

Approved BOARD MINUTES April 28, 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 and Daluisio, Clerk/Treasurer Wachowiak, Deputy Clerk Galbraith, CEO Czechowski Superintendent Sitzman, Attorney Trapp, Eugene Nuwer, Ryan Sheedy, Mark Casell, David Rowlinson, Project Manager GHD, student Jamie McMohan and Sue DeWitt, Alden Advertiser.

Absent: Trustees Retzlaff and Warmus

MOTION by Trustee Mezydlo, seconded by Trustee Daluisio, to approve the minutes of the April 14, 2016 meeting. Carried.

MOTION by Trustee Daluisio, seconded by Trustee Mezydlo, to approve for payment bills on abstract dated April 28, 2016. Carried

Payroll	\$42,382.74
Abstract	\$52,864.11

MOTION by Trustee Daluisio, seconded by Trustee Mezydlo, to approve the following reports: Planning Board for February and April. Carried.

Power Point Presentation by David E. Rowlinson, Project Manager, GHD for the Waste Water Treatment Plant Improvement Project.

The following are complete – Sewer and WWTP Study, I/I Study, WWTP evaluation – this includes Infiltration and inflow (I/I), Flow Monitoring, Identification of High Producing Priorities, WWTP evaluation, Equipment and Process Evaluation and recommendations for improvements. Last I/I study 1979.

Phase I – Sanitary Sewer Evaluation Study (SSES). This is to be completed in the first year.

Identification of sewer lining and repairs – smoke testing, dye testing, sewer video and manhole inspection. RBC (Rotating Biological Contacts) replacements. The 6-RBC’s are 31 years old, are in poor condition and unreliable causing concerns about permit violations. Phase I includes replacing RBS’s, Anaerobic digester cleaning and evaluation, MCC#1 replacement, influent pump discharge piping, bubbler level control piping, pump control panel replacement, solid drying bed building roof replacement, influent mechanical bar screen replacement, grit pump replacement and building roof replacement for administration building.

Phase II – 1-2 years later - Aerobic digester rehabilitation, MCC#2, 3 & 4 replacement, effluent re-aeration blower VFD’s an automated do monitoring, standby power generator replacement, belt filter press replacement, building roofing replacement and priority 1 sewer repairs.

Financing – we qualify for a hardship loan – NYSEFC loan – hardship status, SEQR completed IUP project listing – complete, submitted, financing application – complete, submitted, round 2 NYSEFC grant application complete submitted, grant request value - \$1,691,000

Phase I \$3,990,000

Phase II \$2,774,000

Total \$6,764,000

Interest cost at 3%/yr., 30 yr. loan. Estimated interest \$3,500,00

Hardship status 0% interest plus possible grant estimated interest \$0

Superintendent Sitzman to send letters to residents concerning illegal hook ups, illegal downspouts.

COMMUNICATIONS

NYCOM updates: Aim funding and CHIPS is flat, but have increased water infrastructure improvement funding, BRC Wealth Management Portfolio, meeting minutes from Association of Erie County Governments and Town of Alden, request from: Alden Hook and Ladder Fire Co., Inc. and St. John the Baptist Church, Memo from E.C. Planning Co: CDBG report, NYS Dept. of Public Service co. Clean Energy Standard Program, Penflex, information co. LOSAP eligibility, information from Quota International, solicitation notice from Homeserve, PSC clean energy renewable resources – fixed energy, energy contracts for municipalities and Grant Action News.

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

RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:

Resolutions/Appointments/Requests/Motions for April 28

MOTION by Trustee Daluisio and seconded by Trustee Mezydlo, to approve the following elected officers as voted on and approved by membership:

Chief – Richard Greis

1st Asst. – Mark Pruitt

2nd Asst. – Dave Siegal

3rd Asst. – Brian Fix

Firematic Officers

Captain – Erik Maderer

1st Lieut. – Chris Vilagy

2nd Lieut. – Joseph Greis

3rd Lieut. – Albert Boucher

4th Lieut. – Joshua Zelak Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to approve Alyssa Zappia –EMS only, into the Alden Hook & Ladder Fire Company, Inc. as voted on and approved by membership. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Mezydlo, to authorize Mayor Manicki to sign the Occustar Inc. contract. Carried.

On the question – Attorney Trapp issues came up with issuing subpoenas, hold till approved by Attorney Trapp.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to write off any money under \$50 in water and sewer that has been deemed uncollectible. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Mezydlo, to approve St. John's the Baptist Parish's request to use Firemen's Bandstand Memorial Park on Sunday, June 5, 2016 from noon to 3 pm, and have electric available for their prayer rally. The sign request is being denied, as there are two signs in the park already. Will advertise event on the Village Hall digital sign. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Daluisio, to amend the adopted 2016-2017 budget to correct the taxable assessed valuation amount to be \$150,448,697., which results in a tax rate of \$5.88/thousand.

Roll Call Vote: Trustee Mezydlo – aye
Trustee Daluisio – aye
Mayor Manicki – aye Carried.

MOTION by Trustee Daluisio, and seconded by Trustee Mezydlo, to authorize Mayor Manicki to sign the 2016-2017 tax warrant. Carried.

On the question – Mayor Manicki explained this is the first year using the new assessment used to use total assessment.

MOTION by Trustee Daluisio, seconded Trustee Mezydlo, to authorize Supt. Sitzman to advertise for bids for the processing and disposal of mixed municipal recyclables. Carried.

* * *

Trustee Mezydlo offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED APRIL 28, 2016, AUTHORIZING THE CONSTRUCTION OF SEWER AND WASTEWATER TREATMENT PLANT IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,764,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$6,764,000 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 sewer and wastewater treatment plant improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,764,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$6,764,000 to finance said appropriation. Sewer assessments have been imposed in the Village and it is expected that such assessments shall continue to be imposed and collected by the Village and the amounts derived therefrom shall be budgeted and used to the pay principal of and interest on the bonds, and any notes issued in anticipation thereof, as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$6,764,000 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 April 28, 2016, 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 April 28, 2016, authorizing the construction of sewer

and wastewater treatment plant improvements, stating the estimated maximum cost thereof is \$6,764,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$6,764,000 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 sewer and wastewater treatment plant improvements; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,764,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$6,764,000 to finance said appropriation; and STATING that sewer assessments have been imposed in the Village and it is expected that such assessments shall continue to be imposed and collected by the Village and the amounts derived therefrom shall be budgeted and used to the pay principal of and interest on the bonds, and any notes issued in anticipation thereof, as the same shall become due and payable;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$6,764,000 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: April 28, 2016

TERRY WACHOWIAK
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 Daluisio, and duly put to a vote on roll call, which resulted as follows:

AYES: Trustee Mezydlo - aye

Trustee Daluisio -aye

Mayor Manicki -aye

NOES:

The resolution was declared adopted

BUSINESS FROM FLOOR-

Alden student Jamie asked several questions from the board. Jamie also inquired as to the procedures of having a military run, dedicated to the military in the village. The Mayor recommended he send a letter to the board with his request.

REPORTS FROM COMMITTEES/DEPARTMENTS:

Superintendent Sitzman – smoke testing for I/I study going on now. All residents in the affected area have been notified. Call DPW or Village Hall with questions, smoke is harmless and SDS is available if needed. One inquiry of smoke entering a house on Elm St. was received, could be trap is not working and should be checked for sewer gases.

Clerk Wachowiak – Water bills sent out May 1, Tax bills June 1.

Mayor Manicki – was recently on Channel 2 news concerning the deplorable conditions of Exchange St. Have not been contacted by the county directly, but have heard county

will revisit the street review. According to the Erie County Highway Pavement Condition Assessment Report for 2015, Exchange St. from Village line to Broadway received a rating of 6. The generalized description of roadway surface score of 6 is the road is in fair condition. Riding quality is noticeably inferior to new pavements, showing infrequent to occasional signs of distress. Surface defects of flexible pavements may include moderate rutting, cracking and raveling: patching is apparent. Overlay pavements show evidence of slight to moderate cracking and raveling along cracks. The Mayor feels the section from the railroad tracks to Broadway should be rated a 4, poor condition. Pavement have deteriorated to a point where resurfacing is required, showing occasional to frequent distress. Ride ability, even at slow speeds, is impaired. Surface defects on flexible pavements include sever rutting, cracking, raveling, and patching. Surface defects of rigid pavements include severe joint spalling, cracking, scaling and patching. Overlay pavements show evidence of severe surface delamination. The Mayor will continue to work with Legislator Morton to pursue the subject.

UNFINISHED AND TABLED BUSINESS:

None

ADJOURNMENT

Motion by Trustee Mezydlo, seconded by Trustee Daluisio, to adjourn. 8:26 pm. Carried.

I respectfully submit,

Sue Galbraith,
Deputy Village Clerk