

MEETING NO. 2
REGULAR NO 2

REGULAR BOARD MEETING

JAN. 22, 2008
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, January 22, 2008 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilman Weber led in the Pledge of Allegiance. Paul Loehr gave the Invocation. The roll call was taken by the Town Clerk.

PRESENT: Ronald Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Harry Milligan, Highway Supt
Jennifer Strong, Town Attorney
Michael Metzger, Town Engineer
Michael Fleming, Planning Board

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of Jan. 7, 2008. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE AND SECONDED BY COUNCILMAN SNYDER TO WIT;

ACCOUNT	ABST #1	ABST #2	TOTAL
General Fund "A"	67,572.03		67,572.03
Hghway fund "DA/DB"	32,295.71		32,295.71
PartTown fund "B"	11,510.75		11,510.75
Water Dist #2 Fund "WB"	375.20		375.20
Water Dist #3 Fund "WC"	2,063.60		2,063.60
Water Dist #4 Fund "WD"	1,299.80		1,299.80
Sp Fire Prot "SF"	58,581.78		58,581.78
Sewer Dist #2 Fund SA"	3,068.66		3,068.66
TrustAgcy Fund "T"	4,427.50		4,427.50
Sp Refuse Fund "SR"	27,368.09		27,368.09
St Lighting Fund "SL"	2,719.77		2,719.77
GRANTS	3,300.00		3,300.00
TOTAL	214,582.89		214,582.89

Upon roll call vote the foregoing was unanimously adopted.

BUSINESS FROM THE FLOOR

Paul Loehr/Henskee Rd referred to the FarmLand Protection Law – he referred to the Book he had that was put out by the American Farm Land Trust. He pointed out some of the highlights that he would like the Board to review.

COMMUNICATIONS

Councilwoman Riddoch advised she spoke with Don Russo/NYSEG re the Lights over the Wende Bridge – at this time two are light. She also received a "Thank You" note from Norm & Nancy Taylor – she and Highway Supt Milligan gave a presentation to the Adult Scouts at the Erie County Home last Wednesday (this was for their Citizenship Badge)

Councilman Weber advised he received a letter from an Alden resident informing him of a Meeting in Oakfield/Alabama re Windmills – he did call the Windmill Committee and he did attend the Meeting along with Mr. Loehr and Mr. Borucki. He found this Meeting to be very informative.

Town Clerk Bycina requested the HOP Application she received today for Judith Deranda to be added to the Agenda.

Attorney Strong reported that the Rural Metro Contract has come back.

Councilman Snyder received a letter from the Ass'n of Erie County Government; received back two Bids on the Back Flow; received a letter from the DEC re DMR report from Ted Morgan.

Councilwoman Cooke reported a Meeting this Thursday with the Village – will check on the Time.

Supervisor Smith reported Fire/EMS Dept Monthly Report for December 2007; Rural Metro's Monthly Response Compliance for December 2007; 2007 Senior Van Report; letter from the Alden Historical Society "Thanking" the Board for installing a security camera system for the Museum

NEW BUSINESS

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

WHEREAS, the Town Board of the Town of Alden is considering an application by Carol Harrison (a/k/a Carol Colosanti) as Executrix of the Estate of Pasquale Colosanti for the subdivision of two (2) lots. The entire parcel currently consists of approximately 80 +/- acres on Rundel Road in the Town of Alden (currently identified by SBL #97.00-5-25.1). The first proposed lot (Parcel A") would be 4.5 +/- acres, the second proposed lot ("Parcel B") would be the remainder of the parcel (The "Proposed Action");

WHEREAS, the Town Board 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 uncoordinated review;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; 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 Building Department 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:

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 January 22, 2008 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WEBER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOKH TO WIT

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc. a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have been negotiating renewal of a Contract wherein Alternative Care Services of WNY, Inc. will provide Meals-on-Wheels to eligible residents of the Town of Alden;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden are eligible for and participate in the Alternative Care Services of WNY Inc's Meals-On-Wheels Program and is desirous of obtaining such services for its residents;

WHEREAS, Alternative Care Services of WNY, Inc. is the sole source provider of a meals-on-wheels program in the Town of Alden and therefore the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc. has come to full agreement on the terms of such Agreement to run from January 1, 2008 until December 31, 2008.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the attached Agreement whereby the Town contracts with Alternative Care Services of WNY Inc., at a cost of \$1,500.00 for the provision of meals-on-wheels to eligible Town of Alden residents as being consistent with its policies and in the best interest of the residents of the Town of Alden;
2. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the Agreement; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on January 22, 2008 and was unanimously adopted.

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

WHEREAS, the Town of Alden and Alden Youth Baseball, Inc. are desirous of keeping the Alden Little League Baseball program operation for the 2008 season;

WHEREAS, the Alden Town Board is aware that a large number of child residents of the Town of Alden and the Alden Central School District participate in the Alden Little League Baseball Program and finds it in the best interest of the Town and as consistent with its policies to continue this Program;

WHEREAS, Alden Youth Baseball Inc is the sole source provider of little league baseball services in the Town of Alden and therefore the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alden Youth Baseball, Inc. have come to full agreement on the terms of an Agreement to run from January 1, 2008, until December 31, 2008

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the attached Contract with Alden Youth Baseball, Inc., at a cost of \$3,000.00 whereby Alden Youth Baseball, Inc. will purchase little league baseball uniforms for Alden Residents involved in the Alden Little League Baseball Program as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the Agreement; and

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on January 22, 2008 and was unanimously adopted.

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

WHEREAS, the Alden Town Clerk has noticed the need, to ensure that the shelters in the Alden Town Park are more equally available to all Town of Alden residents;

WHEREAS, Section 14-1 of the Alden Town Code limits use of the Alden Town Parks to Alden Residents and their guests;

WHEREAS, the Alden Town Clerk is allowed, at her discretion to grant use of the Town Park shelters to organizations of the Town of Alden; and

WHEREAS, the Alden Town Board has noticed the need to increase the fees for the rental of town park shelters, and the increased fees are reasonably related to the services performed by the Town of Alden in maintaining and cleaning up the town park shelters.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT;

1. The Town Board hereby adopts the following policies and fees as the official policies and fees of the Town of Alden for use of the town park shelters, effective as of this date:

- A. A Weekend day shall be Saturday and/or Sunday
- B. An individual who is a resident of the Town of Alden or an organization of the Town of Alden shall be allowed to reserve the town park shelter for one Weekend day per calendar year; and
- C. The reservation fee for the Kiwanis shelter shall be \$35.00 and the reservation Fee for shelters 2 and 3 shall be \$20.00

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on January 22, 2008 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WEBER TO WIT

WHEREAS, the Town Board of the Town of Alden is considering the diminishment of the Townwide Lighting District to exclude the new Periwinkle Meadows Subdivision (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; 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 is hereby directed to send notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to send notice to all other interested agencies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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 January 22, 2008 and was unanimously adopted

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

WHEREAS, the Alden Town Board hereby, in accordance with New York State Town Law § 202-c(2) determines that it is in the public interest to considers a motion to diminish the Town of Alden Townwide Lighting District to exclude the new residential subdivision known as Periwinkle Meadows:

WHEREAS, a petition has been submitted in due form by Austin Development Inc., LLC Developer-Property Owners containing the required signatures, which has been presented and filed with the Town Board of the Town of Alden, County of Erie, New York, for the establishment of a street lighting District, to be known as Periwinkle Meadows Street Lighting District,

WHEREAS, the Town of Alden Townwide Lighting District was established more than three(3) years ago; no lighting improvement have been constructed or lighting services provided within the Periwinkle Meadows Subdivision; and there is no outstanding indebtedness; and

NOW, THEREFORE, BE IT ORDERED, that a meeting of the Town Board of the Town of Alden will be held at 3311 Wende Rd., Alden, New York 14004 on February 4, 2008 at 7:10 PM on said day, to consider said motion and to hear all person interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board with relation to the premises.

Upon roll call vote the foregoing was unanimously adopted.

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

Whereas, THE Town Board of the Town of Alden is considering the establishment of the Periwinkle Meadows Street Lighting District (“The Proposed Action”);

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

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Town Board did assume Lead Agency status on December 4, 2007;

WHEREAS, the Town has completed an uncoordinated review of the Proposed Action’

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 the file with the Town Board and the Town’s SEQR Intake Officer; and

WHEREAS, the Erie County Division of Planning was notified on December 7, 2007 and gave a “no recommendation” on December 19, 2007

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board did determine that the Proposed Action is an Unlisted Action under SEQRA
2. The Town Board did determine that it 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. This resolution shall take effect immediately.

The above resolution was duly put to roll call vote at a regular meeting of the Town Board of the Town of Alden on January 22, 2008 and was unanimously adopted.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to grant the Alden Hook & Ladder Fire Co Inc permission to use the Town Park on 6/20/08; the Town Park for their Summer Carnival on 6/26th – 6/28th and Shelter #1 on 8/7th for their Summer Steak outing. Unanimously carried.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the Supervisor's Budget Transfers. Unanimously carried.

Supervisor Smith polled the Board and with no objection the following was added to the Agenda.

Supervisor Smith moved and Councilman Weber seconded the Motion to refer the HOP for Judith Deranda 12126 Genesee St to the Planning Board for their recommendation. Unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS FROM STANDING COMMITTEES AND PERSONNEL

Councilwoman Riddoch reported on the Winterfest; she called Legislator Konst but has received no call back re the abandoned Railroad Property.

Councilman Weber attended a Meeting on Jan 16th re the Windmill Law – there will be another Meeting.

Attorney Strong reported on the Library Contract and the State Troopers Contract; she doubled checked on the Stormwater Budget

Councilman Snyder reported on the NEST Meeting –the 2008 Budget is in place.

Councilwoman Cooke met with Disaster Chairman Gerber and Don Putman – the plan is about three quarters complete; also had a meeting in Lancaster on Friday.

Councilman Snyder added that the Freezer in the Town Hall has been taken out.

Town Engineer Metzger referred the Stormwater Management Plan – Supervisor Smith reported this would be on the February 4th Agenda- also a reminder of the Joint Meeting this Thursday with the Village..

Supervisor Smith adjourned the Meeting at 7:50 PM with a Minute's silence in Memory of Mary Lemke, Diane Frank and Charles Zielinski (Former Highway Superintendent)

DOROTHY L. BYCINA
TOWN CLERK

