

MEETING NO. 16
REGULAR NO 16

REGULAR BOARD MEETING

AUG. 18, 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 18, 2008 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilwoman Cooke led in the Pledge of Allegiance. Mr. Paul Loehr gave the Invocation. The roll call was taken by the Town Clerk.

PRESENT: Ronald L. Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald L. Snyder, Councilman
Arlene A. Cooke, Councilwoman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
Harry F. Milligan, Highway Supt
Marty Dugan, CEO
Jerry Sanok, Planning Board

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of August 4, 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"	7,742.66		7,742.66
HIGHWAY FUND "DA/DB"	5,742.15		5,742.15
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	20,385.42		20,385.42
SP FIRE PROTECTION "SF"	7,399.63		7,399.63
SD#2 FUND "SA"	2,102.99		2,102.99
TRUST & AGCY FUND "T"	190.00		190.00
SP REFUSE FUND "SR"	29,179.35		29,179.35
GRANTS	5,053.63		5,053.63
TOTAL	89,523.40		89,523.40

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Irene Szymanski/1078 Bonnie Lake questioned the status re her drainage problem. Highway Supt. stated they hope to work on it this week.

COMMUNICATIONS

Councilwoman Riddoch requested a Motion to be added to the Agenda re Alden Community Church.

Councilman Weber reported he received a Phone Call from a Henskee Road resident re Drainage.

Jennifer Strong reported on the State Police changing their Phones to Verizon.

Supervisor Smith reported the following: copy of Agenda for the Town Planning Board Meeting of August 12th; copy of the Minutes for the Chamber of Commerce, copy of the Monthly report for July 2008 from Rural Metro.

NEW BUSINESS

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

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende, Alden, New York at 7:05 p.m. on the 2nd day of September 2008, for the purpose of hearing all persons interested in the proposed Local Law No 4 of the year 2008; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than ten (10) days before the date of the public hearing; and (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and

ORDERED, that the Town Clerk is to make copies of the Proposed Local Law no. 4 of the Year 2008, entitled "Windmill Law of the Town of Alden, available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, on August 18, 2008 and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to grant the Alden Garden club permission to use the Community Center on the 2nd Wednesday of each month for the Year 2009 Jan – Dec. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SMITH WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDICH TO WIT;

WHEREAS, the town of Alden is being challenged by Alden Landing, LLC and by Deborah Chadsey for a reduction in their respective tax assessments;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That Joel Kurtzhals, Esq. is appointed as Special Counsel to the Town of Alden to represent the Town of Alden in the various 2008 tax assessment challenges at a rate of \$140/Non-Court per hour and \$175 Court Time per hour.
2. This resolution shall take effect immediately.

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

WHEREAS, the Alden Town Board is in the planning phases of the Water District No. 5, and

WHEREAS, pursuant to Part 617b NYCRR Article 8 of the Environmental Conservation Law, SEQR, the Alden Town Board should "as early as possible in an Agency's formation of an action it proposes to undertake", begin the SEQR process, and

WHEREAS, the Alden Town Board has classified the action as a Type 1 action under SEQR.

NOW THEREFORE BE IT RESOLVED, AS FOLLOWS:

1. That the Alden Town Board being the most local agency with permitting/funding authority, wishes to declare Lead Agency under the SEQR process and conduct a coordinated review,
2. That the Alden Town Board authorizes the Town Code Enforcement Officer to prepare the mailings, filings, and notices pursuant to a SEQR coordinated review.
3. That 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 held on August 18, 2008 and was unanimously adopted.

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to introduce the text of the proposed Local Law #6 of 2008 (swimming pool fees) and to refer the same to the planning board for renew and recommendation. Unanimously carried.

Supervisor Smith polled the Board and the following was added to the Agenda.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to grant the Alden Community Church permission to use the Band Shell on August 23rd – (details to be worked out between the Pastor and the Highway Supt. Milligan) 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 OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that this Wednesday is the last Concert in the Park and she has sent a "Thank You" letter to Richard Retzlaff for the Table that the Lions built in the Town Park.

Town Clerk Bycina reported that this was the first day for Hunting License Sales – there was a Computer Problem but it has been corrected.

Attorney Strong reported she has received no response from Time Warner and she has contacted the DOT re the Reinhardt Railroad Crossing – as yet she not received a call back.

Councilman Snyder reported on the Hot Dog Stand in the Park – it now needs Painting and this will depend on the weather.

Councilwoman Cooke reported she visited the Cemetery on Crittenden and the one on Sandridge – was very please with the clean-up in the Sandridge Road Cemetery.

CEO Marty Dugan discussed the RMF Development Subdivision matter – Attorney Strong is going to send a letter to RMF's Attorney and let them know the proper procedure they are to follow before they bring anything in.

Supervisor Smith reported that there is a Meeting Wednesday at 7:30 in the Village Hall re Service Award Program; waiting for Budget figures from some Departments.

Supervisor Smith adjourned the Meeting at 7:27 PM.

DOROTHY L. BYCINA
TOWN CLERK