

MEETING NO. 1
 JANUARY 5, 2015
 REGULAR NO. 1
7:00 P.M.

REGULAR TOWN BOARD MEETING

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, January 5, 2015 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
 Ralph P. Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
 Gary Wagner, Highway Supt.
 Chris Snyder, CEO
 William Sivec, Assessor
 Michael Metzger, Town Eng.
 Len Weglarski, DCO
 Residents

Supervisor Milligan Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of December 15, 2014. The foregoing Motion was put to a Roll Call Vote on January 5, 2015 and was

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH AND SECONDED BY COUNCILMAN WITT TO WIT;
 VOUCHERS #1204-1260

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$9,520.40	\$29,227.07	\$38,747.47
HWY FUND "DA/DB"	39,234.22	114,084.19	153,318.41
PART-TOWN FUND "B"	3,101.23	770.37	3,871.60
CAPITAL IMPROV. "HC"			
CONSOLIDATED WATER "WR"	5,307.02		5,307.02
SP FIRE PROT. "SF"			
SD#1 FUND "SI"			
SD#2 FUND "SA"	2,692.30	66.94	2,759.24
TRUST/AGCY FUND "T"	2,031.46	2,156.21	4,187.67
SP REFUSE FUND "SR"	35,329.69		35,329.69
STREET LIGHTING FUND "SL"	6,713.07		6,713.07
PERIWINKLE LTG. "SL1"	46.52		46.52
GRANTS		61,159.00	61,159.00
TOTALS	\$103,975.91	\$207,463.78	\$311,439.69

UPON ROLL CALL VOTE THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 5, 2015 AND WAS

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

BUSINESS FROM THE FLOOR

Randy Krieger from 328 Exchange St. had questions regarding the waterline installation on Exchange.

- 1.) Why was there such short notice for people to have to come up with \$720.00?
Supervisor Milligan's reply: The contracts were open and we had to negotiate with the contractor to do this. We do not want the contract open that long; we want them to get the lines in quick.
- 2.) Time Limit? They would like to pay for tap now and have it there but not tie into the water.
Engineer Metzger's response: That can be done.
- 3.) Can a home owner install the water line themselves other than tapping in?
CEO Snyder: The homeowner can do it as long as it is done right. CEO Snyder will be doing the inspections.
- 4.) Does it have to be copper lines?
CEO Snyder: No
Engineer Metzger: The last 10' from the right away inward has to be copper, but beyond that any other material that is allowed by the code can be used. This is the Erie County Water Authority requirement.
- 5.) Who repairs the right away?
Engineer Metzger: The contractors will be doing the landscaping.
- 6.) How long will they be without water?
Engineer Metzger: It will be instantaneous.

COMMUNICATIONS

Councilman Witt:

He has spoken to several people in the last few days regarding the water districts. They seem to be eager to have their questions answered and seem very positive.

Town Clerk Crist:

A letter was received from the Association of Towns announcing the 2015 Training School and Annual Meeting to be held at the New York Hilton Midtown, New York City, on February 15-18, 2015.

Supervisor Milligan:

A letter was received from Robert Fetzer informing the Town of his retirement from the Zoning Board of Appeals. Supervisor Milligan thanked him for his years of service and wished him well.

A letter was received from Little League Baseball regarding a tournament and Community Center use. A letter was received from Calvary Heights Baptist Church telling how they pray for specific leaders in our government. Supervisor Milligan was chosen for the month of January to be recipient of their prayers.

NEW BUSINESS

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

WHEREAS, with the commencement of the Year 2015, the Town of Alden must reorganize for said New Year; and

WHEREAS, the Town Board has reviewed the attached 2015 Reorganization Packet that makes the Supervisor's appointments; confirms appointments made by other Town Officials; appoints Town Officials; and makes various authorizations for 2015.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby approves and adopts the attached 2015 Reorganization Packet; and
2. This resolution shall take effect immediately.

REORGANIZATION 2015

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Storm Water Officer.....6k

Right to Farm Law Resolution Committee.....6l

Town Service Officer.....6m

Court Clerk Full Time and Court Clerk Part Time.....6n

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Bingo Inspector and Alternate Inspector.....7r

Town Attorney.....7s

Town Prosecutor.....7t

Parks and Buildings Maintenance Worker.....7u

Part Time Building Maintenance Man Town Hall.....7v

Nutritional Program Site Director and Alternates.....7w

Senior Van Driver and Alternates.....7x

Ceramics Instructor and Alternate.....7y

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NOTICE OF THE SUPERVISOR'S APPOINTMENTS OF THE TOWN BOARD COMMITTEE CHAIRPERSONS:

COUNCILMAN WITT

Refuse/Recycling
Building Maintenance
Capital Improvements (Co-Chair)
Contract/Purchasing (Co-Chair)
Economic Development Committee (Co-Chair)
Water Districts
Zoning and Planning
Highways
Drainage
Sewers
Environmental Commission
Local Laws & Legislation (Co-Chair)

COUNCILWOMAN RIDDOCH

Seniors
Finance and Audit (Co-Chair)
Disaster Coordinator
Cemeteries
Fire Protection/Ambulance (Co-Chair)
Parks & Recreation (Co-Chair)
Police & Safety
Lighting
Insurance
Dogs
Personnel Policy (Co-Chair)
Office of Emergency Management
Historical Society
Association of Towns Alternate Delegate

SUPERVISOR MILLIGAN

Finance and Audit
Personnel Policy/Employee Benefits
Economic Development Committee
Contract/Purchasing
Fire Protection/Ambulance
Chamber Liaison
Capital Improvements
Inter-municipal Agreements/Municipal Liaison
Local Laws & Legislation
NEST Representative (Co-Chair)
Insurance (Co-Chair)
Parks & Recreation
Association of Towns Delegate

ALL COUNCIL MEMBERS ARE RESPONSIBLE FOR AUDITING EVERY VOUCHER AND ARE MEMBERS OF ALL COMMITTEES

NOTICE OF THE SUPERVISOR'S APPOINTMENTS:

ASSISTANT TO THE SUPERVISOR/BUDGET OFFICER	Colleen Rogers
DEPUTY SUPERVISOR	Mary Riddoch
PART TIME CLERK	Judy Downhower
TOWN HISTORIAN	Karen Muchow
	Leonard Weisbeck Sr.,
Emeritus	

WHEREAS, with the commencement of the Year 2015, the Town of Alden must reorganize for said New Year.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. That the following appointments are made and/or confirmed for the 2015 year, all salaries are as per the schedule of salaries unless otherwise specified and all benefits are as per the employee handbook unless otherwise specified:**

