

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
REORGANIZATIONAL MEETING
2795 EAST CHURCH STREET
EDEN, NEW YORK
DECEMBER 29, 2008
7:00 P.M.**

TOWN BOARD MEMBERS PRESENT:

- GLENN R. NELLIS - SUPERVISOR
- MARY LOU PEW - COUNCILWOMAN (*Deputy Supervisor*)
- EDWARD KRYCIA, JR - COUNCILMAN
- VINCENT V. VACCO - COUNCILMAN
- RICHARD S. VENTRY - COUNCILMAN

OTHERS PRESENT:

- Mary Jo Hultquist - Town Clerk
- Anna M. Knack - Administrative Assistant

Call to Order:

Supervisor Nellis called the Regular Meeting of the Eden Town Board to order at 7:05 P.M.

Pledge of Allegiance:

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

Town of Eden Encumbrances 2009:

Supervisor Nellis read the following Encumbrances for 2009:

**Town of Eden
Encumbrances 2009**

<u>A3620.4</u>	Office Max	27.94	Office Supplies
	Building Inspector		
<u>A7110.4</u>	Eden Tractor	1,759.00	Rototiller
	Parks & Grounds Watson Pools	<u>3,500.00</u>	Pool Grates & Inst. For new NYS
	Total	5,259.00	Regulations
<u>A7310.4</u>	Pine Ridge	255.00	Track Shirts
	Youth Programs BIT Tech	<u>464.90</u>	Wrestling Equipment
		719.90	
<u>A7610.4</u>	Snyder Tour	185.00	Senior Tour
	Adult Rec		

SF3410.4 Buffalo Motor & Generator 6,000.00 Transfer Switch for EE Generator
Fire-Contractual

MOTION was made by Councilwoman Pew to approve the Budget Encumbrances for 2009 as presented; seconded by Councilman Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Budget Transfers/Amendments:

Supervisor Nellis read the following Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
A2115 Planning Board Fees	A8020.4 Planning-Contractual	Apply PIP Money from Schreiber towards Wendel Bills	\$7,295.75
A3089 Other Gen Gov't Aid	A8750.4 Agriculture & Livestock	Apply Grant Money from State towards Farmland Protection ID Priority Ag Areas	\$7,500.00
A1990.4 Contingent Fund	A4540.4 Emergency Squad	Overbudget	\$578.71
A1110.1 Justices Personal	A1110.4 Justices Contractual	Overbudget	\$200.00
A1355.1 Assessors Personal	A1355.4 Assessors Contractual	Overbudget	\$714.97
A6772.4 Senior Transportation Contractual	A1620.4 Town Hall Contractual	Overbudget	\$4,106.00
A9060.8 Hosp & Medical	A3120.1 Police Personal	Overbudget	\$34,457.71
A6772.4 Senior Transportation Contractual	A3120.2 Police Equipment	Overbudget	\$536.00
A3510.4 Control of Dogs Contractual	A3510.1 Control of Dogs-Personal	Overbudget due to Dog Enumeration	\$1,305.00
A8240.4 Drainage	A5010.1 Hwy Supt Personal	Overbudget due to additional Stormwater Responsibilities	\$443.20
A7150.1 Spec Rec Fac Personal	A7110.1 Parks & Grounds Personal	Overbudget due to Raise given Scot that was not in original budget	\$2,651.69
A8540.4 Drainage	A8540.4A Drainage-Stormwater	Overbudget	\$224.60

SR909 Refuse Fund Balance	SR8160.4 Refuse-Contractual	Normal CPI Increase not budgeted for	\$1,932.84
SW2140 Wepax Water Revenue	SW8320.4A Water Contractual Wepax	Apply Wepax Revenue collected from Customers towards Wepax Road Water expenses	\$581.25
SW2140 Wepax Water Revenue	SW8320.4B Water Contractual Farnham Bills for Wepax	Apply Wepax Revenue collected from Customers towards Wepax Road Water expenses	\$268.64

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

Budget Transfers – Highway Department:

Supervisor Nellis read the following Budget Transfers from the Highway Department:

Date	From	To	Description	Amount
12/29/08	D5130.2	D5130.4	Shop Expenses	\$3,748.67
12/29/08	D5142.1	D5142.4	Winter Road Materials	\$30,000.00

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

Audit Bills:

Supervisor Nellis asked if there were any changes or additions to the “Audit of Bills” which are on file in the Town Clerk’s office. There were none.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	710-756	\$83,274.95
Highway Dept. Fund	342-366	\$21,059.20
Fire Dept. Fund	248-251	\$4,730.41
Recreation Dept. Fund	145-148	\$188.26
Refuse and Garbage Fund	17	\$45,838.31
Street Lights Fund	32-33	\$1,034.89
Water Fund	33-34	\$8,980.84
Trust & Agency Fund	--	--
Capital Fund	--	--
Community Development	--	--

MOTION was made by Councilwoman Pew to approve the Audit of Bills as presented; seconded by Councilman Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business:

1. 2008 Payroll Correction

Supervisor Nellis read the following correspondence from Ann Knack, Administrative Assistant:

“As you may recall, at the beginning of this year, we needed to make a correction to the rate per hour for Jane Henry, Dispatcher, as we never increased her rate by the 3%

from 2006 to 2007. Now, in reviewing our financial records, we find that although we have been paying Jane the correct amount per hour (3% over 2007) for this year, the minutes were still showing the 2007 rate. To satisfy our auditor, could the Board please approve a simple motion stating that the rate of pay for Jane Henry for 2008 is \$11.54. I have double-checked to make certain that the draft Re-organizational minutes show Jane’s new rate for 2009 is 4% above the 2008 rate, or \$12.00 per hour.”

MOTION was made by Councilwoman Pew stating that the rate of pay for Jane Henry for 2008 is \$11.54 per hour; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

2. Memo from Scott Henry regarding Special Use Permits

Supervisor Nellis read the following correspondence from Scott Henry, Code Enforcement Officer:

“Please be advised that, after having reviewed the conditions imposed by the Town Board for each of the subject Special Use Permits considered for renewal, and additionally checking with the Supervisor’s Office and Town Clerk’s office, I find there are no non-compliance issues or any complaints on file alleging a violation of any of the aforementioned conditions.”

3. Policies and Procedures – Eden Police Department

Supervisor Nellis requested approval of Policies and Procedures #08-01 for Chief of Police, managerial role, effective 1-1-2009.

MOTION was made by Councilman Ventry to approve Policies and Procedures #08-01 for Chief of Police, managerial role, effective 1-1-2009; seconded by Councilman Krycia; “Ayes”; Nellis, Krycia, Vacco, Ventry; Opposed? – Pew; Abstain? - None; Motion carried.

4. Revised Resolution – Authorizing the Justice Court to submit a grant for new chairs

Supervisor Nellis read the following resolution:

AUTHORIZING RESOLUTION

The Eden Town Board hereby authorizes the Eden Justice Court to submit a grant application to the Justice Court Assistance Program as part of the Justice Court Action Plan (JCAP) for new folding chairs for the Eden Town Hall Courtroom per the following:

100 Steel Folding Chairs with Padded Seat @ \$40.00/ea.	= \$4,000.00
2 Chair Caddies @ \$449.00/ea.	= \$ 898.00
Total	\$4,898.00

MOTION was made by Councilman Ventry to approve the resolution as presented; seconded by Councilman Krycia; All “Ayes”; Opposed?- None; Abstain?- None; Motion carried.

Supervisor’s Report:

Supervisor Nellis reported that the new “Tim Horton’s” restaurant opened on Sunday, December 28, 2008 with a “Grand Opening” scheduled within the next couple of weeks.

Hearing of Visitors:

There were none.

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 7:20 p.m.

MOTION was made by Councilwoman Pew to open the 2009 Re-organizational Meeting of the Eden Town Board; seconded by Councilman Ventry; All “Ayes”; Opposed?- None; Abstain? – None; Motion carried.

Supervisor Nellis opened the 2009 Reorganization Meeting of the Eden Town Board at 7:20 p.m.

REORGANIZATIONAL MEETING
FOR THE YEAR 2009
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:

 \$490,000.00 – Tax Collector
 \$40,000.00 Supervisor
 \$24,000.00 – All Others
4. Mileage reimbursement will be \$.40 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 HSBC, 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 Supervisor Nellis to accept and approve Items Nos. 1 thru 6 as presented; seconded by Councilman Krycia; “Ayes”? Nellis, Krycia, Vacco, Ventry; Opposed? – None; Abstain? – Pew (employee of HSBC); Motion carried.

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

Salaries of Elected Officials:

1. Town Board Members \$9,147.00 yearly to be paid monthly.
2. Justices Michael Cooper and Melissa Zittel at \$13,697.00 each yearly to be paid monthly.
3. Supervisor Glenn R. Nellis at \$33,652.00 yearly to be paid bi-weekly.

4. The Head Assessor will receive \$16,303.00 yearly, to be paid monthly and the other two assessors \$12,684.00 each yearly, to be paid monthly.
5. Town Clerk, Mary Jo Hultquist \$31,933.00 yearly, to be paid bi-weekly.
6. Highway Superintendent, Ronald Maggs at \$61,093.00 yearly, to be paid bi-weekly.

MOTION was made by Supervisor Nellis to approve the above salaries; seconded by Councilwoman Pew; 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 \$28,282.00 yearly to be paid bi-weekly.

Appoint Bettyann Neifer part-time Court Clerk at \$13.29/hr. for up to 300 hours per year.

The salary of the full-time Code Enforcement Officer will be \$54,468.00 yearly, to be paid bi-weekly.

Appoint Chris Colvin Fire Inspector for structural fires at \$67.53 per occurrence.

Appoint Diane Herzog part-time secretary to the Building Inspector for five (5) hours per week at \$11.44/hr. to be paid bi-weekly.

MOTION was by Councilwoman Pew to approve the above appointments; seconded by Councilman Ventry; 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 \$9.64/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 \$10.63 per hour. Deputy Town Clerk Cynthia Ciesielski will be paid \$10.32 per hour. The hours and salaries of the Town Clerk’s office shall not exceed a total of 1,450 Deputy Clerk hours or \$15,228.00 for the year.

Appoint Mary Jo Hultquist, Registrar, at a rate of \$3,129.00 yearly, to be paid monthly.

Appoint William Sickau part-time custodian at 40 hours per month at \$12.38/hr. to be paid monthly.

Appoint Raymond Zabron, part-time Dog Control Officer, at an annual salary of \$12,825.00, to be paid monthly.

Appoint Maureen Zabron, part-time Dog Control Officer’s secretary at an annual salary of \$2,731.00, to be paid monthly.

Appoint Susan Brass, Recreation Director at \$19,266.00 yearly, to be paid monthly.

Appoint Scot Christiansen, Recreation Working Crew Chief, at \$21.00/hr., to be paid bi-weekly.

Appoint Cynthia Kugler, secretary to the Highway Superintendent at \$12.06 per hour for 40 hours per week, to be paid bi-weekly.

Appoint Michael Kobiolka , Town Prosecutor, at annual salary of \$5,415.00, to be paid monthly.

Appoint William J. Trask, Sr., Town Attorney to provide legal services for the Town at an annual compensation of \$27,400.00, to be paid monthly.

Kim Soda, Full-Time Police Dispatcher will be compensated \$37,440.00 for the year, to be paid bi-weekly.

Part-time Police Officers will be paid \$16.00 per hour for Day Shifts, not to exceed 1768 hours and \$28,288.00 and \$17.00 per hour for Night Shifts, not to exceed 1000 hours and \$17,000.00 not to exceed a total expenditure of \$45,288.00 for all part-time officers for the year.

Part-time dispatchers will be paid \$9.56 per hour with the exception of Jane Henry, who will be compensated \$12.00 per hour. Total dispatching allotment shall not to exceed the budgeted authorization of \$37,890.00 per year.

Appoint Thomas Jones, Rose Nadrich, Nick Blaszczyk, Teresa Bishop, Diana DeCarlo, Julie Boedo, Seth Howard and Jane Henry part-time Police Dispatchers; Joseph Flynn, Michael Felschow, Jeffrey DeVinney, Greg Szarowicz, Mark Baltes, Donald Hoelscher and Michael Rich part-time Police Officers.

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

Councilwoman Pew read the following appointments:

Appoint Diane Herzog, Planning Board Secretary at \$83.20 per occasion.

Appoint Stacey Callinan secretary to the Historic Review Board to be compensated \$74.00 per meeting and Zoning Board secretary at the rate of \$77.00 per hearing plus \$11.66/hr. for reconvened hearings.

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

Appoint Police 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 Councilman Krycia to approve the above appointments and salaries; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Appointments of the Supervisor:

Supervisor Nellis read the following appointments:

Appoint Anna Mae Knack, Administrative Assistant and Confidential Secretary to the Supervisor at \$44,736.00 yearly, to be paid bi-weekly.

Appoint Lisa Winter, Bookkeeper at \$29,922.00 yearly, to be paid bi-weekly.

Appoint Diane Herzog, part-time secretary to the Supervisor at \$11.44 per hour for 14 hours per week, to be paid bi-weekly.

Appoint (to be determined) Town Historian at \$1,922.00 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 Councilwoman Pew to approve the appointments and salaries as stated: seconded by Councilman Vacco; 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 Head Assessor.

MOTION was made by Councilman Vacco to approve the appointments; seconded by Councilman Krycia; “Ayes”? – Nellis, Krycia, Vacco; Opposed? – Ventry; Abstain? – Pew; Motion carried.

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

Mary Lou Pew	Code Review Committee
Vincent V. Vacco & Rich Ventry	Recreation Advisory Board
Edward Krycia, Jr.	Eden Chamber of Commerce
Edward Krycia, Jr.	Historic Preservation Board
Edward Krycia, Jr. & Rich Ventry	Economic Development Committee
Edward Krycia, Jr.	Conservation Advisory Board
Mary Lou Pew	Zoning Board of Appeals
Edward Krycia, Jr.	Library Board
Mary Lou Pew & Vince Vacco	Emergency Squad
Vincent V. Vacco	Street Lights
Edward Krycia, Jr. & Rich Ventry	Planning Board
Mary Lou Pew & Rich Ventry	Fire Departments
Rich Ventry	Assessment Board of Review
Edward Krycia & Vincent V. Vacco	Agricultural Advisory Board
Vincent V. Vacco	Drainage Committee
Mary Lou Pew	Technology Committee
Mary Lou Pew	Emergency Preparedness Committee
Edward Krycia, Jr. & Mary Lou Pew	Hamlet Revitalization Committee
Glenn R. Nellis	Association of Erie County Governments
Glenn R. Nellis	NEST- Solid Waste
Glenn R. Nellis	Southtowns Water Consortium
Glenn R. Nellis	Community Development Block Grant
Glenn R. Nellis	Rural Transit Service Advisory Board
Glenn R. Nellis & Rich Ventry	Southtowns Community Enhancement Coalition
Glenn R. Nellis & Mary Lou Pew	2012 Bi-Centennial Planning Committee

MOTION was made by Councilman Vacco to approve the appointments of Town Board Liaisons; seconded by Councilman Ventry; - “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, 2008 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:

Appoint William Zittel and Susan Minekime Co-Chairman of the 2012 Bi-Centennial Planning Committee.

Reappoint Lamont Beers, Linda Steele and Don Suchan to two-year terms on the Conservation Advisory Board.

Reappoint Bill Henry and Paul Laing, Jr. to two-year terms on the Agricultural Advisory Board.

Reappoint William Agle to a five-year term on the Zoning Board of Appeals.

Reappoint Frank Mantione and Larry Howie to three-years terms on the Off-Road Drainage Committee.

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

Reappoint David Yingling to a five-year term on the Eden Recreation Board.

MOTION was made by Councilwoman Pew to approve the Advisory Board reappointments/appointments as presented; seconded by Councilman Ventry; 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 2009 at an annual stipend of \$4,800, to be compensated \$400 monthly upon receipt of a statement of services rendered for that month. Seconded by Councilman Krycia; “Ayes”? Nellis, Krycia, Vacco, Ventry; Opposed? – Pew; Abstain? – None; Motion carried.

MOTION was made by Councilwoman Pew to renew a one-year contract with Charles Dias as an Independent Computer Technology Service Provider for the Town of Eden for the year 2009 at an annual stipend of \$4,800, to be compensated \$400 monthly upon receipt of statement for services rendered for that month. Seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Reaffirmation of the Town’s Procurement and Investment Policies:

MOTION was made by Councilman Vacco to reaffirm the Procurement Policy adopted August 14, 1996, unchanged and to reaffirm the Investment Policies and Guidelines of the Town of Eden, both are on file in the Town Clerk’s office; seconded by Councilwoman Pew; 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 two nights only for this annual meeting.

MOTION was made by Councilman Vacco 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 two nights only; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried

Reappoint Joseph Ghosen as GIS Consultant for a 1-year term at \$12,000.00 annually.

MOTION was made by Councilwoman Pew to approve the reappointment of Joseph Ghosen as GIS Consultant for a 1-year term at \$12,000.00 annually; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Adjournment:

December 29, 2008

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

Supervisor Nellis adjourned the Re-organizational Meeting of the Eden Town Board at 7:43 p.m.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk