



Recommendation from the Zoning Board of Appeals for a new ZBA Secretary, he would like this to be on the Work Session, notification from Time Warner Cable that both the basic and standard rates will be going up on Dec. 1, 2011; Basic Cable - \$12.00 to \$13.25 and Standard \$63.95 to \$67.25, Village of Alden approved board minutes from their October 13, 2011 meeting, the approved Town of Alden Planning Board minutes from their Tuesday, September 13<sup>th</sup>, 2011 meeting, Planning Board Agenda for their Tuesday, November 8<sup>th</sup> meeting and their unapproved minutes from their meeting on October 11<sup>th</sup>, notification from the Alden Chamber of Commerce that the Chamber will be co-sponsoring Alden's Christmas in the Park with the Town of Alden Recreation Department on Saturday, December 3<sup>rd</sup>, 2011.

**AT 7:05 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO MOVE INTO THE PUBLIC HEARING RE THE NEW HOME OCCUPATION PERMIT FOR JENNIFER ROSS/1000 BONCLIFF DR./MUSIC LESSONS.**

**Councilman Weber moved and Councilwoman Riddoch seconded the Motion to enter into the 7:05 Public Hearing re the New Home Occupation Permit for Jennifer Ross/1000 Boncliff Dr./Music Lessons. Unanimously Carried.**

**The Town Clerk read the notice of the public hearing published in the Alden Advertiser.**

**Supervisor Smith explained the purpose of the application. Jennifer Ross said that she hoped that it would pass and added that there would not be a lot of traffic; the most there would be is two cars in her driveway at a time.**

**PUBLIC COMMENTS:**

**Wynnie Fisher, Two Rod Rd. said that she knew of a person that did tutoring in that same area and wondered why that would not require a Home Occupation Permit? CEO Chris Snyder said he did not consider it the same and it did not require one. Attorney Strong and CEO Snyder will get together to review this.**

**AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AT 7:10 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ENTER INTO THE 7:10 P.M. PUBLIC HEARING RE THE SPECIAL DISTRICT BUDGET OF THE TOWN OF ALDEN FOR 2012.**

**Councilman Weber moved and Councilwoman Riddoch seconded the motion to enter into the 7:10 P.M. Public Hearing re the Special District Budget of the Town of Alden for 2012. Unanimously Carried.**

**The Town Clerk read the notice of public hearing published in the Alden Advertiser.**

**Supervisor Smith said that the Special District Budget includes the Refuse Collection, the two sewer districts in the Town and the Town's four water districts.**

**Colleen Rogers, Budget Officer gave a synopsis of the 2012 Special District Budget.**

**PUBLIC COMMENTS:**

**There were no public comments.**

**AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AT 7:15 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ENTER INTO THE 7:15 P.M. PUBLIC HEARING RE THE PRELIMINARY BUDGET OF THE TOWN OF ALDEN FOR 2012.**

**Councilman Weber moved and Councilwoman Riddoch seconded the motion to enter into the 7:15 P.M. Public Hearing re the preliminary budget of the Town of Alden for 2012. Unanimously Carried.**

**The Town Clerk read the notice of Public Hearing that was published in the Alden Advertiser.**

**Colleen Rogers, Budget Officer gave a synopsis of the 2012 Preliminary Budget.**

**PUBLIC COMMENTS:**

**Dan Labuzzetta, Sandridge Rd. questioned the reductions in the Court. Budget Officer Colleen Rogers said there would be a reduction of \$10,000.00 in the Court Budget. Mr. Labuzzetta questioned where the reduction would be? Budget Officer Rogers said that it was an agreement between the Board and the Judges; the Judges will each take a reduction of \$3,500.00 in their salary, \$1,000.00 in the Court Officer line, \$1400.00 reduction in the stenographer line and the reduction of the Part-Time Clerk's hours. Mr. Labuzzetta questioned whether the Full- Time Clerk would be eligible for Health Insurance? Supervisor Smith said that Health Insurance is available to all Full Time employees, but the Town's personnel policy has stated for years that if health insurance is available through a spouse, we encourage employees to pick up the insurance through the spouse so that the cost of insurance is not a burden placed upon the taxpayers. Mr. Labuzzetta also questioned the reduction of hours for the Part-time Clerk. Supervisor Smith said this was discussed with the Judges. The remodeling of offices was questioned. Supervisor Smith explained that it was being done to enable the Tax Receiver's Office and the Town Clerk's office to be combined in a suite of offices with the Building Inspector and Assessor.**

**Judge Al Gerhart read the following synopsis to be put on Public Record:**

Realizing that appearing at this hearing is merely a formality and that it is only a forum to express our opinion regarding the 2012 proposed budget. Keeping that in mind I have prepared the following statement in order to have the opinion of the judicial department put on public record.

Several weeks ago, the town board submitted a proposed budget. A copy was given to the judicial department and the judges were advised that there would be a work session that night to discuss it. The budget included all departments including the court. The recommendation of the board at that work session in reference to us was that the position of full- time court clerk be reduced from full time to part- time. This in essence would mean that the salary of the clerk would be cut in half and health insurance would no longer be available to her. It would also have a profound effect on her retirement benefits and her entitlement to vacations. This proposed budget would cause a loss of about 10,000 dollars in salary and insurance valued at 11,500 dollars. The clerk is a 17-year employee of the town and has been full time for ten years. She is currently the lowest paid full timer. Judge Laduca and I attempted to argue to keep the position as it is and were advised by the Town Supervisor, and I quote, that he didn't want to hear our "BS". We left the meeting at that point or shortly there after.

A few days later the judges met with the supervisor in an attempt to offer some means of resolving this issue. Both judges offered to voluntarily take a reduction of \$2000 each in salary. The court clerk agreed to no longer receive health benefits. We were advised that the board will be advised of our offer.

Several days later another meeting was held with the supervisor at which time the following counter offer was made. The board wanted the judges to give up \$5000 each in salary. They wanted the clerk to give up health insurance and they wanted the hours of the court to be changed. Both judges felt the salary concession was excessive and offered to take a reduction of \$3500 each in salary. The clerk would give up insurance and the court will reluctantly change its hours even though the town has no authority to set or control court hours. This was taken to the board and accepted.

A new budget was prepared and the above proposal was reflected in the budget. The full time clerk was retained but now, without contacting the court, the current part time clerk had her hours cut from 19 hrs a wk to 15 hrs a wk. That part-time clerk is a 14-year town employee.

Keeping this all in mind, the judges want to go on record as being opposed to the actions of the board. We feel that the courts are being targeted to make cuts while the rest of the town employees are receiving raises. No other departments have had to take reductions in order to keep things at a status quo. It is unfortunate that we have to appear here tonight but as department heads we feel compelled to fight for our employees who have diligently served the court for many years.

Judge Gerhart said he wanted it to go on public record that the Judges are not in favor of this budget and would like it to go back to status quo.

**Supervisor Smith wanted to make the comment as to what began the discussion about the cost in the courts was a study that was done as part of a local government efficiency grant that the Town received in conjunction with the Village. The costs for the Town and Village Courts, along with five other Towns were studied within the area. This study was based on numbers from the year ending December 31, 2008; that the cost per charge in the Town was at a rate of \$72.64, which compared to the cost for the Village of Alden of \$28.40. The highest of the five other Towns had a cost per charge of \$57.21. This is what led to the Town of Alden's attempt to cut the costs in the Court system in Alden. The Board felt that the cost to operate the Court system in the Town of Alden was out of line with other areas in the County. This is the Board's attempt to bring the Town of Alden Court within line of others in the area.**

**Georjean Labuzzetta, Sandridge Rd., /Part-time Court Clerk said that the studies that were done in the other areas are not areas that have prisons that they have to deal with. The Town of Alden has three prisons they are dealing with. It does cost a lot more money to prosecute these cases and the money does not come back into the Town.**

**Supervisor Smith said that the revenues were not studied. That portion was removed from the table. It was brought to the accountant's attention early in the study by the Judges that there is no revenue from the cases that are brought by the prison. This is not a comparison of revenues; it is strictly a comparison of cases that are started.**

**Keith Stone, Crittenden Rd. questioned that the study did not include revenues? Supervisor Smith said that it did not. Mr. Stone said that costs per cases that generate revenue were compared to cases that did not. Supervisor Smith said revenues were not compared at all. All that was looked at was the cost to operate. Mr. Stone stated that the Town has to deal with cases from the three prisons that generate no revenue. Supervisor Smith again stated that they are not looking at the revenue. They are looking at the personnel cost to operate the court. Mr. Stone felt like they were comparing oranges to apples. Mr. Stone also questioned the line of celebrations in the budget? Supervisor Smith said this line is for the Town to help the American Legion/VFW in their Memorial Day Celebration. Mr. Stone questioned the Environmental Committee's increase of 87% in landscaping materials. Supervisor Smith said that is because of the Park's project and the rehab of the Joe Panza Nature trail. Mr. Stone said that he disagrees heartily with the raise that the Council people are getting. The Town citizens voted to downsize.**

**Dan Labuzzetta wanted to make another comment on the Courts. He said that the workload due to the prison cases would be increased; there is a lot of paperwork involved.**

**Wynnie Fisher, Alden wanted to make three comments re the Department of Corrections. There are renovations on the table for the Holding Center Downtown; inmates could be shifted out here. Her concern is that you are reducing our Court system that deals with these cases and the Department of Corrections are increasing the cases here in our Town. She would hate to see a situation occur. She questioned that a Boiler was purchased a few years ago that had to be corrected. Supervisor Smith said the Boiler that is being replaced now is the original one from the school in the 60's. She does not want to see us diminishing something that we might need to save costs, when we could possibly save costs somewhere else. Supervisor Smith said that the Budget that is proposed would reduce (4) four hours of labor a week. Wynnie also questioned the money spent on the renovation of offices. Supervisor Smith said there is money to renovate the suite of offices to combine the Town Clerk's office with the Tax Collector's office, which will connect to the Building Inspector**

and Assessor's office. Wynn timer questioned whether this would include technological advances, because the Budget was not available online. Supervisor Smith said that is up to Department Head Mr. Witt, if he wants to comment on it. Wynn timer also commented that the Board minutes have not been updated since August. Supervisor Smith said they have had a discussion with the employee that is suppose to be handling it. Wynn timer commented on raises being received by people who are not doing their job. She also commented that the technology in the Town Hall needs improving. Supervisor Smith agreed with her that the technology in the Town Hall could be better and hopes in the future it does occur. Wynn timer questioned if it is proposed in the budget? Supervisor Smith said it is not, but keeping the website up to date and current does not need funding and will hopefully be improved on.

Keith Stone questioned the new line in Operations of Buildings named Building Management. Supervisor Smith replied that with the downsizing of the Board, Councilman Snyder's main responsibility was to be in charge of buildings for the Town. With the elimination of Councilman Snyder and Councilwoman Cooke position there was a savings of \$29,000.00; \$22,000.00 in salary and \$7,000.00 in insurance costs. Out of that \$29,000.00, \$1,000 each will be given to Chris Snyder to manage the Town Hall and Andy Sojka to manage the Community Center. There are also the raises for the Council people of \$1500.00 each and the Supervisor salary will go up \$400.00. So out of the \$29,000.00 that was taken out of the Budget by the reduction of the two Council people, \$24,000.00 is being taken out of the Budget and given back to the taxpayers.

Keith Stone asked if additional personnel were hired? Supervisor Smith said that additional duties were given to two present employees who will be compensated \$1000.00 each for these duties.

Wynn timer Fisher asked who handles the outside maintenance for the Historical Society? Supervisor Smith said in the past one of the members was doing the snow shoveling. Being that it is a Town building and the previous member is unable to shovel, the Town will be responsible for the shoveling. Andy Sojka has been working with the Historical Society in the past and will continue to work in the future on the maintenance of that building.

Judge Gerhart said that Judge LaDuca had contacted Judge Markey, who is their representative with the Judicial System in New York State. Judge Markey surveyed the Town's statistics as far as caseloads go and compared us with other Courts and he advised Judge LaDuca that he felt that the Court is entitled to a full and part-time clerk. Supervisor Smith said that is what they will have next year.

**AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD AT 7:50 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARINGS AND TO ENTER BACK INTO THE REGULAR MEETING.**

After all those wishing to be heard were heard, at 7:50 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the motion to enter back into the Regular Meeting. Unanimously Carried.

NEW BUSINESS

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

WHEREAS, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Millgrove Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in

receiving worker's compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Millgrove Volunteer Fire Department has approved Jillian A. Hochadel for Membership; and

WHEREAS, Millgrove Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of this new member.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Jillian A. Hochadel for membership in the Millgrove Volunteer Fire Department, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 7, 2011, and was unanimously adopted.

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

WHEREAS, the Erie County Director of Real Property has advised the Alden Town Board that it is now necessary to make an appointment to the Town of Alden Board of Assessment Review, for a term of October 1, 2011 through September 30, 2016.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board hereby re-appoints Roger Neeland, to the Town of Alden Board of Assessment Review, his term to run from October 1, 2011 through September 30, 2016 and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 7, 2011, and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WEBER TO WIT;

WHEREAS, the Alden Town Board has noticed the need to lower the building permit fees for commercial buildings to bring said fees in line with those of surrounding municipalities and to be fair to commercial developers in the Town of Alden;

WHEREAS, the Alden Town Board is authorized under State Law and under the Alden Town Code to set said fees upon resolution duly adopted by the Town Board; and

WHEREAS, the proposed fee reductions are fair and reasonable and are reasonably related to the services performed by the Town of Alden Building Inspector.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts (and rescinds all prior versions) the attached TOWN OF ALDEN FEE SCHEDULE as the official fees charged by the Town of Alden, effective as of 12:01 am on November 8, 2011; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 7, 2011, and was unanimously adopted.

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

WHEREAS, the Village of Alden has notified the Town of Alden that the Inter-Municipal Building Inspector Agreement needs to be updated; and

WHEREAS, the Town of Alden believes it is in the best interests of the residents of Alden to update the Agreement in order to provide adequate and convenient coverage for timely building inspections in both the Town and the Village of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the Inter-Municipal Building Inspector Agreement, in the form attached hereto, with the Village of Alden;
2. The Supervisor of the Town of Alden is hereby authorized to sign the attached Agreement on behalf of the Town of Alden; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 7, 2011, and was unanimously adopted.

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

WHEREAS, the Town of Alden is in need of ambulance services including paramedic advanced life support, unique and specialized services;

WHEREAS, LaSalle Ambulance, Inc. and Towns Ambulance Service, Inc., collectively d/b/a Rural/Metro Medical Services wishes to provide ambulance services including paramedic advanced life support to the Town of Alden, at no charge to the Town of Alden; and

WHEREAS, the Town Board finds it in the best interests of the residents of the Town of Alden to have available the services offered by Rural/Metro Medical Services.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. That the Town Board does hereby authorize Supervisor Smith to enter into and execute all necessary documents to effectuate a Pre-Hospital Emergency Medical Service Agreement with Rural/Metro Medical Services for a term commencing on January 1, 2012 and expiring on December 31, 2015.
2. 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, on November 7, 20011, and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WEBER, TO WIT;

WHEREAS, pursuant to Section 20-64(A) of the Alden Town Code Jennifer Ross has filed an Application for a Home Occupation Permit to give a music lessons from her residence (which is owned by her Mother, Karen Ross) at 1000 Boncliff Road (the "Application");

WHEREAS, pursuant to Section 20-64(B) the Town of Alden Planning Board has: reviewed the Application; determined that the proposed home occupation meets the

requirements and standards set forth at Section 20-63 of the Alden Town Code; and has recommended the approval of the Application to the Alden Town Board with the stipulation that there be no off street parking;

WHEREAS, the Alden Town Board, pursuant to Section 20-64(C) of the Alden Town Code has duly called a public hearing on the Application;

WHEREAS, notice of the Public Hearing was: properly published in the Alden Advertiser; was properly posted on the Town Bulletin Board; and was properly mailed to the adjacent property owners pursuant to Section 20-64(C) of the Alden Town Code;

WHEREAS, the Alden Town Board held a Public Hearing on November 7, 2011, at which time all persons in favor of and all persons opposed to the Application were heard; and

WHEREAS, the Alden Town Board agrees with the recommendation of the Town of Alden Planning Board and finds it in the interests of the residents of the Town of Alden to approve the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. A Home Occupation Permit to allow Jennifer Ross to give music lessons from her residence at 1000 Boncliff Road Alden, New York be granted for a period of one (1) year with the stipulation that there be no off street parking; and
2. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on November 7, 2011, and was unanimously adopted.

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

WHEREAS, the Town of Alden ("Town") and St. John's Home School Basketball League, have negotiated an Agreement to allow St. John's Home School to use the Alden Town Hall gymnasium for its youth basketball players to practice indoors on Wednesday nights during the months of November, 2011 through December, 2011;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden and Alden School District participate in the St. John's Home School Basketball League and the Town is interested in assisting St. John's Home School Basketball League (the "League");

WHEREAS, the Town and the League have come to full agreement on the terms of such Agreement to run from November 8, 2011 until December 31, 2011, a copy of which is attached hereto; and

WHEREAS, the Diocese of Buffalo has obtained insurance for the benefit of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town approves the Agreement with the League, as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That the Supervisor of the Town is authorized to sign any and all necessary documents to effectuate this Agreement; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 7, 2011, and was unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that the trail in the park that has been disrupted by the work in the park has been paved today and can be used very soon.

Councilman Snyder reported that the roof installation is in process and should be completed Wednesday. The new boilers are all hooked up and they getting some of the kinks out of them. There are three boilers and we are running on one boiler at 25%. He is sure that these boilers are going to save this Town a lot of money. Very efficient.

Chris Snyder reported that he has someone coming in Monday to look at the pneumatics of the lines from the boiler; there is leak in the lines.

Supervisor Smith thanked Colleen Rogers, Budget Officer, for her Budget presentation.

Supervisor Smith reported that he will have a meeting with Erie County Water Authority Wednesday morning concerning the possibility of the Town changing the way the water districts are handled from a lease management system to a direct serve. There was issues recently where hydrants and valves on hydrants had to be replaced; the work the Erie County Water does for the repair is costly. It could be beneficial to the Town to change the way we handle our arrangement with Erie County Water to come up with a new system so that we can budget for the costs in a better way than now.

**SPECIAL MTG.(Adopt Budget) Monday, November 14, 2011 @6:45 P.M.**  
**NEXT WORK SESSION: Monday, November 14, 2011 @7:00 P.M.**  
**NEXT TOWN BOARD MTG.: Monday, November 21, 2011 @7:00 P.M.**

Supervisor Smith adjourned the Meeting at 8:00 P.M. with a Moment of Silence in Memory of Phyliss Walker & Florian Wasikowski.

Ralph Witt  
Town Clerk