

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, September 6, 2016 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 Town Clerk.

PRESENT: Richard Savage, Supervisor
Colleen Pautler, Councilwoman
Ralph Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Robert Meyer, Planning Board
Michael Metzger, Town Engineer
Len Weglarski, DCO
Residents

Councilman Witt Moved and Councilwoman Pautler seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of August 15, 2016. The Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER AND SECONDED BY COUNCILMAN WITT TO WIT; VOUCHERS #860-905

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$18,128.94		\$18,128.94
HGHWY FUND "DA/DB"	7,456.00		7,456.00
PART-TOWN FUND "B"	2,280.00		2,280.00
CONSOLIDATED WATER "WR"			
WATER DISTRICT #1 FUND "WA"	9,340.63		9,340.63
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,587.45		2,587.45
TRUST/AGCY FUND "T"	1,170.47		1,170.47
SP REFUSE FUND "SR"	34,350.62		34,350.62
STREET LIGHTING FUND "SL"	5,781.08		5,781.08
PERIWINKLE LTG. "SL1"	34.74		34.74
GRANTS			
TOTALS	\$81,129.93		\$81,129.93

UPON ROLL CALL VOTE ON SEPTEMBER 6, 2016 THE FOREGOING RESOLUTION WAS

ADOPTED.

Ayes 3 Savage, Pautler & Witt
Nays 0

BUSINESS FROM THE FLOOR

Tom Steffan, Atty talked to the Board about reconsidering the law with regards to keeping chickens outside of an agricultural district. Families would like to have a small amount of chickens to supplement their family with eggs. There are laws on the books in Buffalo and in Amherst allowing the chickens on a limited basis. There would be no roosters, specified number of chickens in the coop (approx. 5), a special permit would be issued and renewed yearly. Aric Reichert presently has chickens in an area that is not zoned for them. He told the Board of his set up and neighbors were there on his behalf to tell how they have no problem with the chickens and how they enjoy them. Supervisor Savage said they will address the law at the next Work Session and Councilman Witt asked CEO Snyder to call Amherst and Buffalo to see how many permits were issued and how many complaints were filed.

Ron Rebmann/Broadway questioned the Solar Siting Law – Supervisor Savage said it will be tabled tonight as comments were received from Erie County Planning and need to be discussed. Supervisor Savage told Mr. Rebmann that he has taken into consideration the comments that were made regarding fencing and a change was made. Mark Casell asked that they also consider the setback and roof placements. This will be on the next Work Session for discussion.

The gentlemen that applied for Peddler's Permit came before the Board with their applications per the Town's Peddler's Policy. Supervisor Savage talked to them about protocol and had them introduce themselves. Background checks will be performed and approval will be made at the next Board Meeting if all goes well.

COMMUNICATIONS

Councilwoman Pautler:

A note was received from Ellen Gawron of 831 Four Rod Rd. regarding a Street Light that is out. It has been reported numerous times, with no results. She would like a Councilperson to contact NYSEG. Councilwoman Pautler will follow up on this.

Supervisor Savage:

1. Supervisor Savage e-mailed all on the Board, Town Engineer, CEO and Town Attorney the draft berm law. This is an addition to the fence and wall law. It can be added on to chapter 20-29. The Board will go over this at Work Session. Supervisor Savage would like the Board to consider changing the setback for a pond from 150' to 75'.
2. Solar Siting Law 4-1 8-18-16- Will continue to look at this at the next Work Session.
3. Copy of the letter to Debra Crist from Chris Trapp – Atty. Regarding foil request – this will be discussed at the next Work Session.
4. A letter of resignation was received from Second Deputy Town Clerk Sarah Hinsken.
5. Planning Board Agenda received.
6. An e-mail was received from Chris Gust regarding the crosswalk on Sandridge (needs to be restriped) and the guardrails on Wende need the weeds cut.
7. A Letter was received from Daniel Clayton, Deputy Director of Operations/Emergency Medical Services for NYS Dept. of Health re application ambulance service.
8. A letter was received from Sue Galbraith, Secretary of the Zoning Board of Appeals/Village regarding 13468 Irving St./Variance.
9. An e mail from the Alden Substance Abuse Coalition was received regarding the 2nd Annual National Night Out Event, Tuesday October 4th in the Alden Fireman's Park 4- 8:00 P.M.
10. A letter was received from the Association of Towns with the annual dues for budget purposes.
11. Notice of map amendment for the wetlands maps.
12. Approved Village of Alden Minutes from August 11, 2016.

NEW BUSINESS

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

WHEREAS, the Town of Alden is in need of the services of a municipal financial advisor to assist the Town and its residents in refinancing the Exchange Street and Zoeller Road Water Districts;

WHEREAS, municipal financial advising is a professional, unique and specialized skill that will benefit the residents of the Town of Alden; and

WHEREAS, the Alden Town Board given its past work relationship with Municipal Solutions, Inc., would like to contract with Municipal Solutions, Inc. for municipal financial advisement services for the Town of Alden for the above Grant.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the attached Contract with Municipal Solutions, Inc. for municipal financial advisement services for the Town of Alden for the term of the above Grant at \$120.00 per hour plus expenses as per the Contract dated August 2, 2016;

2. The Supervisor of the Town of Alden is hereby authorized to execute all necessary paperwork to effectuate the Contract.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on September 6, 2016, and was **ADOPTED.**

Ayes 3 Savage, Pautler & Witt
Nays 0

SUPERVISOR SAVAGE POLLED THE BOARD AND WITH NO OBJECTIONS THE FOLLOWING WERE TABLED:

RESOLUTION REGARDING NEG DEC FOR LOCAL LAW NO. 2 OF THE YEAR 2016, ENTITLED "SOLAR SITING LAW OF THE TOWN OF ALDEN" – **TABLED.**

RESOLUTION REGARDING THE ADOPTION OF LOCAL LAW NO. 2 OF THE YEAR 2016, ENTITLED "SOLAR SITING LAW OF THE TOWN OF ALDEN" – **TABLED.**

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

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 19th day of September, 2016, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden; and

ORDERED, that the Town Clerk's Office 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 five (5) days before the date of the public hearing; (b) and post as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on September 6, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt
Nays 0

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve Alden Central School's request for the use of the Alden Town Park for their Boys & Girls JV Soccer season per their August 18, 2016 Letter . School is responsible for lining field and moving nets on and off. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt
Nays 0

Councilman Witt Moved and Councilman Witt seconded the Motion to approve Alden Central School's use of the Robert O. Smith Park for one game (girls JV Soccer) on Wednesday, September 14th, 2016 per ACS Athletic Director Kaplan's letter of 8/16/16. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt
Nays 0

Councilman Witt Moved and Supervisor Savage seconded the Motion to approve Daniel Pautler's Home Occupation permit for sales of guns and accessories at 12857 North Rd. for a period of one year. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

FAILED

Ayes 1 Savage

Nay 1 Witt

Abstain 1 Pautler

ON THE QUESTION: COUNCILMAN WITT DID NOT LIKE THE WORDING HE DID NOT WANT IT TO INCLUDE THE WORD SALES. SUPERVISOR SAVAGE INDICATED THAT COUNCILMAN WITT'S INSISTANCE THAT THE WORD "BUSINESS" TAKE THE PLACE OF "SALES" IN THE MOTION WOULD STILL ALLOW MR. PAUTLER TO SELL GUNS AND ACCESSORIES. COUNCILMAN WITT THEN REPLIED THAT HE WOULD HAVE TO VOTE AGAINST IT.

THE MOTION DID NOT RECEIVE THE VOTES NEEDED TO MOVE, THEREFORE FAILED.

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve Alden Veterans of Foreign Wars post 7967 request to use the small meeting room in the Community Center on the 3rd Monday of each Month for the year 2017. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

Councilman Witt Moved and Councilwoman Pautler seconded the Motion to appoint Seasonal Parks Laborer Timothy Mikos to Part-Time Regular Parks Laborer effective 9/16/2016. Appointment is for balance of 2016. 19 hours per week @ \$13.00 per hour, benefits per our personnel policy. Work Hours will include Saturday and Sunday. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

THE FOLLOWING PROCLAMATION WAS OFFERED BY SUPERVISOR SAVAGE, SECONDED BY COUNCILMAN WITT TO WIT:

PROCLAMATION FOR ALDEN CITIZEN JAMES F. GERBER

Whereas, James F. Gerber has recently announced his retirement from Music Director of the Akron/Alden Community Band, and,

Whereas, James Gerber served as the Music Director for a half century and has been a band member for 59 years, and,

Whereas, James Gerber has served the community in many ways over the last 50 years, and

Whereas, James Gerber was an Alden Central School faculty member for over 33 years serving as Alden Centrals' High School Band Director, Media and Technology Coordinator and Photographer, and

Whereas, Mr. Gerber has been a 38 year member of the Alden Hook and Ladder Fire Company serving as a EMT, Secretary and Chaplain, and

Whereas, James Gerber has served as an EMT Instructor for the New York State Health Department and Erie County for 26 years, and,

Whereas, Mr. Gerber has also been a contributing photographer to the Alden Advertiser for 4 decades, and,

Whereas, James Gerber has, throughout his life and his actions, dedicated himself to making Alden a better community, and

Whereas, James Gerber's selflessness has indeed made Alden a better community, now,

Therefore Be it Resolved that the Town Board of the Town of Alden wishes to officially recognize James F. Gerber for his service to his home Town of Alden, and

Be It Further Resolved that the Town Board of Alden thanks James F. Gerber for his lifetime of community service.

