

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, September 6, 2022 at 5:00 P.M. Supervisor Sitzman called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Brett Sitzman, Town Supervisor
Gina Waiss, Councilwoman
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

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

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of September 6, 2022.

On the question – Supervisor Sitzman: Jennifer Strong was present.

CARRIED

Ayes 3 Sitzman, Waiss & 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 #761 - 799 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$27,766.25		\$27,766.25
HIGHWAY FUND "DA/DB"	\$4,565.64		\$4,565.64
PART-TOWN FUND "B"	\$2,734.22		\$2,734.22
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST#1 FUND "SI"			
WATER DIST. EXCHANGE "WX"			
SEWER DIST. #2 FUND "SA"	\$15,907.92		\$15,907.92
TRUST & AGENCY "T"	\$19,220.87		\$19,220.87
SPECIAL REFUSE FUND "SR"	\$39,119.82		\$39,119.82
STREET LIGHTING FUND "SL"	\$5,219.39		\$5,219.39
PERIWINKLE LTG. DIST."SL1"	\$113.39		\$113.39
ZOELLER RD WATER DIST "WZ"			
TOTAL	\$114,647.50		\$114,647.50

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON SEPTEMBER 19, 2022 AND

ADOPTED

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

BUSINESS FROM THE FLOOR

Laura Loehr, Henskee Rd. – Resolution “B” on the agenda is for a budget transfer, where does the money come from to make the transfer?

Supervisor Sitzman and Deputy Supervisor, Sarah Miller, explained how the transfer process works.

Mayor Prucnal – presented Town Clerk with fire department expenditures, per agreement. Copy of audit will be forwarded once available.

Gail & Richard Hill, Two Rod Rd. – Still has concerns over flooding being caused by the new structure that is being constructed on the corner of Broadway and Two Rod. Down spouts are draining into their yard.

Supervisor Sitzman and Town Engineer Metzger will communicate with CEO Snyder as well as Zoladz to ensure build is in accordance with the plan.

COMMUNICATIONS

Brett Sitzman, Town Supervisor

- 1. Email from resident regarding train stopping and blocking roadways
- 2. Letter regarding sale of state property on Walden/Wende
- 3. Letter regarding painting water tank

Jennifer Strong, Town Attorney

- 1. Circulated revised draft of LL#2 to Board members

NEW BUSINESS

Supervisor Sitzman moved agenda item A to E to give more time for members of Townline Volunteer Fire Department to attend for the proclamation.

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

WHEREAS, the Alden Town Board on November 16th, 2021 adopted its 2022 budget,

WHEREAS, the Town of Alden needs to transfer money to allow for payment of items 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:

From (Budget code)	Amount	To (Budget Code)	General Explanation
A.9060.0800	\$13,730.00	A.8389.0401	Cayuga Creek Topographic Map
A.1220.0201	\$1,807.00	A.1620.0444	General Building Maintenance
A.1410.0201	\$1,176.00	A.1620.0444	General Building Maintenance
	\$16,713.00	Total	

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on September 19, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 3 of the Year 2022, entitled "Design Standards of Metal Buildings" (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; is the agency with the broadest governmental powers for investigating the impact of the Proposed Action; and has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority; and

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 an uncoordinated review shall be conducted.
2. The Town of Alden Code Enforcement Officer is directed to send notice of this resolution to Erie County Division of Planning under Section 239m of the General Municipal Law.
3. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.
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 September 19, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

WHEREAS, a Proposed Local Law No. 1 of 2022 entitled "Override of Tax Cap" was introduced to the Alden Town Board for consideration by Councilwomen Pautler on August 1, 2022.

WHEREAS, an order was duly adopted by the Alden Town Board for a public hearing to be held by said Town Board on September 6, 2022 at 7:05 pm at the Alden Town Hall, 3311 Wende Road, Alden, New York 14004 to hear all interested parties on a proposed Local Law, and

WHEREAS, notice of said public hearing was duly published in the Alden Advertiser, and

WHEREAS, said public hearing was duly held on September 6, 2022 and all parties in favor of and opposed to the local law were heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act it has been determined by the Alden Town Board that the Local Law is a Type II Action, and

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law on August 19, 2022, and

WHEREAS, the Alden Town Board, after due deliberation, finds it in the best interest of said the Town of Alden to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts said Local Law No. 1 of the Year 2022 entitled "Override of Tax Cap", a copy of which is attached hereto and made a part of this resolution,
2. That the Alden Town Clerk enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Alden, and to give due notice of the adoption of said Local Law to the Secretary of State of New York, post the same on the Town Bulletin Board and publish the same in the Alden Advertiser.
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 September 19, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Waiss & Pautler

Nays 0

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

WHEREAS, the Alden Town Board is considering an application by Kimberly Northern for the subdivision of two (2) lots. The entire parcel currently consists of approximately 10.25 improved acres at 13904 Broadway, in the Town of Alden, further identified as SBL 190.00-2-10. The first proposed lot ("Parcel A") would be an approximately 200' x 400' parcel containing an existing motel building; and the second proposed lot ("Parcel B") would be an approximately 8.41 acre parcel with the existing house, barn and pond (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 or about August 2, 2022, for this Proposed Action, as required under Section 239-m of the General Municipal Law and no comment 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 August 15,

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 August 16, 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:

5. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;
6. 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;
7. That the following parcel, more particularly described as:

Parcel A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York, being part of Lot No. 4, Township 11, Range 5 of the Holland Land Company's Survey, described as follows: BEGINNING at a point in the center line of Broadway (66 feet wide) also being the south line of Lot No. 4, 616.9 feet (deed), 616.55 feet (measured) west of the southeast corner of Lot No. 4, said point being the southwest corner of lands conveyed to Emanuel C. Julian by deed recorded the Erie County Clerk's Office in Liber 4867 of Deeds at page 576; running thence westerly along the centerline of Broadway 273.91 feet to a point, thence northerly parallel with the east line of Lot No. 4, said east line of Lot No. 4 also being the center line of County Line Road, 400 feet to a point, thence west and parallel with the centerline of Broadway 200.00 feet to a point, thence northerly parallel with the east line of Lot No. 4, 552.28 feet to the southwest corner of lands conveyed to Joseph V. Nowakowski and Marie M. Nowakowski his wife by deed recorded in the Erie County Clerk's Office in Liber 393 of Deeds at page 510, thence easterly along the south line of lands so conveyed to Nowakowski by deed aforesaid 470.23 feet (deed), 473.91 feet (measured) to the northwest corner of lands so conveyed to Julian by deed aforesaid; thence southerly parallel with the east line of Lot No. 4 and along the west line of lands so conveyed to Julian by deed aforesaid 949.27 feet (deed), 950.97 feet (measured) to the center line of Broadway, being the POINT OF BEGINNING.

Parcel B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York, being part of Lot No. 4, Township 11, Range 5 of the Holland Land Company's Survey, described as follows: COMMENCING at a point in the center line of Broadway (66 feet wide) also being the south line of Lot No. 4, 616.9 feet (deed), 616.55 feet (measured) west of the southeast corner of Lot No. 4, said point being the southwest corner of lands conveyed to Emanuel C. Julian by deed recorded the Erie County Clerk's Office in Liber 4867 of Deeds at page 576; running thence westerly along the centerline of Broadway 273.91 feet to the true POINT OF BEGINNING, running thence westerly along the centerline of Broadway 200 feet to a point, thence northerly parallel with the east line of Lot No. 4, said east line of Lot No. 4 also being the center line of County Line Road, 400 feet to a point, thence east and parallel with the centerline of Broadway 200.00 feet to a point, thence southerly parallel with the east line of Lot No. 4, 400.00 feet to the center line of Broadway, being the POINT OF BEGINNING.

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 September 19, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Weiss & Pautler

Nays 0

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

PROCLAMATION OF THE TOWN OF ALDEN
HONORING THE TOWN LINE VOLUNTEER FIRE DEPARTMENT, INC. ON ITS ONE HUNDREDTH
ANNIVERSARY

WHEREAS, In 1921, the Town Line Volunteer Fire Department was formed and consisted of thirty-five men;

WHEREAS, From 1921 through 1924 after a fundraising campaign, the Town Line Volunteer Fire Department purchased its first fire truck, a Model "T " Ford Chemical Truck with two 35-gallon tanks at a cost of \$1,600.00;

WHEREAS, In 1924 the Town Line Volunteer Fire Department was incorporated by the State of New York and granted a charter to operate in the Towns of Lancaster and Alden;

WHEREAS, In 1969, the Department after intense training and many equipment purchases, expanded its volunteer services adding Emergency Medical Services;

WHEREAS, In the early 1990s the Department further advanced its volunteer services by sending five EMTs for Advanced Life Support training;

WHEREAS, the celebration of the Department's One-Hundredth Anniversary was delayed until this year due to the Covid-19 Pandemic;

WHEREAS, to this day one-hundred one year later, the Town Line Volunteer Fire Department, Inc. continues its long distinguished history of providing fire protection and emergency response to the residents of Lancaster and Alden.

NOW, THEREFORE BE IT PROCLAIMED:

1. That the Alden Town Board hereby extends its deepest appreciation and congratulations to the Town Line Volunteer Fire Department, Inc. on the celebration of its One-Hundredth Anniversary and acknowledges the tireless dedication of its members, officers and volunteers.
2. That the Town Clerk is hereby directed to send certified copies of this Proclamation to The Town Line Volunteer Fire Department, Inc.

The question of the adoption of the foregoing proclamation was duly put to a vote on roll call, at a regular meeting on September 19, 2022, which resulted as follows:

CARRIED.

Ayes 3 Sitzman, Weiss & Pautler

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Mike Metzger, Town Engineer – Four Season shelter project pre-bid meeting is Wednesday. Several copies of bid specs have been picked up.

Len Weglarski, DCO – reunited puppy with its owner.

Sarah Miller, Deputy Supervisor – Go Bills!

ANNOUNCEMENTS FROM SUPERVISOR

NOTICE OF MEETINGS

WORK SESSION:	September 26, 2022	@7:00 PM
REGULAR BOARD MEETING	October 3, 2022	@7:00 PM
SPECIAL WORK SESSION	October 19, 2022	@5:00 PM

MEMORIAL REMEMBRANCE - Kimberly Smith, Gerald Starzynski Sr and Diane Zymowski

ADJOURNMENT

At 5:27 P.M. Supervisor Sitzman adjourned the Meeting.

Alecia Barrett
Town Clerk