

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 18, 2010 at 7:00 P.M. Supervisor Smith called the Meeting to Order. Councilwoman Riddoch led in the Pledge of Allegiance. The Roll Call was taken by the Second Deputy Town Clerk.

PRESENT: Ronald Smith, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman  
Ronald Snyder, Councilman  
Arlene Cooke, Councilwoman

RECORDING SECRETARY: Ralph P. Witt, Second Deputy Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney  
John Zoratti, Planning Board  
Len Weglarski, Dog Control Officer

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of October 4, 2010. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE AND SECONDED BY COUNCILMAN SNYDER TO WIT;

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$9,652.80		\$9,652.80
HGHWY FUND "DA/DB"	9,183.58		9,183.58
PART-TOWN FUND "B"	10,884.11		10,884.11
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	1,771.97		1,771.97
TRUST/AGCY FUND "T"			
SP REFUSE FUND "SR"	39,015.32		39,015.32
STREET LIGHTING FUND "SL"	6,201.61		6,201.61
PERIWINKLE LTG. "SL1"	43.09		43.09
GRANTS	1,189.50		1,189.50
TOTALS	\$81,680.58		\$81,680.58

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

**BUSINESS FROM THE FLOOR**

Ron Rebmam/Broadway had a wire from a sign that had become tangled in his lawnmower, questioned control over sign placement. Supervisor Smith said there is a sign law in the Town of Alden and a permit must be obtained before they go up.

John Zoratti/Cary Rd. questioned the placement of a telephone pole by his house at Three Rod Rd. and Cary it is right by the road, he wondered if there was a regulation how far from the road it could be placed? Resident John Spoly said he also knows of this pole and three of his friends have hit this pole. Councilwoman Riddoch said they need to know who owns the pole, whether it is an electric or telephone pole. Attorney Strong said a letter could be sent to the owner of the pole and the County Highway would also have to be notified.

Andrea Aldrich/Crittenden Rd. brought up the dangerous intersection at Crittenden and North Rd. There have been a lot of accidents there, including a friend of hers. Supervisor Smith said

the County has been notified that it is a dangerous intersection. The Town will continue to talk to the County about the situation.

## COMMUNICATIONS

Councilwoman Riddoch received a letter from Jerry Butler regarding the plaque they want to put up at the kiddie pool – would like this on the Work Session.

Councilman Weber received a call from Town Engineer Mike Metzger regarding a meeting that he set up with Highway Superintendent Carl Fix tomorrow at 10:00 A.M., Councilman Weber will also be attending. This meeting is in regards to the drainage and culvert work that will be done on Henske Road. He would like this on the Work Session. Councilman Weber will notify the Highway Superintendent about the pole on Three Rod Road North of Cary on the East side.

Second Deputy Clerk Ralph Witt reported that the new dog license tags are in. The Town Clerk's office will be ready to take over the duty for the January target date.

Councilwoman Cooke met with Bob McPeak and Claire Traver at the Office of Emergency Services in Lancaster, the University of Niagara will be our sponsoring unit to help set up the CERTS program for citizens to take, will probably be set up in Lancaster.

Supervisor Smith received a thank you note from the Alden Historical Society for the removal of the crab tree in front of the building, Secretary Laura Loehr wanted to thank Carl Fix and his crew for their work. The tree will be replaced with an evergreen tree, which is a gift in memory of Robert Airey. Also, received a thank you from the Town of Lancaster for the use of the Town Band Shell, received from Millgrove Vol. Fire Department of copy of a letter that was sent to Town of Lancaster Dispatch advising them that as of October 13<sup>th</sup>, both Millgrove Vo. Fire Dept. and Crittenden Vol. Fire Dept. will be dispatched to any and all calls from 12618-12655 Reinhardt Rd. East in the Town of Alden, received from NYS Environmental Conservation Dept. their inspection report for sewer district #2 in the Town, found to be in good condition, received from Rural Metro Medical Services their monthly compliance report for 9/2010, 87.0% compliance.

## NEW BUSINESS

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

WHEREAS, Ronald L. Smith, Budget Officer of the Town of Alden on September 30, 2010, duly filed the tentative budget of said Town for the fiscal year beginning January 1, 2011 with the Deputy Town Clerk of said Town; and

WHEREAS, the Deputy Town Clerk of the Town of Alden duly presented said Tentative Budget to the Town Board on October 5, 2010;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the tentative budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2011;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by her to the public for inspection during the regular business hours of the Town Clerk's Office;
3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the year 2011, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 1, 2010, at 7:05 P.M. Local Time;
4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the Town Law of the State of New York be published in the Alden

Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and

5. This Resolution shall take immediately.

The adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on October 18, 2010, and was unanimously adopted.

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

WHEREAS, the Town Board, on behalf of all Special Districts and Special Improvements Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred has duly prepared detailed estimates in writing of the anticipated revenue and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same; and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvement was charged in proportion to the amount of benefit conferred; and

WHEREAS, Assessment Rolls were duly prepared according to law and said Assessment Rolls were duly filed in the Office of the Town Clerk.

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

1. That a Public Hearing is hereby called and shall be held on November 1, 2010, at 7:10 PM Local Time, at the Town Hall, 3311 Wende Road, Alden, New York, at which time and place this Town Board will meet to consider the aforementioned Special District Budget for the Year 2011 and to hear all persons interested in the subject matter thereof, and concerning the same;
2. That a Notice of said Public Hearing be published in the Alden Advertiser and posted on the Town of Alden Board which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 18, 2010, and was unanimously adopted.

**THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN COOKE TO WIT;**

WHEREAS, New York State Town Law §64 allows a municipality to change the name of a town road upon Town Board Resolution;

WHEREAS, the State of New York Commissioner of Transportation, despite the rigorous objections of the Town of Alden, by Order October 22, 1999, discontinued and closed the railroad crossing at Reinhardt Road, thus splitting Reinhardt Road into two completely separated sections;

WHEREAS, the Town of Alden wishes to avoid any possible confusion for Emergency Response personnel and therefore delayed response time to those in need of emergency aid on Reinhardt Road;

WHEREAS, the Town of Alden finds it in the best interest of the residents of the Town of Alden to rename Reinhardt Road as Reinhardt Road East and Reinhardt Road West.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby declares effective October 19, 2010, that the portion of the roadway now named Reinhardt Road that runs between Genesee Street and the CSX Transportation railroad tracks is hereby named: Reinhardt Road West.
2. The Alden Town Board hereby declares effective October 19, 2010, that the portion of the roadway now named Reinhardt Road that runs between the CSX Transportation railroad tracks and Peters Corners Road is hereby named: Reinhardt Road East.
3. The Town Superintendent of Highways shall cause to be erected new streets signs reflecting the roadway name change.
4. The Town Clerk's Office shall give notice of this Resolution within ten days to the Town of Alden Planning Board, the Town of Alden Board of Assessment Review, the Town of Alden Assessor; the Erie County Sheriff, the New York State Police; the Alden Central School District; the United States Post Office, The Office of the Erie County Engineer, the Erie County Clerk, Erie County Department of Environment and Planning; The Alden Hook & Ladder Fire Company, Inc; the Townline Fire Volunteer Fire Department; the Millgrove Volunteer Fire Department, Crittenden Volunteer Fire Department, Rural Metro Ambulance, Lancaster Fire Control and shall mail notice to all residents and businesses located on the now former Reinhardt Road and shall post notice in the Town Hall and publish notice in the Alden Advertiser.
5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 18, 2010, and was unanimously adopted.

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

WHEREAS, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Millgrove Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in receiving worker's compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Millgrove Volunteer Fire Department has approved Mark A. Haines and James M. Fagerburg for Membership; and

WHEREAS, Millgrove Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of these new members.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Mark A. Haines and James M. Fagerburg for membership in the Millgrove Volunteer Fire Department, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 18, 2010, 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 has noticed the need to update the restrooms at the Alden Town Park to make such restrooms ADA compliant, to better serve the handicapped visitors to the Alden Town Park. The proposed updates include (but are not limited to): rebuilding the walls for increased width; the installation of ADA complaint toilets, sinks, and urinals; Braille signs; ADA compliant grab bars; ADA complaint mirror; insulating pipes; and installing ADA complaint sidewalks and parking.

WHEREAS, the Town of Alden is in the process of updating its Master Plan. Once the Master Plan is completed the Town will need to implement the new Plan. The Town of Alden Master Plan Implementation Project will require the Town to review and recodify its Town Code (by adopting and amending numerous local laws, especially the Zoning Laws), and update its Subdivision Regulations to comply with the updated Master Plan.

WHEREAS, the Alden Town Board would like to utilize the monies available from the Erie County Community Development Block Grant program to assist with the Alden Town Park Restroom ADA Compliance Project and with the Town of Alden Master Plan Implementation/Zoning Project;

WHEREAS, the Town Board held a public hearing on October 4, 2010, notice of which was properly posted and published and no public comment was received;

WHEREAS, The Town Board after full and careful review and consideration of the need finds that it is in the public interest to apply for the CDBG monies for this Implementation project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby authorizes Supervisor Ronald L. Smith to sign, submit, and execute Contracts and/or other necessary paperwork, with the Erie County Community Development Block Grant Program for the following proposed projects in order of preference:

- A. Alden Town Park Restroom ADA Compliance Project; and
- B. Town of Alden Master Plan Implementation/Zoning Project

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 18, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to purchase a replacement dump body 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 states that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, a written request for proposals (as per the attached specs) was made by Highway Superintendent Fix to three (3) vendors;

WHEREAS, the highest bidder is Alden Trucks at \$9,850.00;

WHEREAS, the second highest bidder is Valley Fab at \$9,650.00;

WHEREAS, the lowest bidder is Viking Cives at \$7,985.00; 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 a replacement dump body from Viking Cives at a cost of \$7,985.00;
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 October 18, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to purchase a total of ten (10) rear tires for the Town Truck Fleet 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 states that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, a written request for proposals (per 11R 24.5 tire with valve stem and dismounting and mounting) was made by Highway Superintendent Fix to three (3) vendors;

WHEREAS, the highest bidder is Zoladz Tire at \$3,674 without valve stems;

WHEREAS, the second highest bidder is Hurtubise Tire at \$3,295.00;

WHEREAS, the lowest bidder is Main Tire at \$3,120.00; 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 ten rear tires (including valve stems, dismount and mounting) from Main Tire at a cost of \$3,120.00;
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 October 18, 2010, and was unanimously adopted.

THERE WAS NO UNFINISHED OR TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch reported that Supervisor Smith, Colleen Rogers and herself attended the ribbon cutting for the Heritage Trails. There were issues in the Town Park

with the bathrooms; hopefully the improvement project gets the funding needed. Looking to purchase a dumpster for the R.O. Smith Park, she will get quotes, would like this on the Work Session.

Supervisor Smith announced the official hours for Trick or Treat will be Sunday, October 31<sup>st</sup> from 6:00-8:00 P.M. Received a phone call from Chief Robert Elezko from Millgrove Fire Co., there will be a multi-fire company drill at the Bowmansville Fire Company this Saturday and Sunday, between 9:00 A.M. – 4:00 P.M. they invited any Town Board member who is interested in attending.

**NEXT WORK SESSION: MONDAY, OCTOBER 25, 2010 AT 7:00 P.M.**  
**NEXT TOWN BOARD MTG.: MONDAY, NOVEMBER 1, 2010 AT 7:00 P.M.**

**MASTER PLAN IMPLEMENTATION COMMITTEE MEETING, THURSDAY NOVEMBER 4<sup>TH</sup> AT 7:00 P.M.**

**AT 7:31 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO MOVE FROM THE REGULAR MEETING INTO AN EXECUTIVE SESSION TO DISCUSS MATTERS OF PERSONNEL.**

At 7:31 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the motion to move into an Executive Session to discuss a matter of personnel. Unanimously Carried.

**AT 7:59 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO REENTER INTO THE REGULAR MEETING, WITH NO ACTION BEING TAKEN.**

At 7:59 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the motion to reenter into the regular meeting, with no action being taken. Unanimously Carried.

Supervisor Smith adjourned the Meeting at 8:00 P.M. with a Minute of Silence in Memory of Hazel Newton.

Ralph P. Witt  
Second Deputy Town Clerk