

**MINUTES**

**WORK SESSION MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
MAY 24, 2000  
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 Work Session of the Eden Town Board to order at 7:35 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 welcomed everyone to the meeting and asked that four items be added to the agenda. They were as follows:

- 4.) Declaration of Old Computers as Surplus
- 5.) Permissive Referendum - Expenditures for the Library
- 6.) Referral of Property at 2023 Derby Road to Planning Board for Zoning Change
- 7.) Drainage Committee Re-appointments and Appointments Executive Session

**New and Unfinished Business:**

## 1.) Flood Mitigation Report – Approval Pending

Supervisor Nellis stated that at the last meeting a decision was made that after the Drainage Committee, Town Engineer and the Conservation Board reviewed the Flood Mitigation Report and revisions made, that it would come to the Town Board for approval. Supervisor Nellis reported that at this time the report is not ready and it has been recommended that the approval be postponed until June 14, 2000 so that the comments and revision made by the Drainage Committee, Town Engineer and Conservation Board can be incorporated into the report so that the Town Board may consider it for approval.

## 2.) Recreation – Appointments/Projects

Councilman Krycia read the following staff appointments that were recommended by the Recreation Advisory Board due to the refusal to accept or departure from employment of personnel already approved. They were as follows:

### Under Playgrounds and Maintenance;

- Karyn Williams, replacing Laura Carlson at \$5.15 an hour
- Dan Puckhaber, replacing Ryan Ebling at \$5.65 an hour (only until the middle of June)
- Bill Newton to fill in as needed and to replace Dan Puckhaber part time at \$7.00 an hour
- Justin Manuele salary adjustment from \$5.15 an hour to \$5.30 an hour (Justin has taken over Leader Position at Flower and Minekime)
- Gretchen Krant (pool life guard) cleaning, painting, maintenance at pool and other sites at \$5.50 an hour

### Under Town Pool;

- Nicole Fregelette salary adjustment from \$5.70 an hour to \$5.95 an hour (Nicole has moved from guard to a Water Safety Instructor)

The letter also stated, “theses are not new or additional positions, simply replacements for already approved staff who have since declined or resigned the positions offered”. The letter is on file in the Town Clerk’s office.

**MOTION** was made by Councilman Krycia to approve the staff appointments as recommended by the Recreation Advisory Board; seconded by Councilman Zittel. There was discussion confirming that the appointments are within budget and it was confirmed to be in the budget. After the brief discussion the Motion was put to vote; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

#### 4.) Declaring Old Computers as Surplus

Supervisor Nellis explained that the “old computers” would need to be formally declared “surplus” so that a bid date can be set for June 12, 2000 at 10:00 A.M. in the Town Clerk’s office. Supervisor Nellis thanked Councilwoman Pew for preparing a list of the equipment that will be available by June 2, 2000 for public review.

**MOTION** was made by Supervisor Nellis to declare the “old computers” as surplus equipment and schedule a bid opening date for June 12, 2000 at 10:00 A.M. in the Town Clerk’s office; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

#### 5.) Permissive Referendum – Expenditures for the Library

Supervisor Nellis stated that at the June 23, 1999 Town Board meeting, Councilman Krycia as the liaison to the Eden Library Board presented the repairs and materials needed to be done at the Eden Library. The Town Board voted for materials and labor with the understanding that a total of \$5040.00 would be spent out of the 1999 budget for repairs to the fascia on the south end and the eight dormers and windows. It was decided at the September 8, 1999 Town Board meeting to spread the cost of the materials and repairs totaling \$10,000.00 over two budget years. At this time, Supervisor Nellis stated that a legal notice would need to be placed in the Hamburg Sun allowing the Town Board to spend the \$4906.00 from the 2000 budget, subject to permissive referendum, for the wooded areas to be re-wrapped with aluminum and the removal and replacement of gutters and to cover the fascia in the front of the library.

**MOTION** was made by Councilman Krycia to approve the adoption of the following resolution:

RESOLUTION AUTHORIZING SUPERVISOR GLENN R. NELLIS TO  
EXPEND FUNDS FROM THE TOWN FACILITIES CAPITAL  
IMPROVEMENTS RESERVE FUND OF THE TOWN OF EDEN, SUBJECT  
TO PERMISSIVE REFERENDUM.

The Town Board of the Town of Eden, duly convened in regular session, does hereby resolve pursuant to the provisions of Section 6-C of the General Municipal Law of the State of New York that the Town Supervisor of the Town of Eden be and is hereby authorized and directed to transfer from the Town Facilities Capital Improvements Reserve Fund of the Town of Eden to the Library Contractual Account A7410.4 a sum of \$4,960.00 from said Reserve Fund to complete various repairs and improvements to the Town of Eden Library located at 2901 East Church Street, Eden, New York.

This resolution shall be subject to a permissive referendum, as permitted by law.

BY ORDER OF THE GOVERNING BODY OF THE TOWN OF EDEN, NEW YORK.

Dated: May 24, 2000

Seconded by Councilman Vacco; all “Ayes”; Motion carried

6.) Referral of Property at 2023 Derby Road to the Planning Board

Supervisor Nellis stated that the property sits on the corner of Derby Road and Town Line Road and Joseph Violante owns the property and the property next door that currently is zoned Rural Residential, the property at 2023 Derby Road is currently zoned General Industrial. Mr. Violante would like to have 5.2 acres carved off and facing Derby Road for purposes of building a single-family home. Supervisor Nellis stated that a land survey was provided to the Town Board and that he has checked with William Trask, Town Attorney, and Planning Officer. Andrew Reilly and Zoning Code Enforcement Officer, Scott Henry. There were no strong objections raised by them with regard to changing the 5.2 acres from General Industrial to Rural Residential. Supervisor Nellis asked the Town Board members if they were comfortable in considering the re-zoning and if so the Town Board would then refer the request to the Eden Planning Board for their review and report back to the Town Board with any recommendations.

**MOTION** was made by Councilman Zittel to refer the request that 5.2 acres of 2023 Derby Road be rezoned from General Industrial to Rural Residential for purpose of building a single family home to the Eden Planning Board for review and their recommendation; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Supervisor Nellis to close the Regular Session of the Eden Town Board to enter into the Public Hearing; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilman Krycia to open the Public Hearing for the Proposed Local Law No. 3-2000, Increasing Income limits for Partial Sr. Citizen Tax Exemption; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the Public Hearing at 8:00 P.M.

**PUBLIC HEARING**

**8:00 P.M.**

**Proposed Local Law No. 3-2000, Increasing Income limits for Partial Sr. Citizen Tax Exemption**

Supervisor Nellis stated that copies of Proposed Local Law No. 3-2000 were available in the Supervisor and Town Clerk's office. It was revised at the last Town Board meeting by the Supervisor to define the income eligibility criteria essentially described as the "cost of living" increase. Supervisor Nellis stated that the income scale for persons 65 years of age or older would be that an annual income of \$14,400.00 or less would receive a 50 percent tax exemption and those with greater income up to \$22,800.00 would receive a declining percentage of income, the lowest being 5 percent. Supervisor Nellis stated that it has been checked with the Assessor's office.

Supervisor Nellis noted that the Town looked at the County's schedule, however the County tops out at \$27,900.00 and the cost to the Town would have been \$10,000.00 and to the school \$19,000.00. This would have impacted the budget if it had risen to the County schedule.

**MOTION** was made by Councilman Zittel to close the public hearing; seconded by Councilman Krycia; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilman Krycia to re-open the Regular Meeting of the Eden Town Board; seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis re-opened the Regular Meeting of the Eden Town Board at 8:05 P.M.

Supervisor Nellis stated that with the June 1<sup>st</sup> deadline approaching felt that the Town Board would need to rule on this proposed law tonight.

**MOTION** was made by Councilman Krycia to approve Proposed Local Law No. 3-2000 for increasing income limits for partial tax exemption for persons 65 years of age or older; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

3.) Presentation: Eden's Emergency Preparedness Committee

Supervisor Nellis turned to Councilwoman Pew for comments on the Emergency Preparedness Presentation. Councilwoman Pew began with what the chances are of a disaster occurring in Eden being slim to none. She continued with the description of disasters that have

occurred in other parts of the country and how vulnerable the Town of Eden is to a disaster, but lucky enough to have an Emergency Preparedness Committee that consist of members of the Eden Police Department, Eden Emergency Rescue Squad, Eden Fire Department and the East Eden Fire Department. Members of these departments have worked very diligently and cooperately on disaster mitigation and emergency response planning. Councilwoman Pew then introduced the co-chairmen of Eden's Emergency Preparedness Committee Robert Stickney and Maurice Dole.

