

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, May 19, 2014 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilwoman Riddoch led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Harry Milligan, Supervisor
Mary Riddoch, Councilwoman
Ralph Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Mike Metzger, Town Engineer
Herb Schmidt, Planning Board
Residents

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of May 5, 2014.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH AND SECONDED BY SUPERVISOR MILLIGAN TO WIT; VOUCHERS 440-498

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$60,037.11		\$60,037.11
HGHWY FUND "DA/DB"	4,490.30		4,490.30
PART-TOWN FUND "B"	3,337.92		3,337.92
CAPITAL IMPROV. "HC"			
CONSOLIDATED WATER "WR"	5,307.02		5,307.02
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	2,326.95		2,326.95
TRUST/AGCY FUND "T"			
SP REFUSE FUND "SR"	36,091.36		36,0191.36
STREET LIGHTING FUND "SL"	7,326.75		7,326.75
PERIWINKLE LTG. "SL1"	52.85		52.85
GRANTS			
TOTALS	\$118,970.26		\$118,970.26

UPON ROLL CALL VOTE ON MAY 19, THE FOREGOING RESOLUTION WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

BUSINESS FROM THE FLOOR

Jim Guarino/North Rd. wanted to comment on the status of Home Occupation Permits. He suggested that the Home Occupation Permit law be looked at. Attorney Strong and Supervisor Milligan both informed him that the Town Board is presently going over the law and will make changes. Supervisor Milligan said he would welcome Mr. Guarino's input on the subject. Supervisor Milligan said that the Planning Board takes the lead in rewriting new laws with the Town Attorney's guidance. Mr. Guarino said that with the way the economy is now, people cannot take on the extra expense of opening a business elsewhere just because they have gotten too big.

PUBLIC HEARING

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. 2 OF THE YEAR 2014

ENTITLED "LOCAL LAW AMENDING SECTION 20-88 OF THE TOWN OF ALDEN CODE TO INCREASE THE NUMBER OF MEMBERS OF THE TOWN OF ALDEN PLANNING BOARD."

COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WITT SECONDED THE MOTION TO ENTER INTO THE PUBLIC HEARING. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON MAY 19, 2014 AND WAS

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.

Jim Guarino/North Rd. wanted to know what the purpose was to increase the number of members. Supervisor Milligan said that the more heads there are to discuss problems, the better off the Town will be, such as with this H.O.P. problem. Input from different areas and backgrounds would be beneficial in the discussion for different situations. Councilwoman Riddoch agreed and said that with a three person Board they need the information that the Planning Board can provide them. She also feels that it would be good if the Village and the Town could do some things together as a Planning Board. Councilman Witt thought at first the five member board would be okay, but as time went on there is not enough bodies there. At one point, there were three members absent and there were not enough members for a quorum and the meeting had to be canceled.

Ron Rebmann/Broadway feels that they should go along with the five members like it's been for the last few years. He questioned the absenteeism. Councilman Witt said that the two of the old members left and there is two new members who need to build up their experience. Mr. Rebmann said that Councilman Witt & Hwy. Supt. Wagner seem to be filling in quite well, making it seem as though there are seven members. Mr. Rebmann feels they should give it a little more time before increasing the Board.

Jim Guarino/North Rd. wanted to know how many weeks the Public Hearing notice needs to run prior to the meeting. Attorney Strong said that it only has to be in once in one newspaper, which it was.

AT 7:10 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD SUPERVISOR MILLIGAN MOVED AND COUCILWOMAN RIDDOCH MOVED TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE AND CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

COMMUNICATIONS

Councilman Witt:

A phone call was received from a gentleman on Exchange St. with regard to a drainage problem. He went over and viewed the problem and will discuss it at a Work Session.

Attorney Strong:

A notice was received late Friday from the State of New York regarding the proposed strip of land behind the group home. They are sending her the proposed transfer papers that are now going to the State Attorney General for their approval and signature. This should take about three to four months and it is quite possible that we will have the land for \$1.00.

Supervisor Milligan:

The Town Board and Town Clerk Crist attended the senior's 50th anniversary luncheon today, it was quite nice. Father Roy Herberger was the speaker.

The monthly report for Rural Metro was received; they are at 95.45% efficiency.

Modern Disposal sent notification that the garbage collection cost will be going up 1.1%. This has been budgeted for.

Veterans of Foreign War, Memorial Post 7967 will be hosting Memorial Day ceremonies on Monday, May 26th at 2:00 P.M. in front of the Community Center.

Townline Volunteer Fire Company will be hosting their annual Memorial Day Service on Monday, May 26th with the parade stepping off at the 9:30 AM at the Townline Luthern Church and commencing with a service at the fire hall.

NEW BUSINESS

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

WHEREAS, the Alden Chamber of Commerce has named Ed & Beryl Small as its 2014 Distinguished Citizens; and

WHEREAS, Ed and Beryl Small are synonymous with the Alden/Marilla Food pantry, spending countless hours soliciting and picking up donations, sorting and stacking shelves, recruiting and scheduling the 25 plus volunteers. They assist the Alden Lions Club gift giveaway for pantry clients at Christmas. In addition to their work at the Pantry, the Smalls spend many hours and energy serving St. Aidan's church: Ed as Treasurer, Beryl as member of Altar Guild. Ed coached youth baseball for many years and has served on the Town Recreation Advisory Committee. Beryl was a member of the Friendly Garden Club, who planted the trees at the Highway Department.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board hereby honors, recognizes and congratulates Ed & Beryl Small on their well deserved receipt of the Alden Chamber of Commerce 2014 Distinguished Citizen Award;
2. That the Town Clerk is hereby directed to send a certified copy of the Resolution to the Alden Chamber of Commerce and Mr. and Mrs. Small; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on May 19, 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 Highway Superintendent to purchase a laser level for ditching projects by the Town Highway Department 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 state that the Town must prepare a request for proposal and then obtain written quotes from at least three (3) vendors;

WHEREAS, an oral request for proposals was made by Highway Department to three (3) vendors and received as follows:

the highest bidder is Admar at \$3,195.00;
the second highest bidder is Skyworks at \$2,895.00; and
the lowest bidder is United Rentals at \$1,998.00;

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.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a laser level from United Rental for a total cost of \$1,998.00;
2. The Supervisor 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 May 19, 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 Alden Town Board has received a request from the Town Court for a new air conditioning unit for the Town Court Room, the cost of which is less than \$10,000.01 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least three (3) vendors;

WHEREAS, a request for proposal (price for a wall installed air conditioning unit) was made by to three (3) vendors as follows:

the highest vender is Sitzman's appliances at \$3,995.00;
the second highest vender is Tom Miller at \$3,850.00; and
the lowest vender is Petschke at \$3,800.00; 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 purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of one wall installed air conditioning unit for the Town Courtroom from Petschke for \$3,800.00 as outlined on the attached specs;
2. The Supervisor 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 May 19, 2014, and was **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Dean Adamski/12120 Westwod Rd./Sporting Goods Dealer through 2/5/15 with the conditions of 5/5/14 removed. The foregoing Motion was put to a Roll Call Vote on May 19, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Witt:

As he had previously stated, he had a meeting with a man on Exchange St. and also will have a meeting tomorrow with Highway Supt. Wagner and Town Engineer Metzger to look at drainage issues. One being the Sievenpiper property.

Attorney Strong:

She has been working with the Planning Board this past week on Local Law #3/non-conforming uses. She has come up with some language which she will hand out to the board after the meeting. They can discuss it at the Work Session. She has also been working with Chris on H.O.P. law. She would like #2, #3 & #4 on the Work Session Agenda for further discussion.

Councilwoman Riddoch:

She wanted to check with the Clerk's office to see if there were any Peddler's Permits issued. There had not. She had been approached by Kirby Vacuum Cleaner Company at her home to see her vacuum. They had told the Sheriff's Dept. that they had a permit.

Supervisor Milligan:

Supervisor Milligan welcomed Herb Schmidt, the new Planning Board member to the meeting.

NOTICE OF MEETINGS:

NEXT WORK SESSION: (Tuesday) May 27, 2014 @7:00 P.M.
NEXT TOWN BOARD MTG.: June 2, 2014 @7:00 P.M.

MEMORIAL REMEMBRANCE

There was no memorial remembrance.

AT 7:19 P.M. COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WITT SECONDED THE MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO AN EXECUTIVE SESSION WITH THE TOWN BOARD, TOWN ATTORNEY AND CEO SNYDER TO DISCUSS A MATTER OF PERSONNEL. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON MAY 19, 2014 AND

Carried.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

AT 8:00 P.M. COUNCILWOMAN RIDDOCH MOVED AND SUPERVISOR MILLIGAN SECONDED THE MOTION TO ADJOURN FROM THE EXECUTIVE SESSION, WITH NO ACTION TAKEN AND ENTER BACK INTO THE REGULAR MEETING. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON MAY 19, 2014 AND

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

ADJOURNMENT

Supervisor Milligan adjourned the Meeting at 8:01 P.M.

Debra A. Crist
Town Clerk