

MEETING NO. 8
REGULAR NO 8

REGULAR BOARD MEETING

APRIL 21, 2008
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, April 21, 2008 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilwoman Cooke 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 A. Cooke, Councilwoman
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk
OTHERS PRESENT: Harry Milligan, Highway Supt.
Martin Dugan, CEO
John Zoratti, Planning Board
Debra Crist, Deputy Town Clerk

Councilwoman Cooke moved and Councilman Snyder seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of April 7, 2008. 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" | 18,793.98 | | 18,793.98 |
| HGHWY FUND "DA/DB" | 32,477.28 | | 32,477.28 |
| PART TOWN FUND "B" | 9,480.22 | | 9,480.22 |
| WATER DIST #2 FUND "WB" | 375.20 | | 375.20 |
| WATER DIST #3 FUND "WC" | 2,063.60 | | 2,063.60 |
| WATER DIST #4 FUND "WD" | 1,299.80 | | 1,299.80 |
| SP FIRE PROTECTION "SF" | 159.18 | | 159.18 |
| SEWER DIST #2 FUND "SA" | 1,714.18 | | 1,714.18 |
| TRUST & AGCY FUND "T" | 1,567.17 | | 1,567.17 |
| SPECIAL REFUST FUND "SR" | 27,152.90 | | 27,512.90 |
| ST LIGHTING FUND "SL" | 6,884.62 | | 6,884.62 |
| GRANTS | 1,777.23 | | 1,777.23 |
| TOTAL | 104,105.36 | | 104,105.36 |

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Irene Szymanski/1078 Bonnie Lake questioned the status of her drainage problem. Councilman Weber reported that plans are being worked on re drainage and they include the Szymanski property.

Councilwoman Riddoch will be meeting with Mike Hardie re the Town's Renewal Insurance.

Councilman Weber received a copy of the State of the County Address from County Executive Chris Collins and a "Thank You" from Kevin Gaughan re his presentation he made to the Town.

Councilman Snyder received from the DEC re recyclables - will be getting the form completed and filed.

Supervisor Smith reported the following: copy of a letter from the Town of Newstead with a resolution they adopted on April 14, 2008; copy of the Minutes of the Alden Town

Planning Board Meeting of April 8th; copy of a letter from the Town Planning Board recommending the approval of the Windmill Law.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the HOP for Paulette Morris/260 Sullivan Rd (Gifts & Crafts). Unanimously carried.

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

WHEREAS, the Town Board is considering the establishment of a new Water District No. 5 in the portions of the Town of Alden, outside the boundaries of any existing water districts of the Town and outside of any incorporated Villages; and

WHEREAS, the Town Board prior to going forward with the establishment has determined that it is necessary to have a general map and plan prepared in advance of the establishment of the proposed Water District No. 5

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS;

1. That the Town Board does hereby authorized the appropriation of the sum of \$2,000.00 from the Shared Municipal Services Grant monies already received by the Town to provide for the cost of preparation of a map and plan by Metzger Civil Engineers, the Town Engineers, in accordance with the requirement of section 192 of the Town Law.
2. The above Resolution was duly put to a roll call vote on April 21, 2008 and was unanimously adopted.

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

WHEREAS, the Alden Town Board has declared the Alden State Bank to be the official Bank of the Town of Alden

WHEREAS, the Alden State Bank, in order to protect its own security and the banking security of its customers, has developed a new internal bank policy regarding the authorization of wire transfers conducted through the Alden State Bank; and

WHEREAS, the Alden State Bank has requested the Town to sign a Funds Transfer Agreement and to place on file with the Bank specimen signatures of Town representatives authorized to initiate wire transfers.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That Supervisor Ronald L. Smith, be, and hereby is authorized and directed to execute and deliver to Alden State Bank (the "Bank") in the name and on behalf of the Town of Alden a Funds Transfer Agreement governing the sending and receiving by the Town of wire transfers;
2. That each of the following persons are authorized to act in the name and on behalf of the Town with respect to the sending and receiving of wire transfers, only when the expenditure of monies has been lawfully and properly authorized by the Town of Alden, and to provide to the Bank a specimen signature and any requested identification in connection with such authorization:

Supervisor Ronald L. Smith
Deputy Supervisor Ronald L. Snyder, and
Secretary to the Supervisor Colleen Rogers

3. That in connection with the foregoing the Supervisor is, authorized, directed and empowered, acting along, in the name and on behalf of the Town, to execute and deliver to the Bank all writings, (including, but not limited to, notes, agreements, instruments, financing statements and certificates), and take all such actions, as may be necessary or appropriate in his or her judgment in connection with such transaction.

