

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Tuesday, July 18, 2022 at 7:00 P.M. Supervisor Sitzman called the Meeting to Order and Supervisor Sitzman led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Brett Sitzman, Town Supervisor  
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Bill Rogers, Highway Superintendent  
Chris Snyder, CEO  
Len Weglarski, DCO  
Sarah Miller, Deputy Town Supervisor  
Residents

Councilwoman Pautler Moved and Supervisor Sitzman seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of July 5, 2022.

**CARRIED**

Ayes 2 Sitzman & 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 #548 - 611 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$38,144.57		\$38,144.57
HIGHWAY FUND "DA/DB"	\$22,461.02		\$22,461.02
PART-TOWN FUND "B"	\$8,276.78		\$8,276.78
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST#1 FUND "SI"			
WATER DIST. EXCHANGE "WX"	\$5,339.25		\$5,339.25
SEWER DIST. #2 FUND "SA"	\$524.96		\$524.96
TRUST & AGENCY "T"	\$123,697.40		\$123,697.40
SPECIAL REFUSE FUND "SR"	\$37,320.83		\$37,320.83
STREET LIGHTING FUND "SL"	\$95.90		\$95.90
PERIWINKLE LTG. DIST."SL1"	\$74.98		\$74.98
ZOELLER RD WATER DIST "WZ"	\$4,068.00		\$4,068.00
<b>TOTAL</b>	<b>\$244,088.46</b>		<b>\$244,088.46</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON JULY 18, 2022 AND

ADOPTED

Ayes 2 Sitzman & Pautler

Nays 0

**BUSINESS FROM THE FLOOR**

**COMMUNICATIONS**

**Brett Sitzman, Supervisor**

1. ACS request use of Town facilities; add to WS
2. Alden Historical Society use of Community Center; add to WS
3. Building Inspector monthly report

**Alecia Barrett, Town Clerk**

1. Read letter allowed on behalf of Councilwoman Waiss; thank you letter from residents and children who use the Jane Dr mini park

**Jennifer Strong, Town Attorney**

1. Dunk tank insurance coverage; add to WS
2. All insurance and indemnification agreements in place for bicentennial festivities

**NEW BUSINESS**

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

Motion to approve the request of Alden Junior Football & Cheerleading ("AJFC") to use the Town Park football field (directly north of the main entrance) for practices from August 1, 2022 through August 31, 2022 on Mondays through Fridays from 6pm until 8pm;

to use both football fields for practices from September 1, 2022 through October 29, 2022 on Tuesdays through Thursdays from 6pm until 8pm;

and to use the field with scoreboard for a football game on August 31, 2022, time TBD and cleared by the Parks Department.

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

All participants must sign Waivers, to be filed with the Town Clerk prior to participating.

AJFC must submit proof of insurance naming the Town of Alden as an addition insured.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on July 18, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Pautler

Nays 0

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

WHEREAS, the Alden Town Board has received a request from the Town Bicentennial Committee to rent inflatable entertainment devices as part of the Town's Bicentennial celebrations on July 30, 2022;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden and the New York State General Municipal Law state that the Town must obtain written quotes, except in the case of a sole source provider;

WHEREAS, the Bicentennial Committee contacted several entertainment companies and only one such company does business in the Western New York area and offers inflatable entertainment devices, making this company a sole source provider;

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the rental of the attachment inflatable entertainment devices from Creen Corp. d/b/a Pig Belly Entertainment for use in the Town Park on July 30, 2022 at a cost of \$4,500.00;
2. Creen Corp. d/b/a Pig Belly Entertainment has provided proof of insurance with a waiver of subrogation naming the Town of Alden as an additional insured and must sign an Indemnification Agreement for the benefit of the Town; 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 July 18, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & 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 declared the Alden State Bank to be the official bank of the Town of Alden;

WHEREAS, in 2021, the Alden State Bank and the Federal Home Loan Bank, in order to provide security as required by the General Municipal Law and Banking Law requested the Town to execute a Third Party Custodian Agreement; and

WHEREAS, the Alden State Bank has now requested that the Town sign an Amendment to said Third Party Custodian Agreement to allow the Bank to send and the Town to receive electronic notices.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the execution of the 2021 Third Party Custodian Agreement is hereby approved and ratified and that the Supervisor be, and hereby is authorized and directed to execute the requested Amendment to the Third Party Custodian Agreement; 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 July 18, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Pautler

Nays 0

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

WHEREAS, the Alden Town Board is considering an application by Gary Schlabach for the subdivision of two (2) lots. The entire parcel currently consists of approximately 5.2 acres at 11822 Cary Road, in the Town of Alden, further identified as SBL 118.00-5-8.2. The first proposed lot ("Parcel A") would be an approximately 2.54 acre vacant parcel and the second proposed lot ("Parcel B") would be the approximately 2.82 acre parcel with the existing house (the "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on May 26, 2022, for this Proposed Action, as required under Section 239-m of the General Municipal Law and "no recommendation" was received;

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, the Alden Town Board did assume Lead Agency Status on June 21, 2022;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQRA Intake Officer; and

WHEREAS, during review of this Proposed Action, the Town of Alden assessed areas of environmental concern, and determined that no significant negative impacts would occur. In reaching this decision, the Town carefully considered all "Criteria" for Determination of Significance listed in the SEQRA Regulations.

