

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, August 1, 2016 at 7:00 P.M. Supervisor Savage called the Meeting to Order and Councilman Witt led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Richard Savage, Supervisor
Colleen Pautler, Councilwoman
Ralph P. Witt, Councilman

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Gary Wagner, Highway Supt.
Chris Snyder, CEO
Michael Metzger, Town Engineer
Len Weglarski, DCO

Councilwoman Pautler Moved and Councilman Witt seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of July 18, 2016. The Motion was put to a Roll Call Vote on August 1, 2016 and was

CARRIED.

Ayes 3 Savage, Pautler & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER AND SECONDED BY COUNCILMAN WITT TO WIT; VOUCHERS 736-797

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$11,338.17	\$10,319.96	\$21,658.13
HGHWY FUND "DA/DB"	8,176.67	49,274.58	57,451.25
PART-TOWN FUND "B"	2,150.00	1,351.00	3,501.00
WD#2 FUND "WB"			
WD#3 FUND "WC"			
WD#4 FUND "WD"			
SP FIRE PROT. "SF"			
SD#2 FUND "SA"	3,038.86	1,741.63	4,780.49
TRUST/AGCY FUND "T"	1,306.63	4,302.86	5,609.49
SP REFUSE FUND "SR"	33,214.99	150.35	33,365.34
STREET LIGHTING FUND "SL"	5,259.20		5,259.20
PERIWINKLE LTG. "SL1"	31.42		31.42
GRANTS			
TOTALS	\$64,515.94	\$67,140.38	\$131,656.32

UPON ROLL CALL VOTE ON AUGUST 1, 2016 THE FOREGOING RESOLUTION WAS

ADOPTED.

Ayes 3 Savage, Pautler & Witt
Nays 0

BUSINESS FROM THE FLOOR

Ron Rebmann, Broadway questioned whether there was a completion date for the viaduct on Broadway. Supervisor Savage thought it was getting closer to being done, maybe a couple weeks. He will contact Pete Satola to see if there is a more definite date. Highway Supt. Wagner said that he spoke to Pete and it should be done by the time school opens.

COMMUNICATIONS

Attorney Strong:

The Village of Alden was reminded that with their new Village dog law that it is not Mr. Weglarski's problem unless they hire him separately. There was no reply as yet.

Supervisor Savage:

Supervisor Savage e-mailed the insurance adjuster and told him what the bids were for the Highway Dept. repair and received a call back today that they were surprised at the size of the bid and Supervisor Savage said that is the reality of the cost of repairs. There were two companies that bid. The bidding was done to the letter of the law. The insurance adjuster would like to see them. The whole package will be sent to him tomorrow. Supervisor Savage said that his (the adjuster) reviewing them will not hold up the award of the job.

The recently received Town Topics featured the 2017 tax cap levy, which is 0.6 percent. The Board's intentions are to stay within this realm.

A letter was received notifying the Town of the Peters Corners railroad reconstruction until Thursday.

The Village of Alden Board minutes from the July 14th meeting were received.

A copy of the Village of Alden's dog law was received.

The August newsletter will be in this week's Alden Advertiser. The Johnny Smoke band will be this week's concert at 7:00 P.M.

There will be a "Thank a Vet" program at the Town Hall on August 23rd from 10:30-12:30.

A letter was received from ISO copied to Supervisor Savage regarding the fire and building code rating schedule.

The Federal Economic Development Adm. & HUD, Community Development Block Grant believes there is going to be extra money this year. The Town will put in for this again. There will be a Public Hearing held and Grantwriter Sue Barnes will apply for the grant.

An e-mail was received from Mrs. Heibel of Three Rod Road who would like to come in to speak with someone about the water maps and look into the process of receiving municipal water service. Supervisor Savage advised her to come to a Town Board meeting and speak during Business from the Floor.

An e-mail was received from Mark Casell with suggestions for the Solar Siting law.

NEW BUSINESS

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

WHEREAS, the Alden Town Board has received a request from Highway Superintendent Gary Wagner to purchase a 4 cycle jumping jack the estimated 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 (for a 4 cycle jumping jack with any shipping charges) was made by Highway Superintendent Wagner to three (3) vendors;

WHEREAS, quotes were received as follows:
the highest quote is from Admar at \$2,875.00,
the second highest quote is from Skyworks at \$2,575.00, and
the lowest quote is from United Rentals at \$1,988.00; and

WHEREAS, the bid from United Rentals is for a 2 cycle jumping jack and is therefore rejected; making Skyworks 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 purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase a 4 cycle jumping jack from Skyworks, the lowest bidder at a total cost of \$2,575.00;
2. The Highway Superintendent 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 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Alden Town Board has received a request from Supervisor Savage to purchase several paintings of local landmarks from local artist Conrad Borucki for display at the Town Hall;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that professional services and unique services are exempt from the Guidelines;

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 local landmark paintings from Conrad Borucki for display at the Town Hall..

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of five (5) framed painting of local landmarks, for display at Town Hall from Conrad Borucki for a total cost of \$800.00; and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR SAVAGE, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

**Town of Alden
Town of Alden Board**

Resolution Calling On Town of Alden Residents And Business Owners To Adopt The "Think Differently" Initiative To Assist Individuals With Special Needs And Their Families

WHEREAS, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs;

WHEREAS, our state and communities are stronger because of our diversity and differences;

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need;

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness;

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community;

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers;

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the "Think Differently" initiative is an important statement that our Town/Village/City officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Alden residents and business owners to adopt the "Think Differently" initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs.

The above resolution was duly put to a roll call vote at a regular meeting on August 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 2 of the Year 2016, entitled "Solar Siting" (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 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:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under

SEQRA and that an uncoordinated review shall be conducted.

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

3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on August 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

SUPERVISOR SAVAGE MOVED AND COUNCILMAN WITT SECONDED THE
THE ORDER CALLING A PUBLIC HEARING

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 15th day of August, 2016, for the purpose of hearing all persons interested in the proposed Local Law No. 2 of the Year 2016 "Solar Siting"; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated by the Town as its official newspaper for this publication, such publication to be not less than ten days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than ten days before the date of the Public Hearing and notify County Planning as required under §239-m of the General Municipal Law; and

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 2 of the Year 2016, entitled "Solar Siting", available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, at a regular meeting on August 1, 2016, which resulted as follows:

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Highway Superintendent has advised the Town Board that the Highway Department would like to try a newer method (by adding an organic based performance enhancement) to make road salt last longer and to reduce the amount needed and would like to purchase this enhancer pursuant to Contract # 4700007292 Piggyback Contract of Monroe County;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the piggyback contract;

WHEREAS, The Town Board after full and careful review and consideration of the request finds said request to purchase the salt enhancer as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of the salt enhancer at an amount not to exceed \$18,000.00 (estimated costs is \$17,600.00 (8 gallons of enhancer at \$1.10 per gallon x 2,000 tons of salt) depending on how much will fit into the salt barn) from Millennium Roads;
2. That the Highway Superintendent 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 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER PAUTLER

WHEREAS, the Building Inspector/Code Enforcement Officer has informed the Alden Town Board that several properties in the Town of Alden are not being properly maintained by the property owners;

WHEREAS, Chapter 18 of the Alden Town Code allows the Alden Town Board to adopt a resolution requiring a property owner to cut, trim or remove brush, grass, rubbish or weeds on their lands; and

WHEREAS, the following persons/entities are the owners of parcels of land (said parcels identified below) situated in the Town of Alden that are in need of lawn maintenance:

Christopher Kalisz, owner of 12327 Westwood Road;

James J. And Betty Ann Schmidt, owner of 3528 Townline Road;

Estate of Eve Fertig, owner of 11380 Cary Road;

Susan Brennan/ Caliber Home Loans, owner of 1214 Mayfield Drive; and

Janet Schalk, owner of 11638 Genesee Street.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. Christopher Kalisz, owner of 12327 Westwood Road (SBL # 107.04-1-5);
James J. and Betty Ann Schmidt, owner of 3528 Townline Road (SBL # 84.04-1-3);
Estate of Eve Fertig, owner of 11380 Cary Road (SBL # 118.00-4-27.2);
Susan Brennan/ Caliber Home Loans, owner of 1214 Mayfield Drive (SBL # 119.05-1-8);
and
Janet Schalk, owner of 11638 Genesee Street (SBL # 85.03-1-4)

are hereby ordered by the Alden Town Board to cut, trim and remove the brush, grass, rubbish and weeds on their above listed properties no later than August 14, 2016;

2. Should these property owners fail to cut, trim and remove the brush, grass, rubbish and weeds on their respective above listed properties no later than August 14, 2016, the Town of Alden will authorize the lawn maintenance to be performed by a third party and paid for from the general fund of the Town of Alden;

3. The Town Board shall then cause the general fund to be reimbursed by the respective property owners by levying the costs incurred by the Town onto the respective landowners County/Town Tax Bill for Tax Year 2017;
4. The Town Attorney shall cause a Notice of the Resolution to be mailed to each of the landowners listed above by regular mail at their last known address, as required by Section 18-4 of the Alden Town Code; and
5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

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

WHEREAS, the Town Board of the Town of Alden realizes that the Town Highway Garage is in need of major repairs caused by the "Sno-venber Storm" including: Work involving structural repairs to the existing 10,000 sq. ft., pre-engineered building used as the Town's Maintenance Garage and located at 12800 West Main Street. This work will generally involve structural reinforcement of the existing building's structural components and frame members;

WHEREAS, the Procurement Policy & Procedure Guidelines of the Town of Alden requires that all estimated public works projects over \$35,000.00 shall be formally bid pursuant to General Municipal Law section 103;

WHEREAS, Insurance monies will also be used to pay for the repairs;

WHEREAS, sealed bids were authorized by the Alden Town Board on June 20, 2016 and bid solicitations were published on June 23, 2016;

WHEREAS, two (2) sealed bids were received by the Town of Alden and opened by the Town Clerk on July 28, 2016, as follows:
Hohl Industrial base bid of \$327,000.00 with alternate # 1 at \$6,300.00 for a total bid of \$333,300.00 and Apollo Steel Corp base bid of \$350,000.00 with alternate # 1 at \$15,000.00 for a total bid of \$365,000.00;

WHEREAS, Hohl Industrial is the lowest responsible bidder;

WHEREAS, The Town Board after full and careful review and consideration of the request finds said need to repair the Highway Garage in the public interest;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board approves the hiring of Hohl Industrial, the lowest responsible bidder, for \$333,300.00, to repair the Highway Garage as per the bid specifications, as being consistent with its policies and in the interests of the residents of the Town of Alden;
2. That the Town Supervisor is authorized to sign any and all necessary documents to effectuate this hiring; 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 1, 2016, and

ADOPTED.

Ayes 3 Savage, Pautler & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished & tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Town Clerk Debra Crist:

The office was busy today as it was the first day that Hunting licenses went on sale.

CEO Snyder:

The International Code books have been received. There needs to be a resolution to adopt at a Board meeting.

Len Weglarski:

Questioned the Board as to whether the Village ever had an Animal Control Officer on the payroll.

Supervisor Savage:

The following should be placed on the Work Session:

1. Solar siting
2. Car Show

NOTICE OF MEETINGS

NEXT WORK SESSION:

August 8, 2016

@ 7:00 P.M.

NEXT TOWN BOARD MTG.:

August 15, 2016

@ 7:00 P.M.

MEMORIAL REMEMBRANCE

Supervisor Savage asked all to stand for a Moment of Silence in Memory of Rita Uebelhoer, Valentine Zeamer, Ronald Kamholz, Linda Coogan & Edward Earsing.

ADJOURNMENT

At 7:40 P.M. Supervisor Savage adjourned the Meeting.

Debra A. Crist
Alden Town Clerk