

MEETING NO. 8  
REGULAR NO. 8

REGULAR MEETING

APRIL 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 Monday, April 18, 2005 at 7:30 P.M.

PRESENT: Richard A. Savage, Supervisor  
Michael Cole, Councilman  
James Lorenzi, Councilman  
Ronald L. Snyder, Councilman  
Arlene A. Cooke, 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  
John Zoratti, Planning Board Member

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

Councilman Cole moved and Councilman Snyder seconded the Motion to approve the Minute's of the April 4, 2005 Meeting. Unanimously carried.

Supervisor Savage welcomed a Student from Government Class.

#### **BUSINESS FROM THE FLOOR**

Irene Symanski/1078 Bonnie Lake questioned the Board on the erosion of the drainage ditch by her home. She stated that a large amount of soil has eroded away. Councilman Lorenzi asked that this be put on the work session for Monday.

Supervisor Savage thanked J. Brian Pfeiffer, EMT-P, from Rural Metro for stopping by and commented on the service to the Town of Alden.

#### **COMMUNICATIONS**

Councilman Cole reported on the called he received from two residents re water district #5.

Councilman Lorenzi reported on the communication he had with Mrs. Szymanski re Bonnie Lake drainage.

Town Attorney Strong reported that Mr. Klinglesmith did not understand the billing of the out of district sewer charges and would like his charges put on his tax bill; re the purchase of the Gradall, the Alden State Bank returned the proposal for financing for option 1 or 2, the Town needs to decide which; and Ms Strong would like to put Cary Road/Przywara on the work session for Monday as she has received many calls.

Councilwoman Cooke reported that it was the season for Port-A-John's and would get a call out to get them delivered.

Highway Supt. Milligan sent plans for dug outs to Al Gerhart.

Supervisor Savage received the monthly report from the Sheriffs; call from Greg/Erie County Water Authority re the back flow test at the Town hall; copy of resolution re the Justice Court Grant; gave letter re Grant to Councilwoman Cooke; response report from Rural Metro for the Town Alden; memo from Attorney Strong re a conversation with Supervisor Foss from Marilla, stating that their water district is still in the very early stages; letter of resignation from Deputy Town Clerk Riddoch; letter from Town Clerk Bycina requesting the appointment of Debra Crist for Deputy Town Clerk; memo from Attorney Strong re the Sullivan Road Contract; copy of letter sent to Jenny Gerhart from Assessor Sivecz re re-certification for the Board of Assessment

Review; quarterly report from Dept. of Environment and Planning; activity report for March from D & D alarms; letter from Deborah Chesna, Secretary from AECC requesting the use of the board room on May 17; copy of Planning Board agenda; memos from Attorney Strong re County Sales Tax payments and real property tax laws re local businesses; copy of Alden Economic Development Committee activity report; reminder re Michael Dewitt's term on the Planning Board from Town Clerk Bycina; monthly report from the ZBA chair Paul Alessi; copies of two hearings from the ZBA; notice of the Monthly Assoc. of EC Governments meeting; letter from NYSDEC re SPDES permit and thanked Attorney Strong re the research of quarterly payments instead of monthly payments of the County Sales Tax.

## **NEW BUSINESS**

THE FOLLOWING PROCLAMATION WAS OFFERED BY COIUNCILMAN COLE WHO MOVED ITS ADOPTION SECONDED BY SUPERVISOR SAVAGE:

**PROCLAMATION  
MUNICIPAL CLERK'S WEEK  
MAY 1 THROUGH MAY 7, 2005**

- WHEREAS: the Office of the Municipal Clerk, a time honored and vital part of the local Local government exists throughout the world,
- WHEREAS: the Office of the Municipal Clerk is the oldest among public servants, and
- WHEREAS: the Office of the Municipal Clerk provides the professional link between the Citizens, the local governing bodies and agencies of government at other levels, and
- WHEREAS: Municipal Clerks have pledged to be ever mindful of their neutrality and Impartiality, rendering equal service to all.
- WHEREAS: the Municipal Clerk is the information center on functions of local government and Community.
- WHEREAS: Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.
- WHEREAS: it is most appropriate that we recognize the accomplishment of the Office of the Municipal Clerk.

NOW THEREFORE; I, Richard A. Savage, Supervisor of the Town of Alden do recognize the week of May 1 through May 7, 2005 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Dorothy L. Bycina RMC and Deputy Town Clerk, Mary Riddoch as to all Municipal Clerks for the vital services they perform and exemplary dedication to the communities they represent. Dated this day 18 of April 2005.

Upon roll call vote the foregoing was unanimously adopted.

Supervisor Savage moved and Councilman Snyder seconded the Motion to reappoint Michael DeWitt to the Alden Town Planning Board for a term to run from May 2005 to May 2011. Unanimously carried.

Councilman Lorenzi moved and Councilwoman Cooke seconded the Motion to authorize the Alden Environmental Commission to host a Meeting of the Erie County Environmental Management Council at the Alden Town Hall in the Board Room on May 17, 2005 at 7:00 PM per request of AEC Secretary and ECEMC Member Deborah Chesna. Town Clerk to inform Ms. Chesna and notice Justice Court that the Board Room can not be utilized for any court areas/purpose on this date. Unanimously carried.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to authorize the Supervisor to renew the Economic Development Agreement between the Town, the Village and the Chamber. Town's contribution due for 2005-2006 (1 Year Agreement) \$4,435.83. Unanimously carried.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to authorize the Supervisor so sign the Sullivan Road Contract. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN COLE WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN COOKE 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 Frey Self Storage for site plan review of the proposed construction of two (2) self storage units (the “proposed action”) at on a 1.19 +/- acre parcel located at 12555 Broadway in the Town of Alden, county of Erie and State of New York, further identified by SBL#118.10-1-1.112; 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 a 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 is required to provide notice to County Planning for this site plan review 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 site plan review this an Unlisted Action under SEQRA abut that a coordinated 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 Board directs that the Code Enforcement Officer of the Town of Alden with the assistance of the Town Engineers send the required notice with all required attachments to all other interested agencies about the proposed action and the determination by the Town of Alden of its desire to act as lead agency under SEQRA and to send the required notice to County Planning as required under Section 29-m of the General Municipal Law.
4. 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, 2005 and was unanimously adopted.

Supervisor Savage moved and Councilman Snyder seconded the Motion to appoint Debra Crist as Deputy Town Clerk effective 5/1/05 as per Town Clerk Bycina’s request, for the remainder of 2005 at a pro rated salary of \$21,000 per year( $8/12 = .666 \times \$21,000 = \$13,986$  for May through December 2005). Mrs. Crist to resign from P.T. Town Work with Receiver of Taxes effective 5/1/05. Unanimously carried.

Councilman Cole moved and Councilman Lorenzi seconded the Motion to renew the HOP for Edward Mosman/2241 Town Line Rd. Unanimously carried.

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

WHEREAS, grant monies are available through the New York State Unified Court System to enhance the operation of municipal Justice Courts: NOW THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc. the Town’s grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Unified Court System for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor and Town Court Justices be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

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, 2005 and was unanimously adopted.

Deputy Supervisor Cole polled the Board and with no objections added the following to the agenda.

Deputy Supervisor Cole moved and Councilman Snyder seconded the Motion indicating the Town of Alden's preference to fund the acquisition of a new gradall for the Highway Department as identified by Alden State Bank as option #2 \$100,000 / 2 years @ 3.375 % Interest-50,000- to be paid in 1 year, the remainder in year 2. Unanimously carried

**THERE WAS NO UNFINISHED OR TABLED BUSINESS**

**REPORTS FROM STANDING COMMITTEES AND PERSONNEL**

Councilman Lorenzi reported that he met with Joe D'Angelo last Monday to discuss drainage problems on Genesee, a plugged culvert at Anthony Orsini/13581 Genesee is a problem. He also had a concern about an above ground drainage pipe. Councilman Lorenzi is waiting for correspondence with Mr. D'Angelo. Highway Supt. Milligan notified Councilman Lorenzi re a problem at Colson's/1196 Greenfield.

Councilman Cole reported on the recent Planning Board meeting he attended re Private Roads/Driveways. He spoke with Assessor Sivecz re the numbers for the Water District; he will have those numbers for the Work Session next Monday.

Councilman Snyder reported on the new replacement phones from TR Services.

Councilwoman Cooke reported on an article in the Buffalo News re flag lots in the Town of Marilla.

Town Engineer Metzger reported on the recent meeting he attended for Storm Water Coalition.

Code Enforcer Trybuskiewicz reported on the court case in the Town of Newstead, it has been postponed.

Supervisor Savage reminded the Board of the meeting re the Highway Contract at 7 P.M. Wednesday.

Supervisor Savage adjourned the Meeting at 8:50 PM.

MARY RIDDOCH

DEPUTY TOWN CLERK