

**Approved BOARD MINUTES June 8, 2017**

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

**PRESENT:** Mayor Manicki, Trustees: Warmus, Overhoff and Green.  
Superintendent Sitzman, Clerk/Treasurer Wachowiak, Deputy Clerk Galbraith, Attorney Trapp, CEO Czechowski, Eugene Nuwer and Sue DeWitt, Alden Advertiser.  
Absent: Trustee Daluisio

**MOTION** by Trustee Overhoff seconded by Trustee Green, to approve the minutes of the May 25, 2017 meeting. Carried.

**MOTION** by Trustee Overhoff, seconded by Trustee Warmus, to approve for payment bills on abstract dated June 8, 2017. Carried.

Payroll	\$42,505.22
Abstract	\$102,506.65

**MOTION** by Trustee Warmus, seconded by Trustee Green, to approve the following reports for May: Treasurer, Court, Fire Fuel, CEO, DPW addendum and Erie County Sheriff. Carried.

**MOTION** by Trustee Warmus, seconded by Trustee Green, to adjourn the regular meeting and to enter into the Public Hearing, 7:35 pm

**Public Hearing – Mobile Home Park license renewal**

CEO Czechowski explained that this is a yearly process to consider renewal. The CEO and Superintendent of Public Works will compile a list of concerns to be in compliance and will report to the board. There was no public comment.

**MOTION** by Trustee Green and seconded by Trustee Overhoff, to adjourn from the Public Hearing and re-enter into the regular meeting, 7:36 pm. Carried.

**COMMUNICATIONS**

Copy of proposed summer newsletter, request for sign from Alden Car Show, copy of SEQR for ECWA interconnection. Letters to E.C. Sheriffs and NYS Troopers to reinforce the curfew, RBC Wealth Management LOSAP payout report, and meeting notice Association of Erie County Governments, certificate from PERMA for submitting claims in a timely manner. Notification from the Erie County Sheriff's Dept. concerning increasing patrols in the Meadow Dr. area. American City and County magazine. Meeting minutes for the Town of Alden.

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

**RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:**

Resolutions/Appointments/Requests/Motions for June 8, 2017,

**MOTION** by Trustee Overhoff and seconded by Trustee Warmus, to approve the Fire/EMS calls for May 13 – 26, 2017. Carried.

MOTION by Trustee Green and seconded by Trustee Warmus, to approve/disapprove the temporary business sign permit for Country Village Pet Care, 13269 Broadway, as per submitted application. Carried.

MOTION by Trustee Green and seconded by Trustee Warmus, to set a public hearing on June 22, 2017 at 8:15AM to hear comments regarding the proposed approval of a Cluster Development designation for the Birch Creek Run Patio Home project, 13024 West Main Street. Carried.

MOTION by Trustee Overhoff and seconded by Trustee Green, to authorize Mayor Manicki to sign the agreement with Nussbaumer & Clarke, Inc. to prepare the Grant applications for the Water System Interconnections with the Erie County Water Authority for the Not-to-Exceed Fee of \$1800. Carried.

MOTION by Trustee Warmus and seconded by Trustee Green, to approve Supt. Sitzman recommendation to hire Reiner Gucinski, as a full time Laborer in the Department of Public Works, rate per contract. Carried.

MOTION by Trustee Overhoff and seconded by Trustee Green, to approve Supt. Sitzman recommendation to re-appoint Albert Boucher, as a seasonal Laborer in the Department of Public Works at a rate of \$12.00 per hour. Carried.

MOTION by Trustee Green and seconded by Trustee Warmus, to approve the following SEQR resolution:

WHEREAS,

1. The Village of Alden is planning to apply for a Drinking Water Grant for construction of two interconnections between the Village water supply and Erie County Water Authority (ECWA) supply at Broadway and Exchange Street;
2. In accordance with the New York State Environmental Quality Review regulations (SEQR), the Village of Alden intends to serve as Lead Agency for the proposed action;
3. The Village of Alden has determined that the proposed action is an Unlisted action as defined under SEQR;
4. The Village of Alden has caused to be prepared a Short Environmental Assessment Form to consider the significance of and potential environmental impact of the action described above.
5. The Village of Alden has considered Parts 1, 2 and 3 of the Short Environmental Assessment Form prepared for this action.

NOW THEREFORE BE IT RESOLVED, The Village of Alden declares that it will serve as Lead Agency for the water system interconnections with ECWA; and, The Village of Alden declares that, based on the Short Environmental Assessment Form which has been prepared, the project will result in no significant adverse environmental impacts and, therefore, a Negative Declaration under SEQR is issued for this project.

Roll Call Vote: Trustee Green-aye  
Trustee Warmus-aye

Trustee Overhoff-aye  
Mayor Manicki-aye Carried.

MOTION by Trustee Green and seconded by Trustee Warmus, to approve the following resolution:

PROCLAMATION

WHEREAS Alannah Pionessa has demonstrated a high level of maturity for someone of her age.

AND WHEREAS she was cared for as an infant by the Neonatal Intensive Care Unit at Women and Children's Hospital.

AND WHEREAS she decided to forgo birthday gifts and ask for donations of blankets and books to the hospital to help other infants as they helped her.

AND WHEREAS her actions encouraged others to give back to the community.

NOW THEREFORE BE IT RESOLVED, that the Village of Alden thanks her for her efforts and proclaims Friday, June 9, 2017 as Alannah Pionessa Day in the village.

Roll Call Vote: Trustee Green-aye  
Trustee Warmus-aye  
Trustee Overhoff-aye  
Mayor Manicki-aye Carried.

Alannah was present and Mayor Manicki presented her with a framed copy of the resolution.

MOTION by Trustee Warmus and seconded by Trustee Overhoff, to approve the following resolution:

**Re: Supporting a Home Rule Request: Seeking Permission from New York State to Amend the Erie County Tax Act**

**WHEREAS**, since 2015 more than 800 homes in Western New York have been deemed "zombie houses" defined as properties undergoing the foreclosure process that can remain vacant for years; and

**WHEREAS**, the economic result of such vacant properties is nearly \$58 million worth of real estate in Erie County since it was last calculated; and

**WHEREAS**, if the home remains vacant for a long enough period of time the property value could decrease to such a level that it is no longer in a bank's financial interest to foreclose on the property implying that time is a crucial factor in these cases; and

**WHEREAS**, these houses remain empty typically due to homeowners' misunderstanding of proper foreclosure procedure- leaving these houses in limbo, i.e. the homeowners no longer maintain the property and banks are not legally obligated to. This means these properties are maintained oftentimes at the expense of taxpayers; and

**WHEREAS**, in the United States the average time it takes to foreclose on a property is two years. If a house has been deemed abandoned by the municipality the foreclosure process should only take one year; and

**WHEREAS**, as such the Village of Alden, Board of Trustees requests permission from New York State to make the following amendments to the legislation known as the Erie County Tax Act; and

**WHEREAS**, the purpose of this resolution is to recommend the New York State Senate and Assembly amend § 9-1.0 of the Erie County Tax Act to shorten the period in which the holder of a tax sale certificate may foreclose on a property that is certified by a municipality to be vacant and abandoned from two years to one year; and

**WHEREAS**, additionally to recommend § 11-2.0 of the Erie County Tax Act be amended to shorten the period in which the county may foreclose on a tax certificate on a property that is certified by a municipality to be vacant and abandoned from two years to one year

**NOW, THEREFORE, BE IT**

**RESOLVED**, the following resolution is hereby adopted by the Village of Alden; and be it further,

**RESOLVED**, that the Clerk Wachowiak forward certified copies of this resolution to the New York State Assembly attention Speaker Carl E. Heastie and New York State Senate attention Majority Leader Flanagan as well as to the Erie County Executive, the Honorable Mark Poloncarz and to all other parties deemed necessary and proper.

