

MEETING NO. 20
REGULAR NO 20

REGULAR BOARD MEETING

OCT. 20, 2008
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 331 Wende Road on Monday, October 20, 2008 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilman Weber 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
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Debra Crist, Deputy Town Clerk
Jennifer Strong, Town Attorney
Harry Milligan, Highway Supt.
Michael Metzger, Town Engineer
Michael DeWitt, Planning Board
Leonard Weglarski, DCE
ABSENT: Arlene Cooke, Councilwoman

Councilman Snyder moved and Councilwoman Riddoch seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of October 6, 2008. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER AND SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

ACCOUNT	ABST #1	ABST #2	TOTAL
GENERAL FUND "A"	12,343.91		12,343.91
HIGHWAY FUND "DA/DB"	62,336.28		62,336.28
PARATOWN FUND "B"	4,401.88		4,401.88
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
SE#2 FUND "SA"	2,157.25		2,157.25
TRUST/AGCY FUNDT "T"	506.83		506.83
SP REFUSE FUND "SR"	28,845.14		28,845.14
ST LIGHTING FUND "SL"	6,375.28		6,375.28
GRANTS	6,502.30		6,502.30
TOTAL	127,366.30		127,366.65

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

Supervisor Smith "Welcomed" the Students from Alden Central School

BUSINESS FROM THE FLOOR

Robert Wohlgermuth/11849 Genesee St expressed his dissatisfaction with his recent FOIL Request- he feels his requests are not unusual.

7:05 PM PUBLIC HEARING- AMENDMENT TO DOG LAW

Councilman Weber moved and Councilman Snyder seconded the Motion to enter into the Public Hearing re Amendment to the Dog Law.

The Town Clerk read the Notice of Public Hearing published in the Advertiser. Councilwoman Riddoch gave a description of the Law. This Law allows no more than 2 Dogs over the age of six months except in the Rural-Agricultural (R-A) District. Those

having more than 2 Dogs at the time of the effective date of this Section shall not be in violation but shall not replace such dogs upon death or loss.

The Floor was opened for discussion

The following spoke in disagreement: Keith Stone/Genesee St.; Alden Central School Student; Joanne Karn/Three Rod Road; Nancy Weisbeck/Broadway and Robert Wohlgemuth/Genesee St. Engineer Metzger presented the Zoning Map and showed the R-A Areas. The general opinion was that this Law was too restrictive.

After all those wishing to be heard were heard, Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn the Public Hearing at 7:22PM

7:10 PM PUBLIC HEARING – FEDERAL COMMUNITY DEVELOPMENT FUNDS

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to enter into the Public Hearing. The Town Clerk read the Notice of Publication that was published in the Alden Advertiser. Supervisor Smith reviewed the Items requested in previous Years. Councilman Snyder reported on the Condition of the Community Center – in need of repairs.

The Floor was opened for discussion.

Robert Wohlgemuth/11849 Genesee St. suggested an Energy Audit repair. Engineer Metzger stated that this Grant benefits Low to Moderate Income.

After all those wishing to be heard were heard, Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn the Public Hearing at 7:30 PM

COMMUNICATIONS

Councilwoman Riddoch received the Certificate of Insurance from Alden Youth Baseball

Councilman Weber reported on October 14 & 15 he received call re property on Walden Ave- was concerned this is a Junkyard – CEO Dugan is checking this out; also received a call from the resident on Bonnie Lake re Drainage – he checked this out – this was due to the heavy Rain – the next day it started to go down.

Attorney Strong reported she has been in contact with the Alden Youth Baseball; working with the State Troopers re the Phone; in contact with the Comptroller from Zoladz re the Lights and she is also working on the Generator.

NEW BUSINESS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH 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 Road, Alden, New York at 7:05 p.m. on the 3rd day of November, 2008, for the purpose of hearing all persons interested in the proposed Local Law No. 5 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 five (5) days before the date of the public hearing; (b) and post as required by law one (1) 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. 5 of the Year 2008, entitled “Amendment of the Swimming Pools Law for the Town of Alden” available at her office for inspection and distribution to any interested person during business hour.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on October 20, 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, 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 AS FOLLOWS:

1. That a Public Hearing is hereby called and shall be held on November 3, 2008 at 7:10 PM Local Time, at the Town Hall, 3311 Wende Road Alden, New York, at which time and place this Town Board will be to consider the aforementioned Special District budget for the Year 2009 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 Advertiser 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 20, 2008 and was unanimously adopted.

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

WHEREAS, Ronald L. Smith, Budget Officer of the Town of Alden on September 26, 2008 duly filed the tentative budget of said Town for the fiscal year beginning January 1, 2009 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 October 1, 2008;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the tentative budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2009;
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 2009 be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 3, 2008 at 7:20 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 a 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 20, 2008 and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the renewal of the HOP for Mary Jane Wojnar/11385 Broadway (use of Fresh Flowers).
Unanimously carried.

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

WHEREAS, the Town of Alden Parks Supervisor has advised the Town Board that his Department is in need of a pumper truck to assist in watering the sports fields at the Town Parks the estimated cost of which is \$1, 500.00.

WHEREAS, the Village of Alden has properly declared a pumper truck as surplus and would like to sell the same to the Town of Alden

WHEREAS, the procurement Policy & procedure Guidelines of the town of Alden requires that all estimated purchases above \$2,000.00 but less than \$10,000.00 require quotes from at least two (2) vendors except in the case where the purchase is being made from a governmental agency;

WHEREAS, said Procurement Policy & Procedure Guidelines has been followed;

WHEREAS, the Town Board after full and careful review and consideration of the request finds said request in the public interest to authorize said purchase;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the purchase of a 1972 Ford Pumper Truck from the Village of Alden as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately. The foregoing Resolution was duly put to a vote on October 20, 2008 and was unanimously adopted.

Supervisor Smith polled the Board and with no objection the following was added to the Agenda.

Supervisor Smith moved and Councilman Weber approved the Official Halloween Trick/Treat hours in the Town of Alden to be Friday Oct 31st from 6:00 – 8:00 PM
Unanimously carried.

UNFINISHED & TABLED BUSINESS

TABLED THE RESOLUTION RE NEGATIVE DELCARATION re LOCAL LAW #4/08

TABLED THE ADOPTION OF LOCAL LAW #4/08

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch requested the Personnel Policy/Gas Usage to be placed on the work Session.

Councilman Weber met with the Drainage Committee on Oct. 14th – reviewed the problem areas- some of these are the County responsibility – they will be check these out.

Councilman Snyder checked the Community Center with Mike Fleming and a Structural Engineer re the condition of the Building.

Engineer Metzger is working with the town of Newstead Engineer re their new Water Dist #10 – involves the extension of our Line on N Millgrove Road.

DCO Weglarski reported his Kennel and Paperwork has been inspected by the NYS Dept of Ag & Markets and got a 100%.

Supervisor Smith reported the following: Service Award Program Public Hearing this Wednesday at the Village Hall – Oct. 22nd at 7:00 PM Master Plan Committee Meeting this Thursday Oct. 23rd at 7:00 PM at the Town Hall; also a informational Meeting on November 12th at 7:30 PM in the Town Hall re the proposed Water District #5.

Supervisor Smith adjourned the Meeting at 7:45 PM with a Minutes silence in Memory of Michael Gucinski, Judith Abbey, Thomas Murzysnki, William Hepburn.

DOROTHY L. BYCINA
TOWN CLERK