

MEETING NO. 8	REGULAR TOWN BOARD MEETING	APRIL 16, 2018
REGULAR NO. 8	TOWN OF ALDEN	7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, April 16, 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 Deputy Town Clerk.

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

RECORDING SECRETARY: Joanna Eisensmith, Deputy Town Clerk

OTHERS PRESENT: William Rogers, Highway Supt.
 Mike Metzger, Town Engineer
 Chris Snyder, CEO
 Lenny Weglarski, DCO
 Ron Gardner, Planning Board
 Residents

Councilman Adamski Moved and Supervisor Savage seconded the Motion to approve the Minutes and Synopsis of April 2, 2018. The Motion was put to a Roll Call Vote on April 16, 2018 and was

CARRIED

Ayes 2 Savage & Adamski
 Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SAVAGE, SECONDED BY COUNCILMAN ADAMSKI, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #289-352 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$13,260.93		13,260.93
HIGHWAY FUND "DA/DB"	10,047.44		10,047.44
PART-TOWN FUND "B"	2,075.17		2,075.17
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"	2,653.61		2,653.61
TRUST & AGENCY "T"	5,537.20		5,537.20
SPECIAL REFUSE FUND "SR"	30,868.67		30,868.67
STREET LIGHTING FUND "SL"	6,718.01		6,718.01
GRANT "G"			
PERIWINKLE LTG. DIST. "SL1"	43.12		43.12
WATER DIST. NEWSTEAD "WO"			
TOTALS	\$71,204.15		71,204.15

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON APRIL 16, 2018 AND **ADOPTED**

Ayes 2 Savage & Adamski
 Nays 0

BUSINESS FROM THE FLOOR

*******PUBLIC HEARING*******

At 7:05 P.M. Supervisor Savage asked for a Motion to adjourn from the Regular Meeting and enter into the Public Hearing. A Local Law to provide for the codification of the Local Laws, ordinances and certain resolutions of the Town of Alden into a municipal code to be designated the “ CODE OF THE TOWN OF ALDEN”. The foregoing Motion was put to a Roll Call Vote on April 16, 2018 and CARRIED.

Ayes 2 Savage & Adamski
Nays 0

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

Supervisor Savage talked about all the changes to the Code Book, and there were no public comments.

At 7:30 P.M. Supervisor Savage asked for a Motion to return to Regular Session, seconded by Councilman Adamski. The Motion was put to a Roll Call Vote on April 16, 2018 and was CARRIED.

Ayes 2 Savage & Adamski
Nays 0

COMMUNICATIONS

Supervisor Savage:

1. Spoke about the Ambulance Certificate that the Town has and that within 2 years you have to make it permanent by going before the WNY Emergency Services Committee. Part of the process is a public hearing, paying a fee, and hiring an Attorney to do that part of the process.
2. Received letter from Town of Lancaster regarding Public Hearing and Request for Public Comment – Revised Comprehensive Master Plan.
3. Spoke about the Hydrant Agreement – asked to put on the Work Session.
4. Received copy of job specs on hiring Assistant Coordinator for the Fire Safety Job for the Dept. of Homeland Security & Emergency Services.
5. Received memo that Townline Volunteer Fire Dept. is going to be having their Community Memorial Day Service on Monday, May 28, 2018.
6. Received Health Dept. Permit for the Robert O. Smith concession stand.
7. Received print out from Economic Development Committee and The Chamber. The Village and Town are looking to replace our signs at the Town’s edge.
8. Received Marzec Subdivision application review from Chris Snyder/CEO.
9. Received letter from Robert Sosnowski at 12891 Piper Ct. expressing gratitude with the Town – Highway Dept. for solving some water problems he had.
10. Received request from Alden Chamber of Commerce as they would like to use the Alden Town Park to host the Taste of Alden on Friday, June 1, 2018.
11. Received the minutes from the Planning Board meeting that was held on Tuesday, April 10, 2018.
12. Received 2018 Electronic Recycling Free Drop-Off Schedule. We will post it on the bulletin board.
13. Received the new Fee Schedule for the Town of Alden that has been repaired.
14. Received letter from Keith Dash who is the Municipal Liaison for the Erie County Water Authority. He thinks he has the replacement of the hydrant on Zoeller Rd. moved up – then noted that it has already been done.

NEW BUSINESS

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

RESOLUTION ADOPTING
DETERMINATION OF NON-SIGNIFICANCE
OF
LOCAL LAW

WHEREAS, the Town Board of the Town of Alden is considering adoption of Local Law No. 2-2018, entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF ALDEN INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF ALDEN"; and

WHEREAS, the Town Board of the Town of Alden is duly qualified to act as lead agency with respect to compliance with SEQRA which requires environmental review of certain actions undertaken by local governments; and

WHEREAS, the proposed action appears to be an Unlisted Action pursuant to the Rules and Regulations of the State Environmental Quality Review Act and the Town of Alden by resolution adopted on March 5, 2018, determined that it was the most appropriate body to act as lead agency under SEQRA and duly notified all other involved agencies as required by law; and

NOW, THEREFORE, BE IT RESOLVED:

RESOLVED, that the Town Board of the Town of Alden, after considering the action proposed herein, in reviewing the Environmental Assessment Form, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the SEQRA Regulations and thoroughly analyzing the project with respect to potential environmental concerns, determines that the action will not have a significant effect on the environment; and be it further

RESOLVED, that the Town Board of the Town of Alden hereby finds that the proposed responses inserted in Part II of the said Environmental Assessment Form are satisfactory and approved; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to complete and execute the Part III of the said Environmental Assessment Form and to check the box thereon indicating that the proposed action will not result in any significant adverse impacts; and be it further

RESOLVED, that the annexed Negative Declaration is hereby approved and the Town Clerk is hereby authorized and directed to file the same in accordance with the provisions of the General Regulations of the Department of Environmental Conservation.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, as follows:

Adopted.

Ayes 2 Savage & Adamski

Nays 0

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

WHEREAS a public hearing was held the 16th day of April, 2018 by the Town Board of the Town of Alden, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Town Law of the State of New York;

WHEREAS, notice of the public hearing was duly published on March 29, 2018, in the Alden Advertiser, the official newspaper of the Town of Alden;

WHEREAS at said public hearing the Town Board considered the enactment of proposed Local Law No. 2-2018, entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF ALDEN INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF ALDEN"; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

WHEREAS, the Erie County Division of Planning issued a "no recommendation" to the 239-m Notice that was received by them on or about January 11, 2018;

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Alden Town Board, as Lead Agency, as solicited on March 5, 2018, that adoption of said proposed Local Law is an Unlisted Action and will not have a significant effect upon the environment;

WHEREAS, the Town of Alden Planning Board reviewed the proposed Local Law and recommended to the Town Board its approval on March 13, 2018;

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. Local Law No. 2 of 2018 be enacted as follows:

(copy of local law attached)

and

2. The Deputy Town Clerk is hereby directed to publish the attached Notice in the Alden Advertiser; and

3. This resolution shall take effect upon filing of the local law with the New York Secretary of State.

The above resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, the results of which were as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

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

WHEREAS, the Alden Town Board has adopted a New Town Code, which new Code necessitates updating the Town Fee Schedule so that the Code and Fee Schedule are consistent with one another;

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

WHEREAS, the proposed new Fee Schedule is fair and reasonable and is reasonably related to the service performed by the Town.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Fee Schedule, 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 April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

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

WHEREAS, during the process of codification, an incorrect statutory reference was found; and

WHEREAS, the Alden Town Board wishes to delete the reference;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The reference to § 2 of the Town Law in § A371-7, Time for presentations to the Clerk, is not relevant to the contents of the section.
2. The reference to § 2 of the Town Law in § A371-7, Time for presentations to the Clerk, shall be removed.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

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

WHEREAS, during codification, it was noted that the Town's existing provisions regarding access to public records were adopted in 1974 and were potentially outdated; and

WHEREAS, New York State model regulations regarding access to public records are available for use;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town of Alden's existing provisions shall be replaced by the New York State model regulations.
2. Said model regulations shall be updated with the proper information for the Town of Alden, as applicable.
3. Alden Town Code Chapter A372 shall be amended to read as follows:

§ A372-1. Purpose and scope.

- A. The people's right to know the process of government decision making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy of confidentiality.
- B. These regulations provide information concerning the procedures by which records may be obtained.
- C. Personnel shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law.
- D. Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.

§ A372-2. Designation of records access officer.

A. The Town Board of the Town of Alden is responsible for insuring compliance with the regulations herein and designates the following person(s) as records access officer(s):

Alden Town Clerk
3311 Wende Road
Alden, N.Y. 14004

B. The records access officer is responsible for insuring appropriate agency response to public requests for access to records. The designation of a records access officer shall not be construed to prohibit officials who have in the past been authorized to make records or information available to the public from continuing to do so.

The records access officer shall insure that agency personnel:

- (1) Maintain an up-to-date subject matter list.
- (2) Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records.
- (3) Contact persons seeking records when a request is voluminous or when locating the records involves substantial effort so that personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of records requested.
- (4) Upon locating the records, take one of the following actions:
 - (a) Make records available for inspection; or
 - (b) Deny access to the records in whole or in part and explain in writing the reasons therefor.
- (5) Upon request for copies of records:
 - (a) Make a copy available upon payment or offer to pay established fees, if any, in accordance with § A372-8; or
 - (b) Permit the requester to copy those records.
- (6) Upon request, certify that a record is a true copy; and
- (7) Upon failure to locate records, certify that:
 - (a) The Town of Alden is not the custodian for such records; or
 - (b) The records of which the Town of Alden is a custodian cannot be found after diligent search.

§ A372-3. Location.

Records shall be available for public inspection and copying at: Alden Town Clerk's Office, 3311 Wende Road Alden, New York 14004.

§ A372-4. Hours for public inspection.

Requests for public access to records shall be accepted and records produced during all hours regularly open for business. These hours are: 9:00 a.m. to 4:30 p.m.

§ A372-5. Requests for public access to records.

- A. A written request may be required, but oral requests may be accepted when records are readily available.
- B. If records are maintained on the internet, the requester shall be informed that the records are accessible via the internet and in printed form either on paper or other information storage medium.
- C. A response shall be given within five business days of receipt of a request by:

- (1) Informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would enable that person to request records reasonably described;
 - (2) Granting or denying access to records in whole or in part;
 - (3) Acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than 20 business days after the date of the acknowledgment, or if it is known that circumstances prevent disclosure within 20 business days from the date of such acknowledgment, providing a statement in writing indicating the reason for inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part; or
 - (4) If the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within 20 business days of such acknowledgment, but circumstances prevent disclosure within that time, providing a statement in writing within 20 business days of such acknowledgment specifying the reason for the inability to do so and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part.
- D. In determining a reasonable time for granting or denying a request under the circumstances of a request, personnel shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the agency, and similar factors that bear on the ability to grant access to records promptly and within a reasonable time.
- E. A failure to comply with the time limitations described herein shall constitute a denial of a request that may be appealed. Such failure shall include situations in which an officer or employee:
- (1) Fails to grant access to the records sought, deny access in writing or acknowledge the receipt of a request within five business days of the receipt of a request;
 - (2) Acknowledges the receipt of a request within five business days but fails to furnish an approximate date when the request will be granted or denied in whole or in part;
 - (3) Furnishes an acknowledgment of the receipt of a request within five business days with an approximate date for granting or denying access in whole or in part that is unreasonable under the circumstances of the request;
 - (4) Fails to respond to a request within a reasonable time after the approximate date given or within 20 business days after the date of the acknowledgment of the receipt of a request;
 - (5) Determines to grant a request in whole or in part within 20 business days of the acknowledgment of the receipt of a request but fails to do so, unless the agency provides the reason for its inability to do so in writing and a date certain within which the request will be granted in whole or in part;
 - (6) Does not grant a request in whole or in part within 20 business days of the acknowledgment of the receipt of a request and fails to provide the reason in writing explaining the inability to do so and a date certain by which the request will be granted in whole or in part; or
 - (7) Responds to a request, stating that more than 20 business days is needed to grant or deny the request in whole or in part and provides a date certain within which that will be accomplished, but such date is unreasonable under the circumstances of the request.

§ A372-6. Subject matter list.

- A. The records access officer shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to

Subdivision 2 of Section 87 of the Public Officers Law.

- B. The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
- C. The subject matter list shall be updated annually. The most recent update shall appear on the first page of the subject matter list.

§ A372-7. Denial of access to records.

- A. Denial of access to records shall be in writing stating the reason therefor and advising the requester of the right to appeal to the individual or body established to determine appeals, [who or which] shall be identified by name, title, business address and business phone number.
- B. If requested records are not provided promptly, as required in § A372-5 of these regulations, such failure shall also be deemed a denial of access.
- C. The following person or persons or body shall determine appeals regarding denial of access to records under the Freedom of Information Law:

Town of Alden Supervisor
3311 Wende Road
Alden, New York 14004
(716) 937-6969

- D. Any person denied access to records may appeal within 30 days of a denial.
- E. The time for deciding an appeal by the individual or body designated to determine appeals shall commence upon receipt of a written appeal identifying:
 - (1) The date and location of requests for records;
 - (2) A description, to the extent possible, of the records that were denied; and
 - (3) The name and return address of the person denied access.
- F. A failure to determine an appeal within 10 business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute a denial of the appeal.
- G. The person or body designated to determine appeals shall transmit to the Committee on Open Government copies of all appeals upon receipt of appeals. Such copies shall be addressed to:

Committee on Open Government Department of State
One Commerce Plaza
99 Washington Avenue, Suite 650
Albany, NY 12231

- H. The person or body designated to determine appeals shall inform the appellant and the Committee on Open Government of its determination in writing within 10 business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government in the same manner as set forth Subsection F of this section.

§ A372-8. Fees.

- A. There shall be no fee charged for:
 - (1) Inspection of records;
 - (2) Search for records; or
 - (3) Any certification pursuant to this part.
- B. Copies may be provided without charging a fee.
- C. Fees for copies may be charged, provided that:
 - (1) The fee for copying records shall not exceed \$0.25 per page for photocopies not exceeding nine inches by 14 inches. This section shall not be construed to mandate the raising of fees where agencies or municipalities in the past have charged less than \$0.25 for such copies;
 - (2) The fee for photocopies of records in excess of nine inches by 14 inches shall not exceed the actual cost of reproduction; or

- (3) An agency has the authority to redact portions of a paper record and does so prior to disclosure of the record by making a photocopy from which the proper redactions are made.
- D. The fee an agency may charge for a copy of any other record is based on the actual cost of reproduction and may include only the following:
 - (1) An amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time is necessary to do so; and
 - (2) The actual cost of the storage devices or media provided to the person making the request in complying with such request; or
 - (3) The actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.
 - E. When an agency has the ability to retrieve or extract a record or data maintained in a computer storage system with reasonable effort, or when doing so requires less employee time than engaging in manual retrieval or redactions from nonelectronic records, the agency shall be required to retrieve or extract such record or data electronically. In such case, the agency may charge a fee in accordance with Subsection D(1) and (2) above.
 - F. An agency shall inform a person requesting a record of the estimated cost of preparing a copy of the record if more than two hours of an agency employee's time is needed, or if it is necessary to retain an outside professional service to prepare a copy of the record.
 - G. An agency may require that the fee for copying or reproducing a record be paid in advance of the preparation of such copy.
 - H. An agency may waive a fee in whole or in part when making copies of records available.

§ A372-9. Public notice.

A notice containing the title or name and business address of the records access officers and appeals person or body and the location where records can be seen or copied shall be posted in a conspicuous location wherever records are kept and/or published in a local newspaper of general circulation.

§ A372-10. Severability.

If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

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

WHEREAS, during codification, incorrect wording of a defined term was found; and

WHEREAS, the Alden Town Board wishes to correct said term; and

WHEREAS, during codification, it was noted that subdivision application procedures and time frames did not reflect current statutory provisions; and

WHEREAS, the Alden Town Board wishes to amend said procedures and time frames to reflect said statutory provisions; and

WHEREAS, the Alden Town Board wishes to remove certain fees from the Town of Alden Code and, instead, include said fees in the Town Fee Schedule; and

WHEREAS, the Town of Alden's land subdivision regulations did not include a provision stating that reviews shall be done in coordination with the State Environmental Quality Review Act; and

WHEREAS, the Alden Town Board wishes to include such provision referencing the State Environmental Quality Review Act;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The definition of "sewer pavement" in § A374-8 shall be revised so that the term defined is simply "pavement."
2. Section A374-10G(1) is amended to change "45 days" to "62 days."
3. The last sentence of § A374-10G(2) is revised as follows: "...for additional periods of 90 days each."
4. Section A374-11F is amended to change "45 days" to "62 days."
5. Section A374-11G(1) is amended to change "90 days" to "62 days" in the first sentence and to change "such ninety-day period" to "such sixty-two-day period" in the last sentence.
6. Section A374-12G is amended to change "45 days" to "62 days."
7. The second sentence of § A374-12H is amended to read as follows: "The Town Board shall, by resolution, conditionally approve, conditionally approve with or without modification, disapprove, or grant final approval and authorize the signing of such plat within 62 days of its receipt by the Town Clerk if no hearing is held, or in the event a hearing is held, within 62 days after the date of such hearing."
8. The last sentences of § A374-12H is revised to read as follows: "...for additional periods of 90 days each."
9. Section A374-14A is amended to change "60 days" to "62 days."
10. The last sentence of § A374-23C(1) is amended as follows: "The Board shall then require payment of a fee per subdivision lot in lieu of the dedication or reservation of areas or sites for the above uses; said fee to be set by the Town Board by resolution."
11. Alden Town Code Section A374-28 shall be added as follows:

§ A374-28. Coordination with State Environmental Quality Review Act.

The review and approval of subdivision plats shall take place in conjunction with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations.

12. Alden Town Code Chapter A374 Attachment 1, Major Subdivision Summary of Procedures, is amended to reflect the time period changes noted in Town of Alden Code §§ A374-10G(1), A374-11, A374-12, and A374-14, above.
13. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SAVAGE 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 40.2 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 38.4 +/- acre parcel containing the existing buildings (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 February 15, 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 March 5, 2018;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, 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;

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, State of New York distinguished as being part of Lot 45, Township 11, Range 5 of the Holland Land Company's survey, so-called, bounded and described as follows:

BEGINNING AT A point in the centerline of Zoeller Road at a distance of 854.81 feet southerly from the northerly bounds of Lot 45;

THENCE EASTERLY ALONG a line parallel with the northerly bounds of Lot 45 a distance of 500.00 feet to a point;

THENCE SOUTHERLY ALONG a line parallel with the centerline of Zoeller Road a distance of 150.00 feet to a point;

THENCE WESTERLY ALONG a line parallel with the northerly bounds of Lot 45 a distance of 500.00 feet to a point in the centerline of Zoeller Road;

THENCE NORTHERLY ALONG the centerline of Zoeller Road a distance of 150.00 feet to the point or place of beginning, containing 1.72± acres.

is given subdivision approval.

4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

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

A hearing before the Town Board of the Town of Alden on behalf of the Alden Fire Protection District, 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 7th day of May, 2018, for the purpose of hearing all persons interested in the proposed Rental Agreement with the Consolidated Water District of the Town of Lancaster regarding the rental of 48 fire hydrants in the Town of Lancaster by the Alden Fire Protection District; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than ten (10) days before the date of the public hearing; and (b) posted as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published;

ORDERED, that the Town Clerk is to make copies of the proposed Rental Agreement available at her office for inspection and distribution to any interested person during business hours.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SAVAGE 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 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 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 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 regular meeting on April 16, 2018, as follows:

ADOPTED.

Ayes 2 Savage & Adamski

Nays

Supervisor Savage moved and Councilman Adamski seconded the motion to approve the renewal of the Home Occupation Permit for Dennis Nichols, 3025 Peters Corners Road for Used Car Sales Office. The renewal period is for one year.

The foregoing Motion was duly put to a roll call vote at a regular meeting on April 16, 2018, and

CARRIED.

Ayes 2 Savage & Adamski

Nays 0

Councilman Adamski moved and Supervisor Savage seconded the motion to permit the Chamber of Commerce's use of the Town Park for the Taste of Alden which, will be held in conjunction with the Alden Community Scholarship Foundation's "5K Race for Scholarships", on Friday June 1, 2018. Permission is granted based on the Chamber providing insurance certificate with the Town named as an additional insured and indemnification agreement (insurance certificate has been provided already), and a liability insurance certificate from the "escape room" vendor in the amount of \$1,000,000 each occurrence, \$3,000,000, aggregate with the Town named as an additional insured. All Food vendors must provide health department permits and proof of liability and worker's compensation insurance if applicable. Deputy Town Clerk, please copy to Rec. Director Moultrup, Parks Supervisor Sojka, and Chamber Secretary upon approval.

The foregoing Motion was duly put to a roll call vote at a regular meeting on April 16, 2018, and

CARRIED.

Ayes 2 Savage & Adamski

Nays 0

Supervisor Savage moved and Councilman Adamski seconded the motion to hire the following part time seasonal Parks employees, pending successful completion of all necessary pre-employment requirements: Joseph Kulick, Jordan Stockweather, Peter Corcoran, Ryan Hurley, Riley Pastuszski, Brandon Windnagle, and Alexander Schadt.

The foregoing Motion was duly put to a roll call vote at a regular meeting on April 16, 2018, and

CARRIED.

Ayes 2 Savage & Adamski

Nays 0

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

Resolution Appointing an Acting Town Clerk for the The Town of Alden

WHEREAS, the Town Clerk retired on March 13, 2018 after having been elected to a four year term in November 2017, and,

WHEREAS, the elected position of the Office of the Town Clerk is an important and integral part of Town government, NOW,

THEREFORE BE IT RESOLVED, that Alecia E. Barrett is hereby immediately appointed as the ACTING TOWN CLERK, as the ACTING FOIL OFFICER, and as ACTING REGISTRAR for The Town of Alden at a pro-rated salary of \$44,500 per year as adopted by the Town Board on 4/2/18, AND,

BE IT FURTHER RESOLVED that this appointment will be subject to all provisions of New York State Election Law if the appointee desires to run for election in November 2018 for the remainder of the term.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on April 16, 2018 and

ADOPTED.

Ayes 2 Savage & Adamski

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Supervisor Savage:

Thanked Deputy Clerk's Joanna Eisensmith & Debbie Hey on pitching in & working a lot of hours in the Town Clerk's Office when there was no Town Clerk.

Introduced & congratulated Alecia Barrett as the new Acting Town Clerk. Spoke about how she has helped out in his Office, and also in the Town Clerk's Office. Stated she will be a real good addition, and has proven to be a really good employee just as Joanna & Debbie are.

Engineer Mike Metzger:

Spoke about how crews were working on a tree that had fallen down & that Genesee St. was blocked off & that hopefully it will be cleared up before tonight's meeting is over.

Alden Sewer District #2 – went to bid on the project. Received comments from the DEC who requested that a few small changes be made to the plans. Stated that the changes will be quickly taken care of & will get them over to the Town Clerk's Office to include in the bid packages. Also, specific companies that do that kind of work will be notified about the bid packages, and that they are available.

CEO Chris Snyder:

Contacted a couple of contractors to come in & pick up bids/plans. Stated that the new floor mats are in place & that he will be getting the Doritex final billing straightened out. Also, the Community Center will be getting their own mats too.

DCO Len Weglarski:

Picked up 3 dogs & returned them to their owners.

Ron Gardner from The Planning Board:

The self-storage unit on Townline has updated drawings & will discuss the issues with CEO Chris Snyder.

The following should be placed on the Work Session:

1. Drainage
2. Alden Secure Storage
3. Blakeslee H.O.P. Renewal
4. Special Use Permit Renewal – Henry – Chickens
5. Special Use Permit Renewal – Jegierski – 342 S. Woodside
6. Millgrove Volunteer Fire Dept. new candidates
7. Taylor placement of tent & food prep for Chicken BBQ at Kiwanis shelter on 5/27/18
8. Hydrant agreement with Town of Lancaster
9. Skate Park Supervisor
10. Veterans Flagpole

NOTICE OF MEETINGS

NEXT WORK SESSION:

April 23, 2018

@7:00 P.M.

REGULAR BOARD MEETING:

May 7, 2018

@7:00 P.M.

MEMORIAL REMEMBRANCE - Douglas M. Henry, Loralie Ziolkowski, Rose Ruzeski, and Dolores Brownlie
Jellison

ADJOURNMENT

At 8:15 P.M. Supervisor Savage adjourned the Meeting.

Joanna Eisensmith
Deputy Town Clerk