

**MEETING NO. 6**  
**REGULAR NO. 6**

**REGULAR BOARD MEETING**  
**TOWN OF ALDEN**

**MARCH 15, 2010**  
**7:00 PM**

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Rd. on Monday, March 15, 2010 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilwoman Riddoch led in the Pledge of Allegiance. The roll call was taken by the Deputy Town Clerk.

PRESENT: Ronald L. Smith, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman  
Ronald Snyder, Councilman  
Arlene Cooke, Councilwoman

RECORDING SECRETARY: Debra A. Crist, Deputy Town Clerks Office  
Jennifer Strong, Town Attorney  
Michael Metzger, Town Engineer  
Michael Dewitt, Planning Board  
Len Weglarski, DCO

Councilman Weber moved and Councilman Snyder seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of March 1, 2010. Unanimously Carried.

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

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$10,522.50		\$10,522.50
HGHWY FUND "DA/DB"	33,834.63		33,834.63
PART-TOWN FUND "B"	3,095.75		3,095.75
WD#1 FUND "WA"	3,618.00		3,618.00
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,239.67		2,239.67
TRUST/AGCY FUND "T"	667.67		667.67
SP REFUSE FUND "SR"	35,204.29		35,204.29
STREET LIGHTING FUND "SL"	6,550.43		6,550.43
PERIWINKLE LTG. "SL1"	42.01		42.01
GRANTS	1,853.73		1,853.73
TOTALS	\$101,367.28		\$101,367.28

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR

**COMMUNICATIONS**

Councilwoman Riddoch spoke with Andy Sojka, Park Supervisor on Parks shelters and new hires for the summer; she would like this on the Work Session for Monday.

Councilman Weber was alerted by the Code Enforcement Officer about a drainage problem on South Newstead Rd., they went and checked it out, discussed it. The Code Enforcement Officer will contact the owners or send them a letter.

Attorney Strong said she is working with the Attorney for Millgrove and Crittenden Fire Departments in gathering information that the Town Board needs to approve their fund raising activities. Also, Attorney Strong is working with the Assessor to relevy the Federal Labs cleanup on their taxes.

Councilwoman Cooke spoke with the Erie County Health Department regarding the H1N1 vaccination program, she will discuss next week.

Supervisor Smith received from the Village of Alden Fire Chief their February 2010 monthly report, Rural Metro's February 2010 monthly response compliance report; they were at a compliance of 93.1%, Village of Alden approved Board minutes from their February 25, 2010 meeting.

#### NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the renewal of the H.O.P. for Mark Moore/12328 Westwood Rd./Snowmobile Repair Shop. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the H.O.P. for Daniel E. Carder III/1220 Lambert Drive/Computer Sales and Repairs. Unanimously Carried.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve Alden Community Scholarship Foundation's request to use the Town of Alden Band Shell, Shelter #1 & #2, the Walking Path and the Permanent Lavatories for June 11, 2010 in conjunction with the Annual 5K Race/Walk. Unanimously Carried.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to approve the United States Census use of the Town Hall Auditorium for training candidates the week of April 26<sup>th</sup> through April 30<sup>th</sup> 2010 from 9:00 AM to 4:30 PM. Unanimously Carried.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve Alden Youth Baseball the right to use the concession stand and adjoining pavilion at the R.O. Smith Park throughout the 2010 baseball season. Alden Youth Baseball will apply for and pay the fee for the Health Permit. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve St. John the Baptist School's request to use the R.O. Smith Park small soccer field for games. Requested dates beginning on May 2<sup>nd</sup> through May 20<sup>th</sup> 2010. The Town of Alden will line the fields for contests and have bathrooms opened. Unanimously Carried.

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

WHEREAS, the Town of Alden, a municipal corporation organized and existing under the laws of the State of New York (the "Town"); the Village of Alden, a municipal corporation organized and existing under the laws of the State of New York (the "Village"); and the Alden Chamber of Commerce, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York (the "Chamber") have negotiated for the renewal of an Economic Development Agreement Contract wherein the Town, Village and Chamber maintain and fund the Alden Economic Development Committee ("Committee") for the benefit of the residents of Alden.

WHEREAS, the Town of Alden is aware that the Alden Area is in need of planned economic development and is desirous of obtaining such planned development services for the benefit of its residents;

WHEREAS, the Committee has interviewed for and selected a Director, Fred K. Heinle;

WHEREAS, the Town, Village and Chamber have come to full agreement on the terms of such Agreement to run from March 1, 2010 until February 28, 2011;

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

1. The Town approves the Economic Development Agreement, as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Town consents to the Appointment of Fred K. Heinle as Director of the Committee
3. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the Agreement and the Director Agreement; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 15, 2010, and was Unanimously Adopted.

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

WHEREAS, the Alden Town Board has noticed the need to add a provision to the Town of Alden Employee Handbook ("Handbook") to address the use of Town Equipment and Vehicles; and

WHEREAS, the Town Board believes that the added provision is fair to both the Employees of the Town of Alden and is in the best interests of residents of the Town of Alden.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby amends the Handbook, dated June, 2009, to add a new page 18, which adds a paragraph addressing Town Equipment and Vehicles, to be effective March 16, 2010 at 12:01 a.m.;
2. All other aspects of the June, 2009 Handbook remain the same;
3. The Town Clerk's Office is hereby directed to promptly provide the amended page 18 of the Handbook, to all Town of Alden employees; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 15, 2010, and was unanimously adopted.

**Councilwoman Riddoch will take care of printing the page and the memo to the employees. Supervisor Smith asked that Councilwoman Riddoch read the addendum aloud at the meeting.**

Councilwoman Riddoch moved and Councilman Weber seconded the motion to approve the Veterans of Foreign Wars request to solicit donations in the Town of Alden for the Buddy Poppy program on May 6, 7, & 8<sup>th</sup>, 2010. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to allow Andy Sojka to attend a workshop on the Emerald Ash Borer held in Buffalo on Friday, March 19, 2010, 8:00 AM-12:00 PM. Unanimously Carried.

Councilman Snyder moved and Councilwoman Cooke seconded the motion to allow Colleen Rogers to attend Basic Accounting School in the Town of Aurora on April 20-22, 2010 and Advanced Accounting School in the Town of Aurora on August 31-September 2, 2010. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE

WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN SNYDER TO WIT;

WHEREAS, the Alden Town Board has noticed the need to adopt greater controls on the handling of monies by Town Employees and Officials; and

WHEREAS, the Town Board believes that the adoption of a Banking and Check Cashing Policy will provide greater control and accountability over Town monies.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Town of Alden Banking and Check Cashing Policy, to be effective March 16, 2010 at 12:01 a.m.;
2. The Town Clerk's Office is hereby directed to promptly provide this Policy to all Town of Alden employees and officials; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 15, 2010, and was unanimously adopted.

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

**WHEREAS**, smoking is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases;

**WHEREAS**, secondhand smoke is responsible for over 50,000 deaths among nonsmokers each years;

**WHEREAS**, tobacco kills more American each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fires and AIDS combined;

**WHEREAS**, 80% of smokers started smoking before the age of 18, and the average initiation age is 12 years old;

**WHEREAS**, everyday an estimated 3,900 young people under the age of 18 try their first cigarette and one third of these children will die prematurely from tobacco-related illness; and

**WHEREAS**, to help role model non-smoking behavior to children and youth; to provide children, youth and their families with a safe, smoke-free environment;

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

1. The Town of Alden, State of New York, is committed to providing a high quality of living to all residents. And be it further resolved that the Town of Alden believes:
  - (A) There is no safe level of exposure to secondhand smoke. It can cause asthma, respiratory infections, cancer and cardiovascular disease. Residents, especially children should be able to play and exercise in Town of Alden Parks and visit Town buildings and properties without being exposed to harmful effects of secondhand smoke.
  - (B) Tobacco products use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of both the participants and observers.
  - (C) Tobacco products, once consumed in public spaces are often discarded on the ground, thus posing a risk of ingestion to children and causing a litter problem.
2. That all of Town of Alden parks and recreation areas and all of Town of Alden owned buildings and properties hereby adopt a 100% smoke free policy.

3. The enforcement of this policy is through **voluntary compliance**. Appropriate Town of Alden park land, park facilities, open space and buildings will be signed indicating that the designated areas are smoke-free.
4. The Town Board will communicate with the Town employees and officials, community organizers, leaders and coaches to discuss the policy and to distribute information.
5. Town of Alden parks staff and all Town officials and employees will be responsible for promoting awareness of this policy.
6. This policy will become effective April 1, 2010.
7. The Foregoing Resolution was duly put to a roll call vote at a regular monthly meeting on March 15, 2010, and was unanimously adopted.

**Councilwoman Riddoch spoke with Sports Leaders, teams and the Recreation Director that were at a meeting on March 13, 2010 and informed them of the adoption of this policy. Supervisor Smith asked that the Village be contacted with regard to where to obtain signs so the proper areas can be posted.**

THERE WAS NO UNFINISHED AND TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch met with Park Supervisor, Andy Sojka last Thursday about the tree situation in the Town Park and the Mini Parks, there is a lot of rot, Andy talked of cutting down trees and trimming. She would like this on the Work Session to discuss prices on new trees. Last Saturday, Recreation Director, Dan Moultrup, has his annual meeting with the Sports Teams for scheduling and use of the fields in the Parks and School. Councilwoman Riddoch spoke of the Town's expectation with regard to insurance certificates, waivers and requests made to the Town. The sports teams are very appreciative of the support from the Town. Place Jeff Patterson from Alden Youth Baseball on the next Work Session.

Attorney Strong would like the Townline Rd. subdivision and Local Law #1/2010 on the Work Session.

Councilman Snyder reported that there was trouble with the furnace at the Community Center, Petchke worked on it. Lenny and he are working on the mowing machine to get the last bearing on to get it going. Grounds will be rolled this year.

Councilwoman Cooke reported that we have received identification badges, thanks to the Townline Fire Chief, for the office of Emergency Services. Pictures will be taken of all other employees at the Town Hall, including the Town Board. Identification cards will be issued so that in a case of an emergency they could get through road blocks, etc. There will be a meeting on March 24<sup>th</sup> @ 7:00 PM at the Alden Fire Hall a meeting of the members of the Fireman Committee for the efficiency grant.

Engineer Metzger went with the Highway Superintendent to look at a couple of bridges on Pohl Road, also went to the Highway Garage and checked out cracks in the building. Councilman Snyder and Engineer Metzger met at the Town Hall today on the generator project, discussed a possible change order that the contractor is suggesting. Would like that put on the Work Session to discuss with the Board. Engineer Metzger attended the meeting on new flood maps with CEO Marty Dugan, he has information he would like to share with the Board, would like that also to be on the Work Session.

Supervisor Smith read comments/ restitution request regarding the resignation of the former Town Clerk.

Supervisor Smith adjourned the Meeting at 7:30 PM with a Minutes silence in Memory of Gregory Ruhland, Henry Dziekan & Thomas Schaub.

