

MEETING NO. 7
REGULAR NO. 7

REGULAR TOWN BOARD MEETING
TOWN OF ALDEN

April 1, 2019
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, April 1, 2019 at 7:00 P.M. Deputy Supervisor Rogers called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Colleen Rogers, Deputy Supervisor
Colleen Pautler, Councilwoman
Dean Adamski, Councilman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Bill Rogers, Highway Superintendent
Mike Metzger, Town Engineer
Leonard Weglarski, DCO
Residents

Councilwoman Pautler Moved and Councilman Adamski seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of March 18, 2019.

CARRIED

Ayes 2 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 #290-325 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$6,976.98	12,573.77	\$19,550.75
HIGHWAY FUND "DA/DB"	32,672.10	5,648.12	38,320.22
PART-TOWN FUND "B"	2,084.13	1,037.08	3,121.21
WATER DISTRICT #1 FUND "WA"	3,859.20		3,859.20
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"	599,344.00		599,344.00
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	318.84	432.03	750.87
TRUST & AGENCY "T"	3,480.70	9,587.58	13,068.28
SPECIAL REFUSE FUND "SR"	162,509.79		162,509.70
STREET LIGHTING FUND "SL"	6,840.40		6,840.40
PERIWINKLE LTG. DIST. "SL1"	43.85		43.85
WATER DISTRICT NEWSTEAD "WO"			
CAPITAL PROJECTS "HC"		17,119.66	17,119.66
TOTALS	\$818,129.99	\$46,398.24	\$864,528.23

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON April 1, 2019 AND **ADOPTED**

Ayes 2 Adamski & Pautler
Nays 0

BUSINESS FROM THE FLOOR

Mr. Herdzik, 287 S. Woodside Dr., expressed concern over “Children At Play” signs that are no longer on his road. Deputy Supervisor Rogers noted that studies have shown that signs like that are actually more of a distraction than they are helpful. He made mention of a lower speed limit to help protect small children in that neighborhood. It was stated that the Town cannot just change speed limits; a speed study needs to be conducted first.

Charles Kolb, 662 Three Rod Road, questioned as to why his property was not included in the proposed Cayuga Creek water district. He posed several questions to Mike Metzger and stated he would like his property included in the proposed district as the water lines will cross his property. Town Engineer Metzger stated he will look into it.

Mr. Fleming accompanied the people who want to have the rodeo at Alden Lanes. It was noted that the Cooker Dan rodeo request would be addressed at the next Work Session and they are welcome to attend and show their video then. They provided the Town Clerk with a letter of intent.

Josh Krueger, Home Road, would like to discuss drainage issues that come from Millgrove Fire Hall. He will attend the next Work Session to go into details of his concerns.

COMMUNICATIONS

Deputy Supervisor Rogers:

1. Letter from ACS from Co-Athletic directors requesting field use.
2. Building Inspectors Report from Feb 2019.
3. Copy of Sewer District change order request for a credit from the contractor for work not completed before the weather changed.

Town Attorney Strong:

1. Received correspondence from Village Hall confirming use of Fireman’s Park Bandstand, Village to cover electricity cost.
2. Erie Co is holding a household hazardous waste drop off. Appointments are necessary. May 11th in Clarence is the closest location to Alden.
3. Letter from NYS Ag & Markets acknowledging Lenny Weglarski for the wonderful service he provides the Town with his care of the dogs he picks up and his facilities.

Town Clerk Barrett:

1. Received acknowledgement of LL#1 filing from Dept. of State

NEW BUSINESS

Councilwoman Pautler moved and Councilman Adamski seconded the Motion to approve Mark Kerl’s request for use of 4 softball diamonds for the 2nd Annual Men’s softball tournament to be held on Saturday August 3rd & 24th.

The foregoing Motion was duly put to a roll call vote at a regular meeting on April 1, 2019, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Debra Arnold (Sunset Ranch Kennels) for to renew a Kennel Special Use Permit for the operation of a dog kennel at her residence located at 11268 Kieffer Road in the Town of Alden; and

WHEREAS, The Town Clerk mailed notice of the renewal to all neighboring parcel owners. The Town Dog Control Officer and the Town Code Enforcement Officer have inspected the property.

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

- 1.. That the Kennel Special Use Permit is hereby renewed for a period of one (1) year; and
2. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on April 1, 2019, the results of which were as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have negotiated a renewal of an Agreement wherein Alternative Care Services of WNY, Inc. will provide Meals-On-Wheels to eligible residents of the Town of Alden;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden are eligible for and participate in the Alternative Care Services of WNY Inc.'s Meals-On-Wheels Program and The Town is desirous of continuing such services for its residents;

WHEREAS, Alternative Care Services of WNY, Inc. is the sole source provider of a meals-on-wheels program in the Town of Alden and therefore the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc. have come to full agreement on the terms of such Agreement to run as of January 1, 2019, until December 31, 2019.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the attached Agreement whereby the Town contracts with Alternative Care Services of WNY Inc., at a cost of \$1,001.00 for the provision of meals-on-wheels to eligible Town of Alden residents as being consistent with its policies and in the best interests of the residents of the Town of Alden;
2. That the Deputy Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the Agreement; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 1, 2019, the results of which were as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

WHEREAS, the Alden Town Board has received a request from Parks Supervisor Andy Sojka to purchase 60 5-gallon buckets of white marking paint for the various sports fields at the Town Parks for the 2019 summer season; the estimated cost of which is less than \$10,000.00 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least three vendors;

WHEREAS, three quotes were received as follows:

The highest quote is from Beacon Athletics at \$3,900.00 (\$65.00 per 5 gallon bucket);

The second highest quote is from FullSource at \$2,939.00 (\$48.99 per 5 gallon bucket); and

The lowest quote is from Pioneer Athletics at \$2,410.00 (\$39.75 per 5-gallon bucket plus a \$25.00 liftgate charge)

WHEREAS, the Pioneer Athletics is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful consideration finds that it is in the public interest to authorize the marking paint purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 60 5-gallon buckets of white marking paint at a total cost of \$2,410.00 from Pioneer Athletics;
2. The Parks 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 roll call vote at a regular meeting on April 1, 2019, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 2 of the Year 2019, entitled "Local Law for Flood Damage Prevention"

(the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; 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; and

WHEREAS, the Building Department has sent notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that an un-coordinated review shall be conducted;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action; and
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on April 1, 2019, the results of which were as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

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

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 15th day of April, 2019, for the purpose of hearing all persons interested in the proposed Local Law No. 2 of the Year 2019 entitled "Local Law for Flood Damage Prevention"; and

BE, IT FURTHER ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing the Alden Advertiser, designated by the Town as its official newspapers for this publication, such publication to be not less than five days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than five days before the date of the Public Hearing; and

BE, IT FURTHER ORDERED, that the Building Department notify County Planning as required under §239-m of the General Municipal Law; and

BE, IT FURTHER ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 2 of the Year 2019, entitled "Local Law for Flood Damage Prevention " available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a roll call vote at a regular meeting of the Town Board on April 1, 2019, which resulted as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Superintendent Rogers

Will be attending PERMA training on Wednesday.

Town Engineer Metzger

SD2 change order was sent out. Add Cayuga Creek water to Work Session.

NOTICE OF MEETINGS

NEXT WORK SESSION:

April 8, 2019

@7:00 P.M.

REGULAR BOARD MEETING:

April 15, 2019

@7:00 P.M.

MEMORIAL REMEMBRANCE - Arlene Swingle and Daniel Hamann

ADJOURNMENT

At 7:39 P.M. Deputy Supervisor Rogers adjourned the Meeting.

Alecia Barrett
Town Clerk Elect