

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 MARCH 19, 2012.
5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
 - A. Motion to approve the renewal of the Home Occupation Permit for Ronald Blakeslee/456 Creekside Dr./Tax Preparation per TC/RW
 - B. Motion to approve the renewal of the Home Occupation Permit for Daniel E. Carder III/1220 Lambert Drive/Computer Sales per TC/RW
 - C. Resolution/ Municipal Home Rule/requesting the New York State Legislature for the Authority to convey to the Village of Alden an Easement through a portion of the Alden Town Park for Installation of Water lines per S/HM
 - D. Resolution authorizing the purchase of a new 2012 Ford F-250 LX pick-up truck with lift gate from Bortel Ford for a total cost of \$25,470.27 including delivery per S/HM
 - E. Resolution authorizing the purchase of a new 2012 Chevrolet Silverado 3500 HD 4WD pick-up truck with plow from Hoselton Chevrolet for a total cost of \$27,913.93 including delivery per S/HM
 - F. Resolution approving the signing of a General Construction Agreement with Zoladz Construction Co., Inc. for a total cost of \$73,300.00 for trail improvements to the Joe Panza Nature Trail in the Alden Town Park per CW/MR
9. UNFINISHED & TABLED BUSINESS
 - A. Resolution approving the signing of an Agreement Amendment for additional Architectural/Engineering Services with Bergmann Associates per S/HM
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:

WORK SESSION:	APRIL 9, 2012 @ 7:00 PM
REG. BOARD MEETING	APRIL 16, 2012 @ 7:00 PM
13. MEMORIAL ADJOURNMENT: Marion Boucher & Lionel Rupe

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, March 19, 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 Meeting from March 5, 2012.

Adopted Resolution approving Vouchers for payment.

Approved Motion to renew the Haulers Permit for Allied Waste Services for the Year 2012.

Adopted Resolution appointing James Gerber and Ryan Sheedy as Co-Deputy Coordinators of the Office of Emergency Management, term expiring 12/31/12.

TABLED Resolution approving the signing of an Agreement Amendment for additional Architectural/Engineering Services with Bergmann Associates.

Adopted Resolution approving the purchase of 60- 5 Gallon pails of Brite Stripe Marking Paint from Pioneer/\$2,490.00.

Approved Motion re St. John's request to have the Town Parks Dept. line the field at St. John's softball field for home games per their schedule. Certificate of Insurance to be provided.

Approved Motion to allow Alden Central School to use R.O. Smith baseball diamond for Modified and JV/Varsity Boys Baseball beginning March 19th 2012 through May 19th 2012 per their schedule. Certificate of Insurance to be provided.

Approved Motion re St. John's Athletic Director Kocher's request to use town facilities and small soccer field at R.O. Smith beginning April 2012 per their schedule. Certificate of Insurance to be provided.

Supervisor Milligan adjourned the Meeting at 7:49 PM with a Moment of Silence in Memory of Agnes Weisbeck, Barbara Frey and Eileen Roll.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, March 19, 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
Mary Riddoch, Councilwoman
William Weber, Councilman

RECORDING SECRETARY: Ralph Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Attorney
Michael Metzger, Town Engineer
Chris Snyder, CEO
Len Weglarski, DCO

ABSENT: Todd Aldinger, Deputy Supervisor
Carl Fix, Hwy. Supt.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of March 5, 2012. Unanimously Carried.

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

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$14,464.34		\$14,464.34
HGHWY FUND "DA/DB"	12,639.24		12,639.24
PART-TOWN FUND "B"	1,197.72		1,197.72
CAPITAL 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"	1,299.80		1,299.80
SP FIRE PROT. "SF"	100,000.00		100,000.00
SD#2 FUND "SA"	2,728.28		2,728.28
TRUST/AGCY FUND "T"	214.00		214.00
SP REFUSE FUND "SR"	36,488.77		36,488.77
STREET LIGHTING FUND "SL"	6,643.76		6,643.76
PERIWINKLE LTG. "SL1"	39.19		39.19
GRANTS			
TOTALS	\$178,153.90		\$178,153.90

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

Supervisor Milligan introduced Rob Perry from The State Insurance Fund who presented the Town of Alden with a plaque for 75 consecutive years as a policyholder.

BUSINESS FROM THE FLOOR

Ronald Hinderliter from 12250 Genesee Street spoke to the Board about his concerns about the Wilson Farms Store that is located directly across the street from his home. Wilson Greatbatch employees have made this area their designated break stop since Wilson Greatbatch no longer allows smoking on their property. This is happening all times of the night and day. Their headlights shine into his home. Tractor Trailers are using the parking lot to spend the night with their refrigeration units running. He approached Wilson Farms about putting up a no overnight parking sign and got nowhere. Keeping garbage on the parcel is ridiculous since Wilson Farms sold out to 7-11, they are not doing anything about upkeep. The ditch on the north side of the property where the property drains to overflows and smells. He feels that the culvert located under the

parking lot has collapsed. He has been informed by a number of employees that there are plans to expand the building and that it will be a 24-hour service. The neighbors in the area have the same concerns as he does. Councilman Weber received Mr. Hinderliter's e-mail. Before anything can be done, as far as a new building, there has to be a thorough site plan review, go through the Town Planning Board, the Town Engineer and Town Board. CEO Chris Snyder will go over to the site to check out to see if any code violations need attention. Engineer Metzger said he has talked to a representative from 7-11 about the proposed plans, and as Councilman Weber stated they plan on taking down the existing building and putting up a new one, slightly larger. Engineer Metzger said this could be the time to clear up existing problems. Supervisor Milligan said that the ditch is maintained by the State, they will be contacted. Attorney Strong said the Town has no jurisdiction as far as trucks running on private property, the Sheriff or State Police would have to be notified.

COMMUNICATIONS

Councilman Weber reported that he received a copy of the e-mail from Mr. Hinderliter regarding the Wilson Farms Store.

Supervisor Milligan addressed the packet of information received from Paul Loehr at the last Town Board meeting, he went over the different areas of concern. The Town is in complete compliance.

NEW BUSINESS

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the Renewal of the Haulers Permit for Allied Waste Services for the Year 2012. Unanimously Carried.

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

WHEREAS, the position of Deputy Coordinator for the Town of Alden Office of Emergency Management is currently vacant; and

WHEREAS, James Gerber and Ryan Sheedy have given many hours of their time in establishing and developing this Office.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby appoints James Gerber and Ryan Sheedy as Co-Deputy Coordinators of the Office of Emergency Management their appointments to expire on December 31, 2012 and to be paid pursuant to the Town's schedule of salaries; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 19, 2012, and was unanimously adopted.

COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WEBER SECONDED THE MOTION TO TABLE THE RESOLUTION REGARDING APPROVING THE SIGNING OF AN AGREEMENT AMENDMENT FOR ADDITIONAL ARCHITECTURAL/ENGINEERING SERVICES WITH BERMAN ASSOCIATES. UNANIMOUSLY CARRIED.

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 Parks Supervisor to purchase 60 5-gallon pails of white marking paint for the various sports

fields at the Town Parks for the 2012 summer season the estimated cost of which is less than \$10,000.01 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least three (3) vendors;

WHEREAS, requests for proposals (price per 5-gallon pail of white marking paint) were made to three (3) vendors and quotes were received as follows:

The highest bidder is Laux Sporting Goods at \$49.75 per 5-gallon pail (for a total cost of \$2,985);

The second highest bidder is Pioneer Athletics at \$41.50 per 5-gallon pail (for a total cost of \$2,490.00); and

The lowest bidder is Sherwin Williams at \$39.50 per 5-gallon pail (for a total cost of \$2,370);

WHEREAS, past experience by the Town in using both the Pioneer and Sherwin Williams brands of marking paint shows that the Sherwin Williams brand of marking paint is less durable than the Pioneer brand of marking paint. Because the Sherwin Williams brand of marking paint is less durable the sports fields need to be repainted more often than when using the Pioneer brand of marking paint; necessitating the purchase of more gallons of the Sherwin Williams Brand of marking paint than would be necessary if using the Pioneer brand of marking paint – thereby costing the Town more money over the course of the 2012 season;

WHEREAS, the greater durability of the Pioneer brand of marking paint allows the Town to purchase a lesser amount of marking paint, making Pioneer the least costly brand of marking paint over the course of the 2012 season;

WHEREAS, in this particular case taxpayer money will be saved by rejecting the lowest quote and it would be irresponsible of the Town to act otherwise; 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 marking paint;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 60 5-gallon pails of Brite stripe white marking paint at a total cost of \$2,490.00 from Pioneer;
2. The Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on March 19, 2012, and was unanimously adopted.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve St. John's request to have the Town Park's Dept. line the field at St. John's softball field for home games as per their schedule. Certificate of insurance to be provided. Unanimously Carried.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve Alden Central School's request to use R.O. Smith Baseball Diamond for Modified and JV/Varsity Boys Baseball beginning March 19th 2012 through May 19th 2012 per their schedule. The Town of Alden will cut the grass and the District, as in previous years, will mark the field and maintain the infields. Certificate of insurance to be provided. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve St. John's Athletic Director Kocher's request to use town facilities and small soccer field at R.O. Smith Park beginning April 2012 per their schedule. Certificate of Insurance to be provided. Unanimously Carried.

THERE WAS NO UNFINISHED OR TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber met with the Town of Alden Highway Supt. and viewed some off road drainage problems that they discussed. They walked a ditch on Westwood Rd., acting on a complaint that the ditch was backing up on a resident's property. They found a culvert on his property that was a 1 foot culvert slowing it down and the far end was plugged totally by rocks, the resident was advised. The Highway Supt. will try to get to this and clean it out this year. They also went to view the Kieffer Rd. drainage problem that residents have complained about. They walked it and have concern the railroad ditch has not been cleaned out in years and it has silted in severely. The Highway Supt. was going to try to get a hold of the Railroad and see if he could have them clean out the ditch. The Sardella property was also looked at and there is a culvert on the east end of the property, but they could not locate one at the west end. This will be looked into.

Attorney Strong met with Carl Fix last week to help him draft language for the street signs to be placed on Billo Rd., they will be ordered from the County.

Engineer Metzger said if it was a help to the Town regarding Kieffer Rd., he could provide an aerial photograph showing property lines/right a ways to Councilman Weber. In the matter of the hydrants on Townline Rd. that are shared with Lancaster, that has come to a conclusion and two of the hydrants are not adjacent to Alden, they are adjacent to Marilla and Town Clerk Johanna Coleman will sent out a new invoice removing those two hydrants. Engineer Metzger is working with Keith Sitzman from the Village of Alden on the proposed Village water easement in the Town Park. He asked that the easement is around trees and if they absolutely need to be removed, it would be with Town Board approval. Attorney Strong has not seen a draft of the easement from the Village Attorney yet. They are asking for a 30' easement from the school and 30' easement from the Town. Councilman Weber would like them to stay off the roots of the trees, this could also damage the trees. Councilwoman Riddoch asked if there was a new boundary survey done for the Town that could be helpful? Keith Sitzman will be asked to attend next weeks Work Session. Refuse Contract and potential water district will be on the Work Session. Supervisor Milligan said that the Budget/Malecki would be on the Work Session. Eng. Metzger met with the Highway Supt. regarding the electric at the Highway Garage, it is extensive and he is not an electrical engineer. The Highway Supt. is getting a lot of input from various contractors, different answers from each one. He suggests that an electrical Engineer meet with Carl and find out the needs. Supervisor Milligan would like to hold off, he would like to budget for this next year. He would like to have a quote and bid opening toward the end of the year, but budget for the next year.

DCO Len Weglarski reported picking up three dogs and found their owners. Supervisor Milligan thanked the Dog Control Officer for his work.

Supervisor Milligan attended a Housing Opportunity meeting. A letter was sent to Erie County regarding the Erie County Home and the possibility of the Federal Government putting a cemetery there for Veterans. Tom Malecki from Drescher and Malecki will be at the Work Session to discuss the Budget. He would like the refuse contract and water hydrant also on the Work Session.

NEXT WORK SESSION: Monday, March 26, 2012
NEXT TOWN BOARD MEETING: Monday, April 2, 2012

Supervisor Milligan adjourned the meeting at 7: 49 P.M. with a Moment of Silence in Memory of Agnes Weisbeck, Barbara Frey & Eileen Roll.

Ralph Witt – Town Clerk

Ralph P. Witt

(A)

April 2, 2012

COUNCIL _____ MOVED AND COUNCIL _____ SECONDED THE
MOTION TO APPROVE THE RENEWAL OF THE HOME OCCUPATION PERMIT
FOR RONALD BLAKESLEE/456 CREEKSIDE DR./TAX PREPARATION 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

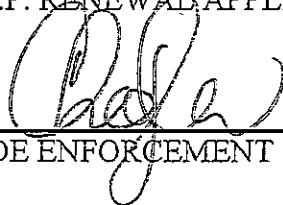
DATE: 3-6-12
NAME: Ronald BLAKESLEE
ADDRESS: 456 Creekside Dr.

DATE OF INSPECTION: 3-26-12

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. 4-6-12

PD
CASH \$150.00
3-6-12
SAC

APPLICATION FOR HOME OCCUPATION PERMIT

(ANY ZONING DISTRICT EXCEPT R-12)

Date 3/6/12

1. Applicant:
Name RONALD C BLAKESLE
Address 456 CREEKSIDE DR ALDEN NY 14004
Telephone 937-9771
2. Location of property for which permit is 456 CREEKSIDE DR ALDEN NY 14004
3. Present Zoning R-1
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 TAX PREPARATION
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: GARAGE
6. Describe the mechanical and/or electrical equipment that will be necessary to the conduct of your activity. NORMAL HEATING AND LIGHTING
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:
2 COMPUTERS & PRINTERS
FAX MACHINE
8. Will the Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises: Yes ___ No X
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:
MR WILLIAM GREEN
MR & MRS JAMES BURDET
MR DONALD SHALL
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
HARDSHIP - FIXED INCOME I AM 73 YEARS OLD

13. I RONALD C. BLAKESLEE (applicant) hereby request a certification of compliance with the Zoning regulations with respect to the property known as 456 CREEKSIDE DRIVE for the following purposes:
ALDEN NEW YORK 14004
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 Ronald C Blakeslee

Sworn to this 6 day of MARCH 2012

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

(B.)

April 2, 2012

COUNCIL _____ MOVED AND COUNCIL _____ SECONDED THE
MOTION TO APPROVE THE RENEWAL OF THE HOME OCCUPATION PERMIT
FOR DANIEL E. CARDER III/1220 LAMBERT DRIVE/COMPUTER SALES
REPAIR per TC/RW

PAID
3-12-12
Ch. 561
JAC

APPLICATION FOR HOME OCCUPATION PERMIT

(ANY ZONING DISTRICT EXCEPT R-12)

Date 3-7-12

1. Applicant:

Name Daniel E. Carder III
Address 1220 Lambert Drive, Alden NY 14004
Telephone 716-937-3296

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 Computers - Sales & Repair

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: Seperate room inside of garage
50 Sq Ft, 2 work benches for testing & assembly.

6. Describe the mechanical and/or electrical equipment that will be necessary to the conduct of your activity. Minimal supplies, 2 complete units in stock

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 X
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:
David Anstett - 1225 Lambert
Greg Rozbicki - 1210 Lambert
Cindy Angelo - 1234 Lambert

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. part time - low profit

13. I Daniel E. Carder III (applicant) hereby request a certification of compliance with the Zoning regulations with respect to the property known as 1250 Lambert DR 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 7th day of March 2012.

When submitting initial application, attach copy of survey and 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: 3-12-12

NAME: DANIEL E. CARDER III

ADDRESS: 1220 LAMBERT Dr.

ALDEN, N.Y.

DATE OF INSPECTION: 3-26-12

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. 4-1-12

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

RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE FOR THE
AUTHORITY TO CONVEY TO THE VILLAGE OF ALDEN AN EASEMENT
THROUGH A PORTION OF THE ALDEN TOWN PARK FOR THE INSTALLATION
OF WATER LINES

WHEREAS, the Alden Town Board is requesting the New York State Legislature for
the authority to convey to the Village of Alden an Easement through a portion of the
Alden Town Park for the Installation of water lines, as described in the attached Exhibit
"A", and

WHEREAS, the portion of said Park that the easement will be over, does not contain
any improvements and is near the border of the Town Park, and

WHEREAS, once the underground water lines are installed, the surface of the easement
area will be restored and will continue to be used for park and recreational purposes.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board requests that New York State Legislature adopt legislation
authorizing the Alden Town Park for the installation of water lines in the area described
in the attached Exhibit "A";
2. The Town Supervisor or his duly authorized representative is hereby empowered
to execute any such agreements, documents, or papers, approved as to form by the
Town Attorney as may be necessary to implement the intent and purpose of this
resolution;
3. The Town Clerk is hereby directed to send a copy of this Resolution and all
supporting documentation to the New York State Senator Patrick M. Gallivan and New
York State Assemblywomen Jane L. Corwin; and
4. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April
2, 2012, as follows:

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

Exhibit A

Legal Description

Beginning at a point on the division line between lands of the Town of Alden and the lands of the Alden Central School District a distance of 1,589.94 feet northerly from the north line of West Main Street; thence northerly and along the east line of the lands of the Town of Alden and parallel to the east line of said lot 18, a distance of 720.35 feet to a point located 2,310.29 feet north of the north line of West Main Street and at the south line of the perpetual Right-of-Way between the Village of Alden and the Town of Alden; thence westerly and parallel with the north line of West Main St. A distance of 30 feet; thence southerly a distance of 720.35 feet parallel to the east line of said lot 18, to a point at the northeast corner of lands of the Village of Alden; thence easterly and parallel with the north line of West Main St. a distance of 30 feet to the point or place of beginning.

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

WHEREAS, Town of Alden Highway Superintendent has advised the Town Board that the Highway Department needs a new 2012 Ford F-250 XL pick-up truck with lift gate;

WHEREAS, The Town Board after full and careful review and consideration finds the request to purchase a new pick-up truck with lift gate as being in the public interest;

WHEREAS, the new 2012 Ford F-250 XL pick-up truck with lift gate will be purchased pursuant to State Bid; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the purchase of a new 2012 Ford F-250 LX pick-up truck with lift gate, as per the attached specifications, from Bortel Ford (who is on the State Bid List) for a total cost of \$25,470.27, including delivery; and
2. The Highway Superintendent is hereby authorized to sign any and 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 April 2, 2012, as follows:

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

(E.)

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

WHEREAS, Town of Alden Highway Superintendent has advised the Town Board that the Highway Department needs a new 2012 Chevrolet Silverado 3500 HD 4WD pick-up truck with plow;

WHEREAS, The Town Board after full and careful review and consideration finds the request to purchase a new pick-up truck with plow as being in the public interest;

WHEREAS, the new 2012 Chevrolet Silverado 3500 HD 4WD pick-up truck with plow will be purchased pursuant to State Bid; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the purchase of a new 2012 Chevrolet Silverado 3500 HD 4WD pick-up truck with plow, as per the attached specifications, from Hoselton Chevrolet (who is on the State Bid List) for a total cost of \$27,913.93, including delivery; and
2. The Highway Superintendent is hereby authorized to sign any and 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 April 2, 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 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 properly solicited and properly received sealed formal bids for the construction of the Project.

