

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, February 6, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order. Supervisor Milligan led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Harry Milligan, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Todd Aldinger, Deputy Supervisor

RECORDING SECRETARY: Ralph Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Michael Metzger, Town Engineer
Chris Snyder, CEO
Gary Wagner, Planning Board

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of January 17, 2012 and the Special Meeting #1/2012 of January 23, 2012. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOKH AND SECONDED BY COUNCILMAN WEBER TO WIT;

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$ 30,807.32	\$ 28,645.87	\$59,453.19
HIGHWAY FUND "DA/DB"	124,825.07	30,238.55	155,063.62
PART-TOWN FUND "B"	8,304.58	342.63	8,647.21
CAPTIAL IMPROV. "HC"		881.10	881.10
WD#1 FUND "WA"			
WD#2 FUND "WB"	375.20	7,522.05	7,897.25
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"	11,599.25	4,793.54	16,392.79
SD#2 FUND "SA"	2,324.12		2,324.12
TRUST/AGCY FUND "T"	794.44	2,760.93	3,555.37
SP REFUSE FUND "SR"	38,513.24		38,513.24
STREET LIGHTING FUND "SL"	7,251.06		7,251.06
PERIWINKLE LTG. "SL1"	53.03		53.03
GRANTS	21,550.06	132,632.80	154,182.86
TOTALS	\$249,760.77	\$207,817.47	\$457,578.24

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Paul Loehr, Henskee Rd., questioned the changes made to the Supervisor's office and Town Clerk's office. When was it started? where the money came from and how much did it cost? Supervisor Milligan responded that it was done by the time he took office. Councilwoman Riddoch said that the project was complete by the first of the year, money was budgeted from the Town Clerk/Tax Receiver savings last year and the amount is approximately \$12,000.00.

COMMUNICATIONS

Councilman Weber received a phone call from Three Rod resident regarding some off road drainage, they were told it would of done this winter, if we had a nice winter with our new

equipment. They feel it is having an impact on water in their basement. Supervisor Milligan talked to Highway Supt. Fix and he assured him he would look into it.

Councilwoman Riddoch said it was nice to receive the Alden Economic Committee agenda. She received from Dan Moultrup, Recreation Director, a summary of the Summer Recreation and Youth program. She also received an insurance certificate from Alden Youth Baseball.

Supervisor Milligan received a revised bill from Erie County Water Authority, received a notification from Time Warner Cable regarding channel changes.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the renewal of a Home Occupation Permit for Deneda Gasiiecki/12615 W. Main St./Dog Grooming. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the renewal of a Home Occupation Permit for Mark Moore/12328 Westwood Rd./Snowmobile Repair. Unanimously Carried.

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

WHEREAS, the Town of Alden, a municipal corporation organized and existing under the laws of the State of New York (the "Town"); the Village of Alden, a municipal corporation organized and existing under the laws of the State of New York (the "Village"); and the Alden Chamber of Commerce, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York (the "Chamber") have negotiated for the renewal of an Economic Development Agreement Contract wherein the Town, Village and Chamber maintain and fund the Alden Economic Development Committee ("Committee") for the benefit of the residents of Alden;

WHEREAS, the Town of Alden is aware that the Alden Area is in need of planned economic development and is desirous of obtaining such planned development services for the benefit of its residents;

WHEREAS, the Committee wishes Fred K. Heinle to remain as Director; and

WHEREAS, the Town, Village and Chamber have come to full agreement on the terms of such Agreement to run from March 1, 2012 until February 28, 2013.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town approves the Economic Development Agreement, as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Town consents to the continuation of Fred K. Heinle as Director of the Committee and the signing of an Agreement retaining Mr. Heinle;
3. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the Agreement and the Director Agreement; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 6, 2012, and was unanimously adopted.

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

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc., a Not-For-Profit Corporation duly organized and existing under the laws of the State of New York, have been negotiating renewal of a Contract wherein Alternative Care Services of WNY, Inc. will provide Meals-On-Wheels to eligible residents of the Town of Alden;

WHEREAS, the Town of Alden is aware that a large number of residents of the Town of Alden are eligible for and participate in the Alternative Care Services of WNY Inc.'s Meals-On-Wheels Program and is desirous of obtaining such services for its residents;

WHEREAS, Alternative Care Services of WNY, Inc. is the sole source provider of a meals-on-wheels program in the Town of Alden and therefore the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alternative Care Services of WNY, Inc. have come to full agreement on the terms of such Agreement to run from January 1, 2012, until December 31, 2012.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the attached Agreement whereby the Town contracts with Alternative Care Services of WNY Inc., at a cost of \$1,001.00 for the provision of meals-on-wheels to eligible Town of Alden residents as being consistent with its policies and in the best interests of the residents of the Town of Alden;
2. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the 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 February 6, 2012, and was unanimously adopted.

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

WHEREAS, many municipalities, including cities, counties, towns and villages within Erie County have lost monetary support from the County of Erie;

WHEREAS, The Town of Alden believes that the Ewell Free Library is a great asset to the residents of the Town of Alden and would like to keep the Library open for the benefit and enjoyment of its citizens;

WHEREAS, the Alden Ewell Free Library is currently operated by the County of Erie and housed in a building not owned by the Town of Alden; and

WHEREAS, the Town Board of the Town of Alden would like to Contract with the Ewell Free Library to provide monies to the Library for its continued operation.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Board approves the Contract for the year 2012 with the Ewell Free Library as being consistent with its policies and in the interest of the residents of the Town of Alden;

1. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this Contract; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 6, 2012, and was unanimously adopted.

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

WHEREAS, Debra Weikleenget has filed an application for a Kennel Special Use Permit for the operation of a dog kennel at her residence located at 11268 Kieffer Road in the Town of Alden (further identified by SBL # 107.00-6-18);

WHEREAS, the Town of Alden Planning Board has reviewed the Application and recommended the approval of the Application to the Alden Town Board; and

WHEREAS, the Town Board, pursuant to Section 9-10(I)(3) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. A Public Hearing on the Kennel Special Permit Application for Debra Weikleenget be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on February 21, 2012 at 7:05 P.M. Local Time;
2. That the Town Clerk is hereby directed to publish the Notice of Public Hearing in the Alden Advertiser; to post the same on the Town Bulletin Board; and to mail the Notice to the adjacent property owners, which Notice shall be in the form attached hereto and made a part hereof; 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 February 6, 2012, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has reviewed the Town of Alden Employee Handbook ("Handbook") and noticed the need to update the same to reflect changes made at the 2012 Reorganizational Meeting; for general clarification; and to create a policy of reporting incidents; and

WHEREAS, the Town Board believes that changes are fair to both the Employees of the Town of Alden and is in the best interests of residents of the Town of Alden.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby amends the Handbook, dated June, 2009 (and amended March, 2010; June, 2010; February, 2011; March, 2011; and September, 2011) to reflect the changes made to page 7 (Part-Time Clerk/Court); page 9 (Employee Benefits); page 10 (Vacation and Personal Days); page 11 (Sick Days); and page 26 (Each Employee's Responsibility) (all attached), to be effective February 7, 2012 at 12:01 am;
2. All other aspects of the June, 2009 (as amended) Handbook remain the same;
3. The Town Clerk's Office is hereby directed to promptly provide the amended pages of the Handbook, to all Town of Alden Employees; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 6, 2012, and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to allow the Alden Republican Committee to use the Community Center on the first Wednesday of the Month/8:00 P.M.-9:00 P.M. Unanimously Carried.

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 15, 2010, adopted its 2011 Budget;

WHEREAS, the Town needs to transfer monies to allow for payment of fire hydrant repairs in Water District # 2; and

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

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. That the Alden Town Board hereby authorizes an increase in appropriations and expenditures in Account Code WB. 8389.0414 in the amount of \$7,897.25 due to hydrant repairs. Said expenditures will be charged against Water District # 2 at fiscal year end; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 6, 2012, and was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Debra Weikleenget for a Kennel Special Use Permit for the operation of a dog kennel at her residence located at 11268 Kieffer Road in the Town of Alden (further identified by SBL # 107.00-6-18) (The "Proposed Action");

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQRA;

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 kennel special use permits; 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 kennel special use permit, 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 kennel special use permit 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 kennel special use permit; 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 February 6, 2012, and was unanimously adopted.

SUPERVISOR MILLIGAN POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WAS ADDED:

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

WHEREAS, the citizens of the Town of Alden have voted to combine the Elected Offices of the Alden Town Clerk and the Receiver of Taxes and thus the Alden Town Board has discovered the need to physically combine that office space, and to increase security for that office, to better serve the residents of the Town of Alden; the estimated costs of the Town Hall renovations is less than \$35,000.00 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that the Town must obtain written quotes from at least three (3) vendors and the Town did request and receive proposals from three vendors;

WHEREAS, the Town awarded the project to Kraus Brothers, the lowest responsible bidder; and

WHEREAS, Kraus Brothers determined that additional unexpected and unforeseen materials and labor were required to complete the project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves an additional payment of \$2,000.00 to Kraus Brothers to complete the Town Hall renovations as per the attached invoice for additional materials and labor, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 6, 2012, and was unanimously adopted.

THERE WAS NO UNFINISHED AND TABLED BUSINESS REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber reported that he has an Economic Development meeting tomorrow.

Town Clerk Ralph Witt collected all the taxes on the warrant to the Town of Alden and has turned them over to the Supervisor.

Attorney Strong has received the County sewer amendment agreement in the mail this morning, copies have been distributed.

Councilwoman Riddoch attended the Winter(Spring)Fest and wanted to thank the Village for all the work they did and also Park’s Supervisor Andy Sojka.

Gary Wagner gave a report of the waterline leak in the Park. It was not the line he installed. He capped the line off.

Engineer Michael Metzger is working on wrapping up the boiler project. There is a site visit tomorrow with NYSERTA. He would like minor subdivisions put on the Work Session.

CEO Chris Snyder had a phone conversation with the representative from RCR Recycling, who picks up our recycling. It was brought to his attention that some towns are being paid per ton of recycling material; they will check this out and get back to him.

Town Clerk Ralph Witt received phone calls from out of town people asking if they could drop off their recycling, this will be decided on at a later date.

NEXT WORK SESSION: Monday, Feb. 13, 2012 @ 7:00 P.M.

NEXT REG. BOARD MTG.: Tuesday, Feb. 21, 2012 @ 7:00 P.M.

Special Meeting re Fire Hydrants on 2/15/2012 @ 9:00 A.M.

Supervisor Milligan adjourned the Meeting at 7:36 P.M. with a moment of silence in Memory of Mary Gregory-Baker.

Ralph Witt
Town Clerk