

MEETING NO. 23  
REGULAR NO. 23

REGULAR TOWN BOARD MEETING  
TOWN OF ALDEN

December 3, 2018  
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, December 3, 2018 at 7:00 P.M. Supervisor Savage called the Meeting to Order and Supervisor Savage led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk Elect.

PRESENT: Rick Savage, Supervisor  
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk Elect

OTHERS PRESENT: Jennifer Strong, Town Attorney  
Bill Rogers, Highway Superintendent  
Mike Metzger, Town Engineer  
Chris Snyder, CEO  
Leonard Weglarski, DCO  
Michael Dewitt, Planning Board  
Residents  
Karen Howard, Sen. Gallivan's Office

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to approve the Minutes and Synopsis of November 19, 2018.

**CARRIED**

Ayes 2 Savage & Pautler  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SAVAGE, SECONDED BY COUNCILWOMAN PAUTLER, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #1075-1105 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

	<u>ABSTRACT #1</u>	<u>ABSTRACT #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$72,723.00	25,201.26	\$97,924.26
HIGHWAY FUND "DA/DB"	46,729.16	3,835.20	50,564.36
PART-TOWN FUND "B"	12,357.19	3,813.96	16,171.15
WATER DISTRICT #1 FUND "WA"		5,224.95	5,224.95
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"			
SEWER DIST. #1 FUND "SI"			
SEWER DIST. #2 FUND "SA"	3,408.83	206.72	3,615.55
TRUST & AGENCY "T"	6,349.14	3,761.23	10,110.37
SPECIAL REFUSE FUND "SR"	37,144.25	283.20	37,427.45
STREET LIGHTING FUND "SL"	7,187.75		7,187.75
PERIWINKLE LTG. DIST. "SL1"	56.75		56.75
ZOELLER WATER DIST "WZ"			
CAPITAL PROJECTS "HC"	647,055.00		647,055.00
TOTALS	\$833,011.07	\$42,326.52	\$875,337.59

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON DECEMBER 3, 2018 AND

**ADOPTED**

Ayes 2 Savage & Pautler  
Nays 0

## **BUSINESS FROM THE FLOOR**

### **COMMUNICATIONS**

#### **Clerk Barrett**

1. Received an acknowledgement from the State Dept. confirming LL#4 was received and is filed in their office

#### **Attorney Strong**

1. Received Winterfest indemnification agreement still waiting on insurance but we still have time.

#### **Supervisor Savage:**

1. November Building Inspectors Report.
2. Request for use of Community Center for a health and wellness class that incorporated Young Living essential oils. Will discuss further at the next Work Session as this use would be for commercial purposes.
3. ZBA Minutes from 11/29 - Granted a variance to build a pole building/garage prior to a home being built.
4. Sexual Harassment Training, Work Place Violence and Blood Born Pathogens is scheduled for 12/13/18 at 9am as well as 11am.
5. Letter from Edward Major with regard to ambulance certificate. EMS has been approved and Certificate of Inspection issued. Even though it's a permanent certificate it does expire 08/31/2020. There will be some process to renew.
6. Letter from Matt Herdzik requesting re-appointment as Town Prosecutor.

### **NEW BUSINESS**

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 Dennis Demblewski for the subdivision of three (3) lots. The entire parcel currently consists of approximately 100 acres at 12906 Genesee Street, in the Town of Alden, further identified as SBL 86.00-4-13. The first proposed lot ("Parcel A") would be an approximately 200' x 400' parcel with the existing house; the second proposed lot ("Parcel B" would be an approximate 200' x 400' vacant parcel; and the third proposed lot ("Parcel C") would be the remaining acreage, which will be deeded and attached to adjacent westerly parcel (known as 12844 Genesee Street) (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 November 5, 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 November 5, 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 parcels, more particularly described as:

Parcel A

*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 22, Township 11, Range 5 of the Holland Land Company's survey, more particularly bounded and described as follows:*

*BEGINNING at a point in the north line of Genesee Street, 294.54 feet east of the west line of Lot 22; thence continuing along the north line of said Genesee Street, 205.46 feet to a point in the east line of the west half of Lot 22 as established by the line of occupation; thence northerly along said line a distance of 375 feet to a point; thence west parallel with the north line of Lot 22 a distance of 200 feet; thence southerly parallel with the west line of Lot 22, 425.76 feet to the point or place of beginning, containing 1.84 acres more or less.*

*and*

Parcel B

*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 22, Township 11, Range 5 of the Holland Land Company's survey, more particularly bounded and described as follows:*

