

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 OCTOBER 7, 2013.

*****7:05 P.M. PUBLIC HEARING REGARDING THE PRELIMINARY BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014*****

*****7:10 P.M. PUBLIC HEARING REGARDING THE SPECIAL DISTRICT BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014*****

5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
 - A. Resolution approving Robert M. Kasper and Robert T. Johnson for Membership in the Millgrove Volunteer Fire Department per CW/MR
 - B. Resolution approving the purchase of one (1) gator utility vehicle (more specifically a John Deere Gator TS) on State Bid Pricing for \$6,783.84 and the matching ball field finisher on State Bid Pricing for \$1,818.00 plus \$200 freight from Z & M Ag & Turf for total purchase of \$8,801.84 per CW/MR
 - C. Resolution declaring Lead Agency/SEQRA for Cummings/Lesswing Rd. Subdivision per S/HM
 - D. Resolution approving the construction of a shelter, using already purchased materials, in the Town Park by All Season Construction, Inc. for a total cost of \$2,500.00 per specs per CW/MR
 - E. Resolution certifying that the .40 acre portion of parcel/13140 Main St. is useful for town park purposes and that the Town of Alden will improve and maintain said land for Town Park purposes per CW/MR
 - F. Resolution authorizing Harry F. Milligan, Supv. to sign, submit and execute contracts with the Erie County Community Development Block Grant (ECCDBG) program for the Acquisition of a Senior Citizen Van per CW/MR
 - G. Resolution honoring Gillen's Expert Auto as recipient of the Alden Chamber of Commerce 2013 Business of the Year per S/HM
 - H. Resolution recognizing and honoring the late Councilman William Weber per S/HM
 - I. Motion to approve the renewal of the Home Occupation Permit for Mary Jane Wojnar/11385 Broadway/Florist Shop per TC/RW
 - J. Motion to approve Alden Youth Baseball's request to use the Community Center for meetings on requested dates per CW/MR
 - K. Resolution authorizing the Alden Town Clerk to advertise for bids as outlined in the legal notice to Bidders and the Request for Proposal for Engineering Services/re Zoeller & Exchange Water District projects per S/HM
9. UNFINISHED & TABLED BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:

WORK SESSION:

OCTOBER 28, 2013 @ 7:00 PM

REG. BOARD MEETING:

NOVEMBER 4, 2013 @ 7:00 PM

13. MEMORIAL ADJOURNMENT: Del Weir and Councilman William Weber

TOWN CLERK'S OFFICE
RALPH P. WITT, TOWN CLERK
DEBRA A. CRIST, DEPUTY

ALDEN TOWN BOARD

FOR INFORMATION
716-937-6969 EXT. 2

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 7, 2013 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 the Minutes and Synopsis of the Regular Meeting of September 16, 2013.

VOUCHERS

PUBLIC HEARING REGARDING THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS IN THE TOWN OF ALDEN

Adopted Resolution approving the Tentative Budget/2014 and calling a Public Hearing on the Preliminary Budget October 21, 2013 @ 7:05 P.M.

Adopted Resolution calling a Public Hearing on October 21, 2013 @ 7:10 P.M. re Special District Budget for the Year 2014.

Adopted Resolution declaring Lead Agency/SEORA for 12704 North Rd.

Approved Motion to refer to the Planning Board for review and recommendation the possibility of terminating the existing Right of Way to the Town Cemetery on the South side of the Czechowski Property.

Adopted Resolution authorizing the tax re-levy for the lawns mowed by the Town of Alden.

Adopted Resolution approving the hiring/purchase/Erie County Bid List of Robinson Paving for repaving the walking path.

Adopted Resolution approving the purchase of topsoil from Zoladz Construction for use on the walking path.

Approved Motion to allow Colleen Rogers to attend the biannual (OPEN) training conference that will be held at the Millennium Hotel on October 16, 2013. \$125.00 Admission fee.

Supervisor Milligan adjourned the meeting at 7:44 P.M. with a Moment of Silence in Memory of Ralph Krieger

MEETING NO. 19
REGULAR NO. 19

REGULAR BOARD MEETING

OCTOBER 7, 2013
7:00 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wendle Road on Monday, October 7, 2013 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
Mary Riddoch, Councilwoman
William Weber, Councilman

RECORDING SECRETARY:

Ralph Witt, Town Clerk

OTHERS PRESENT:

Jennifer Strong, Town Attorney
Mike Metzger, Town Engineer
Chris Snyder, CEO
Don Stoffel, Planning Board
Len Weglarski, DCO

Supervisor Milligan Moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of September 16, 2013.

CARRIED.

Ayes 3 Milligan, Riddoch & Weber
Nays 0

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$ 5,437.34	\$17,469.46	\$22,906.80
HGHWY FUND "DA/DB"	96,936.82	20,060.89	116,997.71
PART-TOWN FUND "B"	9,026.82	1,422.55	10,449.37
CAPITAL IMPROV. "HC"			
WD#1 FUND "WA"			
WD#2 FUND "WB"	260.57		260.57
WD#3 FUND "WC"	3,920.19		3,920.19
WD#4 FUND "WD"	1,126.26		1,126.26
SP FIRE PROT. "SP"			
SD#2 FUND "SA"	1,777.12	829.35	2,606.47
TRUST/AGCY FUND "T"	106.00	2,647.85	2,753.85
SP REFUSE FUND "SR"	35,788.62		35,788.62
STREET LIGHTING FUND "SL"	5,626.35		5,626.35
PERIWINKLE LTG. "SL1"	35.63		35.63
GRANTS			
TOTALS	\$160,041.72	\$42,430.10	\$202,471.82

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY
ADOPTED
Ayes 3 Milligan, Riddoch & Weber

PUBLIC HEARING

AT 7:05 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO THE PUBLIC HEARING REGARDING THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS IN THE TOWN OF ALDEN.

COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WEBER SECONDED THE MOTION TO ADJOURN FROM THE REGULAR MEETING AND MOVE INTO THE PUBLIC HEARING.

CARRIED

Ayes 3 Milligan, Riddoch & Weber

Nays 0

SUPERVISOR MILLIGAN OPENED THE PUBLIC HEARING AND ASKED THE TOWN CLERK TO READ THE NOTICE OF PUBLIC HEARING THAT WAS PRINTED IN THE ALDEN ADVERTISER AND OPENED THE FLOOR FOR PUBLIC COMMENTS.

Norman Taylor, President of the Alden Senior Citizens read a letter in favor of the funds being used for purchasing a new senior van and thanked the Board for making their efforts in this direction. The Seniors appreciate the use of the van and is a necessity in some of the Seniors lives.

Don Eggert, spoke on behalf of the seniors who utilize the senior van. They can get out and can come to the Senior Center for nutritious meals that they otherwise could not get.

Dolores Dziekan rides the van to come to the Senior Center for lunches on Tuesday, Wednesday & Thursday. Her husband has been deceased and she does not want to eat meals alone. She does not know what she would do if should could not ride the van or any of the other people around her either.

Rosemary Dzedzic rides the van to go shopping to the mall, exercise and shopping at Tops. She is alone and appreciates the van getting her out with others.

Petra Sojka, Driver for the Senior Van reported the van use. From January-October she logged 4961 miles, 864 seniors, 10 break-downs in the last 3 months. In 95 degree weather there was no air conditioner causing her to cancel. The van is in bad shape. It is always breaking down. Councilwoman Riddoch added that it needs four new tires and is going in for some work on the power steering on Thursday.

Petra takes the Seniors to the following:

1. Bank
2. Physical Therapy/Senior Sneakers
3. TOPS
4. Save a Lot
5. Pharmacy
6. Local Dentists and Drs.
7. Hair Dressers in Alden
8. Eastern Hills Mall
9. Wegmans
10. Target
11. K Mart
12. Walmart
13. McKinley Mall
14. Extra Trips for Senior Functions

If she does not drive them, they do not get there.

them. If we do get the grant, it would be towards the end of the year, so we would have to get through the spring, so maintenance will have to be kept up.

Supervisor Milligan thanked Donna Zinter for her many years of service and dedication. Councilwoman Riddoch thanked Petra Soljka for the good job she does.

AT 7:20 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING, AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AND ENTER BACK INTO THE REGULAR MEETING.

COUNCILWOMAN RIDDDOCH MOVED TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING, COUNCILMAN WEBER SECONDED THE MOTION.

CARRIED.

Ayes 3 Milligan, Riddoch & Weber

Nays 0

BUSINESS FROM THE FLOOR (CON'T)

Paul Zinter came to the Board representing a fallen hero of Alden, New York who passed on November 3rd last year in Iraq, Sgt. Brett Gorniewicz. Accompanying him were friends of Sgt. Gorniewicz who have come up with an idea to honor Sgt. Gorniewicz. They are here to ask permission to use a piece of land in R.O. Smith Park, approximately 5' x 5' where they would build a tribute commemorative memorial to Brett. He gave a sketch to the Board. It would be totally donated with no expense to the Town. Incorporated in the design is a way to fundraise donations that would be contributed fully to the Iraq/Afghanistan Memorial that is proposed to be built on the Buffalo Water Front. He has spoken to Brett's Father, who approved of the idea. They would like this built before Veteran's day. Supervisor Milligan asked that this be put on the Work Session for next week for discussion.

COMMUNICATIONS

Town Clerk Witt:

Reported that he received a petition from a resident on Cayuga Creek Rd. who is interested in establishing a water district on Cayuga Creek Rd. and Three Rod Rd.

A resident came into the Town Hall and said that he had taken a walk behind the Town Hall and found three tree stands on Town property, near his back yard. Attorney Strong said that there are no fire arms allowed anywhere on Town property. CEO Snyder will check this out further.

Attorney Strong:

She has received a copy of the petitions, which are not legal petitions for the water district. She would like this on the Work Session.

Councilwoman Riddoch:

She received a request from Baseball to use the Community Center, she would like this on the Work Session. A notice was received from the Village of Alden saying that they were going to shut off the water on Thursday from West Main all the way down to Meadow Drive. She closed the Community Center lunch program on that date.

Eleanor White requested to use the Community Center for her volunteer luncheon on Sunday, the 20th. If Andy can't open it, Councilwoman Riddoch will open for the use. It is a one time use so it does not need board approval. The Board had no problem with this.

Tompkins Insurance contacted her say that there is a contract needed with the school for the recreation program. There has never been a contract before. The Town Attorney and School Attorney are working on this.

of said Town, and

WHEREAS, the Town Clerk of the Town of Alden duly presented said Tentative Budget to the Town Board on October 7, 2013;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the tentative budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2014;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by him to the public for inspection during the regular business hours of the Town Clerk's Office;
3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the year 2014, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on October 21, 2013, at 7:05 P.M. Local Time;
4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the Town Law of the State of New York be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and
5. This Resolution shall take immediately.

The adoption of the foregoing resolution was duly put to a roll call vote at a regular meeting on October 7, 2013, and was

ADOPTED

Ayes 3 Milligan, Riddoch & Weber

Nays 0

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

WHEREAS, the Town Board, on behalf of all Special Districts and Special Improvements Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred has duly prepared detailed estimates in writing of the anticipated revenue and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same; and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the improvement was charged in proportion to the amount of benefit conferred; and

WHEREAS, Assessment Rolls were duly prepared according to law and said Assessment Rolls were duly filed in the Office of the Town Clerk.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That a Public Hearing is hereby called and shall be held on October 21, 2013, at 7:10 PM

ADOPTED.

Ayes 3 Milligan, Riddoch & Weber
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOCH, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR MILLIGAN TO WIT:

WHEREAS, the Town Board of the Town of Alden is considering an application, by Mark Metz for site plan approval of a pole barn at 12704 North Road, in the Town of Alden, further identified by SBL # 108.00-1-11.112 (The "Proposed Action");

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a un-coordinated review;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to site plan approval; 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 Building Inspector has provided notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval is an Unlisted Action under SEQRA;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the site plan approval; and
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on October 7, 2013, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Weber
Nays 0

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to refer to the Planning Board for review and recommendation the possibility of terminating the existing Right of Way to the Town Cemetery on the south side of the Czechowski Property.

CARRIED.

Ayes 3 Milligan, Riddoch & Weber
Nays 0

WHEREAS, the Alden Town Code at Section 18-4 allows the Town to re-levy such costs onto the property taxes of the affected parcels.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$90.00 onto the 2014 county/town taxes of 3528 Townline Road also known as SBL #84.04-1-3;
2. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$150.00 onto the 2014 county/town taxes of 11693 Boncliff Drive also known as SBL# 118.14-6-2;
3. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$150.00 onto the 2014 county/town taxes of 124 Three Rod Road also known as SBL# 130.01-1-5;
4. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$150.00 onto the 2014 county/town taxes of 11684 Broadway also known as SBL # 118.00-2-14.12;
5. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the amount of \$90.00 onto the 2014 county/town taxes of 3600 Crittenden Road also known as SBL # 86.04-2-8;
6. The 2014 Town Budget at line A.0440.00 is hereby authorized to receive this re-levy of \$630.00; and
7. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 7, 2013, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Weber
Nays 0

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

WHEREAS, the Alden Town Board has received a request from the Town Supervisor to re-pave the walking path at the Alden Town Park the estimated cost of this public works project is less than \$35,000.00 but greater than \$2,000.00; and all materials and labor will be purchased from the Erie County Bid Listing;

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 Supervisor's request finds his request to re-pave the walking path in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring/purchase, pursuant to the Erie County Bid List of:
 - A. Robinson Paving at \$125 /hour for six (6) hours rental with Operator of a 3-5 Ton Roller (total \$750.00);
 - B. Robinson Paving at \$310.00 /hour for six (6) hours rental of a Bituminous Asphalt Paver with Operator and Screed Man (total \$1,860.00);

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 7, 2013, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Weber

Nays 0

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

WHEREAS, the Alden Town Board has received a request from the Town Supervisor to purchase 30 yards of topsoil (to be delivered) for use on the Town Park Walking Path the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors;

WHEREAS, The Highway Department obtained two (2) quotes as follows:
The highest quote is from Custom Topsoil at \$27.00 per yard delivered; and
The lowest quote is from Zoladz Construction for \$21.50 per yard delivered;

WHEREAS, Zoladz Construction 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 topsoil.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 30 yards of topsoil from Zoladz Construction at a total cost of \$645.00 (\$21.50 per yard, delivered);
2. The Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 7, 2013, and was

ADOPTED.

Ayes 3 Milligan, Riddoch & Weber

Nays 0

SUPERVISOR MILLIGAN POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WAS ADDED:

Supervisor Milligan moved and Councilman Weber seconded the Motion to allow Colleen Rogers to attend the biannual (OPEN) training conference at the Millennium Hotel on October 16, 2013 for a cost of \$125.00.

CARRIED.

Ayes 3 Milligan, Riddoch & Weber

Nays 0

She is working with the salesman for the Senior Van. Tuesday she will get a new quote. She would like this on the Work Session also.

Engineer Metzger:

As the Supervisor reported, he forwarded on the results of the survey work that was done by the D.O.T. They are exploring the possibility of changing that section of Broadway from four lanes to two lanes. He has contacted two major GPS companies for trucks and one has initiated a study through their engineering department to see if they can make modification to re-routing trucks. He will advise the Board when he hears back from them.
Engineer Metzger & Attorney Strong are waiting for the Village Attorney to prepare an easement regarding the Village Water Deed. Attorney Strong will follow up.

CEO Snyder:

Materials have been delivered for the new shelter.

NOTICE OF MEETINGS

NEXT WORK SESSION: Tuesday, October 15, 2013 @ 7:00 P.M.
NEXT REG. BOARD MTG.: Monday, October 21, 2013 @ 7:00 P.M.

MEMORIAL ADJOURNMENT

Supervisor Milligan adjourned the Meeting at 7:44 P.M. with a Moment of Silence In Memory of Ralph Krieger.


Ralph P. Witt
Town Clerk

TOWN OF ALDEN
NOTICE OF PUBLIC HEARING ON THE
PRELIMINARY BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Alden for the fiscal year beginning January 1, 2014, including general Town funds, highway/public works funds, fire protection district funds and lighting district funds, has been completed and filed in the office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004, where it is available for inspection by any interested person during office hours.

The Preliminary budgets states that the proposed compensation for the following elected officials is as follows:

<u>Position</u>	<u>Proposed Compensation</u>
Councilmember	\$ 13,262.00 each (there are two)
Supervisor	\$ 24,000.00
Town Clerk/ Receiver of Taxes and Assessments	\$ 43,285.00
Highway Superintendent	\$ 51,942.00

The Town Board of Alden shall hold a public hearing on said preliminary budget on October 21, 2013 at 7:05 PM Local Time, showing such changes, alterations and revisions as shall have been made therein by the Town Board of the Alden. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained.

Citizens have the right to provide written and oral comments and ask questions concerning the entire budget and the relationships of entitlement funds to the entire budget.

Handicapped citizens or senior citizens who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned Town Clerk to request such assistance.

Dated: October 7, 2013

Ralph P. Witt
Town Clerk of the Town of Alden

TOWN OF ALDEN
NOTICE OF PUBLIC HEARING ON THE
SPECIAL DISTRICT BUDGET OF THE TOWN OF ALDEN FOR THE YEAR 2014

NOTICE IS HEREBY GIVEN that the special district budget of the Town of Alden for the fiscal year beginning January 1, 2014, has been completed and filed in the office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004, where it is available for inspection by any interested person during office hours.

The Town Board of Alden shall hold a public hearing on said preliminary budget on October 21, 2013, at 7:10 PM Local Time, showing such changes, alterations and revisions as shall have been made therein by the Town Board of the Alden. At such hearing, any person may be heard in favor of or against the special district budget as compiled or for or against any item or items therein contained.

Citizens have the right to provide written and oral comments and ask questions concerning the special district budget and the relationships of entitlement funds to the special district budget.

Handicapped citizens or senior citizens who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned Town Clerk to request such assistance.

Dated: October 7, 2013

Ralph P. Witt
Town Clerk of the Town of Alden

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 Robert M. Kasper and Robert T. Johnson for Membership; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Robert M. Kasper and Robert T. Johnson for membership in the Millgrove Volunteer Fire Department, and
2. This resolution shall take effect immediately.

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

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 Parks Supervisor has advised the Town Board that the Parks Department is in need of one (1) John Deere Gator Utility Vehicle with ball field finisher which will be purchased pursuant to State Bid;

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

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 1. The Town Board approves the purchase of one (1) gator utility vehicle (more specifically a John Deere Gator TS), as described on the attached State Bid Pricing Summary for \$6,783.84 and the matching ball field finisher, also on State Bid, from Z&M Ag and Turf for \$1,818,00 plus \$200 freight, for a total purchase of \$8,801.84;
- 2. That the Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
- 3. This resolution shall take effect immediately.

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

Supervisor Milligan	Aye	Nay
Councilwoman Riddoch	Aye	Nay

①

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

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

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

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

WHEREAS, the Town Building Inspector is directed to provide notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on October 21, 2013, the results of which were as follows:

Supervisor Milligan Aye Nay

Councilwomen Riddoch Aye Nay

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

WHEREAS, the Alden Town Board has noticed the need to construct a shelter in the Town Park and has purchased materials for said shelter construction, the estimated cost of the construction is more than \$2,000.00 but less than \$10,000.00;

WHEREAS, the Town had intended to build the shelter using Town Employees, but current circumstances has made that impossible;

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

WHEREAS, said Procurement Policy & Procedure Guidelines have been followed and quotes have been properly received, as follows:

- The highest bidder is Heritage Home Builders at \$6,275.00;
- The second highest bidder is J&R Home Solutions at \$3,500.00; and
- The lowest bidder is All Season Construction, Inc. at \$2,500.00.

WHEREAS, All Season Construction, Inc. is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review and consideration of the need finds that it is in the public interest to authorize said construction.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the construction of a shelter, using already purchased materials, in the Town Park by All Season Construction, Inc., the lowest responsible bidder, for a total cost of \$2,500.00, as per the attached specifications.
2. All Season Construction, Inc. must submit to the Town, prior to the commencement of construction, proof of insurance and proof of compliance with all prevailing wage laws and regulations.
3. All construction must be completed by December 31, 2013.
4. That the Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this construction; and
5. This resolution shall take effect immediately.

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

Councilmember Riddoch	Aye	Nay
Supervisor Milligan	Aye	Nay

(E.)

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

WHEREAS, the Alden Town Board has received a request from the State of New York that the State may be willing to sell to the Town of Alden a portion of lands at 13140 Main Street, Alden (adjacent to the existing Town Park);

WHEREAS, Section 34 of the Public Lands Law requires, proper to any such transfer by the State, that the Town certify that the lands are useful to the Town for a certain legal purpose;

WHEREAS, The Town Board after full and careful review and consideration of the possible transfer of lands finds that it is in the public interest to certify that the lands are useful to the Town as park lands.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The .40 acre portion of the parcel proposed to be transferred by the State of New York to the Town of Alden, as shown on the attached Millard, MacKay & Delles survey dated August 14, 2013, is adjacent to the existing Town Park;
2. That the Town Board hereby certifies that such .40 acre portion of the parcel is useful for town park purposes, and that the Town of Alden, will improve and maintain said land for town park purposes, if said land would be transferred by the State; and
3. This resolution shall take effect immediately.

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

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

(F.)

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

WHEREAS, the Town of Alden has noticed the need to replace its Senior Citizen Van, which is heavily used by the senior citizens of the Town of Alden, as the current Senior Citizen Van is in a state of disrepair;

WHEREAS, the Alden Town Board would like to utilize the monies available from the Erie County Community Development Block Grant program to purchase a new Senior Citizen Van;

WHEREAS, the Town Board held a public hearing on October 7, 2013, notice of which was properly posted and published and public comment was received and considered;

WHEREAS, The Town Board after full and careful review and consideration of the need finds that it is in the public interest to apply for the CDBG monies for the purchase of a new Senior Citizen Van.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

- 2. The Town Board hereby authorizes Harry F. Milligan, Supervisor, to sign, submit and execute contracts with the Erie County Community Development Block Grant (ECCDBG) program for the following project upon approval of ECCDBG:

- 1. Acquisition of a Senior Citizen Van

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

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay

(6)

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

WHEREAS, the Alden Chamber of Commerce has named Gillen's Expert Auto as its
2013 Business of the Year; and

WHEREAS, Gillen's Expert Auto, a family owned business, has been serving the Alden
Community since January 1987 doing both mechanical and collision work;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board hereby honors, recognizes and congratulates Gillen's Expert Auto on its well deserved receipt of the Alden Chamber of Commerce 2013 Business of the Year;
2. That the Town Clerk is hereby directed to send a certified copy of the Resolution to the Alden Chamber of Commerce and to Gillen's Expert Auto; and.
3. This resolution shall take effect immediately.

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

Supervisor Milligan	AYE	NAY
Councilwomen Riddoch	AYE	NAY

(H.)

WHEREAS, Alden Town Councilman, passed away Wednesday October 9, 2013 at the young age of 62.

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

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

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

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

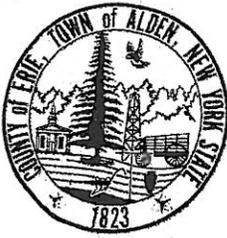
1. The Alden Town Board, on behalf of all Town Officials and Employees, extends its deepest sympathies to the Weber Family; and
2. The Alden Town Board hereby recognizes and honors Councilman Bill Weber for his lifelong dedication to the Alden Community and for his hard work, honesty, and integrity as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

(I)

OCTOBER 21, 2013

MOTION TO APPROVE THE RENEWAL OF THE HOME OCCUPATION PERMIT FOR MARY JANE WOJNAR

11385 BROADWAY/FLOREST SHOP PER TC/RW



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: 10-1-13
NAME: MARY JANE WOJCIK
ADDRESS: 11385 BROADWAY
ALDEN, N.Y. 14004

DATE OF INSPECTION: 10-7-13

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

X Mary Wojcik
H.O.P. RENEWAL APPLICANT

Christopher Snyder
CODE ENFORCEMENT OFFICER, CHRISTOPHER SNYDER

10-4-13
EXP

PD.
CE. 601
10-1-13
ec.

APPLICATION FOR HOME OCCUPATION PERMIT

(ANY ZONING DISTRICT EXCEPT R-12)

Date Oct 1, 2013

1. Applicant:

Name Mary Jane Wynn
Address 11385 Broadway, Alden
Telephone 6847432

2. Location of property for which permit is _____
as above

3. Present Zoning R3

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 uses of fresh flowers

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: attached garage will be used for workshop & storage

6. Describe the mechanical and /or electrical equipment that will be necessary to the conduct of your activity no mechanical equipment will be used. A small display cooler will be the only electrical appliance used

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: fresh flowers will be kept on hand to be used in the floral arrangements that will be on display in the cooler mentioned above

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 _____

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:
North - Hensler
South - vacant
East - Haucher
West - Morozik

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.

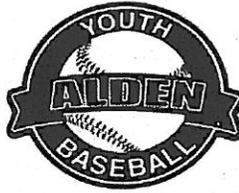
Signature of Applicant

Mary Jane Wagner

Sworn to this _____ day of _____ 19 _____

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

Motion to approve Alden Youth Baseball's request to use the Community Center for meetings on requested dates per C/MR



PO BOX 52
Alden, New York 14004

3

WS.
10/15
MR
TUES

September 17, 2013

Alden Town Board . of Directors
Attn: Mrs. Mary Riddoch, Councilwoman
3311 Wende Road
Alden, NY 14004

RE: Community Center Use for Meetings

Dear Mrs. Riddoch;

I am writing to you today to request the use of the Alden Community Center on the third Monday of every month for the Alden Youth Baseball Monthly Board Meetings. The time would be from 6:45 until approximately 10:00 pm. Meetings will start at 7:00 pm.

Meetings Dates:

- September 23, 2013
- October 21, 2013 28TH
- November 18, 2013 25TH
- December 16, 2013 ADJUTIME
- January 20, 2014 7:30 AM
- February 17, 2014 7:30 AM
- March 17, 2014 7:30 AM
- April 21, 2014 6:30 - 7:30
- May 19, 2014 5M 7:30

Additional dates would include our registration dates which we have scheduled tentatively for January 11, January 25 and February 8. If these dates change we will notify you immediately with the new dates.

Thank you for your time and consideration. If you have any questions or concerns please feel free to contact me at 716-523-8180.

Sincerely,

Steve DePaolis
AYB President

(K)

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

WHEREAS, the Town of Alden, upon the approval of the State of New York, has established the Zoeller Road Water District and the Exchange Street Water District (the "Project"); and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes and directs the Alden Town Clerk to advertise for bids as outlined in the attached Legal Notice to Bidders and the Request for Proposal for Engineering Services;

3. The Town Board hereby authorizes and directs the Town Clerk to publish the Legal Notice in the Alden Advertiser;

3. Interested parties shall submit proposals to the Town Clerk's Office no later than 2:00 PM on November 22, 2013 when the bids shall be publically opened by the Town Clerk; and

4. This Resolution shall take effect immediately.

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

Supervisor Milligan	Aye	Nay
Councilmember Riddoch	Aye	Nay