

MEETING NO. 10
REGULAR NO. 10

REGULAR TOWN BOARD MEETING
TOWN OF ALDEN

May 21, 2018
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, May 21, 2018 at 7:00 P.M. Supervisor Savage called the Meeting to Order and Councilman Adamski led in the Pledge of Allegiance. The Roll Call was taken by the Acting Town Clerk.

PRESENT: Rick Savage, Supervisor
Dean Adamski, Councilman
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Acting Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
William Rogers, Highway Supt.
Mike Metzger, Town Engineer
Chris Snyder, CEO
Lenny Weglarski, DCO
Residents

Councilwoman Pautler Moved and Councilman Adamski seconded the Motion to approve the Minutes and Synopsis of May 7, 2018. The Motion was put to a Roll Call Vote on May 21, 2018 and was **CARRIED**

Ayes 3 Savage, Adamski & Pautler
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECONDED BY COUNCILMAN ADAMSKI, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #399-457 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$16,831.88		\$16,831.88
HIGHWAY FUND "DA/DB"	7,617.90		7,617.90
PART-TOWN FUND "B"	9,495.73		9,495.73
COMMUNITY DEV. FUND "CD"			
CAPITAL IMPROV. "HC"			
WATER DISTRICT #1 FUND "WA"			
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	2,929.67		2,929.67
TRUST & AGENCY "T"	2,567.00		2,567.00
SPECIAL REFUSE FUND "SR"	28,996.93		28,996.93
STREET LIGHTING FUND "SL"	6,313.62		6,313.62
GRANT "G"	3,962.00		3,962.00
PERIWINKLE LTG. DIST. "SL1"	38.88		38.88
WATER DIST. NEWSTEAD "WO"			
TOTALS	\$78,753.61		78,753.61

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON MAY 21, 2018 AND **ADOPTED**

Ayes 3 Savage, Adamski & Pautler
Nays 0

BUSINESS FROM THE FLOOR

No business from the floor.

COMMUNICATIONS

Supervisor Savage:

1. Received certificate for Andrew Sojka for Certified Pool/Spa Operator from the National Swimming Pool Foundation. Andy spent a considerable amount of his time preparing for the course to obtain the certificate that expires on April 11, 2023.
2. Correspondence with regard to Sewer District 2 Spedes permit.

Jennifer Strong, Town Attorney:

1. Received an estimate from General Code not to exceed \$1,715.00 for revisions made to code book. Approval given to submit for payment.

NEW BUSINESS

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

WHEREAS, the Supervisor has asked the Town Board to consider amending for the months of June 2018, July 2018, and August, 2018 the meeting dates and time of Town Board Work Sessions.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS THAT :

1. The Summer 2018 Work Session Schedule will be as follows:

Monday, June 4, 2018 at 8:00 am

Monday, June 18, 2018 at 8:00 am

Monday, July 2, 2018 at 8:00 am

Monday, July 16, 2018 at 8:00 am

Monday, August 6, 2018 at 8:00 am

Monday, August 20, 2018 at 8:00 am

Tuesday, September 4, 2018 at 8:00 AM;

2. That the work sessions previously scheduled for June 11 and 18, 2018; July 9 and 23, 2018; and for August 13 and 27, 2018 are hereby cancelled.

3. This resolution shall take effect immediately.

Works session scheduled for May 29, 2018 is cancelled. Next Work Session will be June 4, 2018 at 8:00am.

The foregoing Resolution was duly put to a roll call vote at regular meeting on May 21, 2018, and

CARRIED.

Ayes 3 Savage, Adamski & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application by Paul and Anna Marzec for the subdivision of two (2) lots. The entire parcel currently consists of approximately 3.02 acres on Two Rod Road in the Town of Alden, further identified as SBL #129.00-2-7. The first proposed lot ("Parcel A") would be approximately 1.16 acres and the second proposed lot ("Parcel B") would be the remaining approximately 1.86 acre parcel (The "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on March 30, 2018, for this Proposed Action, as required under Section 239-m of the General Municipal Law and no response was received;

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 April 16, 2018;

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

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

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, 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. Lot 159, Township 10, Range 5. BEGINNING at a point on the west line of Lot 159 a distance of 119.66' south of the northwest corner of lands conveyed to Verla E. Winkler by liber of Deeds 9201 at page 142. Thence south on the west line of Lot 159 a distance of 119.66' to a point. Thence southeast at an interior angle of 109° -57'-11" a distance of 406.74' to the center of Two Rod Road.

Thence northeast on the center of Two Rod Road at an interior angle of 112°-11'-

20" a distance of 121.47' to a point. Thence northwest parallel to the 406.74' line a distance of 493.45' to the point of beginning containing 1.16 Acres of land more or less.

is given subdivision approval. Provided however that no building permits will be issued until a satisfactory drainage plan is submitted to and approved by the Town of Alden Code Enforcement Officer/Building Inspector; and

4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

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

WHEREAS, the Alden Town Board on November 06, 2017 adopted its 2018 budget;

WHEREAS, the Town of Alden Recreation Department requests the creation of a revenue budget line not to exceed \$10,000 in A.2001.1000 to accept funds collected on behalf of the Alden Bull Sharks Swim Club;

WHEREAS, the Town of Alden Recreation Department requests the creation of an expenditure line A.7140.0104.1000 not to exceed \$10,000 to cover the cost of lifeguards for the Alden Bull Sharks Swim Club in the 2018 budget;

WHEREAS, the creation and appropriations in the revenue and expenditure lines will not render the Town of Alden insolvent;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

The Alden Town Board hereby increases an amount not to exceed \$10,000 in the expenditure line A. 7140.0104.1000 and revenue line A. 2001.1000 to record the revenue received.

This resolution shall take effect immediately.

The foregoing Resoltuion was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN ADAMSKITO WIT;

WHEREAS, Adam Hoy has filed an application for a Special Use Permit to Harbor Chickens at his residence located at 11622 Gebhard Lane in the Town of Alden (further identified by SBL # 118.14-1-16);

WHEREAS, the Town Board, pursuant to Section 365-11(c)(4) (b) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. A Public Hearing on the application for a Special Use Permit to Harbor Chickens made by Adam Hoy be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on June 4, 2018 at 7:05 P.M. Local Time;

2. That the Acting Town Clerk is hereby directed to publish the Notice of Public Hearing in the Alden Advertiser; to post the same on the Town Bulletin Board; and to mail the Notice to the property owners within 200 feet, which Notice shall be in the form attached hereto and made a part hereof; and

3. This Resolution shall take immediately.

The foregoing Resolution was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

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

WHEREAS, the Highway Superintendent has advised the Town Board that the Highway Department is in possession of a circa 1900 horse drawn road grader (that is in rusted condition) that is not of any use to the Highway Department or to the Town of Alden;

WHEREAS, The Town Board after full and careful review and consideration determines that the request to donate the circa 1900 horse drawn road grader to the WNY Gas & Steam Engine Association for display at their Grounds, in the public interest;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the above described circa 1900 horse drawn road grader is not needed for Town purposes and is surplus property;

2. The Town Board hereby authorizes the Highway Supervisor to donate the circa 190 horse drawn road grader in "as is" condition to the WNY Gas & Steam Engine Association for display at their grounds; and

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

Councilman Adamski moved and Councilwoman Pautler seconded the motion to approve the hiring of Jeannine Pruitt to the position of Part Time Highway Clerk, effective 05/21/2018, 19 hrs. per week, no benefit other than those afforded to part time employees, with rate of pay 13.00 per hour.

The foregoing Motion was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

Councilwoman Pautler moved and Councilman Adamski seconded the motion to approve the Town Clerk's Office to issue 1 complimentary death certificate to a deceased United States Veteran's Family when requested by the funeral director or family member.

The foregoing Motion was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

Supervisor Savage moved and Councilwoman Pautler seconded the motion to approve the Alden Art Club's use of the Community Center for their 61st annual Art Show on September 9, 2018 from 7:30am through 4:15pm. Town Clerk to advise Sue Galbraith of approval.

The foregoing Motion was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

Councilman Adamski moved and Councilwoman Pautler seconded the motion to approve the hiring of Alexander Blood as a part time seasonal Parks laborer. Mr. Blood is a returning Parks summer laborer and has previously met all hiring requirements.

The foregoing Motion was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

Councilwoman Pautler moved and Councilman Adamski seconded the motion to approve the 4H Community Service Project of planting flowers at the Highway Garage/Robert O. Smith Park entrance. 4H should coordinate this effort with Highway Superintendent Rogers (Town Clerk to inform 4H of approval/coordination).

The foregoing Motion was duly put to a roll call vote at regular meeting on May 21, 2018, and **CARRIED.**

Ayes 3 Savage, Adamski & Pautler

Nays 0

THE FOLLOWING RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD ON JUNE 4, 2018 WAS OFFERED BY SUPERVISOR SAVAGE, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Town Board of the Town of Alden (herein called the "Town"), in the County of Erie, New York, on behalf of the Town of Alden Sewer District No. 2, in the Town (herein referred to as the "District"), has caused Nussbaumer & Clarke, Inc., competent engineers duly licensed by the State of New York (the "Engineer") to prepare a map, plan and report for the increase and improvement of facilities of the District, consisting of improvements at the Wastewater Treatment Plant, including installation of a community septic tank, chopper pump station and sand filter, and other related or ancillary work required in connection therewith, as described in the map, plan and report prepared for the Town by the Engineer, dated August 2016 and revised May 2017; and

WHEREAS, the maximum amount to be expended for such increase and improvement of facilities of the District, as set forth in the resolution duly adopted on June 19, 2017, was originally estimated to be \$1,000,000; and

WHEREAS, the maximum amount proposed to be expended for the increase and improvement of facilities of the District has now been determined to be \$1,600,000; and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board said map, plan and report for said increase and improvement of facilities of the District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, constituting Article 8 of the Environmental Conservation Law;

NOW, THEREFORE, BE IT

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 3311 Wende Road, Alden, New York, on the 4th day of June, 2018 at 7:10 P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in the "*Alden Advertiser*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing, substantially in the form attached hereto as Exhibit A, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

The foregoing Resolution was duly put to a roll call vote at regular meeting on May 21, 2018, and

CARRIED.

Ayes 3 Savage, Adamski & Pautler

Nays 0

SUPERVISOR SAVAGE POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WAS ADDED:

Councilman Adamski moved and Councilwoman Pautler seconded the motion to approve hiring of James Foster as a temporary seasonal Highway Department laborer at a rate of \$12.00 per hour upon successfully completing all necessary pre-employment check, i.e. drug alcohol testing and criminal background check.

The foregoing Motion was duly put to a roll call vote at regular meeting on May 21, 2018, and

CARRIED.

Ayes 3 Savage, Adamski & Pautler

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Acting Town Clerk, Barrett

Working with DCO to update Dangerous Dogs records. The Clerk's dog registry system, BAS, indicated the Town had 7 registered Dangerous Dogs. Letters were mailed to the dog owners pursuant to NYS Municipal Law section 209-cc which requires Dangerous Dog records be updated annually and shared with Law Enforcement/First Responders. Through a joint effort to update the records in BAS the Town is down to 2 registered DD. DCO has been to their residences several times to confirm the status of the dogs but has had no contact with the owners.

Highway Superintendent, Rogers

Cary Road near Three Rod will be closed Wednesday morning around 7am for culvert pipe work. It will be completed that day and the road will be reopened.

Town Engineer, Metzger

Continuing to with apparent low-bidder on SD2 project. Next conference call scheduled for Wednesday at 4pm.

CEO/Building Inspector

Had one permit to harbor chickens picked up today; no other permits are pending.

NOTICE OF MEETINGS

NEXT WORK SESSION:

June 4, 2018

@8:00 A.M.

REGULAR BOARD MEETING:

June 4, 2018

@7:00 P.M.

MEMORIAL REMEMBRANCE - Supervisor Savage asked all to stand for a Moment of Silence in Memory of William Nedell

ADJOURNMENT

At 7:37 P.M. Supervisor Savage adjourned the Meeting.

Alecia Barrett
Acting Town Clerk