

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Rd. on Monday, April 19, 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 Second Deputy Town Clerk.

PRESENT: Ronald L. Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman

RECORDING SECRETARY: Ralph P. Witt, Second Deputy
OTHERS PRESENT: Jennifer Strong, Town Attorney
Carl Fix, Highway Supt.
John Zoratti, Planning Board
Len Weglarski, DCO

Councilman Snyder moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of April 5, 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"	\$9,764.16		\$9,764.16
HGHWY FUND "DA/DB"	7,712.67		7,712.67
PART-TOWN FUND "B"	8,051.18		8,051.18
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	1,755.62		1,755.62
TRUST/AGCY FUND "T"	491.25		491.25
SP REFUSE FUND "SR"	38,247.99		38,247.99
STREET LIGHTING FUND "SL"	6,524.27		6,524.27
PERIWINKLE LTG. "SL1"	46.10		46.10
GRANTS			
TOTALS	\$76,331.84		\$76,331.84

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Ron Rebmam/Broadway questioned the three (3) foot high limit on the piles of limbs put out for the Highway Dept. to pick up. Highway Supt. Fix said this was put in the paper to try to control the excessively tall piles.

COMMUNICATIONS

Councilwoman Riddoch received a call from Larry Kocher about the markings on the crosswalk for St. John's School regarding the change from in front of the school to the corner of Westwood. Received a letter from Alden Junior Football requesting permission to use the field, would like this on the Work Session. Received two quotes for portable toilets, would like this on the Work Session also. Received a request from ACS for one more game to be played on 4/30/10, checked with Parks Supt. Sojka, he was okay with that.

Councilman Weber received a call about drainage on Exchange St.; he will go and check this out tomorrow.

Supervisor Smith received Rural Metro's monthly (97% performance) compliance report for March 2010 and the Village of Alden's approved Board minutes for March 25, 2010 meeting.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the renewal of the H.O.P. for Edwin Knoblauch/3499 Townline Rd./Makes Crowns for teeth. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve Hwy. Supt. Carl Fix's request to attend Highway School June 7-June 9th. Unanimously Carried.

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

PROCLAMATION Municipal Clerk's Week April 19 through April 23, 2010

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

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, and

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

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 and county professional organizations, and

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

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Alden, does hereby recognize the week of April 19 through April 23, 2010 as the Municipal Clerks Week, and further extend appreciation to our Municipal Clerks, Debra Crist and Ralph Witt and to all the Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 19th day of April, 2010.

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 the Calvary Chapel of the Niagara Frontier, for the subdivision of three (3) lots. The entire parcel as currently constituted consists of approximately 28.8 vacant acres on Townline Road in the Town

of Alden. The first proposed lot ("Parcel A") would be 8.40 +/- vacant acres; the second proposed lot ("Parcel B") would be 8.75 +/- vacant acres; and the third proposed lot (Parcel "c") would be 9.82 +/- acres (which is the remainder of the parcel); further identified by SBL # 118.00-4-39.11 (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 January 22, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and comments were received by the Town Board on March 11, 2010 and reviewed by the Town Board on March 22, 2010.

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 April 5, 2010;

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 February 9, 2010, recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. 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 three parcels, more particularly described as:

("A")

PROPOSED DESCRIPTION
VACANT LAND TOWNLINER ROAD (8.40± ACS.)
TOWN OF ALDEN

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being parts of Lot Nos. 175 & 174, Township 10, Range 5 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the west line of Lot No. 175 (being also the center line of Townline Road) distant 1377.94 feet southerly from the northwest corner of said lot, said point being the southwest corner of lands deeded to Ross Walt Geitter and Barbara L. Geitter, his wife, by deed recorded in the Erie County Clerk's Office in Liber 10882 of Deeds at page 4342; thence easterly at right angles and along the southerly line of lands so deeded to Geitter 333.00 feet to the southeast corner thereof; thence northerly at right angles and along the easterly line of lands so deeded to Geitter 350.00 feet to the northeast corner thereof and being a point in the

southerly line of lands deeded to Carol A. Hills by deed recorded in the Erie County Clerk's Office in Liber 11059 of Deeds at page 9671; thence easterly at right angles and along the southerly line of lands so deeded to Hills and continuing easterly along the southerly line of lands deeded to Carol A. Hills by deed recorded in the Erie County Clerk's Office in Liber 11163 of Deeds at page 6499 a distance of 475.10 feet to the westerly line of lands deeded to Charles J. Sanger and Laura P. Sanger, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 10884 of Deeds at page 4778; thence southerly at an interior angle of 96° 08' 00" and along the westerly line of lands so deeded to Sanger 59.07 feet to an angle point therein; thence southeasterly at an exterior angle of 141° 00' 00" and continuing along the southwesterly line of lands so deeded to Sanger 358 feet more or less to the southeasterly bank of Cayuga Creek; thence northeasterly along said southeasterly bank 456 feet more or less to the east line of Lot No. 174; thence southerly along said east line 343.60 feet; thence westerly along a line drawn at right angles to the west line of Lot No. 175 a distance of 787.07 feet; thence southwesterly at an exterior angle of 135° 00' 00" a distance of 318.20 feet; thence westerly at an interior angle of 135° 00' 00" and along a line drawn at right angles to the west line of Lot No. 175 a distance of 390.84 feet to the west line of Lot No. 175; thence northerly at right angles and along said west line 225.00 feet to the point of beginning, containing 8.40 acres of land more or less after excluding those lands lying within the banks of Cayuga Creek and those lands lying within the bounds of the public highway known as Townline Road.

("B")

PROPOSED DESCRIPTION
VACANT LAND TOWNLINE ROAD (8.75 ± ACS.)
TOWN OF ALDEN

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being parts of Lot Nos. 175 & 174, Township 10, Range 5 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the west line of Lot No. 175 (being also the center line of Townline Road) distant 1602.94 feet southerly from the northwest corner of said lot; thence easterly at right angles 390.84 feet; thence northeasterly at an exterior angle of 135° 00' 00" a distance of 318.20 feet; thence easterly at an interior angle of 135° 00' 00" and along a line drawn at right angles to the west line of Lot No. 175 a distance of 787.07 feet to the east line of Lot No. 174; thence southerly along said east line 365.02 feet; thence westerly along a line drawn at right angles to the west line of Lot No. 175 a distance of 872.98 feet; thence southerly at right angles 60.00 feet; thence westerly at right angles 533.67 feet to the west line of Lot No. 175; thence northerly at right angles and along said west line 200.00 feet to the point of beginning, containing 8.75 acres of land more or less after excluding those lands lying within the banks of Cayuga Creek and those lands lying within the bounds of the public highway known as Townline Road.

("C")

PROPOSED DESCRIPTION
VACANT LAND TOWNLINE ROAD (9.82 ± ACS.)
TOWN OF ALDEN

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being parts of Lot Nos. 175 & 174, Township 10, Range 5 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the west line of Lot No. 175 (being also the center line of Townline Road) distant 1802.94 feet southerly from the northwest corner of said lot; thence easterly at right angles 533.67 feet; thence northerly at right angles 60.00 feet; thence easterly at right angles 872.98 feet to the east line of Lot No. 174; thence southerly along said east line 264.40 feet to the northeast corner of lands deeded to Eloise Gardinier and Edwin A. Mabon by deed recorded in the Erie County Clerk's Office in Liber 11008 of Deeds at page 5815; thence southwesterly at an interior angle of 119° 11' 57" a distance of 325.10 feet to the southeast corner of Parcel "B" of lands deeded to Henry Andrzejewski III and Heather Andrzejewski by

deed recorded in the Erie County Clerk's office in Liber 10954 of Deeds at page 8132; thence bounding on said lands deeded to Andrzejewski the following five (5) courses and distances: (1) northerly at an interior angle of 75° 12' 33" a distance of 350.00 feet; thence (2) southwesterly at an exterior angle of 57° 30' 00" a distance of 386.10 feet; thence (3) westerly at an interior angle of 148° 45' 00" a distance of 213.18 feet; thence (4) westerly at an interior angle of 166° 15' 00" a distance of 368.94 feet; thence (5) southerly at an exterior angle of 86° 08' 20" a distance of 81 feet more or less to the northerly bank of Cayuga Creek; thence westerly along said bank 225 feet more or less to the west line of Lot No. 175; thence northerly along said west line 400.70 feet to the point of beginning, containing 9.82 acres of land more or less after excluding those lands lying within the banks of Cayuga Creek and those lands lying within the bounds of the public highway known as Townline Road.

are given subdivision approval.

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 April 19, 2010, 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 3rd day of May, 2010, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2010; 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 (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

ORDERED, that the First Deputy Town Clerk is to make copies of the proposed Local Law No. 1 of the Year 2010, entitled Amendment to the Town of Alden Vehicle and Traffic Law", 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 19, 2010, and was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Roberta J. Stoter as Executrix of the Estate of John F. Stoter, for the subdivision of four (4) lots. The entire parcel as currently constituted consists of approximately 48.7 acres on with a single family house on Crittenden Road in the Town of Alden. The first proposed lot ("Parcel A") would be 38.22 +/- vacant acres; the second proposed lot ("Parcel B") would be 2.00 +/- vacant acres; the third proposed lot (Parcel "C") would be 2.00 +/- acres with the house; the fourth proposed lot (Parcel "D") would be 3.00 +/- acres; further identified by SBL # 86.00-5-17 (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 March 16, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a no comment was received from the Division on March 22, 2010.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action; and
3. 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 19, 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 wage rate for the Town of Alden Deputy Dog Control Officer, has not been set for the 2010 year.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The wage rate for the Deputy Dog Control for 2010 shall be \$12.00 per hour, plus actual mileage used (at the Town of Alden mileage rate).
2. The Deputy Dog Control Officer shall submit vouchers to the Town of Alden for payment and shall submit a time sheet showing his hours and proof of mileage incurred.
3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call at a regular meeting on April 19, 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 Alden Town Board has received a request from the Town Clerk's and Town Tax Receiver's Offices to purchase a new computer workstation the estimated cost of which is less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors;

WHEREAS, an oral request for proposals (for a computer workstation including file transfer and network set-up) was made by the Town to three (3) vendors;

WHEREAS, the highest vendor is Dell, Inc. at \$978.00. This proposal does not meet the request for proposal as the proposal does not include file transfer or network set-up;

WHEREAS, the second highest vendor is DC Computers Sales & Service at \$931.00. This proposal meets the request for proposal;

WHEREAS, the lowest vendor is Hewlett Packard Inc. at \$923.98. This proposal does not meet the request for proposal as the proposal does not include file transfer or network set-up; 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 of a new computer workstation.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a computer workstation from DC Computers Sales & Service the lowest responsible vendor, at a total cost of \$931.00;
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; 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 19, 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 on February 16, 2010, adopted its Comprehensive Plan;

WHEREAS, the Alden Town Board would now like to begin steps to implement the Comprehensive Plan and now needs to form an implementation committee;

WHEREAS, The Alden Town Board published a notice in the Alden Advertiser asking residents interested in sitting on the implementation committee to submit letters of interest;

WHEREAS, all letters of interest submitted to the Town were diligently reviewed.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby establishes the Town of Alden Comprehensive Plan Implementation Committee for the sole purpose of making recommendation to the Alden Town Board on ways to implement the Comprehensive Plan.
2. The following persons are hereby appointed to the Town of Alden Comprehensive Plan Implementation Committee: Supervisor Ronald L. Smith; Councilmen William Weber; Planning Board Chair Ralph Witt; Planning Board Member Michael Fleming; Building Inspector/Code Enforcement Officer Martin Dugan; and the following citizens, who are members of local businesses or organizations and/or possess relevant skills, experience and education: Christopher Gust; Michele Hoffman; and Gerald Aldinger.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on April 19, 2010, and was unanimously adopted.

SUPERVISOR SMITH POLLED THE BOARD AND WITH NO OBJECTIONS THE FOLLOWING WAS ADDED:

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

WHEREAS, the Alden Town Board has noticed the need to appoint an Acting Code Enforcement Officer/Deputy Building Inspector in the event that the Town of Alden Code Enforcement Officer/Building Inspector is unable to perform his duties due to an emergency situation;

WHEREAS, the Alden Town Code allows the appointment of an Acting Code Enforcement Officer and New York State Town Law allows the appointment of a Deputy Building Inspector; and

WHEREAS, Joseph Czechowski is trained and certified to serve as a code enforcement officer and building inspector and currently holds these position for the Village of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby appoints Joseph Czechowski as the Acting Code Enforcement Officer /Deputy Building Inspector for the Town of Alden for a period of April 19, 2010, until May 3, 2010.
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 19, 2010, and was unanimously adopted.

THERE WAS NO UNFINISHED OR TABLED BUSINESS

REPORT OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch faxed necessary paperwork to Tompkins Insurance regarding our last two claims, one for the Parks vandalism and our recent vehicle accident.

Attorney Strong would like the Stoter subdivision and Local Law #1/2010 put on the Work Session.

Councilwoman Cooke and the Office of Emergency Management will attend a drill in May at Lancaster School in cooperation with Lancaster Office of Emergency Management. Attended lunch at the Senior Center, would like to encourage attendance for this program.

Next Work Session: April 26, 2010 @ 7:00 PM
Next Board Meeting: May 3, 2010 @ 7:00 PM

SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING @ 7:30 PM TO MOVE INTO AN EXECUTIVE SESSION TO DISCUSS A MATTER OF PERSONNEL.

Councilman Snyder moved and Councilman Weber seconded the motion to move into executive session @ 7:30 PM. Unanimously Carried.

SUPERVISOR SMITH ASKED FOR A MOTION TO REENTER INTO THE REGULAR MEETING @ 7:56 PM WITH NO ACTION BEING TAKEN.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to reenter into the regular meeting from the executive session @ 7:56 PM. Unanimously carried.

Supervisor Smith adjourned the Meeting at 7:58 PM with a Minute of Silence in Memory of Isabel Pautler, Audrey Reiner & John Hotchkin.

Second Deputy Ralph P. Witt

