MINUTES

WORK SESSION MEETING – EDEN TOWN BOARD 2795 EAST CHURCH STREET EDEN, NEW YORK DECEMBER 29, 1999 7:30 P.M.

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS - SUPERVISOR

EDWARD C. KRYCIA, JR. - COUNCILMAN (Deputy Supervisor)

MARY LOU PEW - COUNCILWOMAN
VINCENT V. VACCO - COUNCILMAN
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 Eden Town Board Meeting to order at 7:45 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 Councilman Zittel was due to join the Town Board meeting upon his return from vacation.

Budget Transfers:

Supervisor Nellis explained that there were six Budget Transfers in total from the Revenue Accounts to the Appropriation Accounts. From A3389.C (A510) to A960 (A1680.4) the amount of \$2,000.00 for grant money received from Assemblyman Dick Smith for computers. From A5031 (A510) to A960 (A1620.4) the amount of \$4,845.50 for Town Hall general maintenance and reserve-roof, from A2372 (A510) to A960 (A1440.4) the amount of \$4,065.79 for County money received for the Eden Master Plan, from A3960 (A510) to A960 (A8020.4A) in the amount of \$10,000.00 for SEMO project impact grant, from A5031 (A510) to

A5410.4 (A960) in the amount of \$7,800.00 for general maintenance for residential sidewalks and from SW5031 (SW510) to SW960 (SW8320.4) in the amount of \$4,560.28 for Water District Capital improvement, all on file in the Town Clerk's office.

MOTION was made by Councilman Krycia to approve the Budget Transfers as stated by Supervisor Nellis; seconded by Councilwoman Pew; "Ayes" – Supervisor Nellis, Councilman Krycia, Councilwoman Pew and Councilman Vacco; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the "1999 Year End Transfers" as follows:

TD C	TO	m.	
Transfer	From	To	
Amount	A 1000 4 C	A 1 4 2 0 4 A 4 4 C 4 4 1	
	A1990.4 - Contingent	A1420.4 - Attorney Contractual	
\$2,000.00		A1440.4 - Engineer Contractual	
\$7,000.00	<u> </u>	A1620.4 - Town Hall Contractual	
\$1,300.00	A1990.4 - Contingent	A1670.4 - Central Printing & Mailing	
\$8,000.00		A1680.4 - Central Data Processing	
\$9,000.00	A599 - Fund Balance	A1680.4 - Central Data Processing	
\$94.97	A1910.4 - Unallocated Ins.	A1920.4 - Municipal Dues	
\$5,052.38	A1990.4 - Contingent	A3120.1 - Police Personal (Grant \$)	
\$164.37	A1990.4 - Contingent	A3310.4 - Traffic Control	
\$360.00	A3510.1 - Dog Control Personal	A3510.4 - Dog Contractual	
\$140.00	A1990.4 - Contingent	A3510.4 - Dog Control Contractual	
\$4,500.00	A1990.4 - Contingent	A4540.4 - Ambulance Contractual	
\$788.00	A6772.1 - Programs for Aging	A6772.4 - Contract	
	Personal		
\$762.00	A1990.4 - Contingent	A6772.4 - Program for Aging	
		Contract	
\$300.00	A7140.4 - Playgrounds	A7140.1 - Personal	
	Contractual		
\$1,000.00	A7150.4 - Special Rec.	A7150.1 - Personal	
	Contractual		
\$554.00	A1990.4 - Contingent	A8020.4 - Planning Contractual	
\$446.00	A8020.1 - Planning Personal	A8020.4 - Planning Contractual	
\$200.00	A1990.4 - Contingent	A8090.4 - Environmental Control	
\$2,000.00	A1990.4 - Contingent	A8540.4 - Drainage	
\$4,700.00	D9015.8 - NYS Retirement	D9060.8 - Hospital & Medical	
\$500.00	D5110.1 - Gen. Repairs Personal	D5130.4 - Contractual	

\$2,300.00	D5142.1 - Snow Removal Personal	D5110.4 - Gen. Rep. Con.
\$500.00	D5142.1 - Snow Removal Personal	D5142.4 - Snow Contractual

