

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, August 18, 2014 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilwoman Riddoch led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Harry Milligan, Supervisor  
Mary Riddoch, Councilwoman  
Ralph P. Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Gary Wagner, Highway Supt.  
Mike Metzger, Engineer  
Len Weglarski, DCO  
Residents

ABSENT: Jennifer Strong, Town Attorney  
Chris Snyder, CEO

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of August 4, 2014. The Motion was put to a Roll Call Vote on August 18, 2014 and

**CARRIED.**

Ayes 3 Milligan, Riddoch & Witt  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH AND SECONDED BY COUNCILMAN TO WIT; VOUCHERS 742-797

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$9,871.48		\$9,871.48
HGHWY FUND "DA/DB"	2,685.96		2,685.96
PART-TOWN FUND "B"	8,137.59		8,137.59
CAPITAL IMPROV. "HC"			
CONSOLIDATED WATER "WR"	15,478.90		15,478.90
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,107.80		2,107.80
TRUST/AGCY FUND "T"			
SP REFUSE FUND "SR"	35,937.80		35,937.80
STREET LIGHTING FUND "SL"	5,552.27		5,552.27
PERIWINKLE LTG. "SL1"	34.60		34.60
GRANTS			
TOTALS	\$79,806.40		\$79,806.40

UPON ROLL CALL VOTE THE FOREGOING WAS PUT TO A ROLL CALL VOTE ON AUGUST 18, 2014 AND WAS

**ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt  
Nays 0

**BUSINESS FROM THE FLOOR**

There was no business from the floor.

**COMMUNICATIONS**

**Councilwoman Riddoch:**

An additional check was received for the Rainbow Play Center in the Park. It was over \$1,700.00 and the set is now paid in full.

She would like the following on the Work Session:

Alden Central School's request to use the Joe Panza Trail.

Robert Johnson/VFW request.

**Supervisor Milligan:**

A letter was received from Thomas Dearing, Deputy Commissioner, Dept. of Environment and Planning informing the Town that the project submitted by the Town of Alden for funding assistance through the 2014 Erie County Consortium Community Development Block Grant Program has been approved for: Acquisition of Senior Citizens Van - \$61,159.00. We were told today that it will have to go out to bid for the purchase.

A letter was sent to Commissioner Maria Whyte regarding the Erie County Home. It has been more than a year since the report "Erie County Home Short Term Mothballing & Long Term Use Study". We asked for an update on the status of the Home and efforts to retain the consultant. The funding is available through the end of 2014.

A report was received from the Village of Alden Fire and EMS for July 2014. There were more alarms in the Town than the Village. There were fourteen calls for the Village and twenty-one calls for the Town. Supervisor Milligan received a copy of the letter written by CEO Chris Snyder to Steven Weber 11133 Broadway regarding the vehicles that are being stored in the building. An inspection of the property needs to be conducted.

**NEW BUSINESS**

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application by Christopher M. Snyder for the subdivision of two (2) lots. The entire parcel currently consists of approximately 43.7 acres on Crittenden Road in the Town of Alden, further identified as SBL #108.00-2-27.3. The first proposed lot ("Parcel A") would be a 3.65 acre vacant parcel; the remaining parcel ("Parcel B") would be the remaining 40.05 acre parcel that contains a house currently under construction (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 December 3, 2013, for this Proposed Action, as required under Section 239-m of the General Municipal Law and "no recommendation" response 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 Town of Alden did assume Lead Agency Status on July 21, 2014;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer; and

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on July 8, 2014, recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;
2. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the attached SEQR NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, which attached notice is hereby made a part of this Resolution, will not have a significant effect on the

environment and that an environmental impact statement is not required to be prepared with respect to the Proposed Action;

3. 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 a part of Lot 13, Township 11, Range 5 of the Holland Land Company bounded and described as follows:

BEGINNING at a point in the easterly line of Crittenden Road, as established by the Erie County Highway Department shown on Map SK177-58R, said point being 207.66 feet north of the north line of Lueke Liber 7777 of deeds at page 427 and said east edge of right of way; thence easterly and parallel with the north line of Liber 7777 of deeds at page 427 a distance of 400 feet to a point; thence northerly and parallel with the east line of said highway 477± feet to the center of Ellicott Creek; thence westerly and southwesterly along the centerline of Ellicott Creek to the east edge of Crittenden Road per SK177-58R; thence southerly 185.6 feet to the point or place of beginning, containing 3.65 acres of land, more or less.

is given subdivision approval.

4. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on August 18, 2014, and was

**ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

WHEREAS, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Millgrove Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in receiving worker's compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Millgrove Volunteer Fire Department has approved Bradford D. Smith for Membership; and

WHEREAS, Millgrove Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of this new member.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Bradford D. Smith for membership in the Millgrove Volunteer Fire Department, and

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 18, 2014 and was

**ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch moved the Motion to approve the renewal of Matthew Jozwiak's / 12218 Westwood Rd. Home Occupation Permit for the sale of metal roofing, using his house as a sales office, contingent upon the applicant bringing his sign into compliance with the Town Code for one year.

ON THE QUESTION: THE SIGN WAS NOT BROUGHT INTO COMPLIANCE.

The Foregoing Motion was put to a Roll Call Vote on August 18, 2014 and **WAS DENIED.**

Ayes 0

Nays 3 Milligan, Riddoch & Witt

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to refer to the Planning Board for review and recommendation, the new Home Occupation Permit for Daryl Beyer/13940 Hensee Rd., /refurbishing and selling antiques. The foregoing Motion was put to a Roll Call vote on August 18, 2014 and was

**CARRIED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan moved and Councilman Witt seconded the Motion to refer the revised text of Local Law #3 to the Planning Board for review and recommendation. The foregoing Motion was put to a Roll Call vote on August 18, 2014 and was

**CARRIED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch moved and Councilman Witt seconded the Motion to approve Alden Garden Club's request to use the Community Center for their monthly meetings on the second Wednesday of each month September 2014-June 2015 from 7-9 PM. Longer Hours for the Christmas Party and May Plant Auction. First meeting is scheduled for September 10<sup>th</sup> 2014. The foregoing Motion was put to a Roll Call vote on August 18, 2014 and was

**CARRIED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve Alden Central School's request to use the R.O. Smith Park for JV Soccer Season 8/18-10/18/14. The foregoing Motion was put to a Roll Call vote on August 18, 2014 and was

**CARRIED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan moved and Councilman Witt seconded the Motion to approve Alden Community Education Coordinator Lynn Koelbl's request to use the Community Center on October 7, 15, 21 and the 23, 2014 for the purpose of offering an "introduction to the computer for seniors" class.

On the Question: Councilwoman Riddoch said the school is working with the Town to offer classes to seniors during the days at the Community Center. The foregoing Motion was put to a Roll Call Vote on August 18, 2014 and was

**CARRIED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

#### **UNFINISHED & TABLED BUSINESS**

There was no unfinished or tabled business.

#### **REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

##### **Councilman Witt:**

Councilman Witt would like it to be public that he has concern for Mark Moore's residential garage that he is building on Broadway. Mark Moore insists it's residential; it does not look like it. Councilman Witt does not know if it should be the Town Board, Code Enforcement or the Planning Board's concern.

##### **Councilwoman Riddoch:**

Dan Moultrup gave her information on a Splash Park; she would like this on the Work Session.

**Highway Supt. Wagner:**

He copied to the Town Board a letter received from the State saying that there will be a 27% increase in salt.

Supervisor Milligan commented on a project being done on Cayuga Creek in Lancaster that is being funded, we are doing the same thing here in Alden with no funding.

**Engineer Metzger:**

A letter was received from Erie County Dept. of Public Works regarding the Exchange/Zoeller water line project. They are asking for a few things; anywhere there is an existing culvert, they would like the waterline pushed away from the culvert so that the waterline is nowhere in the vicinity of the culvert should they have to revert them in the future. This will force us to put waterlines in four more locations on an easement. They are asking for some tree removals that we had not anticipated. He will work with them. He had a good conversation with the E.C.W.A. today all the matters have been resolved except one; the pipe material on Exchange. There is a cost concern with the two different materials. They are receptive to our concerns on this.

Community Center – There is still some outstanding questions that Park Supt. Sojka had that have not yet been answered by the structural engineer. They will have the bid documents done tomorrow and delivered to Andy. It could go out to bid within the next three weeks or so. Supervisor Milligan said that as part of this grant we are going to pave the parking lot, he asked Hwy. Supt. Wagner to get a hold of Robinson Paving to get a price. He would like the price to pave the parking lot and the roadway up to Main St., including the u. Supervisor Milligan said he the opportunity to talk to the Chairman of the Erie County Water Authority from Marilla and he assured Supervisor Milligan that if we have any problems at all to give him a call. Supervisor Milligan will call him tomorrow.

**DCO Len Weglarski:**

He is trying to get a hold of other towns to see what they do for a dog census. Supervisor Milligan would like this put on the Work Session agenda.

**Supervisor Milligan:**

Modern Corp. sent us a check for recycling for \$699.50. He would like to see the recycling improve. This amount is for the second quarter of 2014.

The Alden Post Office is going to be renamed for Sgt. Gornewicz. The President has signed. Supervisor Milligan has been in contact with the Post Office and Michelle Piasecki, formally from the Alden Post Office. She will be coming back to run the program and check out the procedures. He hopes we can put a good show of people for the program and show due respect for this young man. This should be a big thing for our community.

**NOTICE OF MEETINGS**

**NEXT WORK SESSION:** August 25, 2014 @ 7:00 P.M.  
**NEXT TOWN BOARD MTG.:** (Tuesday) September 2, 2014 @ 7:00 P.M.

**MEMORIAL REMEMBRANCE**

Supervisor Milligan asked all to stand for a Moment of Silence in Memory of Claire Wild.

**ADJOURNMENT**

At 7:25 P.M. Supervisor Milligan adjourned the Meeting.

Debra A. Crist  
Alden Town Clerk