

PRIORITY OF BUSINESS SET BY SUPERVISOR PURSUANT TO SECTION 16 TOWN CODE APPENDIX PART IV

1. PLEDGE OF ALLEGIANCE – SUPERVISOR MILLIGAN
2. INVOCATION
3. CALLING THE ROLL OF BOARD MEMBERS BY THE CLERK
4. OFFER OF THE MINUTES & SYNOPSIS OF THE PROCEEDINGS OF THE PREVIOUS REGULAR MEETING OF OCTOBER 21, 2013.
5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
  - A. Resolution approving budget transfers as specified per S/HM
  - B. Resolution approving the increase of expenditure line DB.5112.0449 and revenue line DB.3501.0000 by \$50.00 to maximize the CHIPS aid per S/HM
  - C. Resolution approving the increase by \$16,890.00 the appropriation and expenditure line A.7510.0459 to close Capital Fund Reserve A.0878 at fiscal year-end per S/HM
  - D. Resolution approving the increase by \$1,160.50 the expenditure line SI.8130.0402 of the 2013 Budget and said expenditures will be charged to Sewer District #1 fund balance SI 909 at fiscal year-end per S/HM
  - E. Motion to approve Alden Chamber of Commerce's request to use Town Park Community Center and Facilities for Christmas in the Park 2013 per CW/MR
  - F. Resolution authorizing the hiring of Eastern Tank Services to sandblast and repaint the plow of Hwy. Truck # 16 at a total cost of \$795.00 per CW/MR
  - G. Resolution authorizing the hiring of GJ Edbauer to sandblast and repaint the dump box of Hwy. Truck #16 at a total cost of \$2,540.00 perCW/MR
  - H. Resolution approving the purchase of five (5) 132 inch rubber cutting edges from Morrison Supply Co. for a total cost of \$1,540.00 per S/HM
  - I. Resolution adopting the final Special District and Special Improvement District Budget for the Fiscal Year beginning January 1, 2014 per S/HM
  - J. Resolution adopting the final General Fund Budget for the Fiscal Year beginning January 1, 2014 per S/HM
  - K. Resolution authorizing Supervisor Milligan to enter into and execute all necessary documents to effectuate the Contract with the County of Erie to remove snow, to sand and to control ice and snow on some of the County Roads located within the Town of Alden per S/HM
  - L. Resolution approving the hiring of Jim Porebski, PE to design the replacement tank, draw the replacement tank plans and draw the installation and demolition specs for the removal of the old tank at the Alaura Sewer Plant at a total cost of \$3,600.00 per S/HM
  - M. Resolution authorizing Supervisor Milligan to enter into and execute all necessary documents to effectuate the Intermunicipal Facility Use Agreement with the Alden Central School for the Term of September 1, 2013 through June 30, 2014 per S/HM
  - N. Resolution approving the hiring of Schroder, Joseph & Associates, LLP as Special Counsel to the Town of Alden to represent the Town of Alden in its Alden Highway Employee's Collective Bargaining Agreement Negotiations per S/HM
  - O. Resolution SEQR/Site Plan Approval for Mark Metz/12704 North Rd. per S/HM
9. UNFINISHED & TABLED BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:  
WORK SESSION: TUESDAY, NOVEMBER 12, 2013 @ 7:00 PM  
REG. BOARD MEETING: NOVEMBER 18, 2013 @ 7:00 PM
13. MEMORIAL ADJOURNMENT: Deborah Krazeminski

**TOWN CLERK'S OFFICE**

**ALDEN TOWN BOARD**

**FOR INFORMATION  
716-937-6969 EXT. 2**

**RALPH P. WITT, TOWN CLERK  
DEBRA A. CRIST, DEPUTY**

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 21, 2013 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilwoman Riddoch led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

Approved the Minutes and Synopsis of the Regular Meeting of OCTOBER 7, 2013.

PROCLAMATION HONORING THE LATE COUNCILMAN WILLIAM WEBER  
VOUCHERS

PUBLIC HEARING REGARDING THE PRELIMINARY BUDGET OF THE TOWN OF ALDEN FOR THE  
YEAR 2014

PUBLIC HEARING REGARDING THE SPECIAL DISTRICT BUDGET OF THE TOWN OF ALDEN FOR THE  
YEAR OF 2014.

Adopted Resolution approving Robert M. Kasper and Robert T. Johnson for Membership in the  
Millgrove Volunteer Fire Department.

Adopted Resolution approving the purchase of one (1) gator utility vehicle (more specifically a  
John Deere Gator TS) on State Bid Pricing for \$6,783.84 and the matching ball field finisher on  
State Bid Pricing for \$1,818.00 plus \$200 freight from Z & M Ag & Turf for a total purchase of  
\$8,801.84.

Adopted Resolution declaring Lead Agency/SEQR for Cummings/Lesswing Rd., Subdivision.

Adopted Resolution approving the construction of a shelter, using already purchased materials, in  
the Town Park by All Season Construction, Inc. for a total cost of \$2,500.00 per specs.

Adopted Resolution certifying that the .40 acre portion of the parcel/13140 Main St. is useful for  
town park purposes and that the Town of Alden will improve and maintain said land for Town  
Park purposes.

Adopted Resolution authorizing Harry F. Milligan, Supv. to sign, submit and execute contracts  
with the Erie County Community Development Block Grant (ECCDBG) program for the Acquisition  
of a Senior Citizen Van.

Adopted Resolution honoring Gillen's Expert Auto as recipient of the Alden Chamber of  
Commerce 2013 Business of the Year.

Adopted Resolution recognizing and honoring the late Councilman William Weber.

Approved Motion to renew the Home Occupation Permit for Mary Jane Wojnar/11385  
Broadway/Florist Shop.

Approved Motion to allow Alden Youth Baseball to use the Community Center on requested  
dates.

Adopted Resolution authorizing the Alden Town Clerk to advertise for bids as outlined in the legal  
notice to Bidders and the Request for Proposal for Engineering Services/re Zoeller & Exchange  
Water District projects.

Adopted Resolution declaring Lead Agency and SEQR for Southern Tier Property Management

Supervisor Milligan adjourned the meeting at 7:27P.M. with a Moment of Silence in Memory of  
Del Weir, Marie Slubecky and Councilman William Weber

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 21, 2013 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilwoman Riddoch 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, Town Attorney  
Mike Metzger, Town Engineer  
Gary Wagner, Planning Board  
Len Weglarski, DCO

Councilwoman Riddoch opened the meeting with a Proclamation in honor of the late Councilman William Weber.

Supervisor Milligan Moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and synopsis of the Regular Meeting of October 7, 2013.

**CARRIED.**

Ayes 2 Milligan & Riddoch  
Nays 0

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$ 34,975.24		\$34,975.24
HIGHWAY FUND "DA/DB"	20,757.62		20,757.62
PART-TOWN FUND "B"	3,374.60		3,374.60
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"			
SD#2 FUND "SA"	2,760.03		2,760.03
TRUST/AGCY FUND "T"			
SP REFUSE FUND "SR"	35,248.84		35,248.84
STREET LIGHTING FUND "SL"	5,861.75		5,861.75
PERIWINKLE LTG. "SL1"	38.09		38.09
GRANTS	6,407.00		6,407.00
TOTALS	\$114,730.19		\$114,730.19

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY

**ADOPTED**

Ayes 2 Milligan & Riddoch  
Nays 0

AT 7:05 P.M. SUPERVISOR MILLIGAN MOVED TO ADJOURN THE REGULAR MEETING AND ENTER INTO PUBLIC HEARING #1 REGARDING THE PRELIMINARY BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014, COUNCILWOMAN RIDDOCH SECONDED THE MOTION.

**CARRIED.**

Ayes 2 Milligan & Riddoch  
Nays 0

TOWN CLERK RALPH WITT READ THE NOTICE OF PUBLIC HEARING THAT WAS PUBLISHED IN THE ALDEN ADVERTISER.

SUPERVISOR MILLIGAN OPENED THE FLOOR FOR PUBLIC COMMENT.

SUPERVISOR MILLIGAN'S SECRETARY/BUDGET OFFICER COLLEEN ROGERS WAS PRESENT TO ANSWER QUESTIONS.

MATT HERDZIK, S. WOODSIDE DR. QUESTIONED AS TO WHETHER A DECISION HAD BEEN MADE CONSIDERING THE ASSESSOR, AS THEY ONCE TALKED ABOUT SHARING AN ASSESSOR WITH NEWSTEAD. HIS POSITION IS IN THE BUDGET FOR THE NEXT YEAR.

MR. STAINBROOK, NORTH RD. ASKED IF THIS REPRESENTS AN INCREASE IN EXPENSES? SUPERVISOR MILLIGAN SAID THAT MOST OF THE EMPLOYEES GOT A 3% INCREASE. THE TOTAL TAX INCREASE IS 1.4%. A COPY OF THE BUDGET IS AVAILABLE IN THE TOWN CLERK'S OFFICE. BUDGET OFFICER COLLEEN ROGERS SAID THE BUDGET WILL BE AVAILABLE ON LINE SHORTLY IF IT IS NOT ALREADY ON. TOWN CLERK WITT SAID THE INCREASE WOULD PROBABLY MEAN AN INCREASE OF \$5.00 TO \$10.00 ON TAXES.

AT 7:09 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, SUPERVISOR MILLIGAN MOVED TO CLOSE THE PUBLIC HEARING REGARDING THE PRELIMINARY BUDGET OF THE TOWN OF ALDEN, COUNCILWOMAN RIDDOCH SECONDED THE MOTION.

CARRIED.

Ayes 2 Milligan & Riddoch

Nays 0

AT 7:10 P.M. SUPERVISOR MILLIGAN MOVED TO ENTER INTO PUBLIC HEARING #2 REGARDING THE SPECIAL DISTRICT BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014, COUNCILWOMAN RIDDOCH SECONDED THE MOTION.

CARRIED.

Ayes 2 Milligan & Riddoch

Nays 0

TOWN CLERK RALPH WITT READ THE NOTICE OF PUBLIC HEARING THAT APPEARED IN THE ALDEN ADVERTISER.

SUPERVISOR MILLIGAN OPENED THE FLOOR FOR PUBLIC COMMENT.

SUPERVISOR MILLIGAN SAID THAT THIS IS A DISTRICT TAX REGARDING WATER LINES, LIGHTING FIXTURES & FIRE DISTRICTS. THIS PART OF THE BUDGET THE TOWN DOES NOT HAVE MUCH CONTROL OVER.

MR. STAINBROOK WANTED TO KNOW IF THIS WOULD AFFECT HIS TAXES. COLLEEN ROGERS, BUDGET OFFICER SAID THAT THE FIRE DISTRICT & LIGHTING, NOT THE WATER DISTRICT TAX. ONLY SERVICES HE WOULD USE.

AT 7:13 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, SUPERVISOR MILLIGAN MOVED TO CLOSE THE PUBLIC HEARING REGARDING THE SPECIAL DISTRICT BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014, AND ENTER BACK INTO THE REGULAR MEETING, COUNCILWOMAN RIDDOCH SECONDED THE MOTION.

CARRIED.

Ayes 2 Milligan & Riddoch

Nays 0

#### BUSINESS FROM THE FLOOR

Supervisor Milligan welcomed students to the meeting and asked that in the future if they could give back to their Community either in political efforts, Kiwanis or be a soccer coach.

Mr. Ed Earsing, S. Woodside Dr. wanted to know about the money that was left over in Water District #3 when it was turned over to E.C.W.A. Budget Officer Colleen Rogers said that over a 5 year period it will be returned to customers in that district as a reduction in their tax bills. The amount is \$127,000.00.

#### COMMUNICATIONS

Town Clerk Ralph Witt:

Correspondence was received from the Board of Elections regarding the upcoming election in November. A Copy of the ballot was received and posted by the Town Clerk's office.

**Attorney Jennifer Strong:**

She followed up again with the school attorney asking him to please review the agreement and has not heard back.

**Councilwoman Riddoch:**

A text was received from Bob Meyers from AJF; they received many compliments on how awesome the football field looked all year, especially this Saturday with the pink lines. What a great tribute to you and everybody that worked on these fields. The park is really developing. Please share our thanks to all.

**Supervisor Milligan:**

A letter was received from Adam Stoltman regarding dedicating a new flag pole on the High School athletic field on November 1, 2013 at 6:45 P.M. to all present, past and future servicemen and servicewomen from Alden.

**NEW BUSINESS**

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MILLIGAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN RIDDOCH 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 Robert M. Kasper and Robert T. Johnson 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 Robert M. Kasper and Robert T. Johnson 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 21, 2013 and **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, the Town of Parks Supervisor has advised the Town Board that the Parks Department is in need of one (1) John Deere Gator Utility Vehicle with ball field finisher which will be purchased pursuant to State Bid;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the State Contract;

WHEREAS, The Town Board after full and careful review and consideration of the request finds said request to purchase a new gator utility vehicle with ball field finisher as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of one (1) gator utility vehicle (more specifically a John Deere Gator TS), as described on the attached State Bid Pricing Summary for \$6,783.84 and the matching ball field finisher, also on State Bid, from Z&M Ag and Turf for \$1,818,00 plus \$200 freight, for a total purchase of \$8,801.84;
2. That the Parks 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 21, 2013, and

**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 by Christopher Cummings for the subdivision of three (3) lots. The entire parcel currently consists of approximately 36.1 acres on Lesswing Road in the Town of Alden, further identified as SBL #85.00-6-7.121. The first proposed lot ("Parcel A") would be a 27.553 acre parcel; the second proposed lot ("Parcel B") would be a 2.266 acre parcel; and third parcel ("Parcel C") would be the remaining 7.180 acre parcel containing the existing house (The "Proposed Action");

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

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

WHEREAS, the Town Building Inspector is directed to provide notice to the Erie County Division of Planning for this Proposed Action, 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 Action 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 Proposed Action.
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 October 21, 2013, and

**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;

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 21, 2013, and **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, Alden Town Councilman, passed away Wednesday October 9, 2013 at the young age of 62.

WHEREAS, a retired Alden High School Teacher and wrestling coach; local Christmas Tree farmer; loving husband and family man; outdoorsmen; classic car enthusiast; and Town Councilman, Bill was deeply devoted and committed to the Alden Community.

WHEREAS, After dedicating his life to teaching Alden students for 33 years, he continued in service to his community by seeking and winning election to the Alden Town Board in 2006.

WHEREAS, as a teacher and coach, Mr. Weber, was well respected by his students and peers. He touched the lives of every student he taught and each student could clearly see his love of teaching and that he cared about each and every one of them. As a Councilman, Bill has always been available to any Town Employee, Official or resident to share his vast knowledge of so many subjects.

WHEREAS, as a Councilman and Deputy Supervisor, Bill was well respected by fellow Town Official and Employees and residents, serving on many Town Committees. Councilman Weber was instrumental in bringing new water districts to the Town, assisting the Planning Board in its duties; looking for new uses for the Erie County Home; and helping numerous residents solve drainage issues. No matter how the difficult the issue before the Town was, Bill's vast knowledge, honesty, level-head and concern for the persons involved, was always evident and he helped the Town successfully resolve many issues.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board, on behalf of all Town Officials and Employees, extends its deepest sympathies to the Weber Family; and
2. The Alden Town Board hereby recognizes and honors Councilman Bill Weber for his lifelong dedication to the Alden Community and for his hard work, honesty, and integrity as he served his community and the Town of Alden. The Town of Alden will long remember his dedication and love of life. May we all be inspired to serve as selflessly as he did.
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 21, 2013 and was

**ADOPTED.**

Ayes 2 Milligan & Riddoch  
Nays 0

Councilwoman Riddoch moved and Supervisor Milligan seconded the Motion to renew the Home Occupation Permit for Mary Jane Wojnar/11385 Broadway/Florist Shop.

**CARRIED**

Ayes 2 Milligan & Riddoch  
Nays 0

Supervisor Milligan moved and Councilwoman Riddoch seconded the Motion to approve Alden Youth Baseball's request to use the Community Center for meetings on requested dates.

**CARRIED**

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 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 is seeking proposals for engineering served in connection with the design and Construction of said Water Districts.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes and directs the Alden Town Clerk to advertise for bids as outlined in the attached Legal Notice to Bidders and the Request for Proposal for Engineering Services;
2. The Town Board hereby authorizes and directs the Town Clerk to publish the Legal Notice in the Alden Advertiser;
3. Interested parties shall submit proposals to the Town Clerk's Office no later than 2:00 PM on November 22, 2013 when the bids shall be publically opened by the Town Clerk; and
4. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 21, 2013, and **ADOPTED.**

Ayes 2

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 COUNCILWOMAN RIDDOCH TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application by Southern Tier Property Management, LLC. for the subdivision of two (2) lots. The entire parcel currently consists of approximately 14.08 acres on Broadway and Bonnie Lake Drive in the Town of Alden, further identified as SBL #118.10-1-19. The first proposed lot ("Parcel A") would be approximately 13 acres and contains the existing building and the second proposed lot ("Parcel B") would be the remaining approximately one acre vacant parcel (The "Proposed Action");

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

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

WHEREAS, the Town Building Inspector is directed to provide notice to the Erie County Division of Planning for this Proposed Action, 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 Action 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 Proposed Action.

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 October 21, 2013, and

ADOPTED.

Ayes 2 Milligan & Riddoch

Nays 0

THERE WAS NO UNFINISHED OR TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch:

Reported that we have all the work in for the Senior Van and the Grant writer will be filing on Friday.

NOTICE OF MEETINGS:

NEXT WORK SESSION:

NEXT REGULAR MTG.:

Monday, October 28, 2013 @ 7:00 P.M.

Monday, November 4, 2013 @ 7:00 P.M.

MEMORIAL ADJOURNMENT

Supervisor Milligan adjourned the Meeting at 7:27 P.M. with a Moment of Silence in Memory of Del Weir, Marie Slubecky and Councilman William Weber.



Ralph Witt  
Town Clerk

Oct. 2013

COUNCILMAN \_\_\_\_\_ MOVED AND COUNCILMAN \_\_\_\_\_  
 SECONDED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID.

ACCOUNT	AMOUNT		TOTAL
	ABSTRACT #1	ABSTRACT #2	
GENERAL FUND "A"	\$34,975.24	\$20,323.11	\$55,298.35
HIGHWAY FUND "DA/DB"	\$20,757.62	\$13,321.47	\$34,079.09
PART-TOWN FUND "B"	\$3,374.60	\$1,712.58	\$5,087.18
COMMUNITY DEV. FUND "CD"			\$0.00
CAPITAL IMPROV. "HC"			\$0.00
WATER DIST. #1 FUND "WA"			\$0.00
WATER DIST. #2 FUND "WB"	\$260.57		\$260.57
WATER DIST. #3 FUND "WC"	\$3,920.19		\$3,920.19
WATER DIST. #4 FUND "WD"	\$1,126.26		\$1,126.26
SPECIAL FIRE PROTECTION "SF"			\$0.00
SEWER DIST. #1 FUND "SI"			\$0.00
SEWER DIST. #2 FUND "SA"	\$2,760.03	\$954.00	\$3,714.03
TRUST & AGENCY FUND "T"		\$3,324.34	\$3,324.34
SPECIAL REFUSE FUND "SR"	\$35,248.84		\$35,248.84
STREET LIGHTING FUND "SL"	\$5,861.75		\$5,861.75
CAPITAL IMPROV. "H"			\$0.00
PERIWINKLE LTG. DIST."SL1"	\$38.09		\$38.09
GRANTS	\$6,407.00		\$6,407.00
CAPITAL WD FUND "HG"			\$0.00
TOTAL	\$114,730.19	\$39,635.50	\$154,365.69

(A.)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER \_\_\_\_\_ WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER \_\_\_\_\_

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 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:

The Alden Town Board hereby authorizes the following transfers:

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
A. 1910.0400	\$6,060.79	A. 1440.0415	Engineering Fees Zoeller Rd/Exchange St.	\$6,060.79
A. 1910.0400	\$3,743.32	A. 1610.0200	Bal own Wide Computer Update	\$3,743.32
A. 1910.0400	\$3,000.00	A. 1930.0400	Gattuso Lawsuit	\$3,000.00
A. 1910.0400	\$2,732.99	A. 7110.041.3	Bal. Resurface Park Roads	\$2,732.99
B. 8540.0419	\$6,374.40	B. 9060.0800	Bal. Health Insurance C.E.O.	\$6,374.40
			TOTAL	\$21,911.50

The Resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on November 4, 2013 as follows:

Supervisor Milligan	Aye	Nay
Councilwoman Riddoch	Aye	Nay

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11

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER  
\_\_\_\_\_ WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILMEMBER \_\_\_\_\_

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

WHEREAS, the Town has received and accepted bids for repair of the roof at the Alden Historical Society. The project has been completed and payment made;

WHEREAS, The Town of Alden is requesting an increase in the appropriation and expenditure line A. 7510.0459 in the amount \$16,890.00. Said expenditure will close to the Capital Fund Reserve A. 0878 at fiscal year end;

WHEREAS, this increase will not render the Town of Alden insolvent.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

The Alden Town Board increases by 16,890.00 the appropriation and expenditure line A. 7510.0459 and that said expenditure will close to Capital Fund Reserve A. 0878 at fiscal year end.

This resolution shall take effect immediately.

The forgoing Resolution was duly put to a roll call vote at a regular meeting on November 4, 2013 as follows:

Supervisor Milligan	Aye	Nay
Councilwoman Riddoch	Aye	Nay



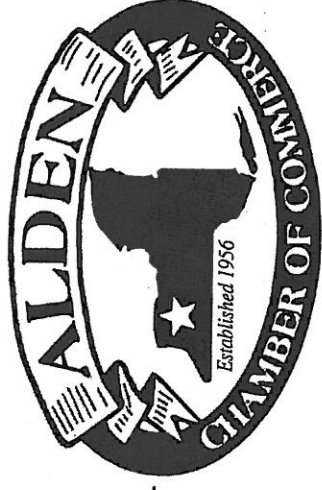
(E)

MOTION TO APPROVE ALDEN  
CHAMBER OF COMMERCE REQUEST

TO USE TOWN PARK COMMUNITY CENTER  
AND FACILITIES FOR CHRISTMAS  
IN THE PARK PER C/MR

13500 Broadway  
Alden, New York 14004

Phone 716-937-6177  
Fax 716-937-4106



*NOV 2013*

October 22, 2013

Mr. Bud Milligan, Supervisor  
Alden Town Board  
3311 Wende Road  
Alden, N Y 14004

Dear Bud,

This is to inform you that the Alden Chamber of Commerce will be co-sponsoring "Alden's Christmas in the Park" with the Town of Alden Recreation Department on Saturday, December 7, 2013. This annual event draws quite a large crowd because of the varied activities for all age groups. The safety of the community is of top priority and therefore the Chamber has solicited the help of the Village of Alden and the Alden Hook and Ladder Company to handle traffic and parking concerns.

On the schedule for the day are activities coordinated by the Alden Town Recreation Department that will be held in the Town of Alden Park, and arts and crafts demonstrations in the Alden Community Center.

For further assistance or coordination please contact Gary Wagner at 937-8960 or (cell) 570-7459.

Sincerely,

Alden Chamber of Commerce

*copy*



F

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMEMBER \_\_\_\_\_, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMEMBER  
\_\_\_\_\_

WHEREAS, the Alden Town Board has received a request from the Highway Superintendent to sandblast and repaint the plow of Highway Truck # 16 the estimated cost of which is greater than \$500.00 but less 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, written request for proposals (as per the attached specs) were made by the Highway Department to four (4) vendors and received, as follows:  
the highest bidder is Hillcrest Inc at \$2,100.00;  
the second highest bidder is Morrison Supply Co. at \$1,200.00;  
the third highest bidder is GJ Edbauer at \$980.00; and  
the lowest bidder is Eastern Tank Services at \$795.00.

WHEREAS, Eastern Tank Services is deemed the lowest responsible bidder; 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 hiring of Eastern Tank Services to sandblast and repaint the plow of Highway Truck # 16 at a total cost of \$795.00;
2. The Highway Superintendent 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 November 4, 2013, as follows:

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

G

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMEMBER \_\_\_\_\_, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMEMBER  
\_\_\_\_\_

WHEREAS, the Alden Town Board has received a request from the Highway Superintendent to sandblast and repaint the dump box of Highway Truck # 16 the estimated cost of which is greater than \$2,000.00 but less than \$35,000.00;

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, written request for proposals (as per the attached specs) were made by the Highway Department to four (4) vendors and received, as follows:  
the highest bidder is Eastern Tank Services at \$ 3,026.00;  
the second highest bidder is Hillcrest Inc. at \$3,000.00;  
the third highest bidder is Morrison Supply Co at \$2,800.00; and  
the lowest bidder is GJ Edbauer at \$2,540.00.

WHEREAS, GJ Edbauer is deemed the lowest responsible bidder; 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 hiring of GJ Edbauer to sandblast and repaint the dump box of Highway Truck # 16 at a total cost of \$2,540.00;
2. The Highway Superintendent 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 November 4, 2013, as follows:

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

H.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMEMBER \_\_\_\_\_, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMEMBER  
\_\_\_\_\_

WHEREAS, the Alden Town Board has received a request from the Highway Superintendent to purchase five (5) 132 inch rubber cutting edges for the Town snowplows, the estimated total cost of the rubber cutting edges is less than \$2,000.00 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must obtain quotes from at least two (2) vendors;

WHEREAS, requests for proposals were made by the Highway Department to three (3) vendors and quotes received as follows:

- the highest bidder is George & Swede at \$1,995.00 (or \$399.00 per blade);
- the second highest bidder is US Rubber Co at \$1,686.70 (or \$337.34 per blade); and
- the lowest bidder is Morrison Supply Co at \$1,540.00 (or \$308.00 per blade);

WHEREAS, Morrison Supply Co is the lowest responsible bidder; 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 of the above described rubber cutting edges.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of five (5) 132 inch rubber cutting edges from Morrison Supply Co for a total cost of \$1,540.00, including all delivery charges;
2. The Highway Superintendent 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 November 4, 2013, as follows:

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

(7)

THE FOLLOWING RESOLUTION WAS OFFERED BY  
\_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY \_\_\_\_\_

WHEREAS, Colleen Rogers, Budget Officer of the Town of Alden on September 30, 2013, duly filed the Tentative Special District and Special Improvement District Budget of the Town of Alden for the Town's Fiscal Year beginning January 1, 2014, with the Alden Town Clerk;

WHEREAS, Alden Town Clerk, Ralph P. Witt, duly presented the Tentative Special District and Special Improvement District Budget to the Alden Town Board on October 7, 2013;

WHEREAS, The Alden Town Board after full and careful review and consideration of the Tentative Special District and Special Improvement District Budget recommended the approval of the same, making the Tentative Special District and Special Improvement District Budget the Preliminary Special District and Special Improvement District of the Town of Alden for Fiscal Year 2014;

WHEREAS, on October 7, 2013, the Alden Town Board duly called a public hearing on the Preliminary Special District and Special Improvement District Budget, notice of which public hearing was duly published and posted;

WHEREAS, the Preliminary Special District and Special Improvement District Budget was duly filed in the Office of the Alden Town Clerk for inspection by the public;

WHEREAS, the Alden Town Board conducted a public hearing on the Preliminary Special District and Special Improvement District Budget for Fiscal Year 2014, on October 21, 2013. At which time all persons interested in the same were heard; and

WHEREAS, the Budget Officer has reported to the Office of the State Comptroller proof of her calculations confirming that the tax levy limit.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

- 1. The Alden Town Board hereby adopts the final Special District and Special Improvement District Budget for the Fiscal Year beginning January 1, 2014;
- 2. That the Town Clerk shall prepare and certify, in duplicate, copies of said Special District and Special Improvement District Budget and deliver the same to Supervisor Milligan to be presented to the Board of Legislators of Erie County; and
- 3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting held on November 4, 2013, as follows:

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

THE FOLLOWING RESOLUTION WAS OFFERED BY

\_\_\_\_\_, WHO MOVED ITS ADOPTION,

SECONDED BY \_\_\_\_\_

WHEREAS, Colleen Rogers, Budget Officer of the Town of Alden on September 30, 2013, duly filed the Tentative Budget of the Town of Alden for the Town's Fiscal Year beginning January 1, 2014, with the Alden Town Clerk;

WHEREAS, Town Clerk, Ralph P. Witt, duly presented the Tentative Budget to the Alden Town Board on October 7, 2012;

WHEREAS, The Alden Town Board after full and careful review and consideration of the Tentative Budget recommended the approval of the Tentative Budget, making the Tentative Budget the Preliminary Budget of the Town of Alden for Fiscal Year 2013;

WHEREAS, on October 15, 2013, the Alden Town Board duly called a public hearing on the Preliminary Budget, notice of said public hearing was duly published and posted;

WHEREAS, the Preliminary Budget was duly filed in the Office of the Alden Town Clerk for inspection by the public; and

WHEREAS, the Alden Town Board conducted a public hearing on the Preliminary General Fund Budget for Fiscal Year 2013, on October 21, 2013. At which time all persons interested in the Preliminary General Fund Budget were given the opportunity to be heard.

WHEREAS, the Budget Officer has reported to the Office of the State Comptroller proof of her calculations confirming that the tax levy limit.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

- 1. The Alden Town Board hereby adopts the final General Fund Budget for the Fiscal Year beginning January 1, 2014;
- 2. The Town Clerk shall prepare and certify, in duplicate, copies of said General Fund Budget and deliver the same to Supervisor Milligan to be presented to the Legislature of Erie County.
- 3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a special meeting held on November 4, 2013, as follows:

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILPERSON \_\_\_\_\_  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCILPERSON \_\_\_\_\_**

WHEREAS, the County of Erie is responsible for maintaining many roads located within the Town of Alden;

WHEREAS, the County of Erie would like to contract with the Town of Alden from September 1, 2013 through August 31, 2016 to allow the Town of Alden to remove snow, to sand, and to control ice and snow on some of the County Roads located within the Town of Alden;

WHEREAS, the proposed Contract will pay the Town of Alden fair and adequate consideration for its winter road maintenance services on County Roads; and

WHEREAS, The Town Board after full and careful review and consideration of the County's request finds that it is in the public interest to enter into the proposed Contract with the County of Erie;

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

1. That the Town Board does hereby authorize Supervisor <sup>Milligan</sup>~~Smith~~ to enter into and execute all necessary documents to effectuate the Contract with the County of Erie;
2. The Town Clerk is directed to mail two (2) certified counterparts of this Resolution; two (2) Contracts executed by the Supervisor and Insurance Certificates to the County of Erie.
3. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting on November 4, 2013, the results of which were as follows:

Councilperson Riddoch	AYE	NAY
Supervisor Milligan	AYE	NAY

2.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMEMBER \_\_\_\_\_, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMEMBER  
\_\_\_\_\_

WHEREAS, the Alden Town Board has noticed the need to replace the aeration tank at the Aurora Sewer Plant and needs to have the specifications for the tank replacement prepared by a licensed engineer;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that professional services are exempt from the Guidelines;

WHEREAS, a request for proposal was made by the Town to Jim Porebski, PE to design the replacement tank, draw the replacement tank plans, and draw the installation and demolition specs for the removal of the old tank at a total cost of \$3,600.00;

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 design work.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of Jim Porebski, PE to design the replacement tank, draw the replacement tank plans, and draw the installation and demolition specs for the removal of the old tank at the Alaura Sewer Plant at a total cost of \$3,600.00;
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this project; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 4, 2013, as follows:

Councilmember Riddoch	Aye	Nay
Supervisor Milligan	Aye	Nay

M

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILPERSON \_\_\_\_\_  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCILPERSON \_\_\_\_\_**

WHEREAS, the Town of Alden has requested permission from the Alden Central School for use of various sports fields; gymnasiums, and the high school pool (“School Facilities”) and for purposes of the Town’s Recreation Program;

WHEREAS, the Alden Central School has requested permission from the Town of Alden for use of its various sports fields in the Town Parks (“Town Facilities”) for School sports programs;

WHEREAS, each party has reviewed its costs and expenses incurred or expected to be incurred as a result the parties would like to enter into an Intermunicipal Facility Use Agreement;

WHEREAS, The Town grants permission to the School to use said Town Facilities, for its sports programs as mutually determined by the parties and the School grants permission to the Town to use the School Facilities for its Recreation Program, as mutually determined by the parties for a fee of \$1,200.00 and pursuant to the Intermunicipal Facility Use Agreement; and

WHEREAS, the Town of Alden believes that it is in the best interests of its residents to enter into the Intermunicipal Facility Use Agreement;

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS

1. That the Town Board does hereby direct and authorize Supervisor Milligan to enter into and execute all necessary documents to effectuate the Intermunicipal Facility Use Agreement with the Alden Central School for the term of September 1, 2013 through June 30, 2014; and
2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting, on November 4, 2013 as follows:

Councilperson Riddoch	AYE	NAY
Supervisor Milligan	AYE	NAY



THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMEMBER \_\_\_\_\_, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMEMBER  
\_\_\_\_\_

WHEREAS, the Town Board desires to retain special counsel to represent the Town of Alden in the negotiations of the Highway Employee's Collective Bargaining Agreement;

WHEREAS, hiring an attorney falls under the professional service exemption of the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. Schroder, Joseph & Associates, LLP is hereby hired as Special Counsel to the Town of Alden to represent the Town of Alden in its Collective Bargaining Agreement Negotiations;
2. The Supervisor is hereby directed ad authorized to sign a Retainer Agreement with Schroder, Joseph & Associates, LLP; and
3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on November 4, 2013, which resulted as follows:

Councilmember Riddoch	Aye	Nay
Supervisor Milligan	Aye	Nay



THE FOLLOWING RESOLUTION WAS OFFERED BY

\_\_\_\_\_, WHO MOVED ITS ADOPTION,

SECONDED BY \_\_\_\_\_

WHEREAS, the Town Board of the Town of Alden is considering an application by Mark Metz , under § Chapter 20, Article III of the Town of Alden Code for site plan review of the proposed construction of pole barn and contractors yard located in an RA District (the “proposed action”) at 12704 North Road in the Town of Alden, County of Erie and State of New York, further identified by SBL # 108.00-1-11.112; 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 has notified the involved agencies;

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; has the greatest capacity for providing the most thorough environmental assessment of the proposed action; and is the most local agent with permitting authority;

WHEREAS, the Town of Alden has provided notice to Erie County Planning on November 23, 2010, for this site plan review as required under Section 239-m of the General Municipal Law and a “no recommendation” was received on December 9, 2010;

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

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Applicant has prepared the 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 recommended the approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a proper review has been conducted;

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2. The Town Board has determined that the Town of Alden should be the lead agency for all environmental review of the Proposed Action;
3. 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 said Proposed Action;
4. That the Town Board of the Alden finds that the Proposed Action is consistent with the Town Code and approves the site plan; and
5. 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 November 4, 2013, the results of which were as follows:

Councilwomen Riddoch	AYE	NAY
Supervisor Milligan	AYE	NAY

State Environmental Quality Review  
Findings Statement

Pursuant to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617, the Alden Town Board as the Lead or an Involved Agency makes the following findings.

**Name of Action:** Metz Site Plan Approval

**Description of Action:** Approval of the Construction of a Pole Board and contractors yard located in an RA District

**Location:** 12704 North Road, Town of Alden

**Agency Jurisdiction:** Alden ZBA, Planning Board and Town Board

**Date Final Environmental Impact Statement Filed:** \_\_\_\_\_

**Facts and Conclusions Relied on to Support the Decision:**

Reasons Supporting This Determination: During review of this project, the Town of Alden assessed areas of environmental concern, and determined that no significant negative impacts would occur.

The Town of Alden, therefore, concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration. In reaching this decision, the Town of Alden carefully considered all "Criteria" for Determination of Significance listed in the SEQR Regulations (6 NYCRR 617.7).

**Certification To Approve/Fund/Undertake :**

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
3. (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Name of Agency

\_\_\_\_\_  
Signature of Responsible Official

\_\_\_\_\_  
Harry F. Milligan

\_\_\_\_\_  
Name of Responsible Official

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Title of Responsible Official

\_\_\_\_\_  
November 4, 2013

\_\_\_\_\_  
Date

Address of Agency

3311 Wende Road  
Alden, New York 14004

cc: Other Involved Agencies  
Applicant