

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;