WHEREAS, the Town of Alden Planning Board on June 14, 2022 reviewed the Proposed Action and recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;
2. The Town of Alden, as Lead Agency hereby concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration;
3. That the following parcel, more particularly described as:

*Parcel A: (West of 11822 Cary Road, Town of Alden)  
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York and being part of Lot 119, Township 10 and Range 5 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at the southwest corner of said Lot 119 in the center line of Cary Road; RUNNING THENCE EASTERLY along said center line of Cary Road and the south line of said Lot 119, a*

*distance of 180.00 feet to a point; HENCE NORTHERLY along a line drawn parallel with the westerly line of Lot 119, a distance of 615.68 feet to a point on the northerly line of lands conveyed to Gary F. Schlabach and Cynthia A. Schlabach, his wife, by deed recorded in the Erie County Clerk's Office in Liber 10887 of Deeds at page 5808; THENCE WESTERLY along a line drawn parallel with the south line of Lot 119 and along the north line of said lands conveyed to Schlabach, a distance of 180.00 feet to a point on said westerly line of Lot 119; THENCE SOUTHERLY along said westerly line of Lot 119, a distance of 615.68 feet to the point of beginning. Said parcel containing an area of 2.54 acres, more or less.*

*And Parcel B: (11822 Cary Road, Town of Alden)*

*ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York and being part of Lot 119, Township 10 and Range 5 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at a point in the center line of Cary Road, said center line being the south line of Lot 119, distant 180.00 feet easterly from the southwest corner of said Lot 119; RUNNING THENCE NORTHERLY along a line drawn parallel with the westerly line of Lot 119, a distance of 615.68 feet to a point on the northerly line of lands conveyed to Gary F. Schlabach and Cynthia A. Schlabach, his wife, by deed recorded in the Erie County Clerk's Office in Liber 10887 of Deeds at page 5808; THENCE EASTERLY along a line drawn parallel with the south line of Lot 119 and along the north line of said lands conveyed to Schlabach, a distance of 191.25 feet to the northeast corner of said lands conveyed to Schlabach; THENCE SOUTHERLY along a line drawn parallel with the east line of Lot 119 and along the easterly line of said lands conveyed to Schlabach, a distance of 615.00 feet to southeast corner of said lands conveyed to Schlabach on the south line of Lot 119; THENCE WESTERLY along the south line of Lot 119, a distance of 208.17 feet to the point of beginning. Said parcel containing an area of 2.82 acres, more or less.*

are given subdivision approval; and

4. 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 July 18, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Pautler

Nays 0

**POLLED AND ADDED WITH NO OBJECTIONS**

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

WHEREAS, the Town of Alden is holding a Bicentennial Parade on July 30, 2022 and would like to locate the Parade Judging Stand (being a flat bed truck to be donated by Zoladz Construction) on the vacant land owned by the Alden State Bank;

WHEREAS, the Alden State Bank will allow the Town the use of its vacant property upon the conditions that the Town provides insurance and signs an Indemnification Agreement.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby authorizes and directs the Town Supervisor to sign an Indemnification Agreement with the Alden State Bank and to provide insurance to allow the Town to place a Parade Judging Stand on the Bank's vacant property for the Bicentennial Parade; 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 July 18, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Pautler  
Nays 0

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

Whereas, the County of Erie has offered the Town grant monies to replace the air conditioning equipment at the Senior/Community Center at a cost not to exceed \$26,000.00.

Whereas, the Alden Town Board believes that accepting this grant is in the best interest of Alden Residents.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby directs and authorizes the Supervisor to sign the attached grant contract with the County of Erie, 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 July 18, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Pautler  
Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

**ANNOUNCEMENTS FROM SUPERVISOR**

**NOTICE OF MEETINGS**

<b>WORK SESSION:</b>	<b>July 25, 2022</b>	<b>@7:00 PM</b>
<b>REGULAR BOARD MEETING</b>	<b>August 1, 2022</b>	<b>@7:00 PM</b>
<b>SPECIAL WORK SESSION</b>	<b>August 3, 2022</b>	<b>@5:00 PM</b>

**MEMORIAL REMEMBRANCE -**

**ADJOURNMENT**

At 7:16 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett  
Town Clerk