- A. The appointment of **Barbara Weber** by the Town Clerk as First Deputy Town Clerk/Receiver is hereby confirmed; the First Deputy Town Clerk shall have all the powers and duties of the Town Clerk, not inconsistent with Law. Hours shall not exceed 19 hours per week.
- B. The appointment of **Sarah Hinsken** by the Town Clerk as Second Deputy Town Clerk is hereby confirmed. Hours shall not exceed 19 hours per week.
- C. The appointment of **Lisa Lista** by the Town Clerk as Third Deputy Town Clerk is hereby confirmed. Ms. Lista, an employee at the Wende Correctional Facility, is appointed for the sole purpose of witnessing Marriage Licenses for residents of the Facility without compensation.
- D. **Michelle Chrzanowski** is appointed Highway Clerk Part Time, not to exceed 16 hours per week.
- E. **Debra A. Crist** is appointed as Registrar.
- F. **Debra Crist**, is designated, in her capacity of Town Clerk, to receive notices of claims served upon the Secretary of the State by mail at 3311 Wende Road, Alden, NY 14004 and is directed to file the required certificate with the Secretary of State informing him or her of the Town's designation and applicable time limitation for filing a notice or claim with the Town.
- G. **Jane Mahaney** is appointed Crossing Guard and **Barbara Trybuskiewicz** is appointed Alternate Crossing Guard .
- H. **Daniel Moultrup** is appointed Part Time Recreation Supervisor for the Town of Alden.
- I. **Michael Metzger** is appointed as Sewer Plant Superintendent.
- J. **Leonard Weglarski** is appointed Dog Control Officer and **Robert Olsen** is appointed Deputy Dog Control Officer. The Supervisor is authorized to sign a Kennel Agreement with Leonard Weglarski.
- K. **Christopher Snyder** is appointed Storm Water Officer.
- L. **Gerald Aldinger** and **James Guarino (alternate)** are appointed to the Right to Farm Law Resolution Committee along with Town Code Enforcement Officer **Chris Snyder** and **Deputy Supervisor Riddoch** .

- M. Pursuant to Section 67 of the Social Services Law, **Supervisor Milligan** is hereby directed to exercise the powers and duties of Town Service Officer .
- N. **Sue Siudzinski** is appointed Full Time Court Clerk and **Georjean Labuzzetta** is appointed Part Time Court Clerk hours not to exceed 19 hours per week.
- O. **Michael DeWitt** is appointed Chairman of the Planning Board. **Andrew Oles** and **Randal Crist** are appointed to the Town Planning Board for a term to expire on December 31, 2015. **Michael Fleming** is appointed for a term to expire on December 31, 2021; and **Joy Insinna** is appointed as Secretary to the Planning Board.
- P. **Richard Savage** is appointed Chairman of the Zoning Board of appeals and **Richard Savage** is appointed to the Zoning Board of Appeals for a term to expire on December 31, 2019. **Marlin Gillette** is appointed to the Zoning Board of Appeals for a term to expire on December 31, 2016; and **Lisa Lista** is appointed Secretary to the Zoning Board of Appeals.
- Q. **Jenny Gerhart** is appointed as a member of the Board of Assessment Review for a term to expire on September 30, 2019 and **Joy Insinna** is appointed Secretary of the Board of Assessment Review.
- R. **Donald Stoffel** is appointed Bingo Inspector and that **Frances Stoffel** is appointed as alternate Bingo Inspector.
- S. **Jennifer L. Strong, Esq.** is appointed as Town Attorney, no Benefits except NYS Retirement.
- T. **Matthew B. Herdzyk, Jr., Esq.** is appointed as Town Prosecutor, no benefits except NYS Retirement.
- U. **Andrew Sojka** is appointed Park Buildings Maintenance Worker.
- V. **Roger Mead** is appointed Part Time Maintenance Man (Town Hall).
- W. **Donna Zinter** is appointed Nutritional Program Site Director **Carl Matthies** and **Rebecca Weber** are appointed as Alternates, not to exceed 9 hours per week.
- X. **Joyce Eastland** is appointed part time Senior Van Driver hours not to exceed 19 hours per week and that the following persons are appointed Alternate Senior Van Drivers on an as needed basis:_____.

Y. **Beverly Weisbecker** is appointed Ceramics Instructor and **Kathryn Wild** is appointed as alternate.

Z. **Andrew R. Sojka** is appointed Parks Supervisor.

AA. **Daniel Carder** is appointed Buildings and Ground's employee.

AB. **Eve Fertig** is appointed Chairman and member; **Frank Bermel** is appointed Vice Chairman and member and **Marilyn Bensley; Doug Bartlebaugh; and Patrick Galla** are appointed as members of the Environmental Conversation Committee.

AC. **Supervisor Harry F. Milligan** is appointed as the Affirmative Action Officer; and that the Town Clerk shall notify the County of Erie Department of Environment and Planning of this appointment.

AD. **Alden State Bank** is appointed as Deputy Tax Receiver for the sole purpose of collecting (but not accepting) tax payment monies.

AE. **Joel Kurtzhaltz, Esq.** is appointed as Special Counsel to defend the Town of Alden in any tax assessment challenges.

AF. Recreation Director **Dan Moultrup** and Supervisor **Harry Milligan** are hereby affirmed as the two (2) permanent members of the Recreation Advisory Committee; the following four (4) persons shall serve on the Recreation Advisory Committee for a one year term to expire December 31, 2015: **Frank Bermel; David Kocher; Shawn Eastland and Robert Meyer;** and the following five (5) persons shall serve on the Recreation Advisory Committee for a 2 year term to expire on December 31, 2015: **Michael Boling; William Kissel; Mark Kerl; Jeffrey Patterson** and _____.

AG. **William Sivecz; Richard D. Koelbl, and Jean Weisbeck,** are appointed to the Board of Ethics.

AH. **Ryan Sheedy and James Gerber** are appointed Co-Deputy Coordinators of the Office of Emergency Management.

AI. **Barb Ertel** is appointed as part time Clerk for the Assessor's Office.

JJ. _____ is appointed as part time Clerk for the Code Enforcement Officer.

KK. **Randal Crist and Gerald Warner** are appointed as Court Officers.

LL. **Ronald L. Snyder** is appointed as Representative to NEST.

2. THAT THE FOLLOWING DESIGNATIONS ARE MADE FOR THE 2015 YEAR:

- A. The Alden Advertiser is designated as the official newspaper of the Town and The Buffalo News is designated as alternate official newspaper.

- B. The Alden State Bank is designated as the Official depository of the Town and that the Supervisor, Town Clerk/Receiver, Code Enforcement Officer and Court Clerk be authorized and directed to deposit all funds coming into their hands by virtue of their offices in said Bank.

- C. Town Hall offices be open from 9:00 A.M. to 4:30 P.M. Monday through Friday, except the following Holidays:

NEW YEARS EVE 12:00 NOON	LABOR DAY
NEW YEARS DAY	COLUMBUS DAY
MARTIN LUTHER KING DAY	ELECTION DAY
PRESIDENTS DAY	VETERANS DAY
GOOD FRIDAY	THANKSGIVING
MEMORIAL DAY	DAY AFTER THANKSGIVING
INDEPENDENCE DAY	CHRISTMAS EVE 12:00 NOON
	CHRISTMAS

Town Offices also may be closed on special days at the discretion of the Supervisor.

3. THE FOLLOWING POLICIES ARE MADE FOR THE 2015 YEAR:

- D. The Town Clerk/Receiver is instructed to collect the tax roll for the year 2015 according to the following schedule of penalties:

- Taxes paid prior to February 17 - no fees or penalties
- Taxes paid on February 18 – March 2 Inclusive 1.5%
- Taxes paid on March 3 – 16 Inclusive 3%
- Taxes paid on March 17 – March 31 Inclusive 4.5%
- Taxes paid on April 1- April 15 Inclusive 6%
- Taxes paid on April 16 – April 30 Inclusive 7.5%

ON MAY 1st, THE 7.5% PENALTY FEE IS ADDED TO THE UNPAID LEVY, FORMING THE NEW BASE TAX THEN DUE. THEREAFTER, INTEREST IS ADDED TO THE NEW BASE AT THE RATE OF 1.5% PER MONTH ON THE 1ST OF EACH MONTH, MAKING 18.78% IN ALL, WHEN UNPAID TAXES ARE SOLD IN NOVEMBER. IN PARTICIPATING MUNICIPALITIES THAT HAVE EXTENDED COLLECTION UNTIL JUNE 30, 2015, TAXES UNPAID BY THE CLOSE OF BUSINESS ON THIS DATE WILL BE RETURNED TO ERIE COUNTY.

A. The Town Clerk/Receiver is authorized to include in the Tax bills an enclosure advising taxpayers that they are able to make payments at Alden State Bank.

B. All Town Officials and employees are authorized to be paid **\$.45 per mile** for the use of their automobiles on all Town business provided that mileage reimbursement does not exceed budgeted appropriations and proper and sufficient documentation is provided thereof.

C. THE FOLLOWING SCHEDULE OF SALARIES IS APPROVED FOR THE YEAR 2015

	<u>Per Year</u>
Supervisor.....	\$24,000
Assistant to the Supervisor.....	\$36,312
Budget Officer.....	\$ 5,000
Part Time Clerk.....\$15.55/hour.....	\$15,363
Councilman.....	\$13,261
Councilman.....	\$13,261
Town Justice (2).....\$24,424/each.....	\$48,848
Court Clerk Full Time (1).....	\$31,079
Court Clerk Part Time (1)..... \$16.56/hour.....	\$16,358
Court Officer (2)..... \$52.53/\$42.02per session.....	\$ 3,530
Town Clerk/Receiver.....	\$45,000
First Deputy Town Clerk/Receiver.....\$14.00/hour.....	\$13,832
Second Deputy Town Clerk (PT)..... \$14.00/hour.....	\$13,832
Clerk Tax Office.....	\$ 2,500
Registrar.....	\$ 1,000
Assessor.....	\$54,814
Part Time Clerk Assessor's Office.....	\$ 6,422
Part Time Clerk for Reval.....\$18.78/hour.....	\$12,000
Town Attorney.....	\$34,235
Town Prosecutor Part Time.....	\$10,662
Superintendent of Highway.....	\$54,000
Highway Clerk.....16hrs/week.....\$14.00/hour.....	\$12,682
Code Enforcement Officer.....	\$53,213
Part time Clerk for Code Enforcement Officer.....\$13.00/hour.....	\$12,844
Park and Building Maintenance Worker.....	\$42,027
Park Supervisor.....	\$ 4,000
Building Maintenance (Community Center).....	\$ 1,000
Building Maintenance (Town Hall).....	\$ 500
Park Maintenance (PT)..... \$12.00/hour.....	\$23,400

Park & Playground Maintenance (Seasonal)

Various PT Employees:.....	Appropriation.....	\$20,000
Dog Control Officer Part Time.....		\$13,752
Deputy Dog Control Officer.....	\$13.50/hour no benefits	
Sewer Plant Superintendent.....		\$ 1,000
Town Hall Maintenance PT.....	\$11.38/hour.....	\$11,202
Building Maintenance PT (Senior Center).....	\$ 8.75/hour.....	\$ 4,095
Crossing Guard PT Seasonal.....	\$ 11.38/hour.....	\$ 6,500
Alternate Crossing Guard.....	\$ 11.38/hour	
Recreation Director PT.....		\$21,026
Assistant Director.....		\$ 2,600
Senior Recreation Attendants		
Hourly Rates set by Rec. Director & Town Board.....	Appropriation...	\$35,000
Recreation Supervisors.....	Appropriation....	\$17,000
Programs for Aging PT Help.....	\$ 9.74/hour.....	\$ 3,000
Nutrition Attendant.....	\$ 10.96/hour.....9 hrs/week....	\$ 5,129
Alternate Nutrition Attendant	\$ 10.95/hour	
Senior Van Driver Pt.....	\$ 15.71/hour.....	\$14,608
Planning Board Chairman.....	\$158.17/meeting.....	\$ 1,898
Members (6).....	\$ 83.60/meeting.....	\$ 6,019
Secretary.....	\$ 96.90/meeting.....	\$ 1,163
Zoning Board Chairman.....	\$43.29/meeting.....	\$ 528
Zoning Board Secretary.....	\$43.29/meeting.....	\$ 462
Zoning Board Members (4).....	\$37.85/meeting.....	\$ 1,827

D. THE FOLLOWING SCHEDULE OF VOUCHERED SALARIES IS APPROVED FOR THE YEAR 2015

BOARD OF ASSESSMENT REVIEW MEMBERS (5).....	\$70.00/PER SESSION
BOARD OF ASSESSMENT REVIEW SECRETARY.....	\$ 220.00
BINGO INSPECTOR.....	\$ 40.00/PER INSPECTION

E. Town Officers and Town Employees will be paid on a bi-weekly basis.

F. The following Petty Cash Funds are authorized:

SUPERVISOR.....	\$ 50.00
TOWN CLERK.....	\$ 400.00
SUPT. OF HIGHWAY.....	\$ 100.00
TOWN JUSTICE.....	\$ 100.00
RECREATION DIRECTOR.....	\$ 50.00
PARKS DEPARTMENT.....	\$ 100.00

G. The Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year, a copy of the ANNUAL FINANCIAL REPORT in accordance with Section 29, Paragraphs 10 and 10A of the Town Law.

H. Town Elected and Appointed Officials' Bonds are approved as to form and sufficiency of surety in the following amounts:

Harry F. Milligan, Supervisor.....	\$ 500,000
MaryRiddoch, Deputy Supervisor.....	\$ 5,000
Larry LaDuca, Town Justice.....	\$ 5,000
Al Gerhart, Town Justice.....	\$ 5,000
Debra Crist, Town Clerk/Receiver.....	\$ 600,000
Barbara Weber, Deputy Town Clerk/Receiver.....	\$ 500,000
Sarah Hinsken, Second Deputy Town Clerk.....	\$ 500,000
Georjean Labuzzetta, Clerk to the Town Justice PT.....	\$ 5,000
Sue Siudzinski, Court Clerk.....	\$ 5,000
Christopher Snyder, CEO/Building Inspector.....	\$ 5,000
Gary Wagner, Highway Superintendent.....	\$ 5,000
Colleen Rogers, Assistant to the Supervisor/Budget Officer.....	\$ 500,000

**TOWN OF ALDEN
PROCUREMENT POLICY & PROCEDURE GUIDELINE
January 5, 2015**

WHEREAS, Section 104-b of the New York State General Municipal Law requires every municipality to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of New York State General Municipal Law Section 103 or any other state law; and

WHEREAS, comments have been solicited from those Department Heads and Town Board Members involved with procurement;

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

That the Town of Alden does hereby adopt the following procurement policy and procedure guidelines:

1. Wherever possible, purchases of goods and services shall be made locally, in order to avoid unnecessary shipping and handling charges. Shipping and handling charges must be considered when making the determination as to the cost of goods and services, as high shipping and handling costs may negate the lower price of goods and services.
2. Every prospective purchase of goods or services shall be evaluated to determine the applicability of New York State General Municipal Law Section 103 and of the Town Of Alden Governmental Operations Law. Only Town Department Heads and Town Board Members shall have purchasing authority (hereinafter "Purchaser"). As part of the annual budget process, each Purchaser shall estimate the cumulative amount of the items of supplies, equipment, and/or public work needed in a given fiscal year. The information gathered and conclusions reached shall be documented and retained by the respective Purchaser and filed with the Town Clerk and reviewed by the Town Board.

3. All purchases of : (a) supplies or equipment which will exceed \$20,000.00 in the fiscal year(b) public works contracts which will exceed \$35,000.00; shall be formally bid pursuant to New York State General Municipal Law Section 103.

4. All purchases of supplies or equipment of less than \$20,000.01 but greater than \$2,000.00 require a written, facsimile, or e-mail request for proposal (RFP) and written, facsimile, or e-mail quotes from at least three (3) vendors.

All purchases of supplies or equipment of less than \$2,000.01 but greater than \$500.00 require an oral, written, facsimile, or e-mail RFP and written, facsimile, or e-mail quotes from at least two (2) vendors.

All purchases of supplies or equipment of less than \$500.01 are left to the discretion of the Purchaser.

5. All public works contracts of less than \$35,000.01 but greater than \$2,000.00 require a written, facsimile, or e-mail RFP and written, facsimile, or e-mail proposals from at least three (3) contractors.

All public works contracts of less than \$2,000.01 but greater than \$500.00 require an oral, written, facsimile or e-mail RFP and written, facsimile, or e-mail proposals from at least two (2) contractors.

All public works contracts of less than \$500.01 are left to the discretion of the Purchaser.

All public works contracts must pay prevailing wage, as required by New York State Law.

All RFPs shall describe the desired goods or services, quantity, and, particulars of delivery. The Purchaser shall compile a list of all vendors/contractors from whom oral, written, facsimile or e-mail quotes have been requested and a list of the written, facsimile, e-mail quotes offered.

All information gathered in complying with the procedures of these Guidelines shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

All vouchers submitted to the Town for payment must have the appropriate number of quotes attached to the voucher.

To the extent practicable all purchases of supplies shall be made in annual lots. Any Purchaser who divides purchases into multiple orders to avoid having to follow this Policy is submit to disciplinary action by the Town Board. Any voucher which shows divided or split orders may be denied payment by the Town of Alden

6. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

7. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining same. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

8. Except when directed by the Town Board, no solicitation of RFPs shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;
- (c) Sole source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;

- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auctions;
- (h) Computer software;
- (i) Purchases pursuant to state or county bid; and/or
- (j) True lease.

9. The unintentional failure to fully comply with the provisions of Section 104-b New York State General Municipal Law or the Town of Alden’s Procurement Policy and Procedure Guideline shall not be grounds to void action taken or give rise to a cause of action against the Town or any officer or employee thereof.

10. Legal issues regarding the applicability of competitive bidding requirements are to be presented to the Town Board and Town Attorney for review and determination.

11. The following individuals responsible for purchasing for the Town of Alden are shown on the attached Schedule A.

12. This policy shall be reviewed annually by the Town Board at its organizational meeting, or as soon thereafter as is reasonably practicable.

I. The Procurement Policy (attached) has been reviewed and is reaffirmed, with the following changes to Exhibit A only:

<u>Name</u>	<u>Title</u>
Harry F. Milligan.....	Supervisor
Mary Riddoch.....	Councilperson
RalphWitt.....	Councilperson
Debra Crist.....	Town Clerk
Gary Wagner.....	Highway Superintendent
William Sivecz.....	Assessor
Daniel Moultrup.....	Recreation Supervisor
Larry LaDuca.....	Town Justice
Albert Gerhart.....	Town Justice
Chris Snyder.....	Code Enforcement Officer
Andrew Sojka	Parks Supervisor
Colleen Rogers.....	Assistant to the Supervisor

WHEREAS, the Alden Town Board on January 5, 2015, adopted its Comprehensive Plan; and

WHEREAS, the Alden Town Board has taken steps to implement the Comprehensive Plan and now needs to update membership on its implementation committee.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby establishes the Town of Alden Comprehensive Plan Implementation Committee for the sole purpose of making recommendations to the Alden Town Board on ways to implement the Implementation Plan;

2. The following persons are hereby appointed to the Town of Alden Comprehensive Plan Implementation Committee: Supervisor Harry F. Milligan; Councilmen Ralph Witt; Planning Board

Member Michael Fleming; Building Inspector/Code Enforcement Officer Chris Snyder; and the following citizens, who are members of local businesses or organizations and/or possess relevant skills, experience and education: Christopher Gust, Gerald Aldinger and Polly Justinger.

