

**January 12, 2009**  
**Alexander Town Board Regular Meeting and Public Hearing**  
**Alexander Town Hall 7:00 p.m.**

Present: Supervisor Ruth Hulshoff  
Town Board: William Franz, Emma Jean Grant, William Schmieder  
H'way Supt: Tom Lowe  
Town Clerk: Laura Schmieder  
Absent: William Hirsch

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.

The Clerk read the Notice of Public Hearing which was published on January 2, 2009.

**Public Hearing – 7:05 p.m.**

On motion by Councilperson Grant, seconded by Councilperson Franz, and carried, the public hearing for Local Law #1 of 2009 and Local Law #2 of 2009 was opened. 4 – Yes Hulshoff, Grant, Schmieder, Franz 0 – No Motion carried

On motion by Councilperson Franz, seconded by Councilperson Grant, and carried to approve the minutes of the December 8, 2008 regular meeting, and the December 29, 2008 end of year meeting as presented. 4 – Yes Hulshoff, Grant, Schmieder, Franz, 0 – No Motion carried

**COMMUNICATIONS:** Notice of Assoc. of Towns 2009 Training School and Annual Meeting was read; Digest of 2008 Laws Affecting Towns is filed with the Town Clerk; Time Warner monthly franchise letter and notice of rate increase; Letter from Genesee County Youth Bureau with revised State Aid figures; newsletter from Habitat for Humanity of Genesee County with latest project; letter from First Wind with copy of Code of Conduct for Wind Farm Development; Genesee Naturalist winter newsletter; Genesee ARC Horizons newsletter; Gen. County Legislature agenda;

**REPORTS:**

**Building Committee:** Turnbull was here on 1/06 to repair the boiler; the committee should start looking at options for outdoor signage at the Town Hall

**GAM:** the agenda for 1/15 was distributed

**Youth:** Winter Swim program will begin on 1/25 and run through 3/22

**Senior Citizen:** Em Grant distributed the annual report on their program

**Tax Collector:** tax bills were mailed the last week of December and payments have been steady coming in  
**Town Clerk:** Paul McCullough will be here this week to address a couple of computer issues; Clerk will be on vacation week of 1/19 but the office will be covered with usual hours

**Supervisor:** letter from Five Star Bank; end of year reports from Justices, Town Clerk and Supervisor will be presented at Feb. meeting; 3/06/09 hearing on a legal matter; letter from credit card company to raise limits on cards-Board decided not to increase the limits

**H'way Supt:** a) mishap with truck on Route 20 bridge-snowplow totaled by adjuster, have truck checked out; b) two other trucks have had repairs; c) the County Snow and Ice agreement was discussed; d) State Comptroller to enforce General Municipal Law 103-negating ability to purchase off County bids-Tom will keep us informed; e) will send order for new truck-will have to bid the body and plow equipment; f) State looking at cutting CHIPS funding by 10-15%; g) may have need to hire a PT seasonal employee; h) employee reported an on-the-job injury but is still reporting to work; i) Tom met with Tom Clark from Chatfield Engineers on 1/09 to look over blueprints for salt shed driveway

**RES. NO. 1: SIGN JOINT AGREEMENT WITH COUNTY**

On motion by Councilperson Franz, seconded by Councilperson Grant, and carried, to authorize the Highway Superintendent to sign the Joint Agreement of Snow and Ice and Mowing on County Roads for 2009. 4 – Yes Hulshoff, Grant, Schmieder, Franz 0 – No Motion carried

On motion by Councilperson Franz, seconded by Councilperson Grant, and carried, the Public Hearing was closed at 9:00 p.m.

**RES. NO. 2: ADOPTION OF LOCAL LAW #1 OF 2009**

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 is considering a local law entitled, "Repealing Local Law No. 1 of 1985, Local Law No. 2 of 1987, Local Law No. 1 of 1997 and Increasing the State Default Levels of the Alternative Veteran's Exemption provided by Section 458-a of the Real Property Tax Law;" and

WHEREAS, notice of said public hearing was duly advertised in the Batavia Daily, the official newspaper of said Town; and

WHEREAS, said public hearing was held on January 12, 2009 at the Town Offices in the Village of Alexander and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the Town Board of the Town of Alexander, after due deliberation, finds it in the best interest of said Town to adopt said local law.

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**NOW ON MOTION OF**, Councilperson Franz, which has been duly seconded by Councilperson Grant, **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Alexander hereby adopts said Local Law No. 1 of 2009, entitled “Repealing Local Law No. 1 of 1985, Local Law No. 2 of 1987, Local Law No. 1 of 1997 and Increasing the State Default Levels of the Alternative Veteran’s Exemption provided by Section 458-a of the Real Property Tax Law;” and be it further **RESOLVED**, that the Town Clerk be and she hereby is directed to enter said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York. 4 – Yes Hulshoff, Grant, Schmieder, Franz 0 – No Resolution carried

**RES. NO. 3: ADOPTION OF LOCAL LAW #2 OF 2009**

**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 is considering a local law entitled, “Creating an Exemption from Real Property Taxes for Real Property Owned by Veterans who Rendered Military Service to the United States during the Cold War;” and **WHEREAS**, notice of said public hearing was duly advertised in the Batavia Daily, the official newspaper of said Town; and **WHEREAS**, said public hearing was held on January 12, 2009 at the Town Office in the Village of Alexander and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and **WHEREAS**, the Town Board of the Town of Alexander, after due deliberation, finds it in the best interest of said Town to adopt said local law.

