

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

1. PLEDGE OF ALLEGIANCE – COUNCILWOMAN RIDDOCH
2. INVOCATION
3. CALLING THE ROLL OF BOARD MEMBERS BY THE CLERK
4. OFFER OF THE MINUTES & SYNOPSIS OF THE PROCEEDINGS OF THE PREVIOUS REGULAR MEETING OF MAY 21, 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 approving Jeffrey P. Wright for membership in the Crittenden Volunteer Fire Department per CW/MR
 - B. Resolution approving the purchase of 60 cubic yards of N.Y.S. Certified Playground Mulch from Attica Package at a total cost of \$1,147.50 including delivery per CW/MR
 - C. Resolution authorizing the appropriation of the sum of \$800.00 to provide for the cost of preparation of a map, plan and report by Metzger Civil Engineers/Zoeller Rd. Water District per S/HM
 - D. Resolution adopting the Town of Alden Banking and Check cashing Policy per S/HM
9. UNFINISHED & TABLED BUSINESS
10. REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL
11. ANNOUNCEMENTS FROM THE SUPERVISOR
12. NOTICE OF MEETINGS:

WORK SESSION:	JUNE 11, 2012 @ 7:00 PM
REG. BOARD MEETING	JUNE 18, 2012 @ 7:00 PM
13. MEMORIAL ADJOURNMENT: Frances DiChristina, Guenter Haug, Richard Payne & Robert Lorenzi

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, May 21, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilman Weber led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

Approved Minutes & Synopsis of Meeting from May 7, 2012.

Adopted Resolution approving Vouchers for payment.

Approved Motion to renew the Home Occupation Permit for Edwin Knoblauch/3499 Townline Rd./Making Dental Crowns/Caps/Teeth.

Approved Motion to renew the Home Occupation Permit for Paulette Morris/260 Sullivan Rd./Gifts/Home Décor.

Adopted Resolution authorizing Supervisor Milligan to sign an Agreement with SunnKing, Inc. to set up an e-waste drop off location for the Town of Alden.

Adopted Resolution authorizing Supervisor Milligan to sign a contract with Alden Youth Baseball, Inc./\$2400.00/little league baseball uniforms.

Adopted Resolution re SEQR/Neg. Dec. for Alden Town Park/Water Line easement to the Village of Alden.

Approved Motion to allow St. John's to use the portable band shell on June 10th, 2012.

Approved Motion to allow Marilla Vol. Exempt Firemen to use four sets of the Town of Alden bleachers for their annual Tractor Pull on June 30th, 2012/return on Monday, July 2, 2012.

Adopted Resolution allowing Town of Alden Recreation Director and the Town of Alden Supervisor to complete and execute the necessary application, forms, etc. to East Hill Foundation for grant money.

EXECUTIVE SESSION

Supervisor Milligan adjourned the Meeting at 7:46 P.M. with a Moment of Silence in Memory of Norma Scutt and Joseph Trzybinski.

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

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

RECORDING SECRETARY: Ralph Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Michael Metzger, Town Engineer
Chris Snyder, CEO
Carl Fix, Hwy. Supt.
Len Weglarski, DCO

ABSENT: Todd Aldinger, Deputy Supv.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of May 7, 2012. Unanimously Carried.

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$12,696.06		\$12,696.06
HGHWY FUND "DA/DB"	4,970.83		4,970.83
PART-TOWN FUND "B"	2,659.30		2,659.30
CAPITAL IMPROV. "HC"	1,286.40		1,286.40
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"			
SD#2 FUND "SA"	2,452.99		2,452.99
TRUST/AGCY FUND "T"	214.00		214.00
SP REFUSE FUND "SR"	37,973.90		37,973.90
STREET LIGHTING FUND "SL"	5,490.33		5,490.33
PERIWINKLE LTG. "SL1"	34.90		34.90
GRANTS			
TOTALS	\$71,517.31		\$71,517.31

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Polly Justinger/Crittenden Rd. spoke regarding new water districts, she is against them. Paul Loehr questioned the status of the water districts. Supervisor Milligan said at the last Work Session it was decided that a letter was to be sent out to all residents that do not have water to see what the interest is.

COMMUNICATIONS

Councilman Weber received a call this weekend from a Henske Rd. resident wondering when the holes that were dug up last year by the Highway Dept. would be filled in. Hwy. Supt. Carl Fix said they would be done next week, as he is down to two men this week. The resident also

commented on the corner of Henskee and Sullivan not being smooth to go over. Hwy. Supt. Fix said that they would fix it by paving over it.

Attorney Strong received a letter from Erie County DEC stating that they have no comment on the Village's proposed easement in the Town Park. The proposed easement is presently in Albany awaiting approval from the Legislature and Senate.

Councilwoman Riddoch received a letter from Marilla requesting the Town of Alden's bandshell for July 28th and also a letter from Dave Kocher, St. John's Athletic Director requesting use of Town facilities on September 1, 2012 for a softball tournament. She would like these both on the Work Session.

NEW BUSINESS

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the renewal of the Home Occupation Permit for Edwin Knoblauch/3499 Townline Rd./Making Dental Crowns/Caps/Teeth. Unanimously Carried.

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the renewal of the Home Occupation Permit for Paulette Morris/260 Sullivan Rd./ Gifts & Home Décor. Unanimously Carried.

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

WHEREAS, The Alden Town Board has been contacted by SunnKing, Inc., in regard to setting up an e-waste drop off location in the Town of Alden; and

WHEREAS, New York State law (effective April 1, 2011) requires that covered electronic equipment be recycled.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes Supervisor Milligan to sign an Agreement with SunnKing, Inc. to allow SunnKing, Inc. to set up an e-waste drop off location at a mutually agreed upon location in the Town of Alden;
2. The Town Board hereby authorizes SunnKing, Inc. to set up an e-waste drop off location at a mutually agreed upon location in the Town of Alden;
3. The Town Board hereby authorizes the termination of the e-waste recycling agreement with Regional Computer Recycling & Recovery; and
4. This resolution shall take effect immediately.

On the Question: Councilman Weber asked if the location would stay the same? CEO Snyder said it would not change.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on May 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 Town of Alden and Alden Youth Baseball, Inc. are desirous of keeping the Alden Little League Baseball Program in operation for the 2012 season;

WHEREAS, the Alden Town Board is aware that a large number of child residents of the Town of Alden and the Alden Central School District participate in the

Alden Little League Baseball Program and finds it in the best interests of the Town and as consistent with its policies to continue this Program;

WHEREAS, Alden Youth Baseball, Inc. is the sole source provider of little league baseball services in the Town of Alden and therefore the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town of Alden and Alden Youth Baseball, Inc. have come to full agreement on the terms of an Agreement to run from January 1, 2012 until December 31, 2012.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the attached Contract with Alden Youth Baseball, Inc., at a cost of \$2,400.00, whereby Alden Youth Baseball, Inc. will purchase little league baseball uniforms for Alden Residents involved in the Alden Little League Baseball Program as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate the Agreement; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on May 21, 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 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 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 April 3, 2012, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a "no recommendation" was received by the Town Board on April 17, 2012.

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Lead Agency making a SEQR determination;

WHEREAS, the Town of Alden did assume Lead Agency Status April 16, 2012 through a coordinated review and no comments have been received from any involved agencies;

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the Code of the Town of Alden, Chapter 9D, the Town SEQRA Intake Officer has prepared the Short Form Environmental Assessment Form;

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 SEQR 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.

3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on May 21, 2012, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve St. John's request to use the portable band shell on June 10th, 2012. Insurance certificate on file. Alden Hwy. will deliver it to location on June 8th 2012 per Hwy. Supt. Fix. Unanimously Carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve Marilla Vol. Exempt Firemen's request to use four sets of the Town of Alden Bleachers for their annual Tractor Pull on June 30th, 2012. They will pick up on Wed., June 27, 2012 and return on Monday, July 2nd, 2012, pending certificate of insurance. Unanimously Carried.

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

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

WHEREAS, the East Hill Foundation is offering grants for projects designed to enhance the quality of life of residents from the eight counties of Western New York; and

WHEREAS, the Town of Alden Recreation Director believes that having a ceiling mounted projector, with projection screen, blu-ray/DVD player, HDMI cable, and wireless access installed at the Town of Alden Senior / Community Center would enhance the quality of life of Alden residents.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. That the Town of Alden Recreation Director and the Town of Alden Supervisor are hereby authorized and directed to complete and execute the necessary application, forms, etc. to be submitted to the East Hill Foundation for the purposes of securing grant monies to purchase and install a ceiling mounted projector, with projection screen, blu-ray/DVD player, HDMI cable with wireless access installed at the Town of Alden Senior / Community Center; and
2. This Resolution shall take effect immediately.

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

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber took a bike ride down the old abandoned railroad tracks that was to be the extension of the bike path. The dumping is not as bad as he was led to believe. It is a nice piece of property and the Town needs to do something about it. He would like it on the next Work Session as to whether we need to block access. It is used a lot by wheeled vehicles and snowmobiles. There is a bridge that is out that could pose a dangerous situation which needs to be addressed.

Councilwoman Riddoch reported that they are having mechanical problems with the 2001 Senior Van. She and the Senior Van driver took the van over to Gorman for repairs. The outside looks good, but the chassis is getting old. There have been air conditioning problems in the past. We should be looking down the road into getting a new van.

With the new van driver we have had an increase in riders going to different places. It is well attended. The seniors love the new van driver and she is working out well.

Engineer Mike Metzger reported that Modern has agreed to the addendum to the contract. The contract will be put together and e-mailed to the Supervisor, Atty. Strong and Engineer Metzger.

Dog Control Officer Len Weglarski reported that he is working on the dog census.

Supervisor Milligan reported that the Grant Consultant was in today and she would like to get grants together for Zoeller and Exchange. There has to be a shovel ready date of April 1st. Supervisor Milligan asked that Engineer Metzger have something for the next Work Session on water districts. Supervisor Milligan read a letter from a resident Charles Weyrough commending Code Enforcement Chris Snyder on his professionalism and knowledge in helping him handle a neighbor dispute.

NEXT WORK SESSION:

Tuesday, May 29, 2012

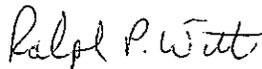
NEXT REGULAR BOARD MTG.:

June 4, 2012

AT 7:24 P.M. COUNCILWOMAN RIDDOCH MADE A MOTION TO MOVE INTO AN EXECUTIVE SESSION REGARDING PERSONNEL WITH THE PARK'S & RECREATION, INCLUDING THE TOWN BOARD AND ATTORNEY JENNIFER STRONG. COUNCILMAN WEBER SECONDED THE MOTION. UNANIMOUSLY CARRIED.

AT 7:45 P.M. COUNCILWOMAN RIDDOCH MADE A MOTION TO MOVE BACK INTO THE REGULAR BOARD MEETING, WITH NO ACTION BEING TAKEN. COUNCILMAN WEBER SECONDED THE MOTION. UNANIMOUSLY CARRIED.

Supervisor Milligan adjourned the Meeting at 7:46 P.M. with a Moment of Silence in Memory of Norma Scutt & Joseph Trzybinski.



Ralph P. Witt
Town Clerk

A.

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

WHEREAS, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Crittenden Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in receiving worker's compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Crittenden Volunteer Fire Department has approved Jeffrey P. Wright as a member; and

WHEREAS, Crittenden Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of this new member.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Jeffrey P. Wright for membership in the Crittenden Volunteer Fire Department; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 4, 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 Parks Supervisor Andy Sojka to purchase 60 cubic yards of New York State Certified Playground Mulch for the various Town Parks for the 2012 summer season the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors, except in the case of a sole source provider where multiple quotes are not required;

WHEREAS, Attica Package Company, Inc. is the only mulch provider who sells New York State Certified Playground Mulch; 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 mulch.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of 60 cubic yards of New York State Certified Playground Mulch from Attica Package the sole source provider, at a total cost of \$1,147.50 including delivery (\$17.00 per cubic yard and \$127.50 for delivery);
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 June 4, 2012, as follows:

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



RESOLUTION OF THE TOWN BOARD
APPROPRIATING \$800.00 FOR THE
PREPARATION OF A GENERAL MAP,
PLAN AND REPORT TO PROVIDE WATER
FACILITIES FOR ZOELLER ROAD

WHEREAS, the residents and property owners at Zoeller Road will be petitioning the Town Board for the establishment of a new Zoeller Road Water District, on Zoeller Road in the Town of Alden, outside the boundaries of any existing water districts of the Town and outside of any incorporated Villages; and

WHEREAS, the Petition for the Establishment of the Zoeller Road Water District requires a general map and plan prepared in advance of the establishment of the proposed Zoeller Road Water District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Town Board does hereby authorize the appropriation of the sum of \$800.00 to provide for the cost of preparation of a map, plan and report by Metzger Civil Engineers, the Town Engineers, in accordance with the requirements of Section 192 of the Town Law, said cost to be reimbursed by the Zoeller Road Water District upon its establishment.

2. The above Resolution was duly put to a roll call vote at a regular meeting on June 4, 2012, the results of which are as follows:

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



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

WHEREAS, the Alden Town Board has noticed the need to adopt greater controls on the handling of monies by Town Employees and Officials; and

WHEREAS, the Town Board believes that the adoption of a Banking and Check Cashing Policy will provide greater control and accountability over Town monies.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby adopts the attached Town of Alden Banking and Check Cashing Policy, to be effective June 5, 2012 at 12:01 a.m. and rescinds the previous Town of Alden Banking and Check Cashing Policy dated March 16, 2012;
2. The Town Clerk's Office is hereby directed to promptly provide this Policy to all Town of Alden employees and officials; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 4, 2012, as follows:

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

TOWN OF ALDEN BANKING AND CHECK CASHING POLICY
(effective March 16, 2010)
(amended June 4, 2012)

1. All Town of Alden Employees and Officials are strictly prohibited from cashing any personal checks using Town funds.
2. All Town Employees and Officials are strictly prohibited from including any personal deposits (cash or checks) in the Town's bank deposit.
3. All Town Employees and Officials are strictly prohibited from obtaining personnel cash back from any Town banking transaction.
4. All deposit amounts must agree with cash receipt amounts.
5. All cash receipt books must be maintained in a manner sufficient to identify the date received, payor, purpose and the amount.
6. All Town deposits must be made in a timely manner, as further prescribed by law.
 - a. All Town Employees and Officials, unless otherwise stated below, are required to fully document all funds received using the Town issued forms and to turnover all funds collected to the Town Supervisor within seventy-two (72) hours of receiving any funds. The Town Supervisor must within ten (10) days of the receipt of any funds deposit the same in the name of the Town of Alden.
 - b. The Town Clerk must enter daily in a suitable book or books a record of all moneys received, and shall deposit all such moneys not later than the third (3rd) business day after the total thereof exceeds the sum of two hundred fifty dollars (\$250.00).
 - c. The Tax Receiver within twenty-four (24) hours after receiving real property tax payments (including fees, interest and/or penalties) shall deposit and secure all sums of money received and collected.
7. Any Town Employee or Official who violates this Policy is subject to disciplinary action, including but not limited to criminal investigation and/or termination from employment.