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**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
JUNE 12, 2002  
7:30 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

GLENN R. NELLIS - SUPERVISOR  
MARY LOU PEW - COUNCILWOMAN (*Deputy Supervisor*)  
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  
Paul Laing, Jr. - Eden Fire Chief  
Kevin R. Schoenthal - East Eden Fire Chief  
Susan Brass - Recreation Director  
Mary Murray - Chairman Board of Assessors (*Absent*)  
Scott T. Henry - Zoning Code Enforcement Officer

**OTHERS PRESENT:**

William Trask - Town Attorney  
Mary Jo Hultquist - Town Clerk  
Anna M. 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.

### **Presentation:**

Jeanne Z. Chase, Erie County Legislator presented a check in the amount of \$10,000.00 to the Eden Emergency Services for their new Fitness Center. On hand to receive the donation was Paul Laing, Eden Fire Chief, Kevin Schoenthal, East Eden Fire Chief, Pat Howard, Police Chief and Paul Shephard, Eden Emergency Squad. A check was also presented to Mike Bolo on behalf of the Eden Chamber of Commerce in the amount of 2,000.00.

### **Approval of Minutes:**

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of May 8, 2002. There were none.

**MOTION** was made by Councilman Walker to approve the Town Board Minutes of May 8, 2002 as presented; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of May 22, 2002. There were none.

**MOTION** was made by Councilman Zittel to approve the Town Board Minutes of May 22, 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 A2001 to A7310.4 for the Wrestling program in the amount of \$152.00, and from Account A3823 to A1460.4 for Records Management Grant monies received in the amount of \$8,906.00.

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

Supervisor Nellis read the following "Highway Budget Transfer", from Account D2770 to D5110.4 for monies received from pipe permits in the amount of \$8,287.19.

**MOTION** was received from Councilman Pew to approve the "Highway Budget Transfer"; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked for approval for equipment received from Dell Computer in the amount of \$23,434.70 that is FEMA grant money for the Project Impact Grant and the GIS Grant.

**MOTION** was made by Councilwoman Pew to approve \$23,434.70 from Dell Computer; 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
General Fund	283-354	\$47,122.61
Highway Dept. Fund	122-160	\$41,885.55
Fire Dept. Fund	113-137	\$15,429.92
Recreation Dept. Fund	56-76	\$6,225.05
Refuse and Garbage Fund	8-11	\$27,897.99
Street Lights Fund	13-15	\$3,997.69
Water Fund	7-8	\$4,182.13
Trust & Agency Fund	--	--
Capital Fund	7-8	\$37,487.84
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 May 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; Susan Brass, Recreation Director; Sharon Brockman for Mary Murray, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Paul Laing, Eden Fire Chief stated that the Eden Fire Department would now be accepting applications from 18 year olds to join the Fire Department.

Kevin Schoenthal, East Eden Fire Chief asked the Town Board for approval to purchase (6) Scott-Pak mask replacements. The current supply does not comply with OSHA regulations. The cost of the replacements is \$1,110.00, which is available in the current budget.

**MOTION** was made by Councilman Zittel to approve \$1,110.00 for (6) Scott-Pak mask replacements for the East Eden Fire Company; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

### **New and Unfinished Business:**

#### **1.) Water Report: A. Approval of Bids B. R & D Engineering Contract**

John Reid from R & D Engineering stated that the bids had been received for Water District No.4 and they are significantly higher, \$300,000.00 above initial amount. The increase is due to new standards imposed by Erie County Water Authority, specifically the size of the tank. The increase to the 147 residents in the District would be \$93.00 per year bringing the total cost per year to \$565.00. If the increase is approved it would then go to Audit & Control to amend the application which could take 90 days. After approval from Audit & Control the Town Board may have to do a 30-day Permissive Referendum.

William Trask, Town Attorney advised the Town Board to hold an informational meeting with the residents in the District along with a mailing to notify them of the meeting. At that time, Petitions for Approval of Modification to Application for Establishment of Town of Eden Water District No. 4 would be signed by as many residents as possible, notarized and mailed with the amended application to Audit & Control. Attorney Trask stated that with the support of at least 75% of the residents, Audit & Control would know that they are willing to proceed even with the increase.

Supervisor Nellis and the Town Board agreed to meet with the residents in Water District No. 4 on Wednesday, June 19, 2002 at 7:30 P.M. in the Eden Town Hall for a brief Informational Meeting followed by notarization of the Modified Application. It was also suggested that Petitions could be made available in the Town Clerk’s office for those residents that will not be able to attend the meeting.

#### **2.) Review and Approval of Wendel Contract for Industrial Park Area**

Andrew Reilly, Town Engineer from Wendel supplied the Town Board and the Town Attorney with a draft contract for the new Industrial Park engineering project, which includes a new town road as well as reviewing sewer and water lines. Supervisor Nellis scheduled a meeting on June 19, 2002 at 10:00 A.M. in the Eden Town Hall for participants from different public agencies to review an initial outline of the project.

### **3.) Business District Parking Changes**

Supervisor Nellis stated that a Public Hearing would need to be set for July 10, 2002 at 8:30 P.M. to discuss the parking changes in the Business District.

**MOTION** was made by Councilman Vacco to set the Public Hearing for July 10, 2002 at 8:30 P.M.; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

### **4.) Resolution – North Collins Sesquicentennial Celebration**

Supervisor Nellis read a Resolution regarding the Sesquicentennial Celebration to be held in North Collins with a parade on Sunday, June 16, 2002 at 12:00 Noon. The Eden Town Board has been invited to participate in the parade. The restored Fire Truck will be made available to the Town Board for the parade.

### **5.) Letter of Resignation – Drainage Committee**

Supervisor Nellis received a letter of resignation from Gaye Cawdery, a member the Drainage Committee and Recording Secretary. Mrs. Cawdery will stay on board as Recording Secretary and take minutes.

**MOTION** was made by Councilwoman Pew to accept the resignation from Mrs. Cawdery with regret and appreciation; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

### **6.) Report on Flood Mitigation Projects – Jennings Road & Hemlock Road**

Andrew Reilly, Town Engineer from Wendel stated that a preliminary design has been received. SEMO monies have been received and they have signed-off. FEMA is still reviewing with the question of moving the location of lines and purchase an easement. We are ready to go to bid, just waiting for the Federal Agency to sign-off. The other project on Route 62, we have received the grant award and told to go ahead with this project. However, there is no room for the drainage lines and it will have to be moved. We submitted the information to SEMO and they had no questions. FEMA had questions about the easements. The lines will have to be moved to approximately the vicinity of the ASA Warren House.

**Supervisor's Report:**

Supervisor Nellis reported that the next Streetscape Meeting would be held July 9, 2002 at 7:00 P.M. at the Eden Fire Hall. There is no information on the bid opening for the bridge replacement on East Church Street. The Industrial Park Meeting would be held on June 19, 2002 at 10:00 A.M. in the Eden Town Hall.

Supervisor Nellis asked the Town Board for approval for a full-page ad in the Eden Pennysaver for the 39<sup>th</sup> Eden Corn Festival at a cost of \$200.00

**MOTION** was made by Councilman Zittel to approve the \$200.00 for a full-page ad for the 39<sup>th</sup> Eden Corn Festival; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Hearing of Visitors:**

There were none.

**Adjournment:**

**MOTION** was made by Councilman Zittel 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 9:20 P.M.

**Executive Session:**

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

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk