

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road On Monday, October 3, 2011 at 7:00 P.M. Supervisor Smith called the Meeting to Order. Councilman Snyder led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Ronald Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman

RECORDING SECRETARY: Ralph P. Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Michael Metzger, Town Engineer
Chris Snyder, CEO
Carl Fix, Highway Supt.
John Zoratti, Planning Board
Len Weglarski, DCO

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of September 19, 2011. Unanimously Carried.

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

ACCOUNT	ABST. #1	ABST. #2	TOTAL
GENERAL FUND "A"	\$8,019.32	\$20,901.29	\$28,920.61
HGHWY FUND "DA/DB"	6,109.96	93,950.13	100,060.09
PART-TOWN FUND "B"	3,263.38	8,490.11	11,753.49
WD#2 FUND "WB"	375.42	5,873.06	6,248.48
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"	2,327.85		2,327.85
SD#2 FUND "SA"	2,287.64	4,711.86	6,999.50
TRUST/AGCY FUND "T"	207.00	4,515.85	4,722.85
SP REFUSE FUND "SR"	40,112.09		40,112.09
STREET LIGHTING FUND "SL"	6,104.03		6,104.03
PERIWINKLE LTG. "SL1"	41.72		41.72
GRANTS	934.75		934.75
TOTALS	\$73,146.56	\$138,442.30	\$211,588.86

On the Question: Councilwoman Riddoch questioned the amount for WD#2, Supervisor Smith explained that it was due to a hydrant repair that the Erie County Water Authority made on Wende Rd. Supervisor Smith has asked for a more detailed invoice from ECWA, he feels the bill is outrageous.

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

Polly Justinger, Crittenden Rd. would like to go on record as not being the person that wrote to "Blowing off Steam" as it was implied at the Work Session last week. She did not appreciate that comment, if she has something to say, she will identify herself and say it, even if she writes it. Attorney Strong replied that she made the comment, and it was in no way made towards Polly. Polly said Councilman Snyder turned towards her and said, "now you have something to write about", which implied that she wrote it. She did not appreciate that. Supervisor Smith

commented that when you can write an article in the paper and not attach your name to it, anything could be written, true or not. He apologized on behalf of the Board if she was offended last week. Supervisor Smith said that her attendance and interest on what goes on in the Town is appreciated; there are not too many people that would take the time to do so. Polly Justinger also had a question as to what happened to the tree in the Town Park? Supervisor Smith said that with the plans for the new field, the tree was unable to stay there and had to be taken down. Different avenues were explored to try to avoid cutting the tree down, but failed.

COMMUNICATIONS

Councilwoman Riddoch received a copy of e-mail from Chris Gust regarding the weeds on Zoeller Road. She will follow up on this. She received a note from Dan Moultrup regarding getting approval for Joan Marsden to attend a Ceramics Meeting; she would like this put on the Work Session for Monday night. Councilwoman Riddoch also received a letter from Youth Baseball regarding the use of the Community Center and the gym facilities, she would also like this put on the Work Session for Monday night. She also received an estimate from Gorman regarding the Senior Bus, would also like this on the Work Session.

Councilman Weber received a phone call from a resident of 11322 Westwood Rd. regarding a drainage problem; his driveway is collapsing. Hwy. Supt. Fix and himself went to look at this, it is on private property, and the Town is unable to fix this. While on location they checked out another drainage problem on Westwood that needs attention, it is on the drainage list to do.

Town Clerk, Ralph Witt passed out the Tentative Budget to the members of the Town Board.

Councilman Snyder has been getting prices on new thermostats for the Town Hall.

Supervisor Smith received a copy of the approved August 9th Planning Board minutes, also their unapproved minutes from the September 13th meeting and their agenda for their October 11th meeting, received the Town Clerk's office and Building Departments monthly report for September 2011.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the motion to refer the new application for a Home Occupation permit for Jennifer Ross/1000 Boncliff Drive/Music Lessons to the Planning Board for review and recommendation. Unanimously Carried.

THE FOLLOWING ORDER WAS MOVED BY COUNCILMAN WEBER AND SECONDED BY COUNCILWOMAN RIDDOCH TO WIT;

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Alden, in the County of Erie shall be held at the Town Hall, 3311 Wende Road, Alden, New York at 7:05 p.m. on the 17th day of October, 2011, for the purpose of hearing all persons interested in the use of Federal Community Development Funds in the Town of Alden; and

ORDERED, that the Town Clerk's Office is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated as the official newspaper for this publication, such publication to be not less than five (5) days before the date of the public hearing; (b) and post as required by law one (1) copy of the Notice of Public Hearing no later than the day such Notice is published; and

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on October 3, 2011 and was unanimously adopted.

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

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, given time restraints has decided to bid the trail work and filed improvements separately, which has led to additional expenses of \$4,580.00 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 \$41,089.74;
2. Ronald L. Smith, as 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 October 3, 2011, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the motion to approve the renewal of a Home Occupation Permit for Dennis Davern/35 Exchange St./Welding Repair. Unanimously Carried.

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

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 known as the Alden Town Park Rehabilitation and Addition of New Facilities (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 has properly solicited, received and opened sealed bids for the Project and has hired the lowest responsible bidder, Northeast Diversification, Inc.;

WHEREAS, Northeast has begun the construction of the Project;

WHEREAS, the Town of Alden has now decided, pending the approval of NYS Office of Parks, Recreation and Historic Preservation, to proceed with an alternative portion of the project (Alt. No. G-2) trail realignment, for which bids were received during the original bidding process;

WHEREAS, Northeast Diversification, Inc., has agreed to match the bid of the lowest bidder at \$6,415.00; and

WHEREAS, the Town believes that it is in the best interest of the residents of the Town of Alden to hire, pending the approval of NYS Office of Parks, Recreation and Historic Preservation Northeast Diversification, Inc., for the trail realignment, as Northeast is already on site and had begun construction of the main project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the signing of a Contract Amendment (said Contract is contingent upon the approval of NYS Office of Parks, Recreation and Historic Preservation) to add the trail realignment (Alt. No. G-2) with Northeast Diversification, Inc., for a total cost of \$6,415.00;
2. Ronald L. Smith, as Supervisor of the Town of Alden, is hereby authorized and directed to sign said 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 October 3, 2011, and was unanimously adopted.

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

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

WHEREAS, the Town of Alden has received Federal Community Development Funds to Rehabilitate the Bathroom Facilities in the Alden Town Park (“the Project”);

WHEREAS, the Town of Alden prepared a request for proposals for the design of this project and has formally bid pursuant the Project to General Municipal Law section 103 and bids have been properly let, received, and awarded to the lowest responsible bidder Nussbaumer & Clarke, Inc.;

WHEREAS, Nussbaumer & Clarke, Inc. has designed the Project and the next step is to bid the construction of the Project; and

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden require that all estimated purchases over \$20,000.00 shall be formally bid pursuant to General Municipal Law section 103.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the Town Clerk to publish Notice in the Alden Advertiser to be published on October 6, 2011 and to publish Notice in the Criterion to be published on October 8, 2011. The Notice must state the time when and place where the sealed bids will be publicly opened and read by the Town Clerk;
2. The Town Board hereby authorizes the Town Clerk to receive sealed bids, until 11:00 AM Prevailing time on October 20, 2011. All bids must contain the Non-collusive Bidding Certification;
3. Interested parties shall submit proposals to the Town Clerks Office no later than 11:00 AM on October 20, 2011 at which time the proposals will be opened and publicly read by the Town Clerk; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 3, 2011, and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilwoman Riddoch attended the Senior Meeting at the end of last month, they had some concerns and she would like to address them at the next Work Session. The forms are finished at the Alden Advertiser for the dog enumeration; she will be picking them up. She thanked the Alden Advertiser for the ads and speed on getting the forms finished.

Town Clerk, Ralph Witt reported that due to the layoff of State Workers, our Deputy that worked at the Penitentiary (NYS Dept. of Corrections at Wende) to witness signatures on the marriage licenses was laid off. On future marriage licenses he will have to go over and witness the signatures of perspective bride/groom or groom/groom.

Attorney Jennifer Strong is working with Rural Metro on the new contract. The first draft went out to them last week. She received their insurance today. Jennifer would like the Ross HOP added to the Work Session.

Engineer Michael Metzger said the boiler has been delivered, the location has been set up. Equipment will start to be installed. This project should be completed in a couple weeks. Supervisor Smith said that we have been asked by NYSERTA for pictures during the construction of the project.

Supervisor Smith reported that he and Attorney Strong met with Rural Metro Medical Services last Wednesday to go over a new contract with them, would like this on the Work Session for next week, would like the ECWA Agreement/Hydrants on the Work Session for Monday. Supervisor Smith would also like the 2012 Tentative Budget that was passed out to Board members put on the Work Session. The Town was faced with the new 2% cap on the levy according to NYS law and increases to retirement costs and worker's comp. of over \$42,000.00 and increase of the cost of the Service Award program to the Millgrove and Crittenden Fire Departments of approximately \$10,000.00. They were able, through the use of increased sales tax revenue and reduction of two full time positions to part-time and the savings of the reduction of the Town Board from four to two, to come up with a budget that will actually reduce the tax rate in the Town of Alden. The tax rate for 2012 for the General Fund, the Town outside Village Fund and the Highway Fund will be \$2.95 per thousand of assessed value; which is down from the \$3.00 per thousand per this years budget (down 1.78%), in the Village the rate will be \$3.25 in 2012 according to the tentative budget, which is up from \$3.23, which is an increase of less of 1%. The budget does call for a pay increase of 2% for most Town employees, with the unionized employees getting 3% increase per their contract. The budget won't be finalized until next month; there will be a public hearing in November. There will be a meeting on Wednesday with Senator Pat Gallivan at 10:00 A.M. to meet with Town, Village and business officials with issues regarding the State and Alden. There will be a Master Plan Implementation meeting on Thursday, October 13th at 7:00 P.M.

NEXT WORK SESSION: OCTOBER 10, 2011 @ 7:00 P.M.
NEXT TOWN BOARD MTG.: OCTOBER 17, 2011 @ 7:00 P.M.

Supervisor Smith Adjourned the Meeting at 7:24 P.M.

Ralph P. Witt
Town Clerk

