

MEETING NO 10
REGULAR NO 10

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MAY 16, 2005
7:30 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road, on Monday, May 16, 2005 at 7:30 P.M.

PRESENT: Richard A. Savage, Supervisor
Michael Cole, Councilman
James Lorenzi, Councilman
Ronald L. Snyder, Councilman
Arlene A. Cooke, Councilwoman
RECORDING SECRETARY: Debra Crist, Deputy Town Clerks
OTHERS PRESENT: Harry F. Milligan, Highway Supt
Frank Trybuskiewicz, CEO
Michael Metzger, Town Engineer
Jennifer Strong, Town Attorney
Planning Board Member
Dorothy L. Bycina, Town Clerks Office

Supervisor Savage called the Regular Meeting to order. Councilman Cole 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 May 2, 2005 Meeting. Unanimously carried.

Supervisor Savage "Welcomed" the Students from Alden Central School.

BUSINESS FROM THE FLOOR

Roseanne Przywara/Eastwood Road questioned Private Roads – the Supervisor advised that the Board would discuss this matter.

COMMUNICATIONS

Councilman Cole reported: letter from Eric Chaffee – he spoke to Mr. Chaffee on the phone and will be meeting him soon; copy of the Minute's of the April 21st Alden Chamber of Commerce Meeting; sent a 'Thank You' letter to the Town Line Vol Fire Co for their Annual Installment; received a letter from NYDOT re Traffic Motor Vehicle Accidents; received a letter from the Seneca Indians; requested information from the Erie Co Sheriff's re tracking of Motor Vehicle Accidents at Cary & Two Rod Rd – he received this information and found it to be more substantial.

Councilman Lorenzi reported on a Hazardous Waste Collection on June 18TH at ECC; AECC News Letter- the Tree give-a-way was a success; received a call from Irene Niezgodna of the ECHI- urging the Town Board to attend the Rally at 12:00 Noon on Tuesday.

Deputy Town Clerk received a letter from Eric Chaffee and wanted it to be made public to the Board.

Attorney Strong reported that Dominic Pontillo was in her office re a FOIL request he filed with the Town Clerk – she stated that the Clerk did reply to his request; Attorney Strong is still working on the Highway negotiations; the Out-of-District sewage tax has not yet been paid and the Supervisor suggested a shut-off; the Baseball Law Suit had no action taken; nothing from the DMV re the abandoned vehicle and nothing new on the Guardrail.

Councilwoman Cooke reported on the information she has on the dugouts; spoke to Irene Niezgodna/CSEA-ECHI; received the Seneca Indians letter, she attended the Dinner at the Alden Vol Fire Dept Installation this past Saturday.

Supervisor Savage reported the following: News article on the ECHI; letter from Attorney Strong re Highway Agreement; copy of letter sent to ECDE&P re the reappointment of Deborah Chesna; copy of Rural/Metro's Monthly Response Compliance; letter from Attorney Strong re Signage; copy of letter sent to Keith Langlotz/ACS re a certificate of insurance with Alden Central School named as an additional insured; copy of letter from County of Erie/Dept of Environment & Planning re General Municipal Law Section 239 L & M; notice from AECC re a Meeting they will be hosting on May 17th in the Town Hall; copy of the ZBA's Monthly Meeting for April; a "Thank You" letter from Eleanor White for the contribution made to Alternative Care Services – also requesting time at the next Work Session to discuss the possibility of increasing the number of participants in the Alden's Meals on Wheel nutrition program; Notice of the Ass'n of Erie County Governments Meeting – May 26th at the Central Station in Williamsville; letter from Teamsters Local Union No. 264 re Larry Zobrest being elected union steward representing the employees at the Town of Alden Highway Dept.; copy of the Town Planning Board Agenda for May 10th; copy of Crittenden Vol Fire Dept/Financial Statement for the Years ended December 31, 2004 and 2003.

NEW BUSINESS

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to appoint AEC Member Deborah Chesna as the Town of Alden's representative on the Erie County Environmental Management Council for an addition two years – term to expire 5/21/07. Unanimously carried.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to allow Alden Central School Primary use of the Band Shell on Friday evening June 10, 2005. Unanimously carried.

Councilman Cole moved and Councilman Lorenzi seconded the Motion to renew the Peddlers Permit for Bonnie Wiedenbeck. Unanimously carried.

TABLED THE RESOLUTION re THE AWARD OF DUGOUT PIPE, FENCING AND CANVASS COVER FOR THE ROBERT O. SMITH PARK CHAMBER FIELD.

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

WHEREAS, residents of the State of Florida were recently shocked and stunned by the death of Jessica Lunsford, a little girl allegedly murdered by an individual with a criminal record as a sex offender; and

WHEREAS, as a result, the Florida House of Representatives is currently studying passage of a law to be known as the Jessica Lunsford Act, which would include the electronic monitoring of convicted sexual offenders; and

WHEREAS, it is known that sexual offenders often are repeat offenders and, as a result, many states, including New York State, require convicted sex offenders to register with the local authorities in order to protect vulnerable members of society, but frequently, sexual offenders fail to register as required; and

WHEREAS, mandatory electronic monitoring of convicted sexual offenders would allow the authorities to track such offenders even upon their failure to register; and

WHEREAS, New York's Sex Offender Registration Act, Article 6-c of the Corrections Law does not currently authorize the use of electronic monitoring of convicted sex offenders;

THERE, BE IT RESOLVED THAT, this board memorializes the Governor of the State of New York, the New York State Senate, and the New York State Assembly to adopt appropriate legislation to authorize the mandatory electronic monitoring of convicted sex offenders; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Honorable George Pataki, Governor of the State of New York, Honorable Joseph Bruno, Majority Leader of the State Senate, senator Dale Volker, Honorable Sheldon Silver, Speaker of the New York State Assembly, and Assembly Woman Wirth.

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 May 16, 2005 and was unanimously adopted.

Supervisor Savage polled the Board and with on objection the following was added to the Agenda.

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

WHEREAS, The Erie County Home, first established in 1829 has provided much needed nursing home services to WNY residents in the Town of Alden for decades, and

WHEREAS, the Erie County Home and Infirmary provides long term care for over 525 patients including accident victims, people with debilitating diseases, paraplegics, seniors and provided physical, speech and occupational therapies, and

WHEREAS, the County of Erie no longer owns the Erie County Home and Infirmary due to the fact that the Legislature "sold" ECMC and the ECHI to a created Public Benefit Corporation and

WHEREAS, Erie County taxpayers now provides a portion of Erie County Medical Center's and ECHI's operating cost, and

WHEREAS, the County's fiscal crisis which has resulted in hug deficits has necessitated that the support the County provide the ECMC Corporation be reduced again, and

WHEREAS, ECMC President Michael Young has indicated that he close the ECHI if the Legislature cuts another \$3,000,000 from his operating budget, and

WHEREAS, the closing of the ECHI will result in serious disruption to those Erie County residents least able to lobby for themselves – the aged, the sick and the infirmed, and

WHEREAS, ECMC President Michael Young has apparently chosen to cut the services to those most in need,

NOW, THEREFORE BE IT RESOLVED that the Town Clerk be directed to send a Certified Copy of this Resolution to ECMC President Michael Young, Legislator Denise Marshall, the Clerk to the Erie County Legislature and the Association of Erie County Governments.

The above Resolution was duly put to a roll call vote at regular meeting of the Town Board of the Town of Alden on May 16, 2005 and was unanimously adopted.

REPORTS FROM STANDING COMMITTEES AND PERSONNAL

Councilman Cole reported that he is working with Assessor Sivecz on the WD #5 list; he also attended the 7th Annual Municipal Law Meeting with Attorney Strong.

Councilman Lorenzi met with Engineer Metzger re Drainage on Genesee St; will be getting Flowers for the Town Hall from the Wyoming County Correctional Facility and he also gave an update on the School House restoration.

Councilman Snyder reported on the Back Flow that was replaced in SD#2; he has taken care of the Insurance Items that created a return of premium and on June 4th there will be a Computer Recycling at ECC. He reported that at the NEST Meeting it was discussed about a private individual who picks up Stove and Refrigerators.

Councilwoman Cooke reported she received a call from Jim Uebelhoer re Park repairs on Alaura Drive – she has spoken to Carl & Bud about the repairs.

Building Inspector reported on the repairs made at the SD#2. He will be having Minor SubDivision for the Work Session.

Engineer Metzger met with Bud & Carl re AJF suggestions and reported on the Sewage Treatment Plant.

Supervisor Savage requested the following be placed on the Work Session Agenda: ZBA Procedure; Municipal Code Book; Open Development Law and WD#5, Montgomery SubDivision and Bleachers. He has requested the Town Clerk to further check into ordering two new Code Books. .

Supervisor Savage adjourned the Meeting at 8:45 PM with a Minute's silence in Memory of Mary Walsh, Greg Hussey.

DEBRA CRIST
DEPUTY TOWN CLERK