The Foregoing Proclamation was put to a roll call vote on September 6, 2016 and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

THE FOLLOWING PROCLAMATION WAS OFFERED BY SUPERVISOR SAVAGE, SECONDED BY COUNCILMAN WITT TO WIT;

TOWN BOARD OF THE TOWN OF ALDEN PROCLAMATION IN HONOR OF EDWARD AND BERYL SMALL

Whereas, Edward and Beryl Small announced their retirement from the Alden/Marilla Food Pantry on July 16, 2016, and,

Whereas, Ed and Beryl Small have been involved in operating the Alden/Marilla Food Pantry Ministry for the last fifteen years, and,

Whereas, the Smalls have dedicated countless volunteer hours in the Food Pantry including arranging for and picking up donations, sorting and stocking the shelves, recruiting volunteers and every other conceivable task, and,

Whereas, the Smalls have never taken credit for the success of the Alden/Marilla Food Pantry, but instead, give credit to the Pantry's other volunteers, and,

Whereas, the volunteer efforts of Ed and Beryl Small have helped literally hundreds of people in need, and,

Whereas, their efforts have had a long lasting and very positive impact on the fabric of the Alden Community making it a better place to live, and,

Whereas, their personification of a caring ministry of those in need mark them as singular leaders of our Community, and,

Therefore Be It Resolved and that the Town Board of the Town of Alden wishes to officially recognize and thank with gratitude Edward and Beryl Small for their tireless efforts on behalf of the less fortunate in the Alden/Marilla Food Pantry, and,

Be it Further Resolved that the Town Board of the Town of Alden wishes the Smalls a long and healthy retirement and sincerely thanks them for their selfless service that made Alden a better place to live.

This Proclamation was put to a roll call vote at the regular meeting of the Alden Town Board on September 6, 2016 and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve Alden Youth Baseball's use of the Small Room in the Community Center on the 3rd Tuesday of the month for the remainder of 2016 and 2017. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, The Alden Town Board on November 2, 2015, adopted its 2016 Budget;

WHEREAS, the Town needs to transfer monies to allow for payment of various invoices and vouchers for needed salt additive in regard to Highway Department Matters; and

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

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby authorizes the following budget transfers, totaling \$10,000:

From Budget Code: DB.5142.0431 – Gas and Oil	\$5,000.00
From Budget Code: DB.5110.0433 – Resurfacing Materials	\$5,000.00
To Budget Code: DB.5142.0449 – Materials & Supplies	\$10,000.00

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 6, 2016 and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, The Alden Town Board on November 2, 2015 adopted its 2016 Budget;

WHEREAS, the Town needs to transfer monies to allow for payment of various invoices and vouchers for needed repairs and labor in regard to Park Department Matters; and

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

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby authorizes the following budget transfers, totaling \$7,000:

From Budget Code: A.7110.0434 – Landscaping Materials	\$2,000.00
To: A.7110.0438 - Buildings	\$2,000.00
From Budget Code: A.7110.0112 – Full Time Labor	\$5,000.00
To Budget Code: A.7110.0110 – Part Time Labor	\$5,000.00

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 6, 2016 and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

Councilwoman Pautler moved and Councilman Witt seconded the Motion to appoint Joanna Eisensmith as Second Deputy Town Clerk – Part-time, 19 hours per week, \$13.00 per hour with part-time benefits. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

Supervisor Savage Moved and Councilman Witt seconded the Motion to approve the renewal of the Home Occupation Permit for Daniel Pautler at 12857 North Road for the Operation of a Gun and Accessories Business for a period of one year. The foregoing Motion was put to a Roll Call Vote on September 6, 2016 and

CARRIED.

Ayes 2 Savage & Witt

Nays 0

Abstain 1 Pautler

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Town Clerk Debra Crist:

Interviews were conducted for the position of Deputy Town Clerk and Joanna Eisensmith was chosen, will she will begin tomorrow.

Hwy. Supt. Gary Wagner:

They will be closing Cary Rd. tomorrow to replace cross tile and on Thursday they will be doing Pohl Rd.

There has been no action from Hohl Industrial as yet. We have not heard from the Insurance Company either.

Gary would like the water pump on the Work Session; he hopes to have the quotes.

Engineer Metzger:

Engineer Metzger has encouraged the Contractors on the Water Projects to complete restoration. Supervisor Savage and Eng. Metzger have discussed Sewer District #2, which will be put on the Work Session. There is a possibility of a big sand filter for all the houses, like Highland Glens and Rock Oaks Estates.

Len Weglarski:

The dog census was continued today, he found 10 unlicensed dogs.

Supervisor Savage:

Supervisor Savage would like the following on the Work Session:

1. Solar Siting
2. S.D.#2
3. Foil Appeal
4. Berm Law

5. Chickens Law

NOTICE OF MEETINGS

NEXT WORK SESSION:	September 12, 2016	@ 7:00 P.M.
NEXT TOWN BOARD MTG.:	September 19, 2015	@ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Savage asked all to stand for a Moment of Silence in Memory of Bernadine Metz (Mother of Court Clerk Sue Siudzinski) and Shirley Sitzman.

ADJOURNMENT

At 8:18 P.M. Supervisor Savage adjourned the Meeting.

Debra A. Crist
Alden Town Clerk