4. This resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote on April 21, 2008 and was unanimously adopted.

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

WHEREAS, Rebecca Frank, of Alden, has earned the prestigious Girl Scout Gold Award;

WHEREAS, the Girl Scout Gold Award is the highest national honor awarded in Girl Scouts and is the result of numerous hours of work devoted to completing a community service project that reflects thoughtful, serious concern for humanity and/or the environment and offers realistic suggestions or methods for positive change; and

WHEREAS, the Town of Alden is aware that the young residents of the Town of Alden participate in and benefit from the programs and opportunities offered by the Girl Scouts.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS;

1. That the Town Board hereby recognizes and congratulates Rebecca Frank on her outstanding commitment to the Girl Scouts and to the Alden Community in her achieving the Girl Scout Gold Award;
2. That the Town Clerk is directed to send a certified copy of this Resolution to the Girl Scout Council of Buffalo & Erie County, Inc. for presentation to Ms. Frank at the Gold Award Banquet.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 21, 2008 and was unanimously adopted.

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

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 5th day of May, 2008, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2008; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than five (5) days before the date of the public hearing; (b) and post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 1 of the Year 2008, entitled "Local Law to Repeal the 1967 Local Law Establishing Town of Alden Provisions and Procedures for Town Employee Rights of Organization and

Representation,” available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on April 21, 2008 and was unanimously adopted.

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

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:10 p.m. on the 5th day of May, 2008, for the purpose of hearing all persons interested in the proposed Local Law No. 2 of the Year 2008; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than five (5) days before the date of the public hearing; (b) and post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No 2 of the Year 2008, entitled “Local Law to Repeal Chapter 11 A Fire Prevention of the Alden Town Code”, available her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on April 21, 2008 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 of Alden, a municipal corporation organized and existing under the laws of the State of New York (the “Town”); the Village of Alden, a municipal corporation organized and existing under the laws of the State of New York (the “Village”); and the Alden Chamber of Commerce, Inc, a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York (the “Chamber”) have negotiated for the renewal of an Economic Development Agreement Contract wherein the Town, Village and Chamber maintain and fund the Alden Economic Development Committee for the benefit of the residents of Alden;

WHEREAS, the Town of Alden is aware that the Alden Area is in need of planned economic development and is desirous of obtaining such planned development services for the benefit of its residents;

WHEREAS, the Town, Village and Chamber have come to full agreement on the terms of such Agreement to run from May 1, 2008, until April 30, 2009;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the Economic Development Agreement, 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 the Agreement; and
3. This resolution shall take effect immediately. The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 21, 2008 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN SNYDER TO WIT
NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Alden on behalf of the Alden Fire Protection District, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:15 p.m. on the 5th day of May, 2008, for the purpose of hearing all persons interested in the proposed Rental Agreement with the Consolidated Water District of the Town of Lancaster regarding the rental of 45 fire hydrants in the Town of Lancaster by the Alden Fire Protection District; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than ten (10) days before the date of the public hearing; and (b) posted as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published;

ORDERED, that the Town Clerk is to make copies of the proposed Rental Agreement available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call and was unanimously adopted.

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

Supervisor Smith moved and Councilwoman Riddoch seconded the Motion to renew the HOP for Edwin Knobluclh/3499 Townline Road. Unanimously carried.

Supervisor Smith moved and Councilwoman Riddoch offered the following Proclamation:

**PROCLAMATION
MUNICIPAL CLERK'S WEEK
APRIL 27 THROUGH MAY 3, 2008**

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 for professional organizations.

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

NOW THEREFORE

I, Ronald L. Smith, Supervisor of the Town of Alden, do recognize the week of April 27 through May 3, 2008 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Dorothy Bycina, Debra Crist and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this day _____. of _____, 2008

SUPERVISOR

Upon roll call vote the foregoing was unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber reported on the Drainage, Ditching & Erosion problems (Henskee Rd.; Gebhard Lane; Sandridge Rd. and Creekside Dr.). He is also working with the residents on Wende Rd for their permission to allow Town Employees on their property for Drainage and Ditching.

Councilman Snyder asked the Highway Supt to have the Grass here at the Town Hall rolled and he is getting prices on repairing the building behind the Community Center in the Town Park.

Councilwoman Cooke reported on the Disaster Meeting she had last Friday; attended the TownLine Vol Fire Dept's Installation on Saturday and on Sunday she attended the Open House at Meals-On-Wheels

CEO Dugan questioned the Railroad Crossing at Sandridge Rd – apparently the Crossings are being repaired as was Two Rod Rd.

Supervisor Smith reported there will be a Meeting next Wednesday with the Water District Committee and the Town of Marilla; after that there will be a Meeting wit the Master Plan Selection Committee to determine which of the four Proposals we are going to accept.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to enter into an Executive Meeting at 7:30 PM. Unanimously carried.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to re-enter the Regular Meeting at 8:10 PM with no action taken. Unanimously carried.

Supervisor Smith adjourned the Meeting at 8:11 PM with a Minute's silence in Memory of Rita Rautenstrauch.

DOROTHY L. BYCINA
TOWN CLERK