

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MARCH 13, 2002
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN (<i>Deputy Supervisor</i>)
GEORGE F. ZITTEL	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
TIMOTHY J. WALKER	-	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 (<i>Absent</i>)
Paul Laing, Jr.	-	Eden Fire Chief
Kevin R. Schoenthal	-	East Eden Fire Chief (<i>Absent</i>)
Susan Brass	-	Recreation Director
Mary Murray	-	Chairman Board of Assessors
Scott T. Henry	-	Zoning Code Enforcement Officer

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 7:32 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 Town Board Minutes of February 13, 2002. There were none.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of February 13, 2002 as presented; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of February 27, 2002. There were none.

MOTION was made by Councilwoman Pew to approve the Town Board Minutes of February 27, 2002 as presented; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers:

Supervisor Nellis stated that there was one Budget Transfer, from account A1990.4 to A1010.4 for additional participation in NYC Conference in the amount of \$1600.00.

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

Budget Amendments:

Supervisor Nellis stated that there was one Budget Amendment, from account A4389 to A3120.4A for Cops More Grant received in the amount of \$13,617.00.

MOTION was made by Councilwoman Pew to approve the Budget Amendments as stated by Supervisor Nellis; seconded by Councilman Zittel; 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
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General Fund	96-160	\$90,848.90
Highway Dept. Fund	38A-73	\$71,201.55
Fire Dept. Fund	36-58	\$18,075.88
Recreation Dept. Fund	14-26	\$6,820.69
Refuse and Garbage Fund	4-5	\$29,733.49
Street Lights Fund	3-4	\$1,015.20
Water Fund	3-4	\$4,287.90
Trust & Agency Fund	--	--
Capital Fund	1	3,017.57
Community Development	--	--

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

Supervisor Nellis asked the Town Board to consider the approval of \$2,160.00 for materials for shingles for the roof on the Old Emergency Squad Building with the work to be completed by Scot Christiansen, Recreation Foreman and the Highway Department.

MOTION was made by Councilman Zittel to spend \$2,160.00 from the Town Hall Account for roofing materials for the old Emergency Squad Building; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Departmental Reports:

Department reports for the month of February 2002 were presented by Paul Shephard, (absent, report not given) Eden Emergency Squad; Paul Laing, Eden Fire Chief; Kevin Schoenthal, East Eden Fire Chief (absent, report read by Paul Laing, 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; Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director; Mary Murray, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Ron Maggs, Highway Superintendent made recommendation to the Town Board regarding the Bid Opening on March 8, 2002 for Motor Fuels and Related Services to be awarded to Page-Harms Oil Co. Inc.

MOTION was made by Councilman Zittel to award the Motor Fuels and Related Services Bid to Page-Harms Inc. based on the recommendation of Ron Maggs, Highway Superintendent; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the following resolution:

**RESOLUTION ASKING FOR INCREASE
IN STATE BUDGET FUNDING FOR C.H.I.P.S. PROGRAM**

WHEREAS, The Governor's proposed 2002-2003 State Budget has no increase proposed for the already under-funded C.H.I.P.S. Program; and

WHEREAS, C.H.I.P.S. Funding has not been increased in several years; and

WHEREAS, without adequate road and bridge funding, planned road and bridge reconstruction will have to be deferred and in many cases cancelled altogether; and

WHEREAS, Increasing C.H.I.P.S. Funding will allow County and Local governments to keep up with the ever-increasing costs of materials needed for necessary road repairs;

NOW, THEREFORE BE IT RESOLVED, that the Eden Town Board requests that the New York state Senate & Assembly desperately work to increase the annual C.H.I.P.S. funding in the State Budget; and

BE IT FURTHER RESOLVED, that the Eden Town Clerk send a certified copy of this Resolution to the Governor, our State Assemblyman and Senators and all Town Supervisors and Village Mayors in Erie County.

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

Supervisor Nellis read 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
\$7,500 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 has been notified by Jean Pastore, Program Manager for the New York State Department of Transportation, that the New York State Assembly has awarded the Town of Eden a 1999/00 Budget Initiative in the amount of \$7,500 for this project; and

WHEREAS, the New York State 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 \$7,500.00 Legislative Initiative Grant on behalf of the Town of Eden.

MOTION was made by Councilwoman Pew to approve the above resolution; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Pat Howard, Chief of Police, made recommendation to the Town Board regarding the recent Bid Opening on March 8, 2002 for the 1999 Crown Victoria Police Car, to be awarded to Grace Quality Used Cars, the high bidder in the amount of \$4,556.00.

MOTION was made by Councilman Vacco to award the bid to Grace Quality Used Cars based on the recommendation of Pat Howard, Chief of Police; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief asked the Town Board to remove the name of Maurice Griffin, who passed away suddenly on March 3, 2002, from the active roster. Mr. Griffin served the Town of Eden and Fire Department for 40 years.

MOTION was made by Councilman Zittel to remove the name of Maurice Griffin from the active roster; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief also asked permission of the Town Board to pursue a new FEMA grant for a rapid intervention team. Mr. Laing went on to explain the specifics of the grant. Eden and East Eden Fire Departments could both apply with a deadline of March 31, 2002. If the grant were awarded to the Eden Fire Department, it would require a 10% match of funds from the Town of Eden.

MOTION was made by Councilwoman Pew to give authorization to the Eden and East Eden Fire Departments to apply for the above-mentioned grant; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business:

1.) Employee of the Quarter Award

Supervisor Nellis and the Town Board presented a Certificate to Joan Doctor for “Employee of the Quarter”. Mrs. Doctor has worked as Clerk in the Assessors Office for the past 13 years. Mr. Ferris Randall, retired Assessor and Mary Murray, Head Assessor offered their congratulations to Mrs. Doctor for her outstanding performance.

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

Mr. John Reid, Engineer for R & D Engineering reported that the project is moving forward. He has spoken to the Head Engineer at the Erie County Water Authority. A meeting will be scheduled with the residents in Water District #4 as soon as more information is available.

3.) Report on Community Environmental Management (CEM)

Frank Mantione reported that a group meeting was held on February 26, 2002. Cally Miklasz assisted the group in completing the Community-Based Environmental Management Tier 1 Questionnaire. The group was provided with copies of the NYSDEC-Division of Water-body Inventory and Priority Wasterbodies List (PWL) worksheets.

4.) Extra Hours for Assessors' Clerical Support

Supervisor Nellis read correspondence from the Assessors Office regarding extra hours for clerical work until the end of the year. Head Assessor Murray stated that the extra cost involved would be covered by a check in the amount of \$5,500.00 that was received from the STAR Program.

MOTION was made by Councilwoman Pew to grant a maximum of 40 hours clerical overtime in the Assessors Office until the end of the year; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

5.) Use of ECWA Seal on Town of Eden's Website

Councilwoman Pew read correspondence from Matthew J. Baudo, Secretary to The Authority, Erie County Water Authority, regarding the ECWA Seal on the Website. Mr. Baudo forwarded the request to their Legal Department for review. The permission will be granted on condition that the Town of Eden indemnify and hold Erie County Water Authority harmless relative to any litigation that could arise with reference to said Website.

MOTION was made by Councilwoman Pew, based on a review of the Town Attorney, to confirm the arrangement; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor's Report:

Supervisor Nellis reported that Disaster Training Sessions are being held at the Eden Fire Department. The Red Cross is presenting the sessions. Bob Stickney, co-chairman of the Eden Disaster Preparedness Team, reported that approximately 12 Town of Eden residents will be attending the 3 sessions to establish a team in the time of a disaster.

Supervisor Nellis reported that consistent with the Master Plan he met with the Town of Evans Supervisor along with Mark Agle, Chairman of the Planning Board as it relates to the Thruway entrance and future water access.

Supervisor Nellis noted that if anyone on the Town Board is interested the Town of Hamburg is starting discussions regarding Route 62, specifically Main & Buffalo Streets. It will take place April 5, 2002 from 11:45 – 2:00 P.M.

Supervisor Nellis received correspondence from Al DeBendetti, Chairman of the Erie County Legislature regarding the issue of the 1% sales tax. An informational meeting will be held March 22, 2002 from 11:00 A.M. to 1:00 P.M.

Hearing of Visitors:

Ruth Szalasny, 3048 Belknap Road
Frank Mantione, 2722 Kulp Road

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 9:10 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 9:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk