

MEETING NO. 12
REGULAR NO. 12 REGULAR BOARD MEETING

JUNE 20, 2011
7:00 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road On Monday, June 20, 2011 at 7:00 P.M. 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 Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Michael Metzger, Town Engineer
Chris Snyder, CEO
Michael Fleming, Planning Board
Len Weglarski, DCO

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Board Meeting of June 6, 2011 and the Special Board Meeting of June 13, 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"	\$19,145.21		\$19,145.21
HIGHWAY FUND "DA/DB"	22,928.59		22,928.59
PART-TOWN FUND "B"	3,923.45		3,923.45
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"	2,297.84		2,297.84
SD#2 FUND "SA"	1,755.65		1,755.65
TRUST/AGCY FUND "T"	560.30		560.30
SP REFUSE FUND "SR"	40,266.67		40,266.67
STREET LIGHTING FUND "SL"	5,626.31		5,626.31
PERIWINKLE LTG. "SL1"	36.79		36.79
GRANTS	0		0

TOTALS \$100,279.41 \$100,279.41
UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR

COMMUNICATIONS

Councilman Snyder received notification of a meeting for the Erie County Association of Supervisors on Thursday, June 23rd in Brant.

Supervisor Smith received the Village of Alden Fire Department's monthly EMS/Fire report for the Month of May, received two letters from the Erie County/Kathy Konst, Commissioner of the Department of Environment & Planning, regarding our CDBG grant applications, there were some changes in the funding for the County Consortium, the good news is the Town Park restroom, ADA compliance project will be funded in the amount of \$71,820.00, the bad news is that the master plan implementation project will not be funded because of the cuts in the budget, received Rural Metro's monthly compliance report for May/2011- 95.4%, received the Village of Alden's board minutes

for their May 26, 2011 meeting, received from Erie County Legislature, Republican Caucus a letter regarding Legislature Reapportionment.

PUBLIC HEARING

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

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to enter 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 for a special permit to operate a small distillery on a farm located at 231 Three Rod Rd.

The Supervisor opened the floor for Public Comments.

Supervisor Smith asked Ralph Witt as Planning Board Chairman to discuss the Planning Board's review of the project, their findings and any concerns and how they were resolved.

Don Kinne, 217 Three Rod Rd., researched online about distilling and is concerned about the smell, the use of chemicals to clean containers and how they will be disposed of; has concern about the wells in the area. Also, would like to know what they are going to use for a water source, there is no existing water source, power or gas on this property. His concerns are for the environmental and safety factors, this is an old barn and his house is located 150' away. He is also concerned about traffic as the entrance to this property would be located on a dead end road off a blind curve on Old Three Rod.

Laura Kinne, 217 Three Rod Rd. is concerned about noise from big trucks, well contamination, smell, her water (afraid they will tap into water and it affect her well) and worried about creek contamination.

Gary Haines, 136 Three Rod Rd. questioned the applicant about the process; They explained this would be a small agricultural distillery that will process an alcoholic beverage. There are no plans to grow. Mr. Haines questioned as to whether there are any farm distilleries in Alden? There are none in Alden, but there is a handful in New York State.

Supervisor Smith explained that this permit is being issued for a period of one year and if the Code Enforcement Officer decides that all the conditions of the permit have not been met, it would not be renewed.

Anthony Wojcik, 234 Three Rod Rd. is concerned about the smell and security.

Tony Starzynski, 118 Three Rod Rd. said there is not even a fire hydrant located any where near the barn, should there be a fire, safety is his number one issue and number two would be smell. Would like to keep the neighborhood as is.

AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AT 7:35 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING.

At 7:35 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn from the Public Hearing and enter back into the Regular Meeting. Unanimously Carried.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the motion to approve the Peddlers Permit for Bonnie Wiedenbeck/Mr. Cool Ice cream. Unanimously carried.

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

WHEREAS, New York State law authorizes municipal highway departments to contract with each other to provide and share services;

WHEREAS, the Town of Alden Highway Department would like to offer and to receive shared services from other local highway departments as said shared services are needed; and

WHEREAS, the Alden Town Board finds it to be in its best interest to have such shared services agreement in place with local highway departments.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Supervisor is hereby authorized to enter into the attached Highway Shared Services Agreement to allow the Town of Alden to give and receive shared services with all nearby towns and villages that also approve and sign this Agreement;
2. The Highway Superintendent is directed to mail photocopies of this Agreement to the nearby towns and villages that he determines will benefit the Town of Alden; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2011, and was unanimously adopted.

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

WHEREAS, the Village of Alden has notified the Town of Alden that the Village would like to revise and expand the Inter-Municipal Building Inspector Agreement; and

WHEREAS, the Town of Alden believes it is in the best interests of the residents of Alden to revise and expand the Agreement in order to provide adequate and convenient coverage for timely building inspections in both the Town and the Village of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the attached Inter-Municipal Building Inspector Agreement with the Village of Alden;
2. The Supervisor of the Town of Alden is hereby authorized to sign the attached Agreement on behalf of the Town of Alden; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 20, 2011, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve St. John's Home School Association's request to use R.O. Smith Park Softball/Baseball fields for their 11th annual men's double elimination softball tournament on Sept. 3, 2011, 8:00 A.M. to 9:00 P.M. Unanimously Carried.

Councilman Weber moved and Councilman Snyder seconded the Motion to approve Alden Art Club's request to use the Community Center and restrooms for their 54th annual Art Show on September 11, 2011 from 9:00 A.M. to 5:00 P.M. Unanimously Carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that there was some vandalism in the Park and Park Supervisor Andy Sojka is working on getting the computer set up so it will be ready to go when the cameras are put in. A couple of port a potties were ordered because the men's bathroom was not in working order.

Town Clerk Ralph Witt, while downtown on jury duty, went to the Board of Elections with the map we had from the recent election with the list of streets and names of people who were eligible to vote. This map did not match with the map that the county had supplied to us. The Board of Elections was not aware that the 26th district was not defined as it should be. They were thankful for his attention to this matter, this will be changed and new information will be released.

Attorney Strong received the signed indemnification agreement for the carnival. The State D.O.T. promises that the deed for Reinhardt Rd. will be recorded sometime this week. Attorney Strong met with the Highway Department to review the State required Workplace Violence Prevention Policy. Would like to review this at the Work Session next week.

Councilman Snyder reported that last week was the Erie College South hazardous waste drop-off, there was half the amount of people that showed up. There will be another drop off at Erie Community College, North Campus sometime in August, if the funding from the State comes through.

Engineer Metzger is waiting for the State to get back to him on drainage problem regarding the Sievenpiper property. Bids were open opened last Wednesday for the Boiler and they are being reviewed. Would like that on the Work Session.

Supervisor Smith reported that Senator Pat Gallivan would be at the Town Hall on Wednesday, August 24th at 10:00 a.m.

NEXT WORK SESSION: Monday, June 27, 2011 @ 7:00 p.m.
NEXT TOWN BOARD MTG.: Tuesday, July 5, 2011 @ 7:00 p.m.

Supervisor Smith adjourned the Meeting at 7:41 p.m. with a Moment of Silence in Memory of Linda Skowron, Robert Walters, Maureen O'Grady, Christopher Marchewka and Richard Metz (Father of Court Clerk Sue Siudzinski).

Ralph Witt
Town Clerk