

Supervisor Smith received the Agenda from the Alden Town Planning Board for Tuesday, January 11th meeting, received from Rural Metro their monthly compliance report for December 2010; 76.6% compliance (weather related) otherwise 100% compliance, received the Alden Town Senior Van report for the year 2010, received the Village of Alden approved Board minutes for their December 23, 2010, Alden Hook and Ladder's November 2010 Fire and EMS report, received from the Commissioner of Environmental Planning, Kathy Konst a letter notifying the Town that both of our Community Development Block grant applications will be funded in 2011. The Town will be receiving \$71,820.00 for the Town Park restroom ADA compliance project and will also be receiving \$31,026.00 for the Master Plan implementation project to allow us to do the re-codification of the Town code.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the Haulers Permit for Waste Management for the Year 2011. Unanimously Carried.

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

WHEREAS, the Alden Town Board would like to contract with Drescher & Malecki, LLP to provide independent accounting services and auditing services to the Town of Alden during the years 2011 through 2014; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town amends its January 3, 2011 resolution hiring Drescher and Malecki, LLP and approves the signing by Supervisor Smith of the Contract with Drescher & Malecki, LLP for independent accounting services for the Years 2011 through 2014 and auditing services for the 2010 through 2013 fiscal year as outlined in the January 3, 2011, Letter of Intent presented to the Town by Drescher & Malecki, LLP.
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on January 18, 2011, and was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 1 of the Year 2011, entitled "Town of Alden Right to Farm Law" (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; 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 Clerk has sent notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA.

The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.

This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on January 18, 2011, and was unanimously adopted.

THE FOLLOWING ORDER WAS OFFERED BY COUNCILWOMAN COOKE AND SECONDED BY COUNCILMAN SNYDER 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 7th day of February, 2011, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2011; 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 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

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 1 of the Year 2011, entitled "Local Law Establishing the Right to Farm", available at his 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 on January 18, 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 Town Board of the Town of Alden is considering an application, by the Calvary Chapel of the Niagara Frontier, for the subdivision of two (2) lots. The entire parcel as currently constituted consists of approximately 9.82 vacant acres on Townline Road in the Town of Alden. The first proposed lot ("Parcel A") would be 2.23 +/- vacant acres; the second proposed lot ("Parcel B") would be 7.59 +/- vacant acres (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 30, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a "no recommendation" was received by the Town Board on December 3, 2010.

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 January 3, 2011;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town SEQRA Intake Officer has prepared the Short Form Environmental Assessment Form;

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on December 14, 2010, 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 two parcels, more particularly described as:

Parcel A
VACANT LAND TOWNLINER ROAD (2.23± ACS.)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being parts of Lot No. 175, Township 10, Range 5 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the west line of Lot No. 175 (being also the center line of Townline Road) distant 2002.94 feet southerly from the northwest corner of said lot; thence easterly at right angles 533.67 feet; thence southerly at right angles and parallel with the west line of Lot No. 175 a distance of 173.70 feet to the northerly line of Parcel "B" of lands deeded to Henry Andrzejewski III and Heather Andrzejewski by deed recorded in the Erie County Clerk's Office in Liber 10954 of Deeds at page 8132; thence westerly at an interior angle of 92° 29' 42" and along Andrzejewski's northerly line 331.46 feet to a corner of Andrzejewski's lands; thence southerly at an exterior angle of 86° 08' 20" and along a westerly line of lands so deeded to Andrzejewski 81 feet more or less to the northerly bank of Cayuga Creek; thence westerly along said bank 225 feet more or less to the west line of Lot No. 175; thence northerly along said west line 200.70 feet to the point of beginning, containing 2.23 acres of land more or less after excluding lands lying within the bounds of the public highway known as Townline Road.

And

Parcel B

VACANT LAND TOWNLINER ROAD (7.59± ACS.)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being parts of Lot Nos. 175 & 174, Township 10, Range 5 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the west line of Lot No. 175 (being also the center line of Townline Road) distant 1802.94 feet southerly from the northwest corner of said lot; thence easterly at right angles 533.67 feet; thence northerly at right angles 60.00 feet; thence easterly at right angles 872.98 feet to the east line of Lot No. 174; thence southerly along said east line 264.40 feet to the northeast corner of lands deeded to Eloise Gardinier and Edwin A. Mabon by deed recorded in the Erie County Clerk's Office in Liber 11008 of Deeds at page 5815; thence southwesterly at an interior angle of 119° 11' 57" a distance of 325.10 feet to the southeast corner of Parcel "B" of lands deeded to Henry Andrzejewski III and Heather Andrzejewski by deed recorded in the Erie County Clerk's Office in Liber 10954 of Deeds at page 8132; thence bounding on said lands deeded to Andrzejewski the following four (4) courses and distances: (1) northerly at an interior angle of 75° 12' 33" a distance of 350.00 feet; thence (2) southwesterly at an exterior angle of 57° 30' 00" a distance of 386.10 feet; thence (3) westerly at an interior angle of 148° 45' 00" a distance of 213.18 feet; thence (4) westerly at an interior angle of 166° 15' 00" a distance of 37.48 feet; northerly at an interior angle of 87° 30' 18" and parallel with the west line of Lot No. 175 a distance of 173.70 feet; thence westerly at right angles 533.67 feet to the west line of Lot No. 175; thence northerly at right angles and along said west line 200.00 feet to the point of beginning, containing 7.59 acres of land more or less after excluding those lands lying within the banks of Cayuga Creek and those lands lying within the bounds of the public highway known as Townline Road.

are given subdivision approval.

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 January 18, 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 ("Town") and Alden Youth Baseball, Inc., ("Youth Baseball") a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have negotiated an Agreement to allow Youth Baseball to use the Alden Town Hall gymnasium for its players to practice indoors during the months of January, 2011 through May, 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 programs offered by Youth Baseball and is interested in assisting Youth Baseball;

WHEREAS, the Town and Youth Baseball have come to full agreement on the terms of such Agreement to run from January 19, 2011 until May 31, 2011, a copy of which is attached hereto; and

WHEREAS, Youth Baseball has obtained insurance for the benefit of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town approves the Agreement with Youth Baseball, 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 vote on January 18, 2011, and was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Dale Nawrocki, for the subdivision of four (4) lots. The entire parcel as currently constituted consists of approximately 58.475 vacant acres on Two Rod Road in the Town of Alden (further identified by SBL # 107.00-6-27). Proposed lots "G," "H" and "I" will each be approximately 5.070 acres making the remaining parcel approximately 43.265 acres (The "Proposed Action"); and

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 June 15, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and recommendations were received by the Town Board on June 29, 2010 and the recommendation has been incorporated into this approval;

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 October 4, 2010;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town SEQRA Intake Officer has prepared the Short Form Environmental Assessment Form;

WHEREAS, the Town of Alden Planning Board, upon review of a wetland walk-over, has reviewed the Proposed Action and on September 14, 2010, recommended to the Town Board the approval of the Proposed Action with the stipulation that a building permit not be issued until a drainage easement is filed with the Erie County Clerk and upon the Town Engineer's approval of the Drainage Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

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 three parcels, more particularly described as:

LOT G

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 No. 42, Township 11, Range 5 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING AT A POINT on the centerline of Two Rod Road and the easterly line of Lot No. 42, being 633.00 feet south of the northeast corner of said Lot 42, being a point in the centerline of Westwood Road (66' wide); thence southerly along the easterly line of Lot No. 42 a distance of 200.00 feet to a point; thence westerly along a line with an interior angle of 90° 22' 56'' and parallel with the northerly line of Lot No. 42 a distance of 1137.18 feet to a point; thence northerly along a line parallel with the easterly line of Lot No. 42 a distance of 200.00 feet to a point; thence easterly along a line parallel with the northerly line of Lot No. 42 a distance of 1137.18 feet to the point or place of beginning, containing 5.070 acres, more or less to the highway boundary.

LOT H

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 No. 42, Township 11, Range 5 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING AT A POINT on the centerline of Two Rod Road and the easterly line of Lot No. 42, being 833.00 feet south of the northeast corner of said Lot 42, being a point in the centerline of Westwood Road (66' wide); thence southerly along the easterly line of Lot No. 42 a distance of 200.00 feet to a point; thence westerly along a line with an interior angle of 90° 22' 56'' and parallel with the northerly line of Lot No. 42 a distance of 1137.18 feet to a point; thence northerly along a line parallel with the easterly line of Lot No. 42 a distance of 200.00 feet to a point; thence easterly along a line parallel with the northerly line of Lot No. 42 a distance of 1137.18 feet to the point or place of beginning, containing 5.070 acres, more or less to the highway boundary.

LOT I

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 No. 42, Township 11, Range 5 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING AT A POINT on the centerline of Two Rod Road and the easterly line of Lot No. 42, being 1033.00 feet south of the northeast corner of said Lot 42, being a point in the centerline of Westwood Road (66' wide); thence southerly along the easterly line of Lot No. 42 a distance of 200.00 feet to a point; thence westerly along a line with an interior angle of 90° 22' 56'' and parallel with the northerly line of Lot No. 42 a distance of 1137.18 feet to a point; thence northerly along a line parallel with the easterly line of Lot No. 42 a distance of 200.00 feet to a point; thence easterly along a

line parallel with the northerly line of Lot No. 42 a distance of 1137.18 feet to the point or place of beginning, containing 5.070 acres, more or less to the highway boundary.

are given subdivision approval contingent upon the Town Engineer's approval of the Drainage Plan with the stipulation that no building permits will be issued by the Town of Alden until the applicant files the Drainage Easement with the Erie County Clerk and until the swale is installed as indicated on the Drainage plans on file with the Town of Alden Building Department.

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 January 18, 2011, and was unanimously adopted.

Councilwoman Cooke moved and Councilman Snyder seconded the motion to approve the renewal of the Haulers Permit for Allied Waste Services. Unanimously Carried.

Councilwoman Riddoch moved and Councilman Weber seconded the motion to approve Alden Youth Baseball's request to use the Community Center on the third Tuesday of January-May and September –December 2011 for their Board Meetings. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to approve the Alden Republican Committee's request to use the Community Center on the first Wednesday of every Month for the Year 2011. Unanimously Carried.

Councilman Snyder moved and Councilwoman Cooke seconded the motion to approve Chris Snyder's request to attend Niagara Frontier Buildings Officials 27th annual Educational Conference on January 24,25 & 26th at the Millennium Hotel, Cheektowaga, New York. Unanimously Carried.

Councilwoman Cooke moved and Councilman Snyder seconded the motion to allow the Alden Hook & Ladder Fire Co., Inc. to use the Alden Town Park for its "Summer Carnival" on June 23, 24 & 25th, 2011, Contingent upon the Town's receipt of insurance prior to the event from; the Village of Alden; Alden Hook & Ladder Fire Co., Inc. and all vendors at the event (including but not limited to the ride operator and fireworks display company) and contingent upon the Village of Alden and the Alden Hook & Ladder Fire Co., giving an indemnification agreement to the Town of Alden prior to the event. Unanimously Carried.

Councilwoman Riddoch moved and Councilman Weber seconded the motion to allow the Alden Hook & Ladder Fire Co., Inc. to use the Alden Town Park for its "Summer Steak Outing" on Thursday, August 18, 2011. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to allow Alden Hook and Ladder Fire Co., Inc. to use the Alden Town Park for its “ Dollars for Scholars 5-K Run – Post race party on Friday, June 10, 2011. Unanimously Carried.

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

WHEREAS, the Alden Town Board on December 20, 2010, passed a resolution authorizing the creation and solicitation of bids for architectural/engineering services for improvements to the Town Parks; and

WHEREAS, The Town of Alden now believes that it is in the best interest of the residents of the Town of Alden to rescind said authorization.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The resolution of the Alden Town Board adopted on December 20, 2010 authorizing the creation of an RFP package and the solicitation of services from interested engineering firms is hereby rescinded; and
2. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on January 18, 2011, and was unanimously adopted.

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

Supervisor Smith moved and Councilman Snyder seconded the motion to approve the renewal of a Home Occupation Permit for Dean Adamski, 12120 Westwood Rd./Sporting Goods Dealer. Unanimously Carried.

THERE WAS NO UNFINISHED OR TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that she is still working with NYSEG regarding the Periwinkle Lighting. Would like Periwinkle Lighting and the Personnel Policy put on the Work Session.

Town Clerk Ralph Witt reported that tax bills are all mailed out. Today was the first day for payments, they were very brisk.

Attorney Strong is working with Time Warner on the cable franchise for the Town.

Councilwoman Cooke reported that on Thursday evening the Office of Emergency Management would be speaking to the local Kiwanis. They will be speaking to different groups to inform public of what they are doing. She received the defibrillator that the Town ordered, would be a good idea to hold classes for employees to be trained.

Engineer Metzger is gathering information re the Community Center sidewalk project and lighting. Also, he is working on the Town Hall Boiler/Solar Panels projects. Would like these on the Work Session. Working with the Code Enforcement Office on the FEMA Flood mapping.

CEO Snyder reported that the mailing went out today to the 60+ residents identified in the Flood Plain areas.

NEXT WORK SESSION:

Monday, Jan. 24, 2011 at 7:00 P.M.

NEXT TOWN BOARD MTG.:

Monday, Feb. 7, 2011 at 7:00 P.M.

Supervisor Smith adjourned the Meeting at 7:38 P.M. with a Minute of Silence in Memory of John Behrend, Alvin Jones, William Brown and Dr. Norman Fertig.

Ralph Witt
Town Clerk