

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 SPECIAL MEETING & REGULAR MEETING OF JANUARY 21, 2014.
5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
 - A. Motion to approve the renewal of the Hauler's Permit for Waste Management of New York, LLC for the Year 2014 per TC/DC
 - B. Resolution appointing Robert J. Meyer Sr. to the Town of Alden Planning Board, term expiring on December 31, 2015 and Herbert H. Schmidt, III to the Town of Alden Planning Board, his term to expire on December 31, 2018 per S/HM
 - C. Resolution re SEQR/NEG. DEC for Local Law #1 of the Year 2014, entitled "Amendment to the Zoning Law of the Town of Alden" per S/HM
 - D. Resolution adopting Local Law #1 of the Year 2014, entitled "Amendment to the Zoning Law of the Town of Alden" per S/HM
 - E. Motion to approve Marilla Car Truck Cycle Show Inc. request to use the Senior/Community Center for its Celebrity Dinner on July 26, 2014 and use of the Alden Town Park including shelters, Senior/Community Center and two band shells on July 27, 2014 for an automobile and motorcycle show; contingent upon the receipt no later than July 1, 2014 of items on list provided by Town Attorney Strong per CW/MR
 - F. Resolution authorizing the Town of Alden Assessor to advertise for bids as outlined in the Request for Proposal/Town-wide reassessment per S/HM
 - G. Resolution appointing Michelle Chrzanowski as Highway Secretary, appointment to expire 12/31/14 per CW/MR
 - H. Motion to refer LL#2 of 2014, a local law to increase the numbers of members of the Town of Alden Planning Board, to the Planning Board for review and recommendation per S/HM
 - I. Motion to approve the Home Occupation Permit renewal for Nancy Ann Goergen/850 W. Alaura Dr./Beauty Salon per TC/DC
 - J. Resolution approving the purchase and installation of three hot water tanks at the Town Hall from Kaminski Plumbing at a total cost of \$1850.00 per CW/MR
 - K. Resolution approving the transfer of funds/increase in Townwide hydrants per S/HM
 - L. Resolution approving the transfer of funds/cost increase ECWA/lease to direct serve 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: February 10, 2014 @ 7:00 PM
REG. BOARD MEETING (Tuesday) February 18, 2014 @ 7:00 PM
13. MEMORIAL ADJOURNMENT:

TOWN CLERK'S OFFICE
SYNOPSIS OF MEETING

ALDEN TOWN BOARD JANUARY 21, 2014 6:00 P.M.
7:00 P.M.

The Special Meeting and Regular Meeting of the Alden Town Board were held in the Town Hall at 3311 Wende Road on Tuesday, January 21, 2014. The Special Meeting was called at 6:00 P.M. and the Regular Meeting was called at 7:00 P.M. Supervisor Milligan called the Meetings to Order and Councilman Witt led in the Pledge of Allegiance. Roll Call was taken by the Town Clerk.

SPECIAL MEETING/EXECUTIVE SESSION

Approved the Minutes and Synopsis of the Regular Meeting of January 13, 2014.

PUBLIC HEARING regarding Local Law #1/2014 entitled "Amendment of the Zoning Law of the Town of Alden".

VOUCHERS

Approved Motion to renew the Hauler's Permit for Cascade Recovery U.S., Inc. for the Year 2014.

Motion Failed re Mark Moore/12328 Westwood Rd./Snowmobile Repairs.

Tabled Motion to approve the renewal of the Home Occupation Permit for Dean Adamski/12120 Westwood Rd./Sporting Goods Dealer.

Approved Motion re Alden Winterfest Committee's request to use the Town Park Facilities including the Community Center pending certificate of insurance. Town to provide (2) port a potties.

Resolution regarding NEG/DEC for Local Law #1/2014 tabled.

Resolution regarding adoption of Local Law #1/2014 tabled.

Adopted Resolution re contributions for health insurance premiums.

Adopted Resolution approving the Inter-Municipal Highway Shared Services Agreement.

EXECUTIVE SESSION

Supervisor Milligan adjourned the meeting at 8:26 P.M. with a Moment of Silence in Memory of Cheryl Begiers.

A Special Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Rd. on Tuesday, January 21, 2014 at 6:00 P.M. Supervisor Milligan called the Meeting to Order. The Roll Call was taken by the Town Clerk.

PRESENT:

Harry Milligan, Supervisor
Mary Riddoch, Councilwoman
Ralph Witt, Councilman

RECORDING SECRETARY:

Debra A. Crist, Town Clerk

OTHERS PRESENT:

Chris Snyder, CEO
Mike Dewitt, Planning Board Chair. (Present @ 2nd Spec. Mtg.)
Jennifer Strong, Town Attorney

At 6:05 P.M. Supervisor Milligan Moved to adjourn the Special Meeting and entered an Executive Session regarding a Personnel Matter. Councilwoman Riddoch seconded the Motion.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

At 6:57 P.M. Supervisor Milligan asked for a Motion to exit the Executive Session to enter into the Regular Meeting. Councilwoman Riddoch moved and Councilman Witt seconded the Motion.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

At 7:25 P.M. Supervisor Milligan Moved to Adjourn from the Regular Meeting and re-enter back into the Special Meeting regarding a Personnel Matter. Councilwoman Riddoch seconded the Motion.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

At 8:25 P.M. Councilman Witt moved to adjourn from the Special Meeting with No action taken. Councilwoman Riddoch seconded the Motion.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

THE SPECIAL MEETING ADJOURNED AT 8:25 P.M. WITH NO ACTION BEING TAKEN.



Debra A. Crist
Town Clerk

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, January 21, 2014 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilman Witt led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT:

Harry Milligan, Supervisor
Mary Riddoch, Councilwoman
Ralph Witt, Councilman

RECORDING SECRETARY

Debra A. Crist, Town Clerk

OTHERS PRESENT:

Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Ted Morton, E.C. Legislator
Mike DeWitt, Planning Board Chair.
Mike Fleming, Planning Board
Len Weglarski, DCO
Residents

Supervisor Milligan Moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Special Meeting of January 13th, 2014. Councilman Witt made corrections, so noted. **CARRIED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

At 7:05 P.M. Supervisor Milligan moved to adjourn from the Regular Meeting and enter into a Public Hearing regarding Local Law #1 of 2014 entitled "Amendment to the Zoning Law of the Town of Alden", Councilwoman Riddoch seconded the Motion.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

The Town Clerk read the Legal Notice that was published in the Alden Advertiser.

Supervisor Milligan opened the Floor for Public Comment.

There was no Public Comment.

At 7:06 P.M. Supervisor Milligan asked for Motion to adjourn from the Public Hearing. Councilwoman Riddoch moved and Councilman Witt seconded the Motion to adjourn from the Public Hearing and enter back into the Regular Meeting.

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

VOUCHERS # 1- 88

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH AND SECONDED BY COUNCILMAN WITT TO WIT;

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$88,127.05		\$88,127.05
HIGHWAY FUND "DA/DB"	141,602.49		141,602.49
PART-TOWN FUND "B"	15,922.59		15,922.59
CAPITAL IMPROV. "HC"			
WD#1 FUND "WA"			
CONSOLIDATED WATER "WR"	5,307.02		5,307.02
NEWSTEAD W.D. "WO"	4,751.87		4,751.87
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	1,980.18		1,980.18

TRUST/AGCY FUND "T"	1,102.64	1,102.64
SP REFUSE FUND "SR"	35,396.85	35,396.85
STREET LIGHTING FUND "SL"	6,826.67	6,826.67
PERIWINKLE LTG. "SL1"	47.98	47.98
GRANTS		
TOTALS	\$301,065.34	\$301,065.34

UPON ROLL CALL VOTE ON JANUARY 21, 2014 THE FOREGOING RESOLUTION WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

BUSINESS FROM THE FLOOR

Supervisor Milligan welcomed Erie County Legislator Ted Morton. Leg. Morton wanted to introduce himself and was available after the meeting for questions. Supervisor Milligan said that he was talking to the Mayor and he wanted him to remind Leg. Morton about the Erie County Home. He is aware of the situation and will follow up with Supervisor Milligan. Supervisor Milligan will be writing a letter to Mr. Lafredo reminding him that he promised to put money in this year's budget for the E.C.H.I. Leg. Morton said that it was brought up last week that the money has been appropriated to put a fence around the property. The County has not yet received the title from E.C.M.C. He is trying to do as much as he can at this time.

COMMUNICATIONS

Attorney Strong:

Comments were received at 6:09 P.M. this evening from Erie County regarding our Local Law #1/2014. She suggested that we table Resolution "G" this evening so the letter can be discussed at the next Work Session.

Supervisor Milligan:

A note was received from Meals on Wheels with the report for 2013. They put on 7,002 Meals in Alden and 7,961 Meals outside of Alden, with a total of 14,963 meals. A letter was received from Thomas Dearing regarding CDBG reviewing the applications for funding for 2014. The funding for the Senior Van was not approved.

NEW BUSINESS

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Hauler's Permit for Cascade Recovery U.S., Inc. for the Year 2014. Motion was put to a Roll Call Vote on January 21, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Supervisor Milligan moved and there were no seconds to renew the Home Occupation Permit for Mark Moore/12328 Westwood Rd./Snowmobile repair on January 21, 2014.

Motion FAILED as the Motion did not receive a second.

Councilwoman Riddoch moved to table the Home Occupation Permit Renewal for Dean Adamski/12120 Westwood Rd./Sporting Goods Dealer. Councilman Witt seconded the Motion. The Motion was put to a Roll Call Vote on January 21, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Hauler's Permit for Allied Waste Services of N.A. LLC for the Year 2014. Motion was put to a Roll Call Vote on January 21, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Supervisor Milligan moved and Councilwoman Riddoch seconded the Motion to approve Alden Winterfest Committee's Request to use the Town Park Facilities including the Community Center pending Certificate of insurance on January 31st and February 1, 2014. On the Question: Councilwoman Riddoch would like to ask the Board about the Town of Alden providing (2) two port a potties for the event as in the past. The Board had no objection. Motion was put to a Roll Call including the addition and put to a Roll Call Vote on January 21, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Councilwoman Riddoch Moved and Councilman Witt seconded the Motion to table "F" and "G" on the agenda concerning Local Law #1/2014. Motion put to a Roll Call Vote on January 21, 2014 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

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

WHEREAS, The Town Board needs to set the contribution rate for 2014 for health insurance premiums.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. Eligible employees and officials hired before January 1, 2012 will contribute 15% towards health insurance premiums for 2014. Eligible employees and officials hired after January 1 2012 will contribute 25% towards health insurance premiums for 2014.
2. This resolution shall take effect immediately.

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

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

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

WHEREAS, there had been a long tradition among the municipalities in Erie County and in neighboring counties to assist each other by providing materials, machinery, equipment and labor to other municipalities to assist the other municipality with the understanding that the municipality receiving the assistance will in return provide materials, machinery, equipment and/or labor of equal value;

WHEREAS, there have been concerns raised about issue of liability, labor agreements as well as how to ensure that the municipality receiving services compensates the municipality providing the services; and

WHEREAS, the Town Highway Superintendents Association of Erie County has proposed the adoption of Inter-municipal Highway Shared Service Agreements which could be entered into between municipalities to formalize the terms of the agreement, which agreement would authorize the Highway Superintendent to enter into the Highway Shared Services Agreement with other municipalities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby approves form of the Inter-Municipal Highway Shared Services Agreement.
2. The Town Board authorizes the Highway Superintendent to enter into agreements with other municipalities in accordance with the provisions of this agreement with the understanding that the Highway Superintendent will use his best efforts to ensure that in each case the Town of Alden is adequately compensated for the materials, equipment and labor provided by the Town

of Alden or adequately compensates another municipality for the materials, equipment and labor provided to the Town of Alden.

3. The Town Highway Superintendent is hereby authorized to execute a Inter-Municipal Highway Shared Services Agreement with other municipalities in accordance with the terms outlined above; and
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 held on January 21, 2014 and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

UNFINISHED & TABLED BUSINESS

NEG/DEC FOR LOCAL LAW #1/2014 AND ADOPTION OF LOCAL LAW #1/2014 WAS TABLED.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Attorney Strong:

Attorney Strong would like Local Law #1/2014 on the Work Session Agenda.

Councilwoman Riddoch:

Councilwoman Riddoch would like the renewal of the H.O.P. for Dean Adamski on the Work Session.

AT 7:25 P.M. SUPERVISOR MILLIGAN MOVED TO ADJOURN FROM THE REGULAR MEETING AND ENTER BACK INTO THE EXECUTIVE SESSION OF THE PREVIOUS SPECIAL MEETING REGARDING A PERSONNEL MATTER. COUNCILWOMAN RIDDOCH SECONDED THE MOTION. MOTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 21, 2014 AND WAS

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

AT 8:25 P.M. COUNCILMAN WITT MOVED TO ADJOURN FROM THE SPECIAL MEETING WITH NO ACTION TAKEN AND ENTER BACK INTO THE REGULAR MEETING, COUNCILWOMAN RIDDOCH SECONDED THE MOTION. MOTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 21, 2014 AND WAS

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

NOTICE OF MEETINGS:

NEXT WORK SESSION: January 27, 2014 @ 7:00 P.M.
NEXT TOWN BOARD MTG.: February 3, 2014 @ 7:00 P.M.

MEMORIAL ADJOURNMENT:

Supervisor Milligan adjourned the Meeting at 8:26 P.M. with a Moment of Silence in Memory of Cheryl Begiers.



Debra A. Crist
Town Clerk

(H.)

February 3, 2014

MOTION TO APPROVE THE RENEWAL OF THE HAULER'S PERMIT FOR WASTE MANAGEMENT OF NEW YORK, LLC. FOR THE YEAR 2014 per TC/DC

TOWN OF ALDEN
APPLICATION FOR HAULER'S PERMIT

To Receive, Collect, Transport and
Dispose of Garbage, Rubbish, Trash, and other Wastes

NAME OF APPLICANT Waste Management of New York, LLC

ADDRESS OF APPLICANT 10860 Olean Rd Chaffee, NY 14030

CONTACT PERSON Patty Warner PHONE 716-492-3404

NUMBER OF VEHICLES TO BE USED 2

MAKE AND LICENSE NUMBER OF EACH VEHICLE:

	<u>MAKE</u>	<u>LICENSE NUMBER</u>	
1.	<u>2011 - Mack</u>	<u>520553</u>	<u>89269 KA</u>
2.	<u>2013 Peterbilt</u>	<u>520575</u>	<u>80888 MC</u>
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____
12.	_____	_____	_____

X **INCLUDE TRUCK LIABILITY INSURANCE, COMPANY INSURANCE, AND
\$50.00 ANNUAL FEE (PAYABLE TO TOWN OF ALDEN) WITH
APPLICATION. SEND TO: ALDEN TOWN CLERK,
3311 WENDE ROAD, ALDEN, NEW YORK 14004**

(B.)

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

WHEREAS, the Alden Town Planning Board has advised the Alden Town Board that there is a vacancy on the Board, due to the resignation of Ralph Witt, for a term expiring in December, 2015 and another vacancy due to the natural expiration of the term of Gary Wagner; and

WHEREAS, the Town has advertised the vacancies in the Alden Advertiser and has received many applications; said applications having been carefully reviewed by the Town Board who has interviewed all candidates.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

- 3. The Town Board hereby appoints Robert J. Meyer, Sr., to the Town of Alden Planning Board, his term to expire on December 31, 2015, and hereby appoints Herbert H. Schmidt, III, to the Town of Alden Planning Board, his term to expire on December 31, 2018; both to be paid pursuant to the Town's schedule of salaries; and
- 4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote on February 3, 2014, as follows:

Councilmember Riddoch	Aye	Nay
Councilmember Witt	Aye	Nay
Supervisor Milligan	Aye	Nay

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THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL _____, WHO MOVED ITS ADOPTION,
SECONDED BY _____

WHEREAS, the Town Board of the Town of Alden has fully considered the adoption of Local Law No. 1 of the Year 2014, entitled “Amendment to the Zoning Law of the Town of Alden” (the “Proposed Action”); and

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

WHEREAS, the Town Clerk provided notice to the Erie County Division of Planning on November 19, 2013, for this Proposed Action, as required under Section 239-m of the General Municipal Law; and

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Town Board did assume Lead Agency status on December 16, 2013; and

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 December 10, 2013, recommended to the Town Board the approval of the Proposed Action. NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board did determine that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board did determine that it 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. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on February 3, 2014, the results of which were as follows:

Councilmen Witt	Aye	Nay
Supervisor Milligan	Aye	Nay
Councilwomen Riddoch	Aye	Nay

THE FOLLOWING RESOLUTION WAS OFFERED BY

_____, WHO MOVED ITS ADOPTION,

SECONDED BY _____

WHEREAS, a Proposed Local Law # 1 of 2014 entitled "Amendment of the Zoning Law of the Town of Alden" was introduced to the Alden Town Board for consideration by Councilwomen Riddoch November 18, 2013;

WHEREAS, the Town of Alden Planning Board reviewed the proposed Local Law and recommended to the Town Board its approval on December 10, 2013;

WHEREAS, an order was duly adopted by the Alden Town Board for a public hearing to be held by said Town Board on January 21, 2014, at 7:05 pm at the Alden Town Hall, 3311 Wende Road, Alden, New York 14004 to hear all interested parties on a proposed Local Law No. 1 of the Year 2014;

WHEREAS, notice of said public hearing was duly published in the Alden Advertiser;

WHEREAS, said public hearing was duly held on January 21, 2014 and no comment was received;

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Alden Town Board, as Lead Agency, that adoption of said proposed Local Law is an Unlisted Action and will not have a significant effect upon the environment;

WHEREAS, the Erie County Division of Planning was given section 239-m of the notice on November 19, 2013 and the Town Board has fully reviewed and considered the comments given by the County;

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law on November 19, 2013; and

WHEREAS, the Alden Town Board, after due deliberation, finds it in the best interest of said the Town of Alden to adopt said Local Law.

BE IN ENACTED BY THE TOWN BOARD OF THE TOWN OF ALDEN AS FOLLOWS:

SECTION 1. TITLE

This Law shall be known as Local Law No. 1 of the Year 2014 entitled "Amendment to the Zoning Law of the Town of Alden " .

SECTION 2. PURPOSE

The purpose of this to amend the Zoning Law to amend and clarify permitted uses in an R-A zoning district.

SECTION 3. AMENDMENT OF CODE

The Zoning Law of the Town of Alden as originally adopted on July 6, 1992 by Local Law No. 1 of 1992 and amended on March 20, 1995 by Local Law 1-1995; June 5, 2000 by Local Law 4-2000; September 5, 2006 by Local Law 1-2006; December 3, 2007 by Local Law 9-2007; and on August 3, 2009 by Local Law 2- 2009; and on December 6, 2010 by this Local Law No. 6 of the Year 2010, and as amended below by this local law as follows:

§ 20-11. R-A Rural Agricultural District.

This district is intended to preserve and protect agricultural areas and to provide for limited rural residential development together with other nonintensive compatible activities.

A. Permitted principal uses are as follows:

- (1) General agricultural land uses, agricultural buildings and activities, such as the growing of field, truck and tree crops, dairying, livestock raising, poultry farming, fur farming and hog raising, subject to the following:
 - (a) Buildings or structures used for the stabling of livestock (including but not limited to horses, cows, sheep, fowl or other animals) shall be located at least 150 feet from any street line.
 - (b) Fences enclosing any pen, corral, track or other such enclosure within which livestock are kept shall be a minimum of 150 feet from any street line.
 - (c) Minimum land area for horses shall be 40,000 square feet per horse.
- (2) Kennels, only upon the issuance of a kennel special use permit as regulated by Chapter 9, Dogs, of the Alden Town Code. **[Amended 12-6-2010 by L.L. No. 6-2010]**
- (3) Single family dwellings.
- (4) Churches, schools, parks and playgrounds.
- (5) Fire stations and emergency services.
- (6) Nurseries and greenhouses.
- (7) Riding academies and stables.
- (8) Private wildlife reservations or conservation projects, including the usual buildings therefor.

- (9) Mining, turf farming and pond excavation in accordance with Chapter 11, Excavation and Topsoil Removal, of the Code of the Town of Alden.
- (10) Veterinarians.
- B. Permitted accessory uses are as follows:
 - (1) Private garages.
 - (2) Barns and other farm buildings.
 - (3) Seasonal roadside stands for the sale of farm products produced on the premises.
 - (4) Private swimming pools.
 - (5) Home occupations.
 - (6) Other customary uses normally associated with the principle use.
- C. Uses permitted upon issuance of a special permit are as follows:
 - (1) Golf courses.
 - (2) Gun club or shooting ranges.
 - (3) Animal Cemeteries.
 - (4) Forest Farming.
 - (5) Towers.
 - (6) Gas Wells.
 - (7) Racetracks.
 - (8) Cemeteries. [Added 3-20-1995 by L.L. No. 1-1995]
 - (9) Picnic and campgrounds.

SECTION 4. SEPARABILITY

If any section, subsection phrase, sentence or other portion of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State of New York.

2. That the Alden Town Clerk enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Alden, and to give due notice of the adoption of said Local Law to the Secretary of State of New York, post the same on the Town Bulletin Board and publish the same in the Alden Advertiser.

3. This local law shall take effect upon filing with the Secretary of the State of New York.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 3, 2014, as follows:

Councilmember Witt	Aye	Nay
Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay



Motion to approve the request of Marilla Car Truck Cycle Show Incorporated's ("Car Show") use of the Senior/Community Center for a Celebrity Dinner on July 26, 2014, to be catered and no alcohol served and use of Alden Town Park including all shelters, Senior/Community Center and two band shells on July 27, 2014 for an automobile and motorcycle show; contingent upon the receipt no later than July 1, 2014 of the following:

Proof of liability insurance naming the Town of Alden as Named Insured with coverage of \$2,500,000 per occurrence and general aggregate of \$7,500,000;

Signing of an Indemnification Agreement;

List of all Car Show Committee Members (names, addresses and cell phone numbers);

List of all towing companies;

Show itinerary and maximum amount of cars allowed;

Car Show shall escrow \$1,000.00, pursuant to a signed Escrow Agreement, with the Town of Alden to cover any costs incurred by the Town;

And contingent upon the following conditions:

The Alden Hook & Ladder Fire Company Inc. may sell alcoholic beverages, within the limits of the laws of the State of New York, in a contained "Beer garden or beer tent" in the Alden Town Park from 12:00 pm until 6:00 pm on Sunday July 27, 2014, provided that a New York State Liquor license be first obtained.

No spectator or show parking shall be allowed on the new sports fields in the Town Park; however Mercy Flight may land on these fields;

Car Show will contract with Empire towing for any needed towing services during the Car Show;

All security personnel must be Sherriffs, Troopers or trained security guards;

Fire Police or County Sherriff shall monitor the road closing and direct traffic for the duration of the car show, including the registration period at all closed roads;

Car Show personal shall throughout the day pick and empty trash cans;

Empty Trash cans to be returned to Town Park Garage at the end of the show;

Car show will reimburse the Town for having the Town dumpster emptied after the Car Show;

Car show to supply (and remove) port a potties;

Car Show to clean up to the satisfaction of the Town after the event;

First aid tent, coordinated with Alden Fire Department;

Any costs incurred by the Town of Alden (including labor costs) will be billed to the Car Show;

Golf carts shall only be used only by the Fire Department to assist handicapped persons and to move supplies.

(F.)