WHEREAS, the Town received Bids from four (4) contractors as follows:
The highest bidder is Nichter Construction at \$117,300,
The second highest bidder is D&H Excavating at \$113,837.00,
The third highest bidder is Northeast at \$94,700.00, and
The lowest bidder is Zoladz Construction Co., Inc. at \$73,300.00; and

WHEREAS, Zoladz Construction Co., Inc. is deemed the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the signing of a General Construction Agreement, in substantially the form attached to the RFP, with Zoladz Construction Co., Inc. for a total cost of \$73,300.00;
2. This contract is contingent upon the United States Army Corps of Engineers giving its approval of the Project. Should any such approval be denied, this resolution and the General Construction Agreement is deemed null and void;
3. The Supervisor of the Town of Alden, is hereby authorized and directed to sign said Agreement; and
4. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 2, 2012, as follows:

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

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

WHEREAS, the Town Board of the Town of Alden, at the request of the Village of Alden is seeking approval of the New York State Legislature to alienation 1/2 acre of the Alden Town Memorial Park to be allowed to give an easement to the Village of Alden to allow the Village of Alden to install underground water lines in the easement area that will serve the Village of Alden Water System (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQRA and wishes to conduct a 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 the Proposed Action; is 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; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town Board has prepared the Short Form Environmental Assessment Form, which is now on file with the Town Board and the Town's SEQRA Intake Officer.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

5. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA, but that a coordinated review should be conducted;
6. The Town Board has determined that it should be the lead agency for all environmental review of the Proposed Action;
7. The Town SEQRA Intake Officer is hereby directed to provide notice of the Project to the Village of Alden; New York State Office of parks Recreation and Historic Preservation; and the Erie County Department of Planning; and
8. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the on April 2, 2012, the results of which were as follows:

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

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Town of Alden	2. PROJECT NAME Alienation of 1/2 acre of Town Park to allow Village Water Line
3. PROJECT LOCATION: Municipality Village of Alden County Erie	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Alden memorial Town Park	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Alienation of 1/2 acre of parkland to allow the Village of Alden (pursuant to an easement by the Town of Alden) to install underground water lines to service the Village of Alden Water System. Once the lines are installed the ground will be restored and returned to parkland.	
7. AMOUNT OF LAND AFFECTED: Initially .5 acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: open space in the Alden Memorial Park	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: Approval by the State Legislature	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Town of Alden</u> Date: <u>4/2/2012</u> Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Town of Alden 4/2/2012

Name of Lead Agency Date

Harry F. Milligan Supervisor

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Signature of Responsible Officer in Lead Agency Signature of Preparer (If different from responsible officer)

Reset

(A) TABLED BUSINESS

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 improvements to its Town Park, including but not limited to: modification to the Panza trail and two multi-purpose athletic fields (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 properly authorized, solicited and received sealed bids from architectural/engineering firms to design plans for the above described Project and hired the lowest responsible bidder, Bergmann Associates; and

WHEREAS, Bergmann Associates in the course of designing the Project encountered unforeseen and unanticipated circumstances in that the Town due to the existence of wetlands, which has led to additional expenses of \$3,750.00 by Bergmann Associates as outlined on the attached proposal.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the signing of an Agreement Amendment for additional Architectural/Engineering Services, in the form attached, with Bergmann Associates for a total cost of \$3,750.00;
2. The Supervisor of the Town of Alden, is hereby authorized and directed to sign said Agreement Amendment; and
3. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on April 2, 2012, as follows:

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