

MEETING NO. 18
REGULAR NO 18

REGULAR BOARD MEETING

SEPT. 15, 2008
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, September 15, 2008 at 7:00 PM. The Invocation was given by Mr. Paul Loehr. Supervisor Smith called the Meeting to Order. Councilwoman Riddoch led in the Pledge of Allegiance. The roll call was taken by the Town Clerk.

PRESENT: Ronald 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 F. Milligan, Highway Supt
Martin Dugan, CEO
Michael Metzger, Town Engineer

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of September 2, 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"	16,328.74		16,328.74
HIGHWAY FUND "DA/DB"	9,005.10		9,005.10
PARTTOWN FUND "B"	8,186.06		8,186.06
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT FUND "SF"	159.18		159.18
DS#2 FUND "SA"	3,101.08		3,101.08
TRUST/AGACY FUND "T"	190.00		190.00
SP REFUSE FUND "SR"	30,355.25		30,355.25
ST LIGHTING FUND "SL"	6,249.43		6,249.43
GRANTS	20,803.52		20,803.52
TOTAL	98,116.96		98,116.96

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

Supervisor Smith "Welcomed" the Student from Alden Central School.

THERE WAS NO BUSINESS FROM THE FLOOR

COMMUNICATIONS

Attorney Strong reported that the 1st Draft for the Fire Contracts have been mailed out; received a letter from Time Warner re the possibility of merging – this could be very expensive; working with the State Trooper re the Telephone; replied to the incident of a Toll Booth Ticket that involved a Town Truck and drafted the Recreation Waiver.

Councilwoman Cooke received a call re the condition at the Senior Citizen Building – she checked it out this morning and it has been taken care of; also spoke with a Senior Citizen re the Senior Van.

Supervisor Smith reported on a letter from Dave Kocher "Thanking" the Town for their continued support; Rural Metro Monthly Response for August 2008; Planning Board's

recommendation of the New Dog Law; Planning Boards recommendation of the Swimming Pool Law; Planning Board's denial of the Bonnie Lake Subdivision; letter from William Sivecz, Assessor, re Local Law-Assessment Grievance Day (to be placed on the Work Session.)

NEW BUSINESS

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

WHEREAS, New York State Senator Dale Volker has secured \$8,800 through the New York State Department of Transportation for the purchase of a grapple to be used in conjunction with the Town's gradall unit,

NOW THEREFORE BE IT RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the New York State Department of Transportation for the purpose of securing this grant and to sign all related documents pertaining to the application and acquisition of said funding.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 15, 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 use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children

WHEREAS, surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs;

WHEREAS, teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes;

WHEREAS, teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes;

WHEREAS, the correlation between family dinners and reduced risk for teen substance abuse are well documented:

WHEREAS, parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers;

WHEREAS, a family dinners have long constituted a substantial pillar of family life in America;

Now, therefore, the Town Board to the Town of Alden does hereby proclaim

1. The fourth Monday in September 2008 as

“Family Day – A Day to Eat Dinner With Your Children”

and urges all citizens to recognize and participate in its observance.

2. This Proclamation shall take effect immediately.

The foregoing Proclamation was duly put to a roll call vote at a regular meeting on September 15, 2008 and was unanimously adopted.

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 Rds in the Town of Alden, further identified as 11128 Kieffer Road and as SBL #107.00-5-18. 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 Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on August 19, 2008, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a "no recommendation" was received on August 27, 2008;

WHEREAS the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, the Town of Alden did assume Lead Agency Status on September 2, 2008;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town Board has prepared the Short Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer;

WHEREAS, the Town of Alden Zoning Board of Appeals granted a variance due to location of the existing pond to the property line; and

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on August 25, 2008 recommend to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board, as Lead Agency, has determined that the proposed Action is an Unlisted Action under SEQRA.
2. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the attached SEQR NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, which attached notice is hereby made a part of this Resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to the Proposed Action.
3. That the following parcel ("Parcel A") more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden County of Erie and State of New York, being part of Lot No.48, Township 11, Range 5 of the Holland Land Company's Survey, bounded as follows:

BEGINNING on the center of Kieffer Road at the west line of lands conveyed to Woronowski, Gust, Brauza and Canfield by Liber of Deeds 10288 at page 98; thence S 86° 26' 51" E on the center of Kieffer Road a distance of 150.0' to a bend point; thence S 88° 44' 14" E on the center of Kieffer Road a distance of 109.98' to the principle point of beginning; thence S 88° 44' 14" E on the center of Kieffer Road a distance of 129.06 to a point; thence N 89° 50' 14" E on the center of Kieffer Road a distance of 10.96' to a point; thence N 0° 03' 57" W a distance of 154.59' to a point; thence N 9° 27' 15" E a distance of 370.67' to a point; thence N 84° 45' 10" E a distance of 173.0' to a point; thence S 20° 52' 43" E a distance of 212.81' to a point; thence S 17° 42' 33" E a distance of 352.75' to the center of Kieffer Road; thence S 32° 53' 10" E a distance of 186.38' to

the north line of lands conveyed to the Buffalo, New York and Erie Railroad Company by Liber of Deeds 335 at page 557; thence N 79°13'46" W on the north line of the railroad a distance of 656.2' to a point; thence on a curve to the left having a radius of 4588.0" a distance of 13.63' to a point; thence N 1°15'46" E a distance of 33.0' to the principle point of beginning. Containing 4.96 acres of land more or less

Is given subdivision approval.

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 September 15, 2008 and was unanimously adopted.

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

WHEREAS, the Alden Tow Board has noticed the need to update the Town of Alden Procurement Policy and Procedure Guidelines in order to ensure that the same does not unduly inhibit the ability of the Town of Alden to make necessary purchases;

WHEREAS, the Town Board is concerned over the increasing costs of shipping and handling charges; and

WHEREAS, the Town Board has reviewed the attached Procurement Policy and Procedure Guidelines and believes the adoption of the Policy is in the best interests of the Town of Alden;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT;

1. The Town Board hereby adopts (revoking all former Procurement Policy and Procedure Guidelines) the attached Procurement policy and Procedure Guidelines as it Official Procurement Policy and Procedure Guidelines effective September 15, 2008.
2. The Town Clerk is hereby directed to send a copy of the Procurement Policy and Procedure Guidelines to all Town Board Member and Department Heads.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 15, 2008 and was unanimously adopted.

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 has received numerous complaints from citizens regarding drainage issues in the Town of Alden;

WHEREAS, the Town wished to use its best efforts to mitigate said drainage issues but needs to develop a general and cost effective strategy to do so;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby creates a temporary Town of Alden Drainage Committee to review the Town's drainage issues and to advise the Town as to a general and cost effective strategy to mitigate drainage issues within the Town of Alden;
2. The Drainage Committee shall meet at the call of Councilmen Weber, to make recommendations, offer comments, and to facilitate discussion on the drainage problems within the Town of Alden
3. The following persons are hereby appointed to the Drainage Committee: Councilman Bill Weber; Town Engineer Mike Metzger; and Highway Superintendent Bud Milligan.

4. This resolution shall take effect immediately.

This resolution was duly put to a roll call vote at a regular meeting of the Alden Town Board on September 15, 2008 and was unanimously adopted.

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

Councilman Weber reported he spoke to a resident in WD#5 re the District; also spoke to a resident on Henskee Road re a Drainage problem.

Attorney Strong requested the following be placed on the Work Session: Baseball Use of Gym; Pool Fees; Dog Local Law; Reserve Gas; Revised Generator Specs and the Highway Surplus Equipment.

Councilman Snyder reported that Petschke is working on the Furnace.

Supervisor Smith reported that there will be a Master Plan Committee Meeting this Thursday at 7:00 PM in the Town Hall; the Sept 22nd Work Session will start at 6:00 PM so the Budget can be discussed.

Councilman Riddoch moved and Councilman Weber seconded the Motion to enter into an Executive Session at 7:20 PM. Unanimously carried.

Councilman Weber moved and Councilwoman Cooke seconded the Motion to re-enter the Regular Meeting at 7:56 PM. Unanimously carried.

Supervisor Smith adjourned the Meeting at 7:57 PM with a Minutes silence in Memory of William Sobolewski and Suzanne Sitarek

DOROTHY L. BYCINA
TOWN CLERK