MOTION was made by Councilman Vacco to approve the 1999 Year End Transfers as stated by Supervisor Nellis; seconded by Councilwoman Pew; "Ayes" – Supervisor Nellis, Councilman Krycia, Councilwoman Pew and Councilman Vacco; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the following 1999 Encumbrances:

DESCRIPTION	ACCOUNT	AMOUNT	
New Police Car	A3120.2	\$3,371.85	
Drug Asset Forfeiture	A3120.2A	\$3,211.51	
Public Safety Money	A3020.4	\$1,176.05	
New Floor Polisher	A1620.2	\$392.00	
Eden Fire Department			
Motorola C & E	SF3410.4	\$698.75	
Sti-Co Antenna	SF3410.4	\$210.00	
Air Bank System	SF3410.4	\$2,618.00	
East Eden Fire Department			
RD Murray (EE#3)	SF3410.4	\$2,990.66	
Erie County Comptroller (Gas)	SF3410.4	\$500.00	
Niagara Mohawk	SF3410.4	\$500.00	
Telephone	SF3410.4	\$80.00	
Erie County Water	SF3410.4	\$75.00	

MOTION was made by Councilwoman Pew to approve the 1999 Encumbrances as stated by Supervisor Nellis; seconded by Councilman Vacco; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Final Audit of Bills:

Supervisor Nellis asked if there were any additions or corrections to the "Final Audit of Bills" dated December 29, 1999, which are on file in the Town Clerk's office.

DECEMBER 12A

DESCRIPTION	VOUCHER NUMBERS	AMOUNT	
General Fund	732 - 802	\$53,001.90	
Highway Dept. Fund	369 – 396	\$10,883.26	
Fire Dept. Fund	294 – 318	\$4,502.42	
Recreation Dept. Fund	260 – 0266	\$491.20	
Refuse and Garbage Fund	31 - 31	\$32,594.06	
Street Lights Fund	17	\$19.41	
Water Fund	34 - 35	\$3,996.93	
Capital Fund	14 – 15	\$93,935.18	

Councilman Krycia asked if there was any status on the East Eden Fire Hall repair. Supervisor Nellis stated that Chief Schoenthal was getting bids back from contractors and Chief Schoenthal would keep the Town Board updated.

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

Year End Business:

1.) Town Board Decision on Renewal of Special Use Permits

Supervisor Nellis stated that a public hearing was held for the renewals of Special Use Permits for Norman Brenner Gravel Pit, Cazenovia recovery Resources, St. John's Church/EdenKinderCare and Sprint Spectrum. Supervisor Nellis explained that there were "existing" conditions on each of the renewals as follows:

- 1.) Norman Brenner Gravel Pit
- Existing Conditions to remain in effect:
- Owner must keep current a NYS Dept. of Conservation Mining Permit with a copy on file in the Town Clerk's office.
- The most westerly driveway of the property will not be used for ingress or egress of the gravel pit operation.

2.) Cazenovia Recovery Resources

- Conditions of the 1992 Special Use Permit to remain in effect, also amendments to those conditions which include:
 - Maximum capacity not to exceed 21 residents.
- Cazenovia Recovery Resources will continue to make payment in lieu of taxes to the Town equal to full value assessment.

3.) St. John's Church/EdenKinderCare

- Maximum capacity of Day Care no to exceed 70.
- 4.) Sprint Spectrum Mammoser Telecommunications Tower
 - Conditions of the 1997 Special Use Permit to remain in effect.
- Conditions No. 6 & 7, were complied with in 1998 so they will not have to be updated until December of 2000.

MOTION was made by Councilman Zittel to approve the Special Use Permits for Norman Brenner Gravel Pit, Cazenovia Recovery Resources, St. John's Church/EdenKinderCare and Sprint Spectrum with the conditions as stated by Supervisor Nellis; seconded by Councilman Vacco; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis then requested that a fifth item be added to the agenda to authorize the Town Board to go into a contract with the State D.O.T.

2.) <u>Town Board Resolution authorizing submittal of Water District No. 4 Application to</u> the New York State Department of Audit and Control.

Supervisor Nellis asked that item No. 2 be tabled until the January 12, 2000 Town Board meeting based upon feedback from legal counsel, William Trask. Supervisor Nellis stated that the documents have not all been received or reviewed by William Trask, Town Attorney. Item No. 2 was tabled.

3.) <u>Final Authorization of Additional Drainage Projects as approved by Drainage Committee and Town Board Members.</u>

Supervisor Nellis stated after discussion with the Town Board members two projects were chosen. One while going through the public hearing for Mr. Bosse, it was brought to the Town Board's attention of a major water problem in that area. Supervisor Nellis spoke with the Evan's Highway Department and Ronald Maggs, Eden Superintendent of Highways to look at the roads with Eden. The Town of Evans did work to clear up drainage problems on Versailles Plank Road. Supervisor Nellis stated that one ditch shared by Eden and Evans on the backside of St. Vincent's Church needed to be cleaned out. Supervisor Nellis stated that two bids were received, one from Ron Gier for \$3,000.00 and the second from Schreiber & Winkelman for\$3,500.00. Supervisor Nellis stated that the lowest bid was accepted for \$3,000.00 and approximately 700 feet of ditch was taken care. Special thanks to Ronald Maggs for seeing this project through to completion.

Supervisor Nellis stated that the second project would be Meadow Lane to tie into Ryther Creek because of the constant problem of flooding in that area. Supervisor Nellis consulted with Ronald Maggs, Superintendent of Highways for his commitment of 250 feet of pipe at highway expense to be placed. For 100 feet of ditch with some restoration to occur later in the spring two bids were received. One from Ron Gier for \$2,800.00 and the second from Schreiber &

Winkelman for \$3,300.00, the lowest bid was accepted. Supervisor Nellis noted that the officers of the Drainage Committee were in agreement.

Supervisor Nellis stated that the first project for \$3,000.00 for Versailles Plank Road would be taken out of the 1999 budget. The second project will be taken out of the Drainage Committee's 2000 budget.

Councilman Zittel expressed his support for both projects and moved for the approval.

MOTION was made by Councilman Zittel to move forward on both projects as stated by Supervisor Nellis; seconded by Councilman Vacco. There was discussion on whether easements were needed to proceed with the projects. Supervisor Nellis stated that where the necessity for an easement was needed they were received. The Motion was then put to vote; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

5.) Authorize the Town Board to enter into contract with the State D.O.T.

Supervisor Nellis stated that a letter was received from Margaret Jones of the State Department of Transportation asking for descriptive material for \$20,000.00 received with the help of Senator Volker. A Town Board resolution is needed to authorize the Town to move ahead and enter into contract with the State D.O.T., a portion of the cold storage barn at the Highway Department.

MOTION was made by Councilwoman Pew to authorize Supervisor Nellis and Ronald Maggs, Superintendent of Highways to enter into contract with the State D.O.T.; seconded by Councilman Krycia. There was discussion to clarify that heat would be brought to a portion of the blue highway storage building and that monies would come from the grant. The Motion was then put to vote; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

4.) Other Year End Town Board Business as may be necessary.

Supervisor Nellis asked if there was any other business, and there was none. Supervisor Nellis then asked for a brief recess at 8:10 P.M. before going into the Reorganizational Meeting for the Eden Town Board for the year 2000.

The Eden Town Board reconvened at 8:40 P.M.

REORGANIZATIONAL MEETING TOWN OF EDEN FOR THE YEAR 2000

Supervisor Nellis began the Reorganizational 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 <u>"The Sun"</u> 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 \$.28 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.
- 6. Appoint HSBC, M & T, Chase Manhattan, Evans National & Fleet Bank and other institutions as deemed appropriate by the Board, as banks for deposits, checking and investments.

MOTION was made by Councilman Krycia to accept and approve Items Nos. 1 thru 6 as presented; seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Councilman Krycia then read the Salaries of Elected Officials as followed:

Salaries of Elected Officials:

- 1. Town Board Members \$7,151.00 yearly to be paid quarterly.
- 2. Justices Michael Cooper and Colin Campbell at \$10,708.00 each yearly to be paid monthly.
 - 3. Supervisor Glenn R. Nellis at \$26,311.00 yearly to be paid bi-weekly.
- 4. Head Assessor (Chairman) \$12,746.00 yearly, to be paid monthly and the other two assessors \$9,916.00 each yearly, to be paid monthly.
 - 5. Town Clerk, Mary Jo Hultquist \$24,967.00 yearly, to be paid bi-weekly.

6. Highway Superintendent, Ronald Maggs at \$47,763.00 yearly, to be paid bi-weekly.

MOTION was made by Councilman Zittel to approve the above salaries; seconded by Councilman Vacco; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis then read the Appointments and Salaries as followed:

Appointments and Salaries:

Appoint Jayne Cohoon full-time Court Clerk at \$22,774.00 yearly to be paid bi-weekly.

Appoint Betty Ann Neifer part-time Court Clerk at \$10.08/hr. for 10 hours per week.

Appoint Paula Thurston part-time Court Clerk at \$7.87/hr. for 10 hours per week.

Appoint Scott Henry full-time Building Inspector at \$41,344.00 yearly, to be paid bi-weekly.

Appoint William Laing Fire Inspector for structural fires at \$58.41 per occurrence.

Appoint Kathleen McCarthy part-time secretary to the Building Inspector for five (5) hours per week at \$7.80/hr. to be paid bi-weekly.

MOTION was by Councilman Vacco to approve the above appointments as stated by Supervisor Nellis; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Appoint Joan Doctor part-time secretary to the Assessor for 19 hours per week at the rate of \$9.61/hr., to be paid bi-weekly.

The Chairman of the Assessment Board of Review is to be paid \$100.00 yearly and the other members of the Assessment Board to be compensated \$60.00 each yearly. A secretary, if needed, will be compensated \$200.00 per year.

Deputy Town Clerks will be paid \$7.80 per hour, not to exceed a total of 1,350 hours for the year.

The Town Clerk is authorized to appoint a stenographer for Town meetings at \$48.67 per session.

Appoint Mary Jo Hultquist, Registrar, at a rate of \$2,375.00 yearly, to be paid quarterly.

Appoint Martin Szal, Caretaker, at \$12,016.00 yearly, to be paid monthly.

Appoint William Sickau and Thomas Ford part-time custodians at 40 hours each per month at \$9.95/hr. to be paid monthly.

Appoint Katherine Czaster as Senior Citizen Transportation Coordinator at \$6.40/hr. for 19 hours per week, to be paid bi-weekly.

Appoint Raymond Zabron, part-time Dog Control Officer, at an annual salary of \$9,734.00, to be paid monthly.

Appoint Barbara Leatherbarrow, part-time Dog Control Officer's secretary at an annual salary of \$2,475.00, to be paid monthly.

Appoint Susan Brass, Recreation Director at \$14,623.00 yearly, to be paid monthly.

Appoint Cynthia Kugler, part-time secretary to the Highway Superintendent at \$7.87 per hour for 19 hours per week, to be paid bi-weekly.

Appoint Timothy J. Walker, Town Prosecutor, at annual salary of \$4,110.00, to be paid monthly.

Appoint Shaw & Shaw as the law firm to provide legal services for the Town at an annual compensation of \$19,200.00, to be paid monthly.

The Police Chief and full-time patrolmen will be compensated per the 1999-2000 Agreement between the Town of Eden and the Eden Police Club.

Part-time Police Officers will be paid \$7.25 per hour, not to exceed a total expenditure of \$28,454.00 for the year.

Part-time dispatchers will be paid \$10.25 per hour, not to exceed the budgeted authorization of \$24,505.00 per year.

Appoint Thomas Jones, Robert Brueggeman, John McCune, Terry Blasz, Darci Cooper, Seth Howard and Jane Henry part-time Police Dispatchers; Joseph Flynn, Charles Privitera, Mark Baltes, Mark Dole, Fred Strozewski, Ray Zabron and Rob Ellis part-time Police Officers, not to exceed sixteen (16) hours per week each.

MOTION was made by Councilman Zittel to approve the above appointments and salaries as stated by Supervisor Nellis; seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Appoint Kathleen McCarthy, Planning Board Secretary at \$52.00 per occasion.

Appoint Stacey Callinan secretary to the Historic Review Board to be compensated \$56.24 per meeting and Zoning Board secretary at the rate of \$58.41 per hearing plus \$8.85/hr. for reconvened hearings.

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

Appoint Jack Kolb, Bingo Inspector at \$55.00 per session (for 40 sessions, not to exceed \$2,200.00).

Appoint the Town Clerk as Affirmative Action Officer at no pay.

MOTION was by Councilman Vacco to approve the above appointments and salaries as stated by Supervisor Nellis; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Appointments of the Supervisor:

Appoint Anne Mae Knack, Administrative Assistant and Confidential Secretary to the Supervisor at \$33,014.00 yearly, to be paid bi-weekly.

Appoint Laura Krolewics, Bookkeeper at \$22,500.00 yearly, to be paid bi-weekly.

Appoint Kathleen McCarthy, part-time secretary to the Supervisor at \$7.80 per hour for 14 hours per week, to be paid bi-weekly.

Appoint Dorothea Meyer, Town Historian at \$1,708.00 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 by Councilman Krycia: seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Appoint Edward Kyrcia, Jr. Deputy Town Supervisor at no salary.

Appoint R.Ferris Randal Head Assessor.

MOTION was made by Councilwoman Pew to approve the appointments as stated by Supervisor Nellis; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia that the rate of pay for election inspectors will be:

Primary \$100.00 per day Election \$100.00 per day

Training School \$ 20.00 per day (no mileage)

Special Election \$ 65.00 per day (specific hours to be set for each election)

Seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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

Glenn R. Nellis Recreation Advisory Board Vincent V. Vacco Eden Chamber of Commerce Glenn R. Nellis Historic Preservation Board Edward Krycia, Jr. **Economic Development Committee** Mary Lou Pew Conservation Advisory Board Mary Lou Pew Zoning Board of Appeals Vincent V. Vacco Group Home Site Review Committee Edward Krycia, Jr. Library Board **Emergency Squad** George F. Zittel Vincent V. Vacco Street Lights Planning Board George F. Zittel Fire Departments George F. Zittel George F. Zittel Assessment Board of Review George F. Zittel Agricultural Advisory Board Vincent V. Vacco **Drainage Committee** Mary Lou Pew **Technology Committee** Records Management Advisory Board Glenn R. Nellis **Emergency Preparedness Committee** Mary Lou Pew

MOTION was made by Councilman Zittel to approve the appointments of Town Board Liaisons as stated by Supervisor Nellis; seconded by Councilman Vacco; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Reappointment of Wendel as Town Engineer at an annual retainer of \$6,000.00, to be paid monthly.

MOTION was made by Councilman Krycia to approve the reappointment as stated by Supervisor Nellis; seconded by Councilwoman Pew; All – "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, 1999 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 to their various boards. Based on the recommendations made December 29, 1999:

Reappointment of Russel Barton, Frank F. Mantione, Robert H. Stievater and Kathy Swank to two-year terms on the Conservation Advisory Board. Also, appointment of Mary Jane Bolo to a two-year term on the Conservation Advisory Board.

Reappointment of James Agle to a five-year term on the Eden Library Board.

Reappointment of Gerald Mammoser and David Zittel to two-year terms on the Agricultural Advisory Board.

Reappointment of Phil Muck to a five-year term on the Zoning Board of Appeals.

MOTION was made by Councilwoman Pew to approve the Advisory Board reappointments/appointments as stated by Supervisor Nellis; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Reaffirmation of the Town's Procurement and Investment Polices:

MOTION was made by Councilman Zittel to reaffirm the Procurement Policy adopted August 14, 1996, unchanged and on file in the Town Clerk's office; seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Zittel to reaffirm the Investment Policies and Guidelines of the Town of Eden, 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 \$35.00 a day.

MOTION was made by Councilwoman Pew to reaffirm the daily meal allowance for annual Association of Towns Meeting held in New York City at \$35.00 a day; seconded by Councilman Vacco; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Adjournment:

Before adjourning the Reorganizational Meeting Supervisor Nellis announced that the "swearing in" ceremony for those who were elected for their terms of office would be held Saturday January 1, 2000 at 2:00 P.M. at the Town Hall. Town Justice Michael G. Cooper would give the oath of office.

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

Supervisor Nellis adjourned the Eden Town Board Meeting at 9:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist Town Clerk