

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MAY 8, 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 (<i>Absent</i>)
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
Paul Laing, Jr.	-	Eden Fire Chief
Kevin R. Schoenthal	-	East Eden Fire Chief
Susan Brass	-	Recreation Director (<i>Absent</i>)
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 7:30 P.M.

Pledge of Allegiance:

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

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of April 10, 2002. There were none.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of April 10, 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 April 24, 2002. There were none.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of April 24, 2002 as presented; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers:

Supervisor Nellis read the following “Budget Transfers”, from Account SF3410.3 to SF9901.9 to correct budget code number error in the amount of \$40,000.00, from Account A1990.4 to A7410.4 for library building maintenance in the amount of \$3,500.00, from Account A1990.4 to A7510.4 for copier for Historian in the amount of \$500.00.

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

Supervisor Nellis read the following “Budget Amendments”, from Account A691 to A1460.4 to carry forward Records Management Grant in the amount of \$10,844.15, from Account A691 to A1680.2G to carry forward GIS Grant in the amount of \$19,801.00, from Account A2770 to A1410.4 for reimbursement from Town Clerk for stop payment that was not charged in the amount of \$15.00, from Account A599 to A3120.2A to carry over of drug asset money in the amount of \$2,590.82, from Account SF4489 to SF3410.4A for FEMA grant received for Fire Wellness in the amount of \$30,708.00, from Account A599 to A1680.2G to pay General Account back for prior year True North bill in the amount of \$3,500.00, from Account A2025 to A7150.1 for the Adult Learn To Swim program in the amount of \$230.00.

MOTION was made by Councilwoman Pew to approve the “Budget Amendments”; seconded by Councilman Walker; 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	228-282	\$53,005.81
Highway Dept. Fund	102-121	\$16,257.91
Fire Dept. Fund	86-112	\$9,748.12
Recreation Dept. Fund	40-55	\$3,992.32
Refuse and Garbage Fund	6-7	\$29,906.82
Street Lights Fund	9-12	\$4,834.74
Water Fund	6	\$4,019.02
Trust & Agency Fund	--	--
Capital Fund	5-6	\$29,349.90
Community Development	--	--

MOTION was made by Councilwoman Pew 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 April 2002 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; 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 for the Annual Miscellaneous Fire Equipment Bid that was held on May 3, 2002 @ 4:00 P.M. in the Town Clerk’s Office. The total of all equipment bid was \$12,207.75. A copy of the total bid is available in the Town Clerk’s office.

Kevin Schoenthal, East Eden Fire Chief asked the Town Board for approval for the Annual Miscellaneous Fire Equipment Bid that was held on May 3, 2002 @ 4:00 P.M. in the Town Clerk’s Office. The total of all equipment bid was \$12,354.23. A copy of the total bid is available in the Town Clerk’s office.

MOTION was made by Councilwoman Pew to accept the Eden Fire Department bid of \$12,207.75 and the East Eden Fire Department bid of \$12,354.23; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Ron Maggs, Highway Superintendent asked permission of the Town Board to attend the Annual Highway School in Ithaca from June 3-5, 2002.

MOTION was made by Councilman Walker to allow Superintendent Maggs to attend the Annual Highway School in Ithaca from June 3-5, 2002; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Mary Murray, Head Assessor noted in her report to the Town Board that Grievance Day is June 4, 2002 at the Eden Town Hall.

New & Unfinished Business:

1.) Recognition of Eden Dolphin Swim Team

Supervisor Nellis and the Town Board took the opportunity to introduce and congratulate the Eden Dolphin Swim Team on their recent accomplishments. Supervisor Nellis established May 9, 2002 “Eden Dolphin Swim Team Day” with a Resolution that he read.

2.) Resolution on Water District No. 4 and Related Business

Supervisor Nellis read the following Resolution:

**TOWN OF EDEN
TOWN BOARD RESOLUTION**

WHEREAS, the Town of Eden (“Town”) adopted a resolution on April 24, 2002 in connection with its application for water supply for Town of Eden Water District #4 (“Water District #4”) with the Erie County Water Authority (“Water Authority”), and

WHEREAS, the Water Authority has determined that certain additional assurances are required from the Town relative to addressing the water supply service needs of current service area within the Town as a condition of approving the water supply application for District #4.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Eden does hereby agree that if a viable and acceptable area-wide and/or intermunicipal solution addressing the water supply needs of the Town are not agreed upon and implemented within three (3) years after the start of construction of the District #4 project, the Town will proceed to implement its own capital improvement project to address these needs including, if necessary, construction of a pump station at Shadagee Road and Southwestern Boulevard.

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

Supervisor Nellis announced the following bid opening dates for Water District No. 4; May 24, 2002 @ 10:00 A.M., May 31, 2002 @ 10:00 A.M. and May 31, 2002 @ 10:30 A.M. in the Town Clerk's Office.

MOTION was made by Councilman Walker to accept the above-mentioned Bid Openings; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

3.) Approval of Quote – East Eden Fire Department – Door Replacement

Councilman Vacco listed the following quotes for the Door Replacement at the East Eden Fire Department, which are on file in the Town Clerk's office:

Jens Glass Company	\$ 3,350.00
R.J.P. Construction	\$ 4,200.00
AJ Enterprises	\$ 4,378.87

MOTION was made by Councilman Vacco to grant approval to Jens Glass Company in the amount of \$3,350.00 for the Door Replacement; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

4.) Notice of Liquor License Renewal Application – Schunk's West Hill Grill, Keller Road

Supervisor Nellis stated that the Town Board has received Liquor License Renewal Notification from Schunk's West Hill Grill on Keller Road in East Eden. This is of an informational nature only.

5.) NYS Department of Transportation, Re: Reduction in speed on East Eden Road from the Hamburg Town Line to approximately 250' North of Hardt Road.

Supervisor Nellis read correspondence from the State of New York, Department of Transportation regarding the reduction in speed on East Eden Road from the Hamburg Town Line to approximately 250' North of Hardt Road. The DOT has completed the traffic engineering investigation relative to our request for a reduced speed limit on East Eden Road in the Town of Eden. Based on the data collected and their speed zone evaluation criteria, a 45 MPH speed limit for East Eden Road from 250' north of Hardt Road to the Eden-Hamburg town line will be established. All signs necessary to post the speed zone shall be erected by Erie County.

Councilwoman Pew publicly thanked former Councilman, Edward Krycia, Jr. for all his past effort in this request.

6.) Great American Cleanup – Conservation Board Report

Frank Mantione, Chairman of the Eden Conservation Board reported that the Town of Eden will participate in it's own way with the Great American Cleanup. The Town-wide cleanup will be held on Saturday, May 25, 2002 will all residents invited to clean up the area along their property or an area where they are frequently walking. It was suggested that two bags be taken, one for recycling and the other for trash.

MOTION was made by Councilman Vacco to designate May 25, 2002, "Great American Cleanup" in the Town of Eden; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis stated that the Town Board must identify a "Lead Agency" for the Community Development Block Grant. He stated that the County of Erie would be designated the "Lead Agency".

MOTION was made by Councilman Walker to designate the County of Erie "Lead Agency" for the Community Development Block Grant; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Councilman Walker stated that he has received a letter from James Brass, Chairman of the Recreation Committee that warrants the attention of the Town Board. It was suggested that the request become an agenda item at the next Town Board Meeting.

Supervisor Nellis stated that it has been brought to his attention that the Recreation Department is in need of a part-time person to help with the mowing for 30 hours/week for 10 weeks @ \$6.00/hour.

MOTION was made by Supervisor Nellis to grant permission to the Recreation Department to hire a part-time person to work 30 hours/week for 10 weeks @ \$6.00/hour; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor's Report:

There was none.

Hearing of Visitors:

Gerald Maggs, 2763 First Street
Joseph Klug, 7700 Bley Road

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 9:05 P.M.

Executive Session:

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

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk