

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday July 21, 2014 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilman Witt led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Harry Milligan, Supervisor
Mary Riddoch, Councilwoman
Ralph P. Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Gary Wagner, Highway Supt.
Chris Snyder, CEO
Michael DeWitt, Planning Board
E.C. Legislator Ted Morton
Len Weglarski, DCO
Punkin the Clown (Connie Morrow)
Residents

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of July 7, 2014. The Motion was put to a Roll Call Vote on July 21, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH AND SECONDED BY COUNCILMAN WITT TO WIT; VOUCHERS- 628-715

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$36,604.76		\$36,604.76
HGHWY FUND "DA/DB"	8,890.61		8,890.61
PART-TOWN FUND "B"	3,514.28		3,514.28
CAPITAL IMPROV. "HC"			
WATER DISTRICT #1 "WA"			
CONSOLIDATED "WR"	5,307.02		5,307.02
SP FIRE PROT. "SF"	8,322.06		8,322.06
SD#2 FUND "SA"	2,278.69		2,278.69
TRUST/AGCY FUND "T"	2,727.22		2,727.22
SP REFUSE FUND "SR"	36,519.09		36,519.09
STREET LIGHTING FUND "SL"	5,265.04		5,265.04
PERIWINKLE LTG. "SL1"	31.63		31.63
GRANTS			
TOTALS	\$109,460.40		\$109,460.40

UPON ROLL CALL VOTE THE FOREGOING WAS PUT TO A ROLL CALL VOTE ON JULY 21, 2014 AND WAS **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

BUSINESS FROM THE FLOOR

Erie County Legislator Ted Morton spoke about the Erie County Home and Infirmary. The title for the E.C.H. & I. has been under ECMCC network since it has shut down. He has been promised by the attorneys for ECMCC and Erie County that the title will be transferred over to Erie County by the end of July. Because it is presently under ECMCC, the security fence cannot go up or any potential destruction cannot take place. Once the title is in place, the Legislature has already approved the security fence that will go up. They will put money in the 2015 budget to start tearing the facility down. We should start to see significant progress on that property in the months ahead. He will verify with the Supervisor's office later this week that the title has transferred before the end of the month. Hwy. Supt. Wagner will meet

with Wayne from Erie County about oil & chipping roads. Legislator Morton said that a big part of the extra Highway funds that were set aside were to be spent on rural roads. Legislator Morton will be on hand after the meeting for any questions from residents.

COMMUNICATIONS

Councilwoman Riddoch:

The playground set went up today in the Town Park. It is still fenced off because it needs another layer of fabric and then the mulch will be put down. She would appreciate adding the Resolution to the meeting for the mulch purchase so we can finish up the project.

AT 7:05 P.M. SUPERVISOR MILLIGAN MOVED TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO THE PUBLIC HEARING FOR THE PROPOSED CONTRACT WITH THE TOWNLIN FIRE DEPT., INC., CRITTENDEN VOLUNTEER FIRE DEPT., INC., THE VILLAGE OF ALDEN/ALDEN HOOK & LADDER FIRE CO., INC. AND THE MILLGROVE VOLUNTEER FIRE DEPT., INC., COUNCILMAN WITT SECONDED THE MOTION, THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JULY 21, 2014 AND CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

THE TOWN CLERK READ THE PUBLIC HEARING NOTICE THAT WAS PRINTED IN THE ALDEN ADVERTISER.

SUPERVISOR MILLIGAN OPENED THE MEETING FOR PUBLIC COMMENT.

SUPERVISOR MILLIGAN SAID THE ONLY CHANGE IS THAT THE FIRE COMPANIES WILL BE GETTING A 2% RAISE FOR THE THREE YEARS THAT THE CONTRACT RUNS.

THERE WAS NO PUBLIC COMMENT.

At 7:07 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING, COUNCILWOMAN RIDDOCH MOVED TO ADJOURN AND COUNCILMAN WITT SECONDED THE MOTION. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JULY 21, 2014 AND WAS CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

COMMUNICATIONS (Con't)

Supervisor Milligan:

Notification was received regarding the equalization rate; it will be 47.50%. Hopefully next year it will be 100%.

A letter was received from Sheriff Howard's office thanking the Town for our open lines of communications with the Sheriff's office for the betterment of the community.

A card was received from Mr. Green thanking the Town for the help received from the Highway Dept. regarding a drainage problem.

The monthly compliance report was received from Rural Metro. They are at 93.3%.

Budget schedules have been put out to departments. Requests are due back to the Budget Officer by 8/8/14. The final budget should be passed 11/3/14.

A letter was received from Punkin the Clown informing the Town that August 1-7 is International Clown Week. She is trying to win an award called the Charlie Award at the convention in April 2015.

NEW BUSINESS

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Sharon A. Jordan-Parker for Herbs/Oils mixed at the residence; Herkimer stones; and crafts that she makes at her residence at 12722 West Main St. for one year. (COUNCILMAN WITT ADDED THAT SHE HAS BROUGHT HER SIGN UP TO COMPLIANCE WITH THE SIGN CODE.)

The foregoing Motion was put to a Roll Call Vote on July 21, 2014 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

THE FOLLOWING PROCLAMATION WAS OFFERED BY SUPERVISOR MILLIGAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

WHEREAS, clowns have long been known as ambassadors of joy and good will and bring happiness to both joy and good will and bring happiness both to children and adults;

WHEREAS, created in 1946 Clowns International is the oldest clown society in the world;

WHEREAS, Thousands of clowns will never be seen at the circus, or on TV, or in the movies. You will see them instead at parties, store openings, and hospitals. They are ordinary people with ordinary jobs who clown whenever and wherever a laugh is needed;

WHEREAS, Most often when people think of clowns, they think of the circus. Of all circus acts, clowns are the favorite of children from age 3 to 103. Tight rope walkers chill your bones; snarling wild animals give you the shivers; sideshows make your skin crawl; but clowns win your heart;

WHEREAS, Clowns entertain us with squirting flowers, many clowns in a small car, rubbers chicken and clown bikes. Most of all clowns just want to make people laugh:

What kind of music do rabbits like? Hip Hop
What happened to the man who swallowed a frog? He croaked
How do you fix a broken gorilla? With a monkey wrench
What is the hardest part of taking a test? The answers
What do you call a student whose book is overdue? A bookkeeper
What do you call a boomerang that doesn't work? A stick
Where is the ocean the deepest? At the bottom
What invention allows people to walk through walls? A door.
The carpet said to floor, "Don't worry I got you covered"
One potato chip said to the other "Shall we go for a dip?"
Digital watch said to mother "Look ma no hands."
Jack said to car "Can I give you a lift?"

NOW THEREFORE BE IT PROCLAIMED AS FOLLOWS, THAT:

1. In recognition of the charitable activities of clowns and the wholesome entertainment they provide for all of our citizens: "International Clown Week" has been proclaimed for the week of August 1 thru August 7, 2014, and we, the Town Board of Alden proclaim the week of August 1 thru 7, 2014 as "International Clown Week" in the Town of Alden; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting held on July 21, 2014, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

SUPERVISOR MILLIGAN PRESENTED PUNKIN WITH A FRAMED PROCLAMATION.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application by Christopher M. Snyder for the subdivision of two (2) lots. The entire parcel currently consists of approximately 43.7

acres on Crittenden Road in the Town of Alden, further identified as SBL #108.00-2-27.3. The first proposed lot ("Parcel A") would be a 3.65 acre vacant parcel; the remaining parcel ("Parcel B") would be the remaining 40.05 acre parcel that contains a house currently under construction (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; 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 Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on July 21, 2014, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

WHEREAS, the Town of Alden Highway Superintendent has advised the Town Board that the Highway Department is in need of two (2) full-time temporary, non-union laborers for the 2014 Summer Season; and

WHEREAS, hiring two (2) full-time temporary non-union laborers does not take away any work from current unionized employees.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the hiring of Jamie Klein and Matthew Rebmann as **Full-Time Temporary Laborers**; at a rate of \$ 10.00 / hour, with no benefits except NYS Retirement. Terms of employ not to exceed past August 30, 2014; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 21, 2014, and was **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MILLIGAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Alden Town Board having on the 21st day of July, 2014 commencing at 7:05 P.M. duly held a public hearing for the purpose of considering new contracts for the years 2015-2017 with the Alden Hook & Ladder Fire Company, Inc./ Village of Alden; Townline Volunteer Fire Department, Inc.; Crittenden Fire Department, Inc.; and the Millgrove Fire Department, Inc.; each of which said contracts shall be for fire protection to "Town of Alden Fire Protection District," and having heard all persons desiring to be heard in the matter and the matter of said contracts for such fiscal years having been fully discussed and considered.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:

1. The Town Supervisor be and hereby is authorized to execute said contracts, copies of which are on file in the office of the Town Clerk, on the terms and conditions contained therein, for the fiscal year beginning January 1, 2015; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 21, 2014, and was **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, pursuant to section 22 of the New York State Civil Service Law, the Town of Alden must file with the Erie County Personnel Office, a New Position Duties Statement for the Second Deputy Town Clerk, Sarah Hinsken.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby establishes the position, with one opening, of Deputy Town Clerk PT, the job duties are defined on the attached New Position Duties Statement;
2. The Supervisor Milligan is authorized to file the New Position Duties Statement with the Erie County Personnel Office; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote on July 21, 2014, and was **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

SUPERVISOR MILLIGAN POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WAS ADDED:

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

WHEREAS, the Alden Town Board has received a request from Parks Supervisor Andy Sojka to Purchase 50 cubic yards of New York State Certified Playground Mulch for the various Town Parks for the 2014 summer season the estimated cost of which is less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden states that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors, except in the case of a sole source provider where multiple quotes are not required;

WHEREAS, Attica Package Company, Inc. is the only mulch provider who sells New York State Certified Playground Mulch; and

WHEREAS, the Town Board after full and careful review and consideration of the request finds

that it is in the public interest to authorize the purchase of the above described mulch.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 50 cubic yards of New York State Certified Playground Mulch from Attica Package , the sole source provider at \$18.00 per cu. Yd. plus \$150 delivery for a total cost of \$1050.00
2. The Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

On the Question: Councilman Witt questioned why this was the only provider in area. Councilwoman Riddoch said they have checked out other providers not local and the delivery would be costly.

The Foregoing Resolution was put to a Roll Call vote on July 21, 2014 and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Supervisor Milligan:

Supervisor Milligan questioned CEO Snyder about the property across from Sievenpiper's house with the berm, it has trees, grass, bushes & dirt on it. CEO Snyder said the homeowner promised him that it would be taken care of by the end of summer.

NOTICE OF MEETINGS

NEXT WORK SESSION: July 28, 2014 Special Meeting @ 6:30 P.M. Alden Town Board and the Planning Board to discuss Home Occupation Law
July 28, 2014 Regular Work Session @ 7:00 P.M.

NEXT TOWN BOARD MTG: August 4, 2014 @ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Milligan asked all to stand for a Moment of Silence in Memory of John Zielinski, Frank Bieniek, Donald Anstett and Marlene Rykaczewski.

ADJOURNMENT

At 7:25 P.M. Supervisor Milligan adjourned the Meeting

Debra A. Crist
Alden Town Clerk

