

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, December 2, 2013 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

RECORDING SECRETARY: Ralph Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong  
Mike Metzger, Town Engineer  
Don Stoffel, Planning Board  
Len Weglarski, DCO

Supervisor Milligan Moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of November 18, 2013.

**CARRIED.**

Ayes 2 Milligan & Riddoch  
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH AND SECONDED BY SUPERVISOR MILLIGAN TO WIT;

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$ 72,939.09	\$26,553.17	\$99,492.26
HGHWY FUND "DA/DB"	120,401.12	10,660.53	131,061.65
PART-TOWN FUND "B"	21,442.79	1,312.39	22,755.18
CAPITAL IMPROV. "HC"			
WD#1 FUND "WA"			
WD#2 FUND "WB"	260.57		260.57
WD#3 FUND "WC"	3,920.19		3,920.19
WD#4 FUND "WD"	1,126.26		1,126.26
SP FIRE PROT. "SF"	12,882.80		12,882.80
SD#2 FUND "SA"	1,777.27	1,266.32	3,043.59
TRUST/AGCY FUND "T"	245.00	2,538.96	2,783.96
SP REFUSE FUND "SR"	34,270.04		34,270.04
STREET LIGHTING FUND "SL"	6,229.04		6,229.04
PERIWINKLE LTG. "SL1"	41.84		41.84
GRANTS			
TOTALS	\$275,536.01	\$42,331.37	\$317,867.38

UPON ROLL CALL VOTE THE FOREGOING RESOLUTION WAS PUT TO A VOTE ON DECEMBER 3, 2013 AND WAS

**ADOPTED.**

Ayes 2 Milligan & Riddoch  
Nays 0

**THERE WAS NO BUSINESS FROM THE FLOOR**

**COMMUNICATIONS**

**Town Clerk Ralph Witt:**

A petition from individuals requesting water on Three Rod Rd. was received.

**Attorney Strong:**

The signed fee agreement from Alden Central School has been received and distributed. She is working on all the contracts that need renewing for 2014.

**Councilwoman Riddoch:**

She received a signed copy of the agreement from the school, along with the invoice for \$1200.00 which she will process.

**Supervisor Milligan:**

There will be a Meet & Greet on Wednesday, December 11<sup>th</sup> at the Alden Village Hall sponsored by Alden Substance Abuse Coalition. The speakers will be Mayor Manicki, Judge Farrell from Amherst, Deputy Sheriff Greg Kent and Jeff and Cindy Bea.

The intermunicipal agreement for Highway was received. This will be discussed at the Work Session.

**NEW BUSINESS**

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

WHEREAS, the Alden Town Board on November 19, 2012 adopted its 2013 Budget;

WHEREAS, the Town of Alden needs to transfer monies to allow for payment of such expenditures

WHEREAS, these budget transfers will not render the Town of Alden insolvent;

NOW THERE, BE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following transfer:

From (Budget Code)	Amount	To (Budget Code)	General Explanation
WB.8389.0415	\$2,356.042	WB.8389.0414	Bal. Water District #2 Hydrant Rental Fiscal Year 2013-2014
A.7110.0250	\$2,425.00	A.7110.0432	Tractor Repair
DB.5110.0433	\$3,000.00	DB.5130.0424	Funds for Maintenance, Bal. of Year
A.1990.0400	\$2,018.90	A.1440.0415	Engineering Fees

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

The Foregoing Resolution was duly put to a roll call vote at a regular meeting on December 2, 2013 and was

**ADOPTED.**

Ayes 2 Milligan & Riddoch

Nays 0

Supervisor Milligan moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Deneda Gasiacki/12615 W. Main St./Dog Grooming.

**CARRIED**

Ayes 2 Milligan & Riddoch

Nays 0

Supervisor Milligan moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Joseph Bove/11607 Genesee St./Furniture Upholstery.

**CARRIED.**

Ayes 2 Milligan & Riddoch

Nays 0

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

WHEREAS, the Town of Alden, upon the approval of the State of New York, has established the Zoeller Road Water District and the Exchange Street Water District (the "Project"); and

WHEREAS, the Town of Alden has properly bid out and received and reviewed bids for engineering services in connection with the design and Construction of the Project;

WHEREAS, the following sealed bids for the design of both the Zoeller Road (including a possible creek crossing) and Exchange Street Water Districts were received as follows:

The highest bidder is GPI at \$175,025.95;  
The second highest bidder is Wm. Schutt at \$149,000.00;  
The Third highest bidder is Nussbaumer and Clarke at \$136,500.00;  
The fourth highest bidder is Ty-lin at \$ 130,800;  
The lowest bidder is Metzger Civil Engineering at \$86,806.25;

WHEREAS, the bid of Ty-lin is rejected for failure to include the required proof of insurance;

WHEREAS, Metzger Civil Engineering is deemed the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the signing of an Agreement for Engineering Services with Metzger Civil Engineering for the design of the Zoeller Road (including a possible creek crossing) and Exchange Street Water Districts, for a total of fixed costs of \$64,606.25 (including paying prevailing wage for the soil borings) with estimated inspections fee costs of \$22,200.00 (estimated at \$75.00 per hour), for a total estimated at \$86,806.25;
2. The Supervisor of the Town of Alden, is hereby authorized and directed to sign said 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 December 2, 2013, and was

**ADOPTED.**

Ayes 2 Milligan & Riddoch

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering an application, under § Chapter 20, Article III of the Town of Alden Code, of William Dillemath for site plan review of the proposed construction of metal storage building (the "proposed action") at 11038 Walden Avenue in the Town of Alden, County of Erie and State of New York, further identified by SBL #95.02-1-28.122; and

WHEREAS, the Town Board of the Town of Alden has determined that the proposed action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a coordinated review; and

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is the agency primarily responsible for undertaking decisions as to site plan review, is the agency with the broadest governmental powers for investigating the impact of the proposed action and has the greatest capacity for providing the most thorough environmental assessment of the proposed action the most local agent with permitting authority; and

WHEREAS, the Town has provided notice to County Planning for this site plan review 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 site plan review 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 site plan application and review, and that the Town of Lancaster and the NYS DOT

should be notified.

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 December 2, 2013, and was

**ADOPTED.**

Ayes 2 Milligan & Riddoch

Nays 0

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

WHEREAS, Town of Alden Highway Superintendent has advised the Town Board that the Highway Department needs a new 2014 Ford F-250 XL pick-up truck with plow;

WHEREAS, The Town Board after full and careful review and consideration finds the request to purchase a new pick-up truck with lift gate as being in the public interest;

WHEREAS, the new 2014 Ford F-250 XL pick-up truck with plow was quoted through the pursuant to State Bid Contract for a price of \$ 28,818.73; However a cheaper price has been found; and

WHEREAS, the following three quotes were received:  
The highest quote is from Towne Ford at \$28,987.00;  
The second highest quote is from Van Bortel Ford (State Bid) at \$ 28,818.73; and  
The lowest quote is from DeLacy Ford at \$27,673.00

WHEREAS, DeLacy Ford is the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the purchase of a new 2014 Ford F-250 LX pick-up truck with plow, as per the attached specifications, from DeLacy Ford for a total cost of \$27,673.00, including delivery after January 1, 2014; and

2. The Town Supervisor is hereby authorized to sign any and 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 2, 2013, and was

**ADOPTED.**

Ayes 2 Milligan & Riddoch

Nays 0

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

WHEREAS, the Parks Supervisor has advised the Town Board that the Parks Department is in possession of a 2002 Ford F250 Pick Up Truck (VIN: 1FTNF21L42EB83420) that is not of any use to the Parks Department as it is no longer safe to drive;

WHEREAS, The Town Board after full and careful review and consideration of the request finds said request to scrap said truck as being in the public interest;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the above described 2002 Ford F250 Pick Up Truck is not needed for Town purposes and is surplus property;

2. The Town Board hereby authorizes the Parks Supervisor to scrap the 2002 Ford F250 Pick Up Truck;

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 2, 2013, and was

**ADOPTED.**

Ayes 2

Nays 0

**THERE WAS NO UNFINISHED & TABLED BUSINESS**

**REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL**

**Town Clerk Ralph Witt:**

The Town Clerk's office has received several resumes in response to the ad that was run for part-time clerks. We are hoping to interview sometime this week.

**Engineer Mike Metzger:**

Mike reported that he continues working with Attorney Strong and the Village of Alden on the water easement.

He thanked the Board for awarding his company the Zoeller/Exchange project.

**Supervisor Milligan:**

Attorney Strong and Supervisor Milligan met with the representative/negotiator regarding the Highway contract today. The Union Representative was unable to attend the meeting.

**NOTICE OF MEETING:**

**NEXT WORK SESSION:**

**Monday, December 9, 2013 @ 7:00 P.M.**

**NEXT TOWN BOARD MTG.:**

**Monday, December 16, 2013 @ 7:00 P.M.**

**MEMORIAL ADJOURNMENT**

Supervisor Milligan adjourned the Meeting at 7:14 P.M. with a Moment of Silence in Memory of Richard Lemke & Eugene Ludwig.

Ralph Witt  
Town Clerk