

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 SEPTEMBER 4, 2012.

\*\*\*\*\*7:05 P.M. PUBLIC HEARING REGARDING LOCAL LAW NO. 1 OF THE YEAR 2012 ENTITLED "AMENDMENT TO THE DOGS LAW OF THE CODE OF THE TOWN OF ALDEN."\*\*\*\*\*

5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
  - A. Motion to renew the Home Occupation Permit for Daniel Pautler/12657 North Rd./Gun Sales and Accessories per TC/RW
  - B. Resolution authorizing the Supervisor to sign a three-year Contract with Modern Disposal for the disposal of municipal solid wastes, bulky wastes, and white goods at a charge of \$34.65/ton for year one of the Contract per S/HM
  - C. Resolution regarding establishing and making appointments to the Town of Alden Comprehensive Plan Implementation Committee per S/HM
  - D. Resolution opposing the County's proposed Memo of Understanding for the Library System per S/HM
  - E. Resolution authorizing Supervisor Milligan to enter into and execute all the necessary documents to effectuate an Agreement with the Village of Alden for joint maintenance and repair of Sullivan Rd. 1/1/13 to 12/31/2014 per CM/WW
  - F. Order calling a Public Hearing October 1, 2012, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden per S/HM
  - G. Resolution authorizing Grantmakers Advantage, Inc. to complete the necessary application, forms etc. to E & W G Foundation regarding a grant to construct a shelter at the Alden Town Park per S/HM
  - H. Resolution authorizing Supervisor Milligan to sign an Agreement with Ted Morgan Services for the term of three years per agreement per S/HM
  - I. Resolution approving the purchase of additional 25 – 65-gallon rollout carts from Rehrig Pacific Company at a total cost of \$1,707.00 per S/HM
  - J. Resolution providing for submission of a proposition at the next Biennial Town Election to be held November 6, 2012, to approve or disapprove the petition to increase the number of Council members from two to four in the Town of Alden per S/HM
9. UNFINISHED & TABLED BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:

SPECIAL MEETING OF THE MASTER PLAN COMMITTEE AT ALDEN TOWN HALL ON WEDNESDAY, SEPTEMBER 19, 2012 AT 9:00 A.M.  
SPECIAL WORK SESSION AT ALDEN TOWN HALL ON TUESDAY, SEPTEMBER 25, 2012 AT 10:00 A.M.  
WORK SESSION: SEPTEMBER 24, 2012 @ 7:00 PM  
REG. BOARD MEETING: OCTOBER 1, 2012 @ 7:00 PM
13. MEMORIAL ADJOURNMENT: Gerald Wierzbowski

*Clerk*

<b>TOWN CLERK'S OFFICE</b>	<b>ALDEN TOWN BOARD</b>	<b>FOR INFORMATION</b>
<b>RALPH P. WITT, TOWN CLERK</b>		<b>716-937-6969 EXT. 2</b>
<b>DEBRA A. CRIST, DEPUTY</b>		

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, September 04, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

Approved Minutes & Synopsis of the Special Meeting #2/2012/August 20, 2012 and Special Meeting #3/2012/August 21, 2012 and Regular Meeting from August 20, 2012.

Adopted Resolution approving Vouchers for payment.

Approved Motion to renew the Home Occupation Permit for Matthew Jozwiak/12218 Westwood Rd./Metal Roof Sales.

Adopted Resolution authorizing Grantmakers Advantage, Inc. to complete the necessary application, forms, etc. to the New York State Unified Court System for the purpose of securing a grant to enhance the security and operation of the municipal Justice Court.

Approved Motion to allow Alden Memorial Post 7967, VFW the use of the small room in the Community Center on the Third Monday of each month for the year 2013.

Approved Motion to allow Alden Garden Club to use the large room in the Community Center on the second Wednesday of each month, September through June 2012-2013 at 7-9 P.M.

Adopted Resolution authorizing the Town Highway Supt. to take to auction the 2003 Chevy Silverado Pick Up with lift gate; the 2006 Chevy Silverado Pick Up Truck and the 1972 Ford Fire Truck to the Erie County Municipal Auction on October 13, 2012.

Not Adopted/ Resolution approving the hiring of Rick Pryzwara as PT Seasonal Laborer for the Highway Dept.

Adopted Resolution for Lead Agency, EAF regarding Local Law #1/2012 Amendment to the Dog Law of the Code of the Town of Alden.

Order Calling a Public Hearing regarding Local Law #1/2012 Amendment to the Dog Law of the Code of the Town of Alden

Executive Session

Supervisor Milligan adjourned the Meeting at 7:28 P.M. with a Moment of Silence in Memory of Carmen Miranda, Richard Jurek and Donna Eggert.

**MEETING NO. 17    REGULAR BOARD MEETING    SEPTEMBER 4, 2012**  
**REGULAR NO. 17    7:00 P.M.**

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, September 4, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT:                                 Harry Milligan, Supervisor  
    William Weber, Councilman

ABSENT:                                 Mary Riddoch, Councilwoman

RECORDING SECRETARY:             Ralph Witt, Town Clerk

OTHERS PRESENT:                     Jennifer Strong, Town Attorney  
    Michael Metzger, Town Engineer  
    Chris Snyder, CEO  
    Michael Dewitt, Planning Board

ABSENT:                                 Carl Fix, Hwy. Supt.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Special Meeting #2/2012 on 8/20/12 and Special Meeting #3/2012 on 8/21/12 (Budget Meetings) and the Regular Meeting of August 20, 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"	\$29,384.25	\$12,996.47	\$42,380.72
HGHWY FUND "DA/DB"	5,676.58	3,654.58	9,331.16
PART-TOWN FUND "B"	10,758.62	1,975.00	12,733.62
CAPITAL IMPROV. "HC"			
WD#1 FUND "WA"			
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,050.20		2,050.20
WD#4 FUND "WD"	12,352.93		12,352.93
SP FIRE PROT. "SF"	2,506.27		2,506.27
SD#2 FUND "SA"	2,080.02	32.64	2,112.66
TRUST/AGCY FUND "T"	4,036.98	216.00	4,252.98
SP REFUSE FUND "SR"	39,014.85		39,014.85
STREET LIGHTING FUND "SL"	5,395.45		5,395.45
PERIWINKLE LTG. "SL1"	33.91		33.91
GRANTS			
TOTALS	\$113,665.26	\$18,874.69	\$132,539.95

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

**BUSINESS FROM THE FLOOR**

Robert Wohlgemuth, Alden has a concern about the "friend and family plan". He would like to see job postings in the Alden Advertiser for all jobs forthcoming. Mr. Wohlgemuth wanted also to comment, seeing as this is budget time, that from 2000-2010 revenue has increased approximately 45% and spending has increased the same. He would like to see spending reduced to take it easy on the families in the Town of Alden, as their salaries have not increased 45%.

**COMMUNICATIONS**

Councilman Weber was in contact today with John Lewandowski from Boncliff Drive, who could not attend tonight; he is very upset about the roadside ditching that was done in front of his

home. He has many concerns. He takes pride in his property and it is a deterrent after the Town came in and did the ditching. Councilman Weber will contact Carl Fix, Highway Superintendent, to see what can be done to remedy this situation. The homeowner has spoke to Carl and he told him it is as done as it is going to be.

Town Clerk Ralph Witt said that the Clerk's office has received many phone calls regarding the new recycling system.

Attorney Strong reported that the tipping bids were opened last Thursday and she would like to discuss it at the Work Session next week.

Supervisor Milligan received a letter from MAP/Massachusetts Ave. Project who will be coming out to Oles farm on County Line Rd. September 15<sup>th</sup> on bicycles from the City of Buffalo. They would like the Town of Alden's permission and consideration when making this trip through the Town. Supervisor Milligan has contacted the Fire Company and they said they would help out.

#### NEW BUSINESS

Councilman Weber moved and Supervisor Milligan seconded the Motion to renew the Home Occupation Permit for Matthew Jozwiak/12218 Westwood Rd./Metal Roof Sales. Unanimously Carried.

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

WHEREAS, grant monies are available through the New York State Unified Court System to enhance the security and operation of municipal Justice Courts.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. Grantmakers Advantage, Inc., the Town's grant consultants, is authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Unified Court System for the purpose of securing this grant,
2. The Supervisor and Town Court Justices are authorized and directed to execute all documents pertaining to the application and acquisition of said funding, and
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 4, 2012, and was unanimously adopted.

Councilman Weber moved and Supervisor Milligan seconded the Motion to approve Alden Memorial Post 7967, VFW the use of the small room in the Community Center on the third Monday of each month for the year 2013. Unanimously Carried.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve Alden Garden Club's request to use the large room in the Community Center on the second Wednesday of each month, September through June 2012-13 at 7-9 P.M. Unanimously Carried.

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

WHEREAS, the Highway Superintendent has advised the Town Board that the Highway Department is in possession of a 2003 Chevy Silverado Pick Up Truck with lift gate (VIN: 1GCHK24UX3Z228139) and a 2006 Chevy Silverado Pick Up Truck (VIN: 1GCHK24U66E237402) that are not of any use to the Highway Department and are eligible for auction at the Erie County Municipal Auction; and

WHEREAS, the Parks Supervisor has advised the Town Board that the Parks Department is in possession of a 1972 Ford Fire Truck (VIN: C90LVN91420) that is not of any use to the Parks Department and is eligible for auction at the Erie County Municipal Auction; and

WHEREAS, The Town Board after full and careful review and consideration of the request finds said request to auction the three (3) trucks as being in the public interest;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby determines that the above described 2003 Chevy Silverado Pick Up Truck with lift gate; the 2006 Chevy Silverado Pick Up Truck; and the 1972 Ford Fire Truck are not needed for Town purposes and are surplus property;
2. The Town Board hereby authorizes the Town Highway Superintendent to auction the 2003 Chevy Silverado Pick Up Truck with lift gate; the 2006 Chevy Silverado Pick Up Truck; and the 1972 Ford Fire Truck at the Erie County Municipal Auction to be held on October 13, 2012;
3. The Town Board hereby authorizes the Town Highway Superintendent to sign any and all documentation to effectuate this sale at auction; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 4, 2012, and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MILLIGAN, WHO MOVED ITS ADOPTION; THERE WAS NO SECOND, THEREFORE THE FOLLOWING RESOLUTION FAILED TO BE ADOPTED.

WHEREAS, the Town of Alden Highway Superintendent has advised the Town Board that the Highway Department is in need of a part time seasonal, on call, non-union laborer for the remainder of 2012 due to injuries and vacations of the existing highway employees; and

WHEREAS, hiring this part time seasonal, on call, non union laborer does not take away any work from current unionized employees.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the hiring of Rick Pryzwara as a **PT Seasonal Laborer**; at a rate of \$12.43 / hour, not to exceed five months of work, 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 September 4, 2012, and was not seconded, therefore the above Resolution failed to be adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of "Local Law No. 1 of the Year 2012", entitled "Amendment to the Dogs Law of the Code of the Town of Alden" (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

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

WHEREAS, the Town Clerk is hereby directed to send notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.

This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on September 4, 2012, the results of which were unanimously adopted.

THE FOLLOWING ORDER WAS OFFERED BY SUPERVISOR MILLIGAN AND SECONDED BY COUNCILMAN WEBER TO WIT;  
NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 17<sup>th</sup> day of September, 2012, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2012; and

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than five (5) days before the date of the public hearing; (b) and post as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 1 of the Year 2012, entitled "Amendment to the Dogs Law of the Code of the Town of Alden", available at his office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on September 4, 2012, and was unanimously adopted.

THERE WAS NO UNFINISHED AND TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Attorney Strong would like to discuss the Dog Law at the next Work Session.

CEO Snyder contacted the Contractor to come out to get the thermostats for the Town Hall building resolved. He is waiting to hear back from the demolition contractor regarding the old Millgrove school.

Town Engineer Metzger has contacted the State one more time regarding the drainage matter on the Sevenpiper property to find out what their plan is. He is awaiting a response. Engineer Metzger met with the Supervisor and went over budget items for next year and offered input/recreational facilities. He would like the turnover of the water system to the Water Authority for Water districts 2,3 & 4 and would also like to discuss the matter of the water district #3/Uebelhoer Rd at the next Work Session.

Supervisor Milligan would like Uebelhoer Rd. and the waterline for Zoeller and Exchange status on the Work Session Agenda. Supervisor Milligan attended a meeting today of Supervisors. The discussion included dog laws, budgets, graffiti,

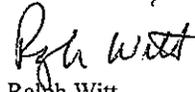
cleaning up private property, recycling, IDA and libraries. It was a very interesting and educational meeting.

**AT 7:19 P.M. COUNCILMAN WEBER ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO AN EXECUTIVE SESSION REGARDING THE PROPOSED HIRING OF HIGHWAY DEPARTMENT PERSONNEL WITH THE SUPERVISOR, TOWN ATTORNEY AND HIMSELF. SUPERVISOR MILLIGAN SECONDED THE MOTION.**

**AT 7:27 P.M. COUNCILMAN ASKED FOR A MOTION TO ADJOURN FROM THE EXECUTIVE SESSION, WITH NO ACTION BEING TAKEN, AND ENTER BACK INTO THE REGULAR MEETING. SUPERVISOR MILLIGAN SECONDED THE MOTION.**

**NEXT WORK SESSION: Monday, September 10, 2012 @ 7:00 P.M.  
NEXT TOWN BOARD MTG.: Monday, September 17, 2012 @ 7:00 P.M.**

Supervisor Milligan adjourned the Meeting at 7: 28 P.M. with a Moment of Silence in Memory of Carmen Miranda, Richard Jurek and Donna Eggert.



Ralph Witt

Town Clerk

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
TOWN OF ALDEN, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board on July 16, 2012, for adoption a proposed Local Law to be known as Local Law No. 1 of the Year 2012 entitled "Amendment to the Dogs Law of the Code of the Town of Alden." The proposed Local Law requires mandatory quarantine by the Dog Control Officer when a dog, without proof of rabies vaccination, bites a person or animal.

THEREFORE, pursuant to the Municipal Home Rule Law Rules, the Town Board of the Town of Alden shall hold a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 17<sup>th</sup> day of September, 2012, at which time persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Clerk at 937-6969 extension 2.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF ALDEN

Dated: September 4, 2012

CLERA

A.

9/17/2012

COUNCIL \_\_\_\_\_ MOVED AND COUNCIL \_\_\_\_\_ SECONDED  
THE MOTION TO RENEW THE HOME OCCUPATION PERMIT FOR DANIEL  
PAUTLER/12657 NORTH RD./GUN SALES AND ACCESSORIES per TC/RW

Rec. 8/7/12  
Ch. 1214  
P.C. \$50.00

APPLICATION FOR HOME OCCUPATION PERMIT

(ANY ZONING DISTRICT EXCEPT R-12)

Date 8/5/12

1. Applicant:  
Name Daniel C Pautler  
Address 12657 NORTH Rd. Alder  
Telephone 716 937-6249
2. Location of property for which permit is 12657 NORTH ROAD
3. Present Zoning RA
4. Use requested - What type of product will be produced, serviced, or repaired in the conduct of your Home Occupation? (For example: repair of clocks or watches making jewelry, etc.)  
Explain GUNS + ACC.
5. Describe what rooms will be used in the conduct of the Home Occupation and how these rooms will be used (Not to exceed 25% of floor area of one story).  
Explain: LIVING ROOM
6. Describe the mechanical and/or electrical equipment that will be necessary to the conduct of your activity. NONE
7. Describe how, where, and in what amounts the material, supplies, and/or equipment related to your proposed Home Occupation will be displayed or stored:  
LOCKED IN GUN SAFE
8. Will the Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises: Yes  No   
If yes, please explain UPS
9. How many persons will be involved or employed (limit one) in the conduct of the proposed occupation: Member of immediate family      Others       
Total number 1
10. Names of abutting property owners and owners across street:  
MRS DAN PAUTLER  
MARK + SUE SUJZINSKI
11. Easements or other restrictions on property: NONE
12. Explain the reasons which prevent this proposed use from being more suitably located in a property zoned district elsewhere within the Town  
BUSINESS TOO SMALL

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

Signature of Applicant \_\_\_\_\_



Sworn to this 5 day of Aug 5 19 2012.

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



# TOWN OF ALDEN

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

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

DATE: 8-7-12

NAME: DANIEL PAUTLER

ADDRESS: 12657 NORTH Rd.  
ALDEN, N.Y.

DATE OF INSPECTION: 8-30-12

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

  
\_\_\_\_\_  
H.O.P. RENEWAL APPLICANT

  
\_\_\_\_\_  
CODE ENFORCEMENT OFFICER, CHRISTOPHER SNYDER

exp. 9-11-12

(D.)

