

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, August 21, 2017 at 7:00 P.M. Supervisor Savage called the Meeting to Order and Councilwoman Pautler 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
Mike Metzger, Town Engineer
Mike Fleming, Planning Board
Len Weglarski, DCO
Residents

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of August 7, 2017. The Motion was put to a Roll Call Vote on August 21, 2017 and was **CARRIED.**

Ayes 3 Savage, Pautler & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECONDED BY COUNCILMAN WITT, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS # 814-895

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$18,668.73		\$18,668.73
HIGHWAY FUND "DA/DB"	71,991.78		71,991.78
PART-TOWN "B"	8,314.26	8,314.26	
CAPITAL IMPROV. "HC"			
WATER DISTRICT #1 FUND "WA"			
CONSOLIDATED WATER "WR"	8,859.38		8,859.38
WATER DIST. NEWSTEAD "WO"			
SPECIAL FIRE PROTECTION "SF"	288.00		288.00
TRUST & AGENCY "T"	4,443.94		4,443.94
REFUSE COLL. DIST. "SR"	36,636.53		36,636.53
CONSOLIDATED LTG. "SL"	6,009.20		6,009.20
SEWER DISTRICT #2 "SA"	2,401.96		2,401.96
PERIWINKLE LTG. DIST. "S11"	27.79		27.79
TOTALS	\$157,641.57		\$157,641.57

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON AUGUST 21, 2017 AND **ADOPTED.**

Ayes 3 Savage, Pautler & Witt
Nays 0

PUBLIC HEARING

At 7:05 P.M. Supervisor Savage asked for a Motion to adjourn from the Regular Meeting and enter into the Public Hearing regarding the Special Use Permit to Harbor Chickens for Brandi Mietlowski/1051 Two Rod Rd.

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to adjourn from the Regular Meeting and enter into the Public Hearing. The foregoing Motion was put to a Roll Call vote on August 21, 2017 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

THE TOWN CLERK READ THE NOTICE OF PUBLIC HEARING THAT WAS PRINTED IN THE ALDEN ADVERTISER.

SUPERVISOR SAVAGE OPENED THE FLOOR FOR PUBLIC COMMENT.

THE TOWN CLERK READ AN E MAIL RECEIVED FROM DON EICHENSEHR FROM 1083 CLEARVUE DR. IN OPPOSITION OF THE PERMIT.

THE MIETLOWSKI'S ASSURED THAT THE PROBLEM CONCERNING THEIR DOGS WOULD BE TAKEN CARE OF WITH FENCING AND THAT THE CHICKENS WOULD BE KEPT ACCORDING TO CODE IN AN ENCLOSED AREA.

JOHN LEWANDOWSKI OF 1153 BONCLIFF STATED HE'S ALWAYS IN FAVOR OF GETTING NEW CHICKS IN ALDEN.

AT 7:14 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, SUPERVISOR SAVAGE ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING.

Councilwoman Pautler Moved and Councilman Witt 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 August 21, 2017 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

BUSINESS FROM THE FLOOR

Sheree Locher from 11894 Boncliff, **John Lewandowski** from 1153 Boncliff and **Marge Mikulski** from 1129 Boncliff came to the Board asking for help again for their drastic flooding issues. They are having problems with flooding, erosion and constantly running septic pumps. They wanted to know what the Town will do to remedy the situation. Supervisor Savage and Highway Superintendent Wagner assured them that the Town is moving forward as much as they are able to at this time. The Town is still awaiting response from the State concerning ownership of the pipe on Broadway. The Town is working with properties on Broadway regarding securing permission to enter their properties to create drainage runoff to decrease the flow to the Broadway pipe. Supervisor Savage is creating a list of addresses dealing with the flooding issues to be discussed at Work Sessions.

Charles Holcomb informed the Town Board that the County has still not cleaned up after repairs that were done on Townline Rd. bridge. Signs are still left and weeds are growing up around them.

Matt Herdzyk, South Woodside questioned the status of the garbage totes. Supervisor Savage said that the cost would be around \$100,000.00 and has to focus on other costs at the present time. About six months ago he spoke to the Town Board about the possibility of getting the programing for Time Warner out of Buffalo instead of Rochester. He wanted to get an update on this. Supervisor Savage will follow up.

COMMUNICATIONS

Supervisor Savage:

1. Association of Erie County Governments 6/22/17 minutes/looking at changing Household Hazardous Waste Program Countywide.
2. Certificate of Liability Insurance for Alden Men's Softball League.
3. Letter regarding Men's Softball for Fall season (Put on Work Session).
4. Copy of E mail received regarding Chicken's/Public Hearing.
5. Letter from Charter Communications enclosing the franchise fee remittance covering the period from 1/1/17-6/3017 (\$23,223.02)
6. Checks in the amount of \$460.94 and \$518.89 were received from Modern Recycling/rebates.
7. A letter was received from the N.Y.S. D.O.T. regarding Flooding at Route 20 & Boncliff in the Town of Alden.
8. Village of Alden approved Board minutes from 7/27/17.
9. Copy of the application for the Special Use Permit for Chickens/Mietlowski.

10. A letter from Metzger Civil Engineering regarding the Lucas James Subdivision Site Plan.
11. A giant hogweed control summary was received from N.Y.S. D.E.C. for 13116 Main St. – None Found.
12. A letter was received from Brian Moon of N.Y.S. Dept. of Taxation & Finance certifying a final State equalization rate of 100.00 for the Town of Alden.

NEW BUSINESS

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 an application by David Dissette for the subdivision of two (2) lots. The entire parcel currently consists of approximately 109.03 acres at 11156 Cary Road in the Town of Alden, further identified as SBL #118.00-4-29.1. The first proposed lot ("Parcel A") would be approximately 2.0 acre vacant parcel and the second proposed lot ("Parcel B") would be the remaining approximately 107 +/- acre parcel containing the existing house (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 August 21, 2017, 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 an application by , Brandi Mietlowski to Harbor Chickens at her residence located at 1052 Two Rod Road in the Town of Alden (further identified by SBL # 118.10-4-9); (the "Proposed Action");

WHEREAS, the Town Code Enforcement Officer has inspected the premises and has found the same in compliance with all requirements of the Alden Town Code;

WHEREAS, the notice of public hearing was mailed to neighboring parcel owners and the public hearing was held on August 21, 2017, after due publication in the Alden Advertiser; and

WHEREAS, at said public hearing all persons appearing in favor of and against the proposed action were heard and all concerns have been addressed.

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

1. The Town Board hereby directs the Code Enforcement Officer to issue to Brandi Mietlowski a Special Use Permit to Harbor Chickens limited to six (6) hen chickens for a period of one year; and
2. 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 August 21, 2017, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

1THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Alden Town Board has received a request from the Highway Superintendent to purchase new tires for Town Chip Truck # 36 the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors, except when a vendor is on the State Bid List;

WHEREAS, an oral request for proposals was made to and given by (for the purchase of two (2) Firestone FS561 front tires (\$233.00 each) and four (4) Firestone FD690 rear tires (\$230.00 each) for Truck #36) Hurtubise Tire, plus \$25.00 per tire for dismount/mount and \$4.00 for each tire for a valve who is on the State Bid List (Contract # 7074) for \$1,560.00;

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 purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the tires (as described above) from Hurtubise Tire, at a total cost of \$1,560.00;
2. The Highway Superintendent 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 August 21, 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 Alden Town Board has received a request from the Highway Superintendent to purchase new tires for Town Gradall Truck # 70 the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors, except when a vendor is on the State Bid List;

WHEREAS, an oral request for proposals was made to and given by (for the purchase of four (4) Camso 10.00x20 rear tires (\$420.00 each) for Truck #70) McCarthy Tire, plus \$160.00 for installation who is on the State Bid List (Contract #7074) for \$1,840.00;

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 purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the tires (as described above) from McCarthy Tire, at a total cost of \$1,840.00;
2. The Highway Superintendent 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 August 21, 2017, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

Supervisor Savage Moved and Councilman Witt seconded the Motion to approve Alden VFW Post 7967's use of the small meeting room in the Community Center on the 3rd Monday of each month at 7:30 P.M. for 2018. The foregoing Motion was put to a Roll Call Vote on August 21, 2017 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve the renewal of Daniel Pautler's Home Occupation Permit for the sales of special order guns and accessories at 12657 North Rd., Alden, N.Y. for a one year period of September 11, 2017 through September 11, 2018. The foregoing Motion was put to a Roll Call Vote on August 21, 2017 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to approve the renewal of the Home Occupation Permit for Douglas Swingle, 12049 Genesee St. for Automobile Upholstery for a period of one year, 8/21/17 to 8/21/18. The foregoing Motion was put to a Roll Call Vote on August 21, 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

Supervisor Savage:

Supervisor Savage met with Jason Dernbach at 1124 Clearvue and Mrs. Wilkinson from Fairview regarding flooding and drainage issues.

An inquiry was made to North Tonawanda about a used band shell. It is damaged. Supervisor Savage will have Park Supt. Sojka go up and look at it and see how much it is damaged. We have a backup band shell that is not working properly.

The Summer Concert that was put on by Terry Buchwald was well attended; over 500 people there. This Wednesday Nick Silveletto will be featured. The following Wednesday there will be a country western band scheduled to replace their previous rain date.

Conrad Borucki was contacted regarding use of a cabinet in the Community Center for the Historical Society.

They met with Mr. Mancuso on Sullivan Road, he was flooded out pretty badly.

The following should be placed on the Work Session:

1. Drainage – add Jason Dernbach to list and Mrs. Locher.
2. Department of Labor deadline for Highway Garage. Supervisor Savage would like to be called if they come out for an inspection.
3. Men's Softball.

NOTICE OF MEETINGS

NEXT WORK SESSION: Monday, August 28, 2017 @ 7:00 P.M.

NEXT TOWN BOARD MTG.: Tuesday, September 5, 2017 @ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Savage asked all to stand for a Moment of Silence in Memory of Marion Neff, Opal Halm and Betty Walter.

ADJOURNMENT

At 8:32 P.M. Supervisor Savage adjourned the Meeting.

Debra A. Crist
Alden Town Clerk