A. The existing fee schedule is hereby reaffirmed for the calendar year 2015.

FEE SCHEDULE FOR THE TOWN OF ALDEN (1.5.2015)

Building Department:

Building permit 6-month renewal (10% of original fee or \$50 whichever is greater) minimum	\$50.00
New residential construction and	\$.60 S/F of living space
	\$.15 S/F attached garage
Residential addition - up to 400 S/F over 400 S/F will be calculated as new construction	\$.50 sq. ft.
Residential accessory structures (garages, barns, etc.)	\$.15 sq. ft.
Residential remodeling (involving exposure of framing, structural repairs or work, decks)	\$.20 sq. ft.
Swimming Pools {in-ground}	\$ 150.00
Swimming Pools {above ground}	\$ 50.00
Other residential construction (sheds, generators, roofs, windows, siding, fences, etc)	\$ 50.00
Building without a permit	DOUBLE FEE
Certificate of Occupancy/Compliance (houses & commercial)	\$25
Driveway permit (without culvert) pipe	\$150.00 + cost of
Driveway repair/replacement work (existing driveways) materials	actual cost of
Demolition permits	\$ 50
Shed demolition	\$ 20
Fill/pond permit (+ engineering fee if necessary for site plan review)	\$ 50
Fire Inspections/operating permits up to 15,000 S/F	\$ 30
up to 30,000 S/F	\$ 60
up to 45,000 S/F	\$ 90
up to 60,000 S/F	\$120
over 60,000 S/F	\$150
Flood Zone development permit (+ engineering fee if necessary for site plan review)	\$ 50
Fuel tank installation/removal (including 500 gal. Propane)	\$ 50
Junk yard annual fire inspection	\$200
Mining (sand banks, gravel pits, pit excavation) base fee	\$1,500
Each cubic yard or part thereof above 20,000 cubic yards	\$.50/Cu/Yd or
\$2,000	
New commercial construction	
Cold Storage Buildings	\$.25/sq. ft.
New Buildings	\$.50/sq. ft.
Additions	\$.50/sq. ft.
Commercial Renovations	\$.30/sq. ft.
Commercial Improvement Projects (i.e.: roofing, generators, fences, heating systems, Electrical systems, etc.)	3% of Project Cost
Re-Zoning (10 acres or less)	\$500 + Eng. Fee
Re-Zoning (more than 10 acres)	\$500 + \$40/acre + Eng. Fee
Sign permit (fixed)	\$ 50
Sign permit (temporary)	\$ 20/month
Planning Board Sign Review	\$100
Commercial Site Plan Review (+ Town Engineer fees, <i>estimated engineer fee to be placed in escrow account</i>)	
up to and including 1 acre disturbed	\$250
over 1 acre – up to 5 acres disturbed	\$500
over 5 acres – up to 10 acres disturbed	\$1,000
over 10 acres	\$1,000 + \$25 per
acre	
Special Use Permit application fee (+public notice fee)	\$150

Special Use Permit Renewal		\$ 50
Kennel Special Use Permit application fee (+public notice fee)		\$150
Kennel Special Use Permit Renewal		\$ 50
Storm Water Pollution Prevention Permit (+ Engineer fees)		\$250
Subdivision (minor, one lot) Application fee		\$125
Subdivision (major) Application fee		\$250
Subdivision without permit		NORMAL FEE + \$500
fine		
Subdivision Drainage Plan Review by Town Engineer		\$150.00
Telecommunication Towers		
	up to 150 feet	\$3,000
	each foot above 150	
\$50/foot		
	new tower permit fee	\$500
	co-location	\$100
Windmill Fees:		
Residential		\$150
Commercial		\$3,000
	up to 150 feet	
	each foot above 150	
\$50/foot		
Topsoil/excavation		
	base fee: up to 500 cubic yards	\$500
	Each 100 CU/YD or part thereof above 500CU/YD	\$50/100CU/YD
Zoning Books		\$20
Variance Request to Zoning Board	(plus cost of publications and mailings)	\$200
Town of Alden Code Book		current fee of General Code publisher

Town Clerk's Office

	<u>Town Share</u>	<u>State Share</u>	<u>Total</u>
Bingo	\$ 7.50	\$11.25	\$ 18.75
Dog license			
Spayed/Neutered	\$ 9.00	\$1.00 (surcharge)	\$ 10.00
Un-spayed/Un-neutered	\$ 15.00	\$3.00 (surcharge)	\$ 18.00
Reissue Lost Dog Tags	\$ 3.00		\$ 3.00
Enumeration Fee for Dogs w/o license	\$ 25.00		\$ 25.00
2 nd Offense	\$ 50.00		\$ 50.00
3 rd Offense	\$100.00		\$100.00
Games of chance	\$ 10.00	\$15.00	\$ 25.00
Genealogy Search Fee	\$10.00 plus \$1.00 for each photocopy		
Marriage	\$ 17.50	\$22.50	\$ 40.00
Home occupation			
Permits	\$ 50.00 (+public notice fee)		\$ 50.00
Variances	\$200.00 (+ public notice fee)		\$ 200.00
Junkyard license	\$250.00		\$ 250.00
Solid waste Hauling fee	\$ 50.00		\$ 50.00
Peddlers permit	\$ 25.00		\$ 25.00
Street directory	\$ 3.00		\$ 3.00
Tax Receipts	\$ 2.00		\$ 2.00
Town maps	\$ 3.00		\$ 3.00
Certified copies	\$10.00		\$10.00
Subdivision books	\$ 7.00		\$ 7.00
Photocopies (non genealogy)	\$.25 per page		\$.25 per page
Recycling totes	\$70.00		\$70.00
Shelters	\$20.00/\$35.00		\$20.00 /\$35.00
Baseball/Softball/Hardball Diamonds			
Tournament Fee (waived for Not-for-profit tournaments)	\$150.00 per day		\$150.00 per
day			
Zoning maps	\$ 2.00		\$ 2.00
Landfill Management Permits	to be determined on an individual basis by resolution of the Town Board		

B. The "official" work day of 6.5 hours for all elected and appointed officials who are members of the retirement system is hereby confirmed.

C. 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 2015.

4. THE FOLLOWING CONTRACTS ARE APPROVED FOR THE 2015 YEAR:

D. **Metzger & Associates** be and hereby is retained as Town Engineer and Planning Consultant and the Supervisor is directed to sign a contract for said services.

E. **Grant Makers Advantage** is retained as Grant Writer and the Supervisor is authorized to sign a contract for said services.

F. **Drescher and Malecki LLP** is retained as Auditor and the Supervisor is authorized to sign a contract for said services.

G. **Agreement to Spend Town Highway Funds** for 2015, as allowed by Section 284 of the New York State Highway Law and the Supervisor and Town Board are authorized to sign the same.

The foregoing Resolutions were duly put to a roll call vote at a regular meeting held on January 5, 2015, and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

WHEREAS, the Alden Town Board has received a request from the Parks Supervisor to purchase a new tailgate salt spreader the estimated 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 written quotes from at least two (2) vendors;

WHEREAS, requests for proposals were made to two (2) vendors and quotes were received as follows:

The highest bidder is Western Truck Equipment at \$1,775.00 plus installation and,
The lowest bidder is Niagara Truck Equipment at \$1,770.00 installed;

WHEREAS, Niagara Truck Equipment 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 salt spreader;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 1 The Town Board approves the purchase of a tailgate salt spreader from Niagara Truck Equipment for \$1,770.00 installed;

- 2 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 January 5, 2015, and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt
Nays 0

Councilwoman Riddoch moved and Councilman Witt seconded the Motion to approve the renewal of the Hauler's Permit for Darling International for the year 2015. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

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 Edward Arnold Scrap Processors, Inc. for the year 2015. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

CARRIED.
Ayes 3 Milligan, Riddoch & Witt
Nays 0

Supervisor Milligan moved and Councilman Witt seconded the Motion to approve the renewal of the Hauler's Permit for Cascade Recovery U.S. Inc. for the year 2015. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

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;

STANDARD WORK DAY AND REPORTING RESOLUTION FOR 2015

BE IT RESOLVED, that the Town of Alden hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name/4 digit SSN	Hrs/day	Standard Work Day TermBegins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days /Month (based on record of activities)
ELECTED OFFICIALS					
Highway Supt.	Gary Wagner/xxxx	8	01/01/2014-12/31/2017	N	20
Town Clerk	Debra Crist/xxxx	6 ½	01/01/2014-12/31/2017	N	20
APPOINTED OFFICIALS					
Town Prosecutor	Matthew Herdzik/xxxx	6 ½	01/01/2015-12/31/2015	N	2
Assessor	William Sivecz/xxxx	6 ½	10/01/2013-09/30/2020	Y	N/A
1 st Dpty TwN Clrk	Barbara Weber/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A
2 nd Dpty TwN Clrk	Sarah Hinsken/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A
Dog Control Off.	Leonard Weglarski/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A
Court Clerk	Susan Siudzinski/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A
Supervisor's Asst	Colleen Rogers/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A
Town Attorney	Jennifer Strong/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A
Court Clerk/PT	Georjean Labuzzetta/xxxx	6 ½	01/01/2015-12/31/2015	y	N/A
Parks Supv.	Andrew Sojka/xxxx	6 ½	01/01/2015-12/31/2015	Y	N/A

1. Town Clerk's Office is directed to post this Resolution for a minimum of thirty (30) days.
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a Roll Call vote at a regular meeting on January 5, 2014 and **ADOPTED.**

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to renew the Junk Yard license for Alden Truck Ltd./2731 Town Line Rd. for the Year 2015. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

WHEREAS, Theresa Hoffman has filed an Application for a Home Occupation Permit to conduct a business of massage therapy from her residence at 11734 Buckwheat Road;

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

WHEREAS, the Town Board, pursuant to Section 20-64(C) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. A Public Hearing on the Home Occupation Permit Application of Theresa Hoffman be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on January 20, 2015 at 7:05 P.M. Local Time;

2. The necessary Notice of Public Hearing, as required by Section 20-64(C) of the Alden Town Code be published in the Alden Advertiser; posted on the Town Bulletin Board; and mailed to the adjacent property owners, which Notice shall be in the form attached hereto and made a part hereof; and

3. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a vote on January 5, 2015 and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch moved and Councilman Witt seconded the Motion to approve the renewal of the Hauler's Permit for Allied Waste Services for the Year 2015. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilman Witt moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Deneda Gasielcki/12615 W. Main St./Dog Grooming. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan moved and Councilman Witt seconded the Motion to approve the renewal of the Home Occupation Permit for Marie Paone/916 Three Rod Rd./Beauty Shop. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

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;

**RESOLUTION ADOPTING LATERAL WATER LINE RESTRICTION POLICY
AND HARDSHIP EXCEPTION POLICY FOR EXCHANGE STREET WATER
DISTRICT**

WHEREAS, the Town of Alden is desirous of preserving the viability of agricultural operations in the Town of Alden;

WHEREAS, the Town of Alden is concerned that the formation of the Exchange Street Water District and the running of water lines throughout portions of the Town of Alden in the Exchange Street Water District that are currently in Lancaster-Alden Agricultural District No. 16 may increase development pressures and make it more difficult to preserve lands in agriculture;

WHEREAS, the Town of Alden has determined that in order to aid in the preservation of agriculture it is necessary to place restrictions on future development within the Agricultural District while satisfying the needs of the residents of the Town of Alden for good potable water;

WHEREAS, the Town Board has also been advised that individuals with certain medical conditions may be negatively impacted by the presence of certain minerals and naturally occurring components of well water;

WHEREAS, the Town of Alden, has adopted a Comprehensive Plan for the Town of Alden, which plan sets forth a blueprint for future development of the Town of Alden, which Comprehensive Plan must be taken into account by the Town of Alden in the adoption of a hardship exception policy;

WHEREAS, the Town Board has created a hardship application form which is on file in the Building Department of the Town for applicants to complete if they believe that they are entitled to a hardship exception to the lateral restriction policy; and

NOW THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF ALDEN AS FOLLOWS:

1. That the Town of Alden does hereby adopt the following lateral restriction policy:

- a. The only land and/or structures which will be allowed to connect to the proposed waterline within the Lancaster Alden Agricultural District No. 16 will be existing structures at the time of construction, future agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the Town. Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval is needed to move forward with project plans. Any parcel currently designated as falling within the commercial zone, as identified in the Notice filing, may also receive water service.
- b. If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the Town upon approval by the Town Board. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply and clearly demonstrate the need for public water service. The Town shall develop a hardship application to be filed with the Town.
- c. If it can be demonstrated to the Town Board's satisfaction that the landowner requested the county to remove his or her land from the agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the Town if the Town Board determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district; and

2. The Town of Alden also adopts the hardship exception application form that has been prepared for the Town of Alden as the Official Hardship Exception Application Form and the following Hardship Exception Policy:

- a. The Town of Alden has determined that among the factors that will be considered in evaluating a request for a hardship exception to the lateral restriction policy are:
 - i. Quality of water including presence of potentially harmful components, including but not limited to the presence of (see list attached as Appendix A)
 - ii. Whether the harmful components can be easily removed through a water

- treatment system.
 - iii The costs of treating water.
 - iv Limitations on the quantity of water and whether quantity can be improved by drilling deeper and the costs associated with such drilling deeper.
 - v Health conditions of residents that are requesting hardship exception.
 - vi The location of the property and where such location fits with respect to the Comprehensive Plan adopted by the Town. Property located in areas designated for low density development will be viewed less favorably.
 - vii Other economic issues including requirements of lending institutions that public water be connected, water treatment costs, well drilling costs and other costs that may be identified by applicants.
 - viii Such other factors as may be raised by applicants in their request.
- b. An applicant that wishes to make a request for a hardship application may obtain an application from the Town Building Department, which shall provide such assistance as may be required for the applicant to understand the application.
- c. Upon receipt of the application, such application shall be reviewed by the Building Department to determine whether it is complete. If it is not complete, it shall be returned to the applicant for completion.
- d. Upon receipt of a completed application, the application shall be forwarded to the Town Board for their review. The Town Board shall thereupon review the application and evaluate it in light of the various criteria that the Town Board has determined to be relevant and the Town Board shall issue its determination which determination shall set forth the decision and the various factors that the Town Board relied upon to make such decision. Such decision shall be rendered within 45 days of receipt of a completed application.
- e. An applicant that has been denied its request for a hardship exception, shall have the right to petition within 45 days of receipt of the decision of the Town Board to petition the Town Board for reconsideration of such request, which request may contain additional information that the applicant either failed to include in the application or did not set forth in sufficient detail. Upon receipt of a request for reconsideration, the Town Board shall render its decision within 45 days of receipt of such request for reconsideration.
- f An applicant that has been denied a hardship exception following a request for reconsideration, shall have the right to commence an Article 78 proceeding against the Town.

3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting held on January 5, 2015, and

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, the Alden Town Board on November 4, 2013 adopted its 2014 Budget;

WHEREAS, the Town of Alden requires an increase in appropriations and expenditures in the amount of \$10,000 in Account Code A.1956.0400. Said expenditures are a result of reassessment for the Town of Alden. The charge will close to General Fund Unreserved Fund Balance A.0909 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 hereby increases by \$10,000 the expenditure line A 1956.0400 of the 2014 Budget and that said expenditures will be charged to General Unreserved Fund Balance A 909 at fiscal year end.

This resolution shall take effect immediately.

The Foregoing Resolution was duly put to a Roll Call vote on January 5, 2015 and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Supervisor Milligan moved and Councilman Witt seconded the Motion to approve the renewal of the Hauler's Permit for PSI Disposal, Inc. for the Year 2015. The foregoing Motion was put to a Roll Call Vote on January 5, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

Councilwoman Riddoch moved and Councilman Witt seconded the Motion to approve CEO Christopher Snyder's request to attend Niagara Frontier Building Officials Education conference at reasonable Town expense on January 26-28th, 2015. The foregoing Motion was put to a Roll Call vote on January 5, 2015 and

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

PUBLIC HEARING

AT 7: 20 P.M. SUPERVISOR MILLIGAN MOVED TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO THE PUBLIC HEARING REGARDING THE NOTICE OF HEARING ON THE DANGEROUS AND UNSAFE BUILDING AT 11133 BROADWAY TOWN OF ALDEN, COUNCILMAN WITT SECONDED THE MOTION, THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 5, 2015 AND

CARRIED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

THE TOWN CLERK READ THE NOTICE OF PUBLIC HEARING THAT WAS PRINTED IN THE ALDEN ADVERTISER.

ATTORNEY STRONG HAS REVIEWED THE FILE THAT HAS BEEN HANDLED BY THE TOWN PROSECUTOR NOT HERESSELF.

VIOLETIONS WERE FIRST FILED AGAINST THE BUILDING FOR VARIOUS REPAIRS NEEDED AND CARS AROUND THE BUILDING IN MARCH 2005. THE MATTER WAS KICKED AROUND IN THE TOWN OF ALDEN COURT UNTIL 2012 WHEN THE CASE WAS TRANSFERRED TO MARILLA BY THE ALDEN JUDGES. AT THAT TIME, THE TOWN PROSECUTOR THOUGHT THE MATTER WAS SETTLED IN JULY 2013. THE SETTLEMENT WAS NEVER FULFILLED. JUDGEMENT WAS FILED FOR THAT SETTLEMENT NOTICE. AT THAT TIME A NOTICE OF CLAM WAS FILED AGAINST THE TOWN. A MOTION WAS MADE IN MARILLA COURT TO REOPEN THAT DECISION, WHICH WAS DENIED IN MARILLA COURT. THE MATTER IS BEING APPEALED BY MR. WEBER AND THAT APPEAL IS ONGOING.

CEO SNYDER

MR. WEBER ACQUIRED THE PROPERTY IN NOVEMBER 2004. SINCE THEN HE HAS DONE NOTHING TO MAINTAIN THE PROPERTY. PROPERTY MAINTENANCE LETTERS HAVE BEEN SENT TO HIM SINCE MARCH OF 2005. VIOLATION NOTICES HAVE BEEN SENT SINCE 2006. MR. WEBER HAS RECEIVED NOTICES TO APPEAR IN THE TOWN OF ALDEN COURT A TOTAL OF 25 TIMES. THE BUILDING IS PARTIALLY COLLAPSED AND IS A HAZARD. THERE ARE NUMEROUS VEHICLES PARKED AROUND THE BUILDING AND ARE IN VIOLATION. THEY ARE ALLOWED TO BE THERE AS HE HAS A DEALER'S LICENSE, BUT CANNOT BE PARKED ON THE LAWN. HE WOULD LIKE TO SEE THE FRONT PART OF THE COMPLEX TAKEN DOWN. THE BACK BUILDINGS ARE IN FAIR SHAPE.

MR. WEBER'S ATTORNEY, RICHARD SHERWOOD ESQ., INTRODUCED NORMAN ABRAHAM, PE ENGINEER WHO WAS HIRED BY MR. WEBER TO INSPECT THE BUILDING. HE GAVE A REPORT OF HIS FINDINGS AND PASSED OUT A REPORT TO BOARD MEMBERS. HE FEELS THE BUILDING IS REPAIRABLE. KEN

MEERBOOTH WHO IS A LOCAL CONTRACTOR IS WILLING TO ENTER INTO A CONTRACT WITH MR. WEBER FOR REPAIRS.

SUPERVISOR MILLIGAN OPENED THE HEARING FOR PUBLIC COMMENT.

RESIDENTS:

ARBOR/11162 BROADWAY – Wants to know when it will be started and done.

LISZEWSKI/965 W. ALAURA – Why has it taken the attorney so long to get action.

WEINREIBER/11127 ALAURA – If the building has not been maintained up to this point, how can the people think that a sudden large expenditure to bring the building up to code will be feasible? By now there is structural damage.

WALCZAK/978 W. ALAURA – The Engineer is talking about just replacing the roof. The whole west wall needs to be replaced. It is a load bearing wall. Wasn't there a notice that was placed in the paper that they had 30 days to start repairs or knock it down? That was how long ago. CEO Snyder said this was in the beginning of November.

ARBOR/11154 BROADWAY – The buildings was bought with good intentions. If the roof leaks, put a tarp over it. The cars all have gas in them and if something goes up the fire department won't be able to put it out. The buildings probably contain mold. Fix the junk yard.

BARONE/11146 ALAURA – There are two things going on with the building. The condition of building, it is an eyesore. The vehicles are an issue. They are trash cars. They are a danger and an eyesore. They should be behind a fenced gate.

ESTRADA/966 E. ALAURA – She is the newest resident of the neighborhood. It is a beautiful neighborhood. It is an embarrassment when you drive in and out. Feral cats are jumping in and out of the windows constantly. The location next to the welcome to Alden sign and the primary school should be the pride of our neighborhood and our community. It is an embarrassment. Nothing has been done.

MYCHAJLUK-11142 ALAURA- There is definitely a lot of feral cats residing in the building.

APPEL/11122 ALAURA – There was a break in a few years back and the Troopers came to everyone to check on what they saw. They said the inside is as bad with junk cars as the outside. The place has never looked good and is an eyesore. We just got rid of the Townline Hotel . You come into the hamlet of Townline and you look at garbage dumps. There is no aesthetic way you can fix that building other than tear it down or putting more money into it than this guy has because he hasn't fix it up in seven years.

WALCZAK/978 W. ALAURA – She has spoken to neighbors in the past that have worked in that building 25 years ago and they said it was a fire hazard back then.

SZAJTA/11115 ALAURA – He thinks they all agreed that they are sick of hearing of the excuses they just want it tore down.

PIENTKA/11110 ALAURA – That wall fell months ago. It was full of black mold and when the wind blows the spores affects them. The cars are very dangerous. They are junk cars. Her cat has been attacked twice by the feral cats that live in the building. She has had vet bills over \$900.00.

RICE/968 W. ALAURA – He agrees that the building should be torn down. It is an eyesore. It is not a good visual point when you enter Alden. There is no trust on behalf of the homeowners in Mr. Weber that he will repair the building. He is in favor of the Town taking action.

CYBULSKI/916 E. ALAURA – If this has been going on for years and we know the structure needs to be torn down, is there any way environmentally they can get an environmental specialist in there to inspect it as well. Shame on Mr. Weber and shame on the town.

PIENTKA/11110 ALAURA – He is sure that with all those junk cars there they are leaking gas, oil, and radiator fluid into the ground. He is sure the EPA would be interested.

RICE/968 W. ALAURA – He fears that an environmental study could delay the whole thing.

BARONE/11146 ALAURA – He understands that the Town does not want to be sued, but when you talk about hazardous waste this becomes a health issue.

WESOLOWSKI/956 E. ALAURA – How does this man keep his license renewed saying he is an antique car dealer. Who gives him his license?

RICE/968 W. ALAURA – Over half of the cars are definitely on dirt.

NELSON-TUTTLE/11127 ALAURA – The problem has gone on for ten years. She realizes he has rights, but we have rights too. How much longer do they have to wait? Throwing a tarp and cement blocks on the roof can't count.

KIRSCH/926 E. ALAURA DR. – She moved into the neighborhood about 14 years ago. It is a lovely neighborhood. Houses are going up for sale. She does not want this to be a problem for people who are considering living in the neighborhood.

SZAJTA/11115 ALAURA DR. – That brings up a good point about people wanting to sell their homes and are unable to sell them. We are up for reassessment. He thinks the Town should consider this when they doing the reassessment of their homes.

AT 7:50 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND REENTER INTO THE REGULAR MEETING, COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WITT SECONDED THE MOTION TO ADJOURN. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE AND

CARRIED.

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, the Town of Alden Highway Superintendent has advised the Town Board that the Highway Department is in need of new Freightliner 114SD Dump Truck;

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, except where another municipality has formally bid the same item, another municipality can "piggyback" on that formal bid;

WHEREAS, Onondaga County has formally bid, pursuant to General Municipal Law section 103 (Contract Award 7823) a Freightliner 114SD Dump Truck and the lowest responsible bidder was Fleet Maintenance, Inc; and

WHEREAS, the Town Board after full and careful review and consideration of the piggyback purchase request finds said request to purchase a Dump Truck, as per the attached specifications, in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

- 1 The Town Board hereby authorizes the purchase of a Freightliner 114SD Dump Truck, as from Fleet Maintenance, Inc. for a total cost of \$117,438.71;
- 2 The Highway Superintendent is authorized to sign all necessary documents to effectuate this purchase.
- 3 This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on January 5, 2015, and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

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

WHEREAS, the Town of Alden Highway Superintendent has advised the Town Board that the Highway Department is in need of new various truck body and snow plow equipment;

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, except where another municipality has formally bid the same item, another municipality can "piggyback" on that formal bid;

WHEREAS, Oneida County has formally bid, pursuant to General Municipal Law section 103 (Contract Award 1751) various truck body and snowplow equipment and the lowest responsible bidder was Viking Cives (USA) ; and

WHEREAS, the Town Board after full and careful review and consideration of the piggyback purchase request finds said request to purchase various truck body and snow plow equipment, as per the attached specifications, in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby authorizes the purchase of the various truck body and snow plow parts, from Viking Cives (USA). for a total cost of \$77,188.70;
2. The Highway Superintendent is authorized to sign all necessary documents to effectuate this purchase.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on January 5, 2015, and

ADOPTED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished and tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Town Clerk Debra Crist

Town/County tax bills are ready and will be mailed Friday.

Attorney Strong:

Attorney Strong thanked the Town Board for her reappointment as Town Attorney. She has recirculated the H.O.P. law for review.

Councilwoman Riddoch:

The new senior van is in and in operation. The striping will be done soon. Supervisor Milligan said the old van will be set up with Auctions International and be auctioned off. They would like this on the Work Session. The Town does not receive any of the monies. It will go to the County.

William Sivecz Town Assessor:

Exemption renewals have been sent out and he is busy with people coming in and filing. He reminded the Board that the new exemption law they are working on has to be done by March 1st. Attorney Strong said that the Planning Board is looking at it at their meeting this month and then there will be a Public Hearing.

CEO Chris Snyder:

Chris would like to discuss at the Work Session the bid specs for the demolition of the Broadway property.

Town Engineer Metzger:

Exchange Street/Zoeller Rd. water district contracts are signed. The bonds have been received and approved. We are working with the contractor on material submittals and insurance certificates. Once they are in order a pre-construction meeting will be held. The contractor will have 60 business days to complete constructions barring any major issues. Engineer Metzger would like to thank the Board for his reappointment.

NOTICE OF MEETINGS

NEXT WORK SESSION:	January 12, 2015	@ 7:00 P.M.
NEXT TOWN BOARD MTG.: (Tues.)	January 20, 2015	@ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Milligan asked all to stand for a Moment of Silence in Memory of Dolores Butcher, Erin Fodor, Sherry Bunch, Clare Strimple, Mary Mahaney and Carl Burkhardt.

AT 8:01 SUPERVISOR MILLIGAN MOVED TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS A MATTER OF PERSONNEL WITH THE TOWN BOARD AND THE TOWN ATTORNEY, COUNCILWOMAN RIDDOCH SECONDED THE MOTION. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 5, 2015 AND

CARRIED.

Ayes 3 Milligan, Riddoch & Witt
Nays 0

AT 8:19 P.M. COUNCILWOMAN RIDDOCH MOVED TO ADJOURN FROM THE EXECUTIVE SESSION, WITH NO ACTION BEING TAKEN, AND ENTER BACK INTO THE REGULAR MEETING, COUNCILMAN WITT SECONDED THE MOTION . THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JANUARY 5, 2015 AND

Carried.

Ayes 3 Milligan, Riddoch & Witt

Nays 0

ADJOURNMENT

At 8: 20 P.M. Supervisor Milligan adjourned the Meeting.

Debra A. Crist
Alden Town Clerk