

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, February 22, 2011 at 7:00 P.M. Supervisor Smith called the Meeting to Order. Councilwoman Cooke led in the Pledge of Allegiance. The roll call was taken by the Town Clerk.

PRESENT: Ronald Smith, Supervisor
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman

ABSENT: Mary Riddoch, Councilwoman

RECORDING SECRETARY: Ralph P. Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Michael Metzger, Town Engineer
Carl Fix, Highway Supt.
Chris Snyder, CEO
Len Weglarski, DCO

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of February 7, 2011. Unanimously Carried.

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$132,928.38		\$132,928.38
HGHWY FUND "DA/DB"	32,596.16		32,596.16
PART-TOWN FUND "B"	4,587.98		4,587.98
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	71,212.04		71,212.04
SP FIRE PROT. "SF"	68,317.24		68,317.24
SD#1 FUND "SI"	8,212.41		8,212.41
SD#2 FUND "SA"	1,754.82		1,754.82
TRUST/AGCY FUND "T"	796.00		796.00
SP REFUSE FUND "SR"	9,073.78		9,073.78
STREET LIGHTING FUND "SL"	6,978.82		6,978.82
PERIWINKLE LTG. "SL1"	50.88		50.88
GRANTS	94.82		94.82
TOTALS	\$339,042.13		\$339,042.13

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR

COMMUNICATIONS

Councilman Weber received a phone call from a concerned citizen regarding drainage; Hwy. Supt. Fix and Councilman Weber will go out to view one of the problem areas tomorrow.

Attorney Strong received the draft deed from the State of New York regarding the dedication of the Reinhardt Rd. turn around to the Town. She would like this put on the Work Session.

Supervisor Smith received from the Erie County Divn. Of Planning a letter regarding NYS GML Section 239 Review Referrals, approved Village of Alden Board meeting minutes from their January 27, 2011 meeting, Rural Metro's January 2011 monthly compliance report, with 93.1% compliance, received a letter from Susan Johnson, who is the Community Representative for Senator Pat Gallivan, advising that she will be attending our next Town Board Meeting on Monday, March 7, 2011 and received notification from NYS Parks & Recreation that the Town will be receiving a grant for \$166,310.00 from the environmental protection fund for park rehabilitation and addition of new facilities; it is a 50/50 grant with the Town matching the \$166,310.00. The Towns intention is to improve the facilities at the Park, install new football and soccer fields and do a rehab of the Panza Trail to make it more accessible year round.

NEW BUSINESS

Councilman Weber moved and Councilman Snyder seconded the Motion to renew the Home Occupation Permit for Dennis Nichols, 3025 Peters Corners Rd.,/Used Car Sales. Unanimously Carried.

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

WHEREAS, The Alden Town Board has been contacted by Troy & Banks in regard to conducting a utility audit for the Town of Alden;

WHEREAS, The Town Board believes that a utility audit may lower the utility costs of the Town of Alden;

WHEREAS, the Town Board feels that it is in the best interests of the citizens of Alden to conduct a utility audit that may lower the Town's utility costs; and

WHEREAS, the services provided by Troy & Banks are specialized and unique are therefore, under the Town's Policies and under New York State law, not required to be bid.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

- 1 The Town Board hereby authorizes the Supervisor to sign a Contract with Troy & Banks authorizing Troy & Banks to conduct a utility audit of the utilities consumed by the Town, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 22, 2011, and was unanimously adopted.

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

WHEREAS, The Alden Town Board has been contacted by Regional Computer Recycling & Recovery, in regard to setting up an e-waste drop off location in the Town of Alden at no charge to the Town of Alden;

WHEREAS, New York State law (effective April 1, 2011) requires that covered electronic equipment be recycled;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes Supervisor Smith to sign an Agreement with Regional Computer Recycling & Recovery to allow Regional Computer Recycling & Recovery to set up an e-waste drop off location at a mutually agreed upon location in the Town of Alden;
2. The Town Board hereby authorizes Regional Computer Recycling & Recovery to set up an e-waste drop off location at a mutually agreed upon location in the Town of Alden; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 22, 2011, and was unanimously adopted.

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

WHEREAS, on February 7, 2011, the Town of Alden adopted a Right to Farm Law which requires the Town Board to appoint a Right to Farm Dispute Resolution Committee (which must consist of one member of the farming community and an alternate; the Town Code Enforcement Officer; and a Member of either the Town Board or the Planning Board).

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby appoints the following persons to the Right to Farm Dispute Resolution Committee to serve for the 2011 calendar year:
From the farming community: Gerald Aldinger and James Guarino (alternate);
Code Enforcement Officer: Chris Snyder; and
Town Councilman: William Weber; and
2. This resolution shall take effect immediately.

This resolution was duly put to a roll call vote at a regular meeting on February 22, 2011, and was unanimously adopted.

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

WHEREAS, the Auditors for the Town of Alden have advised the Town to review and update the Town's 1992 Investment Policy; and

WHEREAS, the Town Board has reviewed and updated its Investment Policy.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The 1992 Investment Policy is hereby rescinded;
2. The attached Investment Policy is hereby adopted by the Town of Alden and shall remain in effect until, if ever, rescinded by the Alden Town Board; and
3. This resolution shall take effect immediately.

This resolution was duly put to a roll call vote at a regular meeting on February 22, 2011, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Councilwomen Mary Riddoch to rent portable toilets for use at the Town Parks for the 2011 Summer Season (May – August) the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must request proposals and then obtain written quotes from at least two (2) vendors;

WHEREAS, an oral request for proposals (for the rental of four units with hand sanitizer for four months with weekly cleaning) was made by Councilwomen Riddoch to two (2) vendors which came in at the same price;

WHEREAS, the first vendor is Ball Toilet & Septic Service at \$960.00 (four units with hand sanitizer and weekly cleaning at \$60.00 per unit per month). This proposal meets the oral request for proposal;

WHEREAS, the second vendor is Fisher Septic & Excavating at \$960.00 (four units with hand sanitizer and weekly cleaning at \$60.00 per unit per month). This proposal meets the oral request for proposal; 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 rental.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the rental of four portable toilets with hand sanitizer and weekly cleaning for four months from the Fisher Septic & Excavating (a business located in the Town of Alden by Alden residents) at a total cost of \$960.00;
2. Councilwomen Riddoch is authorized to sign any and all necessary documents to effectuate this rental; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 22, 2011, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has noticed the need to add a new fee (\$150.00) to the Town Fee Schedule to cover the Town Engineer’s review of drainage plans for minor subdivisions;

WHEREAS, the Alden Town Board is authorized under State Law and under the Alden Town Code to set said fees upon resolution duly adopted by the Town Board; and

WHEREAS, the proposed fee amount is fair and reasonable and is reasonably related to the service performed by the Town Engineer.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts (and rescinds all prior versions) the attached TOWN OF ALDEN FEES and the attached PERMIT FEE SCHEDULE as the official fees charged by the Town of Alden, 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 February 22, 2011, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from the Town Clerk's Office to purchase 25 cases of copy paper for the Town Hall the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town request proposals and then obtain written quotes from at least two (2) vendors;

WHEREAS, an oral request for proposals (price per case of 8.5" x 11" white copy paper was made by First Deputy Town Clerk Debra Crist to five (5) vendors;

WHEREAS, the highest bidder is Staples at \$39.95 per case;

WHEREAS, the second highest bidder is Office Depot at \$37.99 per case;

WHEREAS, the third highest bidder is X-Pedx Paper at \$36.00 per case;

WHEREAS, the fourth highest bidder is Service Office Supply at \$32.70 per case;

WHEREAS, the lowest responsible bidder is Integrity Distribution at \$32.65 per case; 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 copy paper.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 25 cases of copy paper from Integrity Distribution at a total cost \$816.25;
2. First Deputy Town Clerk Debra Crist 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 February 22, 2011, and was unanimously adopted.

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

WHEREAS, the Town of Alden ("Town") entered into an Agreement with Gary Wagner whereby Mr. Wagner agreed to donate his time and services for the construction and installation of public ice skating rink in the Alden Town Park; and

WHEREAS, the construction and installation of the public ice skating rink is now completed.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby thanks Gary Wagner for his efforts in constructing and installing the public ice skating rink in the Town Park;
2. Any and all future maintenance of the public ice skating rink shall be the sole responsibility of the Town of Alden, with said maintenance being performed by the Town Parks 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 February 22, 2011, and was unanimously adopted.

Supervisor Smith moved and Councilman Snyder seconded the Motion to allow St. John the Baptist School the use of the Town of Alden's Band Shelter on July 15th, 16th & 17th 2011 for their Lawn Fete. Unanimously Carried.

THE FOLLOWING PROCLAMATION WAS OFFERED BY SUPERVISOR SMITH:

“PROCLAMATION”

WHEREAS, Marlene Roll is a long time resident of the Town of Alden and has dedicated her life to assisting Veterans and her country;

WHEREAS, Ms. Roll was enlisted in the US Army Reserves from 1986 through 1994, achieving the rank of E-5 Sergeant and served in Operation Desert Shield/Desert Storm from November, 1990 through March, 1991. Ms. Roll is a lifetime member of the VFW and has served as local VFW Post Commander; a Junior Vice Commander for Erie County; is currently the Patriotic Instructor and Membership Chairman for New York State; a certified national VFW recruiter; a veteran mentor in the Buffalo Veteran's Treatment Court; a member of the East Aurora American Legion Post 362; and currently serves as the Erie County Veterans Services Agency Director. Ms. Roll is also a past trustee for the Alden Historical Society;

WHEREAS, the Interclub Council of Western New York has named Marlene Roll as its Susan B. Anthony award recipient; and

WHEREAS, the Susan B. Anthony Award recognizes a woman in the community who by her record of professional and community services and achievements, best exemplifies the character and spirit of Susan B. Anthony.

NOW, THEREFORE BE IT PROCLAIMED:

1. That the Alden Town Board extends its deepest appreciation to Marlene Roll for her dedication to Veterans and congratulates Ms. Roll on her receipt of the Susan B. Anthony Award; and
2. That the Town Clerk is hereby directed to send certified copies of this Proclamation to Marlene Roll and to the InterClub Council of Western New York.

Dated: February 22, 2011
Alden Town Board

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

WHEREAS, the Town of Alden believes that its residents would benefit from improvements to its Town Park, including but not limited to: modification to the Panza trail and two multi-purpose athletic fields; and

WHEREAS, The Town of Alden would like to solicit Requests For Proposals (“RFPs”) from engineering firms to design plans for the above described Park Improvements.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. Ronald L. Smith, as Supervisor of the Town of Alden, is hereby authorized to create an RFP package and to solicit, by mail, proposals from interested engineering firms.
2. The Town Board hereby authorizes the Town of Alden Town Clerk to advertise for bids as outlined in the attached Instructions to Bidders;
3. The Town Board hereby authorizes the Town Clerk to publish Notice in the Alden Advertiser;
4. Interested parties shall submit proposals to the Town Clerk’s Office no later than 2:00 PM on March 18, 2011. Said proposals shall be reviewed by the Town Board at a later date; and
5. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 22, 2011, and was unanimously adopted.

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

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have been negotiating renewal of a Contract wherein Alternative Care Services of WNY, Inc. will provide Meals-On-Wheels to eligible residents of the Town of Alden;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden are eligible for and participate in the Alternative Care Services of WNY Inc.’s Meals-On-Wheels Program and is desirous of obtaining such services for its residents;

WHEREAS, Alternative Care Services of WNY, Inc. is the sole source provider of a meals-on-wheels program in the Town of Alden and therefore the Town’s Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc. have come to full agreement on the terms of such Agreement to run from January 1, 2011, until December 31, 2011.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the attached Agreement whereby the Town contracts with Alternative Care Services of WNY Inc., at a cost of \$1,001.00 for the provision of meals-on-wheels to eligible Town of Alden residents as being consistent with its policies and in the best interests of the residents of the Town of Alden;
2. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the 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 February 22, 2011, and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber attended a Public Hearing on Thursday, February 17, 2011 of the Erie County Legislature held in East Aurora regarding agricultural districts and the combining of. He would like this on the Work Session.

Councilman Snyder has talked to people about the Town Hall roof, he had a man out Friday to look at it. He would like this on the Work Session.

NEXT WORK SESSION: Monday, February 28, 2011 @ 7:00 P.M.

NEXT TOWN BOARD MTG.: Monday, March 7, 2011 @ 7:00 P.M.

There will be a Master Plan implementation meeting next Thursday, March 3, 2011 at 7:00 P.M. at the Town Hall.

Supervisor Smith adjourned the Meeting at 7:30 P.M. with a Minute of Silence in Memory of Patricia Newman, Stanley Slubecky, Jeanne Slubecky, Anthony Piechocki, Gregory Starzynski, Richard Lochner and Ronald Strasser Sr.

Ralph P. Witt
Town Clerk