

MEETING NO 2
REGULAR NO 2

REGULAR MEETING

JAN. 18, 2005
7:30 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, January 18, 2005 at 7:30 P.M.

PRESENT: Richard A. Savage, Supervisor
Michael Cole, Councilman
Ronald L. Snyder, Councilman
Arlene A. Cooke, Councilwoman
James Lorenzi, Councilman
RECORDING SECRETARY: Mary Riddoch, Deputy Town Clerk
OTHERS PRESENT: Harry F. Milligan, Highway Supt.
Frank Trybuskiewicz, CEO
Michael Metzger, Town Engineer
Jennifer L. Strong, Town Attorney
Ralph Witt, Planning Board Chairman

Supervisor Savage called the Regular Meeting to order. Councilman Lorenzi led in the Pledge of Allegiance. The roll call was taken by the Deputy Town Clerk.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minute's of the January 3, 2005. Unanimously carried.

Supervisor Savage welcomed the students from Alden Central School's Government classes.

BUSINESS FROM THE FLOOR

Earl Gillen of Gillen's Expert Auto questioned the Board on the facade of the proposed addition at his present location. Supervisor Savage explained the process and told him it would be addressed at a work session.

COMMUNICATIONS

Councilman Cole received a copy of the minutes from the Chamber of Commerce.

Councilman Lorenzi received a copy of the minutes from Alden Environmental Commission and the Chamber of Commerce.

Councilman Snyder received a notice from Tompkins Agency re the renewal of a Special Hauling permit.

Councilwoman Cooke received a request from Robert Westfield regarding the use of Alden Town Shelter for the Alden Youth Baseball.

Supervisor Savage received a letter from County of Erie, Commission on the status of Women re a survey; copy of letter sent to CEO Trybuskiewicz from Metzger Engineering re Gillen Expert Auto addition; notice of Assoc. of Erie County Governments meeting; Alden Senior Van annual report; letter from County of Erie re a project submitted to Federal Dept. of Housing & Urban Development, project was not recommended; memo from Town Clerk Bycina re the annual conservation licenses; copy of the Stop DWI contract; letter from Matthew B. Herdzik, Jr. thanking the Town for his recent appointment to Town Prosecutor for the year 2005; copy of letter to Town Board from Coach Tom Barczykowski re baseball teams use of the gym and diamonds; letter from Vantage Equipment re the bid for a new gradall; notice of renewal for SPDES permit; copy of letter to CEO Trybuskiewicz from Metzger Engineering re Sitzman's Maytag; copy of letter sent to NYSDEC from Neill & Strong re notice of incomplete application; letter from Senator Volker re Court of Appeals/Budget; letter from Town of Newstead re zoning law amendment (Local Law 2 of 2005); quarterly recycling report from Modern Disposal; November 2004 Rural Metro response time report; Alden Economic Development Committee activity report and NYS Public Service Commission re order instituting safety standards.

NEW BUSINESS

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to renew the HOP for Charles Smith 3231 Crittenden Road. Unanimously carried.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to grant the Alden Hook & Ladder Fire Co Inc permission to use the Town Park for their annual Carnival on June 23rd-June 25th, 2005. Unanimously carried.

Councilman Cole moved and Councilman Lorenzi seconded the Motion to renew the Haulers Permit for CID/Waste Management. Unanimously carried.

Councilman Lorenzi moved and Councilman Cole seconded the Motion to renew the Haulers permit for BFI. Unanimously carried.

Councilman Lorenzi moved and Supervisor Savage seconded the Motion to renew the HOP for Phyllis Webb/2132 Sandridge Road. Unanimously carried.

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

RESOLVED, that pursuant to the Election Law of the State Of New York, the following locations are designated for Elections and Primaries to be held during the Year 2005.

- DIST. #1 ALDEN MUNICIPAL BUILDING, 13336 BROADWAY
- DIST. #2 ALDEN TOWN HALL, 3311 WENDE ROAD
- DIST. #3 ALDEN MENNONITE CHURCH, 929 TWO ROD ROAD
- DIST. #4 ST. JOHN'S SCHOOL, 2028 SANDRIDGE ROAD
- DIST. #5 ALDEN TOWN HALL, 3311 WENDE ROAD
- DIST. #6 ALDEN MUNICIPAL BUILDING, 13336 BROADWAY
- DIST. #7 ST. JOHN'S SCHOOL, 2028 SANDRIDGE ROAD
- DIST. #8 ALDEN MENNONITE CHURCH, 927 TWO ROD ROAD
- DIST. #9 ST. JOHN'S SCHOOL, 2028 SANDRIDGE ROAD

The question of the Adoption of the foregoing resolution was duly put to a vote on January 18, 2005 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER WHO MOVED ITS ADOPTION SECONDED BY COUNCILWOMAN COOKE TO WIT;

RESOLVED, During the year 2005 Election Inspectors of the Town of Alden to be paid as follows;

- 1) PRIMARY \$120.00
- 2) GENERAL \$120.00
- 3) DISTRICT CHAIRMAN \$ 10.00
- 4) SCHOOL FOR INSPECTOR \$ 15.00
- 5) REGISTRATION DAYS \$ 60.00

The question of the adoption of the foregoing resolution was duly put to a roll call on January 18, 2005 and was unanimously adopted.

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

WHEREAS, the Town Board of the Town Of Alden is considering an application under §20-11(H) of the Town Of Alden Code, of Gillen's Expert Auto for the site plan construction of a 30' x 60' steel building at its current business operation at 12089 Broadway further identified by SBL #118.00-3-28; and

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 an un-coordinated review; and

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

WHEREAS, the Town has provided notice to County Planning on December 15, 2004 for this site plan review as required under Section 239-m of the General Municipal Law.

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; and

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 Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer, Frank Trybuskiewicz;

WHEREAS, the Town Board is not satisfied with the roof plan for the proposed addition; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board has determined that the proposed site plan review is an Unlisted Action under SEQRA and that an uncoordinated review should be conducted.
2. The Town Board has determined that it should be the lead Agency for all environmental review of the site plan application and review.
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 applicant, amend its site plan to include a roof or façade over the addition that is aesthetically pleasing and meets the approval of the Town Board.
5. This resolution shall take effect immediately and issuance of a building permit is contingent upon the Town Board further review and approval of an amended site plan including a revised roof or façade and contingent upon final approval of site plan by Town Engineer Metzger. No Further work is to be carried out until permit is issued.

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 January 18, 2005 and was unanimously adopted.

Supervisor Savage polled the Board and with no objection removed SEQR and Site Plan Resolutions for Gillen's Auto from the agenda as the two are included in the foregoing resolution.

Councilman Cole moved and Councilwoman Cooke seconded the Motion to authorize the Supervisor to sign an Agreement with Metzger Associates for update of Zoning Map in the amount of \$1,000. Unanimously carried.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to appoint Mitchell Blum to the Alden Environmental Conservation Commission for the Year 2005. Unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS FROM STANDING COMMITTEES AND PERSONNEL

Councilman Cole reported on a call from Michael Ehrhardt/400 Exchange Street re the recent speed study on Exchange St. He also received a letter from a Marilla Resident re the speed limit on the same street. Councilman Cole will be following this up at another level.

Councilman Lorenzi reported on two calls he received regarding drainage, one on Genesee St and one on Henskee Rd. Issues will be addressed in the Spring. He also reported on the Boiler at the Historical Society.

Councilman Snyder reported that he is working with Bud Krisher on the lights at the Town Hall.

Councilwoman Cooke reported on the conversation she had with Ed Smith regarding dugouts and fence at the Robert O. Smith. She also reported on the progress of the Winter-fest. Schedules and registration forms are available at the school, Village Hall and Town Hall.

Planning Board Chairman Witt reported that the Planning Board is presently working on code regulations for private roads. He discussed the penalty rates for the Town if tax bills did not get paid on time. Town Attorney Strong is working on the legal aspect of it.

Supervisor Savage put the following on the work session for January 24 2005: Water Dist. #5, West Valley Task Force, junkyard permit, traveling baseball and Gillen's Export Auto.

Supervisor Savage adjourned the Meeting at 8:25 PM with a minute's silence in memory of Douglas Randall and Norbert Borkowski.

DEPUTY TOWN CLERK

MARY RIDDOCH