the 2007 Erie County report says it is not necessary. Questioning why that money could’ve been spent hooking into EC water, which he feels we should’ve done and questioned this board on why it wasn’t done 20 yrs. ago. Mayor Manicki explained that there is nothing wrong with the water, it is treated for sulfur, manganese and iron contaminants. We spent \$2.6 million in two years to re-habilitate well #2 and combine wells 3&4. The water tower was also necessary to maintain water pressure. The ECWA had a leak on Sandridge road and it drained the water tank. They had about 12 breaks this year. The 2007 report did give various options to acquire Erie County Water. Improve our wells, Bulk water sale, which the village would continue to maintain the water system, read the meters and bill the customers. This would cause an additional \$2.60 charge to the current rate, loss water and summer surcharge would apply. Direct Service agreement, which the village would be required to replace all 4” and 6” lines, annual hydrant fee of \$26,000 (2007 rates) and estimated capital investment an estimated \$4.5 million dollars. The village is in the bottom 1/3 for rates, even though Erie County is the second lowest, does not include summer surcharge or hydrant fees,

which are reflected in the tax bills, along with debt service charges. The town residents pay the \$85,000 a year in hydrant fees.

Mr. Overhoff – you were elected to do what is best for the people, why not let the people decide? Do a survey or submit a petition.

Mayor Manicki suggested that if the majority (1250) customers decide to, we can go to Erie County water. The rate would be roughly \$6.50/1,000 gallons.

Mr. Overhoff questioned Attorney Trapp on the procedure to bring it up for a vote. Attorney Trapp explained there are provisions in the state law for permissive referendums and he will look into it.

Joe Espersen – 1717 Willow Woods Lane – feels the service the village provides is fantastic, but has a problem with the water. Questioned how many in attendance drank the water. Would like to see the residents polled.

Mayor Manicki reiterated the fact that the current rate of \$3.95 would be \$6.50-\$7/1,000 gallons if we purchase Erie County water.

Superintendent Sitzman – ECWA cannot guarantee water quality, Alden would be on the outskirts of the system. Taste like Lake Erie last time he tasted it, but they have made upgrades since then.

Eugene Nuwer – 13259 Colonial Woods Dr. Questioned when increased rates would take effect?

Clerk Wachowiak – in the November billing, from July 15-Oct. 15.

Mr. Nuwer asked why they would be billed starting July 15, when the bulk water purchase was not made till 8/11, that is 27 extra days at the increased rate.

Clerk Wachowiak using the board as examples, she explained that based on actual consumption the extra 80 cent/1,000 gallon increased ranged from \$3-\$10 for the 27 days. The software we use does not allow us to charge 2 different rates in the same billing cycle. Administrative fees, billing, mailing cost, post card and ink cost to do a separate mailing would cost over \$2,000

Trustee Daluisio – We are resident. We have the same concerns. Unprecedented conditions, 100 yrs. since drought. If it takes an additional \$20 on my water bill to get out of this bind, than I say ok, rather than water rationing. At this time the village has control over rates, if we go to ECWA, they can increase rates, we have no control.

Mr. Kosinski - are there special grants available to pay for the repairs or hook ups?

Mayor Manicki – not for this, there are CFA grants possible if ECWA takes over that we may be able to apply for.

Mark Casell – 13400 Baxter Ave. What is the cost of the temporary hook up?

Superintendent Sitzman - \$4500 for hose, and meter.

Mr. Kosinski – what is the situation on Zoladz and why don't they pay sewer on their bulk water purchase? I think you should look into charging them for sewer, we pay it.

Superintendent Sitzman – Zoladz was cut off in July. As were the school and town park irrigation systems. They currently do not pay sewer on these accounts. Drought conditions due to the 4' frost and little snow, the wells could not recharge.

REPORTS FROM COMMITTEES/DEPARTMENTS:

Superintendent Sitzman – Gutters on Baxter are complete, upcoming projects: drainage irrigation on Irving/Crittenden, curbing on Exchange and Railroad and resurfacing of Railroad, WWTP- going to bid for replacing 32 yr. old RBC's, design phase. Paul

Kosinski: can you get grant money to do the sidewalks? Superintendent Sitzman – we have CHIPS money that can be used, but on village streets only. Mayor Manicki – sidewalks slated for repairs in Sept with CDBG money, and only on designated low income areas (North of Broadway) as decided on by Erie County. We do not have a grant writer, but try to take advantage of any money that may be available. Erie County has placed a traffic counter on Exchange St. Mayor Manicki has approached the county about the deplorable conditions of the street.

Attorney Trapp – waiting to hear from Charter Communications

Mayor Manicki – we hooked into Erie County water today. We did not receive the sewer grant we were hoping for, but will reapply next year. We will begin Phase I of the WWTP and have asked Senator Gallivan for \$100,000. Sales tax is decreased .61%

UNFINISHED AND TABLED BUSINESS:

None

ADJOURNMENT

Motion by Trustee Mezydlo, seconded by Trustee Daluisio, to adjourn at 840 pm, with a moment of silence for Peter Skowron. Carried.

I respectfully submit,

Sue Galbraith,
Deputy Village Clerk