

MEETING NO. 20
REGULAR NO 21

REGULAR MEETING

OCTOBER 3, 2005
7:30 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 3, 2005 at 7:30 PM.

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

Supervisor Savage called the Regular Meeting to order. Supervisor Savage led in the Pledge of Allegiance. The roll call was taken by the Town Clerk

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of September 19, 2005. Unanimously carried.

COUNCILWOMAN COOKE MOVED AND COUNCILMAN SNYDER SECONDED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID;

ACCOUNT	ABST #1	ABST #2	TOTAL
GENERAL FUND "A"	28,379.18	41,469.80	69,848.98
HGYWY FUND "DB"	3,277.69	3,285.95	6,563.64
PART TOWN FUND "B"	941.15	4,001.95	4,942.80
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	10,266.96		10,266.96
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT "SF"	181.21		181.21
SD#1 FUND "SI"	528.74		528.74
SD#2 FUND "SA"	1,234.37	2,380.95	3,615.32
TRUST & AGCY "T"	872.32	667.94	1,540.26
SP REFUSE FUND "SR"	30,165.21		30,165.21
ST LIGHTING FUND "SL"	7,081.79		7,081.79
TOTAL	84,603.62	51,806.29	136,409.91
ADJUST CREDIT/HGHWY GAS		- 202.21	- 202.21
TOTAL	84,603.62	51,604.08	136,207.70

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY CARRIED.

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

The Supervisor also "Welcomed" the Students from UB – they are proposing a Community Service Program - Plans are being made for their work in the Joe Panza Trail.

AT 7:45 PM SUPERVISOR SAVAGE CALLED THE PUBLIC HEARING TO ORDER. THE TOWN CLERK READ THE NOTICE OF PUBLIC HEARING THAT WAS PUBLISHED IN THE ALDEN ADVERTISER. SUPERVISOR SAVAGE EXPLAINED THE REASON FOR THIS PUBLIC HEARING AND AT THIS TIME THE FLOOR WAS OPENED FOR DISCUSSION

The Supervisor recommended replacement of Windows and work on the Bathrooms

Councilwoman Cooke referred to the Belmont Apartments – Supervisor Savage stated this in the Village and would not apply.

Engineer Metzger will put together a package for the Windows and Bathrooms.

AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD THE PUBLIC HEARING WAS CALLED TO A CLOSE AT 7:58 PM

BUSINESS FROM THE FLOOR

Ted Lambert/1313 LaRay Dr again requested help from the Board re the drainage on his property from his neighbor. A discussion followed re the drainage and the Permits for the addition. CEO/Trybuskiewicz will give the neighbor a time frame in writing that the required work is to be completed.

COMMUNICATIONS

Councilman Lorenzi received the Alden Chamber of Commerce Newsletter inviting him to their Luncheon on October 18th; he also received a letter from Eve Fertig with pictures of the Dove that was left hanging on her property.

Town Clerk Bycina reported her Office has received several calls re WD#5 and wanted to know to whom these should be referred to – she was advised to refer them to either Councilman Cole or Councilwoman Cooke.

Attorney Strong reported on the ZBA Variance she received from the Town Clerk; received a letter from Senator Volker re information on Legislation.

Councilwoman Cooke received a letter re Local Government information for Vol Fire Fighters; received calls on WD#5; the Kitchen has been cleaned out; received a call re a refrigerator for pick-up – discussed the policy of removing the Freon and that she attended the Baseball Meeting last Tuesday night.

Supervisor Savage reported the following: copy of letter sent to William S. Nechamen/NYSDEC re Flood Map Modernization Program for Erie County; a MEMO from Assessor Sivecz re Town of Alden 2005 Taxable Valuation; letter from Erie County Sheriff's Office re DWI/Warrant Arrest; copy of letter Attorney Strong sent to Crittenden Vol Fire Dept re Revised Contract and Letter Agreement/Alden Fire Protection District; copy of annual report for 2004 Service Award Program from Hometown Firefighters Services; copy of letter Highway Supt Milligan sent to Pat Kozak; letter from Michele Hoffman requesting two weeks off from driving the Senior Van; letter from Jean Weisbeck requesting permission to use the Youth Center and gymnasium for a cast party of the Alden High School play on November 19th – to be placed don the Work Session; letter from Attorney Strong re Domin Property; copy of Notice of Order from DOT re Walden Avenue/45 MPH; letter from Fox & Company with ten (10) copies of 2006 Preliminary Budget; NEWS release re Statewide Emergency Radio Network Project : copy of letter Highway Supt Milligan sent to Mrs. John Bontrager/Boncliff Dr; MEMO from Town of Amherst re "A Child's Trust...Never Broken"; letter from Attorney Strong re Alden Youth Baseball, Inc.; letter from the County of Erie re HEAP' copy of letter sent to Highway Supt Milligan from NYS Office of Parks, Recreation and Historic Preservation re Robert O. Smith Park; copy of letter sent to Lancaster Supervisor Giza re Sewer Service Agreement/L. Bruce KlingelSmith; copy of Alden Economic Development Committee Economic Development Activity Report for period ending 9/6/05; copy of Teamster Local Union No. 264 re Case No. M2004-344 Town of Alden and IBT Local 264; a comparison of the 2005-2006 Budget.

NEW BUSINESS

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to refer the HOP for Susan Tomporowski/11230 Westwood Road to the Planning Board. Unanimously carried.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Dennis W. Wagner, Executor of the Estate of Dorothy M. Wagner, for the minor subdivision of two (2) lots, each measuring 150 feet by 300 feet from an existing 8.06 acre vacant lot; both proposed lots are on Zoeller Road, in the Town of Alden, further identified by SBL#96.00-2-25 (The "Proposed Action") and

WHEREAS, the Town Board of the Town of Alden 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; and

WHEREAS, the Town Board of the Town of Alden believes that the Town of Alden is; the agency primarily responsible for undertaking decisions as to a minor subdivision; 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 of the Proposed Action; and is the most local agent with permitting authority;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS;

1. The Town Board has determined that the proposed minor subdivision is an Unlisted Action under SEQRA but that a coordinated review should be conducted.
2. Town Board has determined that it should be the Lead Agency for all environmental review of the minor subdivision application.
3. The Town Building Inspector is directed to provide notice to the Erie County Division of Planning, for the Proposed Action, as required under Section 239-m of the General Municipal Law.
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 October 3, 2005 and was unanimously adopted.

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

WHEREAS, Richard A. Savage, Budget Officer of the Town of Alden on September 12, 2005 duly filed the tentative budget of said Town for the fiscal year beginning January 1, 2006 with the Town Clerk of said Town; and

WHEREAS, the Town Clerk of the Town of Alden duly presented said Tentative Budget to the Town Board on September 12, 2005;

NOW, THEREFORE, BE IT RESOLVED

1. That the tentative budget is hereby approved with changes as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2006;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York, 14004 and be made available by her to the public for inspection during the regular business hours of the Town Clerk's Office;

3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the year 2006 be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 7, 2005 at 7:45 P.M. Local Time;

4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the Town Law of the State of New York be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and

5. This Resolution shall take immediately.

The adoption of the foregoing resolution was duly put to a vote on October 3, 2005 and was unanimously adopted.

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

WHEREAS, the Town Board, on behalf of all Special Districts and Special Improvements Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion, to the amount of the benefits conferred has duly prepared detailed estimates in writing of the anticipated revenue and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same; and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvement was charged in proportion to the amount of benefit conferred; and

WHEREAS, Assessment Rolls were duly prepared according to law and said Assessment Rolls were duly filed in the Office of the Town Clerk

NOW THEREFORE, BE IT RESOLVED;

1. That a Public Hearing is hereby called and shall be held on November 7, 2005 at 8:00 PM Local Time, at the Town Hall, 3311 Wende Road, Alden, New York, at which time and place this Town Board will meet to consider the aforementioned Special District Budget for the Year 2006 and to hear all persons interested in the subject matter thereof, and concerning the same;

2. That a Notice of said Public Hearing be published in the Alden and posted on the Town of Alden Board which Notice shall be in the form attached hereto and made a part hereof; and

3. This Resolution shall take effect immediately. The foregoing Resolution was duly put to a vote on October 3, 2005 and was unanimously adopted.

Councilman Cole moved and Councilman Snyder seconded the Motion authorizing the Supervisor to make the necessary monthly Budget Transfers. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN LORENZI WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN COLE TO WIT:

RESOLVED, that Richard A. Savage as Supervisor of the Town of Alden, or such person's successor in office, is hereby authorized and directed to file an application for 50% matching funds in an amount not to exceed \$3,500, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to this municipality for the Town of Alden 2006 Tree Planting Program.

This Resolution shall take effect immediately. Upon Roll Call vote the foregoing Resolution was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS FROM STANDING COMMITTEES AND PERSONNEL

Councilman Cole reported on the Striping on Walden Ave. in front of WGT.

Councilman Lorenzi gave an update on the Henskee Road School House.

Councilman Snyder reported that the Historical Building is all set for the Winter.

Councilwoman Cooke reported on the items taken to the Disaster Center.

Engineer Metzger reported on the Storm Water Coalition

Attorney Strong is working with CEO Trybuskiewicz on the Parking issue on Sandridge Road.

CEO Trybuskiewicz will be contact the neighbor of Ted Lambert and put a Time Frame in writing.

Supervisor Savage requested the following Items be placed on the Work Session: Alden Youth Baseball; Jean Weisbeck's letter; Halloween; Library Legislation; CDBG and Preliminary Budget.

Supervisor Savage adjourned the Meeting at 9:15 PM with a Minute's silence in Memory of Nathan Sweet and Julian Golata.

DOROTHY L. BYCINA
TOWN CLERK