

MEETING NO. 7
REGULAR NO. 7

REGULAR BOARD MEETING

APRIL 3, 2006
7:30 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, April 3, 2006 at 7:30 PM. Supervisor Cole called the Meeting to order. Councilman Weber led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Michael W. Cole, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald L. Snyder, Councilman
Arlene A. Cooke, Councilman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Debra Crist, Deputy Town Clerk
Jennifer Strong, Town Attorney
Harry F. Milligan, Highway Supt
Frank Trybuskiewicz, CEO
Michael Metzger, Town Engineer
Ralph Witt, Chairman Planning Board
Ronald Smith, Planning Board Member

Councilmember Snyder moved and Councilmember Cooke seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of March 20, 2006. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER COOKE SECONDED BY COUNCILMEMBER SNYDER

ACCOUNT	ABST #1	ABST #2	TOTAL
GENERAL FUND "A"		10,735.07	30,930.41
HGHWY FUND "DB"		1,737.97	19,894.06
PARTTOWN FUND "B"		6,283.17	12,287.85
WD#2 FUND "WB"		600.00	975.20
WD#3 FUND "WC"			
WD#4 FUND "WD"			
SP FIRE PROT. "SF"			
SD#1 FUND "SI"			
SD#2 FUND "SA"		2,117.75	2,900.23
TRUST/AGCY FUND "T"		575.09	3,146.70
SP REFUSE FUND "SR"			
ST LIGHTING FUND "SL"			
	(Approved 3/30/06)	22,049.05	770,857.94
TOTAL	748,808.89		

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

Supervisor Cole "Welcomed" the Students form Alden Central School.

BUSINESS FROM THE FLOOR

Roxanne Dziejdzic/13305 Broadway questioned the status of the Senior Van Driver. Supervisor Cole stated that there was a Meeting with the Board and the Van Driver – they have to follow steps that are in our Personnel Policy – she has been given a written warning at this time and instructions where the drop off point is to be.

Ron Rebmam/12000 Broadway – "Thanked" the Highway Dept and former Councilman Lorenzi for their response when his cellar was flooded – had questions on the drainage problem - Mr. Downing also is affected by this problem - Councilman Weber will follow up on this.

COMMUNICATIONS

Councilmember Snyder received the NEST Dues Bill in the amount of \$390; also had the Annual Recycling Report.

Councilmember Cooke reported on the Red Alert this past Sunday re the Prisoner escape from the Erie County Facility – she had spoken to Mr. Weisbeck from the Alden Advertiser – they will be doing an Article on this and asked the Town Clerk’s Office to be of assistance with this matter – also she has had a request from Richard Greis of the Alden Fire Co. re a Generator for the Signals – she requested this be placed on the Work Session.

Supervisor Cole reported the following: a letter from a resident on Bonnie Lake re a Street Light Tax; letter from Helena Ward re the Senior Van Service - Supervisor Cole read the Letter in its entirety; request from Jeff Patterson – to be placed on the Work Session; letter from Niagara Frontier Chapter re free conference about wetlands; letter from TownLine Vol Fire Dept re property at 1418 Two Rod Rd; letter from Alden Central School requesting Voting Machine for the May 16th Election- since then their request was canceled; Invitation from the Town Line Fire Dept re their Installation on April 29th; request from Ralph Witt to reappoint Russ Savage to the Planning Board; NY Planning News re New Legislation/General Municipal Law; Invitation from the Veterans of Foreign Wars re Memorial Day Services – May 29th; Public Information Meeting/Town of Lancaster Senior Center – April 18th; letter from New York State Canal Corp – announcing that the tolls for recreation boating on the New York State Canal System for 2006 navigational season have been eliminated; letter from the County of Erie re increase in fees for services provided by the Erie County Health Department; copy of the Greater Buffalo-Niagara/Regional Transportation Council Agenda fro the April 5th Meeting; an Invitation to the Summit 2006 re Cross Border Capital; copy of the approved Village Board Minutes; copy of Monthly Statement from Tax Receiver-Ralph Witt; copy of a letter Dan Moutrup sent to Supt. of Schools Raw re their donation of a piano to the Alden Seniors; copy of the Building Inspection Monthly report; copy of the Town Clerk’s Monthly report; copy of letter from the County of Erie re apportionment and distribution of tax received; copy of Executed Contract between the County/Senior Services and the Town of Alden; copy of letter from Tompkins Ins re renewal coverage; packet from Scott Jordan Jr/re Restore New York/The assembly Republican Plan to Build a Better Empire State.

Town Attorney Strong requested that the Highway Agreement be Tabled; letter from Walter Schmidt’s Attorney re the Periwinkle Subdivision; received a letter from an Attorney re upcoming Litigation.

NEW BUSINESS

Councilmember Cooke moved and Councilmember Snyder seconded the Motion to grant the Sheriff of Erie County permission to use the Town Hall Boardroom on requested dates for training classes. Unanimously carried.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Fran Volpe, for the subdivision of one (1) lot. The entire parcel as currently constituted consists of approximately 25.224 vacant acres on Four Rod Road in the Town of Alden (further identified by SBL #129.00-3-2.1). The proposed lot will be 255’ x 348’ making the remaining parcel approximately 23+/- (The “Proposed Action”); and

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQR but has determined that it is in the public interest to conduct a coordinated review; and

WHEREAS, the Town 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 6, 2005. for this Proposed Action, as required under Section 239-m of the General Municipal Law and a “no recommendation” was received from the Division of January 17, 2006; and

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act; and

WHEREAS, the New York State Environmental Quality Review Act required the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination; and

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 January 10, 2006, recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQR but that a coordinated review should be conducted.
2. The Town Board has determined 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. 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 Number one hundred fourteen (114), Township ten (10), Range five (5) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point on the east line of Four Rod Road, two hundred eighty (280) feet south of the north line of Lot Number one hundred fourteen (114), being the center line of Cary Road thence easterly three hundred forty-eight and eighty-eight hundredths (348.88) feet parallel with the north line of Lot Number one hundred fourteen (114) and the center line of Cary Road to a point; thence southerly two hundred fifty-five (255) feet parallel with the west line of Iroquois Gas Corporation by deed recorded in Erie County Clerk’s Office in Liber 7318 of Deeds at page 651 to a point; thence westerly three hundred forty-seven and ninety –two hundredths (347.92) feet parallel with the north line of Lot Number one hundred fourteen (114) and the center line of Cary Road to a point on the east line of Four Rd Road; thence northerly two hundred fifty-five (255) feet along the east line of Four Rod Road to the point or place of beginning.

is given subdivision approval.

5. 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 April 3, 2006 and was unanimously adopted.

Supervisor Cole moved and Councilmember Riddoch seconded the Motion to grant the VFW permission to conduct their Annual Buddy Poppy Sale on May 11th May 12th and May 13th 2006. Unanimously carried.

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

WHEREAS, the Town Board of the Town of Alden recognizes the overall importance of traffic safety, particularly for motorcycle enthusiasts within the Town; and

WHEREAS, the Governor of the State of New York, the Honorable George E. Pataki, will make an annual Proclamation declaring May Motorcycle Safety and Awareness Month; and

WHEREAS, in commemoration of Motorcycle Safety and Awareness Month, the American Bikers Aimed Toward Education (ABATE) will hold an annual event highlighting the importance of safety locally.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Alden does hereby recognize the outstanding efforts of ABATE to promote motorcycle safety in our community; and be it further

RESOLVED, that the Town Board of the Town of Alden does hereby join with the Governor in declaring the month of May, 2006 as MOTORCYCLE SAFETY AND AWARENESS MONTH IN THE Town of Alden.

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 April 3, 2006 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER WEBER WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLE TO WIT;

WHEREAS, the Town Board of the Town of Alden recognizes the services and contributions of the Western Regional Medical System (WREMS) in our community for the past twenty-two years; and

WHEREAS, Funded by the New York State Department of Health, WREMS coordinates the development of the regional Emergency Management System through medical control, quality improvement, education and the establishment of a communications network; and

WHEREAS, New York State funding is vital to the survival of this worthwhile program.

NOW, THEREFORE, BE IT RESOLVED, THAT THE Town Board of the Town of Alden does hereby recognize the many contribution of WREMS in our community; and be it further

RESOLVED, that the Town Board of the town of Alden does hereby call upon the Governor of the State of New York and our New York State delegation to pay due attention to this impending funding issue and act in accordance with the best interest of Alden and Western New York.

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 April 3, 2006 and was unanimously adopted.

THE FOLLOWING PROCLAMATION/MUNICIPAL CLERK'S WEEK WAS OFFERED BY SUPERVISOR COLE WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER SNYDER TO WIT;

WHEREAS: the Office of the Municipal Clerk, a time honored and vital part of the local government exists throughout the world,

WHEREAS: the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS: the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS: Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS: the Municipal Clerk is the information center on functions of local government and community

WHEREAS: Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

WHEREAS: it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk

NOW THEREFORE, I, Michael W. Cole, Supervisor of the Town of Alden, do recognize the week of April 30 through May 6, 2006 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Dorothy L. Bycina and Deputy Town Clerk, Debra Crist, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 3rd day of April 2006. Michael W. Cole, Supervisor

Supervisor Cole moved and Councilmember Riddoch seconded the Motion to Table the Resolution re Collective Bargaining Agreement. Unanimously carried.

Supervisor Cole polled the Board and with no objection the following was added to the Agenda.

Supervisor Cole moved and Councilmember Weber seconded the Motion to renew the HOP for Edward Mosman/2241 TownLine Road. Unanimously carried.

UNFINISHED & TABLED BUSINESS

Tabled the Motion re the referring of the Rezone Application/Frank Russo to the Planning Board. Unanimously carried.

Supervisor Cole moved and Councilwoman Riddoch seconded the Motion to increase Line A1110.104 from \$23,471.00 to \$25,000.00– source of Fund to be Undesignated Fund Balance for the purpose of increasing the annual salary for the remainder of 2006 of Sue Siudzinski, current Town of Alden Court Clerk from \$23,471.00 to \$25,000.00 provided that the Court maintain hours of Monday through Friday from 9:00 AM until 4:30 PM; all other benefits to remain the same. Unanimously carried.

REPORTS FROM STANDING COMMITTEES AND PERSONNEL

Councilmember Riddoch reported she is working with Tompkins Ins. Agcy re a Certificate for the School for coverage when the Recreation Dept uses the Gym and Pool; had a meeting last Tuesday with Sgt. Dan Dedo/NYS Police – he will be our Liaison. She did bring to his attention the issues on Reinhardt Road in regards to break-ins and any future concerns if and when the Railroad Crossing is closed. She was advised that he is definitely interested and will look into this – he is currently stationed at the Clarence Facility and said we have a very good representation out our satellite site. Any question can be direct to him or through her. She advised she will be checking with the Erie County Correction Facility on their policy re the recent prison escape.

Councilmember Weber reported that the Economic Development Committee will be signing a Director and is working on Drainage with Supt. Milligan.

Councilmember Snyder reported that Raymar has done some work on the Heating in the Town Hall. He also reported that Supervisor Cole is a Candidate for the 142nd District Assembly – Wished him the Best.

Councilmember Cooke reported that a Microwave Oven is being purchased for Seniors.

Town Engineer Metzger has been in contact with the DOT re the Reinhardt Road Crossing – the possibility of two Cul de sacs .

Building Inspector Trybuskiewicz reported that Engineers are working on Plans for the Reinhardt Road Crossing.

Supervisor Cole moved and Councilmember Riddoch seconded the Motion to enter into an Executive Session at 8:35 PM to discuss a Potential Litigation and a Personnel matter. Unanimously carried.

Supervisor Cole moved and Councilmember Snyder second the Motion to re-enter into the Regular Board Meeting at 9:10 PM.

Supervisor Cole adjourned the Meeting at 9:12 PM with a Minute's silence in Memory of Jerry Hinsken and Robert Kauffman..

DOROTHY L. BYCINA
TOWN CLERK