

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, October 1, 2012 at 7:00 P.M. Supervisor Milligan called the Meeting to Order and Councilman Weber led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Harry Milligan, Supervisor  
Mary Riddoch, Councilwoman  
William Weber, Councilman

RECORDING SECRETARY: Ralph Witt, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney  
Michael Metzger, Town Engineer  
Carl Fix, Highway Supt.  
Don Stoffel, Planning Board  
Len Weglarski, DCO

Supervisor Milligan moved and Councilman Weber seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of September 17, 2012 and the Special Meeting of September 24, 2012.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN RIDDOKH AND SECONDED BY COUNCILMAN WEBER TO WIT;

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$12,628.01	\$15,967.62	\$28,595.63
HGHWY FUND "DA/DB"	2,678.99	5,721.33	8,400.32
PART-TOWN FUND "B"	7,868.58	286.73	8,155.31
CAPITAL IMPROV. "HC"			
WD#1 FUND "WA"			
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,050.20		2,050.20
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT. "SF"	2,506.27		2,506.27
SD#2 FUND "SA"	2,531.72	11.79	2,543.51
TRUST/AGCY FUND "T"	4,199.71	216.00	4,415.71
SP REFUSE FUND "SR"	12,656.28	28,913.17	41,569.45
STREET LIGHTING FUND "SL"	5,532.91		5,532.91
PERIWINKLE LTG. "SL1"	35.49		35.49
GRANTS	7,141.00		7,141.00
TOTALS	\$61,504.16	\$51,116.64	\$112,620.80

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

**BUSINESS FROM THE FLOOR**

Pat Kozak/1080 Boncliff wanted to know the status of the Boncliff drainage project. Hwy. Supt. Fix said that their paving jobs should be complete Friday. Bids for the rental of machinery will need to be approved by the Board, and then the project should begin within two weeks. They will be on the job until they are probably done. They will back drag everything out and have it looking nice for the homeowners. Discussion about machinery sitting previously and not used. Mr. Kozak asked if this will again be the case; paying for machinery that is not used. The Highway has brush and paving out of the way and should be able to dedicate its time to getting the ditching done. Vacation time is an issue, but he plans on hiring another worker. Mr. Kozak questioned why the time frame that they were originally told was not followed? Hwy. Supt. Fix said he had not considered the amount of vacation time his workers would be taking, along with other projects he had to get done. Mr. Kozak said he saw the Highway crew put in one piece of pipe in a whole day. Mr. Kozak said it should not take a whole day to put in one section. Hwy. Supt. Fix said that they put in four sections in one day. Mr. Kozak asked him if he was sure of

this? Because he has a video of the men sitting for one whole day on one piece of pipe. They came out and fueled a machine that was not being used. Hwy. Supt. Fix said that the machine needs to be filled before it can be returned. Mr. Kozak stated that people on the street are disappointed in the Highway's progress, when they had promised to be in and out. Mr. Kozak stated that if the job is not complete by the end of October, they will not be allowed across his property.

**AT 7:08 P.M. SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER IN THE PUBLIC HEARING REGARDING THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS IN THE TOWN OF ALDEN.**

**At 7:08 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn from the Regular Meeting and enter into the Public Hearing regarding the use of Federal Community Development Funds in the Town of Alden. Unanimously Carried.**

**The Town Clerk read the notice of Public Hearing printed in the Alden Advertiser regarding the use of Federal Community Development Funds in the Town of Alden.**

**SUPERVISOR MILLIGAN OPENED THE FLOOR FOR PUBLIC COMMENT.**

Earl Knarr/1120 Bonnie Lake Drive asked if there was anything that could be done to help him financially with the replacement of windows in his home?

Robert Wohlgeomuth/Alden, N.Y. thought is was an excellent idea to assist the Seniors to assure that their homes are in good shape so they can maintain livability in their residence. Other Towns have these programs. Mr. Wohlgeomuth brought up the Senior Van. He asked that the Town look at alternative energy grants for the Van. There was a discussion regarding natural gas or diesel alternatives.

Ron Gardner/Genesee St. questioned what the parameters are tied to this grant? Attorney Strong responded that this is usually grant money that is used for a public building. Engineer Metzger said it is up to \$100,000.00 and designed for low to moderate-income areas of the Town or Senior projects. Communities in Erie County submit their applications and compete for this grant on an annual basis. Attorney Strong said in the past it has been used for Senior Center repairs and bathrooms in the Town Park to make them ADA compliant. Supervisor Milligan said that just because we are applying does not mean that we will receive the grant as it goes in rotation, but felt these were good ideas.

Councilwoman Riddoch wanted to comment. She had asked the Senior Van Driver Petra Sojka to be present, but she was unable to attend due to family commitment. Petra did submit to Councilwoman Riddoch six positive comments from Senior Citizens that utilize the Senior Van. There has been \$1500.00 in repairs this year to the Senior Van. There is a quote on a new Senior Van that is basically the same one as we have for about \$57,000.00. This is a project we may apply for. Councilwoman Riddoch has looked into a diesel alternative and found it is more costly to purchase than the gasoline engine. The money would not be made up in gas savings to cover the cost of a diesel engine. Councilwoman Riddoch gave Town Clerk Witt a copy of comments from the Seniors to keep on file. The Van is well used and is important to the Seniors.

Councilman Weber said that the natural gas station in West Seneca was \$6,000.00 to put in. Mr. Wohlgeomuth said he thought they were \$3,500.00 to \$4,000.00 and if they talk to the grant writer there are Federal grants available to switch over.

**AT 7:19 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, SUPERVISOR MILLIGAN ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING REGARDING THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS IN THE TOWN OF ALDEN AND ENTER BACK INTO THE REGULAR MEETING.**

**At 7:19 P.M. Councilwoman Riddoch moved and Councilman Weber seconded the Motion to adjourn from the Public Hearing regarding the use of Federal Community Development Funds in the Town of Alden and enter back into the Regular Meeting. Unanimously Carried.**

BUSINESS FROM THE FLOOR (CON'T)

Mrs. Knarr/Bonnie Lake spoke on a ditch running off Bonnie Lake down their property and that they have been promised for the last 2-3 years that they would come in and clean it out. They were told that they only have one machine and we're busy and will get to them when they can. They called again this year and we're told they are busy, but have a new machine and may get to them soon. And they are still waiting. They see them working and 2-3 men are working and 2 are watching. They are wasting time standing around. They have had no results at all. Highway Supt. Fix has spoke to Buckeye Gas Co. that has the line that runs through there and they said the only thing they can do is weed whack those ditches. They will not allow the Highway to remove more than 2" of fill because of the pipelines. There are 20" and 30" gas lines in there and they do not want any heavy equipment on there at all. The only thing they could do is weed whack some time this year. Mrs. Knarr said this would help because the swamp grass and cattails keep coming in. Councilman Weber said to get rid of cattails it would be better to spray with some non-carcinogen spray. Hire a company to do this. Highway Supt. Fix said this had been done in the past on Broadway for less than a quarter of a mile and the cost was \$1500.00. Cattails are tough to get rid of. The Knarrs had been cleaning the ditch themselves, but are getting to old to get in the ditch.

Ronald Gardner/Genesee St. said that when he needed ditching on his property in the past, they came out and he was told that they would have to see what the code is to see if they would be able to come on private property and rectify the problem. They never came back. He would like to know what the code states about private property. He is concerned that this could be setting a precedence that every homeowner in the community would come down and request help with their drainage problem. Councilman Weber said there is a drainage map and if the ditch is on the drainage map the Town has some responsibility. Attorney Strong stated that if the drainage ditch is on the Town drainage map, the Town has an obligation to keep these ditches cleared and maintained. If it is a private property and a drainage issue, the Highway Supt. can determine that it is a matter of public safety, health and welfare and if the landowner says he can enter the property or if he has an order from Erie County DPW Supt. to enter private property the ditching can be done. Engineer Metzger said that one step beyond what the Town Attorney stated that the code says, is the Town drainage laws that state that it is each individual property owners responsibility to maintain and keep open any drainage ways on their property, but as she stated if the drainage way is located on the drainage map the Town takes responsibility for that. In some instances, if they determine that there is a greater need that would serve a couple of property owners then there is a Town policy that they would step in on a case by case basis to make improvements. It should be clear and known; drainage on individual properties is the responsibility of the homeowners, unless the Town decides otherwise. Mr. Gardner commented on the picture in the Advertiser of the machinery bucket teeth left up. This could have resulted in an OSHA fine.

Pat Kozak/Boncliff questioned if that was a Town drainage ditch located behind his home on Boncliff? Hwy. Supt. Fix stated that it is private. Mr. Kozak would like to know how it was expected for everyone's septic to drain? Supervisor Milligan said that it was his understanding that when they built that development that there was an open ditch back there and over the years it filled in and that is when the Town got involved. Mr. Kozak would like to know who put the ditch in? Supervisor Milligan said that a Contractor put it in and there is no paperwork on it. Mr. Kozak could not imagine building a development without having a way for people to get rid of water & sewage and a pipeline to get rid of it. Without any of those, he felt it would fall on the Town to provide if they were allowing them to build. Supervisor Milligan said the code was different back then. Septic systems are intended to treat and dispose of wastes coming from individual households whereby it treats it through the septic tank and it absorbs, it is not intended to go to an open ditch. So the open ditch in the back is intended to be for surface

water/stormwater. Mr. Kozak said that then Eng. Metzger is telling him that for a drainage system for a septic line there needs not be any line to exit the water away from the property. It is up to each homeowner to just let their back yard fill up if it can't take the water.

Michael Best/1064 Boncliff is also there regarding the ongoing drainage project. He does appreciate that this is being done, but he would like to express his displeasure on how long the project is taking to be done. The machine has been on his property for over a month now. He would have liked to see grass seed planted in the fall months when it is the best time to do it. Discussion on how the drainage ditch was originally designed to be put it with the Highway Supt. Mr. Best has children that he is concerned about because of the length of time this is taking. Hwy. Supt. Fix said that he would be out of his yard within two weeks once he gets the machinery needed.

Polly Justinger/Crittenden does not understand why we are fixing private property drainage problems. She has drainage problems in her land and she does not expect the Town to fix it, they would fix their own. Now you are hiring someone to remove the fence and put it back that will be extra. This is not a flooding problem for the Town, only a private problem for the individuals. Also she spoke on people getting their garbage picked up and not paying the tax, she wondered how that occurred. Was this not caught when the tax bills were reviewed before sent out? Supervisor Milligan said that in one case there was a dumpster used and then discontinued. Town Clerk Witt said that when the Assessor prints up the bills every house has a code number on it and every single family house gets assessed for one garbage pickup, if is a two family house they get assessed for two. It is all done through the Assessor's office and is automatic. There are many listings on a tax bill and there are 4,000 bills. Town Clerk Witt said when he looks at a tax bill he cannot tell if it is a home or a private piece of property (open field). It is done through the Assessor's office. There were a dozen found and are being corrected.

Robert Wohlgemuth/Alden, N.Y. had three items to address.

- 1.) He would like to thank Highway Supt. Carl Fix for attending the meeting and hearing the concerns and hopefully can come to more meetings.
- 2.) Previously he brought to the attention of the Board information about Towns sharing Tax Assessors. At that time, there was a discussion with Newstead about sharing Assessors, was there any further progress? Supervisor Milligan said there was a misunderstanding regarding dates of retirements, but it still going on. Mr. Wohlgemuth feels that it is excessive to have a full time Assessor for a small Town.
- 3.) Town Website is not up to date. No meeting agenda for the Planning Board has been posted for August. Hopefully the agenda for October will be put on. There also was no meeting Agenda for the Town Board meeting tonight on the website.

## COMMUNICATIONS

Councilman Weber received a call from a Wende Rd. resident regarding ditching being done by a neighbor. He was concerned that this would interfere with the natural flow and roadside drainage. He spoke with CEO Snyder and he will check into it.

Town Clerk Ralph Witt presented the Tentative Budget to the Town Board.

Councilwoman Riddoch received and returned a call to an Exchange St. resident regarding their children boarding the school bus in a blind spot in the road. It was referred to the County and they were going out to look at it. If this is not resolved, we may do a speed study on Exchange Street when you come out of the Village. A letter from Alden Central School was received requesting use of the Joe Panza Trail, she would like this on the Work Session. A request was received from Mike Boling from Soccer, she would also like that on the Work Session. Mary would also like the Eagle Court of Honor for one of our residents put on the Work Session.

## NEW BUSINESS

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 has fully considered the adoption of Local Law No. 1 of the Year 2012, entitled ““Amendment to the Dogs Law of the Code of 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 August 30, 2012, 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 September 17, 2012; 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 September 4, 2012; 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 August 14, 2012, 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 October 1, 2012, and was unanimously adopted.

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

WHEREAS, a Proposed Local Law # 1 of 2012 entitled “Amendment to the Dogs Law of the Code of the Town of Alden” was introduced to the Alden Town Board for consideration by Councilperson Weber on July 13, 2012;

WHEREAS, the Town of Alden Planning Board reviewed the proposed Local Law and recommended to the Town Board its approval on August 14, 2012;

WHEREAS, an order was duly adopted by the Alden Town Board for a public hearing to be held by said Town Board on September 17, 2012, at 7:05 pm at the Alden Town Hall, 3311 Wende Road, Alden, New York 14004 to hear all interested parties on a proposed Local Law No. 1 of the Year 2012;

WHEREAS, notice of said public hearing was duly published in the Alden Advertiser;

WHEREAS, said public hearing was duly held on September 17, 2012 all parties in favor of the local law were heard and/or all parties opposed to the Local Law were heard;

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Alden Town Board, as Lead Agency, that adoption of said proposed Local Law is an Unlisted Action and will not have a significant effect upon the environment;

WHEREAS, the Erie County Division of Planning gave a “no recommendation” to the proposed Local Law on September 14, 2012, pursuant to section 239-m of the General Municipal Law;

WHEREAS, the neighboring municipalities were given notice of the proposed Local Law on August 30, 2012; and

WHEREAS, the Alden Town Board, after due deliberation, finds it in the best interest of said the Town of Alden to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board adopts said Local Law No. 1 of the Year 2012 entitled “Amendment to the Dogs Law of the Code of the Town of Alden.”

**§ 9-5. Duties of Dog Control Officer; impoundment. ADD D:**

- D. The Dog Control Officer, shall seize and quarantine for ten (10) days any dog in the Town of Alden who bites any person or animal, when proof that the biting dog’s rabies vaccination is not immediately available upon demand of the Dog Control Officer.

**§ 9-8. REVISE E TO READ:**

- E. If a dog seized under provisions of § 9-3 is not redeemed within five business days, the owner shall forfeit all title to such dog and the dog shall be sent to the SPCA or destroyed by the peace officer or representative of the Commissioner of Agriculture and Markets, and pay any established fines and/or fees. Anyone who picks up an at-large dog in the Town of Alden must notify the Dog Control Officer of Alden (or his/her assistant) and surrender the dog upon request, before removing the dog from the Town, subject to fine. Fees include veterinarian bills, license fees and maintenance fees of the dog and shall be as set forth in Agriculture and Markets Law § 118, Subdivision 4. There shall be a fee for the euthanasia and disposal of a dog, which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service.

If a dog seized under the provisions of § 9-5D, the owner shall pay all veterinarian bills, licenses fees and maintenance fees of the dog and shall be as set forth in Agriculture and Markets Law § 118, Subdivision 4. There shall be a fee for the euthanasia and disposal of a dog, which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service. Dogs not redeemed after twelve (12) days, the owner shall forfeit all title to such dog and the dog shall be sent to the SPCA or destroyed by the peace officer or representative of the Commissioner of Agriculture and Markets, and pay any established fines and/or fees.

**§ 9-8. REVISE F TO READ:**

- F. Fees and Penalties for Failure to License a Dog. If the Dog Control Officer of the Town discovers that an owner or harbinger has an unlicensed dog, the Dog Control Officer shall proceed as a civil matter and shall notify the owner or harbinger that he or she is in violation of the Town of Alden Code Article 1, §9-1 A and the owner or harbinger shall have 5 days to obtain a license. At the time that the normal license fee is paid such owner or harbinger shall pay an additional processing fee of \$25.00 for not properly licensing the dog, except that where the owner or harbinger has violated this section within the preceding five years, the processing fee shall be \$50.00 and where the owner or harbinger has committed two or more of such violations within the preceding five years the processing fee shall be \$100.00. If the owner or harbinger shall not obtain a license within said 5 day period, the Dog Control Officer will commence a criminal proceeding with the Town Court.

Any fees and penalties collected under this section shall be maintained in an account by the Town of Alden to be used to fund future Dog enumerations performed by the Town of Alden.

2. That the Alden Town Clerk enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Alden, and to give due notice of the adoption of said Local Law to the Secretary of State of New York, post the same on the Town Bulletin Board and publish the same in the Alden Advertiser.

3. This local law shall take effect upon filing with the Secretary of the State of New York.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on October 1, 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 Highway Superintendent to purchase a stainless steel harder dump box spreader (slide in type) the estimated cost of which less than \$10,000.00 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, written request for proposals (as per the attached specs) were made by the Highway Department to three (3) vendors, as follows:  
the highest bidder is George and Swede at \$9,521.00;  
the second highest bidder is Valley Fab at \$9,476.00; and  
the lowest bidder is Viking Cives at \$9,467.77.

WHEREAS, Viking Cives 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 purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board here authorizes the purchase of stainless steel harder dump box spreader from Viking Cives, the lowest responsible bidder, at a total cost of \$9,467.77; and
2. The Highway Superintendent 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 October 1, 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 Alden Town Board has received a request from the Highway Superintendent to sandblast and repaint Highway Trucks # 20 and 29 and the grader the estimated cost of which is less than 35,000.00;

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, written request for proposals (as per the attached specs) were made by the Highway Department to three (3) vendors, as follows:  
Eastern Tank Services could not meet the specs and refused to bid  
the highest bidder is GJ Edbauer at \$14,260.00; and  
the lowest bidder is Hillcrest at \$11,300.00.

WHEREAS, Hillcrest 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 purchase.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board here authorizes the purchase of hiring of Hillcrest to sandblast and repaint Highway Trucks # 20 and 29 and the grader at a total cost of \$11,300.00 and

2. The Highway Superintendent 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 October 1, 2012, and was unanimously adopted.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Attorney Strong would like the following on the Work Session:

- 1.) CDBG Grant Application.
- 2.) Exchange and Zoeller Rds. water district.
- 3.) Waterline transfer to Erie County Water Authority.

Highway Supt. Carl Fix would like the Dump Body put on the Work Session.

Supervisor Milligan questioned Hwy. Supt. Fix's plans on hiring an employee for the Highway Dept. The Board has not received a job description as yet. This will have to be discussed further.

Engineer Metzger reported other than the ongoing work for water districts #2, #3 & #4, Zoeller/Exchange St. Water Districts he has been looking into the topic discussed at the Comprehensive Plan Implementation meeting about improving portions of the Town and how we might be able to enlist the D.O.T. in some of those efforts. There was a discussion of projects someone had heard of on Genesee St. with thought that there may be some improvements possible for Millgrove. He has followed up with D.O.T. It is just a repaving project not a reconstruction.

Don Stoffel from the Planning Board said that they have received a Site Plan for the Metz property at 12704 North Rd. which will be on the agenda for October 9<sup>th</sup>.

Supervisor Milligan sent a letter to John Loffredo regarding the grass cutting on the shoulders that was mentioned at the Comprehensive Plan Implementation Committee meeting asking him to try to put more emphasis on keeping weeds/grass cut down. Sent a letter to Dino Fidoli regarding the property on Townline and Broadway. He asked him if the Town of Lancaster could purchase that property and tear it down.

**AT 7:59 P.M. COUNCILWOMAN RIDDOCH MOVED TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO AN EXECUTIVE SESSION TO DISCUSS A MATTER OF PERSONNEL AND FILE LITIGATION WITH THE TOWN BOARD, ATTORNEY STRONG, DAN MOULTRUP AND FORMER SUPERVISOR RON SMITH, SECONDED BY COUNCILMAN WEBER. UNANIMOUSLY CARRIED.**

**AT 8:45 P.M. COUNCILWOMAN RIDDOCH MOVED TO ADJOURN FROM EXECUTIVE SESSION, WITH NO ACTION BEING TAKEN, AND ENTER BACK INTO THE REGULAR MEETING, SECONDED BY COUNCILMAN WEBER. UNANIMOUSLY CARRIED.**

**WORK SESSION: (Tues.) OCTOBER 9, 2012 @ 7:00 P.M.  
REG. BOARD MEETING: OCTOBER 15, 2012 @ 7:00 P.M.**

Supervisor Milligan adjourned the Meeting at 8:46 P.M. with a Moment of Silence in Memory of Lorin Luderman, Anne Buob and Margaret Pierson

Ralph Witt  
Town Clerk

Ralph Witt  
Town Clerk