

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, November 3, 2014 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and 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.
Michael Metzger, Town Engineer
Robert Meyer, Planning Board
Michael Fleming, Planning Board
Len Weglarski, DCO
Residents

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of October 20, 2014. The Motion was put to a Roll Call Vote on November 3, 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 #1009-1045

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$30,407.30	\$6,356.25	\$36,763.55
HWY FUND "DA/DB"	12,787.21	7,997.78	20,784.99
PART-TOWN FUND "B"	2,160.42	1,072.91	3,233.33
CAPITAL IMPROV. "HC"			
CONSOLIDATED WATER "WR"			
SP FIRE PROT. "SF"	12.40		12.40
SD#1 FUND "SI"	59.11		59.11
SD#2 FUND "SA"	3,037.65	394.69	3,432.34
TRUST/AGCY FUND "T"	205.00	3,807.30	4,012.30
SP REFUSE FUND "SR"	35,392.38		35,392.38
STREET LIGHTING FUND "SL"	7,068.98		7,068.98
PERIWINKLE LTG. "SL1"			
GRANTS			
TOTALS	\$91,130.45	\$19,628.93	\$110,759.38

UPON ROLL CALL VOTE THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON NOVEMBER 3, 2014 AND WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

BUSINESS FROM THE FLOOR

There was no business from the floor. Supervisor Milligan welcomed the students from Alden Central School.

COMMUNICATIONS

Attorney Strong:

Notice was received from the Lancaster Town Attorney that the Town of Lancaster has agreed to the terms of the dispatch agreement.

Supervisor Milligan:

The monthly statement was received from the Town Clerk for collection of school taxes. She has received 7.9 million dollars through the month of October 2014.

A letter was received from the Town Hwy. Supt. Assoc. of Erie County, Inc. regarding the dispute between Erie County and the Town of Boston – Snow and Ice Control on some Erie County Roads.

A letter was received from Alternative Care Services of W.N.Y. Inc. thanking the Town for the \$1,000.00 they received to be put in an account towards caring for Alden folks.

A notice was received from the State of New York, Dept. of Agriculture and Markets regarding the Preliminary and Final Notice of Intent – E.C. Agricultural District #16-Town of Alden, Water District #5- Advance of Public Funds – Construction of Water Main (Exchange Street) - The notice is complete. Supervisor Milligan told Michael Metzger his work is appreciated.

AT 7:05 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO THE PUBLIC HEARING REGARDING LOCAL LAW NO. 3 OF THE YEAR 2014 “LOCAL LAW AMENDING SECTION 20-37 OF THE ALDEN TOWN CODE TO ALLOW NON-CONFORMING SINGLE FAMILY DWELLINGS TO BE REBUILT IF THE SAME ARE DESTROYED BY ACCIDENT”. COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WITT SECONDED THE MOTION. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON NOVEMBER 3, 2014 AND CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

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

SUPERVISOR MILLIGAN OPENED THE FLOOR FOR PUBLIC COMMENT.

RON REBMANN, BROADWAY SAID HE IS IN SUPPORT OF THE LAW.

AT 7:08 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 AND COUNCILMAN WITT SECONDED THE MOTION TO ENTER BACK INTO THE REGULAR MEETING. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON NOVEMBER 3, 2014 AND

CARRIED.
Ayes 3 Milligan, Riddoch & Witt
Nays 0

NEW BUSINESS

Councilman Witt Moved and Councilwoman Riddoch seconded the Motion to approve the use of the Alden Community Center on the first Wednesday of the Month, 7:30 P.M. to 10:00 P.M. by the Alden Republican Committee for the year 2015. The foregoing Motion was put to a Roll Call Vote on November 3, 2014 and was

CARRIED.
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 Town of Alden Highway Superintendent has advised the Town Board that guardrails need to be installed on Sullivan Road and that the guardrails on Pohl Road need to be replaced; which project will be purchased and installed pursuant to the Erie County Bid Contract;

WHEREAS, said Procurement Policy & Procedure Guidelines and General Municipal Law have been followed by purchasing from the County Bid; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds said request in the public interest to authorize the purchase and installation of the guardrails.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the purchase and installation of guardrails on Sullivan Road for a total of \$9,751.40 and approves the purchase, removal, and installation of guardrails on Pohl Road for \$6,124.80 (for a grand total of \$ 15,876.20) by Pavilion Drainage Supply Co., Inc. (County Bid Numbers 214032-004 and 214033-004) as per the attached specifications as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That the Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase and installation;
3. Work cannot be commenced by Pavilion Drainage Supply Co. Inc. until proof of insurance is on file with the Town naming the Town of Alden as an additional insured. Pavilion must also comply with all application prevailing wage laws and all applicable labor laws; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 3, 2014, and **Adopted.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to approve the Waiver of the Thirty Day waiting period for the Liquor License application for Alden Lanes & Cooker Dan's Bar N Grill. The foregoing Motion was put to a Roll Call Vote on November 3, 2014 and

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, pursuant to Section 20-64(A) of the Alden Town Code Daryl M. Beyer has filed an Application for a Home Occupation Permit to conduct a business of restoring and selling the restored antiques and collectibles from his residence at 13940 Henskee Road (the "Application");

WHEREAS, pursuant to Section 20-64(B) the Town of Alden Planning Board has: reviewed the Application; determined that the proposed home occupation meets the requirements and standards set forth at Section 20-63 of the Alden Town Code; and has recommended the approval of the Application to the Alden Town Board;

WHEREAS, the Alden Town Board, pursuant to Section 20-64(C) of the Alden Town Code has duly called a public hearing on the Application;

WHEREAS, notice of the Public Hearing was: properly published in the Alden Advertiser; was properly posted on the Town Bulletin Board; and was properly mailed to the adjacent property owners pursuant to Section 20-64(C) of the Alden Town Code;

WHEREAS, the Alden Town Board held a Public Hearing on October 20, 2014, at which time all persons in favor of and all persons opposed to the Application were heard;

WHEREAS, the Alden Town Board agrees with the recommendation of the Town of Alden Planning Board and finds it in the interests of the residents of the Town of Alden to approve the Application limited to the occupation being conducted in the garage only and that only antiques and collectibles restored by the applicant may be sold at the premises. A retail store front is not permitted;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. That a Home Occupation Permit to allow Daryl M. Beyer to conduct a business of restoring and selling the restored antiques and collectibles; limited to the occupation being conducted in the garage only and that only antiques and collectibles restored by the applicant may be sold at the premises at 13940 Henskee Road, Alden, New York be granted for a period of one (1) year; and
2. The Town Clerk is hereby directed to issue said Permit; and
3. This Resolution shall take immediately.

ON THE QUESTION: COUNCILMAN WITT SAID THAT HE LIKED HOW THE APPROVALS WERE WORDED FOR HOME OCCUPATION PERMITS. THEY ARE MORE DETAILED AND WILL HELP IN THE FUTURE. ATTORNEY STRONG DID THE WORDING.

The Adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on November 3, 2014 and

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, Colleen Rogers, Budget Officer of the Town of Alden on September 29, 2014, duly filed the Tentative Budget of the Town of Alden for the Town's Fiscal Year beginning January 1, 2015, with the Alden Town Clerk;

WHEREAS, Town Clerk, Debra A. Crist, duly presented the Tentative Budget to the Alden Town Board on October 6, 2014;

WHEREAS, The Alden Town Board after full and careful review and consideration of the Tentative recommended the approval of the Tentative Budget, making the Tentative Budget the Preliminary Budget of the Town of Alden for Fiscal Year 2015;

WHEREAS, on October 6, 2014, the Alden Town Board duly called a public hearing on the Preliminary Budget notice of said public hearing was duly published and posted;

WHEREAS, the Preliminary Budget was duly filed in the Office of the Alden Town Clerk for inspection by the public; and

WHEREAS, the Alden Town Board conducted a public hearing on the Preliminary General Fund Budget for Fiscal Year 2015, on October 20, 2014. At which time all persons interested in the Preliminary General Fund Budget were given the opportunity to be heard.

WHEREAS, the Budget Officer has reported to the Office of the State Comptroller proof of her calculations confirming that the tax levy limit.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts the final General Fund Budget for the Fiscal Year beginning January 1, 2015;
2. The Town Clerk shall prepare and certify, in duplicate, copies of said General Fund Budget and deliver the same to Supervisor Milligan to be presented to the Legislature of Erie County; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting held on November 3, 2014, and

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, Colleen Rogers, Budget Officer of the Town of Alden on September 29, 2014, duly filed the Tentative Special District and Special Improvement District Budget of the Town of Alden for the Town's Fiscal Year beginning January 1, 2015, with the Alden Town Clerk;

WHEREAS, Alden Town Clerk, Debra A. Crist, duly presented the Tentative Special District and Special Improvement District Budget to the Alden Town Board on October 6, 2014;

WHEREAS, The Alden Town Board after full and careful review and consideration of the Tentative Special District and Special Improvement District Budget recommended the approval of the same, making the Tentative Special District and Special Improvement District Budget the Preliminary Special District and Special Improvement District Budget of the Town of Alden for Fiscal Year 2015;

WHEREAS, on October 6, 2014, the Alden Town Board duly called a public hearing on the Preliminary Special District and Special Improvement District Budget, notice of which public hearing was duly published and posted;

WHEREAS, the Preliminary Special District and Special Improvement District Budget was duly filed in the Office of the Alden Town Clerk for inspection by the public;

WHEREAS, the Alden Town Board conducted a public hearing on the Preliminary Special District and Special Improvement District Budget for Fiscal Year 2015, on October 20, 2014. At which time all persons interested in the same were heard; and

WHEREAS, the Budget Officer has reported to the Office of the State Comptroller proof of her calculations confirming that the tax levy limit.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts the final Special District and Special Improvement District Budget for the Fiscal Year beginning January 1, 2015;
2. That the Town Clerk shall prepare and certify, in duplicate, copies of said Special District and Special Improvement District Budget and deliver the same to Supervisor Milligan to be presented to the Board of Legislators of Erie County; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting held on November 3, 2014, and

ADOPTED.

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 is considering an application by Robert Hill and Robert Schlossin for the subdivision of two (2) lots. The entire parcel currently consists of approximately 43.7 acres on Uebelhoer Road in the Town of Alden, further identified as SBL #108.00-2-27.3. The first proposed lot ("Parcel A") would be a 16.73 acre vacant parcel with a pond; the remaining parcel ("Parcel B") would be the remaining 17.87 acre vacant parcel (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 November 3, 2014 and

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, pursuant to Section 20-64(A) of the Alden Town Code Ellen Hinsken has filed an Application for a Home Occupation Permit to conduct a business of making and selling crafts and home decor from her residence at 11342 Broadway (the "Application");

WHEREAS, pursuant to Section 20-64(B) the Town of Alden Planning Board has: reviewed the Application; determined that the proposed home occupation meets the requirements and standards set forth at Section 20-63 of the Alden Town Code; and has recommended the approval of the Application to the Alden Town Board;

WHEREAS, the Alden Town Board, pursuant to Section 20-64(C) of the Alden Town Code has duly called a public hearing on the Application;

WHEREAS, notice of the Public Hearing was: properly published in the Alden Advertiser; was properly posted on the Town Bulletin Board; and was properly mailed to the adjacent property owners pursuant to Section 20-64(C) of the Alden Town Code;

WHEREAS, the Alden Town Board held a Public Hearing on October 20, 2014, at which time all persons in favor of and all persons opposed to the Application were heard;

WHEREAS, the Alden Town Board agrees with the recommendation of the Town of Alden Planning Board and finds it in the interests of the residents of the Town of Alden to approve the Application limited to the occupation being conducted in the shed only and that only crafts and home décor that are made onsite by the applicant may be sold at the premises.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That a Home Occupation Permit to allow Ellen Hinsken to conduct a business of making and selling crafts and home décor be granted limited for a period of one year limited to the occupation being conducted in the shed only and that only crafts and home décor that is made onsite by the applicant may be sold at the premises;

2. The Town Clerk is hereby directed to issue said Permit; and

3. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on November 3, 2014 and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to approve the renewal of the Home Occupation Permit for Dennis Davern/35 Exchange St. for Welding Repair for a period of one year. The foregoing Motion was put to a Roll Call Vote on November 3, 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 of Alden has been contacted by National Fuel Gas Distribution Corp in regard to a Right of Way Agreement across the Town Hall Property on Wende Road;

WHEREAS, the proposed Right of Way Agreement allows National Fuel access to the Town Property to install and maintain gas pipelines and related items for the benefit of residents on Wende Road;

WHEREAS, The Alden Town Board after full and careful review and consideration of the request finds that it is in the public interest to enter into the proposed Agreement with National Fuel;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. That the Town Board does hereby authorize Supervisor Milligan to enter into and execute all necessary documents to effectuate the Right Of Way Agreement for the Town Hall Property with National Fuel; and

2. This Resolution shall take effect immediately.

ON THE QUESTION: COUNCILWOMAN RIDDOCH WANTED TO KNOW IF THIS IS NEW. SUPERVISOR MILLIGAN SAID THEY HAVE BEEN CUTTING UP THROUGH THE PROPERTY BEFORE WITHOUT THE AGREEMENT, NOW THERE WILL BE ONE IN PLACE.

The above Resolution was duly put to a roll call vote, on November 3, 2014, and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Supervisor Milligan Moved and Councilman Witt seconded the Motion to refer the revised text of Local Law #4 (Home Occupation Permits) to the Planning Board for review and recommendation. The foregoing Motion was put to a Roll Call Vote on November 3, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

THE FOLLOWING RESOLUTION AUTHORIZING THE SUPERVISOR TO BID THE EXCHANGE STREET AND ZOELLER ROAD WATER DISTRICTS WAS MOVED BY COUNCILWOMAN RIDDOCH, SECONDED BY COUNCILMAN WITT TO WIT,

WHEREAS, the Town of Alden has duly created the Exchange Street Water District and the Zoeller Road Water District;

WHEREAS, the Town of Alden has authorized Metzger Civil Engineering to complete the application, plans and specifications for these Water District Construction Projects; and

WHEREAS, Metzger Civil Engineering has completed the plans and specifications and has received the approvals from the necessary reviewing agencies; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds said request to receive bids in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby authorizes the Town Clerk to advertise for bids as outlined in the attached Notice to Bidders, full information and specifications are available at the Office of the Town Clerk at 3311 Wende Road, Alden, New York 14004;
2. The Town Board hereby authorizes the Town Clerk to publish Notice in the Alden Advertiser. Said Notice must be published more than ten (10) days prior to November 24, 2014 and must

state the time when and place where the sealed bids will be publically opened and read by the Town Clerk. The Town Clerk is further authorized to fax or email the Notice of Bidders to interested contractors;

3. The Town Board hereby authorizes the Town Clerk to receive sealed bids until 11:00 AM Prevailing time on November 24, 2014; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 3, 2014 and **ADOPTED.**

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 Alden Town Board has received a request from the Highway Superintendent to purchase six (6) 132 inch rubber wing blades for the Town snowplows, the estimated total cost of the rubber wing blades is less than \$2,000.00 but greater than \$500.00 and will be purchased pursuant to the Erie County Bid List (Contract # 214180-004);

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden and General Municipal Law have been followed;

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 rubber wing blades.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of six (6) 132 inch rubber wing blades at \$282.70 each from Rusert Equipment LLC for a total cost of \$1,696.20 , including all delivery charges;
2. The Highway Superintendent 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 on November 3, 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 has received a request from the Highway Superintendent to purchase seven (7) 132 inch steel cutting edges and nine (9) steel wing shoes for the Town snowplows, the estimated total cost of which is less than \$2,000.00 but greater than \$500.00; and will be made from the Erie County Bid List (contract # 214180-004);

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden and the General Municipal Law have been followed;

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 equipment.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of seven (7) 132 steel cutting edges (at \$135.96 each) and nine (9) steel wing shoes (at \$36.49 each) from Chemung Supply Corporation for a total cost of \$1,280.13, including all delivery charges;

2. The Highway Superintendent 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 November 3, 2014, and **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 has duly created the Exchange Street Water District;

WHEREAS, the Town of Alden has authorized Metzger Civil Engineering to complete the application, plans and specifications for the Water District Construction Project;

WHEREAS, Metzger Civil Engineering has completed the plans and specifications and has received the approvals from the necessary reviewing agencies;

WHEREAS, a certain easement enumerated below have been offered to the Town on behalf of said property owners in order to facilitate construction of the water facilities; and

WHEREAS, the Town Board is desirous of accepting said offered easements to permit construction of the necessary facilities for such Project.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board, acting pursuant to the provisions of Section 198 of the Town Law of the State of New York, for the purpose of such Water District does hereby accept the easements offered by The Estate of Norma M. Sweet; Sharon M. Krieger; and Roger A. Sweet over the real property known as 263 Exchange Street, Alden, New York and directs that the same be recorded in the Office of the Clerk of the County of Erie, the fee for said recording to be borne by the Town and directs the payment of the sum of \$1,000.00 to The Estate of Norma M. Sweet; Sharon M. Krieger; and Roger A. Sweet to be made; and

2. This resolution shall take effect immediately.

ON THE QUESTION: SUPERVISOR MILLIGAN THANKED COUNCILMAN WITT FOR ALL HIS WORK ON THIS.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 3, 2014, and **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 SUPERVISOR MILLIGAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, under New York State Town Law § 198, the Town of Alden has the right to levy special charges on the 2015 tax bills for various unpaid accounts for water, sewer, refuse and other unpaid town services;

WHEREAS, the Town of Alden finds it in the public interest to enforce the Town's rights under Town Law § 198.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Alden Town Board hereby adopts the special town charges; and directs the same to be levied on the 2015 tax bills as shown on the attached Letter of Authorization; and

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 3, 2014, and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Eng. Metzger:

Metzger Eng. are writing up the bids for the water projects. He will be bringing some of the bid documents to the Town Clerk's Office and will also keep some at his office. He is putting together a list of contractors to send notices to, as well as advertising. We are in good shape with Ag. & Mkts. The mandatory comment period that is the part of their review will expire prior to going to construction. It is a part of their regulations. Jennifer has drafted up the lateral restriction resolution. He is looking for any comments the Town Board has on it at the next meeting. This will be on the Work Session. The bids will be opened on November 24th at 11:00 A.M. The bid will be award on the 1st of December. They hope to break ground by the end of the year.

Robert Meyer, Planning Board:

The Planning Board continues to work on the request for updating Home Occupation permits, Local Law #4/2014. They are also working on subdivision requests. Robert Meyer and some of the Planning Board members have been attending the Town of Marilla sludge meetings to keep them up to date on what they are doing. The Planning Board has asked the Town Board if they could receive a copy of the plans for use for the facility recently built by Mr. Moore on Broadway. They would like to review this at the next meeting. Councilman Witt said they will have to ask Chris Snyder for this as this is public information.

Michael Fleming, Planning Board:

He reiterated what Robert Meyer said about the request for the plans for Mr. Moore. They seem to be refused access to the plans. Mr. Moore already has a business opened in an area that was only supposed to be a pole barn. This would have had to been reviewed by the Planning Board before.

Supervisor Milligan:

We would like to discuss the property tax for seniors and vets at our next Work Session. Supervisor Milligan explained to the students that this meeting goes fairly quickly as the topics had been discussed at the Work Session last Monday. He invited them to a Work Session.

NOTICE OF MEETINGS

NEXT WORK SESSION:

November 10, 2014 @ 7:00 P.M.

NEXT TOWN BOARD MTG:

November 17, 2014 @ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Milligan asked all to stand for a Moment of Silence in Memory of Daniel Hammer and Ralph Stoos.

ADJOURNMENT

Supervisor Milligan adjourned the Meeting at 7:30 P.M.

Debra A. Crist
Alden Town Clerk

