

July 9, 2007

Alexander Town Board Regular Meeting

Alexander Town Hall 7:00 p.m.

Present: Supervisor Ruth Hulshoff
Town Board: William Franz, Emma Jean Grant, William Hirsch
H'way Supt: Tom Lowe
Town Clerk: Laura Schmieder
Absent: Joseph Higley
Guests: Karl Bender, CEO/ZEO; Esther Leadley, Gen. Co. Legislature

The meeting was called to order at 7:00 p.m. by Supervisor Hulshoff. The Pledge of Allegiance was recited and a moment of silence for our servicemen and women.

On motion by Councilman Franz, seconded by Councilwoman Grant, and carried, to approve the minutes of the regular meeting on June 11, 2007 as presented. 4 – Yes 0 – No Motion carried

Minutes of the May 30, 2007 workshop held with the Planning Board were also distributed.

COMMUNICATIONS: GAM-June minutes, July meeting TBA; G/FLRPC newsletter; Certificate of Insurance received from Chatfield Engineers-filed in Office; Follow-up letters from DOT regarding speed limit reduction study; Chamber of Commerce Appreciation Chicken BBQ notice; County Legislature meeting agendas

REPORTS

CEO/ZEO:

- a. Karl reported issuing 10 building permits so far this year. The number is down from previous years.
- b. He has issued 2 violation notices-one is taken care of, another is being worked on.
- c. The owner of the old Skate 98 property has questioned whether he can put up a 14' high fence around the property to discourage people from leaving trash on his site. The Town Board will ask the Planning Board to formulate some wording in the Zoning Ordinance in regard to fencing on Commercial properties. Karl will ask the owner of the property to come to the July 23rd Planning Board meeting.

Highway Supt:

- a. Attica Road was re-opened on July 2nd.
- b. The department has oiled and stoned 7 miles of road in SE corner of town.
- c. Loader-timing not right, blew hydraulic cylinder
- d. Notice from NYS DOT-paving Route 98 from Village of Alexander line to Village of Attica beginning the end of July
- e. Continue to work on Seward Road-should be next week
- f. Genesee County will be repairing bridge on Pike Road near Wortendyke, should take 3 weeks
- g. '89 Autocar still at O'Neil's, major repairs, now fuel tank leaking
- h. Need to think about replacing the original 2-way radios
- i. Pick up truck has been ordered, several weeks until delivery
- j. Transfer Station survey distributed to Board members outlining procedures in towns across 3 counties

Councilman Franz has several concerns:

- a. Are personnel folders being kept up to date? Ans. Yes - Supervisor gets report on sick, personal, vacation time monthly. Any injury reports are in folders. Question of DOT physicals and who pays for them.
- b. Are safety meetings taking place? Ans. Yes - They are being done at payroll time. Copy can be provided to the Town Board.
- c. Are maintenance files current on trucks? "I have been concerned for two years that there are not maintenance records being kept on vehicles-should there be any incident or accident, the first thing to look at will be vehicle records. I have been asking for two years." Ans. Yes – they are in place.

Also, a resident has offered to purchase a piece of declared surplus.

RES. NO. 45: SURPLUS ITEMS TO STABA'S

On motion by Councilman Franz, seconded by Councilman Hirsch, and carried, all declared surplus from Highway Department will be taken to Stanley Staba's. 4 – Yes 0 – No Motion carried

Town Clerk:

- a. Had a problem with the fax machine. Had to have it replaced by HP.
- b. Councilman Franz contacted the person today who will be setting up our web site. Anxious to get started.

Building Committee: We will contact a local resident in regard to replacing the front doors. Would like this taken care of by winter weather.

Highway Equip. Committee: The chipper has not yet been delivered. The pick-up truck is several weeks out. We will be looking at the replacement plan for equipment at budget time.

Youth: Summer Rec Program is off to a good start.

Games of Chance: Raffle proceeds from 2006 have been received by the Clerk's Office.

Monthly reports from Town Justices and Supervisor Financial were read and filed.

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OLD BUSINESS

Union Update: Waiting to hear from PERB.

Salt Barn Update: A copy of a letter from David DiMatteo was distributed outlining a purchase offer made to a resident. We will have a short meeting after the Public Hearing on July 18th to discuss purchase of land.

RES. NO. 46: CONVEYANCE OF LAND

On motion by Councilman Hirsch, seconded by Councilman Franz, and carried, the following was adopted:

WHEREAS, all Town Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board of the Town of Alexander has acknowledged an issue regarding a deed from the Town of Alexander to the Bucks executed in March of 1999 and which was recorded in the Genesee County Clerk's Office in Liber 734 at page 42; and

WHEREAS, it was determined that the Town failed to comply with Town Law, specifically Section 64.2 with regards to the conveyance of said land which was subject to permissive referendum; and

WHEREAS, the Town Board of the Town of Alexander, by resolution dated the 14th day of May 2007, authorized the Supervisor to execute a deed, as the Town has received consideration for said parcels and needs to provide good and marketable title to the Bucks, subject to permissive referendum; and

WHEREAS, in accordance with Town Law Section 91, said resolution was published in the official newspaper of the Town of Alexander on the 18th day of May 2007, as such resolution of the Town Board of the Town of Alexander shall not take effect until thirty (30) days after its adoption nor until approved by the affirmative vote of a majority of the qualified electors of such Town, if within thirty (30) days after its adoption there is filed with the Town Clerk a signed petition; and

WHEREAS, no signed petition was received within said time frame; and

WHEREAS, on the 19th day of June 2007, Deputy Supervisor, Joseph Higley executed a Warranty Deed from the Town of Alexander to Mr. and Mrs. Walter Buck.

NOW ON MOTION OF COUNCILMAN HIRSCH, which has been duly seconded by COUNCILMAN FRANZ, therefore be it

RESOLVED, that the Town Board of the Town of Alexander hereby recognizes and acknowledges the conveyance of land, by Warranty Deed and which was subject to permissive referendum in compliance with New York State Town Law Section 91, from the Town of Alexander to Mr. and Mrs. Walter Buck, executed on June 19, 2007, a copy of which has been filed in the Genesee County Clerk's Office under Liber 859 at page 86.

4 – Yes 0 – No Motion carried

NEW BUSINESS:

RES. NO. 47: ACCEPT CHANGES TO LOCAL LAW/WIND

On motion by Councilwoman Grant, seconded by Councilman Hirsch, and carried, the Town Board accepts the changes to the Local Law/Wind Energy Conversion Systems that were recommended by the Planning Board as defined in their June 26th letter to Supervisor Hulshoff. 4 – Yes 0 – No Motion carried

RES. NO. 48: JUSTICE COURT AUDIT

On motion by Councilman Franz, seconded by Councilman Hirsch, and carried, the Town Board acknowledges that an annual audit of the Justice Court 2006 records was completed at the February 12, 2007 regular Town Board meeting. 4 – Yes 0 – No Motion carried

RES. NO. 49: APPLICATION FOR JUSTICE COURT ASSISTANCE PROGRAM

On Resolution by Councilman Hirsch, seconded by Councilman Franz, and carried, the following was enacted:

WHEREAS the State of New York has enacted a law establishing the Justice Court Assistance Program, L. 1999, C.280 that will enable communities to apply to the Chief Administrative Judge for a grant of State funds to assist in the operation of justice courts; and

WHEREAS the availability of grant funding would enhance the ability of the Town Justice Court to provide suitable and sufficient services to the community,

NEW THEREFORE BE IT RESOLVED that the Alexander Town Board hereby authorizes the Supervisor to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending December 31, 2007.

4 – Yes 0 – No Motion carried

RES. NO. 50: APPOINT NEW CUSTODIAN

On motion by Councilwoman Grant, seconded by Councilman Franz, and carried, the Town Board accepts the resignation of Elizabeth Hulshoff as Custodian and approves the appointment of Linda Hulshoff to the position for the remaining part of 2007. 4 – Yes 0 – No Motion carried

There were a couple of organizations identified who could be contacted for the larger custodial duties; i.e. windows, light fixtures, etc.

Councilman Hirsch did the clerk Monthly Review for June. Supervisor Hulshoff will do this for July.

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On motion by Councilwoman Grant, seconded by Councilman Franz, and carried, to pay the bills on Abstract #7 as follows:

General Fund A	Vouchers 132 – 152	3,897.91
General Fund B	Vouchers 34 - 41	2,936.65
Highway H Fund	Voucher 2	190.00
Highway Fund B	Vouchers 129 – 146	28,062.35

On motion by Councilman Franz, seconded by Councilwoman Grant and carried, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Laura Schmieder, Town Clerk

Public Hearing: July 18, 2007 at 7:00 p.m.

Planning Board Meeting: July 23, 2007 at 7:00 p.m.

Town Board Meeting: August 13, 2007 at 7:00 p.m.