

MEETING NO. 18  
REGULAR NO. 18

REGULAR TOWN BOARD MEETING  
TOWN OF ALDEN

September 16, 2019  
7:00 P.M.

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, September 16, 2019 at 7:00 P.M. Supervisor Savage called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Richard Savage, Supervisor  
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney  
Bill Rogers, Highway Superintendent  
Mike Metzger, Town Engineer  
Chris Snyder, CEO  
Lenny Weglarski, DCO  
Residents  
Student

Councilwoman Pautler Moved and Supervisor Savage seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of September 3, 2019.

**CARRIED**

Ayes 2 Savage & Pautler  
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 #832 - 878 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$4,472.20		\$4,472.20
HIGHWAY FUND "DA/DB"	\$95,732.09		\$95,732.09
PART-TOWN FUND "B"	\$6,049.58		\$6,049.58
SEWER DIST. #2 FUND "SA"	\$377.58		\$377.58
TRUST & AGENCY "T"	\$18,416.80		\$18,416.80
SPECIAL REFUSE FUND "SR"	\$36,994.09		\$36,994.09
STREET LIGHTING FUND "SL"	\$4,897.35		\$4,897.35
PERIWINKLE LTG. DIST."SL1"	\$37.02		\$37.02
WATER DIST. EXCHANGE ST."WX"			
<b>TOTAL</b>	<b>\$166,976.71</b>		<b>\$166,976.71</b>

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON SEPTEMBER 16, 2019 AND **ADOPTED**

Ayes 3 Savage & Pautler  
Nays 0

## **BUSINESS FROM THE FLOOR**

Jeffrey Williamson, 3872 Crittenden – read a letter requesting the speed limit on Crittenden be reduced from 45 to 35 mph from 33 to Siehl Road. He explains the dangers the residents of that area face due to the traffic. Supervisor Savage explained a speed study would need to be conducted by the County and they would add the topic to their next Work Session.

## **COMMUNICATIONS**

**Councilwoman Pautler** – Joyce Eastland gave her letter of resignation as senior van driver.

### **Supervisor Savage:**

1. Early voting information. For Alden it is the Village Hall.
2. Letter sent by Clerk Barrett to all law enforcement, emergency personnel/first responders notifying them of the presence of a dangerous dog in Alden.
3. Note from Jeffrey Williamson regarding speed limit on Crittenden.
4. Letter from DOCSS regarding construction of a solar project at Wende Correctional Facility. Supervisor Savage request CEO Snyder get more information on the project.
5. Sent email back to Next Era regarding site plans.
6. Sent a response to a resident with regard to code infractions.
7. Received resignation letter from Joyce Eastland.

## **NEW BUSINESS**

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR SAVAGE, 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 \$75,000 in Account Code SR.8160.0400. Said expenditures are a result of the approved purchase of garbage/recycle totes from Rehrig Pacific Company. The increase in appropriations will close to the Refuse District Fund Balance Code SR 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 forgoing Resolution was duly put to a roll call vote at a regular meeting on Monday, September 16, 2019.

### **CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

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

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Alden Town Board, 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 7<sup>th</sup> day of October, 2019, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden; and

ORDERED, that the Town Clerk's Office 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

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on September 16, 2019, which resulted as follows:

**CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

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

WHEREAS, the Alde Town Board is considering an application by J.M.M. Construction of WNY, Inc. for site plan approval of a proposed 136' x 50' building addition and expansion of the existing stone parking area (including grading and stormwater management improvements) at 11290 Walden Avenue, in the Town of Alden, further identified by SBL # 96.01-1-20.3 (The "Proposed Action");

WHEREAS, the Alden Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and has conducted a coordinated review;

WHEREAS, the Alden Town Board believes that this Board: the agency primarily responsible for undertaking decisions as to site plan review; is the agency with the broadest governmental powers for investigating the impact of the proposed action; has the greatest capacity for providing the most thorough environmental assessment of the proposed action; and is the most local agent with permitting authority;

WHEREAS, the Town of Alden has provided notice to Erie County Planning as required under Section 239-m of the General Municipal Law;

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

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, the Applicant has prepared the Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer; and

WHEREAS, any comments received from the involved agencies have been fully addressed by the Code Enforcement Officer; and

WHEREAS, the Town of Alden Planning Board has recommended the approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a proper coordinated review has been conducted;
2. The Town Board has determined that the Town of Alden 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 SEQRA NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, on file with the SEQRA Intake Officer, 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. The Town Board finds that the Proposed Action is consistent with the Town Code and approves the site plan; and
5. This Resolution shall take effect immediately.

The forgoing Resolution was duly put to a roll call vote at a regular meeting on Monday, September 16, 2019.

**CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

Supervisor Savage motioned and Councilwoman Pautler seconded the motion to 'introduce proposed Local Law #3 of 2019 Parking' and refer the same to the Planning Board for review and recommendation.

The foregoing Motion was duly put to a roll call vote at a regular meeting on September 16, 2019, as follows:

**CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

Councilwoman Pautler motioned and Supervisor Savage seconded the motion to 'introduce proposed Local Law #4 of 2019 hard surfaces' and refer the same to the Planning Board for review and recommendation.

The foregoing Motion was duly put to a roll call vote at a regular meeting on September 16, 2019, as follows:

**CARRIED.**

Ayes 2 Savage & Pautler  
Nays 0

Supervisor Savage motioned and Councilwoman Pautler seconded the motion to appoint Ashley Cedro to the part time position of Second Deputy Town Clerk for a maximum of 19 hours per week, starting pay is \$14.00 per hour, effective September 25, 2019 with only part time benefits as per the Employee Handbook.

The foregoing Motion was duly put to a roll call vote at a regular meeting on September 16, 2019, as

follows:

**CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

Councilwoman Pautler motioned and Supervisor Savage seconded the motion to appoint Hanna Stover as a “contract employee” of the Town of Alden, to serve in the Town of Alden Courts as a clerk. Because of Miss Stover’s specialized skills that no other applicant possessed which include her currently being employed as a part time clerk in two municipalities which qualifies her as “professional personnel.” This is a contract appointment for up to one year, effective 09/17/2019, for a maximum of 19 hours per week at a rate of \$14.00 per hour or \$13,832 for the one year term. This motion will serve as the “contract” between Hanna Stover and the Town of Alden and is subject to the following:

1. The hiring of this contractor does meet the requirement that the Justices select their clerical staff, noting that they have formally asked for Miss Stover.
2. As a contractor, Miss Stover will be responsible for paying her own withholding taxes.
3. This contract can be nullified by mutual consent at any time during its life.
4. The contractor will not receive any benefits normally associated with Town of Alden part time employment as an independent contractor. However, the Town of Alden will cover her Worker’s Compensation insurance and provide liability for the Town through its current policy since she will be working within the Town Hall.
5. This contract can be nullified and a regular annual appointment for Miss Stover as a part time court clerk made when any of the following occur:
  - A. Miss Stover makes her residence within the Town or Village of Alden
  - B. Local Law Chapter 67 is modified by the Town Board to delineate a currently serving Court Clerk as personnel who may not need to reside within the Town or Village of Alden

Upon passage, the Supervisor is authorized to sign this motion which will serve as a contract.

The foregoing motion was duly put to a roll call vote at a regular meeting on September 16, 2019, as follows:

**CARRIED.**

Ayes 2 Savage & Pautler

Nays 0

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

Bill Rogers, Highway Superintendent – skid paving around Town

Mike Metzger, Engineer – Waiting to hear back from Erie County Water Authority.

Chris Snyder, CEO – keeping up on SD2.

Supervisor Savage – add to W.S. speed study on Crittenden, CDBG, SD2, Cayuga water, senior van driver

**NOTICE OF MEETINGS**

<b>NEXT WORK SESSION:</b>	<b>September 9, 2019</b>	<b>@7:00 PM</b>
<b>REGULAR BOARD MEETING:</b>	<b>September 16, 2019</b>	<b>@7:00 PM</b>
<b>SPECIAL MEETING:</b>	<b>September 30, 2019</b>	<b>@ 9:00 AM</b>

**MEMORIAL REMEMBRANCE** - Lucille Rice

**ADJOURNMENT**

At 8:43 P.M. Supervisor Savage adjourned the Meeting.

Alecia Barrett  
Town Clerk