

MEETING NO. 5  
REGULAR NO. 5

REGULAR TOWN BOARD MEETING  
TOWN OF ALDEN

March 3, 2020  
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Tuesday, March 3, 2020 at 7:00 P.M. Supervisor Adamski called the Meeting to Order and Councilwoman Waiss led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Dean Adamski, Supervisor  
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

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

Councilwoman Pautler Moved and Supervisor Adamski seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of February 18, 2020.

**CARRIED**

Ayes 3 Adamski, Pautler & Waiss  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY SUPERVISOR ADAMSKI, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #183 - 215 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$57,371.11	\$15,011.11	\$72,382.22
HIGHWAY FUND "DA/DB" PART-TOWN FUND "B"	\$34,177.09	\$23,616.09	\$57,793.18
	\$27,133.09	\$1,011.09	\$28,144.79
CONSOLIDATED WATER "WR" SPECIAL FIRE PROTECTION "SF"	\$106,600.25		\$106,600.25
	\$736,493.27		\$736,493.27
SEWER DIST. #1 FUND "SI"	\$8,825.29		\$8,825.29
SEWER DIST. #2 FUND "SA"	\$165.01	\$7,859.74	\$8024.75
TRUST & AGENCY "T"	\$7,428.50	\$8,134.71	\$15,563.21
SPECIAL REFUSE FUND "SR"	\$343.00		\$343.00
STREET LIGHTING FUND "SL"	\$3,611.74		\$3611.74
PERIWINKLE LTG. DIST."SL1"	\$55.03		\$55.03
ZOELLER RD WATER DIST "WZ"	\$1,125.60		\$1,125.60

<b>WATER DIST NEWSTEAD “WO”</b>	<b>\$4,961.58</b>		<b>\$4,961.58</b>
<b>CAPITAL PROJECTS “HC”</b>	<b>\$1,360.94</b>		<b>\$1,360.94</b>
<b>WATER DIST EXCHANGE ST “WX”</b>	<b>\$1,929.60</b>		<b>\$1,929.60</b>
<b>TOTAL</b>	<b>\$991,581.71</b>	<b>\$56,027.54</b>	<b>\$1,047,609.25</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON MARCH 3, 2020 AND

ADOPTED

Ayes 3 Adamski, Pautler & Waiss

Nays 0

**BUSINESS FROM THE FLOOR**

Students present introduced themselves.

**COMMUNICATIONS**

**Supervisor Adamski**

1. Shining inspection report from NYS Ag. & Mkts. regarding Len Weglarski’s dog kennels

**Attorney Strong**

1. 2019 Meals on Wheels report did come in and was distributed to all Board Members

**NEW BUSINESS**

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

WHEREAS, Next Era Energy Transmission New York Inc. ("Next Era") will be constructing a new overhead transmission line through the Town of Alden;

WHEREAS, Next Era is offering a Host Community Benefit to the Town of Alden; and

WHEREAS, the Alden Town Board finds that it is in the best interests of the Town to accept the Host Community Benefit from Next Era..

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board approves the Host Community Benefit Agreement with Next Era and authorizes the Supervisor to sign any and all necessary documents to effectuate this Agreement; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 3, 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 Highway Superintendent has informed the Town Board that supplies are needed to continue to repair and update the drainage in the Robert O. Smith Park along the soccer field; the cost of which is less than \$10,000.00 but will be purchased pursuant to the New York State Bid List;

WHEREAS, the Town's Procurement Policy & Procedure Guidelines ("Guidelines") and NYS General Municipal Law state that the Town must prepare a request for proposal and then obtain written quotes, except when the purchase is made from the New York State Bid List;

WHEREAS, K&S Contractors Supply Inc. is on the New York State Bid List (Contract Number: PC67781) and offers the needed supplies; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize this purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the drainage supplies per the attached Sales Quote by the Highway Superintendent at a cost not to exceed \$1,451.95;
2. The Highway Superintendent 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 March 3, 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 SUPERVISOR ADAMSKI, TO WIT;

WHEREAS, many municipalities, including cities, counties, towns and villages within Erie County have lost some monetary support from the County of Erie, especially for library funding;

WHEREAS, The Town of Alden believes that the Ewell Free Library is a great asset to the residents of the Town of Alden and would like to keep the Library open for the benefit and enjoyment of its citizens;

WHEREAS, the Alden Ewell Free Library is currently operated by the County of Erie and housed in a building not owned by the Town of Alden; and

WHEREAS, the Town Board of the Town of Alden would like to Contract with the Ewell Free Library to provide monies to the Ewell Free Library for its continued operation.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the Contract for the year 2020 with the Ewell Free Library as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That the Town Supervisor is authorized to sign any and all necessary documents to effectuate this Contract; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 3, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss

Nays 0

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

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have negotiated a renewal of an Agreement wherein Alternative Care Services of WNY, Inc. will provide Meals-On-Wheels to eligible residents of the Town of Alden;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden are eligible for and participate in the Alternative Care Services of WNY Inc.'s Meals-On-Wheels Program and The Town is desirous of continuing such services for its residents;

WHEREAS, Alternative Care Services of WNY, Inc. is the sole source provider of a meals-on-wheels program in the Town of Alden and therefore the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc. have come to full agreement on the terms of such Agreement to run as of January 1, 2020, until December 31, 2020.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the attached Agreement whereby the Town contracts with Alternative Care Services of WNY Inc., at a cost of \$1,001.00 for the provision of meals-on-wheels to eligible Town of Alden residents as being consistent with its policies and in the best interests of the residents of the Town of Alden;
2. That the Town Supervisor 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 March 3, 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 has passed many new local laws over the last two years and it is therefore necessary to purchase from the Code Book Publisher the updated pages for the physical copies of the Code Book issued to Town Officials and Employees; the estimated cost of which is \$2,710.00 to \$3,270.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that professional services and unique services are exempt from the Guidelines;

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to purchase the updated pages for Town of Alden Code Book.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the Estimate dated January 13, 2020 from General Code Publishers at a total cost of not to exceed \$3,270.00;
2. The Town Supervisor is authorized to sign the Estimate to effectuate this project; and
3. This resolution shall take effect immediately

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 3, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss  
Nays 0

Motion to rescind, effective immediately, the \$2000.00 stipend to Chris Snyder for the maintenance services of the Town Hall and the \$125.00 stipend to Joanna Eisensmith for sub-registrar services.

The foregoing Motion was duly put to a roll call vote at a regular meeting on March 3, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss  
Nays 0

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

WHEREAS, the Town Supervisor has informed the Town Board that the Parks Department no longer needs the John Deere front mower with commercial side discharge mower deck and a heavy-duty two stage snow blower ("John Deere");

WHEREAS, the leasing company is willing to forgive a portion of the future lease payments if the John Deere is turned in early;

WHEREAS, The Town Board after full and careful review and consideration finds that it is in the public interest to declare the John Deere as surplus;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the John Deere is no longer needed for Town purposes and is surplus property; and authorizes the early turn in of the John Deere to Land Pro Equipment LLC in consideration for forgiveness (approximately \$28,116.96) in lease payments;
2. The Town Supervisor 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 March 3, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss

Nays 0

\*\*\*\*\*POLLED AND ADDED WITH NO OBJECTION\*\*\*\*\*

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

WHEREAS, on February 21, 2020, Governor Cuomo submitted a 30 day budget amendment entitled "Accelerated renewable energy growth and community benefit act" for the purposes of meeting the Governor's goals for renewable energy;

WHEREAS, this amendment would establish a new system for permitting and siting renewable projects, setting aside the current "Article 10 Siting Board" process;

WHEREAS, permitting will now be under the jurisdiction of a new entity – Office of Renewable Energy Siting (ORES);

WHEREAS, the powers assigned to ORES will totally usurp and diminish local home rule, local zoning codes, local planning and Local Waterfront Revitalization Plans when permitting and siting renewable energy projects;

WHEREAS, ORES will now have the power to: Make available to developers "build – ready" sites; develop "uniform permitting standards"; "coordinate, approve, evaluate, issue, amend, transfer and enforce siting permits"; limit the ability of local governments to raise objections to proposed projects; direct local appeals to ORES decisions to litigation through the Article 78 process; and to prohibit local governments from requiring any additional approvals or permits;

WHEREAS, by filling this action as a 30 day budget amendment, is ignoring and bypassing the legislative process of formulating policy through public input, public hearings and public debate in favor of a rushed and secretive process; and

WHEREAS, this amendment represents a blatant attempt to usurp local government's historical and constitutionally power of home rule in the areas of planning, zoning and land use.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town of Alden does hereby go on record strongly opposing this Governor's attempt to dilute and usurp the roles and powers of local governments in New York State;
2. The Town of Alden urges State Legislators to oppose this amendment and have it removed from the final budget document ;
3. The Town Clerk transmit a copy of this resolution to the Governor, Lieutenant Governor, Speaker of the Assembly and Majority Leader of the Senate; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 3, 2020, as follows:

**CARRIED.**

Ayes 3 Adamski, Pautler & Waiss

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Colleen Pautler, Councilwoman – meeting with a locksmith to get pricing on re-keying per the new key policy.

Mike Metzger, Town Engineer – would like to add Exchange/Zoeller to the WS for discussion. Chris is meeting with the contractor for SD2 to finish up grading work. Mike is meeting with them on Friday to resolve any outstanding issues

**NOTICE OF MEETINGS**

<b>NEXT WORK SESSION:</b>	<b>March 10, 2020</b>	<b>@7:00 PM</b>
<b>REGULAR BOARD MEETING</b>	<b>March 17, 2020</b>	<b>@7:00 PM</b>

**MEMORIAL REMEMBRANCE** - Zachary Varshay

**ADJOURNMENT**

At 7:12P.M. Supervisor Adamski adjourned the Meeting.

Alecia Barrett  
Town Clerk