

MEETING NO. 24 REGULAR BOARD MEETING DECEMBER 20, 2010
REGULAR NO. 24 7:00 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, December 20, 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 Witt, Second Deputy Town Clerk
OTHERS PRESENT: Jennifer Strong, Attorney
Michael DeWitt, Planning Board

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of December 6, 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"	\$18,743.08		\$18,743.08
HIGHWAY FUND "DA/DB"	26,421.99		26,421.99
PART-TOWN FUND "B"	4,012.54		4,012.54
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"	4,723.62		4,723.62
SD#2 FUND "SA"	2,154.79		2,154.79
TRUST/AGCY FUND "T"	360.00		360.00
SP REFUSE FUND "SR"	38,626.98		38,626.98
STREET LIGHTING FUND "SL"	6,981.39		6,981.39
PERIWINKLE LTG. "SL1"	50.80		50.80
GRANTS			
TOTALS	\$105,813.79		\$105,813.79

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR

COMMUNICATIONS

Supervisor Smith received from the Lancaster/Alden Fire Chiefs Assoc. a thank you for helping to sponsor their training class that was held at the Bowmansville Fire Company last month, received the Village of Alden's approved Board minutes for November 23, 2010 meeting, received from Rural Metro Medical Services their monthly compliance response report for November, 2010; 83.3% compliance, received from the Erie County Board of Elections the official certified vote for the combining of the Town Clerk's and Tax Receiver's Office; vote was approved 2877 to 507, and the vacancy for the Town of Alden Town Clerk; Ralph Witt received 1542 votes, Sean Nowicki received 1493 votes and Sandra Conrad received 448 votes. Mr. Witt will be sworn in as the new Town Clerk on January 2, 2011.

Councilman Weber received a letter from Wende Correctional Facility stating that their Department that surveyed the property for Mr. Sievenpiper; looked over the drainage situation, determined that there would be no need to do any work because it falls in the

flood plain. Found to be unnecessary. Copy of the letter was sent to Mr. Sievenpiper, Town Board, Engineer Metzger & Deputy Town Clerk.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the motion to approve the renewal of a Junkyard Permit for Alden Trucks Ltd./2731 Townline Rd. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to approve the renewal of the Home Occupation Permit for Nancy Goergen/850 W. Alaura- Beauty Salon. Unanimously Carried.

Councilman Snyder moved and Councilwoman Cooke seconded the motion to approve Alden Winterfest Committee’s request to use the Town Park and Community Center for their Annual Alden Winterfest. The Town of Alden will provide two portable toilets for the park. Unanimously Carried.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 20, 2010, and was unanimously adopted.

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

WHEREAS, The Alden Town Board on November 16, 2009, adopted its 2010 Budget;

WHEREAS, the Town needs to transfer monies to allow for payment of various items, as outlined below; and

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

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby authorizes the following transfers:

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
A. 1410.0100	\$9,050.00	A. 1410.0105	Town Board Resolution	\$9,050.00
A. 1620.0408	\$3,864.00	A. 1620.0408.1000	Boiler Match	\$3,864.00
A. 1410.0100	\$5,116.00	A. 1330.0100	Town Board Resolution	\$5,116.00
A. 1620.0408	\$103.00	A.1620.0409	Water	\$103.00
A. 1990.0400	\$16,752.27	A. 07110.0470	Engineering Fees Park Grant	\$16,752.27
B. 3620.0100	\$10,000.00	B. 1420.0400	Bal. Code Enforcement Officer Expenses	\$10,000.00
B. 9060.0800	\$4,363.17	B. 1420.0400	Bal. Code Enforcement Officer Expenses	\$4,363.17
B. 8540.0419	\$1,184.25	B. 6989.0412	Grant Administrative Fee	\$1,184.25
SF. 3410.0415	\$1,617.94	SF. 3410.0400	Workers Comp	\$1,617.94
Fund Balance	\$3,826.74	WC. 8889.0414	WD #3 Replace Broken Hydrant	\$3,826.74
A.1990.0400	\$4,143.83	A.8389.0400	WD #5 Match	\$4,143.83
A.7110.0413	\$700.00	A.7110.0110	Bal. End of Year Payroll	\$700.00
DB.5142.0449	\$3,000.00	DB.5140.449	Cost of Repairs to Chipper	\$3,000.00
	\$63,721.20		TOTAL	\$63,721.20
	\$41,426.91	G. 1620.0446	Building Generator	\$41,426.91

2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 20, 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 believes that its residents would benefit from improvements to its Town Park, including but not limited to a multi-purpose trail system; modification to the Panza trail; a multi-purpose athletic field; a picnic shelter; a warming hut; and access to Ellicott Creek for kayaking and canoeing; and

WHEREAS, The Town of Alden would like to solicit Requests For Proposals (“RFPs”) from engineering firms to design plans for the above described Park Improvements.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. Ronald L. Smith, as Supervisor of the Town of Alden, is hereby authorized to create an RFP package and to solicit, by mail, proposals from interested engineering firms.
2. Interested parties shall submit proposals to the Town Clerks Office no later than 21 days from the date of the postmark on the bid solicitation package. Said proposals shall be reviewed by the Town Board at a later date.
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on December 20, 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 four (4) 132 inch 13 hole rubber blades for the Town Snow Plow Blades the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors;

WHEREAS, an oral request for proposals was made by Highway Department to two (2) vendors;

WHEREAS, the highest bidder is Viking Cives at \$1,291.64 (or \$322.91 per rubber blade);

WHEREAS, the lowest bidder is George & Swede at \$1,094.40 (or \$273.00 per rubber blade);

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 of the above described rubber blades.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of four (4) 132 inch 13 hole rubber blades from George & Swede for a total cost of \$1,094.40;
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 December 20, 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 two (2) 30 foot long pintle chains for the Town Highway Department the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors;

WHEREAS, an oral request for proposals was made by Highway Department to two (2) vendors;

WHEREAS, the highest bidder is Viking Cives at \$1,990.00 (or \$995.00 per chain);

WHEREAS, the lowest bidder is George & Swede at \$1,740.00 (or \$29.00 per foot of chain);

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 of the above described pintle chains.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of two (2) 30 foot long pintle chains from George & Swede for a total cost of \$1,740.00;
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 December 20, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to purchase a Dickey John salt spreading mechanism, including installation, for one of the Town plow trucks 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 the Highway Department to three (3) vendors;

WHEREAS, the highest bidder is Unicell at \$3,553.00;

WHEREAS, the second highest bidder is Viking Cives at \$2,550.00;

WHEREAS, the lowest bidder is Valley Fab at \$1,895.00; however this bid does not meet the specifications and is rejected; 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 here authorizes the purchase of a Dickey John salt spreading mechanism, including installation, from Viking Cives, the lowest responsible bidder, at a total cost of \$2,550.00; and
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 December 20, 2010, and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WEBER 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 Crittenden 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, the Crittenden Volunteer Fire Department has approved Robert W. Noble, III for Membership; and

WHEREAS, the Crittenden Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of this new member.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Robert W. Noble, III for membership in the Crittenden 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 December 20, 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 of the Town of Alden is considering an application by Samuel P. Guida, Jr. for the subdivision of two (2) lots. The entire parcel currently consists of approximately 96.7 acres on North Road in the Town of Alden, further identified as SBL # 108.00-2-12.111. The first proposed lot ("Parcel A") would be a 350' x 1100' vacant parcel on North Road and the second proposed lot ("Parcel B") would be the remaining approximately 89 acre vacant 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 November 10, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a “no recommendation” was received on November 23, 2010;

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 December 6, 2010;

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 9, 2010, recommended to the Town Board the approval of the Proposed Action.

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 parcel, more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being part of Lot No. 13, Township 11, Range 5 of the Holland Land Company’s Survey, bounded and described as follows:

BEGINNING at a point in the center line of North Road, said center line also being the north line of Lot No. 13, distant 1080.22 feet easterly as measured along said center line, from the northwest corner of said Lot No. 13; thence easterly along the center line of North Road 350.00 feet to a point; thence southerly at an interior angle of 89° 48’ and along the west line of lands formerly owned by John B. Persons 1100.00 feet to a point; thence westerly parallel with the north line of Lot No. 13, 350.00

feet to a point; thence northerly parallel with the second described line herein 1100.00 feet to the point of beginning.

are given subdivision approval.

4. 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 20, 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 on November 16, 2009 adopted its 2010 Budget;

WHEREAS, The New York State Department of Transportation has increased the CHIPS payment to the Town of Alden by \$24,837.59;

WHEREAS, the Town of Highway Department has already appropriated the \$24,837.59 CHIPS increase from the NYS DOT;

WHEREAS, increasing the appropriate revenue and expenditure lines will not render the Town of Alden insolvent.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby increases by \$24,837.59 revenue Line DB.3501 of the 2010 Budget;
2. That the Alden Town Board hereby increases by \$24,837.59 expenditure Line DB.5112.0449 of the 2010 Budget; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on December 20, 2010, and was unanimously adopted.

Councilwoman Cooke moved and Councilman Snyder seconded the motion to approve the renewal of a Home Occupation Permit for Mark Moore/12328 Westwood/Snowmobile Repair. Unanimously Carried.

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

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

WHEREAS, the Town of Alden Parks Supervisor has advised the Town Board that the Parks Department is in need of a heavy duty two-stage snow blower which will be purchased pursuant to State Bid;

WHEREAS, said Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, The Town Board after full and careful review and consideration of the Parks Supervisor's request finds the request to purchase a snow blower in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the purchase of a John Deere 47" Heavy Duty Two-Stage Snow Blower with lift arms, drive shaft and hardware; single spool auxiliary hydraulic kit; quick-tatch weight (42 pound); and rear weight mounting kit from Z&M Ag and Turf for \$3,848.31, who is on the State Bid List, as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That the Town Supervisor, Ronald L. Smith, 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 December 20, 2010, and was unanimously adopted.

THERE WAS NO UNFINISHED OR TABLED BUSINESS.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Attorney Strong would like the Nawrocki Subdivision and Calvary Chapel added to the Work Session.

Councilwoman Cooke received a letter from Alden Central School regarding the advertisements at the cash out registers for selling cigarettes at stores encouraging youth to smoke, she would like this on the Work Session to consider a proclamation in support of banning this practice.

Supervisor Smith stated with reduction of the Planning Board from six members to five, the December meeting was the final meeting for Colleen Pautler, she has served as secretary and as a member to the Planning Board for the last fourteen years. On behalf of the Town Board the Supervisor wanted to thank Colleen for her service to the Town.

NEXT WORK SESSION: 7:00 P.M. Monday, December 27, 2010
NEXT TOWN BOARD (REORG.) MTG.: 7:00 P.M. Monday, January 3, 2011

Supervisor Smith adjourned the Meeting at 7:20 P.M. with a Minute of Silence in Memory of Edward Dee and Kay Wadsworth.

Ralph P. Witt
Second Deputy Town Clerk