

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
JANUARY 8, 2003  
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 (*Absent*)

**DEPARTMENT HEADS PRESENT:**

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

**OTHERS PRESENT:**

William Trask - Town Attorney (*Absent*)  
Mary Jo Hultquist - Town Clerk  
Anna M. Knack - Administrative Assistant  
John Reid - R & D Engineering

**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 December 11, 2002; There were none.

**MOTION** was made by Councilman Zittel to approve the Town Board Minutes of December 11, 2002 as presented; seconded by Councilman Vacco; 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 30, 2002; There were none.

**MOTION** was made by Councilwoman Pew to approve the Town Board Minutes of December 30, 2002 as presented; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Petitions:**

There were none.

**Budget Transfers:**

Supervisor Nellis read the following “Budget Transfers” from Account Park Deposits (T37) to Account A7110.4 for Plow for new Ford truck in the amount of \$2,500.00, from Account A2680 to A4540.4 for Insurance claim for stolen pagers in the amount of \$545.00 and from Account A9015.8 to A9030.8 for Social Security in the amount of \$1,172.58.

**MOTION** was made by Councilwoman Pew to approve the “Budget Transfers”; seconded by Councilman Vacco; 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. Supervisor Nellis added to the Capital Account the following vouchers for payment:

STC Construction	\$91,124.00
Janik Paving & Construction	\$98,938.68

**January 2002**

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	1-12	\$23,868.29
Highway Dept. Fund	--	--
Fire Dept. Fund	1-3	\$1,594.65

Recreation Dept. Fund	1-2	\$747.50
Refuse and Garbage Fund	--	--
Street Lights Fund	--	--
Water Fund	--	--
Trust & Agency Fund	--	--
Capital Fund	1-2	\$190,062.68
Community Development	1	\$23,869.15

**January 2002  
Payables**

General Fund	858-861	\$1,110.29
Highway Fund	344-351	\$3,327.74
Fire Fund	297-299	\$205.70
Recreation Fund	202-203	\$62.96
Street Light	34	\$3,382.83
Water Fund	23	\$4,019.02

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

**Departmental Reports:**

Department reports for the month of December 2002 were presented by Kathy Keller for 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; Mary Jo Hultquist, Town Clerk; Scott Henry, Zoning Code Enforcement Officer; Mary Bailey, 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 following Officers for 2003:

Paul Laing, Chief  
David Cole – 1<sup>st</sup> Asst. Chief  
Matthew Colvin – 2<sup>nd</sup> Asst. Chief  
Steven Skalski-Captain  
Richard Greeley – 1<sup>st</sup> Lt.  
David Rice – 2<sup>nd</sup> Lt.  
Clyde Colvin – Safety Officer  
Daniel Howles – Safety Officer

John Jacobs, President  
Randy Lauber, Vice President  
Thomas Schreiner – Treasurer  
Chris Bardsley-Treasurer  
John Gavin – Secretary  
Kevin Budziszewski – Trustee  
William Sickau – Trustee  
Tammy Stressing – Trustee

**MOTION** was made by Councilman Zittel to approve the Officers for 2003 for the Eden Fire Department; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief requested permission to take fire equipment out of the fire district for mutual aid, repairs, training, funerals and parades at the discretion of the Chief or officer in charge for both the Eden Fire Department and East Eden Fire Department.

**MOTION** was made by Councilman Zittel to allow the Eden and East Eden Fire Department to take fire equipment out of the fire district for the above-mentioned reasons; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief requested approval for Matthew Colvin and Steven Skalski to attend the F.D.I.C. (Fire Department Instructors Conference) in Indianapolis, Indiana on March 31, 2003 to April 5, 2003 with a total cost of \$1,000.00.

**MOTION** was made by Councilman Zittel to approve attendance to the F.D.I.C. in Indianapolis, Indiana for Matthew Colvin and Steven Skalski from March 31, 2003 to April 5, 2003 with a total cost of \$1,000.00, which was a budgeted item; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief requested to remove the name of Kenneth Spence from the active roster.

**MOTION** was made by Councilman Zittel to remove the name of Kenneth Spence from the active roster; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief requested an additional light be added to the existing flagpole in front of the Town Hall to illuminate the front of the Fire Hall. Discussion ensued regarding the initial and monthly cost.

**MOTION** was made by Councilman Zittel to proceed with the project and determine the cost; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Paul Laing, Eden Fire Chief recommended that the Town Board approve the removal of the fire alarm systems from their fire hall for the Eden Central Schools and The Waters of Eden Nursing Home.

Supervisor Nellis stated that a letter would be sent to the Eden Central School District and The Waters of Eden that as of June 30, 2003 the Eden Fire Hall will no longer monitor their fire alarms.

