

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, March 5, 2018 at 7:00 P.M. Supervisor Savage called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Deputy Town Clerk.

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

RECORDING SECRETARY: Joanna Eisensmith, Deputy Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney  
William Rogers, Highway Supt.  
Mike Metzger, Town Engineer  
Chris Snyder, CEO  
Len Weglarski, DCO  
Daniel Gniewecki, Adm. Assistant for E.C. Legislator John Bruso  
Sgt. Jeremy Lehning, Erie County Sheriff  
Residents

Councilwoman Pautler Moved and Councilman Adamski seconded the Motion to approve the Minutes and Synopsis of February 20, 2018. The Motion was put to a Roll Call Vote on March 5, 2018 and was **CARRIED**

Ayes 3 Savage, Pautler & Adamski  
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 #151-181 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$67,841.21	7,172.92	\$75,014.13
HIGHWAY FUND "DA/DB"	30,013.76	9,867.21	39,880.97
PART-TOWN FUND "B"	7,515.17	5,203.66	12,718.83
COMMUNITY DEV. FUND "CD"			
CAPITAL IMPROV. "HC"			
WATER DISTRICT #1 FUND "WA"			
CONSOLIDATED WATER "WR"	43,859.38		43,859.38
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	2,477.75	421.88	2,899.63
TRUST & AGENCY "T"	1,620.85	5,207.24	6,828.09
SPECIAL REFUSE FUND "SR"	34,618.81		34,618.81
STREET LIGHTING FUND "SL"	7,697.17		7,697.17
GRANT "G"	28,830.00		28,830.00
PERIWINKLE LTG. DIST. "SL1"	53.54	4,993.95	4,993.95
WATER DIST. NEWSTEAD "WO"			
TOTALS	\$224,527.64	\$32,866.86	257,394.50

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON MARCH 5, 2018 AND **ADOPTED**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

### **BUSINESS FROM THE FLOOR**

Supervisor Savage welcomed students from Alden Central High School who introduced themselves and told what class they were there for. Supervisor Savage explained the Abstract process.

Daniel Gniewecki who is the Administrative Assistant from the Office of Erie County Legislator John Bruso stated that he is working with the County Highway on roads and sewer upgrades. He also stated that he toured different libraries.

Sgt. Jeremy Lehning from Erie County Sheriffs went over and explained how he is the liaison for the Town Of Alden.

Charlie Holcomb/Cary Rd. questioned the Cold War Exemption.

### **COMMUNICATIONS**

#### **Supervisor Savage:**

1. A Thank you card from Alden Ewell Free Library for Town of Alden financial contribution.
2. A copy of the Building Department Monthly Report for February 2018 was received.
3. Received an email on Sewer District #2 Proposed Septic Tank Configuration, and NYSDEC Comments Engineer's Report & Plans – Upgrade Town of Alden Sewer District #2.
4. Received Press Release from Senator Patrick Gallivan as he calls for funding to provide school resource officers in all schools. Trained law enforcement officers would deter school violence.
5. Received a flyer for Laura Ross who owns the Pink Cow in the Village of Alden for a Breast Cancer Bash/Fundraiser in her honor on March 23, 2018 from 7-11PM at Crittenden Fire Hall.
6. Perma's Worker's Compensation stated we must have a Safety Coordinator, and an active Safety Committee.
7. The monthly statement from Town Clerk for January/February 2018 tax payments was received.
8. Highway Dept. and Community Center still have no cable box. Alecia the Highway Dept. Clerk spoke with someone at Time Warner Cable about this matter.
9. Received corrected renewal policy for the Town of Alden for Peddler/Solicitor's permits.
10. Received a quote from Pioneer Athletics regarding field paint.
11. Received memo from the Office of Governor Cuomo in regards to the rain and thaw we have been experiencing. The Governor has activated emergency response teams to provide assistance if we need it.
12. A copy of the approved Board Minutes from February 8, 2018 form The Village of Alden Board meeting.

### **NEW BUSINESS**

Councilwoman Pautler moved and Councilman Adamski seconded the motion to approve Kiwanis Club of Alden's use of the Alden Town Park's Shelter 1 and the surrounding area on Saturday March 31, 2018, from 9:30 am through 2:00 pm, so that they may conduct their annual Easter Egg Hunt. Town Clerk, please copy approved motion to Andy Sojka, Park's Supervisor and Dan Moultrup, Recreation Director.

The foregoing Motion was duly put to a roll call vote at a regular meeting on March 5, 2018, and **Carried.**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

Supervisor Savage moved and Councilwoman Pautler seconded the motion to approve Alden Central School's use of the baseball diamonds as submitted on Athletic Directors Partell and Gauthier's February 2018 request. Park's Supervisor Sojka will notify the school of the Town Board's approval and copy D. Moultrup, Recreation Director.

The foregoing Motion was duly put to a roll call vote at a regular meeting on March 5, 2018, and **Carried.**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

Councilman Adamski moved and Councilwoman Pautler seconded the motion to limit the acceptance of a maximum of 3 TV's (CRT or Flat) in a calendar year for an Alden address. Records will be maintained via a street directory by either the Maintenance man, Clerk's Office, or Supervisor's office.

The foregoing Motion was duly put to a roll call vote at a regular meeting on March 5, 2018, and **Carried.**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

Councilwoman Pautler moved and Dean Adamski seconded the motion to permit Park's Supervisor Andy Sojka to attend Certified Pool/Spa Operator's school on April 10 and 11, 2018 in North Tonawanda, New York. Attendance will be at reasonable Town expense. Course registration is \$275 for the two day course.

The foregoing Motion was duly put to a roll call vote at a regular meeting on March 5, 2018, and **Carried.**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

Supervisor Savage moved and Councilwoman Pautler seconded the motion to appoint Mary Walter as an Alternate Senior Nutrition Attendant at a rate of \$11.68 per hour. Employment will be only on an as needed basis.

The foregoing Motion was duly put to a roll call vote at a regular meeting on March 5, 2018, and **Carried.**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

THE FOLLOWING RESOLUTION APPROVING AN AUDIT OF THE TOWN COURT RECORDS WAS OFFERED BY COUNCILMAN ADAMSKI WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, The Office of Court Administration of the United 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 order and are Proper.
3. This resolution shall take effect immediately and a copy of this resolution shall be forward 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 March 5, 2018, and **ADOPTED.**

Ayes 3 Savage, Pautler & Adamski  
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 Sojka to rent portable toilets for use at the Town Parks for the 2018 Summer Season (April 15, 2018 through September 15, 2018) the estimated cost of which less than \$2,000.00 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must request quotes and then obtain written quotes from at least two (2) vendors;

WHEREAS, a written request for proposals (for the rental of three (3) regular units with hand sanitizer and two (2) handicapped units with hand sanitizer for five months with weekly cleaning and delivery and removal with the units being staked) was made to two (2) vendors, and quotes were received as follows from two vendors as follows:

The highest quote is from Ball Toilet at \$244.00 per month (\$1,220.00 total) and

The lowest quote is from JMM Construction of WNY at \$235.00 per month (\$1,175.00 total);

WHEREAS, JMM Construction of WNY is deemed the lowest responsible bidder; and

WHEREAS, the Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the rental.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the rental of portable toilets as outlined above from JMM Construction of WNY, at a total cost of \$1,175.00;
2. Supervisor Savage is authorized to sign any and all necessary documents to effectuate this rental; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 2018, and

**ADOPTED**

Ayes 3 Savage, Pautler & Adamski

Nays 0

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

WHEREAS, the Alden Town Board has received a Contract To Purchase from the Buffalo Niagara Land Improvement Corporation for the Town of Alden to purchase a vacant lot at 0 Fairview Drive, Alden (SBL # 118.00-4-38.21) for \$500, plus closing costs;

WHEREAS; the Alden Town Board will use this property as a safety buffer for the existing Alaura Sewer Plant; and

WHEREAS, The Town Board after full and careful review and consideration of the offer to purchase the lands for \$500.00, plus closing costs to be paid from the General Fund, finds that it is in the public interest to accept the Contract To Purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town of Alden accepts the Contract To Purchase from the Buffalo Niagara Land Improvement Corporation selling to the Town of Alden for \$500.00 plus closing costs the vacant lot known as 0 Fairview Drive for use as a safety buffer for the existing Alaura Sewer Plant;
2. Supervisor Savage is hereby authorized and directed to execute the Contract to Purchase and any and all closing documents necessary for the Town to take title to this property; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 2018 and **ADOPTED.**

Ayes 3 Savage, Pautler & Adamski

Nays 0

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

WHEREAS, the Highway Superintendent has noticed the need to purchase a Husqvarna FS-400 walk behind floor saw, the estimated cost of replacement is less than \$2,000.00 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must obtain quotes from at least two (2) vendors;

WHEREAS, a request for proposal was made to three (3) vendors and proposals were received as follows:

The highest quote is from Performance Line Tool Center at \$2,099.99;

The second highest quote is from Contractors Direct at \$2,003.75 and

The lowest quote is from Skyworks. at \$1,450.00;

WHEREAS, Skyworks is the lowest responsible bidder;

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the purchase of the walk behind floor saw.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a walk behind floor saw from Skyworks for a total cost of \$1,450.00;
2. The Highway Superintendent of the Town of Alden is authorized to sign any and all necessary documents to effectuate this project; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 2018 and **ADOPTED.**

Ayes 3 Savage, Pautler & Adamski

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 is considering an application by Bernard Chesna for the subdivision of two (2) lots. The entire parcel currently consists of approximately 419.78 acres at 3421 Zoeller Road in the Town of Alden, further identified as SBL 96.00-2-27. The first proposed lot ("Parcel A") would be approximately 1.72 acre vacant parcel and the second proposed lot ("Parcel B") would be the remaining approximately 418.06 +/- acre parcel containing the existing buildings (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; 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 has provided 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 THAT:

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 foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 2018, and **ADOPTED.**

Ayes 3 Savage, Pautler & Adamski

Nays 0

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

WHEREAS, the Alden Town Board has discovered the need to update its Peddler/Solicitor's Permit Policy too allow for a simplified permit renewal process.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached TOWN OF ALDEN POLICY FOR PEDDLER/SOLICITORS PERMIT, effective as of this date and in addition to any local law; and

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 2018, and **ADOPTED.**

Ayes 3 Savage, Pautler & Adamski

Nays 0

Councilman Adamski Moved and Councilwoman Pautler seconded the Motion to authorize the Town Clerk to renew the Peddler's Permit, for a one year period, for Scott C. Chugg of Charter Spectrum Inc. A new Criminal background check has been completed for this renewal. The foregoing Motion was put to a Roll Call Vote on March 5, 2018 and

**CARRIED.**

Ayes 3 Savage, Pautler & Adamski

Nays 0

Councilwoman Pautler Moved and Councilman Adamski seconded the Motion to introduce Local Law #2 of 2018 – Code Adoption and to refer the same to the Planning Board for review and comment. The foregoing Motion was put to a Roll Call Vote on March 5, 2018 and

**CARRIED.**

Ayes 3 Savage, Pautler & Adamski

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 the adoption of Local Law No. 2 of the Year 2018, entitled "Code Adoption" of the Town of Alden" (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 is directed to send notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

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 foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 2018, and **ADOPTED.**

Ayes 3 Savage, Pautler & Adamski  
Nays 0

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

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN ADAMSKI, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application, by John Schenne, P.E as agent for 2539 Townline Road, LLC for site plan approval of a self-storage facility at 2539 Townline Road, in the Town of Alden, further identified by SBL # 107.00-1-1 (The "Proposed Action");

WHEREAS, the Town Board of the Town of Alden 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 of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to site plan approval; 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 Town Building Inspector is directed to provide notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law and is hereby directed to give notice of Lead Agency to the involved agencies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval 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 site plan approval; and
3. This resolution shall take effect immediately.

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

Supervisor Savage Moved and Councilwoman Pautler seconded the Motion to Appoint William Rogers as Safety Coordinator, Chris Snyder as Assistant Safety Coordinator, and Councilman Adamski as a member of the Safety Committee. The foregoing Motion was put to a Roll Call on March 5, 2018 and **CARRIED.**

Ayes 3 Savage, Pautler & Adamski

Nays 0

#### **UNFINISHED & TABLED BUSINESS**

There was no unfinished & tabled business.

#### **REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

##### **Engineer Michael Metzger:**

Spoke about Sewer Treatment and Plants comments – plans will go back to them both EFC and DEC this week. We need to think about a Town Board Resolution authorizing this. Question we need to ask and answer ourselves is whether we are comfortable going out to bid so we can get final DEC and EFC approval. They will be reviewing the plan – been through a month already. Supervisor Savage commented that we should have a Resolution ready, but wait for approval because don't want to keep changing the bid specs if there are any changes. Councilwoman Pautler agreed and so did Councilman Adamski. Supervisor Savage stated to push both ends on getting approval – let them know we are waiting on them to get bid packages out. We can have the bid packages ready to go and Town Attorney Jennifer Strong will have Resolution ready and just fill in the date. Town Attorney Jennifer Strong stated we usually do Summary of Specs and that gets published in the newspaper. Supervisor Savage stated basically what we are going to do is build a Sewage Treatment Plant. Town Attorney Jennifer Strong commented that we can pull this together very quickly.

##### **CEO Chris Snyder-**

Stated that we received few quotes on floor mats for the Town Hall on maybe purchasing them, and not renting them. Asked to have this put on the next Work Session.

##### **Supervisor Savage-**

Introduced Deputy Town Clerk Joanna Eisensmith who did her first meeting tonight. She will be able to fill in when Town Clerk Debbie Crist is not available in the future.

The following should be placed on the Work Session:

1. Drainage
2. Sewer District #2
3. Town Code Adoption
4. Spectrum TV (if it hasn't been resolved yet)
5. Water District
6. Field Paint
7. Mats

**NOTICE OF MEETINGS**

**NEXT WORK SESSION:** March 12, 2018 @7:00 P.M.  
**REGULAR BOARD MEETING:** March 19, 2018 @7:00 P.M.

**MEMORIAL REMEMBRANCE**

Supervisor Savage asked all to stand for a Moment of Silence in Memory of Larry Kaufman and Keith Friedman.

**ADJOURNMENT**

At 7:44 P.M. Supervisor Savage adjourned the Meeting.

Joanna Eisensmith  
Deputy Town Clerk