

MEETING NO. 17
REGULAR NO 17

REGULAR BOARD MEETING

SEPT. 2, 2008
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, September 2, 2008 at 7:00 PM. Supervisor Smith called the Meeting to order. Councilman Snyder led in the Pledge of Allegiance. The roll call was taken by the Town Clerk.

PRESENT: Ronald L. Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
Harry Milligan Highway Supt
Debra Crist, Deputy Town Clerk
Michael Metzger, Town Engineer
Ralph Witt, Planning Board Chairman

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of August 18, 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"		23,926.68	31,669.34
HGHWAY FUND "DA/DB"		68,733.82	74,475.97
PARATTOWN FUND "B"		2,936.63	12,225.39
WD#2 FUND "WB"			375.20
WD#3 FUND "WC"			2,063.60
WD#4 FUND "WD"		1,695.00	22,080.42
SPECIAL FIRE "SF"			7,399.63
SD#2 FUND "SA"		633.62	2,736.61
TRUST & AGCY "T"		1,481.85	1,671.85
SP REFUSE FUND "SR"			29,179.35
ST LIGHTING FUND "SL"		6,354.66	6,354.66
GRANT			5,053.63
TOTAL	89,523.40	105,762.26	195,285.65

(PAID ON PREVIOUS ABSTRACT)

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Keith Stone/Crittenden Rd stated he would like to see the Web Site for the Town continued – Supervisor Smith stated that he has been advised that the County will continue with the Web Site.

Robert Wohlgenuth/Genesee St had suggestion for saving the Town money- eliminate two on the Planning Board, two on the Town Board and have the Town Clerk collect the Taxes – this would eliminate the Tax Receiver.

COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WEBER SECONDED THE MOTION TO ENTER INTO THE PUBLIC HEARING AT 7:08 PM re THE WINDMILL LAW. UNANIMOUSLY CARRIED

THE TOWN CLERK READ THE NOTICE OF PUBLIC HEARING THAT WAS PUBLISHED IN THE ALDEN ADVERTISER. THE FLOOR WAS OPENED FOR DISCUSSION.

The following spoke at the Public Hearing: Robert Wohlgemuth, James Guarino; Harold Gardner; Steve Fox, Eric Chaffee, Keith Stone, Ronald Rebman. After a lengthy discussion and review of the Proposed Local Law it was their consensus that this Law was too restrictive. Keith Stone requested that this Local Law be postponed and scrapped. Eric Chaffee presented to the Town Clerk a letter which he requested be recorded in these Minutes.

Supervisor Smith polled the Board – Councilwoman Riddoch moved and Councilman Weber seconded the Motion to call the Public Hearing to an end at 8:05 PM. Unanimously carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to re-enter the Meeting at 8:05 PM

COMMUNICATIONS:

Councilwoman Riddoch reported she attended the Open House at the Heritage Center on Aug. 22nd – was impressed with the entire operation – they Thanked the Town and Planning Boards for all their cooperation.

Councilman Weber also attended the Heritage Center Open House.

Town Attorney Strong reported she has received a Variance Application for RMF Development LLC.

Councilman Snyder reported he has contacted Petschke Plumbing re the Town Hall Boiler; there will be a Recycle Collection on Sept 27th at ECC South.

Councilwoman Cooke received notification re 2-Way Digital Radios – they will be replacing the present ones; received a letter from Keith Stone re the Web Site; a Meeting on Oct 28th re Shared Services and also wanted to Thank Bud and the Highway for the work done at the Szymanski residence. Supervisor Smith also wanted to Thank Bud and his men for the Hardball Diamond in the Robert O. Smith.

Supervisor Smith reported he received the Monthly Report for August 2008 from the Building Inspector; received the Monthly Report for August from the Town Clerk; received the Planning Board Minutes for the August 12th Meeting; received the July 2008 Report for Fire/EMS Department and the Village Board Minutes from the August 14th Meeting.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve Alden Central Schools request to use the Robert O. Smith Park during Junior Varsity Boys Soccer Season on requested dates and time per letter of 8/19/08. Unanimously carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve Alternative Cares (Meals on Wheels) request to use the Community Center on Sunday October 5th for an appreciation celebration per letter of 8/8/08. Unanimously carried.

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

WHEREAS, the Town Board of the Town of Alden is considering an application by Michael and Gayle Thorpe of two (2) lots. The entire parcel currently consists of approximately 103.17 acres between Kieffer and Westwood Roads in the Town of Alden,

further identified as 11128 Kieffer Road and as SBL # 107.00-5-18.1. The first proposed lot ("Parcel A") would be 4.96 +/- acre parcel fronting on Kieffer Road containing the house commonly known as 11128 Kieffer Road, outbuildings and a pond; the second proposed lot ("Parcel B") would be the remaining 98.21 acre vacant parcel (The "Proposed Action");

WHEREAS, the Town Board 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;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; the agency with the broadest governmental powers for investigating the impact of the Proposed Action; has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority;

WHEREAS, the Town Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, 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 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, and as such will notify other involved agencies of its desire to become the Lead Agency at the conclusion of the mandatory thirty (30) day waiting period as prescribed by 6 NYCRR Part 617.
3. 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 September 2, 2008 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOCH TO WIT:

WHEREAS, the Alden Town Board has noticed the need to update the Town of Alden Employee Handbook; and

WHEREAS, the Town Board has reviewed the attached Employee Handbook and believes the amendment of the Handbook, to add provisions addressing work related injuries, is the best interest of the Town of Alden.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT;

1. The Town Board hereby adopts the attached amendments (Section 2301 – Work Related Injuries and Accidents and Disease and Section 2302- Usage of Town Authorized Vehicles and Cellular Phones) to the Employee Handbook dated June 1, 2008;
2. The Town Clerk is hereby directed to send a copy of these amendments Employee to the Handbook to all Town Employees;
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 2, 2008 and was unanimously carried.

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

WHEREAS, the Town Board of the Town of Alden has contracted with Troy & Banks, in regard to conducting a utility audit for the Town of Alden; and

WHEREAS, Troy & Banks has found a less expensive electricity supplier, Integrys Energy Services of New York, Inc. who expects to lower the electricity costs to the Town of Alden

NOW THEREFORE, BE IT RESOLVED:

1. The Town Board hereby authorizes the Supervisor to sign a Power Sale Agreement with Integrys Energy Services of New York, Inc. to permit the Town to purchase electricity at a lower cost.
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on September 2, 2008 and was unanimously adopted.

UNFINISHED & TABLED BUSINESS

Tabled the Resolution re Negative Declaration re Local Law #4/8

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

REPORTS FROM COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported on the Grass cutting along the Roads in Alden – it has been an on going process and the County is doing a great job.

Councilman Weber is working on a Drainage problem on Wende Road.

The Town Attorney requested the following to be placed on the Work Session: Baseball use of the Gym, Tax Grievance Day, Fire Contract, Time Warner and the Thorpe Subdivision.

Councilman Snyder reported that Petschke will be taking care of the Boiler and he has taken care of the Bee problem at the Town Hall.

Councilwoman Cooke reported we will be getting an Advertisement from the Emergency Management re services offered.

Town Engineer Metzger reported that WD#5's Grant Application has to be reworked and resubmitted to Rural Development.

Planning Board Chairman Witt reported at the Training Session he attended - Patio Homes were discussed. Attorney Strong will check on the Laws governing Patio Homes. Supervisor Smith reported on a Meeting with Councilwoman Cooke and Attorney Strong re the Fire Company Contract – there is a Tentative Agreement for a 3 Year Contract; the Master Plan Meeting has been rescheduled for Sept. 18th at 7:00 PM.

Supervisor Smith adjourned the Meeting at 8:20 PM with a Minute's silence in Memory of Marilyn Krupka, John Stoter and Mary Parker.

DOROTHY L. BYCINA
TOWN CLERK