

MEETING NO. 20
REGULAR NO 20

REGULAR BOARD MEETING

OCT. 19, 2009
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 19, 2009 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilwoman Riddoch led in the Pledge of Allegiance. The roll call was taken by the Deputy Town Clerk.

PRESENT: Ronald Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman
RECORDING SECRETARY: Debra Crist, Deputy Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
Martin Dugan, CEO
Lenny Weglarski, DCO
Gary Wagner, Planning Board Member

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of October 5, 2009 with the following correction; at the Public Hearing for the CDBG Grant one public comment was heard. 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" | 34,444.01 | | 34,444.01 |
| HIGHWAY FUND "DA/DB" | 46,417.95 | | 46,417.95 |
| PARTTOWN FUND "B" | 3,239.41 | | 3,239.41 |
| 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 |
| SPFIRE PROT "SF" | 159.18 | | 159.18 |
| SD #2 FUND "SA" | 2,032.43 | | 2,032.43 |
| TRUST & AGCY FUND "T" | 194.00 | | 194.00 |
| SPECIAL REFUSE FUND "SR" | 39,132.72 | | 39,132.72 |
| ST LIGHTING FUND "SL" | 7,169.11 | | 7,169.11 |
| PERIWINKLE LTG DIST "SL1" | 37.20 | | 37.20 |
| GRANTS | 10,708.37 | | 10,708.37 |
| TOTAL | 147,272.98 | | 147,272.98 |

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Supervisor Smith welcomed the students from Alden Central School.

Sharon Francis, Reinhardt Rd. asked the Board about a walkway across the CSX tracks to the other side of Reinhardt. Supervisor Smith explained that this is not the Town of Alden property, CSX owns it. Attorney Strong said that CSX would not put a walkway in across tracks; it would open them up to liability, as it is not marked for safety. Mrs. Francis said they will cross it anyway. Linda Ruthenberg, Reinhardt Rd. wanted to thank the Town for the Reinhardt Rd. sign by Peters Corner and also for getting the weeds cut.

COMMUNICATION

Councilwoman Riddoch reported that the County has been out trimming the roadways and hopefully this will be done before the snow flies. Wende Rd. still needs to be done.

Attorney Strong said she reviewed the comment from the County re Cary Rd. and has advised the ZBA they can go forward. Time Warner sent the information requested. Fire dispatch contract is signed, will contact Village to get their signature.

Supervisor Smith received a letter from Alden Central School recognizing Dan Moultrup for his involvement and assistance in helping them win the Carol M. White PEP Grant. Mr. Moultrup will be serving on the advisory board. The school wanted to thank him for all he has done. Received September 2009 monthly report form Alden Fire/EMS. Received a copy of the approved September 24, 2009 Village Board minutes.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the HOP for Dennis Davern/35 Exchange St. Unanimously carried.

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

WHEREAS, Ronald L. Smith, Budget Officer of the Town of Alden on September 25, 2009 duly filed the tentative budget of said Town for the fiscal year beginning January 1, 2010 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 5, 2009;

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, 2010;
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 2010, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 2, 2009 at 7:05 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 at a regular meeting on October 19, 2009 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, 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 district 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 2, 2009 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 meet to consider the aforementioned Special District Budget for the Year 2010 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 at a regular meeting On October 19, 2009 and was unanimously adopted.

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

Whereas, the Town of Alden is in the process of updating its Master Plan. Once the Master Plan is completed the Town will need to implement a new Plan. The Town of Alden Master Plan Implementation Project will require the Town to review and recodify its Town Code (by adopting and amending numerous local laws, especially the Zoning Laws), and update its Subdivision Regulations to comply with the updated Master Plan.

WHEREAS, the Alden Town Board would like to utilize the monies available from the Erie County Community Development Block Grant program to assist with Town of Alden Master Plan implementation/Zoning Project,

WHEREAS, the Town Board held a public hearing on October 5, 2009, notice of which was properly posted and published. No public comment was received; and

WHEREAS, the Town Board after full and careful review and consideration of the need finds that it is in the public interest to apply for the CDBG monies for this Implementation project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby authorizes Supervisor Ronald L. Smith to sign, submit, and execute Contracts and/or other necessary paperwork, with the Erie County Community Development Block Grant Program for the following proposed projects in order of preference;

- A. Town of Alden Master Plan Implementation//zoning Project.

The foregoing Resolution was duly put to a vote at a regular meeting on October 19, 2009 and was unanimously adopted.

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

WHEREAS, the Town of Alden Supervisor has advised the Town Board that the Alden Town Hall is in need of a part time maintenance person for the remainder of 2009 whose duties shall include, but are not limited to: general cleaning at the Town Hall; general maintenance at the Town Hall; and maintaining the lawn and landscaping at the Town hall;

WHEREAS, the Councilmen Snyder has collected and reviewed applications and has conducted interviews of the Applicants; and now recommends that Roger E. Mead fill the position;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the hiring of Roger E. Mead as Part time Building Maintenance person; at a rate of \$10.00/hour, not to exceed more than 16 hours per week, with no benefits (except New York State Retirement).
2. Roger E. Mead shall be supervised by Councilman Snyder, who: must approve any work hours above 16 in any work week, will set the hours of work. Payment shall be made based upon timesheet submitted by Mr. Mead and approved by Councilmen Snyder.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 19, 2009 and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to grant Girl Scouts permission to use the Arts & Crafts Room on requested dates. Unanimously carried.

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

WHEREAS, the Alden Town Clerk has advised the Town Board that the Town Hall is in need of a new copy machine which will be leased from the State Bid Contract;

WHEREAS, the Xerox 5028 copier at the Town Hall has become obsolete and too expensive to maintain and obtain parts for;

WHEREAS, said Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town Board after full and careful review and consideration of the request to lease a new copy machine for Town Hall, finds it is the public interest to authorize the leasing of a new copy machine.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby determines that the Xerox 5028 copy machine is obsolete and not needed for Town purpose and is therefore surplus property;
2. The Town Board approves a 36 month lease for a new Xerox W5222PG copy machine for the Town Hall from Xerox at a monthly rate of \$234.14 (which includes trading in the Xerox 5028 copy machine and also includes delivery, set-up, training,

service, toner, and 7,000 copies per month) with an additional per copy charge of \$.0084 as described on the attached Lease Agreement 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 lease agreement; and

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on October 19, 2009 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 Town Clerk has advised the Town Board that the lease for the Xerox CC123 is expiring and should be renewed which lease renewal will be made from the State Bid Contract;

WHEREAS, said procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town Board after full and careful review and consideration of the request to renew the copy machine lease, finds it in the public interest to authorize the lease renewal.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS;

1. The Town Board approves renewing the lease for a term of 36 months for the Xerox CC123 copy machine at a monthly rate of \$25.10 (which includes service and toner), with an additional per copy charge of \$.0084 as described on the attached Lease Agreement as being consistent with its policies and in the interests 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 lease agreement renewal; and

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on October 19, 2009 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 Snyder seconded the Motion to renew the HOP for Deneda Gasiacki/12615 W Main St. Unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS FROM COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that she previously met with Safety Eng. Mike Asklar from the County. She will be meeting with Father Jim, Mike and E. C. Sheriff Deputy Smith at St. John's School. Hope to work out a solution to the ongoing problem there. Councilwoman Riddoch sent a letter to Don Russo from NYSEG about relocating the street lights on Reinhardt. In regard to the request from residents of Reinhardt Rd., the County must be in on the decision to put in a stop sign, because it intersects with Peters Corner Rd. Right now they feel there is no need to place a sign at the corner of Reinhardt entering into Peters Corner Rd.

Councilman Weber reported on drainage, received a permit from the DEC, the men are working to remove a beaver dam, a machine was rented for this.

Atty. Strong said the revised Ted Morgan contract has been mailed out. The Teamsters counter proposal has been mailed to them. She has reviewed the generator and boiler contracts. Would like them on the Work Session.

Councilman Snyder reported that the rail has been put up at the Community Center. Repairs to the building will be done in the spring. Too late to start now.

Councilwoman Cooke met with the ACS Superintendent on how they are going to set up the H1N1 vaccine clinic. This will be offered to all children in the school district or anyone that shows up. Met with Lancaster OEM, Newstead, Elma and Marilla. Supervisor Smith and Councilwoman Cooke met with Rural Metro on Wednesday re their new contract.

Supervisor Smith reported that the next meeting of the Master Plan Committee will be on Thursday the 29th of October at 7:00 P.M. at the Town Hall.

Supervisor Smith adjourned the meeting @ 7:25 P.M.

DEBRA A. CRIST
DEPUTY TOWN CLERK