

MEETING NO. 15  
REGULAR NO 15

REGULR BOARD MEETING

AUGUST 4, 2008  
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, August 4, 2008 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilman Snyder led in the Pledge of Allegiance. The Invocation was given by Mr. Paul Loehr. The roll call was taken by the Town Clerk.

PRESENT: Ronald Smith, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman  
Ronald Snyder, Councilman  
Carlene Cooke, Councilwoman  
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk  
OTHERS PRESENT: Jennifer Strong, Town Attorney  
Harry Milligan, Highway Supt.  
Leonard Weglarski, DCO  
John Zoratti , Planning Board

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of July 21, 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"		8,314.32	35,133.04
HGHWY FUND "DA/DB"		1,267.39	65,316.08
PARTTOWN FUND "B"		503.75	5,570.34
WD#2 FUND "WB"			375.20
WD#3 FUND "WC"			2,063.60
WD#4 FUND "WD"			1,299.80
SPECIAL FIRE PROT "SF"			3,038.59
SD#2 FUND "SA"			12,515.75
TRUST/AGCY FUND "T"			11,207.77
SP REFUSE FUND "SR"			30,292.72
ST LIGHTING FUND "SL"			5,942.14
GRANTS		1,913.86	1,913.86
TOTAL	151,199.13	23,469.76	174,668.89

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

#### BUSINESS FROM THE FLOOR

Paul Loehr/Henske Rd reported that he attended the Planning Board Work Shop in Geneseo and it was brought up about Downsizing. There was one Town with five (5) Planning Board Members and five (5) Town Board Members – the Planning Board was abolished and taken over by the Town Board. He would like to request the Town Board to discuss this at a Work Session.

#### COMMUNICATIONS

Councilwoman Riddoch reported she received a call from Chuck Airey re the trimming of the grass by the Viaduct – she made several calls and was referred to Tech Control in Buffalo – a Work Order is a must – as of Saturday the one side was mowed; received a call from the Alden Community Church requesting the use of the Band Shell – to be put on Work Session; received a Postcard from Keith Stone re proposed Bike Path – she will address this with him.

Councilman Weber received a call from a resident re Open Burning.

Town Clerk Bycina requested two Items be added to the Agenda.

Attorney Strong received a call from Jeff Palumbo (representing the Buffalo Shooting Club) re Billo Road – she advised him that we are waiting for Joe Frey to get back with more information for the Town.

Councilman Snyder received a letter from the ECWA re the Water Pit out in front of the Town Hall.

Councilwoman Cooke reported she has spoken with Eleanor White/Alternative Services – there is a Resolution on the Agenda for tonight re this; she also spoke to the lady from Transition Services re the Apprentice – she will be completing her services on August 19<sup>th</sup> – the family is very supportive and thankful for her help she received here.

Highway Supt Milligan reported that the oil & stone is a good program to save the Roads. The County does not have a plan in place to pick up the loose stones- these can be very dangerous to bikers. He has spoken to Legislature Konst re the County picking up the stones – as of today there is no plan to pick up the stones.

Supervisor Smith reported the following; copy of Approved Board Minutes of the July 10<sup>th</sup> Village Board Meeting; Monthly Response Compliance for June 2008 from Rural/Metro Medical Services/ received an Invitation to participate in County Wide Emergency Preparedness Fair; received the Monthly Report from July 2008 from the Building Inspector and the July 2008 Monthly Report from the Town Clerk.

#### NEW BUSINESS

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

WHEREAS, the Alden Town Court has noticed the need to update its court room equipment (including a sign advising visitors to the Court that said visitors may be searched and that no firearms are allowed in the building; a handheld metal detector, a railing and a wall seal), for which grant monies from the Justice Court Assistance Program are available.

WHEREAS, the Alden Town Court would like to apply for the grant monies available from the Justice Court Assistance Program.

WHEREAS, the Town Board after full and careful review and consideration of the need finds that it is in the public interest to authorize said grant application;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The town Board hereby authorizes Judge Larry LaDuca and Supervisor Ronald L. Smith to sign, submit, and execute Contracts and/or other necessary paperwork to apply for and receive the Justice Court Assistance Program Grant.
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on August 4, 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 Town Board of the Town of Alden is considering the adoption of “Local Law No. 5 of the Year 2008 entitled “Amendment of the Dogs Law for the Town of Alden; (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 for the Proposed Action; and is the most local agent with permitting authority; and

WHEREAS, the Town Clerk 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 the neighboring municipalities.

NOW, THEREFORE, BE IT RESOVED 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 on August 4, 2008 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEN SNYDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN COOKE 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. have 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 amends the Agreement between the Town and Alternative Care Services of WNY Inc., and increased by \$500.00 the Town’s payment to Alternative Care Services of WNY, Inc.’s Specials Needs Fund, for the purposes of providing meals to those Town of Alden residents who are unable to pay for the same.
2. The Town Board believes that the provision of meals-on-wheels to eligible Town of Alden residents is consistent with its policies and in the best interests of the residents of the Town of Alden.

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 4, 2008 and was unanimously adopted.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to renew the HOP for Daniel Pautler/12657 North Rd(Guns & Accessories). Unanimously carried.

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 provides cellular telephones for four (4) Town Employees; and

WHEREAS, the Town would save money on a cellular phone plan by consolidating the usage of the four (4) cellular phones into a single shared plan with Verizon Wireless;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the State Contract with Verizon; and

WHEREAS, the Town Board after full and careful review and consideration of the request finds it in the public interest to authorize the cellular phone plan with Verizon Wireless;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby authorizes the Supervisor and or Town Clerk's Office to sign an Agreement with Verizon Wireless as described above; and
2. This resolution shall take effect immediately.  
(Councilwoman Riddoch moved and Councilman Weber seconded the Motion to amend the original Resolution as stated above- Unanimously carried)

The foregoing Resolution was duly put to a vote at a regular meeting on August 4, 2008 and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to renew the HOP for Doug Swingle/12049 Genesee St (Auto Upholstery Repairs). Unanimously carried.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to transfer \$3,000 from A7110.413 Parks Contractual Expense Resurface Parks Roads into A7110.431 Parks contractual Gasoline & Oil. 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 grant the Alden Home Bureau permission to use the Community Center on the 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> Monday of every month from 7:00 PM – 9:00 PM (Sept.08 – June 09). Unanimously carried.

Supervisor Smith moved and Councilman Weber seconded the Motion to grant the Girl Scouts permission to use the Community Center and the Arts & Crafts Room on requested dates. Unanimously carried.

UNFINISHED & TABLED BUSINESS

Tabled the Resolution re Negative Declaration re Local Law #4/08

Tabled the Resolution re Adoption of Local Law #4/08

## REPORTS FROM COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber reported he has contacted the DEC and has secured the Permit to remove the Beaver Dam (Bonnie Lake)– depending on the weather the Highway Supt will follow up and this should lower the water level.

Town Clerk Bycina reported that the 2008-2009 Hunting License will go on sale August 18<sup>th</sup>.

Town Attorney Strong has sent letters to Time Warner and the State Police – as yet she has not heard back from either.

Councilman Snyder reported he has the parts for the Lawn Mower and it will be fixed shortly.

Councilwoman Cooke reported she has received ten ID Vests for the Emergency Disaster as per state regulations; we will be having a display at the Lancaster District Disaster Fair.

Supervisor Smith reported that the 2008 Annual Report/SPDES General Permit for Stormwater Discharges will be available in the Town Clerk's Office; sent letters to Department Heads re the 2009 Budget – meetings will be August 25<sup>th</sup> and August 27<sup>th</sup>; a Public Hearing re the Master Plan was held and well attended; sent a letter to the Fire Companies re Contract negotiations – first Meeting to be August 27th.

Supervisor Smith adjourned the Meeting at 7:28 PM with a Minute's silence in Memory of Bernice Corey.

DOROTHY L. BYCINA  
TOWN CLERK