**NOW ON MOTION OF** Councilperson Franz, which has been duly seconded by Councilperson Grant, **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Alexander hereby adopts said Local Law No. 2 of 2009, entitled, “Creating an Exemption from Real Property Taxes for Real Property Owned by Veteran’s who Rendered Military Service during the Cold War;” and be it further **RESOLVED**, that the Town Clerk be and she hereby is directed to enter said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York. 4 – Yes Hulshoff, Grant, Schmieder, Franz 0 – No Resolution carried

A Clerk Review schedule was designated for 2009.

On motion by Councilperson Franz, seconded by Councilperson Grant, and carried, to pay the bills on Abstract #1 as follows:

General Fund A	Vouchers 1 – 21	\$ 15,252.48
General Fund B	Vouchers 1 – 3	15,007.66
Highway Fund A		0
Highway Fund B		0
Highway Fund H	Voucher 1	1,598.00

**ORGANIZATIONAL MEETING**

**RES. NO. 4: YEARLY AUTHORIZATIONS**

On motion by Councilperson Franz, seconded by Councilperson Grant, and carried, to approve the following authorizations as amended and read:

Town Clerk: Registrar of Vital Statistics  
Designated to administer Games of Chance licenses  
Collect fees on: Annual Junk Yard license - \$100.  
Refuse disposal cards \$20.00  
Other

Highway Superintendent: Authorized to purchase highway material off County bid  
Authorized to make purchases up to \$2,500 without prior approval  
Authorized to provide community service for non-profit organizations as in past practices

Official Bank: Five Star Bank

Official Newspaper: Batavia Daily News and Attica PennySaver

Official Signboard: Outside Clerk’s Office

Payroll: Highway employees, Assessor & Town Clerk paid bi-weekly; Town officials paid quarterly

Mileage: \$.48 per mile

Town Board meetings: 2<sup>nd</sup> Monday @ 7:00 p.m. People wishing to speak must contact the Town Clerk. Speaking time is limited to 15 minutes.

Town officials authorized to attend training: Town Board, Supervisor, Town Clerk, Justices, Highway Superintendent, Assessor, CEO-ZEO, Planning and Zoning Board members

On call of the roll: 4 – Yes Hulshoff, Grant, Schmieder, Franz, 0 – No Motion carried

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**RES. NO. 5: 2009 APPOINTMENTS**

On motion by Councilperson Grant, seconded by Councilperson Franz, and carried, the following appointments were approved as amended: 4 – Yes Hulshoff, Grant, Schmieder, Franz, 0 – No Carried RESOLVED, the following appointments were made for 2009:

(All terms for 1 year unless specified)

Tax Collector Laura Schmieder (1/01/2009-12/31/2009)

Assessor: William Sivecz (10/01/2007-9/20/2013)

Assessor Aide: Frank Drybala (1/01/2009-12/31/2009)

Board of Assessment Review: Steven Spring (1/01/2008-9/30/2013)  
Barbara Spring (10/01/2008-9/30/2009)  
Peter Antonucci (10/1/2005-9/30/2010)

Zoning Board of Appeals: Matt Kosmowski (1/01/2006-12/31/2010)  
Frank Meier (1/01/2008-12/31/2012)  
\*\* James Hess (1/01/2009-12/31/2013)  
Barbara Spring (1/01/2006-12/31/2010)  
David Leslie (1/01/07-12/31/2011)  
Laura Schmieder – Secretary

Planning Board: \*\* David Kelsey (1/01/2009-12/31/2012)  
\*\* Robert Kelsey (1/01/2009-12/13/2012)  
\*\* Linda Higley (2/13/2009-12/31/2012)  
John O'Neil (1/01/2006-12/31/2010)  
Michael Schmieder (1/1/07-12/31/2011)  
Laura Schmieder – Secretary

\*\* new terms beginning in 2009

GAM representative – all Board members  
Justice liaison- (?)

Building Committee – William Schmieder, William Franz, Laura Schmieder  
Insurance Committee – William Hirsch, Emma Jean Grant  
Highway Equipment Committee - Thomas Lowe, William Hirsch, William Franz  
and Ruth Hulshoff  
Youth Recreation Board Representative – William Franz, Emma Jean Grant  
Youth Recreation – Andrew Buckenmeyer and Laura Schmieder  
Code Enforcement Officer (including building inspector) - Karl Bender  
Zoning Enforcement Officer – Karl Bender  
Town Attorney – David DiMatteo  
Town Prosecutor – Kevin Finnell  
Town Hall Custodian – Linda Hulshoff  
Registrar of Vital Statistics – Laura Schmieder  
Elections Monitor – Laura Schmieder  
Records Management Officer – Laura Schmieder  
Freedom of Information Officer – Laura Schmieder  
Town Historian - Katie Goodman  
Deputy Supervisor – William Franz  
Deputy Highway Superintendent – Jacqueline Lowe  
Deputy Town Clerk – Theresa Jarvis, Marcia Brown  
Deputy Registrar of Vital Statistics – Theresa Jarvis  
Court Clerk – Margaret Morgan Hise, **Dawn Counterline (this is a change)**  
Intercommunity Medical Building Representative – Emma Jean Grant

On motion by Councilperson Franz, seconded by Councilperson Schmieder, and carried, the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Laura Schmieder  
Town Clerk