**FISCAL IMPACT:** None for resolution

Roll Call Vote: Trustee Green-aye

Trustee Warmus-aye

Trustee Overhoff-aye

Mayor Manicki-aye Carried

MOTION by Trustee Warmus and seconded by Trustee Overhoff, to approve the following resolution:

**VILLAGE OF ALDEN SUPPLEMENTAL WATER SUPPLY CONNECTION  
RESOLUTION**

WHEREAS, the Village of Alden (Village) previously authorized an evaluation of alternate potable water supply to identify opportunities to supplement existing water supply with Erie County Water Authority (ECWA) water and has received an Engineering Report recommending two interconnections with a cost estimate of \$180,000; and

WHEREAS the Clean Water Infrastructure Improvement Act of 2017 (WIIA) authorizes the New York State Environmental Facilities Corporation (NYSEFC) to provide grants to eligible Municipal Drinking Water Projects; and

WHEREAS, if awarded, the WIIA grant will fund 60% of eligible project costs; and

WHEREAS, Nussbaumer & Clarke, Inc. has been authorized to prepare a 2017 WIIA Grant application for the ECWA Interconnection Project which is due to NYSEFC by June 23, 2017; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor is directed to apply for the WIIA Grant, authorized to sign the WIIA Grant application and supporting documents, and if awarded, to execute a WIIA Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village's obligations under the WIIA Grant Agreement.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Village authorizes and appropriates up to \$72,000 as required by the WIIA grant application for the water supply interconnections with ECWA. If grant funds are awarded, the balance of the project cost shall be appropriated from the Village's capital water reserve fund. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$72,000 based upon a total estimated maximum project cost of \$180,000. The Mayor may increase this amount through the use of in kind services without further approval from the Village.

Roll Call Vote: Trustee Green-aye

Trustee Warmus-aye

Trustee Overhoff-aye

Mayor Manicki-aye Carried.

MOTION by Trustee Warmus and seconded by Trustee Green, to approve the following resolution:

**VILLAGE OF ALDEN SUPPLEMENTAL WATER SUPPLY CONNECTION – IMG GRANT:**

WHEREAS, the Village of Alden (Village) previously authorized an evaluation of alternate potable water supply to identify opportunities to supplement existing water supply with Erie County Water Authority (ECWA) water and has received an Engineering Report recommending two interconnections with a cost estimate of \$180,000; and

WHEREAS the New York State Intermunicipal Water Infrastructure Grants Program (IMG) of 2017 authorizes the New York State Environmental Facilities Corporation (NYSEFC) to provide grants to eligible Municipal Drinking Water Projects; and

WHEREAS, if awarded, the IMG grant will fund 40% of eligible project costs; and

WHEREAS, Nussbaumer & Clarke, Inc. has been authorized to prepare a 2017 IMG Application for the ECWA Interconnection Project which is due to NYSEFC by June 23, 2017; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor is directed to apply for the IMG Grant, authorized to sign the IMG Grant application and supporting documents, and if awarded, to execute a WIIA Grant Agreement with the NYS Environmental Facilities

Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village's obligations under the IMG Grant Agreement.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Village authorizes and appropriates up to \$108,000 as required by the IMG grant application for the water supply interconnections with ECWA. If grant funds are awarded, the balance of the project cost shall be appropriated from the Village's capital reserve fund. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$108,000 based upon a total estimated maximum project cost of \$180,000. The Mayor may increase this amount through the use of in kind services without further approval from the Village.

Roll Call Vote: Trustee Green-aye  
Trustee Warmus-aye  
Trustee Overhoff-aye  
Mayor Manicki-aye Carried.

MOTION by Trustee Green and seconded by Trustee Overhoff, to approve the Alden Car Show's request to erect two signs in Firemen's Memorial Bandstand Park from July 22 – July 31, 2017. Carried.

**BUSINESS FROM FLOOR-**

**REPORTS FROM COMMITTEES/DEPARTMENTS:**

**Superintendent Sitzman** –submitted grant for sewer project

**Trustee Warmus** – complemented Clerk Wachowiak and Superintendent Sitzman on their work on the grants.

**Mayor Manicki** – approached Superintendent Stoltman on Trustee Overhoff's concerns of parents parking on the east side of Crittenden Rd and causing hazardous conditions for children. He will look into it. Instructed to call the police if it happens. Trustee Daluisio who was not present informed the Mayor of his frustrating 40 minute call to the NYSDOT concerning the pedestrian crosswalks. A traffic study had been done prior, but data is not available yet.

**UNFINISHED AND TABLED BUSINESS:**

**ADJOURNMENT**

MOTION by Trustee Warmus and seconded by Trustee Green, to adjourn the meeting at 7:54 pm Carried.

I respectfully submit

Sue Galbraith,  
Deputy Village Clerk

