

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
OCTOBER 11, 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

DEPARTMENT HEADS PRESENT:

Andrew C. Reilly of Wendel	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
Patrick M. Howard	-	Chief of Police
Paul Shephard	-	Eden Emergency Squad
William H. Laing	-	Eden Fire Chief
Kevin R. Schoenthal	-	East Eden Fire Chief
Susan Brass	-	Recreation Director
R.Ferris Randall	-	Chairman Board of Assessors (<i>Absent</i>)
Scott T. Henry	-	Zoning Code Enforcement Officer

OTHERS PRESENT:

William Trask	-	Town Attorney
Mary Jo Hultquist	-	Town Clerk
DianaRae Walker	-	Deputy Town Clerk

Call to Order:

Supervisor Nellis called the Regular Meeting of the Eden Town Board to order at 7:38 P.M.

Pledge of Allegiance:

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

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the September 13, 2000 Town Board Minutes. There were none.

MOTION was made by Councilman Zittel to approve the Town Board Minutes of September 13, 2000 as presented; seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis then asked if there were any additions or corrections to the September 27, 2000 Town Board Minutes. There were none.

MOTION was made by Councilman Zittel to approve the Town Board Minutes of September 27, 2000 as presented; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

Mary Jo Hultquist, Town Clerk stated that her office received in the mail a petition requesting a traffic light at Schoolview Drive and Welch Lane be installed from Steve McClean of 3001 Schoolview Drive, which was signed by about 64 fellow students.

Supervisor Nellis stated that the Town previously received a petition at the June 14, 2000 Town Board meeting which was forwarded to the State Department of Transportation and he will forward a copy of Steve McClean’s petition to them.

Supervisor Nellis also stated that he spoke with the State Department of Transportation about a week ago and stated that a traffic study was completed in September and there were no conclusions reached at this time. Supervisor Nellis also noted that if the Town were denied, we would follow the recommendations of the Master Plan if it is approved and ask the State Department of Transportation to suggest other alternatives.

Budget Transfers:

Superintendent of Highways, Ronald Maggs requested the following budget transfers; from D2770 to D5110.4, Residential Pipe Permit funds in the amount of \$993.34 and from D5130.2 to D5110.4 for normal maintenance on equipment in the amount of \$1,190.00.

MOTION was made by Councilman Krycia to approve the budget transfers as stated by Superintendent of Highways, Ronal Maggs; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Audit Bills:

Supervisor Nellis asked if there were any questions on the “Audit of Bills” which are on file in the Town Clerk’s office. There were none.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	533 – 591	\$103,686.30
Highway Dept. Fund	237 – 270	\$36,465.45
Fire Dept. Fund	212 – 231	\$4,777.48
Recreation Dept. Fund	174 - 192	\$4,634.66
Refuse and Garbage Fund	24 – 25	\$22,409.10
Street Lights Fund	14	\$27.66
Water Fund	17	\$3,795.69
Trust & Agency Fund	-	\$0
Capital Fund	-	\$0
Community Development	-	\$0

MOTION was made by Councilwoman Pew to approve the Audit of Bills as presented; seconded by Councilman Krycia. There was a brief discussion regarding voucher #545 for the 1999 Ford repair of the right side of the squad truck in the amount of \$470.60. Councilman Vacco asked for clarification. Paul Shephard, Eden Emergency Squad stated that the work done on the squad truck was to repair some scratches from a previous accident on the vehicle. After the discussion the Motion was put to vote; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Departmental Reports:

Department reports for the month of October 2000 were presented by Paul Shephard, Eden Emergency Squad; William Laing, Eden Fire Chief; Kevin Schoenthal, East Eden Fire Chief; Patrick Howard, Eden Police Chief; Ronald Maggs, Superintendent of Highways; Andrew Reilly, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Supervisor Nellis for Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director. All reports are on file in the Town Clerk’s office.

After Paul Shephard, Eden Emergency Squad read his report; Mr. Shephard requested approval that three members of the Emergency Squad attend a State Conference in Syracuse October 21-22, 2000. The funds were budgeted.

MOTION was made by Councilman Zittel to approve the Eden Emergency to send three members to the State Conference in Syracuse October 21 – 22, 2000; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

After William Laing, Eden Fire Chief read his report, Chief Laing requested permission to do a live burn training at 7396 Sisson Highway. It is a two-story house owned by W.D. Henry and Sons and is being demolished to make room for new migrant workers quarters. The burn would take place Saturday October 28, 2000 starting about 8:30 A.M. and would run through lunchtime.

Chief Laing stated that at least one NYS Instructor, an Erie County Instructor, a Division Chief from the Buffalo Fire Department and approximately seven other Buffalo Firefighters would be doing the training. The Fire Department would be following NFPA guidelines for live training exercises. The Eden and East Eden Fire Departments along with members from Hamburg, EvansCenter and North Collins fire departments will be participating in the training exercises. Chief Laing indicated that this type of training is by far the best training a fire department can give their members.

Lastly Chief Laing stated that at the conclusion of the drill, the house will be burned to the ground and that would create smoke in the area and tie up one lane of traffic on Sisson Highway. Also the fire department would designate equipment to cover the Town should they have any calls.

MOTION was made by Councilman Zittel to grant permission to the Eden Fire Department to do a live burn training at 7396 Sisson Highway on October 28, 2000; seconded by Councilwoman Pew. There was a discussion; Supervisor Nellis noted that he had spoken with Jim Walker, insurance agent who stated that there is no problem with coverage and that it would be nice if the State would provide some coverage before the burn. Town Attorney, William Trask also requested that the property owner sign a simple consent and waiver of liability form. Chief Laing stated that the owner has signed the form. After the discussion the Motion was put to vote; All – “Aye”; Opposed? – None; Abstain? – None; Motion carried.

Chief Laing also noted the Eden Fire Department would be holding their second annual open house on Saturday, October 14, 2000 from noon to 4:00 P.M. There will be different displays and things for kids to do.

After Chief Schoenthal, East Eden Fire Chief read his report; Chief Schoenthal requested to add Gary Knisley to the East Eden Fire Department active roster upon completion of an O.S.H.A. physical.

MOTION was made by Councilman Zittel to add Gary Knisley to the East Eden Fire Department active roster upon completion of an O.S.H.A physical; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Chief Schoenthal also reported that the East Eden Fire Department would be holding their Halloween/Fire Prevention detail Saturday, October 28, 2000 at 1:00 P.M. at the East Eden Fire Hall.

Lastly Chief Schoenthal thanked Chief Laing, Eden Fire Department and Paul Shephard, Eden Emergency Squad for their department’s assistance at a fire on Monday October 9, 2000.

After Chief Howard, Eden Police Chief read his report, Chief Howard requested that the Reserve Police be able to car patrol on Halloween in their own vehicles and be reimbursed for their mileage.

MOTION was made by Councilman Vacco to grant permission for the Reserve Police to patrol on Halloween in their own vehicles and be reimbursed for their mileage; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to adjourn the Regular meeting of the Eden Town Board to go into public hearing; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the Regular Meeting of the Eden Town Board at 8:02P.M.

MOTION was made by Councilman Zittel to open the Public Hearing for Community Development Block Grant Projects; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the Public Hearing at 8:02 P.M.

8:00 P.M.
Public Hearing
Community Development Block Grant Projects

Supervisor Nellis stated for the students in the audience that the purpose of a public hearing is to hear individual comments or concerns pertaining to the subject at hand and for the Town Board to listen to those comments.

Supervisor Nellis explained that the Erie County Community Development Block Grant Project is an annual process. Federal money is put through the county that will review projects for areas that are eligible. The Towns are restricted to the census report of 1990. Based on the 1990 census report the area of the Town of Eden that is eligible geographically is the area that lies on the west side of Route 62 from Shadagee Road to Sandrock Road. Every third year we are funded and two years ago the Town was funded \$90,000.00 to clean up a portion of Ryther Creek west of Route 62. There is a matching requirement of 25 % from the Town. The deadline for submission of Project Description Forms to Erie County DEP is November 6, 2000. Communities are notified of results in January 2001. Supervisor Nellis referred to a letter received from Thomas Dearing, Community Planning Coordinator of Erie County, which is on file in the Town Clerk’s office.

Supervisor Nellis also noted that we have received monies for Rural Transit Services that is shared with 19 other towns in the southern tier of about \$5,000.00.

Robert Heferle of 2370 March Road asked why March Road was left out of the loop to receive water. Andrew Reilly, Town Engineer stated that a survey was done but he didn’t have the information of the results. John Reid stated that he would be able to check the census track and report back to the Supervisor.

Supervisor Nellis suggested a sidewalk from Welch Lane to Shurfine along the west side of Route 62 and the other sidewalk would be West Church Street to Evelyn Drive. Wilbert Smutz of 3094 East Church Street stated that a sidewalk on the east side of Route 62 would benefit people on the west side of Route 62 because to cross Route 62 in the hamlet is safer as opposed to crossing Route 62 near Shurfine where the traffic is faster.

Jean Grobe of West Church Street asked for clarification of the start of the sidewalks on Eden-Evans Center Road would be. Supervisor Nellis stated that the Master Plan suggest they would begin on West Church Street at the railroad tracks to Derby Road. However, a more likely project would be the railroad tracks to Evelyn Drive, depending on project cost.

MOTION was made by Councilman Zittel to close the public hearing; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the public hearing at 8:13 P.M.

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

Supervisor Nellis re-opened the Regular Meeting of the Eden Town Board at 8:13P.M.

Departmental reports continued with Ronal Maggs, Superintendent of Highways. Mr. Maggs reported that the Highway Department is winding down on their summer projects and that the Snow Plowing Contract has been accepted and waiting for sign-off and some verbiage to be changed. It is a five-year contract. Also Mr. Maggs reported that the Municipal Auction is being held Saturday, October 14, 2000 at the Erie County Fairgrounds.

There were no reports from Andrew Reilly, Town Engineer and William Trask, Town Attorney.

After Susan Brass, Recreation Director read the Recreation Department report Councilman Zittel expressed his opinion on how good Gorcica Field is looking. Mrs. Brass reported that the basketball poles and backstops would be installed before winter comes. Councilman Vacco noted that St. Mary’s Roman Catholic Church is willing to place in their bulletin a request for volunteers to assist with the installation of the basketball poles and backstops.

After the departmental reports were completed, Supervisor Nellis turned to John Reid of R & D Engineering for an update on water projects, specifically Water District #4. Mr. Reid reported that the Federal budget has been passed however the bills are not in place. Mr. Reid stated he had no projection of release of grant monies. He will however confirm with Congressman Quinn as soon as funds are available, his guess is possibly December.

New and Unfinished Business:

- 1.) Presentation of Proposed Town of Eden Budget – Year 2001 and Scheduling of Public

Hearing on the Budget for November 8th at 8:00 P.M.

Supervisor Nellis requested to set –up a public hearing for November 8, 2000 at 8:00 P.M.

MOTION was made by Councilman Krycia to schedule a public hearing for the proposed Town of Eden Budget – Year 2001 on November 8, 2000 at 8:00 P.M.; seconded by Councilman Zittel. Before being put to vote Supervisor Nellis stated that copies of the budget would be on file in the Town Clerk’s office, Eden Library and the Supervisor’s Office. Supervisor Nellis then summarized the proposed budget by stating that there will be a slight increase in the Town tax. Supervisor Nellis stated that last year’s budget was considered a “planning budget” it centered on Project Impact and disaster preparedness. And also the Flood mitigation plan that has been submitted for approval and last the Comprehensive Plan. It was a series of steps needed to take and the year 2001 budget would be considered an “action budget” for the implementations of the plans. Supervisor Nellis continued that there would be a 7-cent increase in general from \$1.32 to \$1.39, Highway 7-cent increase from \$2.31 to \$2.38, there will be a 2-cent decrease in lighting and fire will remain at 58-cents making about a 2.7 percent increase in the budget up 12 cents. In addition refuse and garbage there is a projection of a \$2.00 increase from \$145.00 to \$147.00 and finally in the consolidated water districts 1-8 there will be an increase of 32-cents per \$1000.00. Water districts 1 and 2 will remain at the same level and new water districts 3 and 3A will see an increase.

Lastly Supervisor Nellis noted that \$20,000.00 has been provided for drainage and \$20,000.00 for Economic Assistance for the implementation of year one of the Master Plan.

After Supervisor Nellis finished summarizing the year-2001 budget the Motion was put to vote; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

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.

Supervisor Nellis closed the Regular meeting of the Eden Town Board at 8:32P.M.

MOTION was made by Councilman Vacco to open the public hearing for Local Law on Debris Removal from Subdivisions; seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the public hearing at 8:32 P.M

8:30 P.M.

Local Law on Debris Removal from Subdivisions

Supervisor Nellis read the proposed Local Law on debris removal from subdivisions stating that it is a Local Law clarifying the requirement for removing debris and waste material from subdivisions prior to acceptance of public improvements and issuance of building permits. A copy of Local Law No. 4 is on file in the Town Clerk’s office. William Trask, Town

Attorney stated that this proposed local law was a result of a recommendation from a local developer Donald Schreiber Jr. because in the current law there was a possibility that a person could purchase the lot in a newly developed subdivision and get a building permit and build the house and the certificate of occupancy could be held up because debris was not removed by the developer. Mr. Trask felt that the suggestion by Mr. Schreiber was a good one.

Councilwoman Pew inquired whether this was just strictly in subdivisions, Mr. Trask stated that it was and the intent is to keep the lots clean of debris.

MOTION was made by Councilman Vacco to close the public hearing; seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the public hearing at 8:39 P.M

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 8:39P.M.

2.) Review for Approval of 2000 – 2015 Comprehensive Master Plan for the Town of Eden.

Andrew Reilly, Town Engineer stated that the process for the work to be completed for the Master Plan took about a year and a half. Mr. Reilly stated that the Town heard from all the agencies within the Town, public hearings were held and tonight it comes to the end of the process to be considered for adoption. Once the Master plan is adopted the Town must implement the plan. Mr. Reilly noted that with the adoption of the plan, re-zoning requests must go along with the Comprehensive Plan. The Master Plan will also bring a lot of the committees working toward a common goal. The document is an active document and changes can be made over the next five years, in fact annually.

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

SEQRA

WHEREAS, the Eden Town Board has updated the Town of Eden Revised Comprehensive Plan Study Report prepared in 1974, and a document entitled “Town of Eden 2015 Comprehensive Plan” has been completed, and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the

Town Board, acting as Lead Agency, conducted a coordinated SEQRA review for this Type I Action, and

WHEREAS, the Town Board has received input from the public, through many public meetings and hearings, and from other involved and interested agencies, and has taken a hard look at the social, economic, and environmental impacts of the adoption of the Comprehensive Plan.

NOW, THEREFORE BE IT RESOLVED, that the Eden Town Board has determined that the proposed action, the adoption of the “Town of Eden 2015 Comprehensive Plan”, will not have a significant effect on the environment and that a draft Environmental Impact Statement will not be prepared, based on the Notice of Determination of Non-Significance, and

BE IT FURTHER RESOLVED, that the Eden Town Board recognizes the fact that the acceptance of the Comprehensive Plan incurs no direct environmental impacts, and that the implementation of specific actions under this plan, which may have potential impacts on the physical development of the Town, may require subsequent SEQRA review, and

BE IT FINALLY RESOLVED, that the Town Board authorizes the Planning Consultant to file this determination of non-significance with the SEQRA requirements for Type I Actions, and that a copy of this resolution be provided to the Town of Eden Supervisors office.

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

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

ADOPTION OF PLAN

WHEREAS, the Town of Eden Revised Comprehensive Plan Study Report, which was prepared in 1974, has become outdated and it was considered necessary to update this document to reflect the needs, concerns and issues of the Town today, and

WHEREAS, the Town of Eden has held public informational meetings for over the past year, and through the unified efforts of Town employees, volunteers, the Town of Eden’s citizens, and WENDEL DUCHSCHERER, has completed a Comprehensive Plan in accordance with Chapter 209 of Section 272-A of the New York State Town Law, and

WHEREAS, the Eden Town Board has reviewed this document and held two public hearings on July 20, 2000 and September 27, 2000, and has directed the amendment of the Plan in response to input from the public, Town departments, divisions, committees, and other groups and local, County, State and Federal agencies, and

WHEREAS, the Eden Town Board, as Lead Agency, through a coordinated review process, which was conducted in accordance with the requirements of the State Environmental Quality

Review Act (SEQRA), has determined that the adoption of the 2015 Comprehensive Plan will not have a significant effect on the environment and has issued a Negative Declaration, and

WHEREAS, the Eden Town Board wishes to utilize this document as the Town's official Comprehensive Plan that will provide a basis for land use regulation and growth management, and to help guide the Town of Eden towards its chosen Goals and Objectives.

NOW, THEREFORE BE IT RESOLVED, that the Town of Eden Town Board hereby adopts the document entitled, "Town of Eden 2015 Comprehensive Plan", dated August 31, 2000, as the Town's official Comprehensive Plan, and

BE IT FURTHER RESOLVED, that all matters affecting the physical development of the Town of Eden including, but not limited to, land use regulation and zoning, infrastructure development and other capital improvements, and public and private investment, shall be conducted in accordance with the Comprehensive Plan.

BE IF FURTHER RESOLVED, that copies of the Comprehensive Plan be filed in the office of the Eden Town Clerk and Erie County Department of Environment and Planning.

Seconded by Councilman Zittel; all "Ayes"; Motion carried

Supervisor Nellis stated that during the last year we went through a number of public hearings that began in October 1999. Input was received from many people in Town and Supervisor Nellis thanked those who participated in those public hearings.

Supervisor Nellis then extended his congratulations to the whole town board for their time spent before many of the meetings. Supervisor Nellis noted that Erie County needed to review the plan and that today around 2:00 P.M. the County officially gave their approval of the Plan. Lastly Supervisor Nellis thanked Andrew Reilly, Town Engineer and Planner for all the work he did on the Master Plan. There were fourteen master plans started at the same time in Erie County and the Town of Eden is the second to be approved.

MOTION was made by Councilman Zittel to close the Regular Meeting of the Eden Town Board to go into public hearing; seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the Regular Meeting of the Eden Town Board at 8:51P.M.

MOTION was made by Councilwoman Pew to open the public hearing for the request from Mr. Dinse for Special Use Permit to Construct a Pond at R8849 East Eden Road; seconded by Councilman Krycia; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the public hearing for the request from Mr. Dinse for Special Use Permit to Construct a Pond at R8849 East Eden Road at 8:51 P.M.

8:45 P.M.

Request from Mr. Dinse for Special Use Permit to Construct a Pond at R8849 East Eden Road

Supervisor Nellis reviewed a letter sent to the Eden Planning Board from Timothy Dinse requesting a special use permit to construct a pond on his property R8849 East Eden Road. The pond will be approximately 100 feet wide by 200 feet long and 10 to 12 feet deep. The pond will be located about 1000 feet from the front of the property and centered from the side property lines. A copy of the letter is on file in the Town Clerk's office. Supervisor Nellis also stated that a recommendation was received from the Planning Board that a variance would be needed from the Zoning Board of Appeals.

Councilman Vacco asked Mr. Dinse how he planned to secure the pond. Mr. Dinse stated that he had no plan at this time but would do whatever is necessary to secure the pond if required.

Wilbert Smutz of 3094 East Church Street asked if the Building Inspector inspects the site plan. Mr. Henry explained that he, the Planning Board and Town Engineer, reviews the site plan. The applicant presents the proposed location of the pond on the property. Mr. Dinse stated that he has a letter from Erie County Water and Soil who have reviewed the property and do not oppose the request. There was further discussion pertaining to future ponds in the Town and the suggestion was made by Scott Henry, Building Inspector that ponds be pre-approved or the applicant gets specific instructions from Erie County Soil and Water Conservation Services to have their input and guidance.

Town Attorney William Trask recommended that the Town Board put the request under old business and await the determination of the variance or no variance from the Zoning Board. Mr. Trask also noted that there has been an increase of requests to construct ponds in the Town and suggested that the Town should seek input from the Town Engineer or Erie Soil and Water Conservation Agency on the environmental impact of ponds being constructed in the Town particularly in areas where residents are relying upon ground water supply for their living needs.

Councilman Zittel stated that he felt that tonight's discussion included good input for the future and the process is on the way.

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

Supervisor Nellis closed the public hearing at 9:07 P.M.

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

Supervisor Nellis re-opened the Regular Meeting of the Eden Town Board at 9:07P.M.

3.) Scheduling of Public Hearing on the Removal of the APO (Agriculture Preservation Overlay) District – November 8, 2000 at 8:30 P.M.

Supervisor Nellis requested that a public hearing be scheduled November 8, 2000 at 8:30 P.M. for purposes of discussing the removal of the APO (Agriculture Preservation Overlay) District. This has been a discussion that has come up over the years and in November 1998 the Town Board was petitioned for the removal of the overlay and they have been waiting for the approval of the Master Plan before the Town could decide on the APO.

MOTION was made by Councilman Zittel to schedule a public hearing on the removal of the APO (Agriculture Preservation Overlay) District for November 8, 2000 at 8:30 P.M.; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4.) Resolution establishing Comprehensive Plan Implementation Committee

Supervisor Nellis read and moved the following Resolution:

**RESOLUTION TO FORM COMPREHENSIVE PLAN
IMPLEMENTATION COMMITTEE**

Consistent with our newly approved Comprehensive Master Plan, I move to form a Comprehensive Plan Implementation Committee (CPIC) with representatives of various committees and boards of the Town.

This Committee (CPIC) should meet at least quarterly to ensure that the plan is being implemented, evaluate results of actions, re-prioritize implementation items as necessary and suggest modifications if needed.

I would further move that Deputy Supervisor Edward Krycia serve as Committee Chairman and Councilwoman Mary Lou Pew as Vice Chairman of this Committee. Seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

5.) Authorization to hire a consultant to amend the Town’s Zoning Code following

Action 1-4 and Action 1-5 of the New Implementation Schedule for the Town's Comprehensive Plan

Supervisor Nellis read and moved the following:

AUTHORIZATION TO HIRE CONSULTANT

I move that Councilman George Zittel oversee the hiring of a consultant to help construct zoning amendments as noted in Action 1-4 of the Comprehensive Plan and to guide the Town through the required processes;

And amend subdivision law as noted in Action 1-5 of the Comprehensive Master Plan Law and to guide us through the required process.

Seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

6.) Resolution establishing Town Hamlet Revitalization Committee

Supervisor Nellis read and moved the following Resolution:

TOWN HAMLET REVITALIZATION WORKING GROUP

Consistent with the Comprehensive Master Plan, I move to establish Town Hamlet Revitalization Council to begin to map out an overall plan for the hamlet.

The Plan should include such issues such as pedestrian access, mixed uses, and should create a neighborhood for people to live and work. The Council may seek the advice or thoughts of various standing committees of Town Government as issues arise.

The Town Hamlet Revitalization Working Group would be made up of the following:

Chamber (2)
Planning Board (2)
Town Board (1)
Economic Development Committee (2)
School
Town/Planning/Engineer (1)
Community (2)

Seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

7.) Various Resolutions on other 1st Year Actions and Approvals – Comprehensive Plan

Supervisor Nellis read and moved the following **MOTION**:

DRAINAGE

Request that the Drainage Committee draft a Town Storm Water Management Law utilizing the New York State Department of Environmental Conservations model Storm Water Law.

Seconded by Councilman Krycia; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8.) Town Hall Brick Work Improvements – Permissive Referendum Period

Supervisor Nellis stated that the permissive referendum period had two more days before the work would be able to begin on the Town Hall brick work improvements.

9.) Resolution creating full-time bookkeeper position to satisfy County Personnel requirements

Supervisor Nellis explained that the Town of Eden has had a bookkeeper for over 24 years and for paper work purposes the creation of a full-time bookkeeper position needs to be formalized which is required by Erie County.

MOTION was made by Councilman Zittel to create a full-time bookkeeper position in the Town of Eden to be retro active to January 1, 2000; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Supervisor Nellis read a letter from Frances Palmerton of the Eden Library Board who is resigning from the Eden Library Board as of December 31, 2000. Mrs. Palmerton has been a

member of the Eden Library Board for 36 years and 23 years as President of the Eden Library Board.

Councilman Krycia stated that he has had the pleasure of working with Mrs. Palmerton and that she has done a real nice job over at the library and felt that the Town Board should present Mrs. Palmerton with a little something.

Supervisor Nellis stated that the Town Board, with deep regret, accepts the resignation of Frances Palmerton from the Eden Library Board.

Hearing of Visitors:

Ruth Szalasny of 3048 Belknap Road

Councilwoman Pew also noted that Town Attorney, William Trask has reviewed a contract to insure the proper insurance paperwork is in order and they are acceptable for Michael Courneen of True North Company to accept the position of consultant for the GIS and Mr. Courneen will be available shortly.

Adjournment:

MOTION was made by Supervisor Nellis to adjourn the Regular Meeting of the Eden Town Board and go into Executive Session for labor and litigation; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 9:30P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 10:20P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk

