

MEETING NO. 3  
REGULAR NO. 3

REGULAR TOWN BOARD MEETING  
TOWN OF ALDEN

February 4, 2020  
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Tuesday, February 4, 2020 at 7:00 P.M. Supervisor Adamski called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Dean Adamski, Supervisor  
Colleen Pautler, Councilwoman  
Gina Waiss, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney  
Mike Metzger, Town Engineer  
Chris Snyder, CEO  
Lenny Weglarski, DCO  
Bill Rogers, Highway Superintendent  
Colleen Rogers, Deputy Supervisor  
Residents & Students

Councilwoman Pautler Moved and Supervisor Adamski seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of January 21, 2020

**CARRIED**

Ayes 3 Adamski, Pautler & Waiss  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY SUPERVISOR SAVAGE, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #67 - 111 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<b><u>ACCOUNT</u></b>	<b><u>AMOUNT</u></b>		
	<b>ABSTRACT #1</b>	<b>ABSTRACT #2</b>	<b>TOTAL</b>
<b>GENERAL FUND "A"</b>	<b>\$15,583.26</b>	<b>\$10,339.34</b>	<b>\$25,922.60</b>
<b>HIGHWAY FUND "DA/DB"</b>	<b>\$159,868.54</b>	<b>\$13,104.94</b>	<b>\$172,973.48</b>
<b>PART-TOWN FUND "B"</b>	<b>\$12,751.73</b>		<b>\$12,751.73</b>
<b>SPECIAL FIRE PROTECTION "SF"</b>	<b>\$9,826.24</b>		<b>\$9,826.24</b>
<b>SEWER DIST. #2 FUND "SA"</b>	<b>\$289.91</b>	<b>\$98.00</b>	<b>\$387.91</b>
<b>TRUST &amp; AGENCY "T"</b>	<b>\$8,441.57</b>	<b>\$11,092.46</b>	<b>19,534.03</b>
<b>SPECIAL REFUSE FUND "SR"</b>	<b>\$36,412.05</b>		<b>\$36,412.05</b>
<b>STREET LIGHTING FUND "SL"</b>	<b>\$4,133.14</b>		<b>\$4,133.14</b>
<b>PERIWINKLE LTG. DIST."SL1"</b>	<b>\$60.24</b>		<b>\$60.24</b>
<b>ZOELLER RD WATER DIST "WZ"</b>	<b>\$14,576.50</b>		<b>\$14,576.50</b>
<b>CAPITAL PROJECTS "HC"</b>	<b>\$1,360.94</b>		<b>\$1,360.94</b>

**WATER DIST EXCHANGE ST  
“WX”**

**TOTAL**

<b>\$21,102.00</b>		<b>\$21,102.00</b>
<b>\$284,406.12</b>	<b>\$34,634.74</b>	<b>\$319,040.86</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON FEBRUARY 4, 2020 AND

ADOPTED

Ayes 3 Adamski, Pautler & Waiss  
Nays 0

**BUSINESS FROM THE FLOOR**

Students present introduced themselves.

**COMMUNICATIONS**

**Town Clerk Barrett**

1. Received letter from Alden Hook & Ladder for 5K, Kerl Shoot-Out and Car Show

**Attorney Strong**

1. Received signed Marilla Bus contract & Grant Writer signed contract

**NEW BUSINESS**

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

WHEREAS, the Town Highway Superintendent has advised the Town Board that the Highway Department needs to purchase various equipment to outfit its newly purchased 2020 Freightliner 1145 D Truck would like to purchase this equipment pursuant to Contract #8996 Onondaga Piggyback Contract from Tenco Industries, Inc.;

WHEREAS, the Town of Alden’s Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the piggyback contract;

WHEREAS, The Town Board after full and careful review and consideration finds the request to purchase equipment to outfit the 2020 Freightliner 1145 D Truck as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The resolution of this Town Board dated and adopted January 21, 2020 is hereby rescinded as it refers to the wrong truck and this resolution is adopted in its place;
2. The Town Board approves the purchase of the various equipment to outfit the 2020 Freightliner 1145 D Truck, pursuant to the specifications dated March 25, 2019 at a cost of \$105,963.18 from Tenco Industries, Inc.;
3. That the Highway Superintendent of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 4, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Alden Town Board on November 5, 2018 adopted its 2019 Budget;

WHEREAS, the Town of Alden requires an increase in appropriations and expenditures in the amount of \$1911.29 in Account Code SI.8130.0402. Said expenditures are a result of the 2019 payment between Erie County Sewer District No. 4 and the Town of Alden for sewer service to the Alden Industrial Park Sewer District 1 based on the Contract dated 07/20/1987. The charge will close to the Sewer District Fund Balance Code SI.0909 at fiscal year end.

WHEREAS, this increase will not render the Town of Alden insolvent.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on FEBRUARY 4, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss

Nays 0

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

WHEREAS, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms;

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S.570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home;

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states;

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174(1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment;

WHEREAS, the Town Board of the Town Alden, New York has expressed its opposition to New York States infringement on an individual's 2<sup>nd</sup> Amendment "right of the people to keep and bear arms;"

WHEREAS, this Town Board opposes any infringement on the 2<sup>nd</sup> Amendment such as, but not limited to, long-gun registration, social media and search engine history background checks and or requiring gun owners to purchase insurance for each gun legally owned; and

WHEREAS, any new state legislation responding to firearm violence should focus on increasing penalties for criminals who use firearms to harm and threaten law abiding citizens and address the issues of mental illness related to violence.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town of Alden goes on record reaffirming our support of the 2nd Amendment and hereby declare the Town Of Alden a Second Amendment Sanctuary Town;" and
2. The Town Clerk shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader Crystal D. Peoples-Stokes, Senator Patrick M. Gallivan, Speaker of the New York State Assembly Carl Heastie, Assembly Minority Leader William A. Barclay, Assemblyman Michael J. Norris, the Clerk of the Erie County Legislature (for distribution), Legislator Frank J. Todaro and others as deemed necessary and proper.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 4, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Weiss

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Dean Adamski, Supervisor – Unfinished & Tabled business is e-cycling which will be discussed at the next Work Session. Noted Bill Rogers and the Highway Dept. have been working in on cleaning

Jennifer Strong, Town Attorney – add to Work Session for discussion: revised key policy, revised ZBA application, community center rental application, comments on the Next Era agreement

Chris Snyder, CEO – Monitoring SD2. Pipe burst and was cleaned up.

**NOTICE OF MEETINGS**

**NEXT WORK SESSION:**

**February 11, 2020**

**@7:00 PM**

**REGULAR BOARD MEETING**

**February 18, 2020**

**@7:00 PM**

**MEMORIAL REMEMBRANCE** - Michael Newton and John Cieszki and Linda Mack

**ADJOURNMENT**

At 7:10 P.M. Supervisor Adamski adjourned the Meeting.

Alecia Barrett  
Town Clerk