

MEETING NO.21
REGULAR NO.21

REGULAR BOARD MEETING

NOV. 2, 2009
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, November 2, 2009 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
Arlene Cooke, Councilwoman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
Martin Dugan, CEO
Michael Metzger, Town Engineer
Ralph Witt, Planning Board
Lenny Weglarski, DCO

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of October 19, 2009. 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"		16,687.24	51,131.25
HGHWYA FUND "DA/DB"		19,776.52	66,194.47
PARTTOWN FUND "B"		1,192.83	4,432.24
WD#1 FUND "WA"		5,025.83	5,025.83
WD#2 FUND "WB"			375.20
WD#3 FUND "WC"			2,063.60
WD#4 FUND "WD"			1,299.80
SP FIRE PROT FUND "SF"		5,000.00	5,159.18
SD#2 FUND "SA"		392.86	2,425.29
TRUST/AGCY FUND "T"		3,352.43	3,546.43
SP REFUSE FUND "SR"			39,132.72
ST LIGHTING FUND "SL"			7,169.11
PERIWINKLE LTG. "SL1"			37.20
GRANTS			10,708.37
TOTAL	147,272.98	51,427.71	198,700.69

(PREVIOUSLY PAID)

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR COMMUNICATIONS

COMMUNICATIONS

Councilman Weber reported on a Drainage problem –Cayuga Creek Rd – requested this be placed on the Work Session.

Attorney Strong reported that the Open Burning Regulations are on file in the Town Clerk's Office and also reported on the Ted Morgan Contract.

Councilman Snyder reported he has received the Bill for the Community Center and that there will be an Ass'n of Towns Meeting on November 19th.

Councilwoman Cooke reported that the Light on Wende Rd near the Prison is out and needs to be fixed

Supervisor Smith reported the following: the October 2009 Reports from the Building Dept and the Town Clerk's Office; letter from the Village re the Firemen's Service Award Program – to be placed on the Work Session; copy of a Motion recommending Public Review and Adoption of Comprehensive Plan – all twelve members were in favor.

COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WEBER SECONDED THE MOTION TO ENTER INTO THE PUBLIC HEARING re 2010 PRELIMINARY BUDGET.

THE TOWN CLERK READ THE NOTICE OF PUBLIC HEARING THAT WAS PUBLISHED IN THE ALDEN ADVERTISER.

Supervisor Smith reviewed the 2010 Budget and opened the Floor for discussion.

Keith Stone/Crittenden Rd stated that since the Budget has only been available for eight hours and no chance for review has been available – this Public Hearing should be delayed. Supervisor Smith stated that the Tentative Budget was on file in the Town Clerk's Office and those minor changes that were being made to this Budget were available in the Supervisor Office. Preliminary Budget was delivered to the Supervisor's office on Friday at 4:30 PM. After a discussion with the Attorney and Supervisor the time and date of the Public Hearing will be delayed.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn this Public Hearing AT 7:25 PM. Unanimously Carried.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to adjourn the Public Hearing re the Preliminary Budget for 2010 until November 9, 1009 at 6:30 PM. Unanimously carried.

Supervisor Smith moved and Councilwoman Riddoch seconded the Motion to adjourn the Public Hearing re Special District until November 9, 2009 at 6:35 PM. Unanimously carried.

NEW BUSINESS

Councilman Riddoch moved and Councilman Weber seconded the Motion to renew the HOP for Charles Roberts/13592 Broadway. Unanimously carried

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to renew the HOP for Mary Jane Wojnar/11385 Broadway. 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 lease for the Xerox CC123 is expiring and that the Xerox CC123 can be purchased from the State Bid Contract for \$493.00;

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 buy the copy machine finds it in the public interest to authorize the purchase.

Now therefore be it resolved as follows:

1. This resolution rescinds and replaces the October 19, 2009 resolution renewing the Lease for the Xerox CC123.
2. The Town Board approves purchase of the Xerox CC123 copy machine for \$493.00 plus a monthly maintenance payment of \$10.00 per month for the next 36 months (which includes service and toner), with an additional per copy charge of \$.0084 as described on the attached Agreement as being consistent with its policies and in the interests of the residents of the Town of Alden;
3. That the supervisor of the town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on November 2, 2009 and was unanimously adopted.

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

WHEREAS, Edward Sisson has filed an Application for a Home Occupation Permit to make glass block windows in his garage at his residence at 11323 Broadway;

WHEREAS, the Town of Alden Planning Board has reviewed the Application and on October 13, 2009, recommended the approval of the application to the Alden Town Board; and

WHEREAS, the Town Board, pursuant to Section 20-64 (C) Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That a Public Hearing on the Home Occupation Permit Application for Edward Sisson be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 16, 2009 at 7:15 P.M. Local Time;
2. That the necessary Notice of Public Hearing, as required by Section 20-64 (C) of the Alden Town Code be published by the Town Clerk in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted by the Town Clerk on the town bulletin Board, and mailed by the Town Clerk to the adjacent property owners, which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a vote at a regular meeting on November 2, 2009 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 is considering an application by Loretto Kranick for the subdivision of two (2) lots. The entire parcel currently consists of approximately 36.73 +/- acres on Westwood Road in the Town of Alden (currently identified by SBL #107.00-7-6). The first proposed lot ("Parcel A") would be 3.52 +/- acres containing the residence and garage; the second proposed lot ("Parcel B") would be the remainder of the parcel 33.21 +/- acres containing a pond (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; is 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 is directed to provide 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.
3. This resolution shall take effect immediately.

The above resolution was duly put to roll call vote at a regular meeting of the Town Board of the Town of Alden on November 2, 2009 and was unanimously adopted.

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

WHEREAS, the Alden Town Board on November 17, 2008, adopted its 2009 Budget

WHEREAS, the Town of Alden has received and accepted quotes and for repairs to the Senior/Community Center and for the construction of the Town Hall garage;

WHEREAS, both projects have been completed;

WHEREAS, the Town is now ready to transfer money from the Capital Project/Fund Balance to properly account for these expenditures; and

WHEREAS, this money transfer will not render the Town of Alden insolvent.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Alden Town Board hereby authorizes the expenditures of \$37,355.54 from the General Fund Balance Capital Reserve Account for the Community Center Sidewalks Account Code A 1620.0445 in the amount of \$22,966.50 and for the building of the Town Hall garage Account Code A 1620.0448 in the amount of \$14,389.00; and
2. This resolution shall take effect immediately.

The foregoing Resolution shall take effect immediately.

The foregoing Resolution was duly put to roll call vote at a regular meeting on November 2, 2009 and was unanimously adopted.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to grant the Town of Lancaster permission to use the Band Shell as per their request. Unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported she has spoken with Don Russo/NYSEG re lights at the Cul de Sac on Reinhart Rd; she is working with the Department Heads re the Inventory Update and also with St. John's re the Crossing.

Attorney Strong reported she has drafted a Senior Citizen Policy; received information re Time Warner Franchise – to be placed on the Work Session; responded to the Department of Correction letter; information re switching Time Warner has been sent out to the other Municipalities and for the Work Session requested the Kranick Sub Division; the HOP for Sisson and the County's H1N1 Agreement.

Councilman Snyder reported on the new Maintenance Man for the Town Hall.

Councilwoman Cooke gave an update on the H1N1 with the County of Erie Health Dept.

Lenny Weglarski/DCO reported he received a 100% for his paperwork with the State.

Ralph Witt/Planning Board Chairman requested that the Board look into the present Zoning and review Chapter 20 and bring it up to date before we implement the Master Plan.

Supervisor Smith met with Councilman Weber and Engineer Metzger at the Reinhart Road site. There are some issues with the State and we are working with the State as to see what can be done.

Supervisor Smith adjourned the Meeting at 7:40 PM with a Minute's silence in Memory of Jeannette Gruber, Hope Piasecki, Jessie Kaufman, Iva Mager (former Secretary to the Highway Supt).

DOROTHY L. BYCINA
TOWN CLERK