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

WHEREAS, the Town of Alden Assessor , has advised the Town Board that Town of Alden should conduct a town wide reassessment, the estimated cost of which is over \$20,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden require that all estimated purchases over \$20,000.00 shall be formally bid pursuant to General Municipal Law section 103; however reassessment is a professional service and a company approved by the State of New York Office of Real Property Services must be hired for this type of professional service; and

WHEREAS, the Town Board after full and careful review and consideration of the Assessor's request; finds said request to receive bids for a town-wide reassessment in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the Town of Alden Assessor to advertise for bids as outlined in the attached Request for Proposals; the RFP may be faxed or emailed to the local companies on the State Approved List;
2. The Town Board hereby authorizes the Town Clerk to receive sealed bids, until 2:00 PM Prevailing time on Friday, February 28, 2014; 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 3, 2014, as follows:

Councilmember Riddoch	Aye	Nay
Councilmember Witt	Aye	Nay
Supervisor Milligan	Aye	Nay

(G.)

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

WHEREAS, the Highway Superintendent has advised the Alden Town Board that the Highway Secretary resigned in December, 2013 and that there is now a vacancy in this position;

WHEREAS, the Town has accepted the resignation of Mary Nuwer;

WHEREAS, the Highway Superintendent has recommended to the Town Board that Michelle Chrzanowski be appointed as Highway Secretary.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board hereby appoints Michelle Chrzanowski, as Highway Secretary her appointment to expire on December 31, 2014 at a rate of \$13.00 per hour, not to exceed 16 hours per week, benefits per the Employee Handbook; 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 3, 2014, as follows:

Councilmember Riddoch	Aye	Nay
Councilmember Witt	Aye	Nay
Supervisor Milligan	Aye	Nay

(H)

February 3, 2014

MOTION TO REFER LL#2 OF 2014, A LOCAL LAW TO INCREASE THE NUMBERS OF MEMBERS OF THE TOWN OF ALDEN PLANNING BOARD, TO THE PLANNING BOARD FOR REVIEW AND RECOMMENDATION per S/HM

Local Law No. 2 of the Year 2014

A Local Law amending Section 20-88 of the Alden Town Code to increase the number of members of the Town of Alden Planning Board.

Be it enacted by the Town Board of the Town of Alden as follows:

SECTION 1. TITLE

This Law shall be known as Local Law No. 2 of the Year 2014, a Local Law amending Section 20-88 of the Alden Town Code to increase the number of members of the Town of Alden Planning Board to seven members.

SECTION 2. PURPOSE AND AUTHORITY

The purpose of this local law is amend the §20-88 of Alden Town Code to increase the number of members of the Town of Alden Planning Board from five (5) members to seven (7) members.

Authority for this amendment is given under Town Law §§ 271(1) and (6).

SECTION 3. AMENDMENT OF CODE

Section 20-88 of the Code of the Town of Alden as originally adopted as part of Local Law No. 1 of 1992, on July 6, 1992, and amended on August 3, 2009, be and hereby is amended by this Local Law so that §20-88 shall read in its entirety as follows:

§20-88. Planning Board.

The Town of Alden Planning shall appoint a Planning Board consisting of seven (7) members, said appointments to be made in the manner as prescribed by Town Law. The Planning Board shall act as an advisory board to the Town Board.

SECTION 4. SEPARABILITY

If any section, subsection phrase, sentence or other portion of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. EFFECTIVE DATE

This local law shall be filed with the Secretary of the State of New York and shall take effect upon such filing.

(1)

February 3, 2014

MOTION TO APPROVE THE RENEWAL OF THE HOME OCCUPATION PERMIT FOR NANCY ANN
GOERGEN/850 W. ALAURA DR./BEAUTY SALON per TC/DC

Ok
1-3-14
pc

APPLICATION FOR HOME OCCUPATION PERMIT

(ANY ZONING DISTRICT EXCEPT R-12)

Date 12/31/13

1. Applicant:

Name Nancy Ann Goerger
Address 850 W. Alameda Dr. Alden NY 14004
Telephone 716 481-0287

2. Location of property for which permit is

850 W. Alameda Dr

3. Present Zoning _____

4. Use requested - What type of product will be produced, serviced, or repaired in the conduct of your Home Occupation? (For example: repair of clocks or watches making jewelry, etc.)

Explain Beauty Salon

5. Describe what rooms will be used in the conduct of the Home Occupation and how these rooms will be used (Not to exceed 25% of floor area of one story).

Explain: 4' x 6' room off mud room

6. Describe the mechanical and/or electrical equipment that will be necessary to the conduct of your activity.

Blowdryer, Flat Iron, ceiling fan

7. Describe how, where, and in what amounts the material, supplies, and/or equipment related to your proposed Home Occupation will be displayed or stored:

on wall unit

13. I Nancy Ann Boerger (applicant) hereby request a certification of compliance with the Zoning regulations with respect to the property known as 850 W. Alden Dr for the following purposes:
14. Pursuant to the Zoning Law of the Town of Alden, it is hereby requested that a public hearing be held to consider granting a home occupation permit.
15. It is hereby agreed and understood that this home occupation permit shall be for a one year period and shall not be assignable or transferable to any other person than the undersigned.
16. It is hereby agreed and understood that the activities, operations, or use of the premises described, shall be completely within the building and only the residents of the premises and no more than one other person be employed in the activities operations, and use of the premises. It is hereby expressly agreed and understood that the parking spaces associated with the activities, operation and use of the premises shall be met off the street, and in other than a required front yard.
17. It is hereby expressly agreed and understood that a sign may be affixed to the premises, not to exceed an area of four (4) square feet and not to be illuminated. The four square feet shall consist of assign two feet by two feet.
18. It is hereby agreed and understood that this permit shall be for a period of one year and may be renewed at the discretion of the Town Board of the Town of Alden at the end of the one year period.
19. The holder of this permit is required to familiarize himself with the local law under which said permit is granted. Any violation of the provisions of said local law shall render the offender liable for the penalties provided therefore and in addition thereto may result in the immediate revocation of the permit.
20. The hold of this permit shall comply with any restrictions or conditions under which this permit is granted.

Signature of Applicant

Nancy Ann Boerger

Sworn to this 31 day of December 2013

When submitting initial application, attach copy of survey and deed. Application Fee is \$50.00



TOWN OF ALDEN

(716) 937-6969
Relay/Dial #711
Fax 937-9817

ALDEN TOWN CLERK
ALDEN TOWN HALL
3311 Wende Rd.
Alden, New York 14004

DATE: 1/3/14
NAME: Nancy Ann Goergen
ADDRESS: 850 W. Alaura Dr.
Alden NY 14004

DATE OF INSPECTION: 1-30-14

I hereby certify that there is "NO CHANGE" that has occurred since the original H.O.P. Application.

Nancy A. Goergen
H.O.P. RENEWAL APPLICANT

CHRIS SNYDER
CODE ENFORCEMENT OFFICER, CHRISTOPHER SNYDER

expires 1/8/14

5

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

WHEREAS, the Building Department has informed the Town Board that the Town Hall needs three new hot water tanks installed; the estimated total cost of which 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 quotes were made to three (3) vendors and bids were received as follows:

- the highest bidder is Petschke Heating & Plumbing at \$2,350.00;
- the second highest bidder is Blair’s Heating and Plumbing at \$1,900; and
- the lowest bidder is Kaminski Plumbing at \$1,850.00;

WHEREAS, Kaminski Plumbing 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 and installation of the hot water tanks.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase and installation of three hot water tanks at Town Hall from Kaminski Plumbing at a total cost of \$1,850.00;
2. The Supervisor 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 February 3, 2014, as follows:

Councilmember Witt	Aye	Nay
Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

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 money to allow for payment of item as outlined below; and;

WHEREAS, this budget transfer will not render the Town of Alden insolvent;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following transfer:

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
B..8010.0105	\$1,240.85	B.3630.0411	Increase in Townwide hydrants	\$1,240.85
			TOTAL	\$1,240.85

The Resolution shall take effect immediately.

The foregoing resolution was duly put to a roll call vote at a regular meeting on February 3rd, 2014 as follows:

Supervisor Milligan	Aye	Nay
Councilwoman Riddoch	Aye	Nay
Councilman Witt	Aye	Nay
