

MINUTES

WORK SESSION MEETING – EDEN TOWN BOARD

2795 EAST CHURCH STREET

EDEN, NEW YORK

AUGUST 28, 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 (<i>Absent</i>)

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
Anna M. Knack	-	Administrative Assistant

Call To Order:

Supervisor Nellis called the Work Session 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.

New and Unfinished Business:

1.) **Streetscape Report – NYS Department of Transportation**

Supervisor Nellis stated that the presentation would have to be re-scheduled due to the absence of Kim Richardson.

2.) **Bid Results – Recreation Equipment/Construction Materials**

Supervisor Nellis stated that the bids had been received and reviewed by the Recreation Advisory Board and Mark Lee, Erie County. Game Time and Miracle had bid on Items 4,5 & 6. Supervisor Nellis then read the bid results, which are on file in the Town Clerk's office.

Recommendation for the Recreation Advisory Board is to award the bid to Miracle Recreation Equipment, as they met all requirements.

MOTION was made by Supervisor Nellis to award the bids on Items 4,5 & 6 to Miracle Recreation Equipment; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis then stated that no bids were received for Items 1, 2 & 3 and the Recreation Advisory Board requested bids locally and received bids from Gui's Lumber, a bid for \$2,678 and \$4,864 for Items 1 & 2 and from Juhasz Construction a bid for \$3,900 for Item 3. It was their recommendation to accept the bids.

MOTION was made by Supervisor Nellis to accept the bids for Items 1, 2 & 3 and award to the above-mentioned bidders; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

3.) **Review of Proposed Local Law No. 5-2002- Possible Approval –
Definition of usage in Planned Industrial Zone**

Supervisor Nellis read and moved the following resolution:

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQR) of the Environmental Conservation Law, the Eden Town Board has reviewed Local Law #5-2002, which would amend the code of the Town of Eden by allowing new or used automobile, farm equipment, boat and trailer sales, rental, repair and services in the PI-Planned Industrial Zone by Special Use Permit, and

WHEREAS, the Town of Eden has determined that this Code Amendment will not adversely affect the natural resources of the state and/or the health, safety and welfare of the public, and is consistent with social and economic consideration.

NOW, THEREFORE BE IT RESOLVED, that the Town of Eden has determined that the proposed Code Amendment will not result in any significant effect on the environment, and that a Negative Declaration (notice of Declaration of Non-Significance) is hereby issued.

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

Supervisor Nellis read and moved the following resolution:

WHEREAS, the Town of Eden is proposing Zoning Code Amendments (Local Law #5-2002) that would allow new or used automobile, farm equipment, boat and trailer sales, rental, repair and services in the PI-Planned Industrial Zone by Special Use Permit; and

WHEREAS, the Planning Board has reviewed the Code Amendments and recommended approval; and

WHEREAS, the Town Board has held the appropriate public hearing and has determined that the Code Amendments will not have a significant effect on the environment and issued a Negative Declaration.

NOW, THEREFORE BE IT RESOLVED that the Zoning Code of the Town of Eden be Amended per the attached Local Law #5-2002 proposal.

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

4.) **Purchase of a Recreation Pick-up**

Supervisor Nellis stated that this item would be postponed for further discussion.

5.) **Ron Zimmerman – Old Bridge’os Pizzeria**

Supervisor Nellis introduced Mr. Zimmerman to the Town Board and residents present. Mr. Zimmerman briefly discussed his plans for the building and his hopes to make improvements before the weather became a factor. He stated that we should see major improvements in the next couple of weeks.

6.) **Resolution Water District No. 4**

Supervisor Nellis stated that he had received an “Order Calling Further Public Hearing” to be held on September 11, 2002 at 8:00 P.M. Deputy Supervisor Mary Lou Pew read the Resolution in its entirety.

MOTION was made by Councilwoman Pew to schedule the Public Hearing for Water District No. 4 for September 11, 2002 at 8:00 P.M.; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

7.) Budget Session

Supervisor Nellis stated that the Budget Sessions have been scheduled and will take place in September.

8.) Public Hearing – Proposed Local Law #6-2002

Supervisor Nellis stated that a Public Hearing would be held on Tuesday, September 3, 2002 at 7:30 P.M. for Proposed Local Law #6-2002 electing a retirement incentive program as authorized by Chapter 69, Laws of 2002 for eligible employees of the Town of Eden.

MOTION was made by Councilwoman Pew to set the Public Hearing for Proposed Local Law #6-2002; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Supervisor Nellis stated that the Town of Eden has been advised by Munistat Services regarding financing for Water District No. 4 as instructed by Richard Alessi, Bond Counsel.

Supervisor Nellis stated that he received a letter from Governor Pataki regarding plans for September 11, 2002 for uniformity in the Town of Eden with the Churches, Schools and Town Hall.

Hearing of Visitors:

Mark Lee, Erie County

Adjournment:

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

Supervisor Nellis adjourned the Work Session Meeting of the Eden Town Board at 8:40 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 9:15 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk