

Approved BOARD MINUTES November 10, 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, Warmus, Green and Daluisio, Superintendent Sitzman. Deputy Clerk Galbraith, Attorney Trapp, Robert Overhoff Sr., John and Cheryl Wild, Leeza and Ethan Brown, Eugene Nuwer, Mark Casell, Sue DeWitt, Alden Advertiser.

Absent: Clerk/Treasurer Wachowiak and CEO Czechowski,

MOTION by Trustee Mezydlo, seconded by Trustee Warmus, to approve the minutes of the October 27, 2016. Carried.

MOTION by Trustee Daluisio, seconded by Trustee Green, to approve for payment bills on abstract dated November 10, 2016. Carried.

Payroll	\$38,261.76
Abstract	\$48,128.56

MOTION by Trustee Warmus, seconded by Trustee Mezydlo, to approve the following reports for Oct.: Treasurer, Court, Building Inspector, Alden Fire Fuel, Fire Dept, and DPW. Carried.

COMMUNICATIONS

American City and County, GFOA Newsletter and Governing magazines, meeting minutes from Erie County Village Officials and Town of Alden. Meeting notice Assoc. of Erie County Governments and ACS Superintendent Advisory Committee, requests from NFTA, and Miller and Sons Collision. Correspondence from Time Warner and Charter Communication, Birch Creek Run open house, NYCOM tax cap article, email concerning climate change from New York elected officials and request from Alden Village Estates with park updates.

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

RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:

Resolutions/Appointments/Requests/Motions for November 10, 2016,

MOTION by Trustee Warmus, and seconded by Trustee Mezydlo, to approve the floating holiday to be used for November 25, 2016 for all village offices, at the discretion of the department heads. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Daluisio, to re-levy to the County of Erie for collection, delinquent 2016-2017 village taxes in the amount of \$31,036.01. Carried. Carried.

MOTION by Trustee Warmus, and seconded by Trustee Green, to reschedule the following meeting: Thursday, November 24 to Tuesday, November 22, due to the Thanksgiving holiday. Carried.

MOTION by Trustee Daluisio and seconded by Trustee Mezydlo, to re-instate Shawn Eastland and Patrick Cavanaugh back to normal payroll rates, effective 10/24/16.
On the question: Trustee Warmus, are they aware of this? Mayor Manicki, yes it was a temporary promotion. Carried.

MOTION by Trustee Mezydlo and seconded by Trustee Green, to approve Shawn Eastland as acting General Crew Chief, effective 11/16/16 while Mark Pruitt is off on sick leave at the prevailing union contract rate. Carried.

MOTION by Trustee Warmus and seconded by Trustee Daluisio, to approve Patrick Cavanaugh as acting Motor Equipment Operator, effective 11/16/16 while Shawn Eastland is acting as General Crew Chief at the prevailing union contract rate. Carried.

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

**A RESOLUTION SUBMITTED
BY
Mayor Manicki
OF THE
*Village of Alden***

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an inter-municipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the *Village of Alden*, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that *Village of Alden* hereby officially requests that BENLIC acquire the following property:

108.18-3-27 13051 Broadway

: And be it further

RESOLVED, that the *Village of Alden* has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the *Village of Alden* agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the *Village of Alden* agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that *Village of Alden* hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, *to be adopted October 23, 2015** and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

108.18-3-27 13051 Broadway

; And be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

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

On the question: Mayor Manicki explained how BENLIC works, by taking bank foreclosed and or abandoned property, and gets them back on the tax rolls.

BUSINESS FROM FLOOR-

John and Cheryl Wild, 1559 Homecourt. Asking the village board to consider the following four request, concerning Birch Creek Run Patio Home Development.

#1- to fulfill the requirement of a 6 ft. vinyl stockade fence to buffer his property, as soon as possible. Thought it was supposed to be completed by August 2016. Mayor Manicki – have committed to the fence, no time frame that they are aware of, but will discuss with the CEO and Severyn Development, to speed up erection of the fence.

#2- require the develops to install a temporary barricade to the roadway until the property begins to be filled with residents, also no trespassing signs installed and only allow visitation to the property during open house hours only. Mayor Manicki, we discussed it with Severyn, but the village cannot require them to do it, it is a private road. . Attorney Trapp – no hours in site plan for when people can drive down the street, can call law enforcement.

#3 – install a guard rail, concrete pillars or any other protective devise that would prevent motor vehicles from leaving the roadway, and possibly causing property damage or personal injury. Mayor Manicki, we discussed a barricade with Severyn, but they declined and the village cannot require them to do it.

#4 - require developer to resolve the drainage issue on the north west side of their property. Concerned drainage is insufficient and the flooding of his property could be a result. Standing stagnant water leads to disease and insects. Mayor Manicki, Severyn just receive their condo status, so can now start building. They will use the fill from the buildings, to fill in low spots, will discuss drainage with CEO Czechowski. The drainage and the fence are the only things that can be addressed at this time.

Bob Overhoff, Crittenden Rd. asked about the progress of the Nussbaumer & Clarke contract concerning water study and comparing prices. Mayor Manicki explained that the engineering firm is handling it and getting the information. After reviewing the results he will inform and survey the public. Superintendent Sitzman said they are gathering info from ECWA, but would probably not be available after the first of the year. The DPW has replaced 6 water valves this year that were 70-100 + yrs. old. Sitzman thanked the residents for their patience. We have disconnected from the ECWA supplement as of the end of October. Will pick up leaves, weather permitting.

REPORTS FROM COMMITTEES/DEPARTMENTS:

Mayor Manicki – sales tax form Erie County is flattening out. Recently walked Park and Emerson Streets, thank you and good job to the DPW on the sidewalks. The board welcomed Trustee Warmus back after his absence.

UNFINISHED AND TABLED BUSINESS:

None

ADJOURNMENT

Motion by Trustee Daluisio, seconded by Trustee Warmus, to adjourn at 7:58 pm.
Carried.

I respectfully submit,

Sue Galbraith,
Deputy Village Clerk

