

Councilwoman Cooke spoke with the Erie County Nutritional Supervisor, they are pleased with the Town's program and the Town's Nutrition Supervisor.

Supervisor Smith received the Alden Fire Department's July 2010/Fire/EMS monthly report, Village of Alden's approved Board minutes for July 22, 2010, Rural Metro's July 2010 monthly report with a compliance of 90%.

AT 7:05 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO MOVE INTO THE PUBLIC HEARING.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to enter into the 7:05 Public Hearing. Unanimously Carried.

The First Deputy Town Clerk read the notice of Public Hearing that was published in the Alden Advertiser, Local Law #2/2010, to abolish the office of Receiver of Taxes and Assessments and transfer those duties to the Town Clerk's Office.

Supervisor Smith explained the basis of the proposed Local Law #2/2010.

The Supervisor opened the floor for Public comments.

PUBLIC COMMENTS:

Thomas Kreutter, Cary Rd., wanted to commend the Town Board for taking this matter into consideration. He feels the combination of the two offices will save money. Mr. Kreutter thinks that the Town Supervisor and Board should highly recommend this publicly stating that they are in favor of this and why.

Ron Rebmann, Broadway, wanted it explained to him how there would be a savings. There was a Town Clerk, a Deputy Town Clerk and a Tax Receiver that would be replaced by three Deputy Town Clerks. Supervisor Smith explained there would be a Full Time Town Clerk, Deputy and two part time clerks, which would result in a savings of approximately \$25,000.00.

Wynnie Fisher, Two Rod Rd., asked the current salary for the Tax Receiver, Supervisor Smith responded \$28,527.00. She is concerned that if the position is abolished and there was a cost savings to the public that would be wonderful, but if assistants have to be hired, would there truly be a cost savings? Wynnie also stated that if the elected position is abolished, we are taking choice away from voters/tax payers. There was a question of the hiring process. Supervisor Smith said that an ad was run in the Alden Advertiser and prospective clerks were interviewed. Wynnie felt that an ad should be run in another paper also. Supervisor Smith said the Alden Advertiser is the official Town paper. There was a suggestion made that the website be utilized to post the help wanted ads. Supervisor Smith said that was a reasonable request, there are no plans to hire any additional personnel. There will be two full time people and two part-time people to run the office, with a cost savings of about \$25,000.00.

Steve Fox, Old Wende Rd., gives support for this project to move forward.

Ron Rebmann, Broadway asked what the present salary for the Town Clerk is. Supervisor Smith said it is \$46,792.00 plus benefits for the 2010 budget year.

AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, AT 7:23 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING.

Councilwoman Riddoch moved and Councilman Weber seconded the motion to enter back into the regular meeting at 7:23 P.M. Unanimously Carried.

NEW BUSINESS

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

WHEREAS, the Town Board of the Town of Alden has fully considered the adoption of “Local Law No. 2 of the Year 2010, entitled “Local Law to Abolish the Office of the Receiver of Taxes and Assessments in the Town of Alden” (the “Proposed Action”); and

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA; and

WHEREAS, the Town Clerk provided notice to the Erie County Division of Planning on July 21, 2010, for this Proposed Action, as required under Section 239-m of the General Municipal Law and a “no recommendation” was received from the Division on July 26, 2010; and

WHEREAS, the New York State Environmental Quality Review Act requires the Town to determine the Lead Agency status and the Town Board did assume Lead Agency status on July 19, 2010; 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 SEQR Intake Officer; and

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on July 13, 2010, recommended to the Town Board the approval of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board did determine that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board did determine that it should be the Lead Agency for all environmental review of the Proposed Action.
3. 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 said Proposed Action.

4. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on August 16, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to rent a track hoe with a four foot ditching bucket for one month the estimated rental cost of which less than \$10,000.01 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden states that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, a written request for proposals (monthly rental for a track hoe with a four feet ditching bucket, plus any delivery charges) was made by Highway Superintendent Fix to six (6) vendors;

WHEREAS, the Town can not wait any longer to rent this equipment;

WHEREAS, the highest bidder is Admar at \$3,270.00;

WHEREAS, the second highest bidder is Five Star at \$2,800.00 plus delivery;

WHEREAS, the third highest bidder is George & Swede at \$2,400.00 plus delivery;

WHEREAS, the fourth highest bidder is United Rental at \$2,400.00;

WHEREAS, the fifth highest bidder is Zoladz at \$2,375.00; and

WHEREAS, the MW Equipment is the lowest bidder at \$2,300.00;

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 rental.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the rental of a track hoe with four foot ditcher from MW Equipment at a cost of \$2,300 for thirty (30) days;
2. The 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 August 16, 2010, and was unanimously adopted.

Councilman Snyder moved and Councilwoman Cooke seconded the motion to call a special meeting on August 23, 2010, at 6:45 P.M. for considering the adoption of Local Law #2 of 2010. Unanimously Carried.

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

WHEREAS, the Town Board of the Town of Alden is considering an application, by The Estate of Garret Walsh, for the subdivision of two (2) lots. The entire parcel as currently constituted consists of approximately 33.91 acres on Peters Corners Road in the Town of Alden. The first proposed lot ("Parcel A") would be 15.763 +/- acres (and will be known as SBL # 97.00-1-37.111); the second proposed lot ("Parcel B") would be the remainder of the parcel (and will be known by SBL # 97.00-1-37.112); further identified by SBL # 97.00-1-37.11 (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 or about July 15, 2010, 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 or about August 11, 2010.

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 on August 2, 2010;

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 SEQR Intake Officer;

WHEREAS, the Town of Alden Planning Board has reviewed the Proposed Action and on July 13, 2010, recommended to the Town Board the approval of the Proposed Action.

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. That the following two parcels, more particularly described as:

Parcel A: SBL # 97.00-1-37.111

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York, being part of Lot 26, Township 11 and Range 5 of the Holland Land Company's survey, being more particularly bounded and described as follows:

BEGINNING at a point in the northeasterly corner of Lot 26, also being the centerline of Peters Corners Road (66' wide); Thence westerly along the northerly line of Lot 26 a distance of 1098.90 feet to a point in the westerly line of lands now or formerly conveyed to Michael Welsh as recorded in the Erie County Clerk's Office under Liber 254 of deeds at page 323; Thence southerly along the westerly line of said lands conveyed to Welsh a distance of 966.02 feet to a point in the northerly line of lands now or formerly conveyed to the Lehigh Valley Railroad as conveyed in the Erie County Clerk's Office under Liber 464 of deeds at page 240; Thence easterly along the northerly line of said lands conveyed to the Lehigh Valley Railroad a distance of 1205.11 feet to a point in the easterly line of Lot 26; thence northerly along the easterly line of Lot 26 a distance of 514.79 feet to the point or place of beginning, containing 15.763 acres more or less, excluding those lands within the highway boundary.

And Parcel B: SBL # 97.00-1-37.112

ALL THAT TRACT OR PARCEL OF LAND situate in the town of Alden and County of Erie and State of New York, being part of lot numbers 20 and 21 township 11, range 5 of the Holland land company's survey, described as follows:

BEGINNING at a point in the center line of Peters Corners Road, being 66 feet wide, also being the West lot lines of numbers 20 and 21 as it intersects the South line of lands conveyed to Michael Welch by a deed dated September 1, 1858, and recorded in the Erie County Clerk's Office in Liber 193 of deeds at page 216 on September 13, 1858; thence running East on the South line of lands conveyed to said Michael Welch, said South line being parallel to the North line of Lot 20, 419.97 feet to a point being the Northwest bound of lands conveyed to the Lehigh Valley R.R. by a deed dated December 14, 1889 and recorded in the Erie County Clerk's Office under Liber 464 of deeds at page 240 on December 16, 1889; thence Northeast at an interior angle of $167^{\circ} 35' 7''$ to the last described line, along the Northwest bounds of the Railroad 204.8 feet to a point; thence continuing Northeast along the Northwest bounds of said Railroad 1093 feet to a found rebar; thence North at an interior angle of $102^{\circ} 27' 53''$ to the last described line, 140 feet to a found iron pipe in the North line of lot number 20, said line also being the South line of lot number 21; thence west along said North line of lot 20 and the South line of Lot 21, 1023.20 feet to a found rebar; thence North at an exterior angle of $89^{\circ} 1' 11''$ to the last described line, 132 feet to a found rebar; thence West at an interior angle of $89^{\circ} 1' 11''$ to the last described line and along the North line of lands conveyed to the said Michael Welch, 660.00 feet to the centerline of Peter's Corners Road also being the West lines of lots numbers 21 and 20; thence South along the centerline of Peter's Corners Road and West lines of Lot 21 and 20, 132 feet to a found pin; thence continuing South through the said found pin in the centerline of Peters Corners Road and West lines of Lot 21 and 20, 422.15 feet to the point of beginning.

are given subdivision approval.

4. 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 August 16, 2010, and was unanimously adopted.

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to approve Alden Central School's request to use the R.O. Smith Park for Boys J.V. Soccer season on requested dates. The District will stripe the field. Unanimously Carried.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to purchase replacement parts for the Town's 1982 International TD8E Bulldozer the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the needed replacement part (more specifically a right hand side Track Adjuster) is a unique item, due to the age of the Bulldozer and only two (2) vendors offer this replacement part;

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;

WHEREAS, an oral request for proposals was made by Highway Superintendent Fix to two (2) vendors;

WHEREAS, the highest bidder is George & Swede at \$635.78 plus undisclosed shipping and handling;

WHEREAS, the lowest bidder is Baschmann Services at \$600.00 plus shipping and handling of \$36.64 (for a total of \$636.64);

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 part.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase a right hand side track adjuster from Baschmann Services for a total of \$636.64;
2. The 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 August 16, 2010, and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Carl Fix to purchase replacement parts for the Town's 1982 International TD8E Bulldozer the estimated cost of which less than \$2,000.01 but greater than \$500.00;

WHEREAS, the needed replacement part (more specifically a Track Idler) is a unique item, due to the age of the Bulldozer and only two (2) vendors offer this replacement part;

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;

WHEREAS, an oral request for proposals was made by Highway Superintendent Fix to two (2) vendors;

WHEREAS, the highest bidder is Baschmann Services at \$757.45 plus undisclosed shipping and handling;

WHEREAS, the lowest bidder is George & Swede at \$198.57 plus shipping and handling of \$25.00 (for a total of \$223.57);

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 part.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase a track idler from George & Swede for a total of \$223.57;
2. The 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 August 16, 2010, and was unanimously adopted.

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

Supervisor Smith moved and Councilwoman Riddoch seconded the motion to refer Georjean Labuzetta's application /2179 Sandridge Rd./Candle making/sales for a home occupation permit to the Planning Board for review and Recommendation. Unanimously Carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

First Deputy Town Clerk Debra Crist reported that today was the first day for selling hunting licenses, the office was very busy, extended hours were offered. All went well.

Attorney Strong is working with the Association of Towns and other local towns drafting the new local law for the State dog requirements and hopes to have something together within the next few weeks.

Councilman Snyder reported that the new air conditioner is installed in the Town Clerk's Office 2 weeks ago and waiting to install the unit in the Judges office. A savings of \$300.00-\$400.00 was obtained by the Town buying the unit and having a contractor put it in.

Councilman Cooke wanted to inform people that on August 21, 2010 Townline Fire Department would be conducting a live burn drill at 45 Townline Rd. The area should be avoided, as the roads will be shut down. Supervisor Smith asked if Councilwoman Cooke has checked with the Building Department to see if all the proper paperwork has been filed? She checked with the Townline Fire Chief and told him no permit, no burn. Supervisor Smith will follow up to ensure the proper permits have been obtained.

Supervisor Smith said there would be a meeting of the Master Plan Implementation Committee, Thursday, August 26, 2010, 7:00 P.M. at the Town Hall. A Special Board Meeting will be held Monday, August 23 at 6:45 P.M. at the Town Hall in regards to the adoption of Local Law #2/2010, followed by the Work Session.

Robertt Labinsky/Metzger Eng. Representative, as discussed at the Work Session he made a copy of Town Maps for the Town Attorney and Highway Superintendent. He also made notes for Engineer Metzger while he was gone.

NEXT WORK SESSION: Monday, August 23, 2010
NEXT TOWN BOARD MTG: Tuesday, September 7, 2010

SUPERVISOR SMITH ASKED FOR A MOTION AT 7:50 P.M. TO ADJOURN FROM THE REGULAR MEETING TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS A MATTER OF PERSONNEL.

Councilman Snyder moved and Councilman Weber seconded the motion to move into an executive session to discuss a matter of personnel at 7:40 P.M. Unanimously Carried.

AT 7:58 P.M. SUPERVISOR SMITH ASKED FOR A MOTION TO MOVE BACK INTO THE REGULAR MEETING FROM THE EXECUTIVE SESSION WITH NO ACTION TAKEN.

Councilman Weber moved at 7:58 P.M. and Councilwoman Riddoch seconded the motion to move back into the regular meeting with no action taken. Unanimously Carried.

Supervisor Smith adjourned the Meeting at 8:00 P.M. with a Minute of Silence in Memory of David Sleeper, Lisa (Wilhelm) Behn and Thomas Medbury.

Debra Crist
First Deputy Town Clerk