

thinks he knows where they are coming from. He wondered if this is allowed? Councilman Weber said he checked and there is no weight limit or speed limit sign, other than the Village posted on Sullivan Rd. Supervisor Milligan believed that there was signs there. Highway Supt. Fix will check this out.

Councilwoman Riddoch received a request from Rec. Director Dan Moultrup regarding Ceramics, she would like this on the Work Session. He also gave her a list of classes for life guards.

Supervisor Milligan received a note from the Assessor's office regarding the new street directory that they are working on. SunnKing Electronics has paid the Town \$765.00 in six months for the electronic recycling that has been collected at the Town Hall. A letter was received from Ewell Free Library advising that the Trustees had a special meeting on October 9, 2012 voting unanimously to oppose the memorandum of understanding for the proposed special library district by Buffalo and Erie County Public Library system.

Town Clerk Ralph Witt presented the Town Board with copies of the Adopted Budget.

Attorney Strong sent out the draft contract for 2013 to our grant writer. She was okay with the terms. It is all set to approve at our reorganization meeting in January. Attorney Strong has prepared a draft kennel agreement for 2013 that she would like put 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 Deneda Gasiecki/12615 W. Main St./Dog Grooming. Unanimously Carried.

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

WHEREAS, the Town of Alden Parks Supervisor has advised the Town Board that the Parks Department is in need of new pick-up truck for use at the Alden Town Parks;

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; and

WHEREAS, the Town Board after full and careful review and consideration of the request finds said request to receive bids for a new Parks Department truck in the public interest;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the Town Clerk to advertise for bids as outlined in the attached Instructions to Bidders;
2. The Town Board hereby authorizes the Town Clerk to publish Notice in the Alden Advertiser. Said Notice must be published more than five (5) days prior to Friday December 7, 2012, and must state the time when and place where the sealed bids will be publicly opened

And read by the Town Clerk;

3. The Town Board hereby authorizes the Town Clerk to receive sealed bids, until 2:00 PM Prevailing time on Friday, December 7, 2012. All bids must contain the Non-collusive Bidding Certification; and
4. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on November 19, 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 Town of Alden Building Inspector on October 9, 2012, made a report to the Alden Town Board that the brick building located at 11639 Genesee Street is dangerous and unsafe as defined by Chapter 7A of the Alden Town Code; the building is dilapidated, decayed, unsafe by reason that parts of the brick building are falling onto the neighboring property and that the roof of the building has collapsed;

WHEREAS, by Order of The Town Board, the building has been declared dangerous and demolished by United Demolition & Excavating, LLC; and

WHEREAS, United Demolition & Excavating, LLC incurred an additional \$4,000.00 in demolition costs due to unforeseen costs in asbestos abatement and removal.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town authorizes an additional payment to United Demolition & Excavating, LLC in the amount of \$4,000.00; and
2. This Resolution shall take immediately.

The Adoption of the foregoing resolution was duly put to a vote at a regular meeting on November 19, 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 is considering dissolving Water Districts # 2 #3 and #4 so that the infrastructure may be transferred to the Erie County Water Authority.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby authorize the appropriation of a sum monies not to exceed \$5,000.00, plus actual disbursements to Metzger Civil Engineers, the Town Engineers, for engineering services, as outlined in the May 21, 2012 proposal, for this project; and
2. This Resolution shall take effect immediately.

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

Supervisor Milligan Moved and Councilman Weber seconded the Motion to remove the Proclamation from the agenda. Unanimously Carried.

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

WHEREAS, Colleen Rogers, Budget Officer of the Town of Alden on September 28, 2012, duly filed the Tentative Budget of the Town of Alden for the Town's Fiscal Year beginning January 1, 2013, with the Alden Town Clerk;

WHEREAS, Town Clerk, Ralph P. Witt, duly presented the Tentative Budget to the Alden Town Board on October 1, 2012;

WHEREAS, The Alden Town Board after full and careful review and consideration of the Tentative Budget recommended the approval of the Tentative Budget, making the Tentative Budget the Preliminary Budget of the Town of Alden for Fiscal Year 2013;

WHEREAS, on October 15, 2012, the Alden Town Board duly called a public hearing on the Preliminary Budget, notice of said public hearing was duly published and posted;

WHEREAS, the Preliminary Budget was duly filed in the Office of the Alden Town Clerk for inspection by the public; and

WHEREAS, the Alden Town Board conducted a public hearing on the Preliminary General Fund Budget for Fiscal Year 2013, on November 5, 2012. At which time all persons interested in the Preliminary General Fund Budget were given the opportunity to be heard.

WHEREAS, the Budget Officer has reported to the Office of the State Comptroller proof of her calculations confirming that the tax levy limit.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts the final General Fund Budget for the Fiscal Year beginning January 1, 2013;
2. The Town Clerk shall prepare and certify, in duplicate, copies of said General Fund Budget and deliver the same to Supervisor Milligan to be presented to the Legislature of Erie County.
3. This resolution shall take effect immediately.

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

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

WHEREAS, Colleen Rogers, Budget Officer of the Town of Alden on September 28, 2012, duly filed the Tentative Special District and Special Improvement District Budget of the Town of Alden for the Town's Fiscal Year beginning January 1, 2013, with the Alden Town Clerk;

WHEREAS, Alden Town Clerk, Ralph P. Witt, duly presented the Tentative Special District and Special Improvement District Budget to the Alden Town Board on October 1, 2012;

WHEREAS, The Alden Town Board after full and careful review and consideration of the Tentative Special District and Special Improvement District Budget recommended the approval of the same, making the Tentative Special District and Special Improvement District Budget the Preliminary Special District and Special Improvement District Budget of the Town of Alden for Fiscal Year 2013;

WHEREAS, on October 15, 2012, the Alden Town Board duly called a public hearing on the Preliminary Special District and Special Improvement District Budget, notice of which public hearing was duly published and posted;

WHEREAS, the Preliminary Special District and Special Improvement District Budget was duly filed in the Office of the Alden Town Clerk for inspection by the public;

WHEREAS, the Alden Town Board conducted a public hearing on the Preliminary Special District and Special Improvement District Budget for Fiscal Year 2013, on November 5, 2012. At which time all persons interested in the same were heard; and

WHEREAS, the Budget Officer has reported to the Office of the State Comptroller proof of her calculations confirming that the tax levy limit.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby adopts the final Special District and Special Improvement District Budget for the Fiscal Year beginning January 1, 2013;
2. That the Town Clerk shall prepare and certify, in duplicate, copies of said Special District and Special Improvement District Budget and deliver the same to Supervisor Milligan to be presented to the Board of Legislators of Erie County; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting held on November 19, 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 is considering the adoption of "Local Law No. 1 of the Year 2013", entitled "Governmental Operations" (the "Proposed Action");

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; is the agency with the broadest governmental powers for investigating the impact of the Proposed Action; and 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, the Town Clerk is hereby directed to send notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law and to the neighboring municipalities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action; and

This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on November 19, 2012, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to allow Lancaster Fire Museum to use the Town of Alden Band Shell on November 24, 2012. Pending receipt of proof of insurance. Unanimously Carried.

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

WHEREAS, in October, 2012, the Town of Alden by emergency declaration caused the unsafe and dangerous building at 11639 Genesee Street in the Town of Alden to be demolished;

WHEREAS, the emergency demolition cost the Town of Alden an additional \$4,000.00 for unanticipated asbestos abatement and removal;

WHEREAS, the property owner, Millgrove Development Co, has refused to reimburse the Town for the additional demolition costs; and

WHEREAS, the Alden Town Code at Section 7A-6(E) allows the Town to relevy such costs onto the property taxes of the affected parcel.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Alden Town Board hereby authorizes the Town Assessor to re-levy the additional amount of \$4,000.00 onto the 2013 county/town taxes of 11639 Genesee Street also known as SBL #85.03-1-10.2;
2. The 2013 Town Budget at line A.0000.1001. is hereby increased by \$59,500.00 to receive this relevy; and
3. This resolution shall take effect immediately.

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

SUPERVISOR MILLIGAN POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WERE 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 a new public address system for the Community / Senior Center will enhance the quality of life of Alden residents.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town of Alden Recreation Director and the Town of Alden Supervisor are 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 a public address system; and
2. This Resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on November 19, 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 of Alden Recreation Director has advised the Town Board that the Town of Alden Senior / Community Center has received a private grant from the East Hill Foundation to purchase a public address system, the estimated cost of which is more than \$500.00 but less than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden states that the Town must obtain written quotes from at least two (2) vendors;

WHEREAS, said Procurement Policy & Procedure Guidelines have been followed and quotes have been properly received as follows:
The highest quote is from the Guitar Factory at \$1,999.96;
The second highest quote is from Airport Music at \$ 1,400.97; and
The lowest quote is from Limelight Music at \$925.00;

WHEREAS, Limelight Music is the responsible bidder; and

WHEREAS, The Town Board after full and careful review and consideration of the need finds that it is in the public interest to authorize the purchase using the grant funds.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a public address system from Limelight Music for a total cost of \$925.00;
2. That the Recreation Director of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase and installation; and
3. This resolution shall take effect immediately.

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

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber received a call from a Boncliff Dr. resident regarding the condition that his back yard is in. He is pretty upset. Councilman Weber viewed a drainage problem in the Peters Corners/Uebelhoer Rd. area. This could potentially be a pretty big problem. A resident said that this area is a federal wetland. One of the residents has dug a ditch with an excavator 16' wide x 5' deep. This water is draining onto an adjacent property owner's woodland. The owner is very concerned because it is starting to flood his woods. Councilman Weber would like this on the Work Session. He will check this out with the Town Engineer.

Attorney Strong would like Local Law #1/2013 on the Work Session.

Dog Control Officer Len Weglarski said all the stray dogs he had have been taken to the SPCA.

Supervisor Milligan attended a meeting downtown with Maria Whyte from Polancarz office regarding the Erie County Home.

Supervisor Milligan thanked the following for their participation in the funeral for Sgt. Brett Gornewicz:

Robert Rimbeck & Steve Chase – Alden Fire Company
John Smith – Townline Fire Co.
Bob Poeller – Millgrove Fire Co.
Al Piasecki – Crittenden Fire Co.

Mayor Mike Manicki – Village of Alden

Commander Marlene Roll

Colleen Rogers

Bonnie Hy & Michele Hoffman – Alden Presbyterian Church

Bart Bartlett – Patriotic Guard and Motorcycle Group

Special thanks to Carol from Tree Care of New York on Broadway, who supplied the large flag that was used.

At 7:29 P.M. Councilman Weber asked for a Motion to adjourn from the Regular Meeting and go into an executive session to discuss possible litigation. The Town Board, Carl Fix and the Town Attorney will attend.

At 7:29 P.M. Councilwoman Riddoch moved and Supervisor Milligan seconded the Motion to adjourn from the regular meeting and enter into an Executive Session to discuss possible litigation. Unanimously Carried.

At 7:47 Councilman Weber asked for a Motion to adjourn from the Executive Session, with no action been taken and enter back into the Regular Meeting.

At 7:47 Councilwoman Riddoch moved and Supervisor Milligan seconded the Motion to adjourn from Executive Session, with no action been taken, and enter back into the Regular Meeting. Unanimously Carried.

<u>SPECIAL WORK SESSION:</u>	NOVEMBER 20, 2012	@ 10:30 A.M.
<u>WORK SESSION:</u>	NOVEMBER 26, 2012	@ 7:00 P.M.
<u>REG. BOARD MEETING:</u>	DECEMBER 3, 2012	@ 7:00 P.M.

Supervisor Milligan adjourned the Meeting at 7:48 P.M. with a Moment of Silence in Memory of Mary Bieniek, Barbara Lund, Thomas Bressler, Jr. and David R. Morris Sr.

Ralph Witt
Town Clerk