

WORK SESSION #1/2013 WORK SESSION SYNOPSIS JANUARY 14, 2013

PRESENT: Harry Milligan, Supervisor
William Weber, Councilman
Mary Riddoch, Councilwoman

RECORDING SECRETARY: Debra Crist, DTC

OTHERS PRESENT: Jennifer Strong, Town Attorney
Andy Sojka, Park Supv.
Michael Metzger, Town Engineer
Chris Snyder, CEO
Ralph Witt/Town Clerk/Planning Board Chairman
Dan Moultrup, Recreation Supv.
Mike Fleming, Planning Board Member
Don Stoffel, Planning Board Member
Gary Wagner, Planning Board Member
Mike Manicki, Village Mayor

1. MARILLA CAR SHOW

Dean Mallaber and Marilla Councilman Don Darrow came to the Board to talk to the Board about possibly holding the 2013 Car Show in Alden. Proceeds benefit Mercy Flight. There was a discussion of shutting down Broadway by Darrow's restaurant on to West Main into the Town Park. They would set up in the Park, but would not park the cars on the grass. They will also contact the Alden School about using their parking lot. Mayor Manicki was asked about using the area by the gazebo for vendors. There would be no costs to the Town or the Village. Supervisor Milligan asked that they prepare letters to the Town and the Village showing the detailed plan and their requests.

2. METZ SITE PLAN

Planning Board Chairman Ralph Witt said at the Planning Board Meeting in December, 2012 they had voted to recommend the approval of the Site Plan. At the January meeting, a couple of the members had found things out that were not factual and brought them to light. Having heard this information, the Planning Board rescinded the approval and voted to not recommend approval of this site plan. There was a discussion with Mark Metz, Metz's Attorney and his Engineer. Mr. Metz had an issue with the DEC/Violations; he will get the information from the outcome of that case to CEO Snyder. Mr. Metz will also contact the Erie County Health Dept. regarding Septic System, if it is not acceptable he will do whatever necessary to get it passed. The Zoning Board's Variance has expired.

3. ALDEN HOOK & LADDER FIRE CO., INC. REQUESTS

Councilwoman Riddoch said she has been receiving proof of insurance for these events. Motions to approve all three events will be made on Tuesday's meeting pending receipt of insurances and an indemnification agreement for the carnival prior to the events. Attorney Strong will get the draft indemnification agreement ready.

4. ELEANOR WHITE'S REQUEST

Eleanor would like to open up the back of Meals on Wheels for partial dementia people as a day-care and would like to be able to utilize the Senior Van when needed. The Board had no problem, as long as they were Alden residents. The Board does not want the driver to have to put in any extra hours.

5. RURAL METRO AMBULANCE

A letter was received from LVAC regarding using them as an alternate ambulance service when Rural Metro was unable to respond. This cannot be done, as our contract with Rural Metro is an exclusive contract. Rural Metro's response time has seemed to be improving, 91.6% response time.

6. SHRED IT

Supervisor Milligan wanted to run this by the Board to see if it could be a service to the public for shredding papers. The Board decided that it is a costly venture and will not pursue.

7. RESIDENCY LAW

Dan Moultrup, Recreation Supv. told the Board he is at the planning stage for the Summer Recreation program. He needs to know who his staff is going to be. Letters will be sent out next week to all former employees canvassing for staff for this summer. Nine of the people on the non-residency list are on the list. He wants to know of the possibility of them returning. Councilwoman Riddoch said that it is a possibility as long as they live in the Town of Alden. If they do not live in the Town, they cannot be hired. There was a question about life-guards. The life-guards are an exception, as they are trained professionals certified by the State of New York. For new hire life-guards, Alden residents should be given preference and if he is unable to fill position, then go out of Town. If parents of the people that are not Town residents have questions, they will be referred to the Town Board. There was a discussion on the interpretation of the residency law. The Town Board stands by the law, which is in the personnel policy, and wants it enforced.

8. BROADWAY REZONE

Charles Roberts has applied for a rezone of his property because of his business he is running. This will be referred to the Planning Board for review and recommendation. Attorney Strong said that if the Planning Board recommends it, normally in the Town of Alden we rezone by local law. This was previously addressed and was met with resistance. Councilman Weber said this does not follow the Master Plan, which states it should be Residential/Agricultural. Mr. Roberts is now operating a business in non-compliance with the zoning. Attorney Strong will put a motion to send to the Planning Board to review and make recommendations on Tuesday's meeting.

9.ASCAP

Councilwoman Riddoch questioned the Board about paying ASCAP fee for having the concerts in the Park. The fee is \$327.00. The Board did not have a problem with this.

10. WINTERFEST

Councilwoman Riddoch received proof of insurance from the chain-saw man. Councilwoman Riddoch will put motion to approve use of the Town Park and Community Center on Tuesday's meeting.

11. ZOELLER/EXCHANGE WATER DISTRICTS

The environmental packages have gone out. CEO Snyder asked if the water line on Zoeller Rd. would be crossing Ellicott Creek? Supervisor Milligan said it would and there is a plan to go under the creek.

10. WATER DISTRICT DISSOLUTION

Attorney Strong asked the Board if they were ready to move forward on this. Councilwoman Riddoch spoke to Tom Malecki regarding the refund of monies. The amount of the refund is down to \$50.00. He felt the money that is in there would be better used over a period of time. Water District #3 will be going up double from what it was. To give them back \$50.00 and then turn around a double their bill seems redundant. The refund could be reflected on their tax bill appearing as a negative charge until it is used up. Tom Malecki said this would not affect the 2% cap. Councilwoman Riddoch feels to issue rebate checks would be a costly venture. Tom Malecki will check with Joe Maj. At Erie County to see if this can be done on the tax bills. Attorney Strong will prepare a new timeline and revised dissolution plans. The public hearing will be changed to 3/4/13 and the effective date to 5/1/13. The Board agreed the method of giving the rebate by putting it on the tax bills would be fine.

11. TOWN OF ALDEN OFFICE OF EMERG. MGT. NAME CHG.

Councilwoman Riddoch copied the request to the Board, but was unsure of the reason behind this. Attorney Strong asked if there would be a cost to do this; letterhead change and other things that the name appears on? Councilman Weber asked if this would represent a change of authority? Councilwoman Riddoch will contact Ryan Sheedy regarding these questions. Attorney Strong said she is still waiting for a copy of the shelter agreement from him.

12. COMMUNITY CENTER PART-TIME CLEANER

Our present cleaner has been terminated by the program who set up the employment for him. He was hired through the program for people with disabilities. Andy Sojka talked to the coordinator at Southeast Work Shop and will get them applications. He told them the individual would have to be an Alden resident. This is a nine-hour position. Andy would like to start it out the same and there may be a possibility of more hours.

13. DRAINAGE/N.Y.S. CORRECTIONAL FACILITY

Supervisor Milligan wrote a letter to Senator Gallivan regarding the drainage problem on the Sievenpiper property. Councilman Weber said the State is failing to maintain a ditch that has been in there for years. Attorney Strong said that if the Town wanted to get involved they could file a lawsuit against the State of New York in the Court of Claims. There was a discussion about Mr. Sievenpiper getting approval to gain access to the property to rectify the problem. He would have to get approval from the State. Copy of the letter will be sent to Mr. Sievenpiper.

14. HAULERS PERMITS

Supervisor Milligan thought that if we discuss this at a few meetings this could get worked out. Councilman Weber stated he made a chart, it is about the permit application, waste haulers policy and recycling policy. The totes will be \$70.00 in the 2013 fee policy. The policy said once they are bought they go with the property. Discussion about if the homeowner bought it, it should be theirs. Councilman Weber said they do not have a chip in them; they have stenciled numbers on them that could wear off. Councilman Weber would like knowing the final destination at the end of their route for the Haulers; where the items are taken. Deputy Town Clerk Crist wanted to know what recourse we could take if the Haulers that have identified in the Town do not get permits. Attorney Strong will research.

THE TOWN TRUCK ISSUE AND METZGER CONTRACT WILL BE DISCUSSED IN EXECUTIVE SESSION.

15. CEO SNYDER/SCHOOL

This is part of the required 24 hour mandatory training that is needed. It will be held at the Millenimum in Cheektowaga on January 28, 29th & 30th. The Board agreed it was all right for him to attend.

Councilwoman Riddoch said that \$6700.00 was received from a grant for a shelter in the Park. Park Supv. Andy Sojka said that a design needs to be picked out. They have a total of \$14,000.00 for a shelter. There was a discussion about the construction. Andy will research different design structures.

Dog Control Office Len Weglarski would like to purchase a crate and leashes. The Board said this was okay as long as it is under \$500.00.

MEETING OVER AT 8:53 P.M.

SUPERVISOR MILLIGAN CALLED AN EXECUTIVE SESSION ON A MATTER OF PERSONNEL, LITIGATION AND PERSONNEL POLICY WITH THE TOWN BOARD, TOWN ATTORNEY AND ENG. METZGER

CC: TB/ATTY. STRONG/EMER. MGT.

