

MINUTES

**SPECIAL EDEN TOWN BOARD MEETING
PRELIMINARY BUDGET 2000
2795 EAST CHURCH STREET
EDEN, NEW YORK
NOVEMBER 3, 1999
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
EDWARD C. KRYCIA, JR.	-	COUNCILMAN (Deputy Supervisor)
MARY LOU PEW	-	COUNCILWOMAN
GEORGE F. ZITTEL	-	COUNCILMAN

OTHERS PRESENT:

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

Call To Order:

Supervisor Nellis called the Special Meeting of the Eden Town Board for the Preliminary Budget 2000 to order at 7:32 P.M.

Pledge of Allegiance:

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

Supervisor Nellis stated that the Special Meeting of the Eden Town Board is being held to consider the Town of Eden 2000 Preliminary Budget as required by State Law, which needs to be in place by November 4, 1999. Supervisor Nellis noted that copies of the 2000 Preliminary Budget have been available in the Town Clerk's office for the last month.

Petitions:

Before beginning the review of the 2000 Preliminary Budget, Supervisor Nellis recognized several residents in the audience from Ferrier Road that were not a part of the 3000-foot extension for District #3A (Ferrier Road Extension).

Angeline Rogers of 2222 Ferrier Road presented to the Eden Town Board a petition asking for the Town Board to considering extending the water line on Ferrier Road. Supervisor Nellis thanked Mrs. Rogers and stated that the Town Board would forward the petition to John Reid of R & D Engineering the Town's water engineer for water projects.

Supervisor Nellis clarified that in terms of the grant money that was part of the Derby/Sandrock and just the beginning of Ferrier Road that the extension of 3000-feet dovetailed in with the grant money left over.

Supervisor Nellis asked if there were any questions from the residents. Carmen Lorefice of 2305 Ferrier Road asked if any studies have been done. Supervisor Nellis stated that an Environmental review was completed before the Ferrier Road section was done. Mr. Lorefice also stated that people told him that before the project was started investigations were done all up & down the road no one has come or tested the water. Supervisor Nellis stated that a number of studies have been done on the Evans landfill and it has been reported by the Environmental attorney that there was no leakage from the landfill and if there was leakage would flow towards Evans not Eden.

Audre D'Angelo of 2285 Ferrier Road expressed concern that water is being considered in another large area of Eden when Ferrier Road has not been completed. Supervisor Nellis explained that petitions were received from residents of Paxon Road, Kulp Road, Jennings Road, Sandrock Road, Wepax Road, Shadagee Road and Route 62. Mr. Reid has reviewed primarily those areas from the point of view of cost and they have been formed into a proposed water district. A pre application will be in next week to Rural Development and the Town does not know whether or not the proposed water district will be funded and if it is when it would be. Mrs. D'Angelo asked what the feasibility would be of the new water district being started when Ferrier Road water district is not completed. Mrs. D'Angelo felt that it would better for the Town to get residents the water they request and would help raise the value of the homes in Eden.

Ruth Szalasny of 3048 Belknap Road stated in defense of the Town of Eden that the Town publishes the Town Board meeting agendas in the Eden Pennysaver that reference what projects are being discussed in Eden.

Mrs. Rogers expressed her belief that it was thought that the rest of Ferrier Road was going to get water and there was no talk of how far down Ferrier Road the water would go. Mrs. D'Angelo stated that about 18 years ago when Mr. Dennis was the Supervisor, went door to door with a petition and received 100% cooperation one on one. But when it came to the Town Board at that time the residents were turned down stating that it could not be afforded.

Mr. Lorefice asked how new homes being built are permitted, when other residents are operating on 75 gallons of water per day. Supervisor Nellis responded that he is hoping that what comes out of the Eden Master Plan that is being worked on right now will be the ability to let residents know how much water in 10 or 15 years, if any will be in the area in which they are building or not. Supervisor Nellis also noted that the Town must go through State and Federal approval, which is very competitive, to receive grant money from the water project. Supervisor Nellis once again stated that the only reason the 3000 feet extension was done, was with the monies left over from the grant which needed approval before the 3000 feet was completed.

Tom Rogers of 2222 Ferrier Road stated that several people told him when he moved to Ferrier Road, that Ferrier Road had the worst water and that it was untreatable. He also was told it was due to agricultural zoning and that was one of reasons why Ferrier Road couldn't get water and homes are still being built.

Supervisor Nellis thanked the residents for their comments and again stated that the petition would be forwarded to John Reid of R & D Engineering, water engineer for the Town of Eden who would be in attendance at the next Town Board meeting on November 17, 1999 at 7:30 P.M.

Supervisor Nellis asked for a Motion to adjourn the Special Eden Town Board Meeting for the purpose of the public hearing regarding the Preliminary Budget 2000.

MOTION was made by Councilwoman Pew to adjourn the Special Eden Town Board Meeting for the purpose of the public hearing; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to open the public hearing for purpose of reviewing the Preliminary Budget for 2000; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the public hearing at 7:48 P.M.

PUBLIC HEARING

PRELIMINARY BUDGET 2000

Supervisor Nellis stated that the purpose of the public hearing is to receive comments by citizens regarding the preliminary budget, which was previously presented at a board meeting. Supervisor Nellis noted that one change in figures was made since the previous meeting, under Water Districts the amount was \$93,136.00 and the revised amount is \$92,923.86. This was the only change made from the previous copy of the budget. The revision also changed the total amount from \$1,848,773.00 to \$1,848,560.86, a difference of \$212.14.

Supervisor Nellis then continued with a review of the summary page of the preliminary budget 2000. Supervisor Nellis then asked if there were any comments or questions from the audience.

The following citizens asked questions;

Lucille Kaminski of 7050 East Eden Road
Ruth Szalasny of 3048 Belknap Road
Wilbert Smutz of 3094 East Church Street
Gerald Maggs of 2763 First Street
Allen Schuster of 2236 Derby Road

Discussed were the contractual expenses of the Town Attorney which are expenses for of reviews on legal issues, litigation, special legal advise, file fees and if needed, other attorneys such as the litigation with the Town of Hamburg against American Ref-Fuel. It also includes any special seminars attended by the Town Attorney.

Also discussed were the contractual services of the Town engineer, Supervisor Nellis explained that the Town Engineer attends one Town Board meeting a month also attends the Eden Planning Board meetings. When there are special inquires for example from the Drainage Committee, the Town Engineer attends a meeting or advises on the issue at hand.

Mr. Smutz inquired whether the Town Attorney and the Town Engineer have to competitively bid for their jobs every year. Supervisor Nellis stated that the Town has done it

annually except for this year. The Town Board felt that the work done by the Town Attorney and Town Engineer has been acceptable and continuing the relationship is better for the Town and the amounts did not change. Mr. Smutz also asked if the \$23,310.00 was the Town Attorney's fee, Supervisor Nellis stated that only \$18,000.00 goes to Shaw & Shaw, the \$23,310.00 also includes the Town Prosecutors. The Town Attorney's fees include billable hours of William Trask along with his attendance to Town Board meetings once a month. It was also brought up about when there is a conflict of interest with Mr. Trask on a legal issue, the Town would hire another attorney to do the work.

There was discussion about the expenses for Civil Defense and Other Economic Assistance. It was explained that Civil Defense is for the Reserve Police and Other Economic Assistance is when for example the Town needs grant writing for a grant application.

Mr. Maggs questioned why the Drainage Contractual Expenses went down from \$16,000.00 to \$10,000.00. Supervisor Nellis explained that in the past couple of years the Drainage Committee has been active with projects in the Town. However this year there are opportunities of possibly using Collin Correctional inmates to provide help for the spring-cleaning as well as the possibility of the National Guard doing the same or similar projects in Town working with the Town Engineer.

Mrs. Kaminski questioned the Environmental Control contractual Expenses of only \$500.00. Supervisor Nellis noted that at the last Town Board meeting the OSI and NRI were approved and with just a few minor corrections the study is complete, so that is why the amount is lower.

Mr. Smutz also inquired whether the "sick bank" applied only to the Police Department and are there others and if so what the totals are. Supervisor Nellis stated that it is not a lot. Mr. Smutz also asked if the amount was enough to build up the reserve and is retirement covered. The Town Board felt comfortable that it was.

It was also discussed that the monies invested by the Town of Eden in CD accounts have done well and the Town of Eden was ranked 3rd in the County on investments out of at least twenty listed.

Lastly Mrs. Kaminski inquired about the expense for the town computers and that if all the computers have been changed over. Councilwoman Pew explained that all the Town computers have been changed over to "Windows 98" and that with the exception of the Court, Highway department and the Police department they are networked.

There were no further comments from the audience.

MOTION was made by Councilman Zittel to close the public hearing for the Preliminary Budget 2000, seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the public hearing of the Preliminary Budget 2000 at 8:30 P.M.

MOTION was made by Councilman Krycia to re-open the Special Town Board Meeting; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis re-opened the Special Town Board Meeting at 8:30 P.M. and thanked everyone present for their questions and comments regarding the Preliminary Budget 2000.

MOTION was made by Councilman Krycia to approve the 2000 Budget as presented; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Before closing the meeting Supervisor Nellis noted that the Regular Meeting of the Eden Town Board would be held Wednesday November 17, 1999 at 7:30 P.M. and that the December 8, 1999 Town Board meeting would be held at the East Eden Fire Hall. On December 8, 1999 there would be a brief presentation on the proposed Town Master Plan proceeding the regular Town Board Meeting especially to consider goals and objectives related to East Eden.

Supervisor Nellis also noted that the third public meeting regarding the Eden Master Plan would be held December 9, 1999 at the Eden Town Hall.

Councilwoman Pew then thanked Anna Knack and Jean Donohue for their work and input regarding the 2000 budget.

Adjournment:

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

Supervisor Nellis closed the Special Eden Town Board Meeting at 8:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk