

**MEETING NO. 4
REGULAR NO. 4**

**REGULAR BOARD MEETING
TOWN OF ALDEN**

**FEB. 16, 2010
7:00 PM**

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, February 16, 2010 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 Deputy Town Clerk.

PRESENT:

Ronald Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman

RECORDING SECRETARY:

Debra A. Crist, Deputy Town Clerk

OTHERS PRESENT:

Jennifer Strong, Town Attorney
Carl Fix, Highway Supt.
Michael Metzger, Town Engineer
Marty Dugan, CEO
Ralph P. Witt, Tax Receiver
Mike Fleming, Planning Board
Len Weglarski, DCO

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of February 1, 2010. 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"	\$56,154.04		\$56,154.04
HGHWY FUND "DA/DB"	18,811.53		18,811.53
PART-TOWN FUND "B"	7,478.25		7,478.25
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	64,983.52		64,983.52
SP FIRE PROT. "SF"	3,199.98		3,199.98
SD#2 FUND "SA"	1,758.54		1,758.54
TRUST/AGCY FUND "T"			
SP REFUSE FUND "SR"	37,481.00		37,481.00
STREET LIGHTING FUND "SL"	7,910.17		7,910.17
PERIWINKLE LTG. "SL1"	50.00		50.00
GRANTS			
TOTALS	\$200,265.83		\$200,265.83

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

There was no Business from the Floor.

COMMUNICATIONS

Councilwoman Riddoch reported that she received two requests from the Volunteer Firemen for address changes for the Service Award Program, she took care of this. Received a request from Alden Central School to use the Robert O. Smith Park for the Modified Baseball season and for the JV Boys Baseball season. She would like this on the Work Session.

Deputy Debra Crist received a phone call from Nancy Taylor, Alden Senior Citizen Club, commending Andy Sojka on a job well done cleaning up after the Winterfest for their luncheon on Monday.

Attorney Strong said she has received insurance certificates from Meals on Wheels, St. John's Church and Sitzman's Maytag/generator.

Councilman Snyder received a letter from Erie County Government regarding a Meeting that will be held on February 25th in East Aurora.

Councilwoman Cooke reported that Donna Zinter, Senior Nutrition Aide will be leaving on vacation, Janet Klein her substitute will take over. Councilwoman Cooke notified the County of this and they are okay with it, there should be no problem.

Supervisor Smith received the Planning Board Agenda for 2/9/10 meeting, received from the Village of Alden their approved Board minutes for their January 14, 2010 meeting, received from the Genesee County Soil and Water Conservation District a request that a representative from the Town of Alden become a member of their Council and attend their next Committee meeting on 2/24/10 @ 6:30 PM, would like this on the Work Session, received Rural Metro's 1/2010 monthly compliance report; 90% performance, received U.S. Dept. of Homeland Security and NYS Dept. of Environmental Conservation communications regarding the updating of the flood insurance maps, there are five community coordination meetings scheduled, a representative will be needed, would like that on the Work Session. CEO Dugan signed up for this and will discuss it at the next Work Session.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the renewal of the Home Occupation Permit for Stephanie R. Pautler, D.C. @ 12755 North Rd., /Chiropractic. Unanimously Carried.

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

WHEREAS, many municipalities, including cities, counties, towns and villages within Erie County have lost monetary support from the County of Erie;

WHEREAS, The Town of Alden believes that the Ewell Free Library is a great asset to the residents of the Town of Alden and would like to keep the Library open for the benefit and enjoyment of its citizens;

WHEREAS, the Alden Ewell Free Library is currently operated by the County of Erie and housed in a building not owned by the Town of Alden; and

WHEREAS, the Town Board of the Town of Alden would like to Contract with the Ewell Free Library to provide monies to the Library for its continued operation.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the Contract for the year 2010 with the Ewell Free Library 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 of Alden is authorized to sign any and all necessary documents to effectuate this Contract; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 16, 2010, and was unanimously adopted.

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

WHEREAS, Members of the Erie County Village Officials Association are deeply concerned over the potential impact of an EMP (Electromagnetic Pulse) event that could cause chaos and confusion for the residents of Erie County and New York State, and that could result in physical harm (including death) and long-term economic loss to said residents; and

WHEREAS, the United States Congress created a commission in 2001 to examine and report on the effects of electromagnetic pulses on critical infrastructure and has demonstrated that critical infrastructure is highly vulnerable and largely unprotected; and

WHEREAS, the Abstract of the “Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, Volume I: Executive Report” (2004) states, in relevant part:

“Several potential adversaries have or can acquire the capability to attack the United States with a high-altitude nuclear weapon-generated electromagnetic pulse (EMP). A determined adversary can achieve an EMP attack capability without having a high level of sophistication.

EMP is one of the small numbers of threats that can hold our society at risk of catastrophic consequences. EMP will cover the wide geographic region within line of sight to the nuclear weapon. It has the capability to produce significant damage to critical infrastructures and thus to the very fabric of US society, as well as to the ability of the United States and Western nations to project influence and military power.

The common element that can produce such an impact from EMP is primarily electronics, so pervasive in all aspects of our society and military, coupled through critical infrastructures. Our vulnerability is increasing daily as our use of and dependence on electronics continues to grow. The impact of EMP is asymmetric in relation to potential protagonists who are not as dependent on modern electronics.

The current vulnerability of our critical infrastructures can both invite and reward attack if not corrected. Correction is feasibly and well within the Nations’ means and resources to accomplish...

‘*The* damage level could be sufficient to be catastrophic to the Nation and our current vulnerability invites attack ...” and

WHEREAS, a second report was issued by the Congressional EMP Commission in 2008 entitled “Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, Critical National Infrastructures” (2008), which provided detailed analysis and advice regarding specific infrastructure segments and again warned that the United States could suffer catastrophic consequences from a nuclear EMP attack (and that terrorists or rogue states could perform such an attack), and concluded that the U.S. could be protected from an EMP at a relatively modest cost, not only protecting critical infrastructures from EMP, but also mitigating and speeding recovery from cyber threats, sabotage, and common natural disasters like hurricanes; and

WHEREAS, the EMP Commission was disbanded earlier this year; and

WHEREAS, Early this year, the National Academy of Sciences released a blue ribbon study that independently supported the EMP Commission’s earlier warnings that Mother Nature can also pose an EMP threat to the United States, by means of a great geomagnetic storm that occurs about once every century, very similar to a nuclear EMP attack; and, according to the National Academy of Sciences, such a storm is inevitable, and may occur during the next cycle of solar flare activity, in 2012;

WHEREAS, Economic output losses and physical harm to residents could be substantially reduced if even 10% of critical infrastructure were protected; and

WHEREAS, The National Fire Protection Association NFPA 1600 Standard on Disaster/Emergency Management and Business Continuity Programs (2007 Edition): (i) identifies potential hazards that are naturally occurring and human cause; (ii) expressly states that “[i]n order to maintain continuity of operations, [each] entity should identify essential or critical functions and processes, their recovery priorities, and internal and external interdependencies so that recovery time objectives can be set;” and (iii) specifically identifies terrorism (including nuclear and cyber terrorism), sabotage, enemy attack/war, and electromagnetic pulse as some of the enumerated intentional hazards that should be addressed; and

WHEREAS, It is critically important to protect the public through an immediate, continuous, cost effective, and sustainable State of Readiness that is resistant to foreign and domestic terrorist threats (including cyber threats and EMP attacks), and to be prepared for natural disasters (including great geomagnetic solar storms), and to provide emergency management and terrorism prevention services to citizens through an “All Hazards Approach” that builds on the creative coordination of existing state functions and local resources such as emergency management, law enforcement, fire, and communications, using strategic priorities and aligning and empowering efforts by state and local agencies in coordination with private sector capabilities and resources; and

WHEREAS, The development of critical infrastructure technologies will require the investment of the private sector and the training of workers through New York’s colleges, universities, and apprenticeship programs for technical and engineering disciplines ranging from welding specialties through nanotechnology and electro-mechanical engineering, design, and development; and

WHEREAS, The need for bringing together county & local disaster officials, legislators, mayors & supervisors, along with the state and federal, government, is of the utmost importance to address this issue; and

WHEREAS, There is a need to re-establish the bi-partisan Congressional EMP Commission as soon as possible; and

WHEREAS, There is also a need for establishing bi-partisan committees at the county and state levels that could create plans to bring about education, communication, and implementation of a program to avoid or mitigate the dangers of an EMP event; and

WHEREAS, Community preparation is a must in survival of an EMP incident and it is important that all cities, villages, towns & the County Executive with the Legislature stress cooperation of all agencies that would be involved in such an event; and

WHEREAS, The New York State Legislature could create a committee to be known as the Critical Infrastructure Protection Committee that would educate itself about EMP and gather the facts, and then educate local agencies & officials (and ultimately the public) about the hazards of man-made and solar EMP events, and establish a plan to implement the proper steps for community preparedness;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The Alden Town Board hereby requests that the New York State Legislature create a committee called the Critical Infrastructure Protection Committee to assess the dangers of man-made and solar EMP threats, and develop and recommend a plan to prepare for, protect from, respond to, and recover after such EMP events; and
2. The Alden Town Board hereby requests that the said Critical Infrastructure Committee shall, among other duties:
 - (1) study the United States Congressional Commission reports and the National Fire Protection Association (NFPA) recommendations regarding critical infrastructure and protection from risks including electromagnetic pulses and make recommendations

- on county and local compliance with current and emerging codes and recommendations regarding critical infrastructure protection;
- (2) study and present the range of critical infrastructure that is vulnerable, including:
- (i) electricity;
 - (ii) communications;
 - (iii) banking and finance;
 - (iv) petroleum and natural gas;
 - (v) transportation;
 - (vi) food;
 - (vii) water supplies and sewage treatment;
 - (viii) emergency services (including, among other things, police, fire, health, and medical facilities);
 - (ix) continuity of government; and
 - (x) keeping citizens informed;
- (3) review the costs impacting local (and state) revenues if infrastructure remains unprotected and the financial benefits from protecting the most critical infrastructure;
- (4) review the recommendations from the National Academy of Science in reports such as “Making the Nation Safer,” which calls for the creation of micro-grids, and make recommendations regarding the development, deployment, and protection of micro-grids from electromagnetic pulses, including:
- (i) the use of local electricity generation sources;
 - (ii) the use of renewable energy sources;
 - (iii) the use of new energy storage systems; and
 - (iv) leverage of research and development resources across the country (and state), and assess the ability to attract state and/or federal funding and private investment;
- (5) identify critical interoperable communications capabilities and determine how to keep them operable;
- (6) review opportunities where local and state agencies and the private sector can cooperate to expedite mitigation of critical infrastructure vulnerabilities; and
- (7) review shortages of labor and training categories that may be addressed by institutions of higher education and technical training programs in New York; and
3. The Alden Town Board hereby requests that the New York Public Services Commission and power utility authorities and companies serving or effecting “Erie County take immediate action to protect the electrical power grid and supply systems from the effects of man-made and solar EMP; and
4. The Alden Town Board hereby requests federal Representative Slaughter, Higgins and Lee Co-Sponsor the EMP amended version of House Bill HR 2195 and further request U.S. Senators Schumer and Gillibrand to Co-Sponsor the EMP amended version of the companion Senate Bill S-946, and for each to urge the EMP Commission be reestablished with as many of the original nine EMP Commissioners who are willing and able to serve; and
5. The Alden Town Board hereby requests that the Erie County Legislature take the aforementioned actions as soon as possible for the concerns and safety of the residents of Erie County, and that copies of this resolution be transmitted to U.S. Senators Schumer and Gillibrand, Members of Congress Slaughter, Higgins and Lee, NYS Senators Stachowski, Volker, Thompson, and Ranzenhofer. Assembly Members Schimmoeller, Peoples, Corwin, Hoyt, Gabryszak, Schroeder, Quinn and Hayes, County Executive Collins and all of the Erie County Legislators, the Mayors of every city. And village and the Supervisors of every town in Erie County; and
6. The Alden Town Board hereby requests that the Erie County Legislature request that the County Office of Emergency Services brief the Legislature on the dangers of EMP, and thereafter promptly pass a similar resolution to this resolution requesting that the State of New York take similar actions on an urgent basis to address the EMP threat and protect our citizens.
7. This Resolution shall take effect immediately.

This Resolution was duly put to a roll call vote at a regular meeting on February 16, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Alden Junior Baseball that Town ball diamond #1 at the Robert O. Smith Park is in need of a canopy/backstop to protect passers-by and players, the estimated cost of which less than \$10,000.00 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, said Guidelines have been followed and quotes have been properly solicited and received; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the purchase and installation of a canopy/backstop at ball diamond # 1;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase and installation of a canopy/backstop, as per the attached proposal from Excel Fence, Inc. for \$3,428.00 as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase and installation;
3. Excel Fence, Inc. must supply proof of liability insurance and worker’s compensation insurance, naming the Town of Alden as an additional insured, to the Town Clerk’s Office prior to the commencement of installation.
4. Excel Fence, Inc. must comply with all labor laws and must pay its employees the prevailing rate of wage.
5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 16, 2010, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to Introduce Local Law #1 of 2010 (Amendment of Chapter 18C Vehicle and Traffic of the Alden Town Code) and to refer the same to the Planning Board for review and recommendation.” Unanimously carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve Alden Medical Group’s request to use the Alden Community Center on March 6th, 2010 from 10:00 AM – 12:00 PM for a Class. Unanimously carried.

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve St. John’s Request to use the Town Band Shell on July 16-18th, 2010 for their Lawn Fete. Unanimously carried.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Anna Marzec and Paul Marzec, for the subdivision of two (2) lots. The entire parcel

as currently constituted consists of approximately 1.93 acres on Two Rod Road in the Town of Alden. The first proposed lot (“Parcel A”) would be .75 +/- acres containing a house known as 55 Two Rod Road; the second proposed lot (“Parcel B”) would be 1.18 +/- vacant acres (which is the remainder of the parcel); further identified by SBL # 129.00-2-5.22 (The “Proposed Action”);

WHEREAS, the Town Board of the Town of Alden has determined 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 decisions as to subdivision; 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 Building Inspector provided notice to the Erie County Division of Planning on January 22, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a “no recommendation” was received from the Division on January 26, 2010.

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; and

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 February 16, 2010, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the motion to approve the renewal of the Home Occupation permit for Dennis Nichols/3025 Peters Corner Rd. /Used Car Sales. Unanimously Carried.

The Following Resolution was offered by Councilman Weber seconded by Councilwoman Riddoch to wit;

WHEREAS, the Town of Alden Recreation Advisory Committee has an opening for a member to serve on the Board.

WHEREAS, the Town of Alden Recreation Advisory Committee, at this time would like to fill this position.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That David Kocher is and hereby is appointed to serve on the Recreation Advisory Committee for a term to expire on December 31, 2011.
2. This Resolution shall take effect immediately.

Comment on the Question: Councilwoman Riddoch asked that the Town Clerk’s Office send out an Oath of Office to David Kocher.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 16, 2010, 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 Elizabeth A. Keller for the subdivision of two (2) lots. The entire parcel currently consists of approximately 19 +/- acres on Reinhardt Road (the parcel is divided by Reinhardt Road) in the Town of Alden (currently identified by SBL # 97.00-1-30.1). The first proposed lot (“Parcel A”) would be 9.16 +/- acres on the south side of Reinhardt Road containing the house commonly known as 12773 Reinhardt Road ; the second proposed lot (“Parcel B”) would be the remainder of the vacant parcel (9.27+/- acres on the north side of Reinhardt Road) (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 or December 2, 2009, 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 10, 2009;

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 on December 21, 2009;

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;

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on November 10, 2009, recommended to the Town Board the approval of the Proposed Action.

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 parcel, more particularly described as:

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. 27, Township 11, Range 5 of the Holland Land Company’s Survey, bounded and described as follows:

BEGINNING at the point of intersection of the center line of Reinhardt Road with the center line of Peters Corners Road; thence easterly along the center line of Reinhardt Road 428.91 feet to the westerly line of lands formerly owned by Anne Nunce by deed recorded in the Erie County Clerk's Office in Liber 199 of Deeds at page 490 and being also the westerly line of lands now or formerly owned by Thomas M. Cross by deed recorded in the Erie County Clerk's Office in Liber 11134 of Deeds at page 9618; thence northerly along said westerly line and at an interior angle of 85° 54' 00" a distance of 1044.74 feet to the southerly line of CSX Railroad (formerly New York Central Railroad Company); thence westerly along said southerly line 499.55 feet to the center of Peters Corners Road; thence southerly along said center line 894.03 feet to the point of beginning, containing 10.171 acres of land more or less

is given subdivision approval.

4. This resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on February 16, 2010, 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 (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels;

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens;

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures;

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. Town of Alden , in order to reduce greenhouse gas emissions and adapt to a changing climate will:
 - a. Pledge to Combat Climate Change by Becoming a Climate Smart Community and set goals to reduce GHG emissions and adapt to predicted climatic changes; Establish a task force of local officials and community members to review the issues and propose a

plan of action; Designate a point person who will oversee climate change initiatives and publicly report on progress; and work cooperatively with similar task forces in neighboring communities to ensure that efforts complement and reinforce one another. As an official signal of commitment and for access to technical resources, sign on to a widespread climate campaign such as ICLEI Local Governments for Sustainability - Climate Protection campaign.

b. Set Goals, Inventory Emissions, Move to Action and Gather data; inventory GHG gas emissions; and establish baselines for local government operations and community sectors. Develop quantifiable interim GHG emission targets consistent with emission reduction goals and propose a schedule and financing strategy to meet them. Encourage stakeholder and public input and develop an action plan. Report emissions to The Climate Registry (TCR), which has developed a standardized method for reporting emissions inventories; use ICLEI and TCR's tools to track and evaluate progress.

c. Decrease Energy Demand for Local Government Operations by adopting a goal of reducing electricity use by 15 percent from projected levels no later than 2015.

- i. Regarding Existing Public Facilities: Inventory current building electricity usage and identify opportunities for conservation and efficiency retrofits. Obtain energy assessments from the New York State Energy Research and Development Authority (NYSERDA), the New York Power Authority, the Long Island Power Authority or other professionals. Consider actions such as purchasing energy efficient equipment and appliances, such as ENERGY STAR®; improving lighting, heating, and cooling efficiency; setting thermostats for maximum energy conservation; decreasing plug load from office equipment; and increasing pump efficiency in water and wastewater systems.
- ii. Regarding New Public Buildings: Achieve at least minimum U.S. Green Building Council Leadership in Energy and Environmental Design standards (LEED Silver) for all new local government buildings.
- iii. Regarding Infrastructure: Incorporate energy efficient technologies and operations and maintenance practices into municipal street lighting, traffic signals, and water and wastewater treatment facilities.
- iv. Regarding Vehicle Fleet and Commuting: Improve the average fuel efficiency of local government fleet vehicles. Discourage vehicle idling and encourage bicycling, car-pooling and public transit for employees. Consider reducing the number of vehicles; converting fleet vehicles to sustainable alternative fuels; and using electric vehicles where possible.

d. Encourage Renewable Energy for Local Government Operations Supply as much of the local government's power, heat and hot water needs as possible from solar, wind, and small hydro through purchase or direct generation.

e. Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices by expanding the "reduce, reuse and recycle" approach to waste management in local government operations and in the whole community. Reduce the amount of solid waste generated -- promote backyard composting, implement volume-based pricing and educate residents on how to prevent waste. Promote reuse by organizing community-wide yard sales, and providing a space for drop-off or trade of reusable goods. Provide recycling receptacles in local government buildings and outdoor spaces, require duplex printing in government offices, compost food scraps and green waste, and adopt a comprehensive green purchasing program.

f. Promote Climate Protection through Community Land Use Planning by combating climate change by encouraging low-emissions development that is resilient to climatic changes. When updating land use policies, building codes or community plans, include provisions to combat climate change; reduce sprawl; preserve and protect open

space, biodiversity, and water supplies; promote compact, transit-oriented, bikeable and walkable communities; promote infill development; minimize new development in floodplains; maintain or establish healthy community forests; and promote best forest management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide.

g. Plan for Adaptation to Unavoidable Climate Change by evaluating risks from unavoidable climate change, set adaptation goals and plan for adaptation. Identify climate change impacts (such as flooding, drought, and extreme temperatures) that could affect the community. Identify areas such as water supply and sewer infrastructure that may be at risk due to sea-level rise and future changes in climate. Factor risks into long-term investments and decision-making. Execute climate change adaptation and preparedness measures through local government planning, development and operations, giving priority to the highest risk areas.

h. Support a Green Innovation Economy by identifying opportunities to incorporate climate protection, sustainability and environmental goods and service industries into economic development plans. Encourage workforce development training and school curricula that support the emerging green collar job sector, including renewable energy and energy efficiency, as well as climate smart solid waste management practices. Procure climate smart goods and services for local government operations and support modernizing of local and national electricity grids.

i. Inform and Inspire the Public; Lead by example. Highlight local government commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects by hosting open houses; distributing fliers; holding local meetings; working with school districts, colleges, and universities to develop climate change curricula and programs; engaging faith-based communities in climate protection; and regularly communicating community climate protection goals and progress to constituents.

j. Commit to an Evolving Process. Acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and commit to update plans and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less-effective actions and amplify positive results.

2. This Resolution Shall Take Effect Immediately.

Comment on the Question: Councilman Weber questioned the origin and the implementation of this Resolution, felt that this was a pledge with enormous undertaking. Supervisor Smith responded that this is required as part of a grant the Town is applying for. Implementation could be over a period of time, working toward a greener community.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 16, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board noticed the need to update and revise the Town of Alden Comprehensive Plan (“the Plan”) and properly applied for; was awarded; and accepted Erie County Community Development Block Grant monies for the Plan;

WHEREAS, the Alden Town Board properly solicited and received proposals from four planning firms for assistance in updating the Plan and each proposal was reviewed;

WHEREAS, the Alden Town Board properly hired Wendel Duchscherer, Architects and Engineers to assist in the update of the Plan;

WHEREAS, the Alden Town Board established by resolution a special board: "The Town of Alden Comprehensive Plan Steering Committee" ("Committee") who, with the assistance of Wendel Duchscherer; the Town Engineer; and the Town Attorney, prepared a draft of the Plan;

WHEREAS, the Committee included one member of the Town of Alden Planning Board and one employee of the Erie County Division of Planning, among other members;

WHEREAS, the Committee held many meetings including public hearings on July 29, 2008; November 18, 2008; and on June 10, 2009;

WHEREAS, the Committee by resolution on October 29, 2009, recommended to the Alden Town Board the adoption of the Plan;

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 on December 21, 2009 and no objections were received;

WHEREAS, the Plan is a Type I action within the requirements of the New York State Environmental Quality Review Act and a coordinated review has been conducted;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, Wendel prepared the Full Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer;

WHEREAS, Wendel provided notice to the Erie County Division of Planning on or about January 11, 2010, as required under Section 239-m of the General Municipal Law and comments were received from the County on January 29, 2010;

WHEREAS, the Alden Town Board on January 4, 2010 called a public hearing, notice of which was published in the Alden Advertiser on January 7, 2010;

WHEREAS, copies of the Plan were available to the Town Clerk's Office and on the Town of Alden Website; and

WHEREAS, a public hearing before the Town Board was held on January 19, 2010, and all persons in favor of and opposed to the Plan were heard.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached SEQRA Negative Declaration;
2. The Town Board hereby adopts the Plan as the Official and Adopted Town of Alden Comprehensive Plan; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on February 16, 2010, and was unanimously adopted.

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

WHEREAS, household generated hazardous waste is a dangerous and problematic waste stream which increases risk from fire and poisonings if improperly stored, and

WHEREAS, improper disposal of household hazardous waste can pollute our environment, pose a risk to sanitation workers, and impact wildlife, and

WHEREAS, the safe recycling and/or disposal of household generated hazardous waste is a priority for Town of Alden residents and their elected officials, and

WHEREAS, the New York State Department of Environmental Conservation is authorized by section 54-0705 of the Environmental Conservation Law, and the 6NYCRR Subpart 373-4 Regulations, to enter into contracts on behalf of the State to provide grants to reimburse 50% of expenses to municipalities for Household Hazardous Waste Programs, and

WHEREAS, the Town of Alden has, *through the Northeast Southtowns Solid Waste Management Board (NEST)* worked with Erie County Department of Environment and Planning to hold an annual collection event to reduce risks, protect the environment and insure proper disposal of household hazardous waste materials, and

WHEREAS, NEST has paid the disposal costs for a household hazardous waste collection in 2009, and

WHEREAS, NEST has not received a State reimbursement contract from the application submitted for 2009 program expenses, and

WHEREAS, NEST has not been reimbursed for 50% of the costs generated by the collection events held on May 9 and June 20, 2009, and

WHEREAS, and there is great concern about the sustainability of the Household Hazardous Waste Collection Program and its ability to continue to offer this important service to residents of Erie County without the fiscal assistance from New York State.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Alden Town Board does hereby urge New York State Governor David Paterson to release funds necessary to fulfill reimbursement expectations of municipalities which, in good faith, provided Household Hazardous Waste Collection opportunities to residents in 2009;
2. That New York State Governor Paterson, is encouraged to continue to support and fund this important reimbursement program in 2010 and beyond to protect our residents and our environment;
3. That the Clerk of the Town of Alden shall forward copies of this resolution to Governor David Paterson, New York State Comptroller's Office, Senate Majority Leader Pedro Espada, Jr., Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari; and Assembly Leader Minority Leader Brian Kolb; and
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 February 16, 2010, and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORT OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch said she got a call from the Crossing Guard at St. John's reporting that her sign for the middle of the road was run over, she was referred to the Highway Department; Highway Superintendent Fix said they had made the repairs. There was an Alden Recreation Advisory Committee meeting earlier today, they went

over the wetland walkover and the concept plans for the Town Park. She would like the concept plans for the Town Park on the Work Session.

Councilman Weber met earlier this week with new Highway Superintendent Fix and Foreman Ken Justinger and talked about their strategy and plans for drainage. They discussed the piece of equipment they have talked about in the past and have been saving for three years, would like this on the Work Session, to discuss how to implement that purchase.

Attorney Strong would like the Marzec Subdivision on the Work Session.

Councilwoman Cooke met with the Office of Emergency Management Friday and they talked about helping and working with the firemen setting up a drill for the spring. The Fire Companies will be contacted and she will let the Board know when it will be set up.

CEO Dugan would like the Flood Maps put on the Work Session.

**NEXT WORK SESSION – FEBRUARY 22, 2010 @ 7:00 PM
NEXT BOARD MEETING – MARCH 1, 2010 @ 7:00 PM**

AT 8:10 PM SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS A MATTER OF CONTRACT NEGOTIATIONS

Councilwoman Riddoch moved and Councilman Weber seconded the motion to enter into an Executive Session. Unanimously carried.

AT 8:26 PM SUPERVISOR SMITH ASKED FOR A MOTION TO REENTER INTO THE REGULAR MEETING WITH NO ACTION BEING TAKEN;

Councilman Weber moved and Councilwoman Riddoch seconded the motion to reenter back into the regular meeting, with no action being taken. Unanimously carried.

Supv. Smith adjourned the Meeting at 8:28 PM with a Minute's silence in Memory of Karen Wuerch, Warren Eastwood, Loretta Lis, Aldine Morgan and Scott Regdos.

Debra A. Crist
Deputy Town Clerk