#### MEETING NO. 8

APRIL 18, 2017

REGULAR NO. 8	
7:00 P.M.	

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Tuesday, April 18, 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 Ralph Witt, Councilman

RECORDING SECRETARY:

Debra Crist, Town Clerk

OTHERS PRESENT: Attorney Jennifer Strong, Town

Gary Wagner Chris Snyder, CEO Len Weglarski, DCO Michael Dewitt, Planning Board Residents

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of April 3, 2017. The Motion was put to a Roll Call Vote on April 18, 2017 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 358-412

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A" HGHWY FUND "DA/DB"	\$11,120.93 10,758.96		\$11,120.93 10,758.96
PART-TOWN FUND "B" WD#2 FUND "WB"	2,648.83		2,648.83
WD#3 FUND "WC" WD#4 FUND "WD" SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,678.04		2,678.04
TRUST/AGCY FUND "T" SP REFUSE FUND "SR"	2,237.83 34,306.96		2,237.83 34,306.96
STREET LIGHTING FUND "SL" PERIWINKLE LTG. "SL1" GRANTS	6,202.11 39.12		6,202.11 39.12
TOTALS	\$69,992.78		\$69,992.78

UPON ROLL CALL VOTE ON APRIL 18, 2017 THE FOREGOING RESOLUTION WAS <u>ADOPTED.</u> Ayes 3 Savage, Pautler & Witt Nays 0

**BUSINESS FROM THE FLOOR** 

There was no business from the floor.

COMMUNICATIONS Attorney Strong: Attorney Strong spoke to the Soccer Tournament organizer, they are still planning on having the tournament and are working on getting the insurance, the indemnification agreement and the waivers for all the players.

Colley Pools has signed the contract and has gotten us the required bond and insurance, so they are good to go.

She has reached out to the State Division of Cemeteries and has not received any response as yet regarding Joe Czechowski's request. She will follow up on this.

#### Supervisor Savage:

- 1. Park Supervisor Sojka received an application from a Lisa Burgio for Part-time work for the Parks. After speaking with Andy today, Supervisor Savage would like to add her as item (G.) so she can be hired, pending back ground check and approval.
- 2. A letter was received from Alden Youth Baseball; they are going to start their 2017 season with their opening day celebration on Saturday, April 29<sup>th</sup>, 2017 at 10:00 A.M. and will run from the Highway Dept. to R.O. Smith Park.
- 3. A letter was received from the Association of Towns regarding the plan put forwarded by Gov. Andrew Cuomo as part of the 2017-18 Budget to establish a countywide shared services property tax savings plan.
- 4. The Intermunicipal Agreement between the Village of Alden and the Town of Alden for the Volunteer Firefighter Service Award Program will expire May 31, 2017, Supervisor Savage e mailed Mayor Manicki and would like this on the next Work Session to discuss.
- 5. A report was received from SunnKing on the electronics recycling.
- 6. Colleen was looking into Garbage bins and found out that another community was getting a much cheaper price and asked if they would honor their price and they would at a cost of \$40.89 each. The total cost with delivery would be \$110,813.95 for the Town. He would like this on the Work Session.
- A letter was received from Erie County Clerk's office regarding Mortgage Tax collected October 1, 2016 through March 31, 2017. The estimated revenue for Alden is \$77,525.27. A portion of this includes the Village of Alden. The check should be distributed around May 15<sup>th</sup>.
- 8. Three contracts have been received so far for the Summer Concert series.
- 9. The Village of Alden approved Board Minutes from March 23, 2017 have been received.
- 10.A copy of the letter sent by Deputy Supervisor Rogers requesting the use of the Firemen's Memorial Bandstand Park for the Summer Concert Series running from July 5<sup>th</sup> through August 23<sup>rd</sup>.
- 11.A Public Hearing will be scheduled tonight for our first Special Use Permit to Harbor Chickens.
- 12. There is resolution on the agenda tonight to change the fee schedule for the Town of Alden. The only change is for the Driveway permit without culvert. The cost will be increased to \$225.00.

## **NEW BUSINESS**

Councilman Witt Moved and Councilwoman Pautler seconded the Motion to renew the Hauler's Permit for Royal Oak Recycling for the Year 2017. The foregoing Motion was put to a Roll Cal Vote on April 18, 2017 and **CARRIED.** 

Ayes 3 Savage, Pautler & Witt 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 Joanne Reding and Jerome Werner for the subdivision of two (2) lots. The entire parcel currently consists of approximately 98 acres on Genesee Street in the Town of Alden, further identified as SBL #86.00-4-21.1. The first proposed lot ("Parcel A") would be approximately 38.91 acres and the second proposed lot ("Parcel B") would be the remaining approximately 59.09 acre 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:

- The Town Board has determined that the Proposed Action is an Unlisted 1. 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 April 18, 2017, AND

ADOPTED.