*BEGINNING at a point in the north line of Genesee Street at a distance of 89.06 feet east of the west line of Lot 22; thence continuing easterly along the north line of Genesee Street 205.46 feet to a point; thence northerly parallel with the west line of Lot 22, 425.76 feet to a point; thence westerly parallel with the north line of Lot 22, 200 feet to a point; thence southerly parallel with the west line of Lot 22, 476.54 feet to the point or place of beginning, containing 2.07 acres more or less.*

*and*

Parcel C

*ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being a part of Lots 22 and 28, Township 11, Range 5 of the Holland Land Company's Survey bounded and described as follows:*

*BEGINNING at a point in the northwest corner of Lot 22; thence southerly along the west line of Lot 22 (also being the east line of Lot 28), 3,501.3 feet to a point; thence southwesterly parallel with Genesee Street, 170.94 feet to a point; thence southerly parallel with said lot line, 1,019.7 feet to the north line of Genesee Street; thence northeasterly along the north of line of Genesee Street 260.03 feet; thence northerly parallel with said lot line 476.54 feet to a point; thence easterly parallel with said north line of Lot 22 a distance of 400 feet to a point; thence northerly along the east line of the west one-half of Lot 22 as established by line of occupation, 4,022.2 feet to the north line of Lot 22; thence westerly along the north line of Lot 22, 494.01 feet to the point or place of beginning, containing 50.1 acres of land, more or less.*

are given subdivision approval with the condition that Parcel C is created by attaching to the existing neighboring parcel (owned by applicant's son and known as SBL # 86.00-4-25) to the remainder portion of SBL # 86.00-4-13.

4. This resolution shall take effect immediately.

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 December 3, 2018, the results of which were 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 Town Board of the Town of Alden is considering an application, by Scott Sitzman of Sitzman's Maytag for site plan approval of a 24' x 54' addition to an existing cold storage building at 12812 Broadway, in the Town of Alden, further identified by SBL # 119.00-1-17 (The "Proposed Action");

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQRA and has conducted 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 review; is 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 of Alden has provided notice to Erie County Planning as required under Section 239-m of the General Municipal Law and a "no recommendation" was received;

WHEREAS, the New York State Environmental Quality Review Act requires the Town of Alden to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, the Applicant has prepared the 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 recommended the approval of the site plan.

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 a proper coordinated review has been conducted;
2. The Town Board has determined that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
3. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the SEQRA NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, on file with the SEQRA Intake Officer, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said Proposed Action;
4. The Town Board of the Alden finds that the Proposed Action is consistent with the Town Code and approves the site plan; and
5. This Resolution shall take effect immediately.

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 December 3, 2018 the results of which were as follows:

**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 has reviewed the Town of Alden Employee Handbook ("Handbook") and noticed the need to update the same to reflect recent changes in state law and to clarify other matters; and

WHEREAS, the Town Board believes that changes are fair to both the Employees of the Town of Alden and is in the best interests of residents of the Town of Alden.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby amends the Employee and adopts the new Employee Handbook dated December 4, 2018, to be effective immediately;
2. Councilwomen Pautler is hereby directed to promptly provide the new Employee Handbook, to all Town of Alden Employees and Officials who must acknowledge receipt thereof by signing on the last page of the Handbook and return said page to the Town Clerk; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 3, 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 Highway Superintendent has informed the Town Board that the Highway Department needs a new Fisher 8.5 x 11 XLS Plow, with installation; the estimated cost of which is more than \$2,000.00 but less than \$20,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, three quotes were requested and received by the Highway Superintendent as follows for a new Fisher 8.5 x 11 XLS Plow, with installation:

the highest bidder is Unicorn Specialties at \$7,100.00;

the second highest bidder is Kaminski and Sons at \$6,555.00; and

the lowest bidder is Cyncon Equipment, Inc. at \$6,550.00.

WHEREAS, Cyncon Equipment, Inc. is the lowest responsible bidder; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a new Fisher 8.5 x 11 XLS Plow, with installation from Cyncon Equipment, Inc. for \$6,550.00 with installation;
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 December 3, 2018, as follows:

**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 has received a request from the Town Supervisor to upgrade the internet equipment (router, cloud key controller, wireless access point, and POE Switch, plus installation) at the Town Hall; the estimated cost of which 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 written quotes from at least two vendors;

WHEREAS, two quotes were received as follows:

The highest quote for the equipment is from Amazon at \$1,310.32; and

The lowest quote for the equipment is from Newegg at \$1,239.96.

WHEREAS, New Egg is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful consideration finds that it is in the public interest to authorize the purchase of the internet equipment, plus installation.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of an a router, cloud key controller, wireless access point and POE switch from New Egg for a total equipment cost of \$1,239.96;
2. The Town Board hires WNY Networks, Inc., to provide the installation of this equipment ( a professional service, not subject to soliciting quotes) at a rate of \$95.00 per hour, not to exceed six hours labor at a total labor cost not to exceed \$570.00, for a total project costs of \$1,809.96.
3. The Town Supervisor is authorized to sign any and all necessary documents to effectuate this purchase;
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 3, 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 on November 6, 2017 adopted its 2018 Budget;

WHEREAS, the Town of Alden requires an increase in appropriations and expenditures in the amount of 1,349.33 in Account Code A.7110.0250/Parks/Playground and an increase of 2,776.88 in B.4650.0460. Said expenditures are a result of purchase of new playground set and increased cost of Ambulance Certificate.

WHEREAS, this increase 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: Parks – A.7110.0413 - \$1,349.33      To: Parks/Play – A.7110.0250 - \$1,349.33

From: Law – B.8020.0417 - \$2,776.88      To: Ambulance – B.4650.0460 - \$2,776.88

This resolution shall take effect immediately.

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 December 3, 2018 the results of which were as follows:

**CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

SUPERVISOR SAVAGE POLLED AND WITH NO OBJECTION ADDED THE FOLLOWING:

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

WHEREAS, the Alden Town Board on November 6, 2017 adopted its 2018 Budget;

WHEREAS, the Town of Alden requires an increase in appropriations and expenditures in Account Code WA.8389.0411 in the amount of \$384.15. Said expenditures are a result of increase in water charges. The charge will close to Unreserved Fund Balance WA..0909 at fiscal year-end;

WHEREAS, this increase 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: WA..0909 \$384.15 To: WA.83890411

This resolution shall take effect immediately.

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 December 3, 2018 the results of which were as follows:

**CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

Councilwoman Pautler made the Motion to authorize the Supervisor to sign the SPCA agreement with the Town of Alden for calendar year 2019. The signed contract must be received prior to 12/31/18.

The foregoing Motion was duly put to a roll call vote at regular meeting on December 3, 2018, and

**CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

**Councilwoman Pautler**

Pautler Chiropractic & Wellness donated a Christmas Tree to the Seniors at the Community Center. The seniors will bring in ornaments to decorate it.

**Supervisor Savage**

Add to next Work Session: SD2, Cayuga Creek Water, Exchange/Zoeller, Wellness Class at the Community Center, Grant from legislator Bruso's Office for Seniors. More will most likely be added but this is the start.

Supervisor Savage asked Karen to stand up and introduce herself:

Karen Howard from Senator Patrick Gallivan's Office, expressed that they are looking ahead to next year where the Senator will be in the minority. She stated that at any time if we would like herself or Mitch to attend one of our meetings to try to help expedite any issues, they are more than willing to attend. Supervisor Savage noted that the Senator gave a grant toward SD2 that was very much appreciated.



**Highway Superintendent Rogers**

Reached out to the Village again for assistance with their water-jet. Keith Sitzman and Mark Pruitt have been a great help.

**Town Engineer Metzger**

Spoke with the Acting Executive Director at the Water Authority with regard to Cayuga Creek water district after the Work Session where residents voiced their need for water. Mike expressed the dire need for these residents to have water and the Director said he would take it back up with the Executive Engineer and get back to us as soon as possible.

SD2 waiting for a switch to come in. They gave an updated schedule which reflected the startup date as December 12<sup>th</sup>. Mike will continue to communicate with them on the progress. And will reach out to Sue with regard to EFC information.

**CEO Snyder**

Busy month last month; people are wrapping up projects before bad weather gets here to stay.

**Planning Board Member DeWitt**

Reviewed the parking lot information submitted by Marlin.

**NOTICE OF MEETINGS**

<b>NEXT WORK SESSION:</b>	<b>December 10, 2018</b>	<b>@7:00 P.M.</b>
<b>REGULAR BOARD MEETING:</b>	<b>December 17, 2018</b>	<b>@7:00 P.M.</b>

**MEMORIAL REMEMBRANCE** - Supervisor Savage asked all to stand for a Moment of Silence in Memory of James Goeske and Suzanne Dumke and President Bush

**ADJOURNMENT**

At 7:35 P.M. Supervisor Savage adjourned the Meeting.

Alecia Barrett  
Town Clerk Elect