

October 13, 2010

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
OCTOBER 13, 2010
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR (<i>Absent</i>)
MARY LOU PEW	-	COUNCILWOMAN
EDWARD KRYCIA, JR	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN

DEPARTMENT HEADS PRESENT:

Dave Johnson	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
John McCarthy	-	Lieutenant
Rich Greeley	-	Eden Fire Chief
Andrew Breier	-	East Eden Fire Chief
Susan Brass	-	Recreation Director
Ray Zabron	-	Dog Control Officer

OTHERS PRESENT:

William Trask	-	Town Attorney
Mary Jo Hultquist	-	Town Clerk
Heather Ohmit	-	Deputy Town Clerk
Lisa Greiner	-	Administrative Assistant
Stephen Waldvogel	-	CRA
Mark Cavacolli	-	CRA

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 September 8, 2010; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of September 8, 2010 as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Deputy Supervisor Pew asked if there were any additions or corrections to the Town Board Minutes of September 22, 2010; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of September 22, 2010 as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

Petitions:

Deputy Supervisor Pew received a petition from Frank Shattuck, 9288 Sauer Road with 13 signatures regarding the Frisbee golf course on Sauer Road.

MOTION was made by Councilman Vacco to receive the petitions and refer them to Town Attorney Trask; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Budget Transfers/Amendments:

Deputy Supervisor Pew read the following Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
A2665 Sale of Equipment	A4540.2 Ambulance Equipment	Sale of Ambulance Proceeds to radio work in fly car	\$1,500.00
A1640 Ambulance Charges	A4540.2 Ambulance Equipment	Offset ambulance charges rec'd towards new heart monitor	\$35,192.75
A1604 Ambulance Charges	A4540.4 Ambulance	Transfer money rec'd to offset budget	\$2,000.00
A2192 Cemetery Services	A8810.4 Cemeteries Contractual	Offset money rec'd for burial towards cost of burial	\$355.00
SF909 Fire Fund Balance	SF9950.9 Transfer to Capital	Engineering work for repair of East Eden Fire Hall	\$6,236.00

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

Councilman Krycia read the following Budget Transfers/Amendments for the Highway Department:

Date	From	To	Description	Amount
10-13-10	D2770	D5110.4	Pipe Permits	\$4,793.52
10-13-10	D2665	D8782	Sale of 2020 Chev Dump & 1972 Oshkosh	\$20,613.00
10-13-10	D3960 Fema state portion	D5110.4	FEMA expenses	\$13,355.27
10-13-10	D4960 Fema fed portion	D5110.4	FEMA expenses	\$80,857.61
10-13-10	D909	D5110.4	FEMA expenses	\$37,000.00
10-13-10	D5142.2	D5140.4	Over budget	\$230.80
10-13-10	D8782	D5130.2	Fro plow & sale spreader included in total truck purchase per permissive referendum	\$9,746.00

MOTION was made by Councilman Krycia to approve the Budget Transfers/Amendments for the Highway Department as presented; seconded by Councilman Ventry; 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	536-616	\$83,699.93
Highway Dept. Fund	273-301	\$173,348.36
Fire Dept. Fund	167-190	\$19,562.26
Recreation Dept. Fund	123-136	\$6,560.15
Refuse and Garbage Fund	13	\$47,660.60
Street Lights Fund	21-25	\$5,907.06
Water Fund	21-22	\$5,087.60
Trust & Agency Fund	--	--
Capital Fund		
H8320.401	27-35	\$1,291,431.61
H8340.402	11	\$9.74
H3410.4	6-7	\$6,236.00
Community Development	--	--

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

Departmental Reports:

Department reports for the month of September 2010 were presented by Rich Greeley, Eden Fire Chief; Andrew Breier, East Eden Fire Chief; John McCarthy for Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; Dave Johnson, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Councilman Vacco for Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director; Councilwoman Pew Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Rich Greeley, Eden Fire Chief requested permission to replace the Fire Chief’s vehicle. The vehicle is provided with funds from the department and the Town of Eden pays for the insurance.

MOTION was made by Councilman Vacco to grant permission for the Eden Fire Department to replace the Fire Chief’s vehicle; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business:

- 1. Submit Preliminary Budget – 2011. Set public hearing for October 27, at 8:30**

Deputy Supervisor Pew stated that the Preliminary Budget had been prepared and requested scheduling a Public Hearing for Wednesday, October 27, 2010 at 8:30 p.m. Deputy Supervisor Pew provided the following information regarding the preliminary budget for 2011:

General	\$2.05 - same as 2010
Highway	\$3.36 - up from \$3.27 in 2010
Light	\$.15 - same as 2010
Fire	\$.94 - up from \$ 0.91 in 2010

October 13, 2010

Garbage \$189.00 - up from \$187.00 in 2010

MOTION was made by Councilman Ventry to set the public hearing for October 27, 2010 at 8:30 p.m.; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Vacco to close the Regular Meeting of the Eden Town Board and open the Public Hearing; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8:00 p.m.
Public Hearing
Proposed Local Law No. 1-2010
A Local Law Amending the Town of Eden Zoning Law
To Allow Multiple Dwellings in the General Industrial District
By Special Use Permit of the Eden Town Board

Deputy Supervisor Pew read the following recommendation from Mark Agle, Eden Planning Board Chairman:

“Regarding the proposed Local Law No. 1-2010 the Planning Board feels that controlling the use by Special Use Permit is a good tool for regulating when and where these developments take place. Further, that we would not be opposed to them considering creating a new zoning classification for this use at a location yet to be determined. Nor, would be opposed to the concept of expanding the allowable uses for certain other existing zones to accommodate these types of uses.”

Deputy Supervisor Pew also stated that correspondence had been received from Mark R. Lee, AICP, and Planner for the County of Erie with no objections.

Deputy Supervisor Pew then asked if there were any comments from anyone present:

There were none.

All persons desiring to be heard, having been heard, Deputy Supervisor Pew closed the Public Hearing at 8:10 p.m.

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

2. East Eden Fire Company

- **Bond resolution – authorizing the reconstruction of the Eden Fire District building in East Eden bringing it to compliance.**

Councilman Krycia read the following resolution:

A BOND RESOLUTION, DATED OCTOBER 13, 2010, OF THE EDEN FIRE DISTRICT, IN THE TOWN OF EDEN, ERIE COUNTY, NEW YORK (THE “FIRE DISTRICT”), AUTHORIZING THE RECONSTRUCTION OF THE FIRE DISTRICT BUILDING LOCATED AT 8097 EAST EDEN ROAD, EDEN, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000 OF THE FIRE DISTRICT, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY, AND/OR LOCAL FUNDS

RECEIVED; DELEGATING THE POWER TO ISSUE SUCH BONDS AND BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE FIRE DISTRICT TREASURER; AND PROVIDING FOR THE LEVY OF A TAX TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

WHEREAS, the Board of Fire Commissioners of the Eden Fire District, in the Town of Eden, in the County of Erie, New York (the "Fire District"), believes that it is in the best interest of the Fire District to undertake a capital improvements project as described herein, and to finance such project by the issuance of obligations by the Fire District; and

WHEREAS, the Board of Fire Commissioners desires to issue obligations of the Fire District to finance a portion of the costs of the Project; and

WHEREAS, the Board of Fire Commissioners of the Fire District, hereby resolves (by the favorable vote of not less than three-fifths of all the members of said Board of Fire Commissioners) as follows:

Section 1. The Fire District is hereby authorized undertake a capital improvements project consisting primarily of the reconstruction of the Fire District building located at 8097 East Eden Road, Eden, New York, substantially as described in a report prepared by the Fire District with the assistance of Nussbaumer & Clarke, Inc. (the "Plan") and is available for public inspection in the offices of the Fire District Secretary, such project to also include, any original furnishings, equipment, machinery, apparatus, site work and ancillary costs required for such purpose. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$800,000 and said amount is hereby appropriated therefor.

Section 2. The Board of Fire Commissioners plans to finance the estimated maximum cost of such Purpose by the issuance of serial bonds of the Fire District in an amount not to exceed \$800,000, hereby authorized to be issued therefor pursuant to provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 3. Serial bonds of the Fire District in the principal amount of not to exceed \$800,000 are hereby authorized to be issued for said purpose pursuant to the provisions of the Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources, the cost of such improvements is to be paid by the levy and collection of taxes on all real property in the Fire District to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 4. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose authorized pursuant to this resolution and for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations subparagraph 12(a)(2) of subdivision a of Section 11.00 of the Law, is 15 years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Fire District for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution is permitted, but not required, to exceed five years.

(d) Current funds are not required by the Law to be provided as a down payment prior to the issuance of said bonds or any bond anticipation notes in anticipation of the sale of said bonds.

Section 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Fire District, payable as to both principal and interest by general tax upon all the taxable real property within the Fire District without limitation of rate or amount. The faith and credit of the Fire District are hereby irrevocably pledged to the payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Fire District by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Fire Commissioners relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Fire District Treasurer, the chief fiscal officer of the Fire District.

Section 7. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Fire District is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. The Fire District has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

Section 9. A proposition for the approval or disapproval of this resolution shall be submitted to the qualified voters of the Fire District at a Special Referendum at the Special Election to be held on Tuesday, November 23, 2010, and this resolution shall take effect upon approval by such qualified voters at said Special Election.

Section 10. The Fire District Secretary is hereby authorized and directed to give notice of said Special Referendum at the Special Election in accordance with Town Law Sections 175 and 175-c.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

October 13, 2010

Councilman Krycia	Aye
Councilman Vacco	Aye
Councilman Ventry	Aye
Deputy Supervisor Pew	Aye

The resolution was declared adopted.

MOTION was made by Councilman Vacco to close the Regular Meeting of the Eden Town Board and open the Public Hearing; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8:15 p.m.

Proposed Local Law No. 2-2010

**A Local Law amending the Unsafe Buildings and Structures Law
Of the Town of Eden Relative to Emergency Enclosures**

Deputy Supervisor Pew read the following:

Town of Eden Code Section 90-14 entitled “Emergency Cases” shall be amended to read as follows:

“Where it reasonably appears that there is present a clear and imminent danger to the life, safety or health of any person or property unless an unsafe building or structure is immediately repaired, secured or demolished and removed, the Town Board may, by resolution, authorize the Building and Zoning Inspector or other town agents to immediately cause the securing, repair or demolition and removal of such unsafe building or structure. Notwithstanding the foregoing, in an emergency situation requiring the immediate securing, repair, or demolition and removal of an unsafe building or structure and when it is not feasible to obtain such Town Board authorization, the Code Enforcement Officer or any Fire Chief is authorized to immediately cause the securing, repair or demolition and removal of such unsafe building or structure. The expenses of such securing, repair or demolition and removal shall be recovered as provided in the chapter.”

Attorney Trask recommended changing line 4, Building and Zoning Inspector to Code Enforcement Officer to be consistent.

Deputy Supervisor Pew then asked if there were any comments from anyone present:

There were none.

All persons desiring to be heard, having been heard, Deputy Supervisor Pew closed the Public Hearing at 8:20 p.m.

MOTION was made by Councilman Ventry to open the Regular Meeting of the Eden Town Board; seconded by Councilman Vacco; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

- **Resolution calling for Special Referendum to be held at a Special Election on November 23, 2010 at the East Eden Fire Hall.**

Town Attorney William Trask read the following resolution:

RESOLUTION OF THE EDEN FIRE DISTRICT, IN THE TOWN OF EDEN, NEW YORK, ADOPTED OCTOBER 13, 2010, CALLING A SPECIAL REFERENDUM TO BE HELD AT THE SPECIAL ELECTION ON NOVEMBER 23, 2010, DIRECTING PUBLICATION OF NOTICE OF SPECIAL REFERENDUM AT THE SPECIAL ELECTION, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

RESOLVED by the Board of Fire Commissioners of the Eden Fire District, in the Town of Eden, in the County of Erie, New York (the "Fire District"), as follows:

Section 1. A Special Referendum at the Special Election of the qualified voters of the Fire District shall be held at the East Eden Fire Hall, 8097 East Eden Road, Eden, New York, in the Fire District, on November 23, 2010, at 12:00 P.M. (Prevailing Time) and the polls shall remain open until 9:00 o'clock P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes.

Section 2. The vote upon the Proposition to be submitted to the qualified voters shall be by machine ballot and the Fire District Secretary is hereby authorized and directed to have the necessary ballot labels prepared for use in voting.

Section 3. The Fire District Secretary is hereby authorized and directed to give notice of said Special Referendum at the Special Election by causing a Notice (in substantially the form set forth in Section 5 hereof) to be:

(a) published at least once, not less than 27 days nor more than 34 days prior to the date of such Special Referendum at the Special Election in the official newspaper(s) of the Fire District, said newspaper having a general circulation within the Fire District; and

(b) posted on the Fire District sign board and website, if such exist, for at least 15 days prior to such Special Referendum at the Special Election and shall not be posted any sooner than 20 days before such Special Referendum at the Special Election; and

(c) posted (after providing such Notice in a timely manner) on the municipal website, if one exists, of any town located within the geographic boundaries of the Fire District, or any town or fire district with which the Fire District contracts for at least 15 days prior to such Special Referendum at the Special Election and shall not be posted any sooner than 20 days before such Special Referendum at the Special Election; and

(d) posted by the Town Clerk on the bulletin board and sign board maintained by the Town pursuant to Section 30 (6) of the Town Law so as to ensure timely notification of such Special Referendum at the Special Election.

MOTION was made by Councilman Vacco to adopt the resolution as presented; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Councilman Ventry stated that the Special Election is being held in East Eden to allow everyone voting an opportunity to see the structure before voting.

- **Resolution to hold two open informational meetings to be held from 1-4 p.m. on October 30, 2010 and from 4-8 p.m. on November 8 at the East Eden Fire Hall.**

Town Attorney William Trask read the following resolution:

At a meeting of the Town Board held on October 13, 2010, the Board authorizes open informational meetings so that the citizens can view the conditions at the East Eden Fire Hall. To be held from 1-4 p.m. on October 30, 2010 and from 4-8 p.m. on November 8, 2010 at the East Eden Fire Hall.

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

- **Resolution to add Ann Knack as Election Chairman**

Town Attorney William Trask read the following resolution:

Resolved that Ann Knack act as Chairman of the Election on November 23, 2010.

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

3. (Informational) Public Hearing for Eden Fire District will be held on October 19th at 8:00 p.m. – 2nd floor conference room, Eden Town Hall.

Deputy Supervisor Pew stated that this was an informational meeting regarding the Town of Eden Fire District 2011 Preliminary Budget to be held on October 19, 2010 at 8:00 p.m. in the conference room of the Eden Town Hall.

MOTION was made by Councilman Vacco to close the Regular Meeting of the Eden Town Board and open the Public Hearing; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8:30 p.m.
Public Hearing
Increase and Improvements of Water Facilities
For Consolidated Water District and
Water District No. 4

Stephen Waldvogel and Mark Cavacoli from CRA gave a brief power point presentation regarding the costs and benefits in connection with the increase and improvements of water facilities for Consolidated Water District and Water District #4.

Deputy Supervisor Pew then asked if there were any comments from anyone present:

Wilbert Smutz, 3094 East Church Street, after hearing the costs, stated that he has to pay but did not get an opportunity to vote on the increase.

All persons desiring to be heard, having been heard, Deputy Supervisor Pew closed the Public Hearing at 8:40 p.m.

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

4. Proposed engineering contract with CRA to review Beverly Subdivision.

Deputy Supervisor Pew read the following correspondence from David M. Britton, P.E., Project Engineer for CRA (Conestoga-Rovers & Associates):

“CRA Infrastructure & Engineering (CRA) is please to submit this proposal to the Town of Eden (Town) to provide Town Engineering Consulting Services in connection with Plat review of the Evergreen Acres – Part 2 subdivision (Project). This proposal is based upon our discussion with the Project Engineer and our understanding of the subdivision approval process for the Town.

CRA proposes to furnish the requested consulting services for a not-to-exceed fee of \$1,500. Please note that our review effort does not exceed the application fee for the Project (see-Town Code, Standard Schedule of Fees). Payments shall be made on the basis of invoices submitted by CRA and shall be due 30 days from receipt of the invoice. The Town will only be invoiced for the actual number of hours expended on the project.”

October 13, 2010

MOTION was made by Councilman Vacco to approve the proposed engineering contract with CRA, specifically David Britton at a not-to-exceed fee of \$1,500. for the Evergreen Acres – Part 2, Beverly Avenue 14-Lot Major Subdivision; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Vacco to close the Regular Meeting of the Eden Town Board and open the Public Hearing; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8:45 p.m.
Public Hearing
Community Development Block Grant

Deputy Supervisor Pew asked for suggestions or comments regarding the Community Development Block Grant.

Mary Jo Hultquist, 8605 Hammond Drive, suggested grant funds to be used for a senior citizens center.

All persons desiring to be heard, having been heard, Deputy Supervisor Pew closed the Public Hearing at 8:46 p.m.

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

5. Possible approval of items discussed in one of our public hearing.

- **Multiple dwellings in General Industrial**
- **Authorizing fire chief to decide need for emergency enclosures**
- **Resolution on increase and improving of facilities**
- **Resolution designating Rural Transit Service as our only priority project for 2011**

Deputy Supervisor Pew stated that the Town Board would hold off on any decisions at this time and the items would be tabled and moved to “Old Business” to be reviewed and discussed at a future Town Board meeting.

6. Committee recommend resolution on speed zones in Town.

The following recommendations were received from the Speed Limit Review Committee:

- a. Review extending the 40 mph limit on Eckhardt Road starting at East Eden Road heading easterly to the town line.
- b. East Eden Road to be reviewed for a transition area between Schintzius Road and the 35 mph posting.
- c. Sandrock Road to be reviewed as a transitional area between 9240 Sandrock and the “end 35 mph” posting.
- d. The 55 mps section on Hemlock Road to be reviewed for a reduced 45 mph speed limit.

After much discussion the following motion was offered:

MOTION was made by Councilman Ventry to approve the recommended changes and forward the information to the County of Erie and State of New York; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Hearing of Visitors:

Ron Salzman, 8052 Jennings Road, requested adding an addition voting site for the November 23, 2010 Special Election for improvements to the East Eden Fire Hall.

October 13, 2010

Mr. Salzman also asked why a second floor and questions regarding the use of the building.

Mike Jacobs, 2827 Roswell Pkwy, asked who is responsible for the building maintenance at the East Eden Fire Hall, who is the secretary of the Fire District and questioned the increase in taxes with the water district increase and the improvements to the fire hall.

Phil Muck, 2763 Oakland Drive, St. John's Church talking about building a senior citizen facility.

Adjournment:

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

Deputy Supervisor Pew adjourned the Regular Meeting of the Eden Town Board at 9:15 P.M.

Executive Session:

Deputy Supervisor Pew adjourned the Executive Session of the Eden Town Board Meeting at 10:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk