

MEETING NO. 5  
REGULAR NO 5

REGULAR BOARD MEETING

MARCH 2, 2009  
7:00 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, March 2, 2009 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilman Weber led in the Pledge of Allegiance. Mr. Paul Loehr gave the Invocation. The roll call was taken by the Town Clerk.

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

Councilman Weber moved and Councilwoman Cooke seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of February 17, 2009. 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"		16,803.19	79,518.89
HGHWAY FUND "DA/DB"		14,222.42	53,194.93
PARTTOWN FUND "B"		3,457.64	5,591.89
WD#2 FUND "WB"			375.20
WD#3 FUND "WC"			2,063.60
WD#4 FUND "WD"			66,080.43
SP FIRE PROTECTION"SF"			58,159.18
S D #2 FUND FUND "SA"		25.74	2,046.00
TRUST & AGCY FUND "T"		14,819.53	15,013.53
SP REFUSE FUND"SR"			23,187.90
ST LIGHTING FUND "SL"			7,853.05
GRANTS		71.60	5,307.06
TOTAL	268,991.54	49,400.12	318,391.66

(APPROVED 2/17/09)

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

Supervisor Smith "Welcomed" the Students from Alden Central School.

BUSINESS FORM THE FLOOR

James Guarino/13899 North Road presented a letter from the State of New York Office of Real Property Services – he feels that the Town improperly calculated the formula estimating each resident's financial contribution to the WD#5. The opinion indicated that all farm properties within an agricultural district can receive an exemption from special assessment – which would include this water district. He requested that the town reformulates their figures before the referendum vote. This may cause other taxpayers to see an increase in their charge for the district. Supervisor Smith will read the letter and will present it to the Assessor and Engineer to see if the original calculations have been correctly.

Eric Chaffee/441 Cayuga Creek Road suggested that the Town look into a Subsidized Well Improvement Program – he stated that there is money available to help homeowners improve their wells. He also questioned why his wife’s name is not listed on the map plan even though she is on the Deed. Supervisor Smith stated that the list on the map plan has nothing to do with the voter list. A separate voter list is being compiled and that the map plan is merely a property listing. He also questioned if he will be assessed on this property or on his home – this issue will be referred to the Assessor.

Polly Justinger/2851 Crittenden Rd stated that there is no new information presented at the water district meetings. She wanted to know what percentage of the Town is 26 miles and how many residents are in need of water and is the cost for WD#5 comparable with the other districts. She said some people move to the county where there are wells and then expect to have the same amount of water as they previously had. They build large homes with more than one bathroom and then find out they do not have adequate water. She feels that the cost is too excessive especially for the people who already have an adequate well.

Robert Wohlgenuth/Genesee Street stated that there are many properties in the proposed Water District that include cemeteries, schools, state property and churches. He wants the Town to be certain that these areas are included in the calculations determining the cost so people will have a true cost.

Keith Stone questioned who would be supervising the vote. Attorney Strong stated that the Erie County Board of Elections will do the supervising. They will provide the Town with a list of qualified inspectors and the voters will not be allowed to witness the tally process.

#### COMMUNICATIONS

Councilwoman Cooke reported she received a message from a former Alden Resident who is employed by the County Disaster Program and she has offered to help us.

Supervisor Smith reported the following: Report for Fire/EMS Department for the Month of January 2009; Monthly Statement/February 2009 from the Receiver of Taxes; the January 2009 Approved Board Minutes from the Village; the February 12, 2009 Approved Board Minutes from the Village; the February Monthly Report from the Town Clerk; the February Report from the Building Inspector.

#### NEW BUSINESS

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

Whereas: Tobacco products are addictive and contribute to the premature illnesses and deaths of our citizens; and

WHEREAS the Surgeon General has concluded that tobacco product marketing encourages people to use tobacco, especially youth; and

WHEREAS in 2005, tobacco companies spent \$13 billion to market cigarettes in the United States, most of which was spent at point of sale; and

WHEREAS the economic impact of tobacco use is a drain on our community keeping taxes high and making employers spend more money on health insurance which reduces jobs in our region; and

WHEREAS the vast majority of tobacco users regret their decision to start smoking and find their ability to quit using tobacco constrained because of nicotine addiction; and

WHEREAS, we have a responsibility to protect the public’s health, especially those who are young and most vulnerable

WHEREAS an estimated 1/3 of adolescent experimentation with smoking can be directly attributed to tobacco advertising and promotion activities;

NOW THEREFOE BE IT RESOLVED that the Town of Alden hereby supports the efforts of Erie-Niagara Tobacco-Free Coalition and to protect the children of Erie and Niagara Counties and the Town of Alden by asking local retailers to reduce tobacco advertising by doing the following:

- \*No price promotions or discounts
- \*Removing all tobacco brand advertising inside and outside of their store
- \*Keeping tobacco displays out of view of customers
- \*Agreeing to place material in their store advising smoking customers where they can get assistance to stop using tobacco products.

UPON ROLL CALL VOTE THE FOREGOING RESOLUTION WAS UNANIMOUSLY ADOPTED.

Supervisor Smith moved and Councilman Weber seconded the Motion to grant the U.S. Census Bureau permission to use the Town Hall from April 13 thru April 17, 2009 (9:00 AM – 5:00 PM) for training of employees. Unanimously carried.

Councilwoman Cooke moved and Councilman Weber seconded the Motion to refer the HOP for Ronald Blakleslee/456 Creekside Dr to the Planning Board for their recommendation. Unanimously carried.

UNFINISHED & TABLED BUSINESS

TABLED THE RESOLUTION DESIGNATNG ELECTION INSPECTORS AND BALLOT CLERKS.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber and the Highway Supt checked on a drainage problem on Four Rod Rod – seems to be the problem for the County.

Town Attorney Strong is following up with the Board of Elections re the Water District Referendum Election; continuing to follow up with Time Warner; working with Engineer Metzger re Periwinkle Lighting and also working with the Village of Alden and the Fire Company re the Firemen's Convention.

Councilwoman Cooke will be getting some information re a Thermo Heating System – when she gets this she will give it to Councilman Snyder.

Engineer Metzger requested the Refuse Collection Bid Spec and the Boiler be placed on the Work Session.

Supervisor Smith adjourned the Meeting at 7:35 PM with a Minute's silence in Memory of Norma Sweet (Former Town of Alden Historian), Tim Carney, Annie Hawkes, Florence Stachowiak, Dorothy Schiersing.

DOROTHY L. BYCINA  
TOWN CLERK