

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, December 21, 2015 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
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Colleen Rogers, Assistant to Supervisor
Judy Downhower, Supervisor's Office
Michael Fleming, Planning Board
Michael Metzger, Town Engineer
Len Weglarski, DCO
Richard Savage, Supervisor Elect
Colleen Pautler, Councilwoman Elect
Ted Morton, Erie County Legislator
Residents

AT 7:02 P.M. COUNCILMAN WITT MOVED TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO AN EXECUTIVE SESSION REGARDING A MATTER OF PERSONNEL WITH THE TOWN BOARD, COUNCILWOMAN RIDDOCH SECONDED THE MOTION. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON DECEMBER 21, 2015 AND WAS

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

AT 7:04 P.M. SUPERVISOR MILLIGAN MOVED TO ADJOURN FROM THE EXECUTIVE SESSION, WITH NO ACTION TAKEN, AND ENTER BACK INTO THE REGULAR MEETING, COUNCILWOMAN RIDDOCH SECONDED THE MOTION, THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON DECEMBER 21, 2015 AND WAS

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular & Special Meetings of December 7, 2015. The Motion was put to a Roll Call Vote on December 21, 2015 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 #1157-1224

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$12,350.93		\$12,350.93
HGHWY FUND "DA/DB"	14,398.42		14,398.42
PART-TOWN FUND "B"	7,590.15		7,590.15
CONSOLIDATED WATER "WR"			
SP FIRE PROT. "SF"	1,600.00		1,600.00
SD#2 FUND "SA"	2,591.85		2,591.85
TRUST/AGCY FUND "T"	1,164.10		1,164.10
SP REFUSE FUND "SR"	36,283.99		36,283.99
STREET LIGHTING FUND "SL"	5,057.31		5,057.31
PERIWINKLE LTG. "SL1"	29.43		29.43
GRANTS	29,811.00		29,811.00
TOTALS	\$110,877.18		\$110,877.18

UPON ROLL CALL VOTE ON DECEMBER 21, 2015 THE FOREGOING RESOLUTION WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

BUSINESS FROM THE FLOOR

Supervisor Elect Richard Savage questioned the item on the agenda approving the use of the stages for the Alden Car Show by the Alden Hook & Ladder Fire Co., Inc. He was concerned that they would be needed by the Car Show. Supervisor Milligan explained that it is used in conjunction with the Car Show event.

Erie County Legislator Ted Morton presented Supervisor Milligan with a Resolution from the Erie County Legislature and thanked him for his years of service; beginning with serving his country in the military, his many positions held in the Town of Alden and being an advocate for the people of Alden.

COMMUNICATIONS

Supervisor Milligan:

Supervisor Milligan addressed the incoming Board Members:

Internet, Facebook, Twitter are fairly new. During the storm last year school Supt. Stoltman used Twitter very effectively to inform parents and students of what was happening. Supervisor Milligan would like to challenge the new Town Board to communicate with the citizens better than this Town Board has done. They have set the bar low. Anything they could do to communicate with the citizens, especially during times of emergency, would be of great value. Since this is his last meeting, he wants to say that a three person Town Board is terrible.

A Memo was received from the Court that they are going to be closed on December 21st, 22nd, 28th and 29th.

A Letter was received from Matthew Herdzik. We finally won a court case in our favor.

A Letter from the Chamber of Commerce thanking Supervisor Milligan for judging the Christmas tree contest and bringing Elvis to Alden.

NEW BUSINESS

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

WHEREAS, the Town Board of the Town of Alden is considering an application by Christopher M. Snyder for the subdivision of three (3) lots. The entire parcel currently consists of approximately 40.05 acres on Crittenden Road in the Town of Alden, further identified as SBL #108.00-2-27.3. The first proposed lot ("Parcel A") would be a 250' by 300' parcel that contains a single family dwelling; the second parcel ("Parcel B") would be a 185' by 300' vacant parcel and the remaining parcel ("Parcel C") would be the reaming 38 acre parcel (The "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on October 1, 2015, for this Proposed Action, as required under Section 239-m of the General Municipal Law and “no recommendation” response was received;

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, the Town of Alden did assume Lead Agency Status on October 19, 2015;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town’s SEQR Intake Officer; and

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on November 10, 2015, recommended to the Town Board the approval of the Proposed Action. The Town of Alden Planning Board further reviewed the same at its December 8, 2015 meeting

And again recommended approval, through a Waiver, of the Subdivision.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;
2. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the attached SEQR NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, which attached notice is hereby made a part of this Resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to the Proposed Action;
3. That the following parcels, more particularly described as:

Parcel “A”

All that tract or parcel of land situated in the Town of Alden, County of Erie, State of New York, being part of Lot 13 Township 11 Range 5 of the Holland Land Company's Survey, and being more particularly described as follows:
Beginning at a point in the centerline of Crittenden Road, also being the west line of Lot 13, at a distance of 1950.00 feet south of the northwest corner of said Lot 13, said point also being the southwest corner of lands of Joseph & Marie Leuke as described in Liber 8040 of Deeds at Page 313; thence easterly along the south line of Joseph & Marie Leuke and its easterly extension, at an angle of 90 degrees to the centerline of Crittenden Road, a distance of 300.00 feet to a point; thence southerly at right angles to the previously described line, a distance of 250.00 feet to a point; thence westerly at right angles to the previously described line, a distance of 253.72 feet to a point in the east line of Parcel No. 4 of Crittenden Road as described in a deed to the County of Erie recorded in Liber 6967 of Deeds Page 77; thence northerly along the east line of Parcel No. 4, along a curve to the right having a radius of 1870.00 feet, an arc length of 153.24 to the northeast corner of said Parcel no. 4; thence westerly at right angles to the centerline of Crittenden Road, a distance of 40.00 feet to a point in the centerline of Crittenden Road; thence northerly along the centerline of Crittenden Road, a distance of 96.93 feet to the point or place of beginning, containing 1.57 Acres more or less.

Parcel “B”

All that tract or parcel of land situated in the Town of Alden, County of Erie, State of New York, being part of Lot 13 Township 11 Range 5 of the Holland Land Company's Survey, and being more particularly described as follows: Beginning at a point in the east line of Parcel No. 4 of Crittenden Road as described in a deed to the County of Erie recorded in Liber 6967 of Deeds Page 77, at a distance of 22.66 feet north of its intersection with the north line of lands of Leroy

& Betty Lueke, as described in Liber 5404 of Deeds at Page 382; thence northerly along the said east line of Parcel No. 4, a distance of 185.00 feet to a point; thence easterly parallel with the said north line of Leroy & Betty Lueke, a distance of 300.00 feet to a point; thence southerly parallel with the east line of Crittenden Road, a distance of 185.00 feet to a point; thence westerly parallel with the said north line of Leroy & Betty Lueke, a distance of 300.00 feet to the point or place of beginning, containing 1.23 Acres more or less.

Are given subdivision approval.

4. This resolution shall take effect immediately.

On the Question: Councilman Witt: "I am going to vote no on this, it is illegal and I want no part of it".

Supervisor Milligan: "I have a hard time with this too. The SBL number thing I don't think makes any sense. Chris knows exactly what he owns he is not Donald Trump or something. Is it for extra land or building lot? Chris told him it could be a building lot with no fill taken in. He looked at it Friday and it needs at least 100 ton of fill to start with. He always thought it was drainage area. There are too many questions, so he also will vote no.

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 21, 2015, the results of which were as follows:

Ayes 0

Nays 3

The above Resolution received (3) Nay Votes therefore was voted down and did not receive approval.

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

WHEREAS, the Alden Town Board on November 3, 2014 adopted its 2014 Budget;

WHEREAS, the Town of Alden requires a transfer of monies to allow for payment of an increase of appropriations and expenditures as outlined below and:

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

The Alden Board hereby authorizes the following transfers totaling \$2,500.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

This resolution shall take effect immediately.

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
A.1410.0108	\$1,775.00	A.1410.0106	Deputy Town Clerk	\$1,775.00
A.1410.0108	725.00	A.1410.0105	Deputy Town Clerk	725.00
Total	\$2,500.00			\$2,500.00

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 21, 2015 and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to renew the Hauler's Permit for Modern Disposal Services, Inc. for the Year 2016. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt Moved and Councilwoman Riddoch seconded the Motion to renew the Hauler's Permit for Edward Arnold Scrap Processors, Inc. for the Year 2016. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan Moved and Councilman Witt seconded the Motion to renew the Haulers Permit for Darling International for the Year 2016. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to renew the Junkyard License for Alden Trucks Ltd./2731 Townline Rd. for the Year 2016. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt Moved and Councilwoman Riddoch seconded the Motion to allow the Alden Hook & Ladder Fire Co., Inc. to use the Alden Town Park and two Stages/ bars for the Alden Car Show on July 31, 2016; contingent upon Marilla Car Truck Cycle Show Incorporated, giving an indemnification agreement to the Town of Alden no later than July 1, 2016. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan Moved and Councilman Witt seconded the Motion to allow the Alden Hook & Ladder Fire Co., Inc. to use the Alden Town Park for its "Dollars for Scholars 5-K Run" post- race party on Friday, June 3, 2016, contingent upon the Alden Central School District and the Alden Hook & Ladder Fire Co., Inc. giving an indemnification agreement to the Town of Alden no later than May 1, 2016. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 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 Town Board of the Town of Alden is considering an application, by Powerhouse Services for site plan approval of a 8,000 square foot service building and 13,175 square feet of paving at 12080 Walden Avenue, in the Town of Alden, further identified by SBL 96.00-3-41 (The "Proposed Action");

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;

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 approval; 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; and is the most local agent with permitting authority; and

WHEREAS, the Town Building Inspector has provided notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law and is hereby directed to give notice of Lead Agency to the involved agencies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval 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 approval; and
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 21, 2015, 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 Marie Paone/916 Three Rod Rd./Operate a Beauty Shop for a period of one year. The foregoing Motion was put to a Roll Call Vote on December 21, 2015 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

THE FOLLOWING PROCLAMATION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR MILLIGAN TO WIT;

PROCLAMATION

WHEREAS, for over forty years, Mary Riddoch and her family have called Alden their home. Since moving to Alden, Councilwomen Riddoch has helped make Alden a great place to live;

WHEREAS, Mary has dedicated many hours of service to her Community by serving as a Boy Scout leader for Pack 160; teaching Religious Education at St. Johns Church; and serving as a Home Room Mom for her three children. In her spare time, she likes hiking and biking;

WHEREAS, in 1998, Mary began her life of public service, by serving as Deputy Town Clerk for the Town of Alden for eight years, then winning election as a Councilwomen;

WHEREAS, as Councilwomen, Mary worked tirelessly and devoted many hours of time in securing grant monies to renovate and upgrade the Alden Town Park Facilities. Ms. Riddoch has also been very active in assisting the Senior Citizens Club in their various projects; entertaining the community by arranging for the Concert in the Park summer series; and heading up the Recreation Advisory Committee for many years; and

WHEREAS, Mary always acts with the highest integrity and honesty, always keeping Alden residents in mind and demanding the same accountability from all Town Employees and Officials all while keeping our taxes under control.

NOW, THEREFORE BE IT PROCLAIMED:

1. That the Alden Town Board extends its deepest appreciation to Mary Riddoch for her dedication to the Alden Community and for her outstanding service as Deputy Town Clerk and as Councilwoman; and

2. That the Town Clerk is hereby directed to send certified copies of this Proclamation to Councilwomen Riddoch.

The foregoing Proclamation was put to a Roll Call Vote on December 21, 2015 and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

PROCLAMATION

WHEREAS, after serving three years in the Military, Harry "Bud" Milligan and his family settled in Alden and he has called Alden his home for over forty years. Since moving to Alden, Supervisor Milligan has helped make Alden a great place to live;

WHEREAS, Bud, an avid NASCAR and Jeff Gordon Fan and former racer at Lancaster Speedway, has dedicated many hours of service as a mentor in the Big Brothers Program. He has guided his little brother from grade school on and continues to do so today. In his retirement, Supervisor Milligan will volunteer for Hearts to Hands to help the needy in 2016;

WHEREAS, in 1984 Bud began his life of public service by working in the Parks Department. The next year, he began a twenty-three year long career as the Town of Alden Highway Supervisor, retiring at the end of his term in 2007. In 2012, the call to public service rang again and Mr. Milligan was elected for two terms as the Town of Alden Supervisor;

WHEREAS, as Town Supervisor, Bud worked tirelessly in creating and building the new Veterans Memorial; brought one of Western New York's largest Car and Cycle Show to Alden; helped establish both the Zoeller Road and Exchange Street Water Districts; kept us safe during the November 2014 Storm; and brought "Elvis" to Alden; and

WHEREAS, Bud always acts with the highest integrity and kindness, always keeping the needs and welfare of Alden residents in mind and working with their best interest in heart.

NOW, THEREFORE BE IT PROCLAIMED:

1. That the Alden Town Board extends its deepest appreciation to Bud Milligan for his dedication to the Alden Community and for his outstanding service as Parks Worker, Highway Superintendent and Town Supervisor; and

2. That the Town Clerk is hereby directed to send certified copies of this Proclamation to Supervisor Milligan.

The foregoing Proclamation was put to a Roll Call Vote on December 21, 2015 and was

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, the Town adopted a 2016 annual budget totaling \$5,727 relating to its Special District entitled Water No. 5 – Out of District on November 2nd, 2015 and

WHEREAS, the aforementioned budgeted amounts reflect certain Town of Alden, New York properties that derive benefit from the Town of Newstead, New York, and are invoiced to the Town from the Town of Newstead, New York, and

WHEREAS, certain properties included in the original invoice to the Town from the Town of Newstead, New York were removed from the tax rolls due to mergers, reclassifications, etc., and

WHEREAS, the Town of Newstead sent a revised invoice totaling \$4,994 to the Town to reflect such changes,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes its 2016 annual budget relating to its Special district entitled Water No. 5 – Out of District to be reduced to \$4,994.

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 21, 2015, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch:

The Senior Nutritional program will be closed on Christmas and New Year 's Eve.

Councilwoman Riddoch wanted to thank everyone for supporting her all these years. A thank you to the Alden residents, because she would not be there without them. Being on the Board was a challenge at times, but with the people we work with and working out things together, it has been a wonderful experience for her and she will remember it always.

Engineer Michael Metzger:

Community Center: Supervisor, Parks Supt. and Engineer Metzger went over and observed some of the work done on the walls today. There are a few punch list items that need to be taken care of that will be brought to the contractors attention so we can close things out there. Engineer Metzger thanked Councilwoman Riddoch and Supervisor Milligan for their many years of support, guidance and most of all friendship and wish them the best in their retirement.

Supervisor Milligan:

Supervisor Milligan thanked Jennifer Strong for teaching him and keeping him on track for 94 Town Board meetings. Now that he has the hang of it, he is leaving. Deb Crist has been on his right for 45 meetings and as Mr. Witt can attest, it is probably the most important job in Town government and Deb does an excellent job. Mr. Witt did Supervisor Milligan and the Town a big favor when he stepped in for his good friend Bill Weber, when he passed away suddenly. Mr. Witt is a wealth of information and not averse to speaking his mind. Supervisor Milligan thanked him for postponing his retirement for the Town of Alden. Of course there is Mrs. Riddoch, who occasionally had different views that made us rethink an issue. Also, she was the first female Deputy Supervisor. Supervisor Milligan presented her with a plaque recognizing her. For three very different people the job was done pretty well. We did accomplish somethings like; two water lines, better recycling program, the unpopular revalue program, brought one of the biggest car shows in Erie County to Alden, secured a State Police substation that will be there years to come, drug and needle drop-off boxes in Town Hall, Veterans Wall and many programs with the cooperation of other government agencies that allow us to stretch our taxpayers dollars. There were highs like Frank Sinatra and Elvis Presley coming to Town last summer. And there were lows like the deaths of Bill Weber and Sgt. Brett Gornewicz in Afghanistan. His 40 years of service to the Town of Alden has been difficult sometimes, but also very rewarding. It has been an honor to have this opportunity. He thanks Colleen and Judy in his office, his family, children and grandchildren for their patience and encouragement. He is leaving office, but not leaving Town. He will see you around.

NOTICE OF MEETINGS

NEXT REGULAR MEETING (Reorganizational)

JANUARY 4, 2016

@ 7:00 P.M.

NEXT WORK SESSION:

JANUARY 11, 2016

@ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Milligan asked all to stand a Moment of Silence in Memory of Richard Pralow, Raymond Markwardt, Daryle Gustavel & William Chapple Jr.

ADJOURNMENT

At 7:28 PM Supervisor Milligan adjourned the Meeting.

Debra A. Crist
Alden Town Clerk