Ayes 3 Savage, Pautler & Witt Navs 0

1THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED

SECONDED BY COUNCILMAN WITT TO WIT; ITS ADOPTION,

> WHEREAS, the Town of Alden Parks Supervisor has advised the Town Board that the Parks Department is in need of Erie Ball Mix for the Town's baseball and softball diamonds the estimated cost of which is over \$2,000.00, but less than \$10,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden ("Policy") requires that all estimated purchases of over \$2,000.00 require a request for a proposal and written quotes from at least three (3) vendors; except in the case of a sole source provider;

WHEREAS, Lakeside Sod is a sole source provider as the new mix must match the existing mix;

WHEREAS, The Town Board after full and careful review and consideration of

the

request finds the purchase in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- That the Town Board approves the purchase of 35 tons of Erie Ball mix, to be 1. directly shipped to the Town, from Lakeside Sod for a price of \$77.20 per ton, for a total cost of \$2,702.00 as being consistent with its policies and in the interests of the residents of the Town of Alden;
- 2. That the Parks Supervisor 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 held on April 18, 2017, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

2THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Highway Superintendent has noticed the need to increase the fee for driveway permits to \$225.00 to cover the increased costs of labor and materials;

WHEREAS, the Alden Town Board is authorized under State Law and under the Alden Town Code to set said fees upon resolution duly adopted by the Town Board; and

WHEREAS, the proposed fee amount is fair and reasonable and is reasonably related to the service performed by the Town.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts (and rescinds all prior versions) the attached TOWN OF ALDEN FEES and the attached PERMIT FEE SCHEDULE as the official fees charged by the Town of Alden, effective as of this date; and

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 18, 2017, and

#### ADOPTED.

Ayes 3 Savage, Pautler & Witt Nays 0

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

WHEREAS, Richard and Susan Henry have filed an application for a Special Use Permit to Harbor Chickens at their residence located at 11515 Bonnie Lake Drive in the Town of Alden (further identified by SBL # 118.10-1-16);

WHEREAS, the Town Board, pursuant to Section 20-12 of the Alden Town Code is required to call a public hearing on the Application.

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

1. A Public Hearing on the application for a Special Use Permit to Harbor Chickens made by Richard and Susan Henry be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on May 1, 2017 at 7:05 P.M. Local Time;

2. That the Town Clerk is hereby directed to publish the Notice of Public Hearing in the Alden Advertiser; to post the same on the Town Bulletin Board; and to mail the Notice to the property owners within 200 feet, which Notice shall be in the form attached hereto and made a part hereof; and

3. This Resolution shall take effect immediately.

The Adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on April 18, 2017, 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 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;

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 no response 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.

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. The Town Board of the Alden finds that the Proposed Action is consistent with the Town Code and approves the site plan; 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 April 18, 2017 and

# ADOPTED.

Aye 3 Savage, Pautler & Witt Nays 0

Supervisor Savage Polled the Board and with no objection the following was added:

Supervisor Savage Moved and Councilman Witt seconded the Motion to hire Lisa Burgio as Part-time Parks seasonal worker at starting rate of \$10.00 per hour pending successful completion of all paper work and background check. The foregoing Motion was put to a Roll Call Vote on April 18, 2017 and **CARRIED.** 

Ayes 3 Savage, Pautler & Witt Nays 0

## **UNFINISHED & TABLED BUSINESS**

There was no unfinished & tabled business.

## **REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

#### Town Clerk Debra Crist:

Debra reported that she will be attending the Town Clerk's convention next week.

## **CEO Snyder:**

Another Special Use Permit application for chickens was received and will be discussed at the Work Session. An application was sent out to a different homeowner for Special Use/Chickens also.

## Supervisor Savage:

The following should be placed on the Work Session:

- 1. Fire Service Award Program.
- 2. Garbage Bins.
- 3. Ambulance Special Council.
- 4. Code Review.
- 5. Uniform Prices.

# **NOTICE OF MEETINGS**

NEXT WORK SESSION:	April 24, 2017	0
7:00 P.M. NEXT TOWN BOARD MTG.: P.M.	May 1, 2017	@ 7:00

## **MEMORIAL REMEMBRANCE**

Supervisor Savage asked all to stand for a Moment of Silence in Memory of Russell Hahn and John Latella.

#### **ADJOURNMENT**

At 7:36 P.M. Supervisor Savage adjourned the Meeting.

Debra A. Crist Alden Town Clerk