

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
DECEMBER 27, 2012
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS - SUPERVISOR
 MARY LOU PEW - COUNCILWOMAN
 EDWARD KRYCIA, JR - COUNCILMAN
 RICHARD S. VENTRY - COUNCILMAN (*Absent*)
 FRAN MCLAUGHLIN - COUNCILMAN

OTHERS PRESENT:

Mary Jo Hultquist - Town Clerk

Call to Order:

Supervisor Nellis called the Regular Meeting of the Eden Town Board to order at 7:30 P.M.

Pledge of Allegiance:

Supervisor Nellis led the assembly in the Pledge of Allegiance to the flag followed by a moment of silence.

Petitions:

Michele Ambor-Hutz read the following:

SAFETY FOR OUR CHILDREN

We the residents of Eden do hereby request that the Eden Town Board, the Eden Highway Department and the Eden Central School District file application with the New York State Department of Transportation to provide 15 mph school zone speed limits for all school buildings on Schoolview Road. The current 35 mph speed limit is unsafe for children as they cross Schoolview Road to attend the schools. We further request that crosswalks are properly lit and that crossing guards are available to assist students crossing Schoolview Road.

Supervisor Nellis accepted the signed petitions.

Budget Transfers/Amendments:

Supervisor Nellis read the following Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
A2680 Insurance Recovery	A4540.4 Ambulance Contractual	Insurance Money for Ambulance Deer Accident	\$2,292.46
A899.1 Restricted Fund Balance Emergency Squad	A4540.4 Ambulance Contractual	Insurance Recovery Money Used for OverBudget	\$6,000.00
SF3410.1	SF3410.2	Overbudget	\$390.00

Fire - Personal	Fire - Equipment		
A1410.1 Town Clerk - Personal	A1410.4 Town Clerk Contractual	Use of Unused Personal Budget to offset cost of Restoring Permanent Records	\$420.00
A1990.4 Contingent Fund	A1620.4 Town Hall - Contractual	Overbudget-Large Repairs	\$4,000.00
A1990.4 Contingent Fund	A1640.4 Central Garage - Contractual	Overbudget - Large Repairs	\$3,500.00
A1990.4 Contingent Fund	A5010.4 Hwy Superintendent-Contractual	Overbudget	\$50.00
A7510.1 Historian-Personal	A7510.4 Historian-Contractual	Historian Stipend Not Processed through Payroll	\$2,060.00
A2192 Cemetery Services	A8810.100 Cemetery -Personal	Burial Money Received to offset Burial Expense Cemetery	\$105.00
A2192 Cemetery Services	A8810.400 Cemetery - Contractual	Burial Money Received to offset Cost of Burial Cemetery	\$400.00
A7140.4 Playgrnd & Rec Centers -Cont	A7110.4 Parks & Grounds - Contractual	For Encumbrances/Assignments to Projects	\$7,576.09

MOTION was made by Councilwoman Pew to approve the Budget Transfers/Amendments as presented; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the following Encumbrances for 2012:

SF3410.4

Fire Contractual 801.00 Motorola Radios

A1410.4

Town Clerk - Contractual 1,430.00 Restoration and Microfilming of Permanent Record

A3120.2

Police - Equipment 3,100.00 Radios Encumbered from 2011 still not received

A3120.4

Police - Contractual 524.00 Sewing Technology

A3640.4

Civil Defense 623.00 Sewing Technology
200.00 New Era Hats

A4540.4

Ambulance - Contractual 2,292.46 Repair of Ambulance from Accident

New and Unfinished Business:

1. Resolution on Back-Up Generator for Water Pump Station #1

Supervisor Nellis read the following resolution:

**TOWN OF EDEN TOWN BOARD SEQRA
DETERMINATION FOR INSTALLATION
OF STANDBY POWER AT EDEN 1 PUMP STATION**

WHEREAS, the Town of Eden Town Board (the “Board”) has considered the impact to the environment of following Scope of Work to be completed:

2. Installation of Standby Power at Eden 1 Pump Station
 - Work includes, but not limited to addition of a standby generator at the Eden 1 Pump Station.

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6NYCRR Part 617 of the Environmental Conservation Law, Article 8 (“SEQRA”) and concluded that the project involves:

- Maintenance or reconstruction involving no substantial changes in an existing facility, structure or infrastructure (^NYCRR §617.5©(1);
- Replacement, rehabilitation or reconstruction of infrastructure or facility, in kind, on the same site, including upgrading buildings and infrastructure.

THEREFORE. BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities or infrastructure and involves routine activities required for proper operation and maintenance of the Town Water System, and therefore, does not exceed the thresholds for a Type II Action established under 6 N.Y.C.R.R. Part 617.
2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

MOTION was made by Supervisor Nellis to approve the resolution as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Adjournment:

MOTION was made by Councilman Krycia to adjourn the Regular Meeting of the Eden Town Board; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 7:55 P.M.

MOTION was made by Councilman Krycia to open the 2013 Re-organizational Meeting of the Eden Town Board; seconded by Councilman McLaughlin; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

Supervisor Nellis opened the 2013 Reorganization Meeting of the Eden Town Board at 7:55 p.m.

REORGANIZATIONAL MEETING

FOR THE YEAR 2013

TOWN OF EDEN

Supervisor Nellis began the Re-organizational Meeting by reading the following items:

1. Regular meetings of the Eden Town Board will be held on the second Wednesday of each month starting at 7:30 P.M. Additional meetings will be held on the fourth Wednesday of each month as needed.
2. The official newspaper of the Town of Eden will be "The Sun" located in Hamburg, New York.
3. Surety Bonds will be carried as follows:

 \$500,000.00 - Tax Collector
 \$308,000.00 - Supervisor
 \$308,000.00 - Bookkeeper
 \$50,000.00 - Blanket Employee Dishonesty
4. Mileage reimbursement will be \$.45 per mile while using personal vehicles on Town business, authorized in advance.
5. Copies of adopted minutes will be on file at the Eden Library and the Town Clerk's office.
6. Appoint Key Bank, M & T, Evans National & Bank of America and other institutions as deemed appropriate by the Board, as banks for deposits, checking and investments.

MOTION was made by Councilman Krycia to accept and approve Items Nos. 1 thru 6 as presented; seconded by Councilwoman Pew; All "Ayes"?; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis then read the Salaries of Elected Officials as follows:

Salaries of Elected Officials:

1. Town Board Members \$10,294.00 yearly to be paid monthly.
2. Justices Michael Cooper and Melissa Zittel at \$15,414.00 each yearly to be paid monthly.
3. Supervisor Glenn R. Nellis at \$37,872.00 yearly to be paid bi-weekly.
4. The Head Assessor will receive \$18,348.00 yearly, to be paid monthly and the other two assessors \$14,275.00 each yearly, to be paid monthly.
5. Town Clerk, Mary Jo Hultquist \$35,937.00 yearly, to be paid bi-weekly. The Town Clerk will also receive remuneration as school tax collector for the 2013-2014 school year \$7,229.00.
6. Highway Superintendent, Ronald Maggs at \$68,754.00 yearly, to be paid bi-weekly.

MOTION was made by Councilwoman Pew to approve the above salaries; seconded by Councilman Krycia; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Councilwoman Pew then read the Appointments and Salaries as follows:

Appointments and Salaries:

Appoint Teresa Baskerville full-time Court Clerk at \$31,828.00 yearly to be paid bi-weekly.

Appoint Bettyann Neifer part-time Court Clerk at \$14.96/hr. for up to 300 hours per year and Cynthia Ciesielski at \$11.26/hr. for up to 10 hours per week and Rachel Miller \$11.00 per hour to work in the Court Office as needed, not to exceed \$400 for the year.

The salary of the full-time Code Enforcement Officer will be \$61,298.00 yearly, to be paid bi-weekly.

The salary of the full-time Bookkeeper will be \$36,036.00 yearly, to be paid bi-weekly.

The rate of pay for part-time highway employees will be \$11.50 per hour, to be paid bi-weekly.

Re-appoint Dave Rice Fire Inspector for structural fires at \$68.00 per occurrence.

Appoint Diane Herzog part-time secretary to the Code Enforcement Officer for five (5) hours per week at \$12.88/hr. to be paid bi-weekly.

MOTION was by Councilwoman Pew to approve the above appointments; seconded by Councilman Krycia; All "Ayes" - Opposed? - None; Abstain? - None; Motion carried.

Appoint Cynthia Allen part-time secretary to the Assessors for 19 hours per week at the rate of \$11.62/hr., to be paid bi-weekly.

The Chairman of the Zoning Board of Appeals is to be paid \$500.00 yearly.

The Chairman of the Assessment Board of Review is to be paid \$125.00 yearly and the other members of the Assessment Board to be compensated \$85.00 each yearly. A secretary, if needed, will be compensated \$200.00 per year.

Deputy Town Clerk Heather Ohmit will be paid \$11.97 per hour. Deputy Town Clerk Cynthia Ciesielski will be paid \$11.62 per hour. The hours and salaries of the Town Clerk's office shall not exceed a total of 1,509 Deputy Clerk hours or \$17,887.00 for the year.

Appoint Mary Jo Hultquist, Registrar, at a rate of \$3,522.00 yearly, to be paid monthly.

Appoint William Sickau part-time custodian at 40 hours per month at \$13.94/hr. to be paid monthly.

Appoint Raymond Zabron, part-time Dog Control Officer, at an annual salary of \$14,433.00, to be paid monthly.

Appoint Maureen Zabron, part-time Dog Control Officer's secretary at an annual salary of \$3,073.00, to be paid monthly.

Appoint Susan Brass, Recreation Director at \$21,682.00 yearly, to be paid monthly.

Appoint Scot Christiansen, Recreation Working Crew Chief, at \$23.64/hr., to be paid bi-weekly.

Appoint Cynthia Kugler, secretary to the Highway Superintendent at \$13.58 per hour for 40 hours per week, to be paid bi-weekly and secretary to the Off-Road Drainage Committee at \$25.00 per meeting.

Appoint Kevin C. Condon , Town Prosecutor, at annual salary of \$6,095.00, to be paid monthly.

Reappoint Ronald Maggs, Chairman of the Off-Road Drainage Committee.

Reappoint Ronald Maggs and appoint Cindy Kugler as Co-MS4 Officers to be compensated \$1,545.00 and \$1,000.00, respectively, yearly, to be paid bi-weekly.

Appoint William J. Trask, Sr., Town Attorney to provide legal services for the Town at an annual compensation of \$28,222.00, to be paid monthly.

Kim Soda, Full-Time Police Dispatcher will be compensated \$42,135.00 for the year, to be paid bi-weekly.

Part-time Police Officers will be paid \$18.00 per hour for Day Shifts, not to exceed 1768 hours and \$31,824.00 and \$19.15 per hour for Night Shifts, not to exceed 1000 hours and \$19,150.00 not to exceed a total expenditure of \$50,974.00 for all part-time officers for the year.

Part-time public safety dispatchers with 1-5 years experience will be paid \$10.76 per hour, with 6-10 years experience \$11.30 per hour and with 11 years the rate will be \$11.84 per hour. Jane Henry, who will be compensated \$12.98 per hour. Total dispatching allotment shall not to exceed the budgeted authorization of \$42,135.00 for the year.

Appoint Thomas Jones, Rose Nadrich, Julie Boedo, Justin Miller, Christopher Muraco, Stan Janus and Jane Henry part-time Public Safety Dispatchers; Joseph Flynn, Jeffrey DeVinney, Mark Baltes, Nathan Miller, Timothy McDonald, James Pierce, Michael Rich, Samuel Beiter, Richard Syracuse and Ryan Young as Part-time Police Officers.

MOTION was made by Councilman McLaughlin to approve the above appointments and salaries as stated; seconded by Supervisor Nellis; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

Councilwoman Pew read the following appointments:

Appoint Diane Herzog, Planning Board Secretary at \$94.86 per occasion.

Appoint Stacey Callinan secretary to the Historic Review Board and Zoning Board secretary at the rate of \$86.15 per hearing plus \$12.88/hr. for reconvened hearings.

Appoint Police Chief the inspection official for games of chance at no pay.

Appoint Police Chief Bingo Inspector at no pay.

Appoint the Town Clerk as Affirmative Action Officer at no pay.

The Eden and East Eden Fire Chiefs will receive an annual stipend of \$1,200.00 each.

The Director of Operations for the Eden Emergency and Rescue Squad will receive an annual stipend of \$1,200.00.

MOTION was by Supervisor Nellis to approve the above appointments and salaries; seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Appointments of the Supervisor:

Supervisor Nellis read the following appointments:

Appoint Lisa J. Greiner, Administrative Assistant and Confidential Secretary to the Supervisor at \$34,628.00 yearly, to be paid bi-weekly.

Appoint Diane Herzog, part-time secretary to the Supervisor at \$12.88 per hour for 14 hours per week, to be paid bi-weekly.

Appoint Anna Mae Knack part-time secretary at \$20,080.00 yearly, to be paid bi-weekly.

Appoint Sue Minekime Town Historian at \$2,166.00 each for the year.

Appoint Glenn Nellis, Director of Civil Defense, at no salary.

Appoint Joseph Flynn, Captain of the Reserve Police, at no salary.

MOTION was made by Supervisor Nellis to approve the appointments and salaries as stated: seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the following appointments:

Appoint Mary Lou Pew Deputy Town Supervisor at no salary.

Appoint Robert Pietrocarlo as Head Assessor.

MOTION was made by Supervisor Nellis to approve the appointments; seconded by Councilman McLaughlin; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Nellis made the following appointments as Town Board Liaisons to the various Town Boards/Committees:

Mary Lou Pew	Code Review Committee
Rich Ventry & Fran McLaughlin	Recreation Advisory Board
Edward Krycia, Jr.	Eden Chamber of Commerce
Edward Krycia, Jr.	Historic Preserv Board/Local History Comm
Edward Krycia, Jr. & Fran McLaughlin	Economic Development Committee
Edward Krycia, Jr.	Conservation Advisory Board
Mary Lou Pew	Zoning Board of Appeals
Edward Krycia, Jr.	Library Board
Mary Lou Pew & Rich Ventry	Emergency Squad
Fran McLaughlin	Street Lights
Edward Krycia, Jr. & Rich Ventry	Planning Board
Mary Lou Pew & Rich Ventry	Fire Departments
Rich Ventry	Assessment Board of Review
Edward Krycia, Jr.	Agricultural Advisory Board
Fran McLaughlin	Drainage Committee
Mary Lou Pew	Technology Committee
Mary Lou Pew & Rich Ventry	Emergency Preparedness Committee
Glenn R. Nellis	Association of Erie County Governments
Fran McLaughlin	NEST- Solid Waste
Glenn R. Nellis	Community Development Block Grant
Glenn R. Nellis	Rural Transit Service Advisory Board
Glenn R. Nellis & Fran McLaughlin	Southtowns Community Enhancement Coalition
Glenn Nellis	Watershed/Erie County Water Quality Committee

MOTION was made by Councilman McLaughlin to approve the appointments of Town Board Liaisons; seconded by Councilwoman Pew - “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Advisory Board Appointments/Reappointments:

Supervisor Nellis stated all Committee/Board members whose terms were due to expire December 31, 2012 were notified and requested to fill out a new application if they wished to be considered for reappointment. Board Chairs were also asked to supply a recommendation for reappointment and appointments to their various boards. Based on the recommendations received to date:

Reappoint Lamont Beers and Michael Byrnes to two-year terms on the Conservation Advisory Board.

Reappoint Gordon Karstedt to a five-year term on the Recreation Board.

Reappoint Paul Laing and appoint James Walker to two-year terms on the Agricultural Advisory Board.

Reappoint Curtis Neureuter to a five-year term on the Zoning Board of Appeals and reappoint Lucille Kaminski Zoning Board Chairman.

Reappoint William Feasley and Juanita Majewski to three-year terms on the Off-Road Drainage Committee.

Reappoint Phillip Muck and Linda Meyer to five-year terms on the Eden Library Board.

Reappoint Frank Meyer to a one-year term as alternate on the Eden Planning Board and reappoint Juanita Majewski to a seven-year term.

Reappoint Gary Neureuter to a three-year term on the Economic Advisory Board.

Appoint Gary Eye to the Local History Board.

MOTION was made by Councilman Krycia to approve the Advisory Board reappointments/appointments as presented; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Renewal of Independent Service Provider Contracts:

MOTION was made by Supervisor Nellis to renew a one-year contract with Michael Bolo (Peak Performance) as an Independent Economic Development Specialist Provider for the Town of Eden for the year 2013 at an annual stipend of \$2,400, to be compensated \$200 monthly upon receipt of a statement of services rendered for that month. Seconded by Councilman Krycia; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to renew a one-year contract with Charles Dias as an Independent Computer Technology Service Provider for the Town of Eden for the year 2013 at an annual stipend of \$4,800, to be compensated \$400 monthly upon receipt of statement for services rendered for that month. Seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to enter into a contract with Drescher and Malecki to serve as independent accountants and auditors for the Town for the year ending December 31, 2012 and to authorize Supervisor Nellis to execute said contract as prepared by Drescher and Malecki; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to enter into a contract with Joseph Ghosen, to serve as GIS Consultant for the 2013 at \$6,000.00 yearly, to be reimbursed \$500.00 per month; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to designate Lisa Winter, Bookkeeper, to oversee the services provided to the Town by Drescher and Malecki; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Reaffirmation of the Town’s Procurement and Investment Policies:

MOTION was made by Supervisor Nellis to adopt the Procurement Policy as amended December 29, 2010, and to adopt the Investment Policies and Guidelines of the Town of Eden, as amended on December 29, 2010. Both are on file in the Town Clerk’s office; seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Appoint CRA Engineering as our engineering firm of record providing Retainer Services, an estimated 2-3 hours per month, for a lump sum of \$250.00 per month for a total of \$3,000.00 per year and authorize Supervisor Glenn R. Nellis to execute said contract as prepared by CRA Engineering.

MOTION was made by Councilwoman Pew to appoint CRA Engineering as our engineering firm of record providing Retainer Services, an estimated 2-3 hours per month, for a lump sum of \$250.00 per month for a total of \$3,000.00 per year and authorize Supervisor Glenn R. Nellis to execute said contract as prepared by CRA Engineering; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Reaffirm daily meal allowance for annual Association of Towns Meeting held in New York City at \$40.00 a day and limit hotel stay to three nights for this annual meeting.

MOTION was made by Councilman McLaughlin to reaffirm the daily meal allowance for annual Association of Towns Meeting held in New York City at \$40.00 a day and limit the hotel stay to three nights; seconded by Councilwoman Pew; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried

Adjournment:

MOTION was made by Councilman Krycia to adjourn the Reorganization Meeting of the Eden Town Board; seconded by Councilman McLaughlin; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Reorganization Meeting of the Eden Town Board at 8:20 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk