

Present: Supervisor David Miller
Town Board: Laura Schmieder, Carol Wolfley, Roy Haller III, Eric Wagner
Town Clerk: Shannon Tiede
Highway Super't: Thomas Lowe
Guests: Theresa Thorley, Tom Vandenbosch, Brandon Snyder, Courtney Seymour,
Trevor Van Buren, Ian Edmonds, Joe Higley

Supervisor Miller called the meeting to order at 6:30 pm with the Pledge of Allegiance and a moment of silence for first responders and our military serving around the world.

***Supervisor Miller made motion to go into executive session at 6:32pm to discuss Highway union contract and interview potential Justices. Councilperson Schmieder seconded the motion. Carried 5-0*
***Councilperson Haller made motion to end the executive session at 7:32pm. Councilperson Schmieder seconded the motion. Carried 5-0*

On motion by Councilperson Haller, seconded by Councilperson Wolfley, and carried, the minutes of the September 13, 2021, Regular meeting were adopted.

COMMUNICATIONS: none.

OLD BUSINESS:

1. Water District 5- Paving is done by the water tank. Started digging for pipe in the Darien extension. Nov 4th the radio receiver for the meter reader will be put in.
 2. Water District 6- Received approval from the Comptroller. Supervisor Miller had a meeting with Steve Mountain and Jeff Smith and discusses the WIIA grant.
 3. Grant for taking down opera house-

NEW BUSINESS:

RES. NO. 84: WIIA GRANT APPLICATION

On motion by Councilperson Schmieder and seconded by Councilperson Wagner and carried the Town Board approved the proposal from Municipal Solutions to apply or the WIIA grant for Water district no. 6.

5- Yes Miller, Schmieder, Wolfley, Haller and Wagner 0- No

RES. NO. 85: FINAL ESTABLISHMENT OF WD #6

WHEREAS, the Town Board of the Town of Alexander (herein called "Town Board" and "Town", respectively), in the County of Genesee, New York, has received a petition pursuant to Section 191 of the Town Law, for the establishment of the Town of Alexander Water District No. 6 in the Town (the "District"), which petition was signed by a number of owners within the District, and was greater than the percentage required by law; and

WHEREAS, a map, plan and report, dated February 18, 2020 was prepared by Mountain Engineering, PLLC, competent engineers duly licensed by the State of New York, for the establishment of the District; and

WHEREAS such map, plan and report was filed on February 18, 2020 at the office of the Town Clerk, and was available for public inspection at said location; and

WHEREAS, said proposed improvements consist of a project to provide a safe and reliable potable water supply and fire protection in the proposed District; and

WHEREAS, the overall project will generally consist of the installation of approximately 94,400 linear feet of PVC water main along various roads in the Town including, but not limited to, Halstead Road, Upton Road, Richley Road, Pipe Road, Beaver Road, Wortendyke Road, Bennett Road, Dodgeson Road, Hickox Road, Seward Road, Day Road, Walker Road and Sprague Road, and connection to the existing booster pump station on Route 98, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such Project, together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, water services, appurtenances, apparatus, and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"); and

WHEREAS, the estimated maximum amount proposed to be expended for the Project is estimated to be \$6,270,000; and

WHEREAS, pursuant to the Order duly adopted on October 13, 2020, the Town Board determined to proceed with the proposed establishment of the District and adopted an Order reciting a description of the boundaries of the District, the improvements proposed, the maximum amount proposed to be expended for the construction of the Project in connection with the establishment of the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same is on file in the Town Clerk's office and is available for public inspection and specifying November 9, 2020, at 7:20 o'clock p.m. (Prevailing Time) or shortly thereafter, as the time when the Town Board would meet to consider the proposed establishment of the District and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by law; and

WHEREAS, following publication and posting of certified copies of said Order pursuant to Article 12 of the Town Law and after a public hearing duly held by the Town Board at the time and place herein referred to, the Town Board, by resolution duly adopted on November 9, 2020, determined that the Petition to Request the Water District was signed and acknowledged or proved or authenticated, as required by law, and was otherwise sufficient, the notice of public hearing was published and posted as required by law and was otherwise sufficient, that all the property and property owners included within

the proposed District were benefited thereby, that all the property and property owners benefited were included within the limits of the proposed District, that it was in the public interest to establish the District and approved the establishment of the District and the construction of the Project in connection with the District as hereinabove described at an estimated maximum cost of \$6,270,000; and

WHEREAS, permission of the State Comptroller was required with respect to the establishment of the District and the Town submitted an application to the Office of the State Comptroller, Department of Audit and Control, as required by Town Law; and

WHEREAS, the Office of the State Comptroller, Department of Audit and Control reviewed such application and on October 1, 2021, the State Comptroller issued an order that such application of the Town Board of the Town of Alexander for permission to establish the Town of Alexander Water District No. 6 was approved and permitted the establishment of the District in accordance with the description referred to in a resolution of December 14, 2020, at an estimated maximum cost of \$6,270,000;

NOW, THEREFORE, be it ORDERED, that the establishment of the District is hereby approved and will be known as the Town of Alexander Water District No. 6, situate wholly outside of any incorporated village or city, and is bounded and described as follows:

[PLEASE INSERT LEGAL DESCRIPTION]

and be it further ORDERED, that the District hereinabove referred to shall be constructed as set forth in the Order Calling the Public Hearing and the resolution establishing the District, at an estimated maximum cost of \$6,270,000 and that the plan of financing is the issuance of serial bonds in an aggregate principal amount not to exceed \$6,270,000 such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grant funds in an approximate amount of \$2,700,000 anticipated to be received from the United States of America – Rural Development Agency, and unless paid from other sources or charges, the costs for the establishment of the District will be by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine to be especially benefited by said District, so much upon and from each as shall be in just proportion to the amount of benefit which the District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it further

ORDERED, that within ten days after adoption of this Order, the Town Clerk shall record with the Clerk of the County of Genesee and file with the Department of Audit and Control/Division of Legal Services in Albany, New York copies of this Order, certified by the Town Clerk.

Dated: October 12, 2021

TOWN BOARD OF THE
TOWN OF ALEXANDER

The question of the adoption of the foregoing order was duly put to vote on a roll call, which resulted as follows:

AYES: 5

NOES: 0

ABSENT: 0

The foregoing order was thereupon declared duly adopted.

Motion made by Supervisor Miller and seconded by Councilperson Haller.

CLERK'S CERTIFICATE
(Town of Alexander Water District No. 6)

STATE OF NEW YORK)
)SS:
COUNTY OF GENESEE)

I the undersigned Town Clerk of the Town of Alexander, in the County of Genesee, State of New York, DO HEREBY CERTIFY that I have compared the preceding Final Order Establishing the District with the original thereof filed in my office on October 12, 2021, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto sat my hand and affixed the seal of the Town
October 12, 2021.

Town Clerk

(SEAL)

RES. NO. 86 BOND RESOLUTION FOR WD #6

A BOND RESOLUTION, DATED OCTOBER 12, 2021, OF THE TOWN BOARD OF THE TOWN OF ALEXANDER, GENESEE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF ALEXANDER WATER DISTRICT NO. 6 IN THE TOWN AND THE CONSTRUCTION OF IMPROVEMENTS THEREIN, AT AN ESTIMATED MAXIMUM COST OF \$6,270,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,270,000 OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED BY THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Alexander, Genesee County, New York (the "Town"), pursuant to Article 12 of the Town Law, created a water district designated and known as the Town of Alexander Water District No. 6 (the "District"); and

WHEREAS, the Town Board has determined to undertake a water system capital improvements project (the "Project") generally consisting of the construction of the infrastructure for the District; and

WHEREAS, by Resolutions the Town Board took the following actions with respect to the Project: (a) prepared maps, plans and reports and identified the boundaries for the District and the Project, (b) held public hearings with respect to the Project, (c) determined that the Project would not have a significant adverse effect on the environment under Article 8 of the Environmental Conservation Law, (d) determined that the requirements of Article 12 of the Town Law had been satisfied with respect to the Project and further determined to undertake the Project and (e) received permission to establish the District from the New York State Comptroller; and

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of the Project;

NOW, THEREFORE, be it

RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a certain capital improvements project generally consisting of the installation of approximately 94,400 linear feet of PVC water main along various roads in the Town including, but not limited to, Halstead Road, Upton Road, Richley Road, Pipe Road, Beaver Road, Wortendyke Road, Bennett Road, Dodgeson Road, Hickox Road, Seward Road, Day Road, Walker Road and Sprague Road, and connection to the existing booster pump station on Route 98, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such Project, together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, water services, appurtenances, apparatus, and other improvements and costs incidental thereto and in connection with the financing (collectively, the "Purpose"). The estimated maximum cost of said purpose is \$6,270,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$6,270,000 said amount to be offset by the receipt of any federal, state, county and/or local funds received including, but not limited to, the application of approximately \$2,700,000 of grant funds anticipated to be received from the United States of America – Rural Development Agency. Unless paid from other sources or charges, the costs for the establishment of the District will be by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine to be especially benefited by said District, so much upon and from each as shall be in just proportion to the amount of benefit which the District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, the costs of said establishment of the District shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds or notes as the same shall become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 14. To the extent applicable, the Town Supervisor is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "Project Financing Agreement"). To the extent applicable, the Town Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

SECTION 15. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 16. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 17. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 18. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES: 5

NOES: 0

ABSENT: 0

The foregoing resolution was thereupon declared duly adopted.

Motion made by Supervisor Miller and seconded by Councilperson Haller.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) The undersigned is the duly qualified and acting Clerk of the Town of Alexander, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board; and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on October 12, 2021 and entitled:

A BOND RESOLUTION, DATED OCTOBER 12, 2021, OF THE TOWN BOARD OF THE TOWN OF ALEXANDER, GENESEE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF ALEXANDER WATER DISTRICT NO. 6 IN THE TOWN AND THE CONSTRUCTION OF IMPROVEMENTS THEREIN, AT AN ESTIMATED MAXIMUM COST OF \$6,270,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,270,000 OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED BY THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3 of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has executed this certificate on October 12, 2021.

(SEAL)

Town Clerk

RES. NO. 87: GEOTECH PROPOSAL FROM TERRACON

WHEREAS, Mountain Engineering, PLLC, Engineer, has solicited quotes for geotechnical services for drilling and soil sampling in roadways and adjacent to stream crossings for the water main installation in the Town of Alexander. Quotes and a summary are attached providing unit pricing for drilling operations recommendation report. The number of bores and test pits will be determined by Mountain Engineering, within the not to exceed quote by selected firm; and

WHEREAS, the Town of Alexander has agreed to provide personnel and equipment for test pit excavation; and

WHEREAS, the Town will contract for test pit excavations if the Town is unable to perform these services; and

WHEREAS, four (4) quotes (quotations attached) have been received and the lowest quote that was received is from Terracon Consultants-NY, Inc., from Buffalo, New York to perform Geotechnical investigations for the Water District No. 6 project in the Town of Alexander; and

WHEREAS, Mountain Engineering has included additional quantities from those quoted, for a total estimated geotechnical work of \$13,750.00.

NOW THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes Terracon Consultants-NY, Inc. to proceed under the terms of the quote provided and for the quantities determined by Mountain Engineering, PLLC at a not to exceed amount of \$13,750.00. Mountain Engineering, PLLC will be notified if the total contract amount exceeds that amount. Until such time an amended contract is awarded by the Town Board, the Contractor is ordered to terminate any work over the contract amount for \$13,750.00.

Offered by: Supervisor Miller

Second by: Councilperson Wagner

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 12th day of October, 2021 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: October 12, 2021

Shannon Tiede

Town Clerk

{S E A L}

RES. NO. 88: QUOTE FOR GRANT WRITING TO TAKE DOWN THE OPERA HOUSE

On motion by Councilperson Haller and seconded by Councilperson Wolfley and carried the board approved the quote from Tetratech in the amount of \$12,000.00 for grant writing to take down the Opera House.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 89: DECLARE OFFICE ITEMS SURPLUS

On motion by Councilperson Wagner and seconded by Councilperson Schmieder and carried the Town Board approved declaring the old fax machine, paper shredder, and old court clerk desk surplus.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 90: OFFICIAL UNDERTAKING BY TAX COLLECTOR

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried, to approve the liability for the Alexander Town Tax Collector for the 2022 tax collection period pursuant to Town Law of the State of New York.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 91: APPOINTMENT OF DEPUTY CLERK

On motion by Councilperson Schmieder and seconded by Councilperson Wagner and carried the Town Board appoints Danielle Riggs as the deputy Town Clerk starting October 1, 2021, to be re-evaluated on a yearly basis.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 92: KEY POWER CONTRACT

On motion by Councilperson Schmieder and seconded by Councilperson Haller and carried the Town Board approves the Key Power contract for a total of \$420 per year.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 93: PUBLIC HEARING FOR TAX CAP OVERRIDE

On motion by Councilperson Schmieder and seconded by Councilperson Wolfley and carried the Town Board set the public hearing date for the tax cap override for November 8, 2021 at 7:10pm.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 94: PUBLIC HEARING FOR FIRE CONTRACT

On motion by Councilperson Haller and seconded by Councilperson Schmieder and carried the Town Board set the public hearing date for the Fire Contract for November 8, 2021 at 7:05pm.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 95: PUBLIC HEARING FOR ADOPTED BUDGET

On motion by Supervisor Miller and seconded by Councilperson Schmieder and carried the Town Board set the public hearing date for the adopted budget for November 8, 2021 at 7:15pm.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner 0- No

RES. NO. 96: FIELD OF DREAMS FUNDRAISER

On motion by Councilperson Wagner and seconded by Councilperson Schmieder and carried the Town Board gives the Field of Dreams permission to sell hot dogs in the Town Hall parking lot on Halloween from 6pm-8pm.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner

0- No

RES. NO. 97: APPROVE PRELIMINARY BUDGET

On motion by Councilperson Haller and seconded by Councilperson Schmieder the 2022 Preliminary budget was approved.

3- Yes Miller, Schmieder, Haller

2- No Wagner, Wolfley

RES. NO. 98: MARIJUANA OPT IN/OUT

On motion by Councilperson Schmieder and seconded by Councilperson Wagner it was decided to hold a public hearing to opt out of the marijuana sales in the Town of Alexander with a public hearing date to come by the end of the year.

3- Yes Miller, Schmieder, Wagner

2- No Haller, Wolfley

RES. NO. 99: SIGNING OF SNOW AND ICE CONTRACT WITH COUNTY

On motion by Supervisor Miller and seconded by Councilperson Schmieder and carried the Town Board authorizes Supervisor Miller to sign the snow and ice contract with the county.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner

0- No

RES. NO. 100: HIRING OF NEW HIGHWAY EMPLOYEE

On recommendation by the highway superintendent, motion made by Councilperson Haller and seconded by Councilperson Wolfley and carried to hire Nicholas Guarino as the new highway employee.

5- Yes Miller, Schmieder, Wolfley, Haller, Wagner

0- No

RES. NO. 101: JUSTICE POSITION

Motion made by Councilperson Wagner and seconded by Councilperson Schmieder to appoint Paul Tomaszewski as the Town Justice for 2022.

4- Yes Miller, Schmieder, Haller and Wagner

1- No Wolfley

RES. NO. 102: GEOTECHNICAL INVESTIGATION-WD#6

WHEREAS, Mountain Engineering, PLLC, Engineer, has solicited quotes for geotechnical services for drilling and soil sampling in roadways and adjacent to stream crossings for the water main installation in the Town of Alexander. Quotes and a summary are attached providing unit pricing for drilling operations recommendation report. The number of bores and test pits will be determined by Mountain Engineering, within the not to exceed quote by selected firm; and

WHEREAS, the Town of Alexander has agreed to provide personnel and equipment for test pit excavation; and

WHEREAS, the Town will contract for test pit excavations if the Town is unable to perform these services; and

WHEREAS, four (4) quotes (quotations attached) have been received and the lowest quote that was received is from Terracon Consultants-NY, Inc., from Buffalo, New York to perform Geotechnical investigations for the Water District No. 6 project in the Town of Alexander; and

WHEREAS, Mountain Engineering has included additional quantities from those quoted, for a total estimated geotechnical work of \$13,750.00.

NOW THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes Terracon Consultants-NY, Inc. to proceed under the terms of the quote provided and for the quantities determined by Mountain Engineering, PLLC at a not to exceed amount of \$13,750.00. Mountain Engineering, PLLC will be notified

if the total contract amount exceeds that amount. Until such time an amended contract is awarded by the Town Board, the Contractor is ordered to terminate any work over the contract amount for \$13,750.00.

Offered by: Councilperson Schmieder

Second by: Councilperson Wagner

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 12th day of October, 2021 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: October 12, 2021

{S E A L}

**Shannon Tiede
Town Clerk**

DISCUSSION:

1. Tabling Transfer Station prices until the Nov. meeting.

REPORTS:

Insurance: no report

Building: Wyoming County Correctional Facility sent a crew to do outdoor clean up. Justice and Assessor's offices have been switched.

CEO/ZEO: A report was sent to the board.

Clerk: A new copy machine was put in and the lease decreased by \$25 a month.

Tax Collector: No report

Dog Control: n/a

Games of Chance: No report

Town Justice: Report submitted to the board.

Financial: Tim Batzel sent the board the financials

GAM: meeting 10/21

H'way Superint: Recommends Nicholas Guarino for new highway employee. Would like a structure for Brine tanks to be considered.

H'way Equip: n/a

Senior Citizen: No report

Town Historian: No report

Payment of Bills: **Motion by: Supervisor Miller** **Second by: Councilperson Haller**

Carried 5-0

General Fund A	Vouchers	201-221	9328.92
General Fund B	Vouchers	35	267.17
Highway Fund A	Vouchers	23-27	71208.18
Highway Fund B	Vouchers	104-119	18551.81
Capital Fund	Vouchers	37-39	35189.06

Motion to adjourn at 9:30pm made by Supervisor Miller and seconded by Councilperson Wolfley and carried. 5-0

Respectfully Submitted,

Shannon Tiede, Town Clerk