

MEETING NO. 19  
REGULAR NO 19

REGULAR BOARD MEETING

OCT. 2, 2006  
7:30 P.M.

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 2, 2006 at 7:30 PM. 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 L. Smith, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman  
Ronald L. Snyder, Councilman  
RECORDING SECRETARY: Dorothy L. Bycina, Town Clerk  
OTHERS PRESENT: Debra Crist, Deputy Town Clerk  
Jennifer Strong, Town Attorney  
Harry Milligan, Highway Supt  
Frank Trybuskiewicz, CEO  
Michael Metzger, Town Engineer  
Ralph Witt, Planning Board Chairman  
Leonard Weglarski, Dog Control Officer  
ABSENT: Arlene Cooke, Councilwoman

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of September 18, 2006. 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"	16,791.78	54,787.44	71,579.22
HGHWY FUND "DA/DB"	5,157.59	2,418.83	7,576.42
PARTTOWN FUND "B"	6,745.20	233.10	6,978.30
WD#2 FUND "WB"	375.20	6,660.00	6,975.20
WD#3 FUND "WC"	1,983.20	4,141.00	6,125.20
WD#4 FUND "WD"	1,299.80		1,299.80
SPECIAL FIRE PROT "SF"		102.94	102.94
SD #1 FUND "SI"		264.25	264.25
SD #2 FUND "SA"	963.76	2,419.75	3,383.51
TRUST/AGCY FUND "T"		203.61	203.61
SP REFUSE FUND "SR"	27,320.22		22,320.22
ST LIGHTING FUND "SL"	7,088.00		7,088.00
TOTAL	67,724.75	71,171.92	138,896.67

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

Supervisor Smith "Welcomed" the Students from Alden Central

BUSINESS FROM THE FLOOR

Sharon Fisher & John Fisher/1342 Two Rod Rd stated that no one was notified of the burn on Friday night at 1418 Two Rod Rd. Supervisor Smith said that the Highway Dept moved the small buildings in the center since the Contractor did not include this in his Bid. The Supervisor will address the Fire Company as to why no one was advised of this burn.

COMMUNICATIONS

Councilwoman Riddoch reported she received a call today from John Oles re the status of County Line traffic study – she told him she would look into it. –it was filed on July 24<sup>th</sup>. He also asked about the Right to Farm Law – she will speak with Ralph Witt on this and

Mr. Oles will call Mr. Witt himself. She had called Mike Hardy on the Industrial Appraisal and left a message.

Attorney Strong reported she received a communication on the Bike Path re the location of a High Pressure Gas Line.

Supervisor Smith reported the following: an Invitation to the Alden Chamber of Commerce's 50<sup>th</sup> Anniversary Celebration; letter from the Village Attorney re Bike Path; notice that Jim Lotello of NYSEG re new lights for the south end of Sullivan Rd; copy of a resolution adopted at the Marilla Town Board re the extension of the Water Line; letter from the Judges Memorial Golf Tournament re the games and sports equipment in our possession; notice of a Public Hearing before the Zoning board of Appeals for James Roll/13492 Henskee Rd; letter from Councilwoman Cooke advising that she will be absent starting Sept 26<sup>th</sup> – she hopes to return to Meetings by Oct. 16<sup>th</sup>; letter from Assemblyman Cole advising of a Grant in the amount of \$2,500 to be used towards the construction of athletic benches for the parks and recreation department; Invitation to the Alden Chamber of Commerce's "3<sup>rd</sup> Networking Mixer" to be held at Sitzman's Maytag on Oct. 4<sup>th</sup>.

#### NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the HOP for Charles Roberts/13692 Broadway. 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 Recreation Director has advised the Alden Town Board that Alden recreational sports leagues that use the Alden Town Parks to play sports are in need of two (2) Lightning Detectors the total cost of which, including shipping and handling is \$384.60;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden allow the discretion of the Purchaser for purchases under \$500.00;

WHEREAS, the Town Board after full and careful review and consideration of the request finds that the purchase of said Lightning Detectors are in the public interest; however the cost of the Lightning Detectors will be shared by the Town and by the various recreational sports leagues.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the purchase of two (2) Lightning Detectors for use by the various recreational sports leagues in the Alden Town Parks , with the cost shared by the Town and by the recreational leagues;
2. That the Recreational Director 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 vote on October 2, 2006 and was unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER, 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. 2 of the Year 2006, entitled "Residency Law for the Town of Alden", (the "Proposed Action"); and

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

WHEREAS, the Town 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:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote on October 2, 2006 and was unanimously adopted

COUNCILWOMAN RIDDOCH MOVED AND COUNCILMAN WEBER SECONDED THE MOTION TO ENTER INTO THE 7:45 PM PUBLIC HEARING. THE TOWN CLERK READ THE NOTICE THAT WAS PUBLISHED IN THE ALDEN ADVERTISER.

The Supervisor opened the floor for discussion – there was no public comment. The Supervisor stated that work is being done in the Community Center - new windows and Remodeling in the Bathrooms is planned. Also a request for 2007 for an issue with erosion on Bonnie Lake.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to close the Public Hearing at 7:48 PM.

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

WHEREAS, the Town of Alden seeks grant monies to make assessment information more easily available to the public, and

WHEREAS the New York State Office of Real Property Services has developed a grant program to assist localities with developing on-line assessment information services, and

WHEREAS the Alden Town Board is desirous of acquiring grant monies to make assessment information available to the public via the Internet,

NOW THEREFORE BE IT

RESOLVED, that the Alden Town Board hereby authorizes the submission of a grant application to the New York State Office of Real Property Services for the purpose of securing this grant, and be it further

RESOLVED, that the Town of Alden hereby commits to providing the necessary technical and financial support to continue the program developed via grant funds in years two through five, and be it further

RESOLVED, that Grant Makers Advantage, Inc., the Town's grant consultants be authorized and directed to complete the necessary application, forms, etc, to be submitted to the New York State Office of Real Property Services for the purpose of securing this grant, and be it further

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

This resolution shall take effect immediately. The foregoing Resolution was duly put to a vote on October 2, 2006 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, in cooperation with the Town of Marilla, is interested in resolving the region's potable water supply issues in a cooperative and economical manner, and

WHEREAS, the Town of Alden and Town of Marilla have explored several options to provide residents with water at a minimal cost, and

WHEREAS the Town of Alden desires, at a minimum, to construct water line from Clinton and Eastwood Roads in Marilla to the Marilla/Alden town line on Exchange Street, and

WHEREAS grant monies are available through the New York State Department of State, Shared Municipal Services Incentive Award Program to conduct a feasibility analysis, prepare implementation plans, engage preliminary engineering services, water district information, and facilitation of the various legal and financial requirements necessary to supply an affordable supply of potable water to the area, and

WHEREAS, the Alden Town Board anticipates cooperation with the Town of Marilla will result in cost reductions and efficiencies of service delivery, and

WHEREAS the Shared Municipal Services Incentive Award Program will provide a maximum of \$400,000 toward the aforementioned services, and

WHEREAS, the applicant(s) must provide a ten percent cash match, the Town of Alden's portion to be available from the Town's 2007 contingency budget,

NOW THEREFORE BE RESOLVED, that the Town of Alden will serve as a lead agency for the purpose of submitting a grant application to determine the feasibility and cost sharing arrangements associated with the Alden-Marilla Water Supply Project, and be it further

RESOLVED, that the Alden Town Board hereby authorizes the submission of a grant application for the Alden-Marilla Water Supply Project to the New York State Department of State Shared Municipal Services Incentive Grant Program for the 2006-2007 grant year and, upon award of such grant, serve as the agency responsible for the administration of the grant program. And

BE IT FURTHER RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized to prepare and submit said application for funding and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all financial and/or administrative processes related to acquisition of said funding.

This resolution shall take effect immediately. The foregoing Resolution was duly put to a roll call vote on October 2, 2006 and was unanimously adopted.

Supervisor Smith moved and Councilman Snyder seconded the Motion to allow Alternative Care Services permission to use the Community Center Dining Room and Kitchen on Monday, October 16<sup>th</sup> from 11:00 AM to 3:30 PM. Unanimously carried.

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

WHEREAS, Ronald L. Smith, Budget Officer of the Town of Alden on October 2, 2006 duly filed the tentative budget of said Town for the fiscal year beginning January 1, 2007 with the Town Clerk of said Town; and

WHEREAS, the Town Clerk of the Town of Alden duly presented said Tentative Budget to the Town Board on October 2, 2006;

NOW, THEREFORE, BE IT RESOLVED

1. That the tentative budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2007;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by her to the public for inspection during the regular business hours of the Town Clerk's Office;
3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the year 2007 be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 6, 2007 at 7:45 PM Local Time;
4. That the necessary Notice of Public Hearing upon the preliminary Budget, as required by Section 108 of the Town Law of the State of New York to be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and
5. This Resolution shall take immediately.

The adoption of the foregoing resolution was duly put to a vote on October 2, 2006 and was unanimously adopted.

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

WHEREAS, THE Town Board on behalf of all Special Districts and Special Improvements Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion, to the amount of the benefits conferred has duly prepared detailed estimates in writing of the anticipated revenue and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same; and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvements was charged in proportion to the amount of benefit conferred; and

WHEREAS, Assessment Roll were duly prepared according to law and said Assessment Rolls were duly filed in the Office of the Town Clerk.

NOW THEREFORE, BE IT RESOLVED:

1. That a Public Hearing is hereby called and shall be held on November 6, 2006 at 8:00 PM Local Time, at the Town Hall, 3311 Wende Road, Alden, New York, at which time and place this Town Board will meet to consider the aforementioned Special District

Budget for the Year 2007 and to hear all persons interested in the subject matter thereof, and concerning the same;

2. That a Notice of said Public Hearing be published in the Alden Advertiser and posted on the Town of Alden Board which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take effect immediately. The foregoing Resolution was duly put to a vote on October 2, 2006 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 realizes that the Alden Senior/Community Center is in need of major renovations;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden requires that all estimated purchase over \$10, 000 shall be formally bid pursuant to General Municipal Law section 103;

WHEREAS, Grant monies in the amount of \$39,600 will also be used to pay for the renovations;

WHEREAS, the Procurement Policy & Procedure Guidelines and General Municipal Law section 103 have been followed; and

WHEREAS, the Town Board after full and careful review and consideration of the request finds said renovations in the public interest;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS;

1. The Town Board hereby awards the bid for the bathroom rehabilitation, window replacement and door rehabilitation in the Alden Senior Center to Hadala Construction, Inc. pursuant to the bid placed by Hadala for \$43,700.
2. That 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 vote on October 2, 2006 and was unanimously adopted.

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

WHEREAS, the Alden Town Board has received a request from the Town Supervisor' Office that the Town's accounting software is in need of updating by means of purchasing a new accounting computer program, the estimated cost of which less than \$10,000.00;

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

WHEREAS, said Procurement Policy & Procedure Guidelines have been followed and quotes have been properly received; and

WHEREAS, the Town Board after full and careful review and review and consideration of the request finds that it is in the public interest to authorize said purchase;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the purchase of new accounting software, to wit; Relational Database Windows with GUI/Text Interface for 2 concurrent users, software conversion and two (2) days of training for Town employees from EOS Software for \$5,172.00 as being consistent with its policies and in the interest of the residents of the Town of Alden;
2. That 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 vote on October 2, 2006 and was Unanimously adopted.

Councilman Snyder moved and Councilwoman Riddoch seconded the Motion to authorize Ronald L. Smith, Supervisor of the Town of Alden to transfer the amount of \$750,000.00 (seven hundred, fifty thousand dollars) from Consolidated Savings Account at Alden State Bank to a 60 day Certificate of Deposit receiving a 5.25% interest rate at the Alden State Bank for the purpose of increasing interest revenue for the Town. At the end of the 60 days period, the Supervisor may renew the Certificate of Deposit or return the funds to the Consolidated Savings account based on current interest rates and/or need for liquidity of funds by the Town of Alden. Unanimously carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS FROM STANDING COMMITTEES AND PERSONNEL

Councilman Weber is working on a Drainage problem with the Building Inspector – to be placed on the Work Session.

Town Clerk Bycina reported that the Hunting Season for Doe Permits has ended on Sept 30<sup>th</sup> and the system went well.

Councilman Snyder reported on the Electronic Recycling – he took several Computers that were obsolete to this site. He has spoken to Elma's Supervisor Nolan re the square footage of buildings that they allow– to be placed on the Work Session.

Town Engineer Metzger reported he received a phone call from Sue Barnes – the Easements for all the properties are in place and the Grant is ready to go.

Tax Receiver Witt reported that compared to last year at this time he has collected 24% more of the Taxes and 40% more Money.

Dog Control Officer Weglarski asked if Robert Olsen was in the Budget for 2007 – Supervisor Smith said he was not in the Preliminary Budget but that he will be back in – this is a change that will be made to the Budget.

Supervisor Smith stated that the Tentative Budget has been filed with the Town Clerk- basically we have attempted to keep the Tax Rate the same and in some cases the Special District rate in a little lower then last year. The Public Hearing for the 2007 Budget is scheduled for November 6<sup>th</sup>.

Supervisor Smith adjourned the Meeting at 8:10 PM with a Minute's silence in Memory of Alice Klinkman, Warren Fox, Gladys Schmelzle and Maxine Sibley.

DOROTHY L. BYCINA  
ALDEN TOWN CLERK

