

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

1. PLEDGE OF ALLEGIANCE – COUNCILWOMAN RIDDOCH
2. INVOCATION
3. CALLING THE ROLL OF BOARD MEMBERS BY THE CLERK
4. OFFER OF THE MINUTES & SYNOPSIS OF THE PROCEEDINGS OF THE PREVIOUS REGULAR MEETING OF JULY 2, 2012.
5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
 - A. Resolution approving Eric D. Guidic for Membership in the Millgrove Volunteer Fire Department per C/MR
 - B. Resolution approving the hiring of Janimart Janitorial to refinish the Town Hall floors per C/WW
 - C. Motion to introduce LL#1 of 2012 and refer LL to Planning Board for review and recommendation.
 - D. Resolution to purchase a Parks Utility Vehicle as per C/MR
 - E. Motion to allow Don Stoffel, Mike Fleming, Ralph Witt and Colleen Rogers to attend Planning and Zoning training sponsored by the Association of Towns on July 27, 2012 at the Marriott, Buffalo, NY at a cost of \$70 per person.
 - F. Motion consenting to the Out of District Customer Agreement between the County of Erie and Barbara Klier, Helen D. Uebelhoer and Henry Klier for a single family home sewer connection at 11118 Walden Avenue, Town of Alden.
 - G. Motion to approve Diane Begiers request to use the large room at the Community Center for Alden Home Bureau meetings on the 1st, 3rd and 5th Monday of every month from 7-9PM, September 2012 through June 2013 on requested dates per C/MR
 - H. Motion to approve Diane Begiers request to use the small room at the Community Center for the Girl Scouts September 10th, 2012 through June 13th, 2013 on requested dates per C/MR
 - I. Resolution authorizing Local Government Performance & Efficiency Program (LGPEP) grant application
9. UNFINISHED & TABLED BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:

| | |
|--------------------|--------------------------|
| WORK SESSION: | JULY 23, 2012 @ 7:00 PM |
| REG. BOARD MEETING | AUGUST 6, 2012 @ 7:00 PM |
13. MEMORIAL ADJOURNMENT: Joyce M. Wright, James Guarino

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, July 2, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilman Weber led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

Approved Minutes & Synopsis of Meeting from June 18, 2012.

Adopted Resolution approving Vouchers for payment.

Adopted Resolution approving the hiring of Daniel Carder, III as Park Maintenance Worker I PT at a rate of \$9.50/hour, not to exceed more than 19 hour per week, benefits as per Employee Handbook.

Approved Motion to renew the Home Occupation Permit for Marc & Lou Ann Miller/11256 Broadway/Blinds Cleaned & Repaired/Internet Sales.

Approved Motion to refer the application for a Home Occupation Permit for Nicole A. Koschuk/1289 Sandridge Rd., /Dog Grooming to the Planning Board for review and recommendation.

Adopted Resolution approving the purchase of a dump trailer from Loe, Inc. at a total cost of \$3,400.00.

Adopted Resolution approving the trade-in of the 2008 John Deere 1420 tractor with mower deck and the 2010 John Deere 47 snow blower attachment towards the purchase of a new parks mower from Z & M Ag. & Turf for a total (after trade ins) of \$1,778.68.

Adopted Resolution approving the rental of two (2) power buggies from Admar Supply Co., Inc. for four weeks at a total cost of \$1,195.00.

Adopted Resolution approving the purchase of 1,000 feet of 12 x 20 drainage pipe from Vellano Bros., Inc. (State Bid) for a total cost of \$4,380.00.

Adopted Resolution approving the purchase of no more than 150 tons of #2 clean stone from County Line Stone (State Bid) for a total cost of \$1,717.50 (\$11.45/ton).

Adopted Resolution calling a Public Hearing on August 6, 2012 at 7:05 P.M. re 11639 Genesee St. on report from the Building Inspector and to determine if the building is dangerous, unsafe and a public nuisance.

Approved Motion to allow Lancaster Moose to use the Town of Alden's Band Shell on August 10, 2012 for a fundraiser. Insurance Binder has been received.

Approved Motion to allow Alden Presbyterian Church to use the Town of Alden's Band Shell on Sunday, August 19th, 2012, proof of insurance has been received.

Supervisor Milligan adjourned the Meeting at 7:21 P.M. with a Moment of Silence in Memory of Ronald March and Dorothy Schmidbauer.

The Regular Meeting of the Alden Town Board was held in the Town Hall 3311 Wende Road on Monday, July 2, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order. Councilman Weber led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Harry Milligan, Supervisor
William Weber, Councilman

RECORDING SECRETARY: Ralph P. Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Chris Snyder, CEO
Michael DeWitt, Planning Board
Len Weglarski, DCO

ABSENT: Mary Riddoch, Councilwoman
Carl Fix, Hwy. Supt.
Michael Metzger, Town Engineer

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of June 18, 2012. Unanimously Carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WEBER AND SECONDED BY SUPERVISOR MILLIGAN TO WIT;

| ACCOUNT | ABST. #1 | ABST. #2 | TOTAL |
|---------------------------|---------------------|--------------------|---------------------|
| GENERAL FUND "A" | \$69,033.96 | \$10,287.57 | \$79,321.53 |
| HGHWY FUND "DA/DB" | 2,767.23 | 17,362.20 | 20,129.43 |
| PART-TOWN FUND "B" | 2,377.15 | 379.53 | 2,756.68 |
| CAPITAL IMPROV. "HC" | | 1,115.93 | 1,115.93 |
| WD#1 FUND "WA" | | | |
| WD#2 FUND "WB" | 375.20 | | 375.20 |
| WD#3 FUND "WC" | 2,063.60 | 8.74 | 2,072.34 |
| WD#4 FUND "WD" | 1,299.80 | | 1,299.80 |
| SP FIRE PROT. "SF" | 12,600.00 | 9.82 | 12,609.82 |
| SD#2 FUND "SA" | 2,250.45 | 1,069.85 | 3,320.30 |
| TRUST/AGCY FUND "T" | 292.39 | 2,608.74 | 2,901.13 |
| SP REFUSE FUND "SR" | 39,707.32 | | 39,707.32 |
| STREET LIGHTING FUND "SL" | 5,349.85 | | 5,349.85 |
| PERIWINKLE LTG. "SL1" | 33.48 | | 33.48 |
| GRANTS | | 592.68 | 592.68 |
| TOTALS | \$138,150.43 | \$33,435.06 | \$171,585.49 |

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

THERE WAS NO BUSINESS FROM THE FLOOR

COMMUNICATIONS

Councilman Weber received a call today from a Clearvue Drive resident today regarding roadside drainage and piping of the ditch side. Councilman Weber will talk to the Highway Supt. as soon as he returns from vacation.

Attorney Strong said that the extension contract with Zoladz for the Panza Trail has come in. Last week the Governor has signed the legislation allowing the Village to put their water lines in the Town Park. She will personally deliver it to the Village tomorrow.

Supervisor Milligan, on behalf of Councilwoman Riddoch, read an e-mail from a concerned citizen regarding Genesee St. in front of the Millgrove Fire Hall. The asphalt is broken (pothole). She would like to see what could be done about it. Councilwoman Riddoch contacted the D.O.T. and they informed her that they will be milling some portions and paving the entire length of Genesee Street from Harris Hill to Countyline this summer.

NEW BUSINESS

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

WHEREAS, the Town of Alden Parks Supervisor has advised the Town Board that the Parks Department is in need of a part time maintenance person for the remainder of 2012;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the hiring of Daniel Carder, III as Park Maintenance Worker I PT; at a rate of \$9.50 / hour, not to exceed more than 19 hours per week, benefits as per Employee Handbook.
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 2, 2012, and was unanimously adopted.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the renewal of the Home Occupation Permit for Marc & Lou Ann Miller/11256 Broadway/Blinds Cleaned & Repaired/Internet Sales. Unanimously Carried.

Councilman Weber moved and Supervisor Milligan seconded the Motion to refer the application for a Home Occupation Permit for Nicole A. Koschuk/1289 Sandridge Rd./Dog Grooming to the Planning Board for review and recommendation. Unanimously Carried.

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

WHEREAS, the Alden Town Board has received a request from the Parks Supervisor to purchase a 5' x 8' single axle dump trailer, the estimated cost of which less than \$10,000.01 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, a written request for proposals (for the purchase of a 5' x 8' single axle dump trailer with battery charger was made by the Parks Department to three (3) vendors, as follows:

- the highest bidder is Davis' Trailer World at \$3,669.00;
- the second highest bidder is General Welding & Fabrication at \$3,550.00; and
- the lowest bidder is Loe Inc. trailer sales at \$3,400.00;

WHEREAS, Loe Inc. trailer sales is deemed the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to authorize the purchase of a dump trailer.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a dump trailer from Loe, Inc. trailer sales at a total cost of \$3,400.00, with the trailer being picked up by the Town;
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 July 2, 2012, and was unanimously adopted.

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

WHEREAS, the Town of Parks Supervisor has advised the Town Board that the Parks Department is in need of one (1) parks mower which will be purchased pursuant to State Bid;

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

WHEREAS, the Parks Supervisor has advised the Town Board that the Parks Department is in possession of a 2008 John Deere 1420 tractor with mower deck and a 2010 John Deere 47 snow blower attachment that are not of any use to the Parks Department and are eligible for trade-in value toward the purchase of a new parks mower; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the 2008 John Deere 1420 tractor with mower deck and the 2010 John Deere 47 snow blower attachment are not needed for Town purposes and are surplus property;
2. The Town Board hereby authorizes the Parks Supervisor to trade-in the 2008 John Deere 1420 tractor with mower deck for a trade-in value of \$5,400.00 and to trade-in the 2010 John Deere 47 snow blower attachment for a trade-in value of \$2,800.00 towards the purchase of the new parks mower;
3. The Town Board approves the purchase of one (1) parks mower, as described on the attached State Bid Pricing Summary for \$1,778.68 (equipment price of \$9,978.68 minus \$8,200.00 trade-in and with free delivery) from Z&M Ag and Turf;
4. That the Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this trade-in and purchase; and
5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 2, 2012, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from the Highway Superintendent to rent two (2) power buggies for four (4) weeks, the estimated rental cost is less than \$2,000.00 but greater than \$500.00;

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

WHEREAS, requests for proposals (four (4) week rental of two (2) power buggies plus any delivery; pick up; and/or other charges) were made by the Highway Department to two (2) vendors;

WHEREAS, bids were received as follows:
the highest bidder is United Rentals at \$1,050.00, plus delivery/pickup charge of \$300.00; and environmental fee of \$25.00 (for a total of \$1,375.00) and the lowest bidder is Admar Supply Company, Inc. at \$1,000.00 per week, plus delivery/pickup charge of \$190.00 and environmental fee of \$5.00 (for a total cost of \$1,195.00);

WHEREAS, Admar Supply Company Inc. is deemed the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds said rental request as consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the rental of two (2) power buggies from Admar Supply Company Inc. for four weeks at a total cost of \$1,195.00;
2. The Highway Superintendent is authorized to sign a rental agreement to effectuate this rental; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 2, 2012, and was unanimously adopted.

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

WHEREAS, the Town of Alden Highway Superintendent has advised the Town Board that the Highway Department is in need of 1,000 feet of 12 x 20 drain pipe for a Town drainage project, which will be purchased pursuant to State Bid;

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

WHEREAS, The Town Board after full and careful review and consideration of the Highway Superintendent's request finds the request to purchase drainpipe in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the purchase of 1,000 feet of 12 x 20 drainage pipe from Vellano Bros., Inc., who is on the State Bid List for a total cost of \$4,380.00 as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 2, 2012, and was unanimously adopted.

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

WHEREAS, the Town of Alden Highway Superintendent has advised the Town Board that the Highway Department is in need of no more than 150 tons of # 2 clean stone for a Town drainage project which will be purchased pursuant to State Bid;

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

WHEREAS, The Town Board after full and careful review and consideration of the Highway Superintendent's request finds the request to purchase drainpipe in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the purchase of no more than 150 tons of #2 clean stone from County Line Stone, who is on the State Bid List for a total cost of \$1,717.50 (\$11.45/ton) as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 2, 2012, and was unanimously adopted.

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

WHEREAS, The Town of Alden Building Inspector on June 25, 2012 made a report to the Alden Town Board that the brick building located at 11639 Genesee Street is so dangerous and unsafe as defined by Chapter 7A of the Alden Town Code; the building are so dilapidated, decayed, unsafe and unsanitary, that it utterly fails to provide the amenities essential to decent living so that they are unfit for human habitation.

WHEREAS, The Building Inspector has determined that the building: can not be reasonable repaired; is dangerous to the health, morals, safety and general welfare; and is more than 50% damaged, decayed and deteriorated from its original structure; and that said building is a public nuisance.

WHEREAS, the Building Inspector has properly notified the owner, and all other persons having an interest in said building that the building has been found be to dangerous, unsafe, and a public nuisance and has given notice that the building must be repaired or demolished within thirty (30) days.

WHEREAS, the Building Inspector has posted notice of the Building being dangerous, unsafe, and a public nuisance on the property.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That a Hearing be held before the Alden Town Board on August 6, 2012 at 7:05 PM at the Alden Town Hall, 3311 Wende Road, Alden, New York on the report made by the Building Inspector and to determine if the building is dangerous, unsafe and a public nuisance;

2. That the necessary Notice of Hearing, as required by Section 7A-6(B) of the Alden Town Code be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, and mailed to the property owner and other parties having an interest in the property, 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 roll call vote at a regular meeting on July 2, 2012 and was unanimously adopted.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the Lancaster Moose's request to use the Town of Alden's Band Shell on August 10, 2012 for a fundraiser. Insurance Binder has been received. Unanimously Carried.

Councilman Weber moved and Supervisor Milligan seconded the Motion to approve the Alden Presbyterian Church's request to use the Town of Alden's Band Shell on Sunday, August 19th, 2012. Certificate of Insurance has been received. Unanimously Carried.

THERE WAS NO UNFINISHED AND TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber reported that the Highway Department is working hard preparing for the drainage job on Virginia/Boncliff. The purchases for this project were approved tonight. Hopefully this will be done next week.

Town Clerk Ralph Witt reported on the Town's licensing procedure for dogs. This is for dogs found unlicensed and also for licenses that were failed to be renewed.

Attorney Strong said she has been working on the dog law with Town Clerk Witt and Lenny and would like it on the Work Session. The contract with Ted Morgan as Operator of the Alaura Sewer plant expires at the end of this year. We should start working on this and gathering specs for renewing our tipping contract that also expires the end of the year.

CEO Chris Snyder received three (3) bids on stripping and waxing the floors in the Town Hall.

Supervisor Milligan is glad to see the procedure starting regarding the Old Millgrove School demolition. This should be a message to the people of this Town that we take this seriously. We cannot have these buildings in this condition around town. There are several cases in court and CEO Snyder's work is appreciated.

Supervisor Milligan reported that an e-mail was received from Joe Hickman regarding considering changing the current collection and recycling route on Wednesday to Monday. There will be an ad in the Alden Advertiser shortly about the meetings to be held regarding the new recycling carts. Modern will also be sending out mailings.

Councilman Weber said that a year ago he also got a price on having the floor in the Town Hall stripped and waxed, he would like to be involved in the decision. He will recheck with the individual to see if the price is the same. He would like this on the Work Session.

NEXT WORK SESSION: Monday, July 9, 2012 @ 7:00 P.M.
NEXT REG. BOARD MTG.: Monday, July 16, 2012 @ 7:00 P.M.

Supervisor Milligan adjourned the meeting at 7:21 P.M. with a Moment of Silence in Memory of Ronald March and Dorothy Schmidbauer.



Ralph Witt, Town Clerk

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

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

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

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

WHEREAS, Millgrove Volunteer Fire Department has approved Eric D. Guidie for Membership; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Eric D. Guidie for membership in the Millgrove Volunteer Fire Department, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 16, 2012 as follows:

| | | |
|-----------------------|-----|-----|
| Councilmember Weber | 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 floors at the Alden Town Hall need to be re-finished, 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 proposals were made to three (3) vendors and bids received as follows:

- the highest bidder is K&K Janitorial Services Inc. at \$1,145.00;
- the second highest bidder is H. Clarke Services, Inc. at \$979.00; and
- the lowest bidder is Janimart Janitorial Sales and Services at \$890.00;

WHEREAS, Janimart Janitorial Sales and Services 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 refinishing of the Town Hall floors.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of Janimart Janitorial Sales and Services to refinish the Town Hall Floors for a total cost of \$890.00, provided that Janimart provides proof of insurance to the Town before commencing any work;
2. The Town 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 July 16, 2012, as follows:

| | | |
|-----------------------|-----|-----|
| Councilmember Weber | Aye | Nay |
| Supervisor Milligan | Aye | Nay |
| Councilmember Riddoch | Aye | Nay |

(C)

#3

Jennifer Strong

From: Jennifer Strong [jstrong@neillstrong.com]
Sent: Tuesday, July 10, 2012 10:51 AM
To: 'Crist, Debra'
Subject: Dogs Law
Attachments: text 7.16.12.doc

Read this

Motion to introduce Local Law # 1 of 2012 Amendment to the Dogs Law (text attached) and to refer the same to the Planning Board for review and recommendation.

Jennifer L. Strong, Esq.
Neill & Strong, PLLC
13166 Main Street (P.O. Box 395)
Alden, New York 14004
P: (716) 937-3353
F: (716) 937-7222

THIS COMMUNICATION WAS NOT INTENDED OR WRITTEN TO BE USED, AND IT CANNOT BE USED, BY ANY TAXPAYER FOR THE PURPOSE OF AVOIDING TAX PENALTIES. (THE FOREGOING LEGEND HAS BEEN AFFIXED PURSUANT TO U.S. TREASURY REGULATIONS GOVERNING TAX PRACTICES.) THIS TRANSMISSION MAY CONTAIN INFORMATION WHICH IS PRIVILEGED AND CONFIDENTIAL AND SUBJECT TO LEGAL RESTRICTIONS AND PENALTIES REGARDING ITS DISCLOSURE OR OTHER USE. YOU ARE PROHIBITED FROM COPYING, DISTRIBUTING OR OTHERWISE USING THIS INFORMATION IF YOU ARE NOT THE INTENDED RECIPIENT. IF YOU HAVE RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE NOTIFY US IMMEDIATELY AND RETURN THE ORIGINAL TO US BY SECURE MEANS WITHOUT MAKING A COPY. THANK YOU.

7/16/12

§ 9-5. Duties of Dog Control Officer; impoundment. ADD D:

- D. The Dog Control Officer, shall seize and quarantine for ten (10) days any dog in the Town of Alden who bites any person or animal, when proof that the biting dog's rabies vaccination is not immediately available upon demand of the Dog Control Officer.

§ 9-8. REVISE E TO READ:

- E. If a dog seized under provisions of § 9-3 is not redeemed within five business days, the owner shall forfeit all title to such dog and the dog shall be sent to the SPCA or destroyed by the peace officer or representative of the Commissioner of Agriculture and Markets, and pay any established fines and/or fees. Anyone who picks up an at-large dog in the Town of Alden must notify the Dog Control Officer of Alden (or his/her assistant) and surrender the dog upon request, before removing the dog from the Town, subject to fine. Fees include veterinarian bills, license fees and maintenance fees of the dog and shall be as set forth in Agriculture and Markets Law § 118, Subdivision 4. There shall be a fee for the euthanasia and disposal of a dog, which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service.

If a dog seized under the provisions of § 9-5D, the owner shall pay all veterinarian bills, licenses fees and maintenance fees of the dog and shall be as set forth in Agriculture and Markets Law § 118, Subdivision 4. There shall be a fee for the euthanasia and disposal of a dog, which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service. Dogs not redeemed after twelve (12) days, the owner shall forfeit all title to such dog and the dog shall be sent to the SPCA or destroyed by the peace officer or representative of the Commissioner of Agriculture and Markets, and pay any established fines and/or fees.

REVISE F TO READ:

- F. Fees and Penalties for Failure to License a Dog. If the Dog Control Officer of the Town discovers that an owner or harborer has an unlicensed dog, the Dog Control Officer shall proceed as a civil matter and shall notify the owner or harborer that he or she is in violation of the Town of Alden Code Article 1, §9-1 A and the owner or harborer shall have 5 days to obtain a license. At the time that the normal license fee is paid such owner or harborer shall pay an additional processing fee of \$25.00 for not properly licensing the dog, except that where the owner or harborer has violated this section within the preceding five years, the processing fee shall be \$50.00 and where the owner or harborer has committed two or more of such violations within the preceding five years the processing fee shall be \$100.00. If the owner or harborer

shall not obtain a license within said 5 day period, the Dog Control Officer will commence a criminal proceeding with the Town Court.

Any fees and penalties collected under this section shall be maintained in an account by the Town of Alden to be used to fund future Dog enumerations performed by the Town of Alden.

#4

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

WHEREAS, the Town of Parks Supervisor has advised the Town Board that the Parks Department is in need of one (1) Utility Vehicle which will be purchased pursuant to State Bid;

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

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of one (1) utility vehicle (more specifically a John Deere Gator TX), as described on the attached State Bid Pricing Summary for \$8,234.93 from Z&M Ag and Turf;
2. That the Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 16, 2012, as follows:

| | | |
|----------------------|-----|-----|
| Councilman Weber | Aye | Nay |
| Supervisor Milligan | Aye | Nay |
| Councilwoman Riddoch | Aye | Nay |

E

Jennifer Strong

From: Jennifer Strong [jstrong@neillstrong.com]
Sent: Wednesday, July 11, 2012 9:59 AM
To: 'Crist, Debra'
Subject: Motion for Training

Deb, please add the following motion to the 7/16 Agenda:

Motion to allow Don Stoffel; Mike Fleming; Ralph Witt; and Colleen Rogers to attend Planning and Zoning training sponsored by the Association of Towns on July 27, 2012 at the Marriott Buffalo, NY at a cost of \$70 per person.

Thank you,
Jenn

Jennifer L. Strong, Esq.
Neill & Strong, PLLC
13166 Main Street (P.O. Box 395)
Alden, New York 14004
P: (716) 937-3353
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(F)

Jennifer Strong

From: Jennifer Strong [jstrong@neillstrong.com]
Sent: Wednesday, July 11, 2012 10:06 AM
To: 'Crist, Debra'
Subject: Motion Consenting to Out of District Sewer Agreement

Deb, please add the following motion to the 7/16 Agenda:

Motion consenting to the Out of District Customer Agreement between the County of Erie and Barbara Klier, Helen D. Uebelhoer and Henry Klier for a single family home sewer connection at 11118 Walden Avenue, in the Town of Alden.

Thanks,
Jenn

Jennifer L. Strong, Esq.
Neill & Strong, PLLC
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MOTION TO APPROVE DIANE BEGIERS REQUEST TO USE THE LARGE ROOM
AT THE COMMUNITY CENTER FOR ALDEN HOME BUREAU MEETINGS ON
THE 1ST, 3RD & 5TH MONDAY OF EVERY MONTH FROM 7-9 PM SEPTEMBER
2012 THROUGH JUNE 2013 ON REQUESTED DATES per C/MR

MOTION TO APPROVE DIANE BEGIERS REQUEST TO USE THE SMALL ROOM
AT THE COMMUNITY CENTER FOR THE GIRL SCOUTS SEPTEMBER 10TH 2012
THROUGH JUNE 13TH 2013 ON REQUESTED DATES per C/MR

I

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

WHEREAS, the New York State, Department of State (DOS) is soliciting grant applications for the Local Government Performance and Efficiency Program (LGPEP), to provide performance awards for existing cost savings actions that are substantial, measurable and transformative, and

WHEREAS, the Town of Alden implemented a program on January 1, 2011 to consolidate Town employee health care insurance carriers and embark upon an innovative health care insurance premium establishment program, thereby resulting in reoccurring savings to taxpayers with no change in benefits to employees, and

WHEREAS, the Town of Alden desires to submit a grant application titled, "The Town of Alden Innovative Employee Health Insurance Program" to the New York State Department of State Local Government Performance and Efficiency Program.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT;

5. The Alden Town Board hereby designates Harry F. Milligan, Alden Town Supervisor, (and his designee), to act in the capacity of Contact Person and to submit an application for the Town of Alden Innovative Employee Health Insurance Program to the Local Government Performance and Efficiency Program;
6. Harry F. Milligan is hereby authorized to execute all financial and/or administrative processes relating to the implementation of the program;
7. Grantmakers Advantage, Inc., the Town's grant consultant, be authorized to prepare and submit said application for funding; and
8. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on July 16, 2012, as follows:

| | | |
|-----------------------|-----|-----|
| Councilmember Weber | Aye | Nay |
| Supervisor Milligan | Aye | Nay |
| Councilmember Riddoch | Aye | Nay |