

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, February 1, 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

ABSENT: Ralph Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Colleen Rogers, Supervisor’s Assistant
Len Weglarski, DCO
Mitch Martin, Senator Gallivan’s Office
Residents

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of January 19, 2016. The Motion was put to a Roll Call Vote on February 1, 2016 and was

CARRIED.

Ayes 2 Savage & Pautler
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER AND SECONDED BY SUPERVISOR SAVAGE TO WIT; VOUCHERS #73-126

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND “A”	\$12,216.48	\$45,846.54	\$58,063.02
HGHWY FUND “DA/DB”	12,179.49	20,614.45	32,793.94
PART-TOWN FUND “B”	9,643.54	18,466.47	28,110.01
CONSOLIDATED WATER “WR”		63,685.00	63,685.00
SP FIRE PROT. “SF”	4,300.00	120,446.70	124,746.70
SD#2 FUND “SA”	2,576.73	18.20	2,594.93
TRUST/AGCY FUND “T”	2,226.95		2,226.95
SP REFUSE FUND “SR”	34,791.54		34,791.54
STREET LIGHTING FUND “SL”	5,243.05		5,243.05
PERIWINKLE LTG. “SL1”	42.55		42.55
GRANTS	10,069.00	250.00	10,319.00
TOTALS	\$93,289.33	\$273,506.78	\$366,796.11

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON FEBRUARY 1, 2016 AND WAS

ADOPTED.

Ayes 2 Savage & Pautler
Nays 0

BUSINESS FROM THE FLOOR

Supervisor Savage introduced Mitch Martin from Senator Gallivan’s Office. Mitch wanted to make everyone aware that Senator Gallivan has put together a Disaster Preparedness Course this Thursday at the West Seneca Senior Center from 5:30 P.M. to 7:30 P.M. It is a free event in partnership with Red Cross and CERTS. So far there have been 225 people registered. If anyone is interested, he asks that they let him know. If anyone has any questions about this or any other State issues he would be glad to help them and will be available after the Town Board Meeting.

Matt Herdzyk, S. Woodside questioned the status of Time Warner becoming Buffalo based for streaming. Supervisor Savage has talked with Mayor Manicki regarding Time Warner. Time Warner is interested in renewing their franchise with the Village. There is another company providing internet in Corfu and internet and television in Warsaw. All of the franchise agreements are non-exclusive. The Village has

not gotten any further with Time Warner and is in negotiations at this time. Supervisor Savage will continue to keep abreast of any new updates on this.

PUBLIC HEARING

At 7:05 P.M. SUPERVISOR SAVAGE MOVED AND COUNCILWOMAN PAUTLER SECONDED THE MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO THE PUBLIC HEARING REGARDING THE HEARING ON THE DANGEROUS AND UNSAFE BUILDING AT 1214 MAYFIELD DRIVE IN THE TOWN OF ALDEN. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON FEBRUARY 1, 2016 AND CARRIED.

Ayes 2 Savage & Pautler

Nays 0

THE TOWN CLERK READ THE LEGAL NOTICE PRINTED IN THE ALDEN ADVERTISER.

SUPERVISOR SAVAGE OPENED THE FLOOR FOR PUBLIC COMMENT.

Sue Walters, Mayfield Drive – Two years ago she had to call the County because she had rats in her back yard from this property. The owner has not been in the house or anywhere near it. The garage is falling over into the property next door to it. At one time, there was a concern because there use to be acetylene tanks in the garage that she informed the Town of. Supervisor Savage said that the Public Hearing is the first step towards demolition. There will be a Resolution to tear it down. The expense will be put on the property owners taxes.

Cindy Reger, Mayfield Drive – She was under the impression that the home had been repossessed. Attorney Strong explained that is was in foreclosure proceedings by Caliber Home Loans. The bank had been notified; the Building Inspector tried working with them this summer to get them to do the repairs. They had been notified of the hearing tonight. Their response was to withdraw the escrow of the taxes and to release the lien of the mortgage giving it back to the owner and washing their hands of it. Attorney Strong is still checking to County records to make sure they follow through with what they said they were going to do as indicated last week. Cindy Reger commented on the house being in terrible condition also. Supervisor Savage said that at some point the house will deteriorate enough and the same will have be done to that. Usually the bank will try to sell it to recoup some of their money, but not in this case. The garage will be demolished and the area cleaned up.

Supervisor Savage thanked all those that came for the hearing.

AT 7:16 P.M. WHEN ALL THOSE WISHING TO BE HEARD WERE HEARD SUPERVISOR SAVAGE MOVED AND COUNCILWOMAN PAUTLER SECONDED THE MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON FEBRUARY 1, 2016 AND CARRIED.

Ayes 2 Savage & Pautler

Nays 0

COMMUNICATIONS

Supervisor Savage:

1. Notice received from the Town Supervisor of Orchard Park, Pat Kean regarding 2015 sales tax data received reporting continued retail stagnation in most counties across the state. People are not spending as much money and the Canadians are not coming over because of the difference in the money. Our sales tax revenue will be more than likely less than last year. This puts strains on local governments and schools. We will have to continue to tighten our belts.
2. There will be a recreation leader on March 5, 2016. All the coaches etc. will meet with Dan and Colleen Pautler.
3. The Village of Alden approved Board minutes were received from January 14th.
4. A letter from 2009 the Supervisor had regarding Time Warner and switching the programing for the Towns of Alden, Marilla and Newstead and the Village of Alden would be \$577,000.00.
5. The Building Inspector's monthly report was received - \$1050.00 in fees.
6. The postage machine report was received from the Town Clerk's Office.
7. National Fuel sent an updated emergency contact information sheet.
8. The Town Clerk's monthly statement- \$973,831.61 in taxes have been collected year to date.

NEW BUSINESS

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

WHEREAS, the Alden Town Clerk needs to purchase a new desk for her office, the estimated cost of which is less than \$2,000.00 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must obtain written quotes from at least two (2) vendors;

WHEREAS, requests for proposals were made to two (2) vendors and quotes were received as follows:

The highest bidder (on state bid) is Eaton at \$1,209.13 and,
The lowest bidder is WB Mason at \$1,174.02;

WHEREAS, WB Mason is the lowest responsible bidder; and

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 purchase of the above described desk.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a desk for the Town Clerk’s Office from WB Mason for \$1,174.02;
2. The Town Clerk of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 1, 2016, and was

ADOPTED.

Ayes 2 Savage & Pautler
Nays 0

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the Alden Chamber of Commerce’s request to use the Community Center, 13116 Main St. on Wednesday, March 30th 7:00 P.M. – 9:00 P.M. for Farmer’s Market Vendor’s Meeting. The foregoing Motion was put to a Roll Call Vote on February 1, 2016 and

CARRIED.

Ayes 2 Savage & Pautler
Nays 0

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to allow the Supervisor to have monthly inserts placed in the Alden Advertiser at a cost of \$125.00 per month delineating Town Senior and recreation activities.

On the Question: We are going to try something different. Dan Moultrup and Donna are putting together an informational insert showing senior and recreation activities for the month. We are trying to get more people involved. Our intern will help get this on the facebook & twitter page.

The foregoing Motion was put to a Roll Call Vote on February 1, 2016 and

CARRIED.

Ayes 2 Savage & Pautler
Nays 0

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to permit SPS Temporaries to use the auditorium in the Town Hall on February 3, 2016 from 9:00 A.M. through 12:00 noon for the purpose of conducting interviews. **On the Question: They have used the Town Hall to hold job interviews for job openings in this and nearby communities in the past. The Town Clerk's office will notify them.**

The foregoing Motion was put to a Roll Call Vote on February 1, 2016 and

CARRIED.

Ayes 2 Savage & Pautler

Nays 0

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to permit St. John the Baptist School to use the Town's band shelter on July 15, 16, & 17th 2016. Insurance certification with the Town of Alden named as additional insured for those dates must be provided prior to the event. The foregoing Motion was put to a Roll Call Vote on February 1, 2016 and

CARRIED.

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, The Alden Town Board has been contacted by the County of Erie in regard to joining the County's contract with SunnKing and to allow for an e-recycling drop off location in the Town of Alden;

WHEREAS, New York State law (effective April 1, 2011) requires that covered electronic equipment be recycled;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes Supervisor Savage to sign an Agreement with the County of Erie to permit the Town of Alden to join the County's contract with SunnKing for the year 2016 to allow an e-waste drop off location at a location in the Town of Alden;
2. The Town of Alden shall establish policies for drop-off location, drop-off times and drop-off procedures;
3. The Town of Alden shall be charged per pound of e-waste recycled, as per the attached schedule; and
4. This resolution shall take effect immediately.

On the Question: We're going to develop a policy where this will be for residents only. They will have to show identification at the Supervisor's or Town Clerk's Office. The first quarter is free and then it is an escalating charge.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 1, 2016, and

ADOPTED.

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Powerhouse Services (“the Applicant”) for site plan approval of a 8,000 square foot service building and 13,175 square feet of paving at 12080 Walden Avenue, in the Town of Alden, further identified by SBL 96.00-3-41 (The “Proposed Action”);

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 has notified the involved agencies;

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; has the greatest capacity for providing the most thorough environmental assessment of the proposed action; and is the most local agent with permitting authority;

WHEREAS, the Town of Alden has provided notice to Erie County Planning as required under Section 239-m of the General Municipal Law and a “no recommendation” was received;

WHEREAS, the New York State Environmental Quality Review Act requires the Town of Alden to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Applicant has prepared the 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 recommended the approval of the site plan contingent upon the Town Engineer’s concerns being addressed to the satisfaction of the Town Engineer.

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 a proper review has been conducted;
2. The Town Board has determined that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
3. 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 said Proposed Action;
4. That the Town Board of the Alden finds that the Proposed Action is consistent with the Town Code and approves the site plan contingent upon the following conditions being satisfied before any building permit is issued by the Town Building Inspector:
 - A. The Town’s receipt of an indication from the NYSDOT of its acceptance of the proposed entrance on Walden Avenue;
 - B. All proposed signage must be reviewed by the Code Enforcement Officer and a sign permit issued;
 - C. Erie County Health Department septic system approval;
 - D. The water service and septic system must be separated by a minimum of ten (10) feet and depicted accordingly on the site plan;

E. A note being added to the site plan indicating that, "In the sole discretion of the Town of Alden, should it be determined by the Town that additional parking is required on the subject property to come into compliance with zoning ordinance requirements, the Owner shall construct same as shown on this plan as land banked parking when ordered by the Town;"

F. The site plan being amended to show landscaping on the west side and the east side of the building as required by the Town Code;

G. Once the building is built, the Town Board will assess the Applicant's request to allow the natural vegetation at the rear of the property to be considered ample buffering to the residentially zoned land behind the property;

H. The 25 year post-developed storm must be detained to the 10 year pre-developed flow rate.

I. The Applicant is still required to provide for Planning Board and CEO review information related to compliance with the Town's Industrial Performance Standards; and

J. The stabilized construction entrance must be at least fifty feet (50') long.

5. 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 February 1, 2016 and

ADOPTED.

Ayes 2 Savage & Pautler

Nays 0

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the request of Marilla Car Truck Cycle Show Incorporated's ("Car Show") use of Alden Town Park including all shelters, Senior/Community Center and two band shells on July 31, 2016 for The Alden Car, Truck and Cycle Show; contingent upon the receipt no later than July 1, 2016 of the following:

Proof of liability insurance naming the Town of Alden as Named Insured with coverage of **\$1,000,000** per occurrence and general aggregate of **\$2,000,000**;

Signing of an Indemnification Agreement;

List of all Car Show Committee Members (names, addresses and cell phone numbers);

List of all towing companies;

Show itinerary and maximum amount of cars allowed.

And contingent upon the following conditions:

The Alden Hook & Ladder Fire Company Inc. may sell alcoholic beverages, within the limits of the laws of the State of New York, in a contained "Beer garden or beer tent" in the Alden Town Park from 12:00 pm until 6:00 pm on Sunday July 31, 2016, provided that a New York State Liquor license and liquor liability insurance be first obtained.

No spectator or show parking shall be allowed on the new sports fields in the Town Park; however Mercy Flight may land on these fields;

Car Show will contract with a towing company for any needed towing services during the Car Show;

All security personnel must be Sheriffs, New York State Police or peace-officer trained personnel;

Fire Police, County Sheriff or State Police, shall monitor the road closing and direct traffic for the duration of the car show;

Car Show personal shall throughout the day pick up and empty trash cans;

Empty Trash cans to be returned to Town Park Garage at the end of the show;

Car show to supply (and remove) port-a-potties;

Car Show to clean up to the satisfaction of the Town after the event;

First aid tent, coordinated with Alden Fire Department;

Any costs incurred by the Town of Alden (including labor costs) may be billed to the Car Show;

Golf carts shall only be used only by the Fire Department and by Car Show Committee Members to assist handicapped persons and to move supplies and equipment. The Foregoing Motion was put to a Roll Call Vote on February 1, 2016 and

CARRIED.

Ayes 2 Savage & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECONDED BY SUPERVISOR SAVAGE TO WIT;

BE IT RESOLVED: That Richard A. Savage, as Supervisor of the Town of Alden, or such person's successor, is hereby authorized and directed to file an application for an Urban Forestry Council Arbor Day Program Community Grant in an amount not to exceed \$1,000 and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Alden for the 2016 Town of Alden Arbor Day Program.

THE FOREGOING RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE AT A REGULAR MEETING OF THE ALDEN TOWN BOARD ON FEBRUARY 1, 2016 AND

ADOPTED.

Ayes 2 Savage & Pautler

Nays 0

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to approve the renewal of the Hauler's Permit for Cascade Recovery U.S. Inc. for the year 2016. The foregoing Motion was put to a Roll Call Vote on January 29, 2016 and

CARRIED.

Ayes 2 Savage & Pautler

Nays 0

SUPERVISOR SAVAGE POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WERE ADDED:

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

WHEREAS, the Alden Town Board on November 03, 2014 adopted its 2015 Budget;

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

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

NOT, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following transfers:

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
DB.9060.0800	\$14,517.61	DB.5110.0433	cover over expenditures in roads	\$14,517.61
DB.9010.0800	11,271.26	DB.5110.0433	" " "	11,271.26
DB.5142.0449	7,642.65	DB.5110.0433	" " "	7,642.65
DB.9040.0800	1,992.34	DB.9040.0800		1,992.34
DB.5142.0431	10,636.35	DB.5110.0433	" " "	10,636.35
DB.5142.0100	25,768.79	DB.5110.0433	" " "	25,768.79
			TOTAL	71,829.00

This Resolution shall take effect immediately.

The foregoing resolution was duly put to a Roll Call vote at a regular meeting on February 1, 2016 and **ADOPTED.**

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, the Alden Town Board on November 3, 2014 adopted its 2015 Budget;

WHEREAS, the Town of Alden requires a transfer of monies to allow for payment of an increase of appropriations and expenditures as outlined below and:

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

The Alden Board hereby authorizes the following transfers totaling \$2,492.60

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

This resolution shall take effect immediately.

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
A. 1910.0400	\$2,492.60	A.1930.0400	End of Year Expense	\$2,492.60

The foregoing Resolution was duly put to a Roll Call Vote at a regular Meeting on February 1, 2016 and **ADOPTED.**

Ayes 2 Savage & Pautler

Nays 0

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the use of the Alden Community Center by the Alden Historical Society on second Thursday of the Month from 6:30 P.M. to 9:30 P.M. for the Year 2016, with the exception of July and August. The foregoing Motion was put to a Roll Call Vote on February 1, 2016 and

CARRIED.

Ayes 2 Savage & Pautler

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Supervisor Savage:

Supervisor Savage would like the Mayfield garage put on the Work Session. Attorney Strong said that SEQR needs to be done.

Attorney Strong:

The proof of insurance was received from the company that is storing our truck. She is still working on an agreement.

The scholarship fund that runs the 5K race, even though they did not get do a request as yet, signed an indemnification agreement. She will keep working with them.

Councilwoman Pautler:

The service award program has been filed for 2015 for Crittenden and Millgrove fireman.

Highway Supt. Wagner:

A call was received from AJ last week in reference to the Highway Building, he wants to revisit this week with one of the two contractors that got the estimate together, to review it again to get more itemization. He will be hearing from him.

NOTICE OF MEETINGS

NEXT WORK SESSION: February 8, 2016 @ 7:00 P.M.
NEXT TOWN BOARD MTG.: February 16, 2016 (Tuesday) @ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Savage asked all to stand for a moment of silence in memory of Robert Young Sr.

ADJOURNMENT

Supervisor Savage adjourned meeting at 7: 43 P.M.

Debra A. Crist
Alden Town Clerk