

The Town Clerk read the Notice of Public Hearing that was published in the Alden Advertiser re "Rezoning of Real Property on Broadway and Zoning Map Amendment.

The Supervisor opened the Floor for Public Comments.

Supervisor Smith gave an overview of the proposed law.

James Foss, 13806 Broadway said that they went through the same procedure a few years ago and it was determined that the Town was not going to do it. He felt the rezone should just be the Roberts property only, not the rest of the property owners. Mr. Foss questioned why only his side of Broadway was targeted. Mr. Foss was also concerned about his agriculture exemption. Supervisor Smith explained he had talked to the Assessor and the ag exemptions would not be affected. He objects to the situation.

Ron Rebmann, 12000 Broadway feels people rights would be taken away, when you pass a law that you cannot put a house on commercial property. He heard recently if the farmer stops farming for a year he loses his rights. He feels rezoning properties restrict owner's rights.

Charles Roberts, Broadway asked why the 500'? Town Clerk Witt said that the Planning Board recommended this because 300' is so shallow, if someone was going to do a commercial endeavor, it does not give them enough depth.

Jack Oles, Countyline Rd. questioned why they could not just do spot zoning and only rezone the Roberts property. Attorney Strong said it is illegal to rezone one property.

At 7:23 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING.

At 7:23 P.M. Councilman Weber moved and Councilwoman Riddoch seconded the motion to adjourn from the Public Hearing and enter back into the Regular Meeting. Unanimously Carried.

COMMUNICATIONS

Councilman Weber talked to a Westwood Rd. resident that had a drainage problem, he stopped by and looked at this, they had been talking to the Highway for a couple of years about taking care of this. Councilman Weber spoke to Hwy. Supt. Fix and it is on the list, there is a big list ahead of them that are priorities. Supervisor Smith said we could put this on the Work Session next week to discuss.

Councilman Snyder said there is a meeting of the Association of Erie County Governments in Lackawanna on September 29, 2011, he plans on attending.

Supervisor Smith received a letter from the Board President of the Alden Ewell Free Library asking if the Town could consider additional funding to the Library for the purchase of two laptop computers for their use, received the Village of Alden's approved Board minutes from their August 25, 2011 meeting, received a thank you from the Athletic Director from St. John's School for the use of the R.O. Smith Park and facilities for their Softball tournament earlier this month, received from the Village of Alden Fire Dept. their August, 2011 alarm report and Rural Metro Medical Services monthly compliance report for August 2011/100%.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the Home Occupation Permit for Douglas Swingle, 12049 Genesee St./Auto Upholstery Repairs. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to allow Alternative Care Services of W.N.Y. the use of the Community Center for a Volunteer Thank You Luncheon on October 23, 2011, 11:30 A.M. to 4:30 P.M. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WEBER TO WIT;

WHEREAS, the citizens of the Town of Alden have voted to combine the Elected Offices of the Alden Town Clerk and the Receiver of Taxes and thus the Alden Town Board has discovered the need to physically combine that office space, and to increase security for that office, to better serve the residents of the Town of Alden; the estimated costs of the Town Hall renovations is less than \$35,000.00 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, a written request for proposals (to renovate the Alden Town Hall as per the attached specifications) was made by CEO/BI Chris Snyder to three (3) vendors, as follows:

the highest bidder is Darwin Kipfer Contractor & Building at a cost of \$17,750.00;

the second highest bidder is R&D Contracting Services, Inc at \$16,775.00; and the lowest bidder is Kraus Brothers at \$10,275.00;

WHEREAS, Kraus Brothers is deemed the lowest responsible bidder for the construction materials and work;

WHEREAS, to increase security at the new office space a rolling grille door is needed and is available from sole source distributor Hamburg Door as a cost of \$2,960.00; 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 Town Hall renovations.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of Kraus Brothers to complete the Town Hall renovations as per the attached specifications at a total cost of \$10,275.00 and the purchase of a rolling grille door from Hamburg Door at a cost of \$2,960.00 making the total project cost \$13,235.00;
2. Kraus Brothers must pay its employees prevailing wage rate and comply with all State and Federal Department of Labor requirements;
3. The Town Supervisor is authorized to sign, once Kraus Brothers, has filed proof of insurance with the Town of Alden, any and all necessary documents to effectuate this purchase; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 19, 2011, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Parks Supervisor Andy Sojka to hire a tree removal expert to remove a large cottonwood tree in the Town Park as part of the Town Park Rehabilitation and Additional Facilities Project, the estimated cost of which less than \$10,000.01 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, a written request for proposals (for taking down a 70’ cottonwood tree, hauling away all of the wood/brush and grinding the stump below grade, leaving the grindings in place) was made by Parks Supervisor Sojka to four (4) vendors, as follows:

the highest bidder is Draves Tree Service at \$4,937.00;
the second highest bidder is Greg’s Tree Service at \$2,900.00;
the third highest bidder is Mays Tree Service, Inc. at \$2,800.00; and
the lowest bidder is Professional Tree Care, Inc. at \$2,400.00;

WHEREAS, Professional Tree Care, Inc. is deemed the lowest responsible bidder; 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 tree removal.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of Professional Tree Care, Inc. to take down the 70’ cottonwood tree, hauling away all of the wood/brush and grinding the stump below grade, leaving the grindings in place at a total cost of \$2,400.00;
2. Professional Tree Care, Inc. must pay its employees prevailing wage rate and comply with all State and Federal Department of Labor requirements;
3. The Parks Supervisor of the Town of Alden is authorized to sign, once Professional Tree Care, Inc. has filed proof of insurance with the Town of Alden, any and all necessary documents to effectuate this purchase; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 19, 2011, and was unanimously adopted.

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

WHEREAS, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Crittenden Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in receiving worker’s compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Crittenden Volunteer Fire Department has approved Derek Cattoi as a member; and has approved Austin Long and Lu Battel-Ostrowski as junior members; and

WHEREAS, Crittenden Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of these new members.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Derek Cattoi for membership in the Crittenden Volunteer Fire Department;
2. The Alden Town Board hereby approves Austin Long and Lu Battel-Ostrowski as junior members in the Crittenden Volunteer Fire Department; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 19, 2011, and was unanimously adopted.

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

WHEREAS, given the ever increasing cost of health insurance coverage the Alden Town Board has reviewed the Town of Alden Employee Handbook ("Handbook") and has declared the need to change the health insurance benefits offered to current non-union and future non-union Town of Alden Employees and Officials; and

WHEREAS, the Town Board believes that the change is fair to both the Employees of the Town of Alden and is in the best interests of residents of the Town of Alden.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby amends the Handbook, dated June, 2009 (and amended March, 2010, June, 2010, February, 2011 and March, 2011) to reflect the changes made to **page 13** (attached) addressing health insurance coverage, to be effective January 1, 2012 at 12:01 am;
2. All other aspects of the June, 2009 (and amended March, 2010, June, 2010, February, 2011 and March, 2011) Handbook remain the same;
3. The Town Clerk's Office is hereby directed to promptly provide the amended **page 13** of the Handbook, to all Town of Alden Employees; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 19, 2011, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the Alden Garden Club's request to use the Alden Community Center on Specified dates. Unanimously Carried.

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

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

WHEREAS, the Town of Alden retained C.J. Brown Energy, P.C. to conduct an Energy Audit of Town Hall and the energy audit documented the current usage of electricity acquired through conventional means,

WHEREAS, the Town of Alden seeks to reduce its carbon footprint through the installation of photovoltaic panels at Town Hall to generate a renewable source of energy,

WHEREAS, the Town of Alden has obtained grant funding from the American Recovery and Reinvestment Act (ARRA) through the New York State Energy Research and Development Authority (NYSERDA) for the implementation of energy conservation measures by small municipalities to install photovoltaic panels (which will involve replacement of a portion of the roof) at the Town Hall.

WHEREAS, the Town of Alden has caused to be written the draft technical specifications for the installation of the photovoltaic panels, which will include the partial replacement of the Town Hall Roof;

WHEREAS, The Town of Alden has properly hired Nussbaumer and Clarke to design the Project and Nussbaumer and Clarke has done so;

WHEREAS, pursuant to the Procurement Policy & Procedure Guidelines of the Town of Alden and General Municipal Law section 103, the Town of Alden has properly solicited and received bids for the construction of the Project and bids were received as follows:

The highest bidder is O'Connell Electric at \$378,000.00;
The second highest bidder is Ferguson Electric at \$ 345,900.00;
The third highest bidder is Jos. A. Sanders & Sons, Inc at \$ 343,691.00;
The fourth highest bidder is Patrick Construction at \$319,000.00;
The fifth highest bidder is Frey Electric at \$ 318,000.00;
The sixth highest bidder is EMSA Solar at \$ 311,400.00 and
The lowest bidder is Solar Liberty at \$ 294,055.00;

WHEREAS, the bid submitted by CiR Electrical is incomplete and hereby rejected; and

WHEREAS, Solar Liberty is deemed the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the signing of an Agreement for Construction Services, in substantially the form attached to the RFP, with Solar Liberty for a total cost of \$294,055.00;
2. Ronald L. Smith, as Supervisor of the Town of Alden, is hereby authorized and directed to sign said Agreement; and
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 19, 2011, and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that there would be a dog enumeration starting in October, she is working on the form to be filled out. There will be an announcement & legal notice in the Alden Advertiser stating the provisions of the dog licensing and enumeration.

NEXT WORK SESSION: Monday, September 26, 2011 @ 7:00 P.M.
NEXT TOWN BOARD MTG.: Monday, October 3, 2011 @ 7:00 P.M.

At 7:41 P.M. Supervisor Smith asked for a motion to adjourn from the regular meeting to

enter into an executive session to discuss a matter of personnel.
Councilman Weber moved and Councilwoman Riddoch seconded the motion to enter into an executive session to discuss a matter of personnel. Unanimously Carried.

At 8:41 P.M. Supervisor Smith asked for a motion to adjourn from the Executive Session, with no action being taken, and enter back into the Regular Meeting.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to adjourn from the Executive Session, with no action being taken, and enter back into the Regular Meeting. Unanimously Carried.

Supervisor Smith Adjourned the Meeting at 8:42 P.M. with a Moment of Silence in memory of Mary Marcinkowski, Joshua Morris, Arthur Freeman & Dennis Feuerstein.

Ralph P. Wit
Town Clerk