

MEETING NO. 3
REGULAR NO 3

REGULAR BOARD MEETING

FEBRUARY 4, 2008
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, February 4, 2008 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilman Snyder led in the Pledge of Allegiance. The roll call was taken by the Town Clerk.

PRESENT: Ronald L. Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald L. Snyder, Councilman
Arlene Cooke, Councilwoman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
Harry Milligan, Highway Supt
Martin Dugan, CEO
Michael Metzger, Town Engineer
Colleen Pautler, Planning Board Member

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes & Synopsis of the January 22, 2008 Meeting. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE AND SECONDED BY COUNCILMAN SNYDER TO WIT;

ACCOUNT	ABST #1	ABST #2	TOTAL
General Fund "A"		15,069.37	82,641.40
Hgywy Fund "DA/DB"		361.21	32,656.92
PartTown Fund "B"		5,043.14	16,553.89
WD#2 fund "WB"			375.00
WD#3 Fund "WC"			2,063.60
WD#4 Fund "WD"			1,299.80
Sp Fire Prot Fund "SF"			58,581.78
SD#2 Fund "SA"		1,123.05	4,191.71
Trust & Agcy Fund "T"		1,688.04	6,115.54
Special Refuse Fund "SR"			27,368.09
St Lighting Fund "SL"			2,719.77
Grants			3,300.00
TOTAL	214,582.89	23,284.81	237,867.70

(Approved 1/19/08)

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Keith Stone/Crittenden Rd questioned if the Town's E-Mail is working – the Supervisor stated that it is.

A Student from Alden Central had questions re the Form they have to complete – the Supervisor answered the questions.

Richard Monin/11090 Westwood Rd stated he had a problem with the Garbage – they do not pick up his recyclables such as metal he has in the Bin – the Supervisor said he would contact Modern.

COMMUNICATIONS

Councilman Weber received Bids for a Generator for the Town Hall and Highway – requested this be placed on the Work Session.

Attorney Strong received the signed Contract for the Ewell Free Library.

Supervisor Smith reported he had the Alden Town Planning board Agenda for February 12th; a copy of the Town Planning Board Minutes of the January 8th Meeting; copy of the approved Board Minute's from the Village; copy of a letter received by CEO/Marty Dugan from Linnette Pacyon "Thanking" him for his help with the Czajkowski tenants at 11638 Genesee St.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to enter into the 7:10 PM Public Hearing.

The Town Clerk read the Public Hearing Notice that was published in the Alden Advertiser.

Attorney Strong explained the reason for the Public Hearing – Periwinkle Meadow Subdivision – Austin Development Inc. LLC Developer-Property owners have submitted a petition containing the required signatures to establish a Street Lighting District and to be diminished from the Town of Alden Townwide Lighting District.

Matt Herdzik/S Woodside questioned the Lighting in Periwinkle Meadows – there are 36 Lots in this area and the Lighting was requested by the Developer – the Homeowners will be paying the Lighting themselves – they will not be include in the Townwide Lighting. Jim Guarino/North Rd stated on his Road there are only 12 Street Lights Paul Loehr/Henske Rd stated he feels we are creating a new standard before we create a Comprehensive Plan – it's like putting the cart before the horse. Supervisor Smith feels that this has no effect on the Comprehensive Plan.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn the Public Hearing at 7:20 PM. Unanimously carried.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the HOP (Ceramics) for Phyllis Webb/Sandridge Rd. Unanimously carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to renew the HOP (Sporting Goods Dealer) for Dean Adamski/12170 Westwood Rd. Unanimously carried.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to renew the HOP (Chiropractic Services) for Dr. Stephanie R. Pautaler/12755 North Rd. Unanimously carried.

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

WHEREAS, the Alden Town Board in order to fully implement the Town of Alden Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems and the Town of Alden Stormwater Management and Erosion and Sediment Control Law, and to comply with the SPDES Permit (GP-02-02), needs to adopt Stormwater Management Plan; and

WHEREAS, the Town Board has reviewed the attached Town of Alden Stormwater Management Plan and had made the same available for public inspection;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS :

1. The Town Board hereby adopts the attached Stormwater Management Plan present January 22, 2008
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 4, 2008 and was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering the diminishment of the Townwide Lighting District to exclude the new Periwinkle Meadows Subdivison (the "Proposed Action");

WHEREAS, the Town Board determined that the Proposed Action is an Unlisted Action under SEQRA:

WHEREAS, the New York State Environmental Quality Review Act required the Town to determine the Lead Agency status and the Town Board did assume Lead Agency status on January 22, 2008;

WHEREAS, the Town has completed an uncoordinated review of the Proposed Action;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, 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 Erie County Division of Planning was notified on January 17, 2008, and gave a "no recommendation" on January 22, 2008

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board did determine that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board did determine that it 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 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 said Proposed Action.
4. This resolution shall take effect immediately.

The above resolution was put to roll call vote at a regular meeting of the Town Board of the Town of Alden on February 4, 2008 and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to renew the Hauler Permit for Waste Management of New York. Unanimously carried.

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

WHEREAS, the Millgrove Sportsmen's Club, Inc. is celebrating its 50th Anniversary;

WHEREAS, the Millgrove Sportsmen's Club, Inc. was created on December 11, 1957, and called its first meeting to order on January 12, 1958; pledging to provide educational

program in conservation, natural resources, hunter safety and ethics, snowmobile safety, stocking and replenishing wildlife and habitat while working with youth on the enjoyment of hunting, fishing and other outdoor related activities;

WHEREAS, the Millgrove Sportsmen's Club, Inc has done just that by holding educational programs, supporting legislation that protects our environment and natural resources, and by supporting recycling;

WHEREAS, the Town of Alden is aware that the residents of the Town of Alden participate in and benefit from the programs offered by the Millgrove Sportsmen's Club, Inc.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board hereby recognizes and congratulates the Millgrove Sportsmen's Club, Inc. for 50 years of outstanding service to the Alden Community;
2. That the Town Clerk is hereby directed to send a certified copy of this Resolution to Thomas Meyer, President of the Millgrove Sportsmen's Club, Inc.; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to roll call vote and was unanimously adopted.

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

Whereas, the Town of Alden is a Member of the Erie County Community Development Block Grant Urban County Consortium ("the Consortium"); and

WHEREAS, the County of Erie Department of Environment and Planning has requested that all Consortium Members appoint an Affirmative Action Officer

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Supervisor Ronald L. Smith is hereby appointed as the Affirmative Action Officer for the Town of Alden for the year 2008
2. The Town Clerk shall notify the County of Erie Department of Environment and Planning of this appointment
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote and was unanimously adopted.

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

WHEREAS, the Alden Town Code Chapter 10 calls for the establishment of a Board of Ethics that shall consist of three (3) members who shall serve without pay;

WHEREAS, the Alden Town Code states that the Board of Ethics shall meet only upon the written request of Town /Employees and/or the Town Board;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That Town Clerk Dorothy Bycina is hereby appointed to the Board of Ethics;
2. That the following two (2) persons shall serve on the Board of Ethics for a term to expire December 31, 2008: Paul G. Loehr and Richard D. Koelbl.

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to roll call vote at a regular meeting on February 4, 2008 and was unanimously adopted.

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

WHEREAS, the Alden Town Board has noticed the need to update and revise the Town of Alden Comprehensive Master Plan and properly applied for and has been awarded Erie County Community Development Block Grant monies; and

WHEREAS, the Alden Town Board would like to accept the award of CDB grant monies to allow the Town to update and revise its Master Plan by executing the required Agreement with the County of Erie.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby authorizes Supervisor Ronald L. Smith to sign, submit, and execute the attached 2008-09 CDBG Project Agreement with the County of Erie to effectuate the CDB Grant between the Town of Alden and the County of Erie.

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on February 4, 2008 and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS FROM COMMITTEES, OFFICIALS AND PERSONNEL.

Attorney Strong reported she has prepared two Public Hearing Notices for the ZBA and requested the Procurement Policy be placed on the Work Session.

Councilman Snyder reported a new Heater had to be bought for the Sewer District; there is a leak in the Roof over the area where the Freezers have been taken out – checking this out to have it fixed and then concrete will be poured to fill in the hole where the Freezers were taken out.

Councilwoman Cooke has been meeting on Friday's with the Disaster Committee.

Supervisor Smith announced that Kevin Gaughan has requested to be on the March 3rd Agenda.

Supervisor Smith adjourned the Meeting at 7:30 PM with a Minute's silence in Memory of Robert Laycock.

DOROTHY L. BYCINA
TOWN CLERK