

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, September 2, 2014 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilman Witt 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
Chris Snyder, CEO
Don Stoeffel, Planning Board
Michael Metzger, Town Engineer
Residents

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of August 18, 2014. The Motion was put to a Roll Call Vote on September 2, 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; VOUCHER #798-841

| <u>ACCOUNT</u> | <u>ABST. #1</u> | <u>ABST. #2</u> | <u>TOTAL</u> |
|---------------------------|-----------------|-----------------|--------------|
| GENERAL FUND "A" | \$9,871.48 | \$18,604.43 | \$28,475.91 |
| HGHWY FUND "DA/DB" | 2,685.96 | 6,437.21 | 9,123.17 |
| PART-TOWN FUND "B" | 8,137.59 | 2,313.76 | 10,451.35 |
| CAPITAL IMPROV. "HC" | | | |
| CONSOLIDATED WATER "WR" | 15,478.90 | 5,307.02 | 20,785.92 |
| SP FIRE PROT. "SF" | | | |
| SD#2 FUND "SA" | 2,107.80 | 414.00 | 2,521.80 |
| TRUST/AGCY FUND "T" | | 1,334.38 | 1,334.38 |
| SP REFUSE FUND "SR" | 35,937.80 | | 35,937.80 |
| STREET LIGHTING FUND "SL" | 5,552.27 | | 5,552.27 |
| PERIWINKLE LTG. "SL1" | 34.60 | | 34.60 |
| GRANTS | | | |
| TOTALS | \$79,806.40 | \$34,410.80 | \$114,217.20 |

UPON ROLL CALL VOTE THE FOREGOING WAS PUT TO A ROLL CALL VOTE ON SEPTEMBER 2, 2014 AND WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

BUSINESS FROM THE FLOOR

There was no business from the floor.

COMMUNICATIONS

Councilwoman Riddoch:

Councilwoman Riddoch touched base with Mrs. Borden on S. Newstead Rd. regarding a culvert. Her problem is not so much the speed limit, but the culvert. Mrs. Borden spoke to the County about this problem last year and they were going to remedy the situation. Mrs. Borden is going to reach out to the County again.

Councilwoman Riddoch reported the three street lights that are out on Sandridge near Broadway to NYSEG.

Supervisor Milligan:

A letter was received from the New York State Public Service Commission regarding a Lifeline Discount telephone service program. Senior citizens with an income at or below 135% of the federal poverty guidelines can get a lifeline telephone service program.

A letter was received from Barbara Ertel informing the Board of her intention to retire from her full time position at the end of the year. She is willing to come back part-time in the Assessor’s Office during the re-val project if needed. Supervisor Milligan said Barb has been a very good employee for years and wished her well on her retirement.

Supervisor Milligan and his Secretary will be attending a Supervisor’s Roundtable at the Millennium Hotel in Buffalo on Thursday, September 4th at 8:00 A.M. that will be put on by Drescher & Malecki, LLP. A check was received by Time Warner Cable for \$22,321.38. We get two of these checks a year. The total for the year is \$48,349.00. The franchise fees are down \$3,000.00 from last year. We think people are fed up with the high cable bills

A letter was received from VA Health Care Upstate New York and Veterans Wellness magazines. Supervisor Milligan shared this with Don Stoffel, VFW Commander.

A letter was received from NFTA informing of the changes on Route 27 – Wende. It will now serve Transit Road to Main Street with three round trips, seven days a week.

Rural Metro’s monthly report was received. They had a performance compliance of 91.18% for the month of July 2014.

NEW BUSINESS

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

WHEREAS, grant monies are available through the New York State Unified Court System to enhance the Security and operation of municipal Justice Courts; NOW THEREFORE, BE IT RESOLVED, that the Alden Town Court, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Unified Court System for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor and Town Court are hereby authorized and directed to execute all documents pertaining to the application and acquisition of said funding

The foregoing Resolution was duly put to a Roll Call Vote at a Regular Meeting on September 2, 2014 and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Supervisor Milligan Moved and Councilman Witt seconded the Motion to renew for one year the HOP for Dan Pautler, Special order guns and accessory sales at 12657 North Rd. The foregoing Motion was put to a Roll Call Vote on September 2, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to refer the new application of Ellen Hinsken for the making and sale of homemade crafts and home décor at 11342 Broadway, to the Planning Board for review and recommendation. The foregoing Motion was put to a Roll Call Vote on September 2, 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;

AUTHORIZING THE PAYMENT OF HYDRANT FEES TO THE ERIE COUNTY WATER AUTHORITY IN CONNECTION WITH THE CREATION AND CONSTRUCTION OF THE ZOELLER ROAD WATER DISTRICT (“District”) IN THE TOWN OF ALDEN

WHEREAS, the Town of Alden has created the Zoeller Road Water District and will enter into a Lease-Management Agreement (“Agreement”) with the Erie County Water Authority to provide water to

said District;

WHEREAS, pursuant to the terms of the Agreement, the Town is required to pay the Authority charges for Public Fire Protection as set forth in the Authority's Tariff; and

WHEREAS, the Erie County Water Authority has requested that the Town Board by resolution specifically agree to pay such tariff on the hydrants to be placed into service in the District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town of Alden does hereby agree to pay the Erie County Water Authority charges for Public Fire Protection, which charges may fluctuate in the future, as set forth in the Authority's Tariff for all future fire hydrants located in the District; and
2. This resolution shall take effect upon the signing of the Agreement and the turn-on of the water service to the District.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 2, 2014, and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MILLIGAN, SECONDED BY COUNCILMAN WITT TO WIT;

AUTHORIZING THE PAYMENT OF HYDRANT FEES TO THE ERIE COUNTY WATER AUTHORITY IN CONNECTION WITH THE CREATION AND CONSTRUCTION OF THE EXCHANGE STREET WATER DISTRICT ("District") IN THE TOWN OF ALDEN

WHEREAS, the Town of Alden has created the Exchange Street Water District and will enter into a Lease-Management Agreement ("Agreement") with the Erie County Water Authority to provide water to said District;

WHEREAS, pursuant to the terms of the Agreement, the Town is required to pay the Authority charges for Public Fire Protection as set forth in the Authority's Tariff; and

WHEREAS, the Erie County Water Authority has requested that the Town Board by resolution specifically agree to pay such tariff on the hydrants to be placed into service in the District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town of Alden does hereby agree to pay the Erie County Water Authority charges for Public Fire Protection, which charges may fluctuate in the future, as set forth in the Authority's Tariff for all future fire hydrants located in the District; and
2. This resolution shall take effect upon the signing of the Agreement and the turn-on of the water service to the District.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 2, 2014, and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to approve Alden Central School's request to use the Town Park paved loop and the Joe Panza Trail for practices and meets during their Varsity and Modified Cross Country season. Home Cross Country meet dates as specified. The foregoing Motion was put to a Roll Call Vote on September 2, 2014 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt Moved and Councilwoman Riddoch seconded the Motion to approve Bob Johnson from the Veterans of Foreign War Post 7967 request to use the small meeting room for their meetings for the year 2015. The foregoing Motion was put to a Roll Call Vote on September 2, 2014 and

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 Board of the Town of Alden realizes that the Alden Senior / Community Center is in need of major repairs including: repointing masonry walls; replacing deteriorated fascia wall panels; repair of masonry and lintel on windows; and repaving portions of the parking lot;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden requires that all estimated public works projects over \$35,000.00 shall be formally bid pursuant to General Municipal Law section 103.

WHEREAS, Grant monies will also be used to pay for the repairs;

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 September 19, 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 2:00 PM Prevailing time on September 19, 2014; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on September 2, 2014 and

CARRIED.

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 Highway Superintendent has requested a mechanical thumb for the Highway Department's excavator, the estimated total cost, with installation, is less than \$10,000.00 but greater than \$2,000.00;

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

WHEREAS, requests for quotes were made to three (3) vendors and quotes were received as follows:

The highest quote is from Five Star Equipment at \$6,600.00;

The second highest quote is from General Welding at \$2,415.00; and

The lowest quote is from CJR Machine at \$2,150.00;

Making CJR Machine the lowest responsible quote;

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.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase and installation of a mechanical thumb on the excavator from CJR Machine at a total cost of \$2,150.00;
2. The Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase and installation; 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 2, 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

Town Clerk Crist:

School tax bills are in and will be sent out approximately September 15, 2014.

Attorney Strong:

A reminder that the fire dispatch contract with the Town of Lancaster and the Village of Alden is coming due at the end of the year. Usually Lancaster reaches out to us, but she has not seen anything as yet. Supervisor Milligan said we have nothing in writing, but we do have a verbal with them. They have been contacted for a written contract. Supervisor Milligan said it will be going up \$1,000.00.

Councilwoman Riddoch:

The senior van had parts falling off of it and it had to be towed. The bill will not be pretty. She had to authorize the repair. Hopefully it will be done tomorrow morning. We are trying to limp it through until we get the new van.

Regarding the cemetery list she received; she spoke to a Cub Scout leader at St. John's and he referred her to a Boy Scout leader. They will discuss as to whether they will take over decorating by the flags in the cemeteries.

Engineer Metzger:

Now that the Resolution for the Community Center was adopted tonight, he will be making phone calls to contractors for the work. The plans will be printed and Andy will take them to the printers for copies that will be available at the clerk's office for pick up.

He has been helping Councilwoman Riddoch with contacting Mike Asklar regarding the traffic/culvert on South Newstead.

The Exchange/Zoeller water line plans have been resubmitted to E.C.H.D. , E.C. Dept. of Public Works and E.C.W.A. Their concerns have been addressed; the one outstanding item is trees. Engineer Metzger has gone back and looked at the trees they are concerned with. He agrees with them totally that the trees need removed on Exchange and there is one in question on Zoeller.

Councilman Witt:

Councilman Witt questioned Don Stoffel whether minutes were taken at the last Planning Board Meeting? Don stated they were taken by Mike DeWitt.

NOTICE OF MEETINGS

| | | |
|---------------------------------|---------------------------|--------------------|
| NEXT WORK SESSION: | September 8, 2014 | @ 7:00 P.M. |
| NEXT TOWN BOARD MEETING: | September 15, 2014 | @ 7:00 P.M. |
| SPECIAL MEETING: | September 22, 2014 | @ 7:30 P.M. |

MEMORIAL REMEMBRANCE

Supervisor Milligan asked all to stand for a Moment of Silence in Memory of Ray Maxon, Aniela Pietrzak, Greg Slojowski, Gary Bennett and Virginia Guidie.

ADJOURNMENT

At 7:21 P.M. Supervisor Milligan adjourned the Meeting.

Debra A. Crist
Alden Town Clerk