

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

1. PLEDGE OF ALLEGIANCE – SUPERVISOR MILLIGAN
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 APRIL 16, 2012.
5. APPROVAL OF VOUCHERS
6. BUSINESS FROM THE FLOOR
7. PRESENTATION OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS
8. NEW BUSINESS
  - A. Resolution requesting a speed, traffic and safety study to be conducted for North Rd. beginning at Crittenden and ending at Countyline Rd. per CW/MR
9. UNFINISHED & TABLED BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:

|                    |                        |
|--------------------|------------------------|
| WORK SESSION:      | MAY 14, 2012 @ 7:00 PM |
| REG. BOARD MEETING | MAY 21, 2012 @ 7:00 PM |
13. MEMORIAL ADJOURNMENT: Helen Cronin

**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, April 16, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilwoman Riddoch led in the Pledge of Allegiance. The Roll Call was taken by the Deputy Town Clerk.

Approved Minutes & Synopsis of Meeting from April 2, 2012.

Adopted Resolution approving Vouchers for payment.

Adopted Resolution accepting the report of audit by Drescher & Malecki indicating that the records of the Town Court of the Town of Alden are in order and proper.

Adopted Resolution authorizing Town Supervisor to execute and deliver to the Village of Alden a permanent easement, approximately 30 feet in width and 740 feet in length for the purpose of the installation of two underground water lines, subject to permissive referendum.

Adopted Resolution approving the hiring of J & D Sealtech Corp. for a total cost of \$3,800.00 to repair three (3) storm water receivers in the Town Park.

Approved Motion re Dave Kocher's request to Dan Moultrup to use ball diamonds and field preparation for the Southtown Titans.

Approved Motion to allow Erie County Environment & Planning to use the Town Hall for their Public Hearing/AG District #1 on Monday, June 4<sup>th</sup> at 6:30 P.M. to 9:30 P.M.

Approved Motion to allow Highway Supt. Carl Fix to attend Highway School at Ithaca College from June 11-13, registration fee of \$100.00 and hotel at \$124.00 per night for June 10, 11, and 12<sup>th</sup>.

**PREVIOUSLY TABLED RESOLUTIONS:**

Adopted 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.

Adopted Resolution re SEQR & Lead Agency for easement to the Village of Alden for Water lines.

Supervisor Milligan adjourned the Meeting at 7:17 PM with a Moment of Silence in Memory of Carol Barlow, Charles Orr and (Former Town Supervisor) Donald Donnelly.

**MEETING NO. 8**  
**REGULAR NO. 8**

**REGULAR BOARD MEETING**

**APRIL 16, 2012**  
**7:00 P.M.**

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, April 16, 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 Deputy Town Clerk.

**PRESENT:** Harry Milligan, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman

**RECORDING SECRETARY:** Debra A. Crist, Deputy Town Clerk

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

**ABSENT:** Carl Fix, Highway Supt.  
Todd Aldinger, Deputy Supervisor

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of April 2, 2012. Unanimously Carried.

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

| <u>ACCOUNT</u>            | <u>ABST. #1</u> | <u>ABST. #2</u> | <u>TOTAL</u> |
|---------------------------|-----------------|-----------------|--------------|
| GENERAL FUND "A"          | \$17,198.59     |                 | \$17,198.59  |
| HGHWY FUND "DA/DB"        | 2,584.17        |                 | 2,584.17     |
| PART-TOWN FUND "B"        | 1,136.23        |                 | 1,136.23     |
| CAPITAL IMPROV. "HC"      | 2,120.75        |                 | 2,120.75     |
| WD#1 FUND "WA"            | 3,859.20        |                 | 3,859.20     |
| 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"        |                 |                 |              |
| SD#2 FUND "SA"            | 2,060.85        |                 | 2,060.85     |
| TRUST/AGCY FUND "T"       | 3,441.54        |                 | 3,441.54     |
| SP REFUSE FUND "SR"       | 40,722.24       |                 | 49,722.24    |
| STREET LIGHTING FUND "SL" | 5,733.68        |                 | 5,733.68     |
| PERIWINKLE LTG. "SL1"     | 37.44           |                 | 37.44        |
| GRANTS                    | 31,566.60       |                 | 31,566.60    |
| TOTALS                    | \$114,199.89    |                 | \$114,199.89 |

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

**BUSINESS FROM THE FLOOR**

Ed Earsing, 299 S. Woodside Drive asked the Board if it would be possible to put up two more stop signs at Crittenden and North Rd. to have people stop on Crittenden? Councilwoman Riddoch said the people that do not stop at the North Rd. stop signs are the cause of most of the accidents. There have been studies done, with the County coming back saying they have put up bigger signs and "stop ahead" signs, but they do not feel that a four way stop is necessary. Ron Rebmann added that at Rte 77 and Rte 20A they have rumble strips, in addition to stop and go lights. Councilwoman Riddoch will bring this to the County's attention, as these are County roads.