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

WHEREAS, the Town of Alden's Contract for disposal of municipal solid wastes, bulky wastes, and white goods is expiring and a new contract for these services is therefore necessary;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden require that all estimated contracts over \$20,000.00 shall be formally bid pursuant to General Municipal Law section 103;

WHEREAS, the Alden Town Board properly authorized, accepted and opened the formal bids;

WHEREAS, Bids were received as follows:  
The highest bidder is Waste Management at \$47.74 / ton;  
The second highest bidder is Covanta at \$35.00 / ton; and  
The lowest bidder is Modern Disposal at \$34.65 / ton; and

WHEREAS, Modern Disposal is deemed the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby authorizes the Supervisor to sign a three year Contract with Modern Disposal for the disposal of municipal solid wastes, bulky wastes, and white goods at a charge of \$34.65 / ton for year one of the Contract, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote on September 17, 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 Alden Town Board on February 16, 2010, 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 William Weber; Planning Board Chair 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; Michele Hoffman; Gerald Aldinger; and Polly Justinger; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 17, 2012, as follows:

Councilmember Riddoch	Aye	Nay
Councilmember Weber	Aye	Nay
Supervisor Milligan	Aye	Nay

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

**WHEREAS**, the Buffalo and Erie County Public Library, through its Trustees and Senior Staff, continue to develop a Memorandum of Understanding, which would establish a top on down structure for governing the Library system;

**WHEREAS**, the proposed top on down structure will strip local community boards of trustees of any authority over their local library;

**WHEREAS**, this work is continuing without full discussion with either municipal governments affected by their actions, many of whom own the local libraries, buildings and grounds;

**WHEREAS**, this work is continuing also without on-going discussions with either the County Executive or County Legislature;

**WHEREAS**, this process is putting pressure on local library boards of trustees to support this effort always with the fear of retribution if they do not go along with the process; and

**WHEREAS**, the Memorandum of Understanding proposes the setting up of a special taxing district for libraries, thus introducing another taxing level to local governments.

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

1. The Alden Town Board goes on record opposing this "Memorandum of Understanding" which sets up a new taxing district and strips the Ewell Free Library Board of Trustees of its authority;
2. We urge the Ewell Free Library Board of Trustees not to sign this proposed Memorandum of Understanding;
3. We ask other municipalities to join us in opposition to this proposed plan; and
4. This Resolution shall take effect immediately.

This resolution was put to a roll call vote at a regular meeting, on September 17, 2012, as follows:

Councilperson Weber	AYE	NAY
Supervisor Milligan	AYE	NAY
Councilperson Riddoch	AYE	NAY

(E.)

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

WHEREAS, Sullivan Road runs through both the Town of Alden and the Village of Alden; and

WHEREAS, the Town of Alden and the Village of Alden agree that it is in the best interests of their residents and is cost effective to both municipalities to share the maintenance and repairs of Sullivan Road;

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

1. That the Town Board does hereby authorize Supervisor Milligan to enter into and execute all necessary documents to effectuate an Agreement in the form attached hereto with the Village of Alden for the joint maintenance and repair of Sullivan Road for the period of January 1, 2013 through December 31, 2014; and

2. This Resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting, on September 17, 2012 as follows:

Councilperson Riddoch	AYE	NAY
Councilperson Weber	AYE	NAY
Supervisor Milligan	AYE	NAY

## AGREEMENT

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the VILLAGE OF ALDEN, a Municipal Corporation duly organized and existing under the laws of the State of New York (hereinafter called the VILLAGE), and the TOWN OF ALDEN, a Municipal Corporation duly organized and existing under the laws of the State of New York (hereinafter called the TOWN), in accordance with the authority granted by the General Municipal Law, and Article I of the Village Law of the State of New York.

### WITNESSETH

That for and in consideration of the sum of One Dollar (\$1.00) to each in hand paid by the other, receipt of which is hereby acknowledged, and other good and lawful consideration, it is hereby agreed and covenanted that:

The TOWN will provide the necessary personnel, materials, and equipment for the purpose of winter maintenance including, but not limited to, snow removal and sanding for all portions of Sullivan Road within the jurisdictional limits of both the TOWN and the VILLAGE.

The VILLAGE will provide all necessary personnel, materials and equipment for the purpose of summer maintenance, including grass mowing, patching, and ditch cleaning, on Sullivan Road which is the first .372 center lane miles south of Broadway. The TOWN will provide the necessary personnel, materials, and equipment to maintain and repair all portions of Sullivan Road within the jurisdictional limits of both the TOWN and the VILLAGE. Such maintenance and repair shall consist of major road repair and reconstruction as determined by the respective Boards. With regard to such maintenance and repair, same will not be undertaken or charged to the VILLAGE until such time as the Board of Trustees of the VILLAGE and the Town Board of the TOWN confer and agree upon all such work, its cost, and the sharing of

same. All such agreements shall be under a separate contract.

The VILLAGE will reimburse the TOWN pursuant to a voucher system for such maintenance and repairs as agreed upon and pursuant to the separate contracts.

All such reimbursement by the VILLAGE to the TOWN shall be done on a cost basis.

The TOWN and the VILLAGE shall each maintain a policy of liability insurance with regard to the work each will do on Sullivan Road, together with the appropriate worker compensation policy.

This Agreement shall expire at midnight on the 31st day of December, 2014.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement on the \_\_\_\_\_ day of September, 2012.

\_\_\_\_\_  
Village of Alden  
Michael Minicki, Mayor

\_\_\_\_\_  
Town of Alden  
Harry F. Milligan, Supervisor

(F.)

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 1st day of October, 2012, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden; and

ORDERED, that the Town Clerk's Office is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than five (5) days before the date of the public hearing; (b) and post as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on September 17, 2012, which resulted as follows:

Councilperson Riddoch	AYE	NAY
Councilperson Weber	AYE	NAY
Supervisor Milligan	AYE	NAY

(G.)

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

WHEREAS, The Town of Alden seeks grant monies from the E & W G Foundation to construct a shelter at the Alden Town Park.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town of Alden hereby commits force account labor valued at \$ \_\_\_\_\_ toward completion of the shelter;
2. Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the E & W G Foundation on behalf of the Town of Alden for the purpose of securing this grant;
3. The Supervisor be and is hereby authorized and directed to execute all documents pertaining to the application and acquisition of said funding; and
4. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 17, 2012, as follows:

Councilmember Weber	Aye	Nay
Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

(H.)

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

WHEREAS, The Alden Town Board would like to renew its Agreement with Ted Morgan Services for the operation of the wastewater treatment facility that services the Alaura Sub-division;

WHEREAS, Ted Morgan Services is fully licensed to operate wastewater treatment facilities; and

WHEREAS, the Town Board has determined that this is a sole source situation and the Town is therefore unable to solicit bids for this service.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes Supervisor Milligan to sign an Agreement with Ted Morgan Services for a term of three years, as per the attached Agreement; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on September 17, 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 Town of Alden has instituted a new recycling program that is very popular in the Town;

WHEREAS, as part of the recycling contract with the Town, Modern Disposal Services had Rehrig Pacific Company design and build the recycling carts for the Town of Alden; and

WHEREAS, Town is now in need of additional recycling carts from this sole source Provider.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of an additional 25 65-gallon rollout carts from Rehrig Pacific Company at a total cost of \$1,707.00;
2. The Supervisor is authorized to sign any and all documents necessary 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 September 17, 2012 as follows:

Councilmember Riddoch	Aye	Nay
Councilmember Weber	Aye	Nay
Supervisor Milligan	Aye	Nay

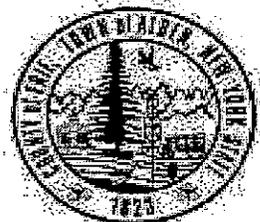


Facilities Located:  
 1000 Reno Court, Lawrenceville, GA 30046  
 625 West Mockingbird Lane, Dallas, TX 75247  
 1739 W. 20th St, Erie, PA 16502  
 7452 Presidents Dr, Orlando, FL 32805  
 8875 Commerce Dr, DeSoto, KS 66018  
 7800 100th St, Pleasant Prairie, WI 53158  
 4010 East 28th St, Los Angeles, CA 90058

PROPOSAL

September 12, 2012

PREPARED FOR:	SHIP TO:
Town of Alden 12800 Main Street Alden, NY 14004 Attn: Colleen Rogers	Town of Alden Town of Alden Highway Garage 12800 Main Street Alden, NY 14004 Attn: Colleen Rogers

ITEM DESCRIPTION	QUANTITY	UNIT	PRICE	EXTENDED PRICE
<b>65 Gallon Rollout Cart</b> Container color: Pepsi blue      Lid color: Kelly green Container brand: Custom logo      Lid brand: Modern Disposal IML in white on sides 2 & 4 	25		\$56.88	\$ 1,422.00
Subtotal =				\$ 1,422.00
Sales Tax on Product and Services			Rate: 0.000%	\$ -
Freight (via dedicated truck from Erie, PA facility):			1	\$285.00
Sales Tax on Freight			Rate: 0.000%	\$ -
				\$ 1,707.00
<b>65 Gallon Rollout Cart</b> Container color: Pepsi blue      Lid color: Kelly green Container brand: Custom logo      Lid brand: Modern Disposal IML in white on sides 2 & 4 	50		\$56.88	\$ 2,844.00
Subtotal =				\$ 2,844.00
Sales Tax on Product and Services			Rate: 0.000%	\$ -
Freight (via dedicated truck from Erie, PA facility):			1	\$415.00
Sales Tax on Freight			Rate: 0.000%	\$ -
				\$ 3,259.00

**ADDITIONAL INFORMATION:**  
 PRICING INCLUDES SERIAL NUMBERS, UHF RFID TAGS AND LID IML  
 Wheel Type: 10" BMSO  
 Leadtime: 7-8 weeks, after receipt of order  
 Terms: Net 30  
 Warranty: 10 years on cart and all hardware  
 Quote Valid: 30 Days  
 Taxes: All applicable taxes shall be paid by the Buyer unless a proper exemption is provided and validated.

PRESENTED BY:	ACCEPTED BY:
  Traci Rutigliano      9/12/2012 Traci Rutigliano      Date Environmental Customer Service Office 814-452-6813 Fax 814-455-3997 trutigliano@rehrigpacific.com	Town of Alden   Sign and Print Name      Date Title: _____

To initiate order, please call or send signed proposal via fax or email to Presented By representative.

(J.)

MOVED BY \_\_\_\_\_ and SECONDED BY

\_\_\_\_\_

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

1. That the Proposition to increase the number of Councilmembers from two to four in the Town of Alden, Erie County, New York pursuant to New York State Town Law Section 81(2)(d) shall be submitted to be voted on in the Town of Alden at the next Biennial Town Election to be held on November 6, 2012.

2. The Town Clerk shall cause the Notice of such Proposition to be published at least once in the "Alden Advertiser," a newspaper having a general circulation in the Town and designated as the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, said publication and posting to be at least ten (10) days before such Biennial Town Election.

3. The Town Clerk is hereby authorized and directed to include in the Notice of Proposition, notice that the Town Board will submit at the said Biennial Town Election, a Proposition to increase the number of Councilmembers from two to four in the Town of Alden, Erie County, New York pursuant to New York State Town Law Section 81(2)(d) for approval or disapproval of the Proposition hereinafter referred to in such Notice.

4. At said Biennial Town Election, the vote upon the said Proposition shall be by separate ballot on voting machines or by paper ballot, as determined by the Erie County Board of

Elections and the only persons qualified to vote upon said Proposition shall be the those voters registered by the Erie County Board of Elections to vote in the Town of Alden.

5. Said Notice shall be in substantially the following form:

TOWN OF ALDEN, NEW YORK

NOTICE OF PROPOSITION TO BE VOTED ON AT THE NOVEMBER 6, 2012

BIENNIAL TOWN ELECTION

*NOTICE IS HEREBY GIVEN that at the Biennial Town Election to be held on November 6, 2012, that the following Proposition is to be voted upon:*

PROPOSITION

*SHALL THE PETITION ENTITLED: "PETITION TO INCREASE THE NUMBER OF COUNCILMEMBERS FROM TWO TO FOUR IN THE TOWN OF ALDEN, ERIE COUNTY, NEW YORK PURSUANT TO NEW YORK STATE TOWN LAW SECTION 81(2)(d)", BE APPROVED?*

*By Order of the Town Board of the  
Town of Alden, in the County of  
Erie, New York  
Dated: September 17, 2012*

6. This resolution shall take effect immediately.

The adoption of the foregoing resolution was and duly put to a vote on roll call at a regular meeting on September 17, 2012, which resulted as follows:

Councilperson Weber	AYE	NAY
Supervisor Milligan	AYE	NAY
Councilperson Riddoch	AYE	NAY

TOWN OF ALDEN, NEW YORK

NOTICE OF PROPOSITION TO BE VOTED ON AT THE NOVEMBER 6, 2012

BIENNIAL TOWN ELECTION

*NOTICE IS HEREBY GIVEN that at the Biennial Town Election to be held on November 6, 2012, that the following Proposition is to be voted upon:*

PROPOSITION

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*By Order of the Town Board of the  
Town of Alden, in the County of  
Erie, New York  
Dated: September 17, 2012*

6. This resolution shall take effect immediately.

The adoption of the foregoing resolution was and duly put to a vote on roll call at a regular meeting on September 17, 2012, which resulted as follows: