

May 14, 2014

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MAY 14, 2014
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

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

DEPARTMENT HEADS PRESENT:

Mark Cavacolli - Town Engineer
Michael J. Felschow - Chief of Police
Matthew Colvin - Eden Fire Chief
Rick Kirst - East Eden Fire
Susan Brass - Recreation Director
Ray Zabron - Dog Control Officer

OTHERS PRESENT:

William Trask - Town Attorney
Mary Jo Hultquist - Town Clerk
Lisa Greiner - Administrative Assistant

Call to Order:

Deputy Supervisor Pew called the Regular Meeting of the Eden Town Board to order at 7:40 P.M.

Pledge of Allegiance:

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

Approval of Minutes:

Deputy Supervisor Pew asked if there were any additions or corrections to the Town Board Minutes of April 9, 2014; there were none.

MOTION was made by Councilman McLaughlin to approve the Town Board Minutes of April 9, 2014 as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers/Amendments:

| From Account | To Account | Reason for Amendment | Amount |
|---|-------------------------------------|--|---------------|
| D878 Restricted Capital Reserve Highway Equipment | D5130.2 Machinery – Equipment | Use of reserve to purchase Ford F150 per permissive referendum | \$21,391.00 |

MOTION was made by Councilman Ventry to approve the Budget Transfer/Amendments as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Audit Bills:

Deputy Supervisor Pew 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 | 210-282 | \$73,254.77 |
| Highway Dept. Fund | 110-147 | \$53,924.87 |
| Fire Dept. Fund | 74-119 | \$14,993.26 |
| Recreation Dept. Fund | 30-42 | \$4,729.89 |
| Refuse and Garbage Fund | 5 | \$37,730.24 |
| Street Lights Fund | 9-11 | \$6,172.57 |
| Water Fund | 15-19 | \$6,738.00 |
| Trust & Agency Fund | -- | -- |
| Capital Fund | | |
| H3410.2 | -- | -- |
| H8320.402 | -- | -- |
| H8302.403 | 2-4. | \$2,437.33 |
| Community Development | -- | -- |

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

Departmental Reports:

Department reports for the month of April 2014 were presented by Matthew Colvin, Eden Fire Chief; Rick Kirst for Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Councilwoman Pew for Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director; Councilwoman Pew for Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Matthew Colvin, Eden Fire Chief requested adding the following to the active roster of the Eden Fire Department, pending background checks and physical exams:

- Gregory Gellerson – 7394 Nelson Drive, Hamburg, NY
- Kevin D. Condon – 9001 Notre Dame Drive, Eden, NY
- Mitchell Laing – 2724 W. Church Street, Eden, NY
- Chandler Kraska – 8685 Woodside Drive, Eden, NY

MOTION was made by Councilman Ventry to add Gregory Gellerson, Kevin Condon, Mitchell Laing and Chandler Kraska to the active roster of the Eden Fire Department, pending background checks and physical exams; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Matthew Colvin, Eden Fire Chief requested removing Glenn Scott from the active roster of the Eden Fire Department. Mr. Scott was an active member for 26 years.

MOTION was made by Councilman Krycia to remove Glenn Scott from the active roster of the Eden Fire Department, after 26 years of service, with thanks and gratitude; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Mark Cavacoli, Town Engineer, reported that all the design work for the Green/ Depot Street Increase and Improvement of Facilities of the Consolidated Water District is complete and sent to the proper authorities for review. Mr. Cavacoli is anticipating a 2-week turn-around time, then the project will be ready to go out to bid.

New and Unfinished Business:

1. Budget Outreach Presentation by Eden Central School District

Sandra Anzalone, Superintendent of Eden Central Schools and Michael Byrnes, President of the Board of Education gave a presentation on the 2014-2015 Budget. The vote is May 20, 2014 from 9 a.m. to 9 p.m.

2. Presentation by Mark Cavacoli of CRA (Town Engineers) on timetable for work plan regarding Town of Eden and ECWA Water System Consolidation

Mark Cavacoli reported on the Town of Eden and Erie County Water Authority Water System Consolidation project. Mr. Cavacoli described the program work plan.

The Town of Eden has received a \$25,000 grant, which is half of the cost of the feasibility study, which needs authorization for Supervisor Nellis to sign.

MOTION was made by Councilman McLaughlin to authorize Supervisor Nellis to sign Contract T1000386 and fulfill all the requirements necessary in order to receive payment of \$25,000 in grant funds for the feasibility study; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. Set-up Moratorium Study Committee to review our local law and that of other communities regarding signage (informational)

The Committee will exist of the following members:

- | | |
|--------------------|----------------------------|
| Edward Krycia, Jr. | Councilman |
| Rich Ventry | Councilman |
| William Mahoney | Planning Board, Vice-Chair |
| William Trask | Town Attorney |
| Mark Cavacoli | Town Engineer |

This committee will meet on Tuesday, June 3, 2014 at 6:00 p.m. in the Conference Room of the Eden Town Hall.

4. Itemize Fire Company Equipment Bids

Matthew Colvin, Eden Fire chief requested the Town Board’s approval for the 2014 Itemized Fire Equipment Bids. The Eden Fire Department is requesting \$18,556.46. Copies of the bid results are available at the Town Clerk’s office.

MOTION was made by Councilman Krycia to approve \$18,556.46 for the 2014 Itemized Fire Equipment bid for the Eden Fire Department; seconded by Councilman McLaughlin; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

5. Report on county Road projects in Eden

Deputy Supervisor Pew stated that a report has been received from Mark C. Poloncarz, Erie County Executive regarding 2014 County Highway Projects, which includes a Mill and Overlay construction project on Eden Evans Center Phase IV (from I-90 exit to Derby Road, 2.00 miles and road work due to the extraordinary winter on Eckhardt Road, Route 75 to East Eden Road.

6. MS4 Annual Report

Councilman Krycia read the following resolution:

WHEREAS, the draft annual MS4 Report for the period ending March 9, 2014 for the Town of Eden has been prepared by the combined efforts of the Town designated MS4 Coordinator, Highway Superintendent, Ronald Maggs and the Town Engineer, CRA Engineering; and

WHEREAS, this draft Report will be available for public review and comment for a period of two weeks in the Town Clerk's Office and the Town Supervisor's Office;

NOW, THEREFORE, be it resolved that the Eden Town Board authorizes the Supervisor to accept this Annual Report and sign the Report to be submitted to the NYS Department of Environmental Conservation, as required by the NYS Department of Environmental Conservation.

MOTION was made by Councilman Krycia to approve the resolution as presented; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Note: This report will be signed by Supervisor Nellis after the two-week period.

7. Resignations/Appointments

Michael Felschow, Eden Chief of Police received letters of resignation from Michael T. Rich and Timothy J. McDonald, part-time Police Officers, pursuing other opportunities.

MOTION was made by Councilwoman Pew to accept the resignation of Michael T. Rich and Timothy J. McDonald, part-time Police Officers, with thanks and gratitude from the Town Board; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Michael Felschow, Eden Chief of Police requested the appointment of Thomas S. George, Jr. and Brian Burgstahler as part-time Police Officers starting immediately.

MOTION was made by Councilwoman Pew to appoint Thomas S. George, Jr. and Brian Burgstahler as part-time Police Officers, starting immediately; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Lamont Beers, Chairman of the Eden Conservation Board recommended adding Wayne Schacher to the Eden Conservation Board for a two-year period beginning immediately and ending on 12/31/15.

MOTION was made by Councilman Krycia to add Wayne Schacher to the Eden Conservation Board for a two-year period beginning immediately and ending on 12/31/15; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

8. Liquor License Renewal for Schunk's West Hill Grill (informational only)

A Liquor License Renewal for Schunk's West Hill Grill was received and filed.

9. Eden Planning Board request for CEO attendance at Planning Board Meetings

Deputy Supervisor Pew read the following correspondence:

"At the most recent Planning Board meeting, April 29, 2014, the board had a discussion about our Code Enforcement Officer's (CEO) attendance at our meetings. Our board was in unanimous agreement that the CEO is an integral

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resource upon which the Planning Board relies, during certain meetings, for technical input and Code compliance context. The Planning Board hereby requests that the CEO be in attendance for those meetings when it is deemed necessary by the Planning Board. Due to our requirement to comply with the Public Meetings Law, our agenda is established two weeks prior to our meeting. At that time, based upon those particular agenda items, the chairman of the Planning Board will determine if the CEO's presence is required. If so, a written memo shall be sent to the Town Board at that time requesting the CEO to attend. Hopefully this procedure will be sufficient for the Town Board to make any necessary arrangements to provide for the CEO's attendance at those meetings."

Signed by Mark Agle, Chairman of the Eden Planning Board.

Much discussion ensued between the Town Board and Town Attorney, William Trask regarding the fact that attendance at those meeting would exceed the 19 hours that the Code Enforcement Office is allotted as a part-time civil service employee. It was suggested that a memo be sent to the Planning and Zoning Board requesting prior approval of attendance at those meetings.

Supervisor's Report:

- Home Energy Assistance Program – Cooling Assistance is available beginning May 1, 2014
- May 19, 2014 Tire and Scrap Metal Drop-off from 9 a.m. to 1 p.m. at the Eden Highway Garage
- Hazardous Household Waste Drop-off Days will be held on Saturday, June 14, 2014 at the ECC South Campus from 9 a.m. to 2 p.m.
- The American Legion in West Seneca is sponsoring a Motorcycle Run on May 24, 2014 to raise money and awareness to the Homeless Veterans in our local area. They will be coming through Eden between the hours of 12:00 and 3:30 p.m.
- Eden Emergency & Rescue Squad's 8th Annual Chicken BBQ and Chinese Auction is Sunday, May 18, 2014 from 11 a.m. till sold out.

Hearing of Visitors:

Phil Muck stated that the Zoning Board is meeting May 29, 2014 at 7:30 in the Auditorium of the Eden Town Hall.

Adjournment:

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

Deputy Supervisor Pew adjourned the Regular Meeting of the Eden Town Board at 8:55 P.M.

Executive Session:

Deputy Supervisor Pew adjourned the Executive Session of the Eden Town Board Meeting at 9:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk