

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, November 21, 2022 at 7:00 P.M. Supervisor Sitzman called the Meeting to Order and Councilwoman Waiss led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Brett Sitzman, Town Supervisor  
Gina Waiss, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Sarah Miller, Deputy Town Supervisor  
Jennifer Strong, Town Attorney  
Mike Metzger, Town Engineer  
Residents

Councilwoman Waiss Moved and Supervisor Sitzman seconded the Motion table the approval of the Minutes and Synopsis of the Regular Meeting of October 17, 2022.

**CARRIED**

Ayes 2 Sitzman & Waiss

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 #933 - 980 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$42,765.21		\$42,765.21
HIGHWAY FUND "DA/DB"	\$42,355.68		\$42,355.68
PART-TOWN FUND "B"	\$17,119.83		\$17,119.83
WATER DISTRICT NO. 1 "WA" SPECIAL FIRE PROTECTION "SF"	\$6,233.73		\$6,233.73
SEWER DIST#1 FUND "SI"			
WATER DIST. EXCHANGE "WX"			
SEWER DIST. #2 FUND "SA"	\$517.73		\$517.73
TRUST & AGENCY "T"	\$18,799.19		\$18,799.19
SPECIAL REFUSE FUND "SR"	\$41,973.22		\$41,973.22
STREET LIGHTING FUND "SL"			
PERIWINKLE LTG. DIST."SL1"	\$143.38		\$143.38
ZOELLER RD WATER DIST "WZ"			
<b>TOTAL</b>	<b>\$169,907.57</b>		<b>\$169,907.57</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON NOVEMBER 21, 2022 AND

**ADOPTED**

Ayes 2 Sitzman & Waiss

Nays 0

**BUSINESS FROM THE FLOOR**

**COMMUNICATIONS**

**Brett Sitzman, Town Supervisor**

1. Letter from Alden Youth baseball and Softball
2. Letter from DOH announcing that WIIA Grant application was denied
3. Letter from Kiwanis Club for Community center use
4. Letter from Town of Brant regarding resolution in support of Second Amendment (add to WS)
5. Communication regarding vacant parcels on Walden Ave owned by NYSDOCCS

**Jennifer Strong, Town Attorney**

1. Reviewed Sun King and Springbrook contracts

**NEW BUSINESS**

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Mulvey Construction Inc. for site plan approval of a proposed new 23,000 square foot commercial contractor office and shop with at 11061 Walden Avenue, in the Town of Alden, further identified by SBL # 96.00-4-5 (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a coordinated review;

WHEREAS, the Town of Alden has provided notice to Erie County Planning as required under Section 239-m of the General Municipal Law and to all involved agencies;

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

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

WHEREAS, any comments received from the involved agencies have been fully addressed by the Code Enforcement Officer; and

WHEREAS, the Town of Alden Planning Board has recommended the approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a proper coordinated review has been conducted;

2. The Town Board has determined that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
3. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the SEQRA NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, on file with the SEQRA Intake Officer, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said Proposed Action;
4. The Town Board finds that the Proposed Action is consistent with the Town Code and approves the site plan and waives the paving requirement for the area behind the privacy fence and contingent upon all items in the letter of Metzger Civil Engineering, PLLC dated November 11, 2022 being resolved before any building permits are issued; and
5. 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 November 21, 2022, which resulted as follows:

**TABLED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

WHEREAS, the all offices at the Alden Town Hall, excepting the Town Court, are in need of a new computers and a new server; which hardware will be purchased pursuant to State Bid through Dell Technologies (State Bid # PM 20820);

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the State Bid Contract;

WHEREAS, The Town Board after full and careful review and consideration of the request finds the request to purchase 13 new computers (towers only) and a new server for the Town Hall offices as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 13 new computers (tower only) and a new server from Dell Technologies State Bid List as described on the attached Pricing Summaries for a total of \$18,186.97 (\$980.59 for each tower and \$5,439.30 for the sever);
2. The Town Supervisor is authorized to sign any and all necessary documents to effectuate this purchase; 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 November 21, 2022, which resulted as follows:

*On the question: Supervisor Sitzman - waiting on current pricing.*

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

WHEREAS, Sullivan Road runs through both the Town of Alden and the Village of Alden; and

WHEREAS, the Town of Alden and the Village of Alden agree that it is in the best interests of their residents and is cost effective to both municipalities to continue to share the maintenance and repairs of Sullivan Road;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board does hereby authorize and direct the Town Supervisor to enter into and execute all necessary documents to effectuate an Agreement in the form attached hereto with the Village of Alden for the joint maintenance and repair of Sullivan Road for the period of January 1, 2023 through December 31, 2024; 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 November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

Motion to cancel the 12/26/2022 work session due to the Christmas Holiday.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SITZMAN, WHO MOVED IT BE TABLED, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application, by Crystal Clear Pools Inc. for site plan approval of a proposed new 2,650 square foot pole barn addition to its existing building located at 12433 Broadway, in the Town of Alden, further identified by SBL # 118.12-1-2 (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a coordinated review;

WHEREAS, the Town of Alden has provided notice to Erie County Planning as required under Section 239-m of the General Municipal Law and to all involved agencies;

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

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, the Applicant

has prepared the Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer; and

WHEREAS, any comments received from the involved agencies have been fully addressed by the Code Enforcement Officer; and

WHEREAS, the Town of Alden Planning Board has recommended the approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a proper coordinated review has been conducted;
2. The Town Board has determined that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
3. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the SEQRA NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, on file with the SEQRA Intake Officer, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said Proposed Action;
4. The Town Board finds that the Proposed Action is consistent with the Town Code and approves the site plan; and
5. 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 November 21, 2022, which resulted as follows:

**TABLED**

Ayes 2 Sitzman & Waiss

Nays 0

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

WHEREAS, the Town of Alden ("Town") and Alden Youth Basketball League, Inc., ("Youth Basketball") a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have negotiated an Agreement for the Town to assist in paying for uniforms and equipment;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden participate in the basketball program offered by Youth Basketball and is interested in assisting Youth Basketball;

WHEREAS, the Town and Youth Basketball have come to full agreement on the terms of such Agreement; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town approves the Agreement with Youth Basketball, as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That the Supervisor of the Town is authorized and directed to sign any and all necessary documents to effectuate this Agreement; 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 November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

Motion to allow Alden Youth Baseball to use the gymnasium at Town Hall on Tuesdays and Thursdays from 5:30 pm until 8.30 pm starting November 15, 2022 through December 29, 2022 for youth baseball practice.

Alden Youth Baseball supply all required safety equipment needed for their practices. AYB shall remove its equipment and clean the gym at the end of the year.

All participants must sign a waiver before participating in the practices.

Alden Youth Baseball must submit proof of liability insurance to the Town Clerk prior to using the gym.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

WHEREAS, the Alden Town Board on November 16<sup>th</sup>, 2021 adopted its 2022 budget,

WHEREAS, the Town of Alden needs to transfer money to allow for payment of item as outlined below; and;

WHEREAS, these budget transfers will not render the Town of Alden insolvent;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following transfers:

A.1620.0100 - \$1807.00 to A.1620.0444 – Air conditioning maintenance

A.1620.0100 - \$1176.00 to A.1620.0444 – Air conditioning maintenance

A.1620.0100 - \$3279.00 to A.1620.0444 – Town Hall water pressure fix

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

WHEREAS, On July 19<sup>th</sup>, 2022 The Town of Alden received its second payment of Coronavirus State and Local Recovery Funds from the Federal Government totaling \$753,741.32.

WHEREAS, The Town of Alden has \$753,741.32 Coronavirus State and Local Recovery Funds available to allocate to the provisions of government services.

WHEREAS, The Towns General Fund requires/requested additional funding of \$55,640.32 for contractual and equipment expenditures to provide government services as follows:

- Working fire alarm system - \$21,229.85
- Town Hall front door security system - \$2,405.00
- New accounting software - \$27,380.00
- Online taxes services - \$2,500.00
- New Town Hall road sign - \$2,500.00
- Phone system - \$6,995.47

NOW THEREFORE BE IT RESOLVED,

That effective November 21<sup>st</sup>, 2022 the Town Board authorizes the use of Coronavirus State and Local Fiscal Recovery Funds of \$55,640.32 for the purpose of providing government services.

BE IT FURTHER RESOLVED that the Town Board authorizes the General Fund Budget Amendment of \$55,640.32

From: A.0000.4089.1000

To: A.0000.1220.0201 for \$20,050.00

A.0000.1410.0201 for \$2,500.00

A. 0000.1620.0444 for \$33,090.32

Totaling - \$55,640.32

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzma & Waiss

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;

Motion to approve the request of the Alden Kiwanis Club to use the Alden Community Center on December 8, 2022 until 6pm to distribute Toys for Tots donations to needy families.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

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

Motion to approve the request of Next Era Energy to use a room at the Town Hall November 30, 2022 from 3pm-7pm for an informational session regarding the recently constructed power line project.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Waiss

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNE**

Alecia Barrett, Town Clerk – installation of the new phone system has begun.

Brett Sitzman, Town Supervisor – Town Hall now has a working fire alarm system

Gina Weiss, Councilwoman – thanked Highway workers for their efforts during the snow storm

Bill Rogers, Highway Superintendent – thanked Larry, RJ and Stephen for their hard work during the snow storm

**ANNOUNCEMENTS FROM SUPERVISOR**

**NOTICE OF MEETINGS**

**WORK SESSION**

**November 28, 2022**

**@7:00PM**

**REG. BOARD MEETING:**

**December 5, 2022**

**@7:00 PM**

**MEMORIAL REMEMBRANCE** - Richard Becker

Councilwoman Weiss moved to enter Executive Session for the purpose of Highway contract negotiations and personnel, second by Supervisor Sitzman.

Supervisor Stzman moved to leave executive session with no action taken, second by Councilwoman Weiss.

**CARRIED.**

Ayes 2 Sitzman & Weiss

Nays 0

**POLLED AND ADDED WITH NO OBJECTION**

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

Motion to hire Brian Young for the Alden Highway Department as a MEO at a rate of \$29.44 per hour, subject to successful completion of all pre-employment checks and conditioned upon the Union signing a MOU regarding starting rate, with a start date of 01/01/2023.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on November 21, 2022, which resulted as follows:

**CARRIED.**

Ayes 2 Sitzman & Weiss

Nays 0

**ADJOURNMENT**

At 7:41 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett  
Town Clerk