

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, May 2, 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 Deputy Town Clerk.

PRESENT: Ronald Smith, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman  
Ronald Snyder, Councilman  
ABSENT: Arlene Cooke, Councilwoman  
RECORDING SECRETARY: Debra Crist, Deputy Town Clerk  
OTHERS PRESENT: Jennifer Strong, Town Attorney  
Michael Metzger, Town Engineer  
Chris Snyder, CEO  
Len Weglarski, Dog Control Officer

Councilman Snyder moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of April 18, 2011. Unanimously Carried.

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$10,549.60	\$42,592.24	\$53,141.84
HGHWY FUND "DA/DB"	8,760.32	3,570.39	12,330.71
PART-TOWN FUND "B"	2,998.42	1,198.33	4,196.75
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"	4.49	2,148.70	2,153.19
TRUST/AGCY FUND "T"	621.00	4,638.72	5,259.72
SP REFUSE FUND "SR"	37,695.96		37,695.96
STREET LIGHTING FUND "SL"	6,164.78		6,164.78
PERIWINKLE LTG. "SL1"	42.48		42.48
GRANTS	1,883.38	1,184.90	3,068.28
TOTALS	\$72,459.03	\$55,333.28	\$127,792.31

(pd.4/18/11)

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

**BUSINESS FROM THE FLOOR**

Supervisor Smith welcomed the students from Alden Central School. Michael Keenen from 1044 Clearvue Drive put in a new concrete driveway last year and wanted to blacktop 15' over culvert pipe; contacted Highway Supt. Fix a year ago to have the pipe installed, the fee was paid and nothing happened; he has contacted Hwy. Supt Fix three (3) times since and he can't even tell him that it will happen this year. He has hired a contractor to install, but does not want it tore up should the Town decide to do work by his house and be charged more money. Councilman Weber will follow up and advise what the status is.

**COMMUNICATIONS**

Councilwoman Riddoch reported that she received the health permit for the concession stand at R.O. Smith Park and a request to use the band shell from St. John's/Alden Pregnancy Center; would like that put on the Work Session.

Councilman Weber received complaints from two (2) homeowners on Sullivan Rd. that would like their ditches cleaned out, they are causing drainage problems. One is at 437 Sullivan and the other 948 Sullivan Rd. Also received a drainage complaint from a Bonnie Lake resident.

Attorney Strong is working with Time Warner.

Supervisor Smith received an invitation from Alden VFW Memorial Post 7967 to participate in their Memorial Day Parade on May 30, 2011, lineup at 1:30 P.M. – Parade at 2:00 P.M., an invitation from Town Line Vol. Fire Department to join in their annual community Memorial Day service May 30<sup>th</sup>, 2011 their parade will line up at 9:15 A.M. –Parade at 9:30 A.M., received from the office of Greco/Trapp an invitation to join the Village of Alden, along with communities in Genesee County in a consortium to negotiate with Time Warner Cable; would like this on the Work Session, received from the Town of Alden Building Department their monthly report for April/2011, received the Village of Alden’s approved Board minutes for their April 14, 2011 meeting.

#### NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the Town of Marilla’s request to use the Band Shell for their Annual Car Show on July 30-31, 2011. Unanimously Carried

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

WHEREAS, the Town Board of the Town of Alden is considering an application, under § 20-11(H) of the Town of Alden Code of KLAS Properties, Inc. for site plan review of the proposed construction of a 54’ x 81’ cold storage building (the “proposed action”) at an improved parcel located at 12812 Broadway in the Town of Alden, County of Erie and State of New York, further identified by SBL # 119-1-17; and

WHEREAS, the Town Board of the Town of Alden has determined that the proposed action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a coordinated review; and

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 site plan review, 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 the most local agent with permitting authority; and

WHEREAS, the Town is required to provide notice to County Planning for this site plan review as required under Section 239-m of the General Municipal Law and a “no recommendation” was received on February 4, 2011.

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

1. The Town Board has determined that the proposed site plan review is an Unlisted Action under SEQRA;

2. The Town Board has determined that it should be the lead agency for all environmental review of the site plan application and review;
3. The Town Board directs that the Code Enforcement Officer of the Town of Alden with the assistance of the Town Engineers send the required notice with all required attachments to all other interested agencies about the proposed action and the determination by the Town of Alden of its desire to act as lead agency under SEQRA; and
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 May 2, 2011, and was unanimously adopted.

Councilman Snyder moved and Councilman Weber seconded the Motion to refer the application for a new Home Occupation Permit/Jozwiak/12218 Westwood Rd. to the Planning Board for Review and Recommendation. Unanimously Carried.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the Home Occupation Permit for Edwin Knoblauch/3499 Townline Rd./Dental Crowns/Teeth. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to allow Hwy. Supt. Carl Fix to attend 2011 Hwy. School in Ithaca, N.Y. on June 6-8, 2011 at reasonable Town Expense. Unanimously Carried.

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

WHEREAS, the Town of Alden believes that its residents will benefit from improvements to its Town Park, including but not limited to: modification to the Panza trail and two multi-purpose athletic fields (the "Project"); and

WHEREAS, the Town of Alden has received partial Project funding through the New York State Office of Parks, Recreation and Historic Preservation ("NYSOPRHP");

WHEREAS, to continue with the Project a topographic survey of the Town Park is needed;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden states that professional services are exempt from the Guidelines;

WHEREAS, verbal requests for proposals were made by Supervisor Smith to five (5) surveyors and three quotes were received as follows:

- A. The highest bidder is: Bergmann at \$12,500.00;
- B. The second highest bidder is: Nussbaum & Clarke at \$11,000.00; and

C. The lowest bidder is Millard, MacKay & Delles Land Surveyors, LLP at \$7,200.00.

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the topographical survey.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the attached Contract with Millard, MacKay & Delles Land Surveyors, LLP for a topographical survey of the Alden Town Park at a total cost of \$7,200.00. Millard, MacKay & Delles Land Surveyors, LLP must pay prevailing wages and comply with all labor law requirements and postings prior to starting any work;
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this project; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on May 2, 2011, and was unanimously adopted.

**SUPERVISOR SMITH POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WAS ADDED:**

Supervisor Smith moved and Councilman Weber seconded the motion to renew the Home Occupation Permit for Paulette Morris/260 Sullivan Rd., /Gifts and Home Décor. Unanimously Carried.

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

Councilwoman Riddoch reported opening day of baseball is on Saturday, May 7<sup>th</sup>, the Parade starts at the R.O. Smith Park at 9:30 A.M. at the Highway garage parking lot.

Councilman Weber reported Highways and Drainage; there are three (3) sections of Sullivan Rd. where the under road culverts are separating, actually coming apart and some are in danger of washing away or further separation; 75 Sullivan Rd., in between 200 and 234 Sullivan Rd., and in between 676 and 775 Sullivan Rd. Will follow up with the Highway Supt.

Attorney Strong would like the Time Warner Franchise, Jozwiak HOP and the Klas Properties Site Plan put on the Work Session.

Councilman Snyder reported that he has a NEST meeting next Wednesday.

Town Engineer Metzger reported that he is meeting with Involved Entities tomorrow to look over the ice rink at 2:00 P.M.

Supervisor Smith reported that there is a Master Plan Implementation meeting this Thursday at 7:00 P.M., and on the 17<sup>th</sup> of May, Councilwoman Cooke will be honored by the Alden Chamber of Commerce as the Citizen of the Year at their annual Spring membership dinner.

**NEXT WORK SESSION:                    Monday, May 9, 2011 @ 7:00 P.M.**  
**NEXT BOARD MEETING                Monday, May 16, 2011 @ 7:00 P.M.**

Supervisor Smith adjourned the Meeting at 7:24 P.M. with a Moment of Silence in Memory of Leslie Canfield.

Debra A. Crist  
Deputy Town Clerk

