

investigations before the RFQ is sent to other archaeology firms.

- Preparing contract plans and specifications and for agency review.
- Field investigation to identify potential easements.
- Continuing to prepare permitting documentation for various agencies including stream and wetland crossings, delineations and SWPPP.

Water District #8 Update:

- Prepared the Map, Plan and Report draft.
- Meeting with Village of Attica to confirm past information and discussions

NEW BUSINESS

RES. NO. 60: WATER DISTRICT #6 PROJECT BUDGET MODIFICATIONS

WHEREAS, the Town of Alexander has received funding from Rural Development for their Water District #6 (“Project”); and

WHEREAS, the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

WHEREAS, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

RESOLVED, that the Town Board of the Town of Alexander authorizes the following Budget modifications for the Project:

Fiscal Coordination (Municipal Solutions)	Decrease of	\$3,000.00
Miscellaneous	Decrease of	\$1,025.79
Local Counsel	Increase of	\$390.00
Direct (Invisible Fence)	Increase of	\$1,821.00
Direct (County Line Stone)	Increase of	\$16,098.37

I, Shannon Tiede, Town Clerk of the Town of Alexander, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Alexander on September 9, 2024, by the following vote:

	AYE	NAY
David Miller, Supervisor	X	___
Eric Wagner, Councilman	X	___
Ronald Merrill, Councilman	X	___
Laura Schmieder, Councilman	X	___
Jerry Krupka, Councilman	X	___

Dated: _____

Shannon Tiede

Town Clerk – Town of Alexander

RES. NO. 61: TANK FENCE WORK TOWN OF ALEXANDER WATER DISTRICT NO. 6 HALSTEAD ROAD WATER STORAGE TANK

WHEREAS Mountain Engineering, PLLC, Engineer, has solicited quotes from contractors to furnish and install the fencing around and an access gate to the Halstead Road water storage tank area and a barrier gate at the driveway entrance at Halstead Road in the Town of Alexander; and

WHEREAS three (3) quotes (quotations attached) have been received and the lowest quote that was received is from H&S Fence, LLC from Batavia, New York to furnish and install the fence and gates at the Halstead Road tank site in the Town of Alexander; and

WHEREAS Mountain Engineering, PLLC. has completed a review of the low bidder and made recommendations for Award (letter attached).

NOW THEREFORE BE IT RESOLVED, the Town Board hereby awards the quote to H&S Fence, LLC at a cost of Twenty-Four Thousand One Hundred dollars and no cents (\$24,100.00) to furnish and install the fence and gates at the Halstead Road water storage tank site. The quotation amount is within the original budget and available County funds. The award is contingent on the contractor providing the insurance; and

BE IT FURTHER RESOLVED, the Alexander Town Board hereby authorizes the Supervisor to execute an agreement with H&S Fence, LLC contingent upon approval of insurance.

Offered by: Supervisor Miller

Second by: Councilperson Krupka

Ayes: 5

APPROVED by unanimous vote

CERTIFICATION

STATE OF NEW YORK}
COUNTY OF GENESEE}

I, Shannon Tiede, Town Clerk of the Town of Alexander, County of Genesee, and State of New York, DO HEREBY CERTIFY that I have compared the aforementioned resolution duly adopted by the Town Board of the Town of Alexander, on the 9th day of September, 2024 with the original now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: September 10, 2024

{S E A L}

Shannon Tiede
Town Clerk

RES. NO. 62: TOWN OF ALEXANDER RESOLUTION OF FINDINGS FOR APPLICATION TO STATE COMPTROLLER FOR WATER DISTRICT NO. 7

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Offices of the Town of Alexander in the Town of Alexander, New York on the 9th day of September, 2024, commencing at 6:00p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Council Member	Laura Schmieder
	Council Member	Ronald Merrill
	Council Member	Jerry Krupka
	Council Member	Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town of Alexander held a public hearing on the 22nd day of July, 2024 in regard to the creation of Water District No. 7 in the Town of Alexander and having adjourned such discussion until the regular town board meeting on August 12, 2024; and

WHEREAS, after a regular town board meeting duly called and held on August 12, 2024, the Town Board of the Town of Alexander adopted a Resolution and Order for the Establishment of Water District No. 7 in the Town of Alexander describing in general terms the proposed facilities of Water District No. 7 at the estimated maximum cost of \$17,536,000.00 (seventeen million, five hundred thirty six thousand dollars); and

WHEREAS, a typical average household uses 60,000 gallons of water per year and water rates for that usage shall be as follows:

1. The Town of Batavia bills their customers quarterly. In 2023, a rate of \$6.48 per thousand gallons of water used ($\$6.48 \times 60 = \388.80) was used; and the total cost to homeowners for water would be \$388.00 per year; In 2024, a rate of \$6.67 per thousand gallons of water used ($\$6.67 \times 60 = \400.20) is in place; and the total cost to homeowners for water would be \$400.20 per year; and

WHEREAS, Net local project costs are anticipated to be approximately \$4,384,000 (four million three hundred eighty four thousand dollars) with an annual debt service including (38 years at 2.25 % interest) of \$172,850.00 (one hundred seventy two eight hundred fifty dollars) and the estimated Debt Service per Unit of \$939.00 (nine hundred thirty nine dollars); and

WHEREAS, the total annual cost for an average homeowner including debt service and water bill would be estimated to be \$1,328.00 (one thousand three hundred twenty eight dollars) per year, per household; and

WHEREAS, the Resolution and Order for the Establishment of Water District No. 7 in the Town of Alexander is subject to approval of the Office of the State Comptroller, Department of Audit and Control as the \$1,328.00 estimated annual cost for an average homeowner exceeds the \$1,083.00 cost threshold ; and

WHEREAS, the Town Board of the Town of Alexander desires to enlist the services of the Town Attorney to work with the Town Board and Supervisor to prepare said application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this Water District: and

NOW ON MOTION OF Supervisor Miller which has been duly seconded by Councilperson Schmieder, be it therefore

RESOLVED, by the Town Board of the Town of Alexander that the Town Attorney be authorized and directed to begin assembling and preparing an application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this Water District.

Ayes: 5

Nays: 0

Quorum Present: Yes

Dated: September 9, 2024

[SEAL]

Shannon Tiede, Clerk
Town of Alexander

RES. NO. 63: REAPPOINTMENT OF BAR MEMBER

On motion by Councilperson Wagner and seconded by Councilperson Krupka and carried the board reappointed Dennis Bartholomew to the Board of Assessment Review effective October 1, 2024, for a five year term.

5- Yes Miller, Schmieder, Merrill, Krupka and Wagner

0- No

RES. NO. 64: RESIGNATION OF PATRICK NOLAN FROM MEO POSITION

On motion by Councilperson Wagner and seconded by Councilperson Schmieder and carried the board approved the resignation of MEO Patrick Nolan effective September 17, 2024.

5- Yes Miller, Schmieder, Merrill, Krupka and Wagner

0- No

RES. NO. 65: BUDGET TRANSFER

WHEREAS in the 2024 Budget the snow plowing appropriation was not separated according to municipality and

WHEREAS it is the desire of the Alexander Town Board to track expenses based on municipality

THEREFORE, BE IT RESOLVED that DB5148.1 Services to other governments- Contractual be decreased by \$3000.00 from \$50,217.00 to \$47,217.00 and DB5148.11 SNOWPLOWING- COUNTY be increased by \$1,500.00 and DB5148.12 SNOW PLOWING- STATE be increased by \$1,500.00.

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried.

5- Yes, Miller, Schmieder, Merrill, Krupka, and Wagner

0- No

RES. NO. 66: BUDGET AMENDMENT 1

WHEREAS the town asset appraisal was approved in 2023, but the actual appraisal did not occur until 2024 and

WHEREAS money was not appropriated for the appraisal in the 2024 budget

THEREFORE, BE IT RESOLVED that A1310.42 Appraisal- Contractual be increased by \$4,200.00 and the appropriated A Fund Balance in the 2024 Town of Alexander Budget be increased by \$4,200.00 from \$25,000.00 to \$29,200.00.

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried.

5- Yes, Miller, Schmieder, Merrill, Krupka, and Wagner

0- No

RES. NO. 67: BUDGET AMENDMENT 2

WHEREAS the costs for engineering for Water District #7 have exceeded the budgeted amount of \$300,00.00 and

WHEREAS there are available funds in the B fund

THEREFORE, BE IT RESOLVED that HW72706 Local Government Grant be increased by \$100,000.00 and HW75020.4 Engineering be increased by \$100,000.00 to \$400,000.00. And that \$100,000.00 be transferred to the capital fund from the B Fund to be paid back to the B Fund once funding is obtained for WD#7.

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried.

5- Yes, Miller, Schmieder, Merrill, Krupka, and Wagner 0- No

RES. NO. 68: AUTHORIZING RFP FOR SURVEY OF OLD HIGHWAY BARN PROPERTY

On motion by Supervisor Miller and seconded by Councilperson Wagner and carried the Town Board approved allowing the Town Attorney to send out RFP's for a survey of the old highway barn property.

