

MEETING NO. 5
REGULAR NO. 5

TOWN BOARD AGENDA

March 5, 2012
7:00 PM

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

1. PLEDGE OF ALLEGIANCE – COUNCILMAN WEBER
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 FEBRUARY 21, 2012.

***** 7:05 P.M. PUBLIC HEARING RE KEN & SUE TOMPOROWSKI/11230 WESTWOOD RD./ REFURBISHING ANTIQUE FURNITURE*****
5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
 - A. Motion to approve the renewal of the Home Occupation Permit for Dennis Nichols/3025 Peters Corners Rd./Used Auto Sales per TC/RW
 - B. Resolution authorizing Supervisor Milligan to sign a contract with EnerPath, Inc.to upgrade the lighting equipment at the Town Highway Garage, total cost to the Town of \$3,212.89 and at the Town Senior/Community Center, total cost to the Town \$2,726.13 per S/HM
 - C. Resolution authorizing the purchase of two (2) sets of 21' X 30" X 60" three row single footboard aluminum bleachers from Laux Sporting Goods, total cost \$2,640.00 per CW/MR
 - D. Resolution approving the Home Occupation Permit for Ken & Sue Tomporowski/11230 Westwood Rd./ refurbishing antique furniture per TC/RW
 - E. Resolution authorizing the solicitation of bids for Construction/Improvements to the Joe Panza Nature Trail in the Alden Town Park per S/HM.
9. UNFINISHED & Tabled BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR

12. NOTICE OF MEETINGS:

SPECIAL WORK SESSION: MARCH 7, 2012 @ 9:00 A.M. REGARDING WATER HYDRANTS AND LINES

WORK SESSION: MARCH 12, 2012 @ 7:00 PM

REG. BOARD MEETING MARCH 19, 2012 @ 7:00 PM

13. MEMORIAL ADJOURNMENT: John Yedinak & Francis "Bud" Pierce .

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

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, February 21, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order. Councilwoman Riddoch led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

Approved Minutes & Synopsis of Meeting from February 6, 2012.

Adopted Resolution approving Vouchers for payment.

PUBLIC HEARING/re Debra Weikleenget/11268 Kieffer Rd./Kennel Special Use Permit

Approved Motion to renew the Home Occupation Permit for Dean Adamski/12120 Westwood Rd./Sporting Goods Dealer.

Approved Motion re St. John's Request to use the Town Band Shell on July 20th-July 22nd, 2012 for their annual Lawn Fete.

Adopted Resolution adopting "Town of Alden Computer System Security Breach Notification Policy".

Adopted Resolution adopting a Manual Non-recurring Journal Entry Policy.

Adopted Resolution re NEG DEC & Kennel Special Use Permit Approval for Debra Weikleenget/11268 Kieffer Rd.

Adopted Resolution calling a Public Hearing for Ken and Susan Tomporowski/11230 Westwood Rd./Home Occupation Permit Application/Selling refurbished antique furniture and handmade items, March 5, 2012.

Approved Motion to refer the Application for a Home Occupation Permit for Charles Contrino/2099 Townline Rd./Repairing Archery Equipment & Archery Equipment Sales to the Planning Board for review and recommendation.

Supervisor Milligan adjourned the Meeting at 7:34 PM with a Moment of Silence in Memory of Roberta Austin & Gerald Howard.

MEETING NO. 4 REGULAR BOARD MEETING FEBRUARY 21, 2012
REGULAR NO. 4 7:00 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Tuesday, February 21, 2012 at 7:00 P.M. Supervisor Milligan called the meeting to Order. Councilwoman Riddoch 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
 Todd Aldinger, Deputy Supervisor

RECORDING SECRETARY: Ralph Witt, Town Clerk

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

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of February 6, 2012. Unanimously Carried.

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

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$87,053.52		\$87,053.52
HIGHWAY FUND "DA/DB"	6,462.23		6,462.23
PART-TOWN FUND "B"	11,298.17		11,298.17
CAPTIAL IMPROV. "HC"			
WD#1 FUND "WA"			
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	71,075.55		71,075.55
SP FIRE PROT. "SF"	525,624.00		525,624.00
SD#1 FUND "SI"	9,007.13		9,007.13
SD#2 FUND "SA"	2,083.17		2,083.17
TRUST/AGCY FUND "T"	3,388.17		3,388.17
SP REFUSE FUND "SR"	37,635.42		37,635.42
STREET LIGHTING FUND "SL"	7,035.19		7,035.19
PERIWINKLE LTG. "SL1"	50.82		50.82
GRANTS			
TOTALS	\$763,152.17		\$763,152.17

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Paul Loehr, Henskee Rd. questioned the Board whether they were keeping an eye on the new Open Meetings Law? He referred to an article in the paper. Supervisor Milligan informed him that the Town is aware of this and the information that will be discussed at the meeting has been posted online. The Town has a person that gives the information to the County, who runs the website, and they put it online. The information is to be in to the Clerk's office on Thursday at 12:00 noon and it is then sent to the County, but we cannot guarantee that the County will post it on time. Councilwoman Riddoch informed Mr. Loehr that he could get hard copies for .25 a page from the Clerk's Office on Friday if he wanted them.

AT 7:05 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO MOVED INTO THE PUBLIC HEARING RE DEBRA WEIKLENGET/11268 KIEFFER RD./KENNEL SPECIAL USE PERMIT.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to enter into the 7:08 P.M. Public Hearing re Debra Weikleenget/11268 Kieffer Rd./Kennel Special Use Permit. Unanimously Carried.

The Town Clerk read the notice of Public Hearing that was published in the Alden Advertiser re Kennel Special Use Permit.

Supervisor Milligan opened the Floor for Public Comments.

Larry Czyprynski, 11225 Kieffer Rd. asked how many dogs would there be? Debra Weikleenget responded that she owns 5 dogs and could board up to 9 dogs.

AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AT 7:11 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING.

After all those wishing to be heard were heard, at 7:11 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the motion to enter back into the regular meeting. Unanimously Carried.

RETURN TO BUSINESS FROM THE FLOOR

Larry Czyprynski, 11225 Kieffer Rd. and Mr. Wadsworth, 11209 Kieffer said for the last few years they have been calling Hwy. Supt. Fix to have their drainage ditches in front of their residences cleaned out. Last summer he came out and inspected it. They did a crossover from the North side to the South side of Kieffer about two years ago and now all the water sits in front of Mr. Czyprynski's house. When Mr. Fix came out last summer and told them that it was their responsibility to keep their ditches clean and that whoever put the pond in (he has lived there 28 yrs.) did it incorrectly with the drainage. He thought if it was Town property that it was the Town's responsibility to keep it clean. Councilman Weber asked for clarification as to whether it was a roadside ditch or not. Mr. Czyprynski said it was. Councilman Weber said he would contact Hwy. Supt. Fix first thing in the morning.

Sal Sardella, 11212 Kieffer Rd. spoke about the drainage on Kieffer Rd.

COMMUNICATIONS

Deputy Supervisor Todd Aldinger met with Thomas Wetham who is doing subcontracting on water construction/park over the next couple of months.

Councilman Weber spoke with a resident regarding utilities, there is a possibility that residents on Sullivan, Henskee and Countyline Rd. were going to get gas from Reserve Gas. They sent out flyers to the people. Councilman Weber had questions about easements and right-a ways; he would like this put on the Work Session.

Councilwoman Riddoch received notice of the completion of the traffic engineering investigation on Cayuga Creek Rd. Mike Asklar, Traffic Safety Engineer said based on the data they collected they will establish a 45 mph speed limit on Cayuga Creek from 3 Rod Rd. to the Marilla line. All signs will be posted by Erie County. Also, received the pool's Health Dept. Permit.

Supervisor Milligan received notification from Time Warner that our franchise fee of \$22,380.00 came in. Supervisor Milligan said he plans on writing a letter to Time Warner about the fees being way to high for this community.

NEW BUSINESS

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Dean Adamski/12120 Westwood Rd./Sporting Goods Dealer. Unanimously Carried.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve St. John's request for the use of the Town Band Shell on July 20th-July 22nd, 2012 for their Annual Lawn Fete. Unanimously Carried.

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

WHEREAS, New York State Technology Law Section 208 establishes procedures to be followed to notify affected individuals in the event of a breach of a computer security system and requires municipalities to adopt a notification policy or local law consistent with these procedures;

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

1. The attached "Town of Alden Computer System Security Breach Notification Policy" is hereby approved and adopted as the Town's official policy;
2. The Town Supervisor is hereby authorized and directed to take such actions as may be necessary to implement the Policy; and
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on February 21, 2012, and was unanimously adopted.

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

WHEREAS, the Auditors for the Town of Alden have advised the Town to adopt a Manual Non-recurring Journal Entry Policy.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town of Alden hereby adopts the attached Manual Non-recurring Journal Entry Policy, to be effective February 22, 2012;
2. That this Manual Non-recurring Journal Entry Policy shall remain in effect until, if ever, rescinded by the Alden Town Board; and
3. This resolution shall take effect immediately.

This resolution was duly put to a roll call vote at a regular meeting on February 21, 2012, and was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by Debra Weikleenget for a Kennel Special Use Permit for the operation of a dog kennel at her residence located at 11268 Kieffer Road in the Town of Alden (further identified by SBL # 107.00-6-18) (the "Proposed Action");

WHEREAS, the Proposed Action is an unlisted action within the requirements of the New York State Environmental Quality Review Act;

WHEREAS, the Town Building Inspector provided notice to the Erie County Division of Planning on December 13, 2011, as required under Section 239-m of the

General Municipal Law and a “No recommendation” was received on December 29, 2011;

WHEREAS, the Town of Alden Planning Board has recommended to the Town Board the approval of the Proposed Action;

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 the issuance of a kennel special use permits; 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;

WHEREAS, The Town Clerk mailed notice of the public hearing to all neighboring parcel owners on February 7, 2012 and the public hearing was held on February 21, 2012, after due publication in the Alden Advertiser and at the public hearing all persons appearing in favor of and against the proposed action were heard and all concerns have been addressed by the Applicant.

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

1. The Town Board, as Lead Agency, has determined that the Proposed Action is an Unlisted Action under SEQRA;
2. The Town of Alden, as Lead Agency, hereby determines that the unlisted action described in the attached SEQRA NEGATIVE DECLARATION, NOTICE OF DETERMINATION OF NON-SIGNIFICANCE, which attached notice is hereby made a part of this Resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to the Proposed Action and
3. That the Kennel Special Use Permit is hereby granted.

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 February 21, 2012, and was unanimously adopted.

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

WHEREAS, Ken and Susan Tomporowski have filed an Application for a Home Occupation Permit to conduct a business of selling refurbished antique furniture and handmade items (such as jewelry, greeting cards, etc) from their residence at 11230 Westwood Road;

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. That a Public Hearing on the Home Occupation Permit Application for Ken and Susan Tomporowski be held by the Alden Town Board at the Alden Town Hall, 3311

Wende Road, Alden, New York on March 5, 2012 at 7:05 P.M. Local Time;

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

3. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a vote on February 21, 2012 and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to refer the application for a Home Occupation Permit for Charles Contrino/2099 Townline Rd./Repairing Archery Equipment & Archery Equipment Sales to the Planning Board for review and recommendation. Unanimously Carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber would like the Conservation Committee put on the Work Session. He wondered if there was a yearly training requirement? Attorney Strong will check this out and report back. Councilman Weber also spoke to Mike Metzger regarding an ongoing drainage problem on Wende Rd. at the Stevenpiper home. There was to be a meeting with the State last fall and they cancelled. The State was to get back with the Town and have not. Councilman Weber asked Engineer Metzger to set up another date; this is in the works.

Attorney Strong would like the Tomporowski HOP on the Work Session. Attorney Strong also has received from the Chamber of Commerce and the Village of Alden the Economic Development Agreement fully signed, also received the fully signed Library Contract.

Councilwoman Riddoch copied a letter to the Board regarding the use of the senior van by persons under sixty years of age. Because of Federal grant funds that were used for the operation and purchase, the Federal age restriction (age 60) applies. The Recreation Advisory Committee met last Thursday and discussed the completion of the field, the Panza trail, online coaching certification, sports waivers and the concession stand. Recreation Director Dan Moultrup and Councilwoman Riddoch met with School Supt. Lynn Fusco and Brian Logel regarding gym times and use of the school. A letter will be forthcoming addressing the results of the meeting. She will be meeting with the Village of Alden on Thursday regarding the water bill in the park.

NEXT WORK SESSION:

Monday, February 27, 2012 @ 7:00 P.M.

NEXT TOWN BOARD MTG.:

Monday, March 5, 2012 @ 7:00 P.M.

SPECIAL WORK SESSION:

Wednesday, March 7, 2012 @ 9:00 A.M.

(Water Hydrants)

Supervisor Milligan adjourned the Meeting at 7:34 P.M. with a Moment of Silence in Memory of Roberta Austin and Gerald Howard.



Ralph Witt
Town Clerk

Feb. 2012

COUNCILMAN _____ MOVED AND COUNCILMAN _____
 SECONDED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID.

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$87,053.52	\$51,767.81	\$138,821.33
HIGHWAY FUND "DA/DB"	\$6,462.23	\$30,067.40	\$36,529.63
PART-TOWN FUND "B"	\$11,298.17	\$227.42	\$11,525.59
COMMUNITY DEV. FUND "CD"			\$0.00
CAPITAL IMPROV. "HC"		\$602.72	\$602.72
WATER DIST. #1 FUND "WA"		\$4,153.32	\$4,153.32
WATER DIST. #2 FUND "WB"	\$375.20		\$375.20
WATER DIST. #3 FUND "WC"	\$2,063.60		\$2,063.60
WATER DIST. #4 FUND "WD"	\$71,075.55		\$71,075.55
SPECIAL FIRE PROTECTION "SF"	\$525,624.00		\$525,624.00
SEWER DIST. #1 FUND "SI"	\$9,007.13		\$9,007.13
SEWER DIST. #2 FUND "SA"	\$2,083.17	\$135.22	\$2,218.39
TRUST & AGENCY FUND "T"	\$3,388.17	\$3,220.39	\$6,608.56
SPECIAL REFUSE FUND "SR"	\$37,635.42		\$37,635.42
STREET LIGHTING FUND "SL"	\$7,035.19		\$7,035.19
CAPITAL IMPROV. "H"			\$0.00
PERIWINKLE LTG. DIST."SL1"	\$50.82		\$50.82
GRANTS		\$602.72	\$602.72
CAPITAL WD FUND "HG"			\$0.00
TOTAL	\$763,152.17	\$90,777.00	\$853,929.17

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
HOME OCCUPATION PERMIT
11230 WESTWOOD ROAD
TOWN OF ALDEN

PLEASE TAKE NOTICE, that the Town Board of the Town of Alden will conduct a public hearing pursuant to Section 20-64(C) of the Zoning Code of the Town of Alden on the application of Ken and Susan Tomporowski for a Home Occupation Permit to conduct a business of selling refurbished antique furniture and handmade items (such as jewelry, greeting cards, etc) from their residence located at 11230 Westwood Road, Town of Alden.

THEREFORE, pursuant to the Zoning Code of the Town of Alden the Alden Town Board shall hold a public hearing on the proposed application for a Home Occupancy Permit at the Alden Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 5th day of March, 2012, at which time the owners and occupants of property adjacent to 11230 Westwood Road as well as members of the general public may be heard. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 937-6969.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF ALDEN

Dated: February 21, 2012

A

3-5-2012

COUNCIL _____ MOVED AND COUNCIL _____ SECONDED THE
MOTION TO APPROVE THE RENEWAL OF THE HOME OCCUPATION PERMIT
FOR DENNIS NICHOLS/3025 PETERS CORNERS RD./USED AUTO SALES per
TC/RW



TOWN OF ALDEN

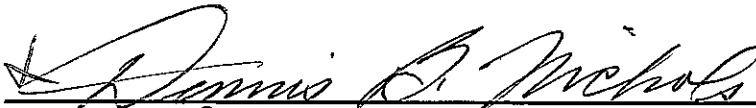
(716) 937-6969
Relay/Dial #711
Fax 937-9817

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

DATE: 2-13-12
NAME: Dennis Nichols
ADDRESS: 3025 PETERS Corners Rd.

DATE OF INSPECTION: 2-23-12

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. 3-18-12

FD. 0234
2.13.12

APPLICATION FOR HOME OCCUPATION PERMIT

(ANY ZONING DISTRICT EXCEPT R-12)

Date 2-7-2012

1. Applicant:

Name Dennis B. Nichols
Address 3025 PETERS CORNERS RD.
Telephone 937-6174

2. Location of property for which permit is SAME AS ABOVE

3. Present Zoning _____

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

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: OFFICE

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

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: _____

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 _____

10. Names of abutting property owners and owners across street:

GARY WALSH (DECEASED)
GARY + DENISE DOMBLEWSKI
TOM + JOANN HANFT

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

SMALL PART TIME SALES (ONLY A FEW VEHICLES A YEAR, MOST GET READY FOR AUCTION)

13. I Armin B. Michael (applicant) hereby request a certification 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 Armin B. Michael

Sworn to this 7th day of FEB. 19 2012.

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

CR# 5138

B.

THE FOLLOWING RESOLUTION WAS OFFERED BY

_____, WHO MOVED ITS ADOPTION,

SECONDED BY _____

WHEREAS, EnerPath, Inc. has performed a lighting equipment audit at the Alden Town Highway Garage and at the Alden Senior / Community Center and found that the lighting equipment at both buildings is not energy efficient;

WHEREAS, the audit services of EnerPath, Inc. are very unique and specialized and are a sole source situation;

WHEREAS, NYSEG is offering up to a 70% contribution to its customers who upgrade their buildings to energy efficient lighting equipment through EnerPath, Inc. and the Town of Alden is eligible for this contribution program; and

WHEREAS, the Town Board believes that upgrading the lighting equipment at both buildings will offer long term energy savings to the Town of Alden and is the best interests of the residents of the Town.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby authorizes Supervisor Milligan to sign a Contract with EnerPath, Inc. to upgrade the lighting equipment (as per the attached plans) at the Town Highway Garage for a total cost to the Town of \$ \$3,212.89 and at the Town Senior / Community Center at a total cost to the Town of \$2,726.13;

2. EnerPath, Inc. must pay all workers prevailing wage rate and comply with all State and Federal Department of Labor requirements;

3. EnerPath, Inc. must file proof of insurance with the Town Clerk before any work commences; and

4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 5, 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 has received a request from the Parks Supervisor to purchase two (2) sets of 21' x 30" x 60" three row single footboard aluminum bleachers, including delivery, for use in the Town Parks, the estimated cost of which less than \$10,000.00 but greater than \$2,000.00;

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

WHEREAS, requests for proposals were made and received by the Parks Supervisor to three (3) vendors, as follows:

- the highest bidder is Gopher at \$3,418.00 (or \$1,709.00 for one set);
- the second highest bidder is Beacon Athletics at \$2,958.00 (or \$1,479.00 for one set); and
- the lowest bidder is Laux Sporting Goods at \$2,640.00 (or \$1,320.00 for one set);

WHEREAS, Laux Sporting Goods 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.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board here authorizes the purchase of two (2) sets of 21' x 30" x 60" three row single footboard aluminum bleachers, including delivery, from Laux Sporting Goods, the lowest responsible bidder, at a total cost of \$2,640.00;
2. The Parks 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 March 5, 2012, as follows:

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



**THE FOLLOWING RESOLUTION WAS OFFERED BY _____,
WHO MOVED ITS ADOPTION, SECONDED BY _____, TO
WIT;**

WHEREAS, pursuant to Section 20-64(A) of the Alden Town Code Ken and Susan Tomporowski have filed an Application for a Home Occupation Permit to conduct a business of selling refurbished antique furniture and handmade items (such as jewelry, greeting cards, etc) from their residence at 11230 Westwood Road (the "Application");

WHEREAS, pursuant to Section 20-64(B) the Town of Alden Planning Board has: reviewed the Application; determined that the proposed home occupation meets the requirements and standards set forth at Section 20-63 of the Alden Town Code; and has recommended the approval of the Application limited to the selling refurbishing antique furniture to the Alden Town Board;

WHEREAS, the Alden Town Board, pursuant to Section 20-64(C) of the Alden Town Code has duly called a public hearing on the Application;

WHEREAS, notice of the Public Hearing was: properly published in the Alden Advertiser; was properly posted on the Town Bulletin Board; and was properly mailed to the adjacent property owners pursuant to Section 20-64(C) of the Alden Town Code;

WHEREAS, the Alden Town Board held a Public Hearing on March 5, 2012, at 7:05 p.m. at which time all persons in favor of and all persons opposed to the Application were heard;

WHEREAS, the Alden Town Board agrees with the recommendation of the Town of Alden Planning Board and finds it in the interests of the residents of the Town of Alden to approve the Application limited to the selling of refurbished furniture;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. That a Home Occupation Permit to allow Ken and Susan Tomporowski to conduct a business of selling refurbished antique furniture from their residence at 11230 Westwood Road, Alden, New York be granted for a period of one (1) year;
2. This HOP does not permit the sale of handmade items; and
3. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a vote on March 5, 2012 as follows:

Councilperson Weber AYE NAY



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

WHEREAS, the Town of Alden believes that its residents will benefit from trail improvements to the Joe Panza Nature Trail in the Alden Town Park (the "Project"); and

WHEREAS, the Town of Alden has received partial Project funding through the New York State Office of Parks, Recreation and Historic Preservation ("NYSOPRHP");

WHEREAS, The Town of Alden has hired Bergmann Associates to design the Project and the Project has been designed; and

WHEREAS, The Town of Alden is now ready to solicit formal bids for the Construction of the Project.

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;
3. The Town Board hereby authorizes and directs the Town Clerk to publish Notice in the Alden Advertiser;
3. Interested parties shall submit proposals to the Town Clerk's Office no later than 2:00 PM on March 23, 2012 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 March 5, 2012, as follows:

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