

MEETING NO. 5
6, 2017
REGULAR NO. 5
7:00 P.M.

ALDEN TOWN BOARD MEETING

MARCH

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, March 6, 2017 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
Michael Metzger, Town Engineer
Randy Crist, Planning Board
Len Weglarski, DCO
Residents

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the Minutes and Synopsis of February 21, 2017. The Motion was put to a Roll Call Vote on March 6, 2017 and was

CARRIED.

Ayes 2 Savage & Pautler
Nays 0

ON THE QUESTION: COUNCILWOMAN PAUTLER WOULD LIKE CLARIFICATION ON THE PREVIOUS MINUTES OF FEBRUARY 21, 2017. MIKE FLEMING'S STATEMENT REGARDING HIMSELF AND THE BOARD HAVING CONCERN WITH THE ADAMSKI H.O.P. THE BOARD REFERRED TO IS THE PLANNING BOARD SHE WOULD LIKE IT SO NOTED IN THE PREVIOUS MINUTES.

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$56,786.27	\$29,798.47	\$86,584.74
HGHWY FUND "DA/DB"	9,502.51	667.26	10,169.77
PART-TOWN FUND "B"	7,100.39	1630.43	8,730.82
CONSOLIDATED WATER "WR"	44,340.63		44,340.63
SP FIRE PROT. "SF"	635.50	584,191.62	584,827.12
SD#2 FUND "SA"	2,747.19	908.18	3,655.37
TRUST/AGCY FUND "T"	9,791.16	4,224.06	14,015.22
SP REFUSE FUND "SR"	33,905.27		33,905.27
STREET LIGHTING FUND "SL"	7,024.25		7,024.25
PERIWINKLE LTG. "SL1"	47.58		47.58
GRANTS			
TOTALS	\$171,880.75	\$621,420.02	\$793,300.77

UPON ROLL CALL VOTE ON MARCH 6, 2017 THE FOREGOING RESOLUTION WAS **ADOPTED.**

Ayes 2 Savage & Pautler
Nays 0

BUSINESS FROM THE FLOOR

Supervisor Savage welcomed the students from Alden Central School and had them introduce themselves and tell what class they were there for.

COMMUNICATIONS

Attorney Strong:

The Library and Meals on Wheels contract have been received and distributed to everybody. She is still working with the Village of Alden on the Car Show indemnification agreement.

Supervisor Savage:

1. An e mail was received from the Alden Drug Coalition requesting the use of the Community Center for their annual Halloween Spooktacular. He has put the Motion on tonight's meeting
2. An e mail from Mike Boling, Alden Youth Soccer regarding the change of rules for the net sizes. He wanted to know the availability of someone to weld and make these changes. Highway Supt. Wagner said he has spoken to Park's Supervisor Sojka regarding this, the Highway and the Parks will handle this.
3. A copy of the minutes from the last Zoning Board of Appeals decision from February 28, 2017.
4. A copy of a letter from the Building Dept. to Mr. Fleming.
5. The monthly statement from the Town Clerk was received. There has been \$5,234,118.79 collected year to date for the Town/County tax.
6. The monthly report from the Building Dept. was received.
7. A letter was received from the New York State Department of Environmental Conservation regarding the Comprehensive Inspection of Sewer Plant #2.
8. A thank you letter was received from Diane Casell for the donation of the basket for Winterfest.
9. The approved Board Minutes from the Village of Alden's February 9, 2017 meeting.
10. A copy of the Town of Alden Newsletter that went out in the last Alden Advertiser.

NEW BUSINESS

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to approve Alden Central School's use of the Robert O. Smith baseball diamonds as requested by Athletic Director Daniel Kaplan's letter dated February 15, 2017. Dan Moultrup and Andy Sojka will coordinate/schedule fields. The foregoing Motion was put to a Roll Call Vote on March 6, 2017 and

CARRIED.

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 Paul and Anna Marzec for the subdivision of two (2) lots. The entire parcel currently consists of approximately 5.31 acres on Two Rod Road in the Town of Alden, further identified as SBL #129.00-2-5.111. The first proposed lot ("Parcel A") would be approximately 1.3861 acres and the second proposed lot ("Parcel B") would be the remaining approximately 3.0294 acre parcel (The "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on February 1, 2017, for this Proposed Action, as required under Section 239-m of the General Municipal Law and no response was received. |

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

WHEREAS, the Town of Alden did assume Lead Agency Status on February 22, 2017;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer;

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. 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 the Proposed Action.

3. That the following parcel, more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being part of Lot No. 159, Township 10, Range 5; Beginning at the northwest corner of lands conveyed to Verla E. Winkler at Liber 9201 of Deeds at page 142, said corner being on the west line of Lot 159. Thence south on the west line of Lot 159 a distance of 119.66' to a point. Thence southeast at an interior angle of 109°-57'-11" a distance of 493.45' to the center of Two Rod Road. Thence northeast on the center of Two Rod Road at an interior angle of 112°-11'-20" a distance of 121.47' to a point. Thence northwest parallel to the second line herein described a distance of 580.16' to the point of beginning containing 1.39 acres of land more or less.

is given subdivision approval.

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 March 6, 2017, and

ADOPTED.

Ayes 2 Savage & Pautler
Nays 0

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to allow the Alden Drug Coalition the use of the Community Center for their annual Halloween Spooktacular on Thursday, 10/26/17 (after 3:00 p.m.), Friday 10/27/17, and Saturday, 10/28/17. The Coalition may begin decorating the small room during the day on Thursday, 10/26/17 during the day providing it doesn't interfere with Senior Programming. The foregoing Motion was put to a Roll Call Vote on March 6, 2017 and

CARRIED.

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 Christopher M. Snyder for the subdivision of two (2) lots. The entire parcel currently consists of approximately 38 acres on Crittenden Road in the Town of Alden, further identified as SBL #108.00-2-27.31. The first proposed lot ("Parcel A") would be an 8 acre lot and the second parcel ("Parcel B") would be the remaining 30 vacant parcel (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; 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 Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action 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 Proposed Action.
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 March 6, 2017, 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 Town Board of the Town of Alden is considering an application of Brian Holmes of BNH Auto for site plan review of the proposed construction of a 61' x 51' addition on an existing structure (the "proposed action") at an existing business located at 1331 Two Rod Road in the Town of Alden, County of Erie and State of New York, further identified by SBL # 118.00-2-9;

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;

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 approval; 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 Town Building Inspector has provided notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law and is hereby directed to give notice of Lead Agency to the involved agencies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval 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 approval; and
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 March 6, 2017, 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 Stanley Jurek, Jr. for the subdivision of two (2) lots. The entire parcel currently consists of approximately 75 acres on Genesee Street in the Town of Alden, further identified as SBL #85.00-6-8. The first proposed lot ("Parcel A") would be approximately 2.06 acres and the second proposed lot ("Parcel B") would be the remaining improved parcel (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; 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 Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action 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 Proposed Action.
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 March 6, 2017, 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 Town Board of the Town of Alden is considering an application, by Nature's Way Environmental for site plan approval of a 36' x 48' pole barn on a previously developed site at 3553 Crittenden Road, in the Town of Alden, further identified by SBL # 97.00-3-3.11 (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;

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 approval; 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 Town Building Inspector has provided notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law and is hereby directed to give notice of Lead Agency to the involved agencies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval is an Unlisted Action under SEQRA;
4. The Town Board has determined that it should be the Lead Agency for all environmental review of the site plan approval; and
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 March 6, 2017, and

ADOPTED.

Ayes 2 Savage & Pautler

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Highway Supt. Wagner:

Monday, March 1st calls were received regarding downed trees on Peters Corners, Piper Court and also Four Rod Rd., the County addressed these. Numerous residents also called about the overgrowth on Piper Court and Four Rod Rd. he has contacted the County and they have put them on the schedule to trim the overgrowth. It should be done in about a month.

Engineer Michael Metzger:

Engineer Metzger continues to work with the DEC regarding options for potential future replacement for S.D.# 2. The DEC has come up with a site that the Town could look at that has a system like the one that is under consideration; recirculating sand filter. The letter that was received regarding the inspection of S.D. #2 by the DEC is requesting a response by April 30, 2017.

Mike continues to work on code updates.

CEO Chris Snyder:

In regards to the Code review, the State covers the laws concerning Mobile Homes. This can be discussed at the Work Session. Supervisor Savage thank CEO Snyder for helping with the specs for the Community Center kitchen update.

DCO Weglarski:

Len issued two tickets and did an enumeration on Pohl and Lesswing.

NOTICE OF MEETINGS

NEXT WORK SESSION:	March 13, 2017	@ 7:00 P.M.
NEXT TOWN BOARD MTG.:	March 20, 2017	@ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Savage asked all to stand for a Moment of Silence in Memory of William Atherton Sr.

ADJOURNMENT

At 7:29 P.M. Supervisor Savage adjourned the Meeting.

Debra A. Crist
Alden Town Clerk