

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
JULY 26, 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 (<i>Absent</i>)

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 that everything may go well with the Eden Corn Festival.

New and Unfinished Business:

Supervisor Nellis requested an Executive Session be added to the agenda for personnel and contract.

1.) 2023 Derby Road – Rezoning Request Decision

Supervisor Nellis reviewed that for 2023 Derby Road a request was received from the owners, Joseph and Julie Violanti requesting the rezoning of 5 acres from General Industrial to Rural Residential for purpose of building a single dwelling home. Supervisor Nellis referred to a

letter received from Andrew Reilly, Town Engineer and Town Planner supporting the rezoning. A Copy of the letter is on file in the Town Clerk's office.

The letter stated the rezoning application is for a five acre parcel that is presently zoned General Industrial and is contiguous to a larger area zoned Rural Residential. Mr. Reilly's letter also stated that the zoning or rezoning should be done in conformance with a Comprehensive Plan and in the case of a community without a formally adopted Comprehensive Plan, it should follow some orderly plan or be based on well thought out reasoning.

Mr. Reilly's letter further stated that the proposed Comprehensive Plan identifies this area as being all "residential". It acknowledges the past uses of the area, but does not recommend future industrial uses in this area. Also the predominant zoning in the area is Rural residential and the parcel is adjoining to the existing Rural Residential. Mr. Reilly therefore supports the rezoning of this property.

The Planning Board's decision was based on the combination of the proposed Comprehensive Plan that calls for residential use in this area and that no further industrial use is recommended there.

Supervisor Nellis stated that the Town has checked on liability issues with the Town Attorney, William Trask, who sees no legal liabilities for the Town and recommends that the Town Board may approve the request.

MOTION was made by Councilman Zittel to grant the acceptance of the rezoning of five acres of 2023 Derby Road from General Industrial to Rural Residential subject to all proper paperwork being processed; seconded by Councilman Vacco; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

2.) Resolution on Highway Project

Supervisor Nellis stated that the Highway Department received a grant the previous year to use for improving the "Cold Storage Barn" to a "Warm Storage Barn". A package was put together and sent to by the Highway Department and in response to the package a letter was received stating that the Town needed a Resolution authorizing Supervisor Nellis to enter into a contract with the New York State Department of Transportation for administering this \$20,000.00 Legislative Initiative Grant.

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

**RESOLUTION AUTHORIZING
SUPERVISOR GLENN R. NELLIS
TO ENTER INTO A CONTRACT WITH
THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
FOR ADMINISTERING A**

\$20,000 LEGISLATIVE INITIATIVE GRANT

WHEREAS, the Town of Eden, specifically the Town of Eden Highway Department, is in need of a warm storage building for its highway equipment; and

WHEREAS, the Town of Eden has requested a legislative initiative grant to convert its cold storage building into a warm storage facility; and

WHEREAS, the Town of Eden as been notified by State Senator Dale M. Volker that a Local Initiative Grant in the amount of \$20,000.00 has been approved by the New York State Senate for the Town of Eden; and

WHEREAS, the NYS Department of Transportation will be administering our grant;

NOW, THEREFORE BE IT RESOLVED: that the Eden Town Board hereby authorizes Supervisor Glenn R. Nellis to enter into a contract with the NYSDOT who will administer the \$20,000.00 Legislative Initiative Grant on behalf of the Town of Eden.

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

3.) Presentation/Discussion – Fire Hydrants – John Reid, R & D Engineering

John Reid of R & D Engineering began his presentation by explaining that New York State has adopted the “10 state standards” which is a guideline and part of the sanitary code in New York State, which states that fire hydrants are to be placed every 500 to 600 feet. Professional engineers for the town must comply with the State Sanitary Code before the State Health Department would approve any work. Any work pertaining to public water systems must be approved by the State Health Department or County Health Department. Mr. Reid further stated that towns do not necessarily have to provide fire protection or fire hydrants; it is the option of the community. The residential usage would determine the need based on peak hour demands.

Mr. Reid further explained that the Erie County Water Authority has hydrant rental rates, which include more than hydrant maintenance. A rate analysis was done and there are four basic customer classes:

1. Residential
2. Commercial
3. Industrial
4. Fire

Separate all the cost and divide them by allocations. The authority can only raise revenues through the sale of water and charges such as hydrant rentals. Hydrant rentals should cover fire protection. The only other ECWA revenue covering fire protections are the industrial fire services.

Mr. Reid stated that Eden has its own water tanks, but there are larger tanks that supply the water to them such as Gunether Pump Station, Lakeview Pump Station and the Sturgeon Point Treatment Plant. There are four larger tanks that pump and move water back and forth across Erie County. These tanks are partially financed by the hydrant rental rates. Mr. Reid suggested that the Town might want to ask the authority to show how the hydrant rental rate was developed.

There was further discussion that in undeveloped areas a community may place T-valves every 500 feet so that there is not a fire hydrant rental rate charge until the area is developed and the need of a fire hydrant is warranted.

Discussion also ensued of the possibility of eliminating fire hydrants in the newly formed Water District #3. The point was brought forth that to remove fire hydrants the cost would approximately be \$2,000.00 to \$3,000.00. Currently for proposed Water District #4 the design would have t-valves in areas where there is no need at this time for a fire hydrant, however if those areas are developed in the future then a fire hydrant could be installed at the time of development. Councilman Zittel stated that current fire equipment that has been purchased to upgrade and better the fire equipment in Eden, have the capability not to have fire hydrants spaced at 500 feet. Councilman Zittel also stated that he has received input from the Fire Departments on where fire hydrants are needed in proposed Water District #4. The Fire Departments could review the design before installation of any fire hydrants takes place.

Discussed also was the cost that the Town of Eden is paying in rental fees for the fire hydrants currently in town, that cost was stated at approximately \$150.00 per fire hydrant per year.

The discussion concluded with that in the bid specs for Water District #4 would be the cost to remove and store some of the fire hydrants in Water District #3 if the Town so does decides to remove any of the fire hydrants.

Supervisor's Report:

Supervisor Nellis had nothing to report.

Hearing of Visitors:

Ruth Szalasny of 3048 Belknap Road

Adjournment:

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

Supervisor Nellis closed the Work Session of the Eden Town Board at 8:20 P.M.

Supervisor Nellis closed the Executive Session of the Eden Town Board at 8:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk