

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 3, 2016 at 7:00 P.M. Supervisor Savage called the Meeting to Order and led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Richard Savage, Supervisor
Colleen Pautler, Councilwoman
Ralph Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder CEO
Michael Metzger, Town Engineer
Duane Conners, Planning Board
Len Weglarski, DCO
Residents

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of September 19, 2016. The Motion was put to a Roll Call Vote on October 3, 2016 and was

CARRIED.

Ayes 3 Savage, Pautler & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER AND SECONDED BY COUNCILMAN WITT TO WIT; VOUCHERS #956-992

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	10,517.45	6,669.32	17,186.77
HGHWY FUND "DA/DB"	12,433.31	6,294.32	18,727.63
PART-TOWN FUND "B"	2,407.26	5,872.98	8,280.24
CONSOLIDATED WATER "WR EXCHANGE WATER DIST. "HX" SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,334.79	2,062.86	4,397.65
TRUST/AGCY FUND "T"	1,170.47	2,126.01	3,296.48
SP REFUSE FUND "SR"	35,324.05		35,324.05
STREET LIGHTING FUND "SL"	5,966.77	34.73	6001.50
PERIWINKLE LTG. "SL1"	36.68		36.68
GRANTS	83.50		83.50
ZOELLER WATER DIST. "HZ"			
TOTALS	\$70,274.28	\$23,060.22	\$93,334.50

Upon roll call vote on October 3, 2016 the foregoing resolution was

ADOPTED.

Ayes 3 Savage, Witt & Pautler
Nays 0

BUSINESS FROM THE FLOOR

Supervisor Savage welcomed the students from Alden Central School and had them introduce themselves. The Supervisor explained the abstract process to the students.

Steve Fox, Wende Rd. questioned the status of the Chicken Law. Supervisor Savage said that the Lead Agency and SEQR will be done tonight and that it will be referred to the Planning Board next Tuesday on the 11th. Once the Planning Board makes their recommendation a Public Hearing will be set. The Town Board will hear the Public comments and take these into consideration before adopting the law.

AT 7:06 P.M. SUPERVISOR SAVAGE MOVED AND COUNCILWOMAN PAUTLER SECONDED THE MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO AN EXECUTIVE SESSION REGARDING A PERSONNEL ISSUE WITH THE TOWN CLERK, TOWN BOARD AND THE TOWN ATTORNEY. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON OCTOBER 3, 2016 AND

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

AT 7:26 P.M. COUNCILMAN WITT MOVED AND COUNCILWOMAN PAUTLER SECONDED THE MOTION TO ADJOURN FROM THE EXECUTIVE SESSION, WITH NO ACTION TAKEN, AND ENTER BACK INTO THE REGULAR MEETING. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON OCTOBER 3, 2015 AND

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

COMMUNICATIONS

Councilwoman Pautler:

A letter was received from ACTS regarding sponsorship in their programs. Supervisor Savage said this would be a personally paid sponsorship. Copies will be given to Board members.

Supervisor Savage:

The following have been received:

1. Building Inspector's report for September/2016- 26 Permits were issued.
2. An e mail was received from residents on Gebhard Lane referring to the ZBA Hearing use Variance, having to do with the chickens. Supervisor Savage explained the process of the ZBA. They were advised of the new law regarding chickens that the Town is working on.
3. The Supervisor had a meeting with Alden Youth Baseball. The Town will do some work on the fields.
4. A list of unpaid water bills has been received from Erie County Water Authority.
5. A letter has been received from the Erie County Tax Office advising of the due dates of tax files and transfers. Assessor Sivecz will take care of this.
6. Copy of a newspaper article dated September 23, 2016 referring to the rebate checks that the State will be mailing to homeowners. The rebate to the Town of Alden residents is an average of \$220.00.
7. A letter has been sent to the Insurance Company with a time line regarding the claim for the highway garage.
8. A copy of the letter from Bob Poeller, Chief thanking Highway Supt. Gary Wagner and Larry Zobrest for their help at the barn fire on August 5th with the gradal.
9. A letter was sent to the D.O.T. , at the request of a resident, regarding the restriping of Walden Ave. center line from Lancaster Town line out to where it hits Genesee. A response was received right away.
10. The approved Village Board minutes were received from their meeting of September 8th.
11. Copy of the letter sent out when we switched our ambulance service. Supervisor Savage went into LVAC last week and toured the facility. All the ambulances have decals on the side saying that they serve the Town of Alden as required.

NEW BUSINESS

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

WHEREAS, the Town of Alden and the Town of Newstead agree that it is in the best interests of their residents and that it is cost effective to both municipalities to share an Assessor;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Alden Town Board does hereby authorize Supervisor Savage to enter into and execute all necessary documents to effectuate an Intermunicipal Agreement in the form attached hereto with the Town of Newstead for shared assessment services for the 2017 Calendar year; and

2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting, on October 3, 2016 and

Adopted.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Parks Supervisor has advised the Town Board that the Parks Department would like to purchase two (2) new John Deere Z930M EFI tractors, trading in three (3) surplus tractors and that the purchase of the new tractors would be made pursuant to Contract #PC66663 (PG XN) NY Piggyback Contract of NJPA;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed by purchasing from the piggyback contract; and

WHEREAS, The Town Board after full and careful review and consideration of the request; finds said request to purchase two (2) new tractors, trading in three (3) surplus tractors as being consistent with its policies and in the interests of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the 2012 John Deere Z925A tractor is not of any use to the Parks Department; is not needed for Town purposes; and is surplus property. The Town Board hereby authorizes this tractor to be traded in at a value of \$4,450.00;
2. The Town Board hereby determines that the 2002 345 Ground master tractor is not of any use to the Parks Department; is not needed for Town purposes; and is surplus property. The Town Board hereby authorizes this tractor to be traded in at a value of \$1,600.00;
3. The Town Board hereby determines that the 2000 345 Ground master tractor is not of any use to the Parks Department; is not needed for Town purposes; and is surplus property. The Town Board hereby authorizes this tractor to be traded in at a value of \$2,300.00;
4. The Town Board approves the purchase of the two (2) John Deere Z930M EFI tractors for \$8,881.18 each (\$17,762.36 for both), minus the above trade-ins totaling \$8,350.00, for a total purchase price of \$9,412.36, including delivery;
5. That the Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase and trade-in; and
6. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town of Alden has noticed the need to update the kitchen facilities in the Town Senior/Community Center;

WHEREAS, the Alden Town Board would like to utilize the monies available from the Erie County Community Development Block Grant program to update the kitchen facilities in the Town Senior/Community;

WHEREAS, the Town Board held a public hearing on September 19, 2016, notice of which was properly posted and published and public comment was received that the kitchen at the Town Senior/Community Center needs improvement;

WHEREAS, The Town Board after full and careful review and consideration of the need finds that it is in the public interest to apply for the CDBG monies to update the kitchen facilities in the Town Senior/Community Center.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby authorizes Supervisor Richard A. Savage, to sign, submit and execute a contract with the Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG:

1. Update the kitchen facilities in the Town Senior/Community Center

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, Colleen Rogers, Budget Officer of the Town of Alden on September 26, 2016, duly filed the Tentative Budget of said Town for the fiscal year beginning January 1, 2017 with the Town Clerk of said Town; and

WHEREAS, the Town Clerk of the Town of Alden duly presented the Tentative Budget to the Town Board on October 3, 2016;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Tentative Budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2017;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by her to the public for inspection during the regular business hours;
3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the year 2017, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on October 17, 2016, at 7:10 P.M. Local Time;
4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the Town Law of the State of New York be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and
5. This Resolution shall take immediately.

The adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Board, on behalf of all Special Districts and Special Improvements Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred has duly prepared detailed estimates in writing of the anticipated revenue and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same; and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvement was charged in proportion to the amount of benefit conferred; and

WHEREAS, Assessment Rolls were duly prepared according to law and said Assessment Rolls were duly filed in the Office of the Town Clerk.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That a Public Hearing is hereby called and shall be held on October 17, 2016, at 7:05 PM Local Time, at the Town Hall, 3311 Wende Road, Alden, New York, at which time and place this Town Board will meet to consider the aforementioned Special District Budget for the Year 2017 and to hear all persons interested in the subject matter thereof, and concerning the same;
2. That a Notice of said Public Hearing be published in the Alden Advertiser and posted on the Town of Alden Board which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve the use of the small room of the Community Center on the 2nd and 4th Wednesday of the month from 6:00-8:00 P.M. for the Girl Scout Troop #78 and the 1st and 3rd Wednesday from 6:00-8:00 P.M. for Girl Scout Troop #7705 for meetings for the period of Sept. 2016 to May 2017. The foregoing Motion was put to a Roll Call Vote on October 3, 2016 and

Carried.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 4 of the Year 2016, entitled “Reducing the Set Backs for Ponds, Lakes or Basin Excavations” (the “Proposed Action”);

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; 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; and

WHEREAS, the Building Department is directed to send notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

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 an un-coordinated review shall be conducted;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action; and
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 3 of the Year 2016, entitled “Revisions to Chapter 20: creating restriction on Berms; Walls and Fences; and Permitting Hen Chickens with Certain Restrictions; and easing restrictions on Ag. Livestock Fencing” (the “Proposed Action”);

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; 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; and

WHEREAS, the Building Department is directed to send notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

4. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that an un-coordinated review shall be conducted;
5. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action; and
6. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, grant monies are available through the New York State Unified Court System to enhance the operation and security of municipal Justice Court.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Justice Court is authorized to submit a grant application to request up to the maximum amount available;
2. The Supervisor and Town Court Justices be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 3, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Alden Town Board on November 02, 2015 adopted its 2016 Budget:

WHEREAS, the Town of Alden needs to transfer money to allow for payment of item as outlined below; and;

WHEREAS, these budget transfers will not render the Town of Alden insolvent;

NOT THREFOREBE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following transfers:

<u>From</u> <u>(Budget Code)</u>	<u>Amount</u>	<u>To</u> <u>(Budget Code)</u>	<u>General</u> <u>Explanation</u>	<u>Amount</u>
DB.5110.0433	\$5,000.00	DB.5130.0424	Increase Appropriation for Repair & Maint. Of Old Equip. & Trucks	\$5,000.00
			TOTAL	\$5,000.00

This Resolution shall take effect immediately.

The Foregoing Resolution was duly put to a Roll Call Vote at a regular meeting on October 3, 2016 and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

SUPERVISOR SAVAGE POLLED THE BOARD AND ADDED THE FOLLOWING:

Supervisor Savage Moved and Councilman Witt seconded the Motion to designate Halloween Hours in the Town of Alden to be set at 6:00 to 8:00 P.M. The foregoing Motion was put to a Roll Call Vote on October 3, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Highway Supt Wagner:

The repairs of the Highway garage are moving forward. It will be another two weeks.

CEO Chris Snyder:

The 239M forms and drafts of the two proposed local laws have been sent out.

Engineer Metzger:

Eng. Metzger has talked to the Contractor and he has finished up a couple of driveway repairs needed. He is still waiting for the estimate #3 and the certified payrolls. Eng. Metzger would like the Sewer Plant #2 – Alaura on the Work Session.

Supervisor Savage:

Supervisor Savage would like the following on the Work Session:

1. Drug Policy
2. Local Laws #3 & #4
3. S.D. #2
4. Bio Solids Law

Tomorrow is the Community Night Out at the Park from 4-8.

October 5th is the 100th year anniversary for the Alden State Bank they presently are having Carnations, lemonade, chocolate cigars and cookies. 100 years ago that what was given out. On Wednesday there will be cupcakes.

NOTICE OF MEETINGS

