

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, June 6, 2011 at 7:00 PM. Supervisor Smith called the meeting to order. Councilman Snyder led in the Pledge of Allegiance. The Roll call was taken by the Town Clerk.

PRESENT: Ronald Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman

RECORDING SECRETARY: Ralph P. Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Chris Snyder, CEO
John Zoratti, Planning Board
Len Weglarski, DCO

Councilman Snyder moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of May 16, 2011 and the Special Meeting of May 23, 2011. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER AND SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$6,896.59	\$82,175.78	\$89,072.37
HGHWY FUND "DA/DB"	2,372.33	5,283.08	7,655.41
PART-TOWN FUND "B"	8,022.71	874.49	8,897.20
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,203.64	364.32	2,567.96
TRUST/AGCY FUND "T"	598.69	3,399.52	3,998.21
SP REFUSE FUND "SR"	38,988.65		38,988.65
STREET LIGHTING FUND "SL"	5,657.14		5,657.14
PERIWINKLE LTG. "SL1"	37.15		37.15
GRANTS		50,150.17	50,150.17
TOTALS	\$68,515.50	\$142,247.36	\$210,762.86

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR

COMMUNICATIONS

Councilwoman Riddoch received a call last Friday from the New York State Labor Department, would like this put on the Work Session for Monday.

Councilman Weber received calls from two Boncliff Drive residents, 1080 and 1064 Boncliff, they are concerned about the drainage at rear of their property. The drainage problem may be having an impact on their leach fields, causing them to not function properly. This has to do with the drainage swale between Boncliff and Virginia Drive that Hwy. Supt. Fix is planning on doing. Councilman Weber feels this should be addressed immediately. Councilman Weber also received a call from the Mager family at 482 Two Rod Rd. regarding a drainage problem that is affecting their septic system. The house at the rear of their property located on Creekside is pumping water from their home to a low spot in their backyard draining down to the 482 Two

Rod Rd. property. The Magers are in the process of selling the home and the back yard is flooded. CEO Snyder will check this out. Councilman Weber would like this put on the Work Session.

Attorney Strong heard from the Alden Fire Department's Attorney. They would be approving the indemnification agreement for the Carnival at their meeting later this week. We do have proof of insurance. Time Warner sent a revised franchise agreement; Attorney Strong would like this on the Work Session. The Village of Alden sent over a revised Intermunicipal Code Enforcement Officer Agreement to cover vacations and conflicts; would like this on the Work Session also.

Councilman Snyder received an e-mail that there will be a hazardous waste drop-off at Erie Community South on June 18th. There will be an Association of E.C. Government meeting on June 23rd in Brant he will be attending.

Supervisor Smith commented on the amount of electronic recycling that is being received at the Alden Town Hall, three of the four boxes are full again. Supervisor Smith received the monthly report from the Town Clerk's office for the month of May, received the Tax Receiver's monthly statement for the month of May, received from the Building Dept. their monthly report for May, received the Village of Alden's approved Board minutes for their May 12, 2011 meeting.

7:05 PM PUBLIC HEARING

AT 7:05 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO MOVE INTO THE PUBLIC HEARING.

Councilman Weber moved and Councilman Weber seconded the Motion to adjourn from the Regular Meeting and move into the 7:05 P.M. Public Hearing. Unanimously Carried.

The Town Clerk read the notice of Public Hearing that was published in the Alden Advertiser re: APPLICATION OF MATTHEW JOZWIAK FOR A HOME OCCUPATION PERMIT TO SELL METAL ROOFS FROM HIS RESIDENCE LOCATED AT 12218 WESTWOOD RD.

The Supervisor opened the Floor for Public Comments.

PUBLIC COMMENTS

Tom Weichmann, 12233 Westwood Rd. has no problem with the H.O.P. going in across the street from his house.

AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AT 7:10 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING.

At 7:10 P.M. Councilman Weber moved and Councilwoman Riddoch seconded the motion to adjourn from the Public Hearing and enter back into the regular meeting. Unanimously Carried.

NEW BUSINESS

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

WHEREAS, the Town Board of the Town of Alden is considering an application by Andy Wegrzyn for a Special Permit for the operation of a small distillery operation on a farm; the farm parcel is approximately 2.4 acres and contains a barn and a stone driveway all located at Three Rod Road in the Town of Alden (further identified by SBL # 103.00-2-17) (The "Proposed Action"); and

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act and that the Erie County Highway Department and the Erie County Health Department are interested agencies;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on January 7, 2011, as required under Section 239-m of the General Municipal Law and a “No recommendation” was received on January 14, 2011;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to the issuance of special permits; 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.

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 the Erie County Highway Department and the Erie County Health Department are interested agencies and hereby directs the Town Building Inspector to send notice to the Erie County Highway Department and the Erie County Health Department of the Town Board’s intention to be Lead Agency;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the special use application.
3. 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 June 6, 2011, and was unanimously adopted.

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

WHEREAS, Andy Wegrzyn has filed an application for a Special Permit for the operation of a small distillery operation on a farm; the farm parcel is approximately 2.4 acres and contains a barn and a stone driveway all located at Three Rod Road in the Town of Alden (further identified by SBL #103.00-2-17);

WHEREAS, the Town of Alden Planning Board has reviewed the Application and recommended the approval of the Application to the Alden Town Board; and

WHEREAS, the Town Board, pursuant to Section 20-68(C) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. A Public Hearing on the Special Permit Application for Andy Wegrzyn be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on June 20, 2011 at 7:05 P.M. Local Time;

2. That the necessary Notice of Public Hearing, as required by Section 20-68 (C) of the Alden Town Code be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, and mailed to the adjacent property owners, which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take effect immediately.

The Adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on June 6, 2011, and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WEBER, TO WIT;

WHEREAS, pursuant to Section 20-64(A) of the Alden Town Code Matthew Jozwiak has filed an Application for a Home Occupation Permit to conduct a business of selling metal roofs from his residence at 12218 Westwood Road (the "Application");

WHEREAS, pursuant to Section 20-64(B) the Town of Alden Planning Board has: reviewed the Application; determined that the proposed home occupation meets the requirements and standards set forth at Section 20-63 of the Alden Town Code; and has recommended the approval of the Application to the Alden Town Board;

WHEREAS, the Alden Town Board, pursuant to Section 20-64(C) of the Alden Town Code has duly called a public hearing on the Application;

WHEREAS, notice of the Public Hearing was: properly published in the Alden Advertiser; was properly posted on the Town Bulletin Board; and was properly mailed to the adjacent property owners pursuant to Section 20-64(C) of the Alden Town Code;

WHEREAS, the Alden Town Board held a Public Hearing on June 6, 2011, at 7:05 p.m. at which time all persons in favor of and all persons opposed to the Application were heard;

WHEREAS, the Alden Town Board agrees with the recommendation of the Town of Alden Planning Board and finds it in the interests of the residents of the Town of Alden to approve the Application;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. A Home Occupation Permit to allow Matthew Jozwiak to conduct a business of selling metal roofs from his residence at 12218 Westwood Road, Alden, New York be granted for a period of one (1) year; and
2. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a vote on June 6, 2011 and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the motion to allow American Farmland Trust/Focus Group Session to be held at the Alden Town Hall on Tuesday, August 16, 2011 at 7:30 P.M. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to approve the Peddler's Permit for Jeremy Sammons/Educational Materials. Unanimously Carried.

**THERE WAS NO UNFINISHED AND TABLED BUSINESS
REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Councilwoman Riddoch reported that the Town has renewed their insurance and has received some certificates of insurance, if any are needed, please contact Councilwoman Riddoch and she will contact the Company.

Councilman Weber reported that on June 1st, Engineer Mike Metzger, Carl Fix and himself went out and viewed numerous drainage problems in the Town to try to develop plans, received a phone call about a possible track-hoe rental, he would like that on the Work Session.

Attorney Strong would like the following placed on the Work Session: Wegrzyn Special Permit and Shared Services Agreement.

Supervisor Smith announced that there will be a Master Plan Implementation meeting at the Town Hall this Wednesday at 7:00 P.M. There will be a Special Board meeting next Monday at 6:45 P.M. to discuss a contract for an Engineering firm for the Solar Project.

NEXT WORK SESSION: Monday, June 13, 2011 @ 7:00 PM
NEXT TOWN BOARD MTG.: Monday, June 20, 2011 @ 7:00 PM

SUPERVISOR SMITH READ THE FOLLOWING MEMORIAL IN MEMORY OF COUNCILWOMAN ARLENE COOKE:

On May 21, 2011, Councilwoman Arlene Cooke lost her fight against leukemia. At her funeral mass, Arlene's niece, Amy Schadt, described her as a people person. While we all have experienced Arlene's love for others so evident in her smile, her laughter and her sense of humor; being a people person with Arlene was also deeper than that.

- Arlene spent her entire adult life as a caregiver to people. As a school nurse for over 30 years, as an emergency room nurse at St. Joe's, and as a Town Board member since 2000. Arlene used her time and talents to attend to the needs of all who crossed her path. We will never know exactly how many lives were changed for the better by encountering Arlene along their path of life, but all of us who worked with Arlene are among that number.
- One of Arlene's last acts as caregiver for the Town was her work as the Town's Disaster Coordinator. For the last 5 years, Arlene had worked tirelessly in that role to improve the ability of the Town to respond and care for its residents in the event of a disaster. As a result of her work in conjunction with the Village of Alden and Town of Lancaster, we now have an Office of Emergency Management in Alden and team members trained to respond if needed.
- To memorialize her work, I would ask that a plaque be placed here at the Town Hall Office of Emergency Management as a permanent acknowledgement of Arlene's role in the formation of the department. Secondly, I urge this board and those that will follow to continue the work that Arlene has done. Nothing will honor her memory more than by continuing to improve upon the office that Arlene created.

May you rest in peace, Nursie, and thanks for changing our lives for the better.

Supervisor Smith asked for a motion to adjourn from the regular meeting to enter into an Executive Session to discuss a matter of personnel and possible litigation.

Supervisor Smith moved and Councilman Weber seconded the motion to enter into an Executive Session to discuss a matter of personnel and possible litigation. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to re-enter into the Regular meeting from the Executive session after no action being taken.

Supervisor Smith adjourned the Meeting at 8:03 P.M. with a Moment of Silence in memory of Anthony Bukowski, Elmer Winegar, Margaret Murzynski, Councilwoman Arlene Cooke, Richard Nuwer, Henry Czarniak & Charles T. Smith.

Ralph P. Witt
Town Clerk

