

The Regular Meeting of the Alden Town board was held in the Town Hall at 3311 Wende Road on Monday, June 2, 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: Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Michael Metzger, Town Engineer
Len Weglarski, DCO
Residents

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of May 19, 2014. The Motion was put to a Roll Call Vote on June 2, 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 499-534

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$60,037.11	\$44,700.17	\$104,737.28
HGHWY FUND "DA/DB"	4,490.30	12,668.29	17,158.59
PART-TOWN FUND "B"	3,337.92	1,783.10	5,121.02
CAPITAL IMPROV. "HC"			
CONSOLIDATED WATER "WR"	5,307.02		5,307.02
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,326.95	427.32	2,754.27
TRUST/AGCY FUND "T"		3,258.03	3,258.03
SP REFUSE FUND "SR"	36,091.36		36,0191.36
STREET LIGHTING FUND "SL"	7,326.75	1,285.00	8,611.75
PERIWINKLE LTG. "SL1"	52.85	13.20	66.05
GRANTS			
TOTALS	\$118,970.26	\$64,135.11	\$183,105.37

UPON ROLL CALL VOTE ON JUNE 2, THE FOREGOING RESOLUTION WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

BUSINESS FROM THE FLOOR

Supervisor Milligan welcomed Anthony, a Boy Scout that came to observe the Town Board meeting.

COMMUNICATIONS

Attorney Strong:

She has received from the Alden Fire Dept. everything that was asked of them for the upcoming Firemen's Carnival.

Supervisor Milligan:

An anonymous phone call was received by the Supervisor's Office from a gentleman representing the residents of East and West Alaura regarding the condition of the building on Broadway and Alaura. He feels that it is an absolute nightmare and a danger to people. He has contacted Al Vaughters from Channel 4 news but was told he must contact the Town first.

NEW BUSINESS

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve Alden Art Club's request to use the Alden Community Center & Bathrooms for their annual Fall Art Show on September 7, 2014. The foregoing Motion was put to a Roll Call vote on June 2, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan moved and Councilwoman Riddoch seconded the Motion to approve the Peddler's Permit for Sara Provo/Educational materials. The foregoing Motion was put to a Roll Call vote on June 2, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch moved and Councilman Witt seconded the Motion to refer to the Planning Board Local Law #3 (Non-Conforming Uses) for review and recommendation. The foregoing Motion was put to a Roll Call vote on June 2, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

WHEREAS, the Town Board of the Town of Alden has fully considered the adoption of Local Law No. 2 of the Year 2014, entitled "Local Law amending Section 20-88 of the Alden Town Code to increase the number of members of the Town of Alden Planning Board" (the "Proposed Action"); and

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

WHEREAS, the Town Clerk provided notice to the Erie County Division of Planning on April 15, 2014, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a "no recommendation" was received from the Division on May 12, 2014; and

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Town Board did assume Lead Agency status on April 21, 2014; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQR Intake Officer; and

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on April 8, 2014, recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board did determine that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board did determine that it 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 attached SEQR NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, which attached notice is hereby made a part of this Resolution, 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. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on June 2, 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, a Proposed Local Law #2 of 2014 entitled "Local Law amending Section 20-88 of the Alden Town Code to increase the number of members of the Town of Alden Planning Board" was introduced to the Alden Town Board for consideration by Supervisor Milligan on February 3, 2014.

WHEREAS, the Town of Alden Planning Board reviewed the proposed Local Law and recommended to the Town Board its approval on April 8, 2014.

WHEREAS, an order was duly adopted by the Alden Town Board for a public hearing to be held by said Town Board on May 5, 2014 at 7:05 pm at the Alden Town Hall, 3311 Wende Road, Alden, New York 14004 to hear all interested parties on a proposed Local Law entitled Local Law No. 2 of the Year 2014, and

WHEREAS, notice of said public hearing was duly published in the Alden Advertiser, the official newspaper of the Town of Alden on May 8, 2014, and

WHEREAS, said public hearing was duly held on May 19, 2014 all parties in favor of the local law were heard and/or all parties opposed to the Local Law were heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Alden Town Board, as Lead Agency, that adoption of said proposed Local Law is an Unlisted Action and will not have a significant effect upon the environment, and

WHEREAS, the Erie County Division of Planning gave a "no recommendation" to the proposed Local Law on May 12, 2014, pursuant to section 239-m of the General Municipal Law, and

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law on April 26, 2014, and

WHEREAS, the Alden Town Board, after due deliberation, finds it in the best interest of said the Town of Alden to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts said Local Law No. 2 of the Year 2014 entitled "Local Law amending Section 20-88 of the Alden Town Code to increase the number of members of the Town of Alden Planning Board", a copy of which is attached hereto and made a part of this resolution,

2. That the Alden Town Clerk enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Alden, and to give due notice of the adoption of said Local Law to the Secretary of State of New York, post the same on the Town Bulletin Board and publish the same in the Alden Advertiser.

3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 2, 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, the Town of Alden is required to have a Credit Card Use Policy.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached TOWN OF ALDEN CREDIT CARD USE POLICY, effective as of this date; and

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 2, 2014, and was **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

AT 7:08 P.M. SUPERVISOR MILLIGAN QUESTIONED THE BOARD IF THEY WERE COMFORTABLE TO PROCEED WITH THE FOLLOWING RESOLUTION REGARDING COLLECTIVE BARGAINING FOR THE HIGHWAY DEPT., THEY WERE NOT. SUPERVISOR MILLIGAN MOVED AND COUNCILMAN WITT SECONDED THE MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO AN EXECUTIVE SESSION TO DISCUSS THE HIGHWAY DEPT. COLLECTIVE BARGAINING AGREEMENT WITH THE HIGHWAY SUPT., TOWN ATTORNEY AND TOWN BOARD. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JUNE 2, 2014 AND WAS

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

AT 7:15 P.M. SUPERVISOR MILLIGAN MOVED AND COUNCILWOMAN RIDDOCH SECONDED THE MOTION TO ADJOURN FROM THE EXECUTIVE SESSION, WITH NO ACTION TAKEN, AND ENTER BACK INTO THE REGULAR MEETING.

ON THE QUESTION: SUPERVISOR MILLIGAN STATED THAT THEY TOOK 1 LESS HOLIDAY, PUT IN MORE MONEY TOWARD HEALTH INSURANCE, 2% INCREASE PER YEAR EACH YEAR OF THE FIVE YEAR CONTRACT. HE THANKED THE HIGHWAY DEPT. FOR THEIR COOPERATION.

THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JUNE 2, 2014 AND

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

WHEREAS, the Town of Alden Highway Employees are subject to a Collective Bargaining Agreement with the Town of Alden;

WHEREAS, The Town Board after full and careful review and consideration of the proposed Collective Bargaining Agreement, finds that it is in the public interest to enter into the proposed Agreement with the Highway Employees;

WHEREAS, the Town of Alden and the Town of Alden Highway Workers have agreed upon the terms of a Collective Bargaining Agreement for a term through December 31, 2018, said Agreement is currently on file in the Office of the Town Supervisor.

NOW THEREFORE BE IT RESOLVED A FOLLOWS:

1. That the Town Board does hereby authorize Supervisor Milligan to enter into and execute all necessary documents to effectuate the Collective Bargaining Agreement with the Town of Alden Highway Employees through December 31, 2018; and
2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting on June 2, 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

Town Clerk Crist:

There will be a "Thank a Vet" discount program put on at the Town Hall tomorrow by Erie County Clerk Chris Jacobs. The hours will be 10:30 A.M.-1:00 P.M.

Attorney Strong:

At the Town Board's request, she drafted a copy of the proposed changes to the H.O.P. law and put it in everyone's box. She would like to discuss this at the Work Session. Several Policies need to be reviewed at the Work Session.

Councilwoman Riddoch:

A request has been received from the Art Club to use the Community Center in 2015, she would like this on the Work Session.

A request was received from Men's Softball to use the R.O. Smith fields/ St. John's fields, she would like this on the Work Session also.

The N.Y.S. Dept. of Transportation has filed an Order to establish the 45 MPH Speed limit for North Road from Crittenden Road to CountyLine Road and post signs marking the speed zone.

Engineer Michael Metzger:

The Exchange Street/Zoeller Rd. water line project is moving right along. The plans & applications have been submitted to Army Corps. of Engineer, N.Y.S. DEC. and Erie County Water Authority. The Water Authority is reviewing the plans and the DEC & Army Corps are reviewing the applications you need for a permit from them, hopefully they will turn that around quickly and we can get them to the Health Dept. for their review, which is the final review before we can go out to bid.

The Community Center exterior repairs – the structural Engineer has submitted draft plans for that work. The Building Inspector, Eng. Metzger & Park Supv. Sojka are reviewing those before they go out to bid.

Various drainage issues have been viewed by Eng. Metzger, Hwy. Supt. Wagner & Councilman Witt.

Supervisor Milligan:

Alden Youth Baseball will be having their parade this Saturday.

The American Veterans Traveling Tribute Cost of Freedom Tribute is coming to Pembroke, New York on June 11-15 2014.

A letter was received from N.Y.S. Dept. of Taxation and Finance informing the Town that on 5/20/14 the State Office of Real Property Tax Services established a tentative 2014 State equalization rate of 47.50 for our municipality. They also stated that our municipality has not completed a recent reassessment and recommended that we examine our assessment roll for inequities and consider reassessing.

Supervisor Milligan said we are now in the process of doing so.

Supervisor Milligan has spoken to Judge Al Gerhart and he will be returning to work on June 24th.

Supervisor Milligan will be talking to the Erie County Legislature on Thursday regarding the Erie County Home.

CEO Snyder:

Supervisor Milligan questioned CEO Snyder on the status of the Broadway/Alaura property. CEO Snyder said that a notification letter has been sent out and we have to wait 30 days.

NOTICE OF MEETINGS

NEXT WORK SESSION:

June 9, 2014 @ 7:00 P.M.

NEXT REG. BOARD MTG.

June 16, 2014 @ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Milligan asked all to stand for a Moment of Silence in Memory of Gerald Saxer, Dolores Weber and Stephen Wagner.

ADJOURNMENT

Supervisor Milligan adjourned the Meeting at 7:23 P.M.

Debra A. Crist
Alden Town Clerk