Kathy Keller, Eden Emergency Squad asked the Town Board for approval of the following Line Officers for 2003:

Paul Shephard – Director  
Kathy Keller – Deputy Director  
Ken Franz – Rescue Captain  
Bill Roach – ILS Captain  
Lisa Kaufman – EMS Captain

**MOTION** was made by Councilman Zittel to approve the Line Officers for the Eden Emergency Squad for 2003; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Kevin Schoenthal, East Eden Fire Chief asked the Town Board for approval of the following Officers for 2003:

Kevin Schoenthal – Chief	Rick Kirst – Safety Officer
Joe Armbruster – 1 <sup>st</sup> Assistant Chief	Chris BrindA’mour – Safety Officer
Andrew Breier – 2 <sup>nd</sup> Assistant Chief	David Schreiber – Comm. Officer
Roy Armbruster – Captain	
Chris Enser – 1 <sup>st</sup> Lieutenant	
Scott Hunter – 2 <sup>nd</sup> Lieutenant	

**MOTION** was made by Councilman Zittel to approve the Officers for the East Eden Fire Department for 2003; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Kevin Schoenthal, East Eden Fire Chief asked the Town Board for approval of hall cleaning in the amount of \$1,797.00 to John McCarthy.

**MOTION** was made by Councilman Zittel to approve \$1,797.00 for John McCarthy to clean the fire hall; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Ron Maggs, Highway Superintendent asked permission of the Town Board to help as needed with Eden’s Winter fest, which will be held February 7, 8 and 9, 2003.

**MOTION** was made by Councilwoman Pew to allow Ron Maggs, Highway Superintendent to help with Eden’s Winter fest on February 7, 8 and 9, 2003; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Ron Maggs, Highway Superintendent asked permission of the Town Board to approve the Agreement to Spend Town Highway Funds for 2003 in the amount of \$231,200.00 for the general repair and improvement of highways including sluices, culverts and bridges.

**MOTION** was made by Councilman Zittel to approve the Agreement to Spend Town Highway Funds for 2003 in the amount of \$231,200.00 for general repair and improvement of highways

including sluices, culverts and bridges; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the recommendation of the Recreation Board for the Award of Bid for Baseball Equipment, which is on file in the Town Clerk’s office. The Recreation Board recommended the award to be divided amongst the three bidders for a total of \$1,287.70.

**MOTION** was made by Councilman Zittel to approve the Bid for Baseball Equipment in the amount of \$1,287.70; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

John Reid, R & D Engineering gave a brief report regarding Water District #4. The water mains are 25% complete and everything seems to be running on schedule.

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

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

Supervisor Nellis stated that the 2003 Training School and Annual Meeting of The Association of Towns will be held at the Hilton New York & Towers, New York City, February 16-19, 2003. This is a training session for town officials. The following individuals are planning on attending the conference: Councilwoman Pew, Councilman Vacco, Councilman Tim Walker, Supervisor Glenn Nellis, Assessor Bob Pietrocarlo, Police Chief Pat Howard, Town Justice Michael Cooper, Planning Board Vice-Chairman Dennis Brawdy and possibly another Planning Board member.

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 Councilman Zittel to designate Vincent V. Vacco, Councilman as Voting Delegate and Glenn R. Nellis, Supervisor as Alternate Voting Delegate; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

#### **2.) Approval of Annual Report of Eden Conservation Advisory Board**

Supervisor Nellis read the Annual Report of the Eden Conservation Advisory Board for the year 2002, which is submitted in accordance with Article 12-F of the General Municipal Law for the Town Board’s approval and submission to the New York State Commissioner of Environmental Conservation.

Frank Mantione, ECAB Chairman stated that in addition he would like to thank Mike & Mary Jane Bolo for the excellent job with the Blue Bird workshop that has become an annual event.

**MOTION** was made by Councilwoman Pew to accept and approve the Annual Report of the Eden Conservation Advisory Board; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

### **3.) Appointments/Reappointments**

#### **Resignations:**

Supervisor Nellis stated that he has received two (2) resignations. They are K. Mike Sawicki, Town Prosecutor and Dave Pew, member of Drainage Committee.

**MOTION** was made by Councilman Zittel to accept the above-mentioned resignations; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

#### **Appointments:**

Supervisor Nellis recommended the following appointments:

John Bauer	Chairman Assessment Board of Review	5-year term
Don Schreiber, Jr.	Economic Development Committee	3-year term

**MOTION** was made by Councilman Vacco to accept the above-mentioned appointments; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

### **4.) Approval of Attorney for Water District No. 4 Project**

Supervisor Nellis read a request from Bill Trask, Town Attorney for authority to hire Darryl Colosi, Esq. of the law firm Hiscock Barclay Saperston Day to assist as outside counsel on the condemnation proceedings required to get title for the Water Tank on a portion of the Michael Webber property at 3082 Kulp Road.

**MOTION** was made by Councilman Zittel to approve hiring Darryl Colosi, Esq. for assistance to Bill Trask, Town Attorney for the above-mentioned proceedings; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

#### **Supervisor’s Report:**

No report.

#### **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 Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 8:35 P.M.

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 9:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk