

June 13, 2012

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
JUNE 13, 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
FRAN MCLAUGHLIN	-	COUNCILMAN

DEPARTMENT HEADS PRESENT:

Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Jack Rigley	-	Eden Fire Chief
Rick Kirst	-	East Eden Fire Department
Scott Henry	-	Code Enforcement Officer
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:

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

Pledge of Allegiance:

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

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of May 9, 2012; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of May 9, 2012 as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of May 23, 2012; there were none.

MOTION was made by Councilman Krycia to approve the Town Board Minutes of May 23, 2012 as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

Petitions:

A petition was received from residents of Ferrier and March Roads regarding Water District No. 5. This petition was given to the Supervisor.

Budget Transfers/Amendments:

Supervisor Nellis read the following Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
SW9710.7 Bond Interest	SW9730.7 BAN Interest	Re-classify Amount Budgeted for BAN Interest	\$88,158.69
SF878 Fire Reserve	SF3410.2 Fire Equipment	Purchase of radios per permissive referendum	\$44,234.50
SF878 Fire Reserve	SF3410.2 Fire Equipment	Down payment on Fire Truck per permissive referendum	\$335,907.95
A2089 Income – Bicentennial	A7550.401 Celebrations – Bicentennial	Bicentennial Expenses	\$2,500.00

MOTION was made by Councilman Krycia to approve the Budget Transfers/Amendments as presented; seconded by Councilman McLaughlin; 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	334-412	\$67,580.58
Highway Dept. Fund	150-184	\$36,636.35
Fire Dept. Fund	105-123	\$11,275.78
Recreation Dept. Fund	39-69	\$11,705.35
Refuse and Garbage Fund	8-9	\$36,759.84
Street Lights Fund	12-14	\$4,356.02
Water Fund	16-17	\$5,186.78
Trust & Agency Fund	--	--
Capital Fund H3410.2	5-7	\$21,598.21
Community Development	--	--

MOTION was made by Councilwoman Pew 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 May 2012 were presented by Jack Rigley, Eden Fire Chief; Rick Kirst for Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; 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.

Jack Rigley, Eden Fire Chief requested permission to apply for a Homeland Security Grant, with an application window of June 11, 2012 to July 6, 2012. The application would be for Eden and East Eden Fire Departments and if granted it would require a match of 5% from the town.

MOTION was made by Councilwoman Pew to allow the Eden and East Fire Departments to apply for a Homeland Security Grant and if granted the town would provide the 5% matching funds; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Scott Henry, Code Enforcement Office reported that the demolition of properties at 2639 Sunset Drive and 2408 New Jerusalem Road have been completed.

New and Unfinished Business:

1. Resolution recognizing Eden Students for “Raiders Response”

Supervisor Nellis read and presented the following proclamation to Sue Wilhelm and Nicole Lauer from Eden Central School District:

“RAIDERS RESPOND”

A PROCLMATION

WHEREAS, on May 25, 2012 the Eden Central School District participated in the Third Annual Raiders Respond Community Service Project; and

WHEREAS, faculty, staff and students worked together to make a difference in the greater Eden Community; and

WHEREAS, under this program the faculty, staff and students provide the labor for free while any materials needed are supplied by the Eden resident, business owner or non-profit group receiving the services; and

WHEREAS, this year Raiders Respond will be recognized on July 14th at the Annual Dinner of the Erie County Association of School Boards as one of two winners county-wide of the 2012 Hodgson Russ Award for Excellence in Collaboration; and

WHEREAS, the Hodgson Russ Award for Excellence in Collaboration was established in 2005 to recognize collaboration involving a school district and its immediate community that is unique, exemplary and goes beyond the ordinary, and has potential to be replicated elsewhere.

NOW, BE IT RESOLVED that the Eden Town Board joins with all the Eden residents, businesses and groups served by “Raiders Respond” in expressing a hearty “Thank You” to all the faculty, staff and students of the Eden Central School District for everything accomplished in service to the Eden Community; and

FURTHER extend congratulations to the Eden Central School District for receiving the 2012 Hodgson Russ Award for Excellence in Collaboration.

2. Approval of project – Off-Road Drainage Committee

Ron Maggs, as Chairperson of the Off-Road Drainage Committee requested the Approval of the following project that the committee has agreed upon:

Project 2012-01: To remove blockages in the ditches between Depot and Hemlock Roads and March Road and Welch Lane at a cost not to exceed \$2,000.00

MOTION was made by Councilwoman Pew to approve Project 2012-01 as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. Approval of bid on Fire Equipment/Materials

Jack Rigley, Eden Fire Chief requested the Town Board’s approval for the 2012

Itemized Fire Equipment Bids. The Eden Fire Department is requesting \$17,973.10 (\$18,000 was budgeted). Copies of the bid results are available at the Town Clerk's office.

MOTION was made by Councilwoman Pew to approve \$17,973.10 for the 2012 Itemized Fire Equipment bid for the Eden Fire Department; seconded by Councilman McLaughlin; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Rick Kirst for Andrew Breier, East Eden Fire Chief requested the Town Board's approval for the 2012 Itemized Fire Equipment Bids. The East Eden Fire Department is requesting \$16,001.29. Copies of the bid results are available at the Town Clerk's office.

MOTION was made by Councilman Ventry to approve \$16,001.29 for the 2012 Itemized Fire Equipment bid for the East Eden Fire Department; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Opposed? – None; Motion carried.

4. Approval of new contractor for Water District No. 5

MOTION was made by Supervisor Nellis to ratify retaining William Lundquist, Attorney from Hodgson Russ law firm to review the proposed Water District No. 5 Agreement between Cincinnati Insurance Company, the Town of Eden and E & R General Construction and to help negotiate the final written Third Party Agreement at a rate of \$250.00 per hour; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilwoman Pew to ratify approval the Third Party Agreement between the Town of Eden, Cincinnati Insurance Company and E & R General Construction for completion of the Water District No. 5 Improvements Project, as negotiated by legal counsel for the Town of Eden and ratify authorization of Supervisor Nellis to execute same; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Mel Gates, project manager for CRA Infrastructure and Engineering, presented the following project construction status updates:

A pre-construction meeting was held on June 11, 2012 with the E & R General Construction who will be the replacement contractor for completion of the project. The contractor anticipates starting work on the project on June 12, 2012. The preliminary schedule for completion for the remaining work is as follows:

- Complete chlorination and disinfection of the watermain installed on March Road. Obtain approvals necessary to complete remaining interconnections and services to watermain.
- Complete interconnection at Shadagee Road and Ferrier Road.
- Complete testing, chlorination and disinfection of watermain installed on Ferrier Road.
- Complete remaining interconnections at March and Derby Road and at March and Schreiner Road.
- Install water services on March Road.
- Install water services on Ferrier Road.

Installation of remaining water services and hydrant assemblies on Shadagee Road will be completed concurrent with the above work on March and Ferrier Roads.

Completion of project restoration will be completed concurrent with the above work on March and Ferrier Road.

It is anticipated that the remaining work on the project will be completed within 90 calendar days.

Mr. Gates responded to questions from residents of March and Ferrier Roads that we present at the meeting.

5. Presentation on Audit of Town Financials by Drescher and Malecki

Supervisor Nellis introduced Wayne Drescher and Luke Malecki, partners from the accounting firm of Drescher & Malecki, LLP. They presented the Town Board with copies of the Town Audit, which are on file in the Town Clerk's office.

6. Household Hazardous Waste Drop-off Day

Supervisor Nellis noted that the date for the Household Hazardous Waste Drop-Off Day is June 16, 2012 from 9:00 a.m. to 2:00 p.m. at the Erie Community College, South Campus, Orchard Park, New York.

7. Purchase of SUV for Police Department

Motion authorizing purchase of new 2013 vehicle for Eden Police Department

MOTION was made by Supervisor Nellis that the Town of Eden purchase one (1) new 2013 Ford Utility All Wheel Drive Vehicle with FM Communication add-ons from Delacy Ford under State Contract Pricing for the Eden Police Department at a total cost of \$30,427.00. This price includes a \$4,000.00 trade-in value for the 2007 Ford Expedition currently used by our Dog Control Officer. Upon receipt of the new 2013 vehicle, our Dog Control Officer will acquire the 2008 Ford Expedition currently used by the Police Department. Funds for the purchase of this vehicle will come from money budgeted in the 2012 Police Equipment Account A3120.2; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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 8:50 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk