

MEETING NO. 4
REGULAR NO. 4

REGULAR TOWN BOARD MEETING
TOWN OF ALDEN

February 18, 2020
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Tuesday, February 18, 2020 at 7:00 P.M. Supervisor Adamski called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Dean Adamski, Supervisor
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

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

Councilwoman Pautler Moved and Supervisor Adamski seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of February 4, 2020.

CARRIED

Ayes 2 Adamski & Pautler
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY SUPERVISOR ADAMSKI, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #112 - 181 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$57,371.11		\$57,371.11
HIGHWAY FUND "DA/DB"	\$34,177.09		\$34,177.09
PART-TOWN FUND "B"	\$27,133.09		\$27,133.09
CONSOLIDATED WATER "WR"	\$106,600.25		\$106,600.25
SPECIAL FIRE PROTECTION "SF"	\$736,493.27		\$736,493.27
SEWER DIST. #1 FUND "SI"	\$8,825.29		\$8,825.29
SEWER DIST. #2 FUND "SA"	\$165.01		\$165.01
TRUST & AGENCY "T"	\$7,428.50		\$7,482.50
SPECIAL REFUSE FUND "SR"	\$343.00		\$343.00
STREET LIGHTING FUND "SL"	\$3,611.74		\$3611.74
PERIWINKLE LTG. DIST."SL1"	\$55.03		\$55.03
ZOELLER RD WATER DIST "WZ"	\$1,125.60		\$1,125.60
WATER DIST NEWSTEAD "WO"	\$4,961.58		\$4,961.58

**CAPITAL PROJECTS “HC”
WATER DIST EXCHANGE ST
“WX”
TOTAL**

\$1,360.94		\$1,360.94
\$1,929.60		\$1,929.60
\$991,581.71		\$991,581.71

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON FEBRUARY 18, 2020 AND

ADOPTED

Ayes 2 Adamski & Pautler

Nays 0

BUSINESS FROM THE FLOOR

Students present introduced themselves.

COMMUNICATIONS

Town Clerk Barrett

1. Received notice of lead agency from DOCCS regarding solar project; will forward copies to Board members.

Supervisor Adamski

1. Request from Alden Central School to use parking lot while construction takes place at school
2. Building Inspector monthly report
3. Letter from Charter Communications regarding franchise fees

NEW BUSINESS

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

WHEREAS, the Office of Court Administration of the United States Court System of the State of New York has directed that the Town of Alden perform audits of all the departments of the Town of Alden; and

WHEREAS, pursuant to such direction, the Town Board has requested that Drescher & Malecki perform an audit of the Town Court records; and

WHEREAS, Drescher & Malecki has performed such audit and has determined that the records of the Town Court records are in order and that there are no deficiencies or unexplained discrepancies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby acknowledge the requirement for the audit of the Town Court of the Town of Alden, which audit has been performed by Drescher & Malecki.
2. That the Town Board does hereby accept the report of the audit by Drescher & Malecki indicating that the records of the Town Court of the Town of Alden are in the order and are proper.
3. This resolution shall take effect immediately and a copy of this resolution shall be forwarded to the Office of Court Administration of the State of New York at 2500 Pond View, Suite LL01, Castleton-on-Hudson, NY 12033

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

WHEREAS, the Alden Town Board has noticed that Town Employees are spending a significant amount of their work day assisting Town residents with e-cycling televisions and therefore the Town needs to implement a handling fee, to cover employee labor hours, for e-cycling televisions;

WHEREAS, the Town Board is authorized under State Law and under the Alden Town Code to set Town Fees by resolution; and

WHEREAS, the implementation of a handling fee of \$12.00 per television is fair and reasonable and is reasonably related to the services performed by the Town.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Fee Schedule, implementing a \$12.00 handling fee for the e-cycling for each television effective as of this date; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

WHEREAS, the Highway Superintendent has informed the Town Board that supplies are needed to continue to repair and update the drainage in the Robert O. Smith Park; the cost of which is less than \$10,000.00 but will be purchased pursuant to the New York State Bid List;

WHEREAS, the Town's Procurement Policy & Procedure Guidelines ("Guidelines") and NYS General Municipal Law state that the Town must prepare a request for proposal and then obtain written quotes, except when the purchase is made from the New York State Bid List;

WHEREAS, K&S Contractors Supply Inc. is on the New York State Bid List (Contract Number: PC67781) and offers the needed supplies; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the drainage supplies per the attached Sales Quote by the Highway Superintendent at a cost not to exceed \$3,737.99;
2. The Highway Superintendent 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 February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

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

WHEREAS, the Alden Town Board would like to rent out the Community Center to Town Residents for private, non-profit gatherings.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Community Center Use and Permit and the attached Permit for Alcoholic Beverages int Community Center, both effective as of this date; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

Community Center Rental Rules (jls 2.11.2020)

1. Hours of availability 8:00 AM - 10:00 PM, for the large room and/or the small kitchen.
2. All renters must be over 21 years of age and must be Town of Alden Residents. Rentals are available for private parties and fundraisers only. The Center will not be rented to for profit ventures.
3. Allow posted occupancy requirements must be complied with. The large room has a capacity of _____ persons.
4. Applicant may serve Alcohol with a separate Permit available from the Town's Clerk's Office.
5. All rooms must be returned in broom clean condition and in the same condition as at the start of the event.
6. The Community Center will not be rented to for profit ventures. Available to individuals/groups looking to make money or fund raisers.
7. No confetti of any type in the Building.
8. No candles, except birthday candles on a cake.
9. No animals, except service dogs, are allowed inside the Building.
10. Fee of \$225.00.

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

WHEREAS, the Alden Town Board would like to create a Policy regarding the handling of keys to Town Buildings in order to ensure the safety and security of Town Buildings.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Key Policy effective as of this date; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

TOWN OF ALDEN KEY POLICY (2-18-2020)

PURPOSE

The purpose of the Key Control Policy is to protect the property of the Town of Alden, and of individuals assigned to use Town Buildings, by limiting access to such facilities to assigned individuals only.

SCOPE

This policy applies to all Keyholders, volunteers and employees working for or contracted with the Town of Alden. It applies to all Buildings owned and/or leased by the Town of Alden.

POLICY

All persons wishing to have a key to any Town Building must strictly adhere to the following policy.

Keyholders are strictly prohibited from making a copy of their key. Any Keyholder who violates this prohibition will lose their key privileges and may cause their organization to lose its key privileges.

Keyholders are strictly prohibited from sharing their key with anyone else whatsoever. The right to use the key is personal to the Keyholder. Any Keyholder who violates this provision will lose their key privileges and may cause their organization to lose its key privileges.

When the Keyholder is finished with the key either because their position with the Town or Organization has ended or because the sports / meeting season has ended, the Keyholder, or their Agent or representative, must return their key to the Town Clerk at the Alden Town Hall.

To pick up a Key, each person must appear in person at the Alden Town Clerk's Office Hall to sign for their key.

Failure to return keys upon termination/separation may result in holding the key holder/organization responsible for the cost to re-key a building.

KEYHOLDER NAME: _____

KEYHOLDER ADDRESS: _____

KEYHOLDER PHONE: _____

TOWN BUILDING KEY ISSUED FOR: _____ KEY #: _____

DATE KEY SIGNED OUT: _____

DRIVER'S LICENSE # _____

I HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE ABOVE POLICY AND THAT BY SIGNING BELOW I AGREE TO ADHERE TO THIS POLICY.

Signature of Keyholder upon receiving key: _____

DATE KEY RETURNED: _____

Keyholder/Agent signature: _____

Town Clerk Signature: _____

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

The following resolution was introduced:

WHEREAS, Greatbatch Ltd. filed a Rezoning Application on February 11, 2020 petitioning to reclassify the Zoning Classification for a portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) by removing a portion of said property from the R-2 Residential District and R-A Rural-Agricultural District Zoning District and adding said portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) to the M-1 Manufacturing District; and

WHEREAS, the Alden Zoning Law and New York Town Law require that the aforesaid Rezoning Application be referred to the Town of Alden Planning Board for recommendation.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD that the aforesaid Rezoning Application be referred to the Town of Alden Planning Board for recommendation.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

The following resolution was introduced:

WHEREAS, Greatbatch Ltd. filed a Rezoning Application on February 11, 2020 petitioning to reclassify the Zoning Classification for a portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) by removing a portion of said property from the R-2 Residential District and R-A Rural-Agricultural District Zoning District and adding said portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) to the M-1 Manufacturing District; and

WHEREAS, the New York General Municipal Law § 239-m requires that the aforesaid Rezoning Application be referred to the Erie County Department of Environment and Planning for Recommendation.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD that the aforesaid Rezoning Application be referred to the Erie County Department of Environment and Planning for Recommendation.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

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

The following resolution was introduced:

WHEREAS, Greatbatch Ltd. filed a Rezoning Application on February 11, 2020 petitioning to reclassify the Zoning Classification for a portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) by removing a portion of said property from the R-2 Residential District and R-A Rural-Agricultural District Zoning District and adding said portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) to the M-1 Manufacturing District ("Proposed Action"); and

WHEREAS, 6 NYCRR 617.6(b) of the implementing regulations pertaining to Article 8 of the New York State Environmental Conservation Law, also known as the New York State Environmental Quality Review Act ("SEQRA"), the Alden Town Board may declare its Intent to act as Lead Agency for the Proposed Action.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD that the Alden Town Board pursuant to 6 NYCRR 617.6(b) has determined that it is willing to act as SEQRA Lead Agency for environmental review of the proposed action described below and shall coordinate environmental review pursuant to Article 8 of the ECL and Implementing Regulations (6 NYCRR Part 617).

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler

Nays 0

THE FOLLOWING ORDER WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR ADAMSKI, 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 17th day of March, 2020, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2020; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated by the Town as its official newspaper for this publication, such publication to be not less than ten 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 ten days before the date of the Public Hearing and 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. 1 of the Year 2020, entitled "Amendment to Zoning Law of the Town of Alden, New York and Zoning Map of the Town of Alden, New York to reclassify the Zoning Classification for a portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) by removing a portion of said property from the R-2 Residential District and R-A Rural-Agricultural District Zoning District and adding said portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) to the M-1 Manufacturing District with said portion of real property commonly referred to as 0 Walden Avenue (SBL No. 96.00-3-44.111) to be reclassified and Zoning Map Amendment", 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 vote on roll call, at a regular meeting on February 18, 2020, which resulted as follows:

The foregoing Order was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

Motion to approve the Alden Chamber of Commerce's use of the Town Park, including Shelter # 1 on Thursday June 4, 2020 (set-up) and on Friday, June 5, 2020 for the Taste of Alden The Chamber to provide a certificate of liability insurance with the Town of Alden named as an additional insured in the amount of \$1,000,000 per occurrence, \$3,000,000 aggregate, and sign an indemnification agreement. The Chamber is responsible for making sure that all food vendors obtain Erie County Health Department permits.

Town Clerk to please notify Parks Department, Highway Superintendent, Recreation Director, Town Attorney, Alden Community Scholarship Foundation, Alden Chamber of Commerce, and Alden Fire Department once these motions are adopted.

The foregoing Motion was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

Motion to approve the Kerl Family's of the Town Park, including Shelter 1, the walking path, permanent lavatories, and the band shell on Saturday , June 6, 2020 for the Kerl Shoot- Out 25th Anniversary Charity Event. Kerl Family to provide a certificate of liability insurance with the Town of Alden named as an additional insured in the amount of \$1,000,000 per occurrence, \$3,000,000 aggregate, and sign an indemnification agreement. The Alden Hook & Ladder Fire Company Inc. must provide proof of liquor liability insurance. The Kerl Family is responsible for making sure that all food vendors obtain Erie County Health Department permits.

Town Clerk to please notify Parks Department, Highway Superintendent, Recreation Director, Town Attorney, Kerl Family, and Alden Fire Department once this motion is adopted.

The foregoing Motion was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

Motion to approve the Alden Community Scholarship Foundation's use of the Town Park, including Shelters 1 and 2, the walking path, permanent lavatories, and the band shell on Friday, June 5, 2020 for the 5K Race for scholarships. Foundation to provide a certificate of liability insurance with the Town of Alden named as an additional insured in the amount of \$1,000,000 per occurrence, \$3,000,000 aggregate, and sign an indemnification agreement. The Alden Hook & Ladder Fire Company Inc. must provide proof of liquor liability insurance.

The foregoing Motion was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

Motion to appoint Nicole Braun as part time Court Clerk as per Town Justices LaDuca and Cumming's request effective 02/25/2020. The appointment is for 19 hours per week with part time benefits as delineated in the Personnel Policy. Appointments are contingent upon criminal background checks conducted by the courts. Starting rate for 2020 is \$15/hour.

The foregoing Motion was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

Motion to hire William A. Rogers as a seasonal parks laborer, effective immediately, at a rate of \$15.75/hr. He has successfully completed all required pre-employment checks.

The foregoing Motion was duly put to a roll call vote at a regular meeting on February 18, 2020, as follows:

CARRIED.

Ayes 2 Adamski & Pautler
Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Dean Adamski, Supervisor – Unfinished & Tabled business is e-cycling which will be discussed at the next Work Session. Noted Bill Rogers and the Highway Dept. have been working in on cleaning

Jennifer Strong, Town Attorney – re-drafted and distributed ZBA application to talk about at the next Work Session as well as the Cayuga Creek water district

Mike Metzger, Town Engineer – working on Cayuga Creek water district with Jennifer Strong. Meeting with contractor this week on finishing work on SD2. Working on Exchange/Zoeller getting maintenance bond.

Lenny Weglarski, DCO – working with Alecia Barrett on gathering info on conducting a dog census

NOTICE OF MEETINGS

**NEXT WORK SESSION:
REGULAR BOARD MEETING**

**February 25, 2020
March 3, 2020**

**@7:00 PM
@7:00 PM**

MEMORIAL REMEMBRANCE - Daniel Oles

ADJOURNMENT

At 7:18 P.M. Supervisor Adamski adjourned the Meeting.

Alecia Barrett
Town Clerk