

MINUTES

REGULAR MEETING – EDEN TOWN BOARD

2795 EAST CHURCH STREET

EDEN, NEW YORK

JANUARY 9, 2002

7:30 P.M.

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS - SUPERVISOR
MARY LOU PEW - COUNCILWOMAN (*Deputy Supervisor*)
VINCENT V. VACCO - COUNCILMAN
GEORGE F. ZITTEL - COUNCILMAN
TIMOTHY WALKER - COUNCILMAN

DEPARTMENT HEADS PRESENT:

Andrew C. Reilly of Wendel - Town Engineer (*Arrived Late*)
Ronald C. Maggs - Superintendent of Highways
Patrick M. Howard - Chief of Police
Paul Shephard - Eden Emergency Squad
Paul. Laing, Jr. - Eden Fire Chief
Kevin R. Schoenthal - East Eden Fire Chief
Susan Brass - Recreation Director (*Absent*)
Mary Murray - Chairman Board of Assessors
Scott T. Henry - Zoning Code Enforcement Officer (*Absent*)

OTHERS PRESENT:

William Trask - Town Attorney

Mary Jo Hultquist - Town Clerk
Ann Knack - Administrative Assistant

Call to Order:

Supervisor Nellis called the Regular Meeting of the Eden Town Board to order at 7:30 P.M.

Pledge of Allegiance:

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

Presentation:

Supervisor Nellis and the Town Board presented a certificate to the Boys & Girls Volleyball team for their outstanding record. He then designated Wednesday, January 16, 2002 "Eden Lady Raider Day" and January 23, 2002 as "Eden Boys Volleyball Team Day."

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of December 12, 2001. There were none.

MOTION was made by Councilman Zittel to approve the Town Board Minutes of December 12, 2001 as presented; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of December 27, 2001. There were none.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of December 27, 2001 as presented; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers:

There were none.

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 two. On the General Abstract, voucher number 9 for Kenilworth Electronics in the amount of \$236.50 should be voided and added to the General Abstract “Payables” as number 835. On the Highway Abstract “Payable”, voucher number 384 should be The General Fund, not North Collins Cylinder Gas and the Highway Abstract will add number 6 for North Collins Cylinder Gas for welding supplies for \$54.33.

January 2002

DESCRIPTION	VOUCHER NUMBERS	AMOUNT

General Fund	1-13	\$1,598.38
Highway Dept. Fund	1-6	\$4,402.59
Fire Dept. Fund	1-6	\$1,791.06
Recreation Dept. Fund	1-2	\$81.04
Refuse and Garbage Fund	--	--
Street Lights Fund	--	--
Water Fund	1	\$3,783.50
Trust & Agency Fund		
Capital Fund		
Community Development		

January 2002

Payables

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	829-835	\$599.39
Highway Dept. Fund	383-387	\$2,581.28
Fire Dept. Fund	287	\$104.45
Recreation Dept. Fund	201	\$20.95
Street Lights Fund	22	\$3,787.49

MOTION was made by Councilman Zittel to approve the Audit of Bills as presented; seconded by Councilman Walker; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Departmental Reports:

Department reports for the month of December 2001 were presented by Paul Shephard, Eden Emergency Squad; Paul 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; Supervisor Nellis for Susan Brass, Recreation Director; Mary Murray, Chairman Board of Assessors. All reports are on file in the Town Clerk's office.

Paul Laing, Eden Fire Chief asked the Town Board for approval of the Eden Fire Department 2002 Officers.

Eden Fire Department 2002 Officers

Chief	Paul C. Laing	President	John Jacobs
1st Assistant Chief	David Cole	Vice President	Randy Lauber
2nd Assistant Chief	Matthew Colvin	Treasurers	Maurice Griffin
Captain	William Henry		Charles Cole
1st Lieutenant	Steven Skalski	Secretary	John Gavin
2nd Lieutenant	Richard Greeley	Trustees	Tom Schreiner
Safety Officer	Clyde Colvin		Kevin Budziszewski
Safety Officer	Daniel Howles		William Sickau

MOTION was made by Councilman Zittel to approve the Officers of the Eden Fire Department for the year 2002; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried

Chief Laing also requested the authorization for the Chief's of the Eden Fire Department and East Eden Fire Department to be able to take the Fire Apparatus out of the District for mutual aid, repairs, training, funerals and parades at the discretion of the Chief's or officer in charge.

MOTION was made by Councilman Zittel to authorize the chief of the Eden and East Eden Fire Departments to take the Fire Apparatus out of the District for the above reasons in the year 2002; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Kevin Schoenthal, East Eden Fire Chief requested the approval of the East Eden Fire Department 2002 Officers.

East Eden Fire Department 2002 Officers

Chief	Kevin Schoenthal	Safety Officers	Rick Kirst
1st Assistant Chief	Joe Armbruster		Chris Brinda'mour
2nd Assistant Chief	Andrew Breier	Comm. Officer	David Schreiber
Captain	Roy Armbruster		
1st Lieutenant	Chris Enser		
2nd Lieutenant	Scott Hunter		

MOTION was made by Councilwoman Pew to approve the Office of the East Eden Fire Department for the year 2002; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Lastly, Chief Schoenthal requested the approval of the bid for \$1,797.00 to John McCarthy for the cleaning of the East Eden Fire Hall.

MOTION was made by Councilman Zittel to accept the bid from John McCarthy for \$1,797.00 to clean East Eden’s Fire Hall; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Ronald Maggs, Highway Superintendent requested permission to help as needed with Eden’s Winterfest.

MOTION was made by Councilman Zittel to grant permission to the Superintendent of Highways, Ronald Maggs to help with Eden’s Winterfest as needed; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business:

1.) Association of Towns, Re: Annual Meeting – Certificate of Designation

Supervisor Nellis stated that the Annual Meeting is being held February 17th-20th in New York City. The following individuals are planning on attending the conference: Councilman Vacco, Councilman Walker, Councilwoman Pew, Michael Cooper, Pat Howard, Ann Knack and Glenn Nellis.

Supervisor Nellis stated that the Town Board must designate a Voting Delegate and Alternate Voting Delegate to attend the Annual Business Session of the Association of Towns of the State of New York.

MOTION was made by Supervisor Nellis to designate Vincent V. Vacco, Councilman as Voting Delegate and Timothy J. Walker, Councilman as Alternate Voting Delegate; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2.) Status Report on: Water District No. 4 and Water Consortium

John Reid, Engineer for R & D Engineering reported that he has received a copy of the computer model from Erie County Water Authority to review. Mr. Reid stated that he would have a report for the next Town Board meeting which will be a Work Session Meeting held on January 23, 2002. In a couple of weeks he would like to meet with the residents in Water District #4 for an informal question/answer period. Mr. Reid stated that the water mains on Jennings Road need to be completed by July 15, 2002. He also reported that Attorney Trask has finished reviewing the contract.

3.) Appointments/Reappointments

Supervisor Nellis acknowledged correspondence from Mary Jo Hultquist, Town Clerk requesting approval from the Town Board to fill the position of part-time Deputy Town Clerk that was vacated by DianaRae Walker and to appoint Janice L. King effective January 10, 2002.

MOTION was made by Supervisor Nellis to appoint Janice L. King, Deputy Town Clerk; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4.) Budget Freeze-Status Report

Supervisor Nellis thanked the Department Heads for their cooperation during this time and reported that with cautious optimism, the budget freeze could be lifted by the end of January, 2002. Several factors will need to be reviewed before normal spending can be continued. Supervisor Nellis stated that he would not hesitate to reinstate the freeze if need be.

5.) Jennings Road/Flood Mitigation Engineering Grant

Supervisor Nellis announced that the Town of Eden has secured a Phase I Engineering Federal grant of \$20,000. It will be used to improve an area with a long history of flooding along Jennings Road to Eden Junior-Senior High School and into the Weller subdivision. The total project when approved will be in the area of \$159,000.

Andrew Reilly, Town Engineer explained that the Town of Eden has been looking into the problem for the last 10 years. It will not solve the problem, but hopefully will reduce the flooding to once every 15-20 years. The plan is to divert some of the water coming down Jennings Road into Eighteen-Mile Creek through larger pipes to ease flooding in the Weller neighborhood.

The Town of Eden also received a second grant for \$170,000.00 to improve drainage along Route 62 near Park Street and Hemlock Road. This drainage project will entail enlarged pipes and diverting water farther down Route 62, away from residential properties.

Both grants are administered through the State Emergency Management Office (SEMO) which cover 75% of projected costs with the town’s 25% expected to be done through a match of in-kind services. Both projects are expected to be completed this year.

MOTION was made by Councilman Walker to authorize Wendel Duchscherer and Supervisor Nellis to proceed as previously outlined and to authorize Supervisor Nellis to execute the agreement regarding the Hazard Mitigation Grant Program by the State Emergency Management Office (SEMO); seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

6.) Discussion: Garbage Service Contract

Supervisor Nellis stated that the original contract with BFI was drawn up in 1991 with a renewal in 1995. Attorney Trask stated that there are options to have multiple 5-year renewals. A termination notice has been sent to American Ref-Fuel because the rate of disposal for our garbage is high above the market rate. That termination will take effect September, 2002. He suggested that curbside pick-up continue with BFI until that date. Also discussed was the possibility to do RFP's for curbside pick-up with several options. He is certain that BFI will work with us to come to an agreement.

Attorney Trask suggested that they look to other towns in the area that have recently renewed contracts with better rates which include the Towns of Brant, Village of Farnham, and Town of Evans/Village of Angola. He will also talk to Joe Scaffidi, General Manager at BFI about a formal extension.

Attorney Trask recommended that the Supervisor and Town Board establish a Committee to draw up an RFP with several options. Councilmen Vacco and Walker agreed to form the committee.

7.) Recreation Appointments – Family Swim Life Guards

Supervisor Nellis read correspondence from Susan Brass, Recreation Director for approval of Family Swim Life Guards on Friday nights from January 18 through March 15, 2002. They are as follows: Robin Cook, Family Swim Supervisor at a rate of pay of \$10.00/hour, Jennifer Migliore, Mary Bolo, Kristen Cook, Laura Evans and Amber DeCarlo at a rate of pay of \$8.00/hour.

MOTION was made by Councilman Zittel to approve the Family Swim Life Guards; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

8.) Recreation – Baseball Bid Award

Supervisor Nellis read correspondence from Susan Brass, Recreation Director for Approval for the award of the Baseball Bid. A total of four bids had been sent out with only one quote received.

The total bid for Baseballs was \$2,085.94 from Laux Sporting Goods Inc., Amherst, New York.

MOTION was made by Supervisor Nellis to award the bid to Laux Sporting Goods, Inc. in the amount of \$2,085.94; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

9.) Highway – Agreement to Spend

Supervisor Nellis read correspondence from Ronald Maggs, Highway

Superintendent regarding the Agreement to Spend Town Highway Funds. The sum of \$222,300.00 may be expended for general repairs of town highways, including sluices, culverts and bridges.

MOTION was made by Councilman Walker giving permission to Ronald Maggs, Highway Superintendent to spend \$222,300.00 of Highway Funds for general repairs of town highways, including sluices, culverts and bridges; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Councilwoman Pew received correspondence from Eden resident Mrs. Bonnie Tutaro to consider Public Transportation in the Town of Eden. After much discussion the Town Board will contact the NFTA for consideration.

Supervisor’s Report:

No report.

Hearing of Visitors:

Brian Blair, 3381 Wepax Road.

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 9:20 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 10:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist

Town Clerk