

MEETING NO. 23 REGULAR BOARD MEETING DECEMBER 5, 2011
REGULAR NO. 23 7:00 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road On Monday, December 5, 2011 at 7:00 P.M. Supervisor Smith called the meeting to order. Councilman Weber led in the Pledge of Allegiance. The roll call was taken by the Town Clerk.

PRESENT: Ronald Smith, Supervisor
 Mary Riddoch, Councilwoman
 William Weber, Councilman
 Ronald Snyder, Councilman
RECORDING SECRETARY: Ralph Witt, Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
 Michael Metzger, Town Engineer
 Chris Snyder, CEO
 Len Weglarski, Dog Control Officer

Councilman Snyder moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Special Meeting #5/2011 of November 14, 2011 and the Regular Meeting of November 21, 2011. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER AND SECONDED BY COUNCILMAN WEBER TO WIT;

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$179,356.12	\$26,133.27	\$205,489.39
HGHWY FUND "DA/DB"	54,444.13	2,714.91	57,159.04
PART-TOWN FUND "B"	13,179.39	570.86	13,750.25
WD#1 FUND "WA"			
WD#2 FUND "WB"			
WD#3 FUND "WC"			
WD#4 FUND "WD"			
SP FIRE PROT. "SF"	2,327.85		2,327.85
SD#2 FUND "SA"	907.93	63.70	971.63
TRUST/AGCY FUND "T"	240.60	3,284.38	3,524.98
SP REFUSE FUND "SR"	39,323.69		39,323.69
STREET LIGHTING FUND "SL"	6,706.90		6,706.90
PERIWINKLE LTG. "SL1"	47.34		47.34
GRANTS 138.945.15	138,945.15	125,058.95	264,004.10
TOTALS	\$435,479.10	\$157,826.07	\$593,305.17

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.
THERE WAS NO BUSINESS FROM THE FLOOR

Supervisor Smith Welcomed the Students.

COMMUNICATIONS

Attorney Strong received the revised Sewer Agreement from the County of Erie and would like this placed on the Work Session.

Supervisor Smith received the approved Village of Alden Board minutes from their November 10, 2011 meeting.

NEW BUSINESS

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by David and Marcelene Krol for the subdivision of one (1) lot (approximately 3.49 acres) from an 24.211 acre lot located at 3700 North Millgrove Road, in the Town of Alden, further identified by SBL # 85.00-3-24.211 (The "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on November 9, 2011 for this Proposed Action, as required under Section 239-m of the General Municipal Law and the Division denied having jurisdiction on November 10, 2011;

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, the Town of Alden did assume Lead Agency Status November 21, 2011;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town SEQRA Intake Officer has prepared the Short Form Environmental Assessment Form; and

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on November 8, 2011, recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. 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 the Proposed Action.
3. That the following parcel, more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being part of Lot 46, Township 11, Range 5 of the Holland Land Company's Survey, being more particularly described as follows:

BEGINNING at a point in the west line of North Millgrove Road (66 feet wide), at a distance of 1500.00 feet south of the north line of said Lot 46, said point of beginning being the southeast corner of lands of Robert W. Krol and Karen A. Krol as described in a deed recorded in the Erie County Clerk's Office in Liber 11121 of Deeds at Page 8043; thence westerly along the south line of said lands of Robert W. Krol and Karen A. Krol, at an interior angle of 89-03-57 with the said west line of North Millgrove Road, a distance of 700.00 feet to a point; thence southerly at right angles to the previously

described line, a distance of 185.00 feet to a point; thence easterly a distance of 698.95 feet to a point in the said west line of North Millgrove Road, at a distance of 250.00 feet south of the said southeast corner of lands Robert W. Krol and Karen A. Krol; thence northerly along the said west line of North Millgrove Road, a distance of 250.00 feet to the point or place of beginning, containing 3.49 Acres more or less.

is given subdivision approval; and

4. 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 December 5, 2011, and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WEBER, 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 install a yard hydrant at the Town Ice Rink, 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 the purchase and installation, at prevailing wages rates, of a 2 inch yard hydrant at the Town ice rink) was made by Parks Supervisor Sojka to three (3) vendors, as follows:

the highest bidder is Sitzman’s Appliance Center at \$4,102.66;
the second highest bidder is Fisher Septic & Excavating at \$3,850.00; and
the lowest bidder is Kohl Construction, Inc. at \$2,890.00;

WHEREAS, Kohl Construction, Inc. is deemed the lowest responsible bidder;

WHEREAS, the Alden Winterfest Committee has agreed to reimburse the Town of Alden for the full cost of the purchase and installation; 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 and installation of a yard hydrant.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase and installation of a yard hydrant at the Town Ice Rink by Kohl Construction, Inc., at a total cost of \$2,890.00, to be reimbursed to the Town of Alden in full by the Alden Winterfest Committee;
2. Kohl Construction, 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 any and all necessary documents to effectuate this purchase and installation; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 5, 2011, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to purchase a Harder dump box spreader, 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 the purchase of a Harder dump box spreader (slide in type) for a 13 foot dump box stainless steel) was made by the Highway Department to three (3) vendors, as follows:

the highest bidder is George & Swede at \$9,694.00;
the second highest bidder is Viking Cives (USA) at \$9,467.77; and
the lowest bidder is Valley Fab at \$9,405.00;

WHEREAS, Valley Fab 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 purchase of a harder dump box spreader.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a Harder dump box spreader from Valley Fab at a total cost of \$9,405.00;
2. The Highway Superintendent 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.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 5, 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 Town of Alden has negotiated Contracts for Fire Protection Services with the Townline Fire Department, Inc.; Crittenden Volunteer Fire Department, Inc.; the Village Of Alden/Alden Hook & Ladder Fire Company, Inc.; and the Millgrove Volunteer Fire Department, Inc.; and

WHEREAS, the Town Board must conduct a public hearing before approving said Contracts.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. A public hearing be held before the Town Board on December 19, 2011 at 7:05 p.m. at the Alden Town Hall, 3311 Wende Road, Alden, New York at which time all interested persons shall be heard in regard to the Fire Protection Contracts;
2. The Town Clerk is directed to Publish Notice of this Public Hearing in the Alden Advertiser no less than ten (10) days prior to the Public Hearing and to post Notice of the same on the Town signboard; and
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 held on December 5, 2011, and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber spoke to the King family on Exchange Street regarding the out of district water use and how it might come about. They were concerned about a time limitation. Councilman Weber said there was not one. Engineer Metzger will be receiving a phone call from them. They were very thankful for our help.

Town Clerk Ralph Witt reported finishing collecting school taxes for the season, he collected \$7,450,000.00 up \$400,000.00 from last year.

Attorney Strong said that draft fire contracts have been mailed out. She would like this on the Work Session. She has re-drafted the procurement policy and would like this and the OEM agreement put on the Work Session.

Councilman Snyder would like to discuss the extra cost for the boiler at the work session. He will have the figures ready for Monday night.

Town Engineer Michael Metzger spoke regarding the boiler. The contractor feels he is done with the work, he has contacted the Mechanical Engineer who will put a list of things together that still need to be taken care of to close out, plus look at the contract to make sure everything needed to be done is done to close out the contract and schedule a final inspection.

Supervisor Smith asked CEO Snyder if we could be ready to discuss the thermostats on Monday night. He has had three contractors in to look at them; he will follow up this week. The construction of the Clerk's office is moving well.

NEXT WORK SESSION: Monday, December 12, 2011 @ 7:00 P.M.
NEXT TOWN BOARD MTG.: Monday, December 19, 2011 @ 7:00 P.M.

Supervisor Smith adjourned the Meeting at 7:14 P.M. with a Moment of Silence in Memory of Alice Szejnar.

Ralph P. Witt
Town Clerk