5- Yes, Miller, Schmieder, Merrill, Krupka, Wagner 0- No

RES. NO. 69: TOWN BOARD OF THE TOWN OF ALEXANDER RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY- BURGESS

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street on the 9th day of September 2024, commencing at 6:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilperson	Laura Schmieder
	Councilperson	Ronald Merrill
	Councilperson	Jerry Krupka
	Councilperson	Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, it appears that Charles Burgess is in violation of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander relative to the property located at 10871 Bowen Road Attica NY 14011 and

WHEREAS, it appears to be in the best interest of the Town of Alexander to prohibit Charles Burgess from allowing the violation(s) of said Section of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander to continue; SBL # and addresses; and

WHEREAS, the Town Board of the Town of Alexander feels it is in the best interest of the Town of Alexander to retain the services of Attorney David DiMatteo to pursue the enforcement of the above stated law codes of the Zoning Code of the Town Charles Burgess, to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Councilperson Wagner which has been duly seconded by Councilperson Merrill, be it

RESOLVED, that the Supervisor of the Town of Alexander, be and he hereby is authorized and directed to retain the services of David DiMatteo in this matter, upon such terms as he deems proper and advisable, and Supervisor of the Town of Alexander shall authorize David DiMatteo on behalf of the Town of Alexander to take such action as may be deemed advisable to prevent any continuation of the violation of the above mentioned law code of the Zoning Code of the Town of Alexander and the seeking of permanent injunction.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: September 9, 2024

Shannon Tiede, Clerk

[SEAL]

Town of Alexander

RES. NO. 70: TOWN BOARD OF THE TOWN OF ALEXANDER RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY- UZAROWSKI

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street on the 9th day of September 2024, commencing at 6:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilperson	Laura Schmieder
	Councilperson	Ronald Merrill
	Councilperson	Jerry Krupka
	Councilperson	Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, it appears that David Uzarowski is in violation of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.1 EXTERIOR STRUCTURE GENERAL
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.4 STRUCTURAL MEMBERS
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.6 EXTERIOR WALLS

of the Zoning Code of the Town of Alexander relative to the property located at 11120 Alexander Road Attica NY 14011 and

WHEREAS, it appears to be in the best interest of the Town of Alexander to prohibit David Uzarowski from allowing the violation(s) of said Section of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.1 EXTERIOR STRUCTURE GENERAL
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.4 STRUCTURAL MEMBERS
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.6 EXTERIOR WALLS

of the Zoning Code of the Town of Alexander to continue; SBL # and addresses; and

WHEREAS, the Town Board of the Town of Alexander feels it is in the best interest of the Town of Alexander to retain the services of Attorney David DiMatteo to pursue the enforcement of the above stated law codes of the Zoning Code of the Town against David Uzarowski, to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Councilperson Merrill which has been duly seconded by Councilperson Krupka, be it

RESOLVED, that the Supervisor of the Town of Alexander, be and he hereby is authorized and directed to retain the services of David DiMatteo in this matter, upon such terms as he deems proper and advisable, and Supervisor of the Town of Alexander shall authorize David DiMatteo on behalf of the Town of Alexander to take such action as may be deemed advisable to prevent any continuation of the violation of the above mentioned law code of the Zoning Code of the Town of Alexander and the seeking of permanent injunction.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: September 9, 2024

Shannon Tiede, Clerk

Town of Alexander

[SEAL]

RES. NO. 71: TOWN BOARD OF THE TOWN OF ALEXANDER RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY- DAHL

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street on the 9th day of September 2024, commencing at 6:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilperson	Laura Schmieder
	Councilperson	Ronald Merrill
	Councilperson	Jerry Krupka
	Councilperson	Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, it appears that Francis Dahl is in violation of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander relative to the property located at 11025 Alexander Road Attica NY 14011 and

WHEREAS, it appears to be in the best interest of the Town of Alexander to prohibit Francis Dahl from allowing the violation(s) of said Section of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander to continue; SBL # and addresses; and

WHEREAS, the Town Board of the Town of Alexander feels it is in the best interest of the Town of Alexander to retain the services of Attorney David DiMatteo to pursue the enforcement of the above stated law codes of the Zoning Code of the Town against Francis Dahl, to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Councilperson Schmieder which has been duly seconded by Councilperson Wagner, be it **RESOLVED**, that the Supervisor of the Town of Alexander, be and he hereby is authorized and directed to retain the services of David DiMatteo in this matter, upon such terms as he deems proper and advisable, and Supervisor of the Town of Alexander shall authorize David DiMatteo on behalf of the Town of Alexander to take such action as may be deemed advisable to prevent any continuation of the violation of the above mentioned law code of the Zoning Code of the Town of Alexander and the seeking of permanent injunction.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: September 9, 2024

Shannon Tiede, Clerk

Town of Alexander

[SEAL]

RES. NO. 72: TOWN BOARD OF THE TOWN OF ALEXANDER RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY- H. GRAFF

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street on the 9th day of September 2024, commencing at 6:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilperson	Laura Schmieder
	Councilperson	Ronald Merrill
	Councilperson	Jerry Krupka
	Councilperson	Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, it appears that Harold Graff is in violation of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.1 EXTERIOR STRUCTURE GENERAL
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.4 STRUCTURAL MEMBERS
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.6 EXTERIOR WALLS
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander relative to the property located at 11044 Sandpit Road Alexander, NY 14005 and

WHEREAS, it appears to be in the best interest of the Town of Alexander to prohibit Harold Graff from allowing the violation(s) of said Section of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.1 EXTERIOR STRUCTURE GENERAL
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.4 STRUCTURAL MEMBERS
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.6 EXTERIOR WALLS
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF

RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander to continue; SBL # and addresses; and

WHEREAS, the Town Board of the Town of Alexander feels it is in the best interest of the Town of Alexander to retain the services of Attorney David DiMatteo to pursue the enforcement of the above stated law codes of the Zoning Code of the Town Harold Graff, to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Councilperson Wagner which has been duly seconded by Councilperson Schmieder, be it **RESOLVED**, that the Supervisor of the Town of Alexander, be and he hereby is authorized and directed to retain the services of David DiMatteo in this matter, upon such terms as he deems proper and advisable, and Supervisor of the Town of Alexander shall authorize David DiMatteo on behalf of the Town of Alexander to take such action as may be deemed advisable to prevent any continuation of the violation of the above mentioned law code of the Zoning Code of the Town of Alexander and the seeking of permanent injunction.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: September 9, 2024

Shannon Tiede, Clerk
Town of Alexander

[SEAL]

RES. NO. 73: TOWN BOARD OF THE TOWN OF ALEXANDER RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY- S. GRAFF

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street on the 9th day of September 2024, commencing at 6:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilperson	Laura Schmieder
	Councilperson	Ronald Merrill
	Councilperson	Jerry Krupka
	Councilperson	Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, it appears that Sharon Graff is in violation of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander relative to the property located at Stroh Road (tax map no. 11.-1-13.2) and

WHEREAS, it appears to be in the best interest of the Town of Alexander to prohibit Sharon Graff from allowing the violation(s) of said Section of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander to continue; SBL # and addresses; and

WHEREAS, the Town Board of the Town of Alexander feels it is in the best interest of the Town of Alexander to retain the services of Attorney David DiMatteo to pursue the enforcement of the above stated law codes of the Zoning Code of the Town Sharon Graff, to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Councilperson Wagner which has been duly seconded by Councilperson Krupka, be it

RESOLVED, that the Supervisor of the Town of Alexander, be and he hereby is authorized and directed to retain the services of David DiMatteo in this matter, upon such terms as he deems proper and advisable, and Supervisor of the Town of Alexander shall authorize David DiMatteo on behalf of the Town of Alexander to take such action as may be deemed advisable to prevent any continuation of the violation of the above mentioned law code of the Zoning Code of the Town of Alexander and the seeking of permanent injunction.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: September 9, 2024

Shannon Tiede, Clerk

Town of Alexander

[SEAL]

RES. NO. 74: TOWN BOARD OF THE TOWN OF ALEXANDER RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY- CLARK

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street on the 9th day of September 2024, commencing at 6:00 p.m., at which time and place the following members were:

Present: Supervisor David Miller
Councilperson Laura Schmieder
Councilperson Ronald Merrill
Councilperson Jerry Krupka
Councilperson Eric Wagner

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, it appears that Richard Clark is in violation of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.1 EXTERIOR STRUCTURE GENERAL
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander relative to the property located at 10025 Alexander Road Alexander NY 14005; and

WHEREAS, it appears to be in the best interest of the Town of Alexander to prohibit Richard Clark from allowing the violation(s) of said Section of

- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.8 MOTOR VEHICLES
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 302.1 SANITATION
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 304.1 EXTERIOR STRUCTURE GENERAL
- 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE SECTION 308.1 ACCUMILATION OF RUBISH OR GARBAGE

of the Zoning Code of the Town of Alexander to continue; SBL # and addresses; and

WHEREAS, the Town Board of the Town of Alexander feels it is in the best interest of the Town of Alexander to retain the services of Attorney David DiMatteo to pursue the enforcement of the above stated law codes of the Zoning Code of the Town against Richard Clark, to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Councilperson Schmieder which has been duly seconded by Councilperson Merrill, be it **RESOLVED**, that the Supervisor of the Town of Alexander, be and he hereby is authorized and directed to retain the services of David DiMatteo in this matter, upon such terms as he deems proper and advisable, and Supervisor of the Town of Alexander shall authorize David DiMatteo on behalf of the Town of Alexander to take such action as may be deemed advisable to prevent any continuation of the violation of the above mentioned law code of the Zoning Code of the Town of Alexander and the seeking of permanent injunction.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: September 9, 2024

Shannon Tiede, Clerk

Town of Alexander

[SEAL]

RES. NO. 75: MEMORANDUM OF UNDERSTANDING

WHEREAS the current contract between the Town of Alexander and Teamsters Local Union #264 states that for the first 12 months of employment the employee will receive a wage equivalent to 80% of the then prevailing wage and

WHEREAS it is often difficult to hire experienced employees with heavy equipment operation and equipment repair skills and

WHEREAS it is the desire of the Alexander Town Board to hire employees for the Town of Alexander Highway Department with heavy equipment operation and equipment repair skills and

THERE FOR BE IT RESOLVED that the Alexander Town Board enters a Memorandum of Understanding with Teamster Local Union #264 to amend the current contract Appendix B Wage Rates to read: Any new hire, hired on or after January 1, 2002 will receive a wage equivalent to 80% of the prevailing wage, but no less than the post part time wage and will receive such wage for a period of 12 months. At the discretion of the Highway Superintendent, after the completion of the 6th month, based on experience and evaluation the employee may receive full wage scale. (Evaluation sheet attached). Otherwise, after the completion of the 12th month, the employee will then receive a full wage scale.

Motion made by Councilperson Wagner and seconded by Councilperson Merrill.

4- Yes Schmieder, Merrill, Krupka, Wagner

1- No Miller

RES. NO. 76: APPROVAL OF TENTATIVE BUDGET

On motion by Councilperson Schmieder and seconded by Supervisor Miller and carried the Town Board approved the 2025 Tentative Budget with the changes to the appropriated fund balances on the summary page per their discussion.

5- Yes Miller, Schmieder, Merrill, Krupka, Wagner

0- No

RES. NO. 77: AMENDED 284 AGREEMENT

On motion by Councilperson Wagner and seconded by Councilperson Merrill and carried the Town Board approved allowing Superintendent Farnsworth to re-sign the amended 284 agreement for the highway.

5- Yes Miller, Schmieder, Merrill, Krupka, Wagner

0- No

DISCUSSION

- Town board goals for 2025
- Supervisor Miller is going to contact EFPR group to see if they would do a scaled down version of an audit if necessary.
- Supervisor Miller is going to contact DiMatteo’s office about starting a highway equipment reserve.

Reports:

Insurance: Meeting with NYMIR 9/23.

Building: No report

CEO/ZEO: Matt sent a report to the board.

Clerk: no report

Tax Collector: no report

Dog Control: Carolyn working on enumeration

Games of Chance: no report

Town Justice: reports on table

Financial: Sent from Laura Landers LLC to the board

GAM: Next meeting in November

Transfer Station: no report.

H'way Superint: Brian Farnsworth provided the board with a written report.

H'way Equip: Brian Farnsworth provided the board with a written report.

Senior Citizen: No report.

Town Historian: a report was submitted to the board. Linda will be opening up the museum of 5 different dates in October to the public.

Payment of Bills: Motion by: Councilperson Schmieder Second by: Councilperson Merrill

4- Yes Miller, Schmieder, Merrill, Krupka and Wagner

0- No

General Fund A	Vouchers	219-239	10,495.05
General Fund B	Vouchers	33-37	5,213.26
Highway Fund A	Vouchers		
Highway Fund B	Vouchers	137-150	125,533.69
Capital Fund	Vouchers	27-31	55,669.67
Trust and Agency	Vouchers	7	198.00

Motion to adjourn at 8:35pm made by Councilperson Schmieder and seconded by Councilperson Merrill and carried. 5-0

Respectfully Submitted,

Shannon Tiede, Town Clerk