## COMMUNICATIONS

Supervisor Milligan had a memo from Assessor William Sivecz reviewing the concerns that Robert Wohlgemuth presented at the April 2<sup>nd</sup> Town Board meeting. Erie County uploads information to the Town's website. The County is responsible for hosting the website, this is provided at no cost to the Town of Alden. Town offices provide the information to the Assessor, which in turn is formatted and sent to Erie County for coding and uploading.

## NEW BUSINESS

THE FOLLOWING RESOLUTION APPROVING AN AUDIT OF THE TOWN COURT RECORDS WAS OFFERED BY COUNCILMAN WEBER, WHO MOVED ITS ADOPTION SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

WHEREAS, the Office of Court Administration of the Unified Court System of the State of New York has directed that the Town of Alden perform audits of all the departments of the Town of Alden; and

WHEREAS, pursuant to such direction, the Town Board has requested that Drescher & Malecki perform an audit of the Town Court records; and

WHEREAS, Drescher & Malecki has performed such audit and has determined that the records of the Town Court are in order and that there are no deficiencies or unexplained discrepancies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby acknowledge the requirement for the audit of the Town Court of the Town of Alden, which audit has been performed by Drescher & Malecki.
2. That the Town Board does hereby accept the report of the audit by Drescher & Malecki indicating that the records of the Town Court of the Town of Alden are in order and are proper.
3. This resolution shall take effect immediately and a copy of this resolution shall be forwarded to the Office of Court Administration of the State of New York at 98 Niver Street, Cohoes, New York 12047.

The above resolution was duly put to a roll call vote at a regular meeting held on April 16, 2012, and was unanimously adopted.

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

WHEREAS, the Village of Alden has requested the Town of Alden to convey to the Village a permanent easement consisting of a parcel of land approximately 30 feet in width and 740 feet in length constituting less than ½ acre of property owned by the Town and located in the Alden Memorial Town Park, and

WHEREAS, the Village of Alden intends to construct on such permanent easement area two underground water lines to serve the Village Water Supply, and

WHEREAS, the location of the proposed water lines is necessary because of the location of the Village Water Wells # 3 and #4; and

WHEREAS, approval of the State Legislature is necessary because the proposed Easement is located in the Alden Town Memorial Park and the Alden Town Board has requested that approval.

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

1. Once the underground water lines are installed, the surface of the easement area will be restored by the Village of Alden and the easement area will continue to be used for park and recreational purposes;
2. The easement to the Village will be subordinate to any future easements needed by the Town of Alden for future development of the Park;
3. The Alden Town Board does hereby authorize and direct the Town Supervisor to execute and deliver to the Village of Alden a permanent easement, approximately 30 feet in width and 740 feet in length for the purpose of the installation of two underground water lines, subject to permissive referendum as permitted by law and subject to the approval of the State Legislature; 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 16, 2012, and was unanimously adopted.

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 Parks Supervisor to make repairs to three storm water receivers in the Town Park, 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 were made to three (3) contractors and quotes were received as follows:

The highest bidder is CMH Co., Inc. at \$4,470.00;  
The second highest bidder is Northeast Diversification at \$3,950.00; and  
The lowest bidder is J&D's Sealtech Corp at \$3,800.00;

WHEREAS, J&D 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 repair of the storm water receivers.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of J&D for a total cost of \$3,800.00.
2. J&D must provide proof of insurance before starting any work and must pay prevailing wages and comply with all labor law requirements and postings prior to starting any work;
3. The Parks Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this contract; 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 16, 2012, and was unanimously adopted.

Councilman Weber moved and Councilwoman Riddoch seconded the motion to approve Dave Kocher's (team coordinator) request to Dan Moultrup to use ball diamonds and field preparation for the Southtown Titans (Team consists of Alden, Lancaster and Elma Girls). Insurance Certificate on file. Unanimously Adopted.

Supervisor Milligan moved and Councilman Weber seconded the Motion to allow Erie County Environment and Planning to use the Town Hall for their Public Hearing/Ag. District #1 on Monday, June 4<sup>th</sup> at 6:30 P.M. to 9:30 P.M. Unanimously Carried.

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

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve Highway Supt. Carl Fix's request to attend Highway School at Ithaca College from June 11-13, registration fee of \$100.00 and hotel at \$124.00 per night for June 10, 11 and 12<sup>th</sup>. Unanimously Carried.

**UNFINISHED & TABLED BUSINESS**

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

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 16, 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 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 ½ 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:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA, but that a coordinated review should be conducted;
2. The Town Board has determined that it should be the lead agency for all environmental review of the Proposed Action;
3. 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
4. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on April 16, 2012, and was unanimously adopted.

#### REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

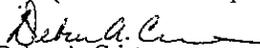
Supervisor Milligan reported that he would be out of town Saturday and Sunday.

Councilwoman Riddoch reported that the Park's Supt. and herself, Eric Shaw from Bergmann and Tim from Northeast met and did a final walkover of the park fields. There is a punch list that they need to clear up. The grass is starting to grow. They are responsible to make sure the grass is 80% in and the punch list taken care of before we can close out the project.

Catherine Walsh representing Legislator Terrence McCracken's office attended the meeting. She said to please contact them should we need anything. She was taking notes about the intersection of Crittenden and North Rds. and will advise Leg. McCracken to see if there is anything he can do. They are working on setting up Town Hall meetings. Supervisor Milligan thanked her for attending the Town Board Meeting.

|                            |                       |                   |
|----------------------------|-----------------------|-------------------|
| <b>NEXT WORK SESSION:</b>  | <b>APRIL 23, 2012</b> | <b>@7:00 P.M.</b> |
| <b>REG. BOARD MEETING:</b> | <b>MAY 7, 2012</b>    | <b>@7:00 P.M.</b> |

Supervisor Milligan adjourned the Meeting at 7:17 P.M. with a Moment of Silence in Memory of Carol Barlow, Charles Orr and (Former Town Supervisor) Donald Donnelly.

  
Debra A. Crist  
Deputy Town Clerk

April-12

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"             | \$17,198.59         | \$18,148.43        | \$35,347.02         |
| HIGHWAY FUND "DA/DB"         | \$2,584.17          | \$6,771.61         | \$9,355.78          |
| PART-TOWN FUND "B"           | \$1,136.23          | \$5,860.96         | \$6,997.19          |
| COMMUNITY DEV. FUND "CD"     |                     |                    | \$0.00              |
| CAPITAL IMPROV. "HC"         | \$2,120.75          | \$27,020.85        | \$29,141.60         |
| WATER DIST. #1 FUND "WA"     | \$3,859.20          |                    | \$3,859.20          |
| 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"     | \$1,299.80          |                    | \$1,299.80          |
| SPECIAL FIRE PROTECTION "SF" |                     |                    | \$0.00              |
| SEWER DIST. #1 FUND "SI"     |                     |                    | \$0.00              |
| SEWER DIST. #2 FUND "SA"     | \$2,060.85          | \$59.66            | \$2,120.51          |
| TRUST & AGENCY FUND "T"      | \$3,441.54          | \$2,548.94         | \$5,990.48          |
| SPECIAL REFUSE FUND "SR"     | \$40,722.24         |                    | \$40,722.24         |
| STREET LIGHTING FUND "SL"    | \$5,733.68          |                    | \$5,733.68          |
| CAPITAL IMPROV. "H"          |                     |                    | \$0.00              |
| PERIWINKLE LTG. DIST."SL1"   | \$37.44             |                    | \$37.44             |
| GRANTS                       | \$31,566.60         | \$27,020.85        | \$58,587.45         |
| CAPITAL WD FUND "HG"         |                     |                    | \$0.00              |
| <b>TOTAL</b>                 | <b>\$114,199.89</b> | <b>\$87,431.30</b> | <b>\$201,631.19</b> |

(A.)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILPERSON \_\_\_\_\_ WHO MOVED IT'S ADOPTION, SECONDED BY COUNCILPERSON \_\_\_\_\_ TO WIT;

WHEREAS, the Town Board of the Town of Alden has been made aware of traffic safety concerns of its residents with respect to North Road in the Town of Alden, between Crittenden Road and CountyLine Road, and

WHEREAS, North Road is a county road, owned and maintained by the County of Erie but under the traffic jurisdiction of the Department of Transportation, State of New York.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board of the Town of Alden hereby formally requests that a speed, traffic and safety study be conducted for this roadway, a section which is more specifically described as North Road, beginning at Crittenden Road and ending at CountyLine Road;
2. These studies are requested due to high speed traffic on North Road and traffic accidents on this section of roadway including the intersection of North and Crittenden Roads in the Town of Alden;
3. The Town Clerk shall send the appropriate paperwork, including a TE9 form and resolutions to the proper agencies for action on this said resolution; and
4. This Resolution shall take effect immediately.

The adoption of the foregoing Resolution was duly put to a roll call vote at a regular meeting on May 7, 2012, as follows:

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