Mr. Stickney began the presentation on how the Eden Emergency Preparedness Committee was formed in April 1999 preparing for Y2K. The Eden Emergency Services picked the members, which were from the Eden Police Department, East Eden Fire Department, Eden Fire Department and the Eden Emergency Squad. It was decided that two members of each department be on the committee.

Mr. Stickney stated the first thing done was a fund drive where a questionnaire was sent out pertaining to human needs. There were about 440 responses back to the committee. The Committee then organized the responses by categories pertaining to "human need" and was placed in two books first by street then by last name. These books are confidential and kept by the Eden Police Department, Eden Fire Department, East Fire Department, Eden Emergency Squad and the Hamburg Fire Control to assist in any type of emergency response needed by the resident.

Mr. Stickney stated that Eden is one of seven towns in New York State that have done this type of project and that the County has come to the Town of Eden for the forms and cover letters used that received the excellent responses. The County is looking to recommending the process to other communities in Erie County.

Mr. Stickney noted that the books would be updated annually per State Law and continued improvements would be implemented every year as needed. He also noted that for 2000 the committee has received even more responses than last year.

Mr. Stickney reported that he and Mr. Dole have attended the Erie County Disaster Coordinators meetings once every two months. Mr. Stickney also stated that Supervisor Nellis filed a Project Impact Grant and a committee was formed consisting of State, County, Business and local people pursuing the grant. The Town of Eden was one of five communities selected to receive \$10,000.00 from the State to get started with the books, printing, and advertising and to hold meetings. In late 1999 the Town received another \$60,000.00 Project Impact Grant this from the Federal Government, on which the town received a letter of confirmation this week. Mr. Stickney stated that he is in the process of purchasing equipment for disaster preparedness. The Town also received \$12,000.00 for the Flood Mitigation Grant as a result of the Committee's work.

Mr. Stickney also reported that back in June 1999 the Town of Eden hosted a County informational meeting. The Town of Eden was selected to serve on the "Committee of Human Needs" for Erie County. The committee consists of the American Red Cross, Erie County Emergency Services, City of Buffalo and the Town of Amherst. Lastly Mr. Stickney explained that by being prepared and ready it could keep cost down on insurance claims.

Councilwoman Pew stated that the priority of the Emergency Preparedness and Project Impact is to educate the public and the information pertaining to this can be found on the Eden Web-site and when forms are filled out through the web-site they can be immediately sent to the Eden Police Department and kept confidential. Councilwoman Pew also reported that this Saturday there is an Eighteen Mile Creek clean-up day scheduled as part of Project

Impact. Mr. Stickney added that the Boy Scouts would also in the future be cleaning Ryther Creek as part of Project Impact.

Councilwoman Pew stated that the GIS system would be utilized more to provide information about an area in a case of emergency services showing fire hydrants and homes and would be updated more frequently to be a useful tool.

Lastly Supervisor Nellis noted that the State Emergency Management Office had a software package that a Town could use to score different types of disasters that could happen and allows us to grade, and prioritized potential disasters. It also gives us a clearer focus for dealing with potential disaster problems; the committee has used the software. This report ties into the State Emergency Management Office.

#### 7.) Drainage Committee Re-appointments and Appointments

Supervisor Nellis stated that the Drainage Committee recommended that the following be re-appointed to the Drainage Committee:

David Pew: 3-year term

Lee Gawlick: 3-year term

And that the following be appointed;

Ruth Szalasny: 3-year term

Frank Manton: 3-year term

**MOTION** was made by Supervisor Nellis to re-appoint to the Drainage Committee David Pew and Lee Gawlick 3-year terms and appoint Ruth Szalasny and Frank Manton to 3-year terms as recommended by the Drainage Committee; seconded by Councilman Vacco; Supervisor Nellis, Councilman Kyrchia, Councilman Vacco and Councilman Zittel – “Ayes”; Opposed? – None; Abstain? – Councilwoman Pew; Motion carried.

#### **Supervisor’s Report:**

Supervisor Nellis reported that Assemblyman Dick Smith had called the Supervisor’s of towns along the Eighteen Mile Creek watershed together to possibly form a coalition that would look at the problems along Eighteen Mile Creek. There has been one meeting and a second is scheduled for June 2000.

#### **Hearing of Visitors:**

Wilbert Smutz of 3094 East Church Street

Ruth Szalasny of 3048 Belknap Road

#### **Adjournment:**

**MOTION** was made by Councilman Zittel to adjourn the Work Session of the Eden Town Board and go into Executive Session; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Work Session of the Eden Town Board at 8:40 P.M.

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 9:15 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk