

MEETING NO. 20  
REGULAR NO. 20

REGULAR TOWN BOARD MEETING  
TOWN OF ALDEN

October 15, 2018  
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, October 15, 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 Acting Town Clerk.

PRESENT: Rick Savage, Supervisor  
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Acting Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney  
Bill Rogers, Highway Superintendent  
Mike Metzger, Town Engineer  
Chris Snyder, CEO  
Leonard Weglarski, DCO  
Tom Malecki  
Planning Board Member  
Residents & Students

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to approve the Minutes and Synopsis of October 1, 2018. The Motion was put to a Roll Call Vote on October 15, 2018 and was

**CARRIED**

Ayes 2 Savage & Pautler  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECONDED BY SUPERVISOR SAVAGE, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #876-910 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$11,119.37		\$11,119.37
HIGHWAY FUND "DA/DB"	61,552.18		61,552.18
PART-TOWN FUND "B"	2,898.04		2,898.04
WATER DISTRICT #1 FUND "WA"			
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	2,593.72		2,593.72
TRUST & AGENCY "T"	4,349.79		4,349.79
SPECIAL REFUSE FUND "SR"	34,943.73		34,943.73
STREET LIGHTING FUND "SL"	7,156.92		7,156.92
GRANT "G"			
PERIWINKLE LTG. DIST. "SL1"	31.10		31.10
ZOELLER WATER DIST "WZ"	3,989.71		3,989.71
WATER DIST. NEWSTEAD "WO"			
TOTALS	\$128,634.56		\$128,634.56

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON October 15, 2018 AND **ADOPTED**

Ayes 2 Savage & Pautler  
Nays 0

**BUSINESS FROM THE FLOOR**

Students stood up, introduced themselves and said what class they are attending the meeting for.

**\*\*\*\*\*7:05 Public Hearing on the Special District Budget of the Town of Alden for the Year 2019\*\*\*\*\***

At 7:05 p.m. Supervisor Savage made a motion to leave regular meeting and enter into Public Hearing. Supervisor Savage made mention of Colleen Rogers, Budget Officer, who worked tirelessly preparing the budget and Tom Malecki the Town's Auditor. Supervisor Savage explained how the Town budget is made up of several different parts for the benefit of the students present as well as residents. The Town did stay under the 2% tax cap for the budget.

**CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

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

**\*\*\*\*\*7:10 Public Hearing on the Preliminary Budget of the Town of Alden for the Year 2019\*\*\*\*\***

At 7:15 p.m. Supervisor Savage made a motion to leave regular meeting and enter into Public Hearing. The preliminary Budget outlines the proposed compensation for elected Town Officials. Gives notification that copies of the preliminary budget are available in the Town Clerk's Office.

**CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

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

**COMMUNICATIONS**

**Councilwoman Pautler**

1.

**Supervisor Savage:**

1. Received Alden Town Planning Board Minutes.
2. Received Monthly Statement of collection of school taxes from Town Clerk's Office.
3. E-waste Collection Day flyer
4. Letter from Mark Poloncarz, Erie County Executive, referencing Erie County Housing Law
5. Letter from the Association of Towns referencing the amount of the Town's dues.
6. Copy of letter from Andy Sojka to Chief Savarese asking for law enforcement/security in the Alden Town Park during AHS Homecoming festivities
7. Meeting no. 10 Regular Planning Board Meeting minutes
8. Town of Alden Building Department Monthly Report – September 2018
9. Application for Site Plan Review for Tree Care of New York
10. Application for Site Plan Review for Lucas James 6 unit Town House
11. 2018 Business & Residential Lighting and Decorating Contest sponsored by Cooke & Steffan entry form
12. E-mail from Supervisor Savage to Mike Metzger & Jennifer Strong inquiring on hiring a contractor do perform a few tasks on ECWA's checklist pertaining to Exchnage/Zoeller water district.
13. Quote from LPP regarding outdoor lighting for Town Hall
14. Memo from the Assessor's Office regarding Enhanced STAR and Senior Exemption Outreach
15. Sales Tax revenue e-mail from Association of Erie County Governments.
16. Memo from Joseph Czechowski, Village Code Enforcement Officer, Inspection Log for 1569 Sandridge Road
17. Alden Winterfest Committee has scheduled the 15<sup>th</sup> Annual Alden Winterfest for Friday & Saturday Feb. 1 & 2, 2019
18. Moody's Investors Service Annual Comment on the Town of Alden

**NEW BUSINESS**

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

WHEREAS, the Town Highway Superintendent has advised the Town Board that the Highway Department would like purchase a new John Deere 5100E cab tractor with a 75" flail mower and would like to purchase this equipment pursuant to Contract #110684 Sourcewell Piggyback Contract;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the piggyback contract;

WHEREAS, The Town Board after full and careful review and consideration finds the request to purchase the tractor and mower as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the John Deere 5100E cab tractor with a 75" flail mower \$99,042.40, pursuant to the attached specifications;
2. That the Highway Superintendant 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 October 15, 2018, as follows:

**CARRIED.**

Ayes 2 Savage & Pautler

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 request from the Highway Superintendent to purchase a new snowplow blade system(Polar Flex) , based upon a new design, for one snowplow the estimated cost of which 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 (3) vendors, except in the case of a sole source provider where multiple quotes are not required;

WHEREAS, Rusert Equipment LLC is the only provider who sells the Polar Flex Blade system ;

WHEREAS, the Town Board after full and careful review and consideration finds that it is in the public interest to authorize the purchase of the above described snowplow blade.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a132" Polar Flex Plow Blade System, with hardware from Rusert Equipment LLC, the sole source provider, to be delivered to the Town of Alden (delivery is free) at a total cost of \$2,545.66;
2. The Highway Superintendent 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 regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SAVAGE 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 5<sup>th</sup> day of November, 2018, for the purpose of hearing all persons interested in the proposed Local Law No. 4 of the Year 2018; 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 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. 4 of the Year 2018, entitled "Changes to Automotive use areas - paving requirements", 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 of the Town Board on October 15, 2018, which resulted as follows:

**CARRIED.**

Ayes 2 Savage & Pautler

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 is considering an application by Kenneth Fix for the subdivision of two (2) lots. The entire parcel currently consists of approximately 19.8 acres at 3811 South Newstead Road, in the Town of Alden, further identified as SBL 86.00-4-2.1. The first proposed lot ("Parcel A") would be approximately 16.3 acre vacant parcel and the second proposed lot ("Parcel B") would be the remaining approximately 3.5 +/- 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 August 22, 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 September 4, 2018;

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

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the attached SEQR NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, which attached notice is hereby made a part of this Resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to the Proposed Action.
3. That the following parcel, more particularly described as:

*ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York, being part of Lot 28, Township 11, Range 5 of the Holland Land Company's Survey, bounded and described as follows:*

*BEGINNING at a point in the centerline of Newstead Road (as a 66 foot road) distant 205.38 feet south from the intersection with the south line of lands conveyed in Liber 7292 of Deeds at page 57;*

*Thence easterly along a line parallel with, and 205.0' southerly from said south line of Liber 7292 of Deeds at page 57, a distance of 33.00 feet to a point in the east line of said South Newstead Road, said point being the true point and place of beginning;*

*Thence continuing easterly along a line parallel with, and 205.0' southerly from said south line of Liber 7292 of Deeds at page 57, a distance of 292.00 feet to a point;*

*Thence northerly and parallel with South Newstead Road, a distance of 50.00 feet to a point;*

*Thence easterly along a line parallel with said south line of Liber 7292 of Deeds at page 57, a distance of 315.00 feet to a point;*

*Thence southerly and parallel with South Newstead Road, a distance of 275.00 feet to a point;*

*Thence westerly along a line parallel with said south line of Liber 7292 of Deeds at page 57, a distance of 607.00 feet to a point in the east line of said South Newstead Road;*

*Thence northerly along the east line of said South Newstead Road, a distance of 225.00 feet to the true point and place of beginning.*

is given subdivision approval; and

4. This resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, the Alden Town Board is considering an application by Donna Rosati for the subdivision of three (3) lots. The entire parcel currently consists of approximately 12 acres at 12463 Genesee Street, in the Town of Alden, further identified as SBL 97.00-1-1. The first proposed lot ("Parcel A") would be approximately 3.363 acre parcel; the second proposed lot ("Parcel B") would be approximately 2.246 acre parcel; and the third lot ("Parcel C") will be the remaining 5.904 acres (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 regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler

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 is considering an application by Lynn Stoldt for the subdivision of two (2) lots. The entire parcel currently consists of approximately 3.65 acres at 1131 Two Rod Road, in the Town of Alden, further identified as SBL 118.00-2-33. The first proposed lot ("Parcel A") on Two Rod Road would be approximately 2.23 acre parcel; and the second proposed lot ("Parcel B") on Broadway would be approximately 1.42 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 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 regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Tree Care of New York for site plan approval of an addition to an existing facility and a new freestanding building at 11493 Broadway, in the Town of Alden, further identified by SBL # 118.10-1-19 (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.

The foregoing resolution was duly put to a roll call vote at regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Lucas and Rachel James for site plan approval of a new 6 unit townhouse development at 11290 Broadway, in the Town of Alden, further identified by SBL # 118.00-1-20.2 (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:

4. The Town Board has determined that the proposed site plan approval is an Unlisted Action under SEQRA;
5. The Town Board has determined that it should be the Lead Agency for all environmental review of the site plan approval; and
6. This resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

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

WHEREAS, the Alden Town Board on November 06, 2017 adopted it's 2018 Budget;

WHEREAS, the Town of Alden needs to transfer money to allow for payment of item as outlined below; and;

WHEREAS, these budget transfers will not render the Town of Alden insolvent;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following Transfer:

From (Budget Code) DB.5142.0449  
Amount \$8,632.30  
To (Budget Code) DB5130.0225  
Total Amount of Transfer \$8,632.30 for Balance for Ford Dump Truck

This Resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at regular meeting on October 15, 2018, and **CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

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

##### **Clerk Barrett**

Today was last day to pay school tax bills without penalty. Things should slow down a bit until Second chance Doe tags come out.

##### **Attorney Strong**

Still no response from Fairway Contracting. Their deadline is next Saturday. Mike Metzger received an email from Fairway today stating some of the tasks have been completed. They did not respond to whether they found the 2 valves Erie County Water Authority could not find. Zoeller/Exchange water will be discussed more at the next Work Session.

##### **Highway Superintendent Rogers**

Finished driveway permits and ditching. Transitioning into winter, prepping trucks and getting ready for winter weather.

Started picking up leaves today and Lenny Weglarski has offered a place to dump the leaves the Highway Dept. Collects.

##### **Deputy Supervisor Rogers**

Thanks all Department heads for being mindful of the budget and keeping spending down.

**Town Engineer Metzger**

SD2 work is proceeding. Weather has become an issue. It is very wet. Supervisor Savage noted he has been at the job site every other day to monitor progress. Chris and Andy are working on getting estimates to repair the water line. SD@ will be discussed more at the Work Session

**DCO Weglarski**

Two dogs picked up and are being held until they can be surrendered to SPCA

**NOTICE OF MEETINGS**

<b>NEXT WORK SESSION:</b>	<b>October 22, 2018</b>	<b>@7:00 P.M.</b>
<b>REGULAR BOARD MEETING:</b>	<b>November 5, 2018</b>	<b>@7:00 P.M.</b>

**MEMORIAL REMEMBRANCE** - Supervisor Savage asked all to stand for a Moment of Silence in Memory of Theresa M Hollfelder and Emily Herter

**ADJOURNMENT**

At 8:04 P.M. Supervisor Savage adjourned the Meeting.

Alecia Barrett  
Acting Town Clerk