

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MARCH 26, 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

OTHERS PRESENT:

Paula Thurston - Deputy Town Clerk
Anna M. Knack - Administrative Assistant
John Reid - R & D Engineering

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:

Councilman Vacco read the following resolution:

RESOLUTION AUTHORIZING SUPERVISOR GLENN R. NELLIS TO EXPEND FUNDS FROM THE HIGHWAY CAPITAL (EQUIPMENT) RESERVIE FUND OF THE TOWN OF EDEN, SUBJECT TO PERMISSIVE REFERENDUM

The Town Board of the Town of Eden, duly convened in regular session, does hereby resolve pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York that the Town Supervisor of the Town of Eden be and is hereby authorized and directed to transfer from the Highway Capital (Equipment) Reserve Fund of the Town of Eden to the Highway Machinery Equipment Purchase Line, Account Number D5130.2, a sum not to exceed \$60,000.00 from said Reserve Fund to purchase a Roadside Broom Mower and Tractor.

This Resolution shall be subject to a permissive referendum, as permitted by law.

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

1.) Countywide Purchasing Cooperative Proposal

Supervisor Nellis read correspondence from Joseph F. Gervase, Director of Purchase, County of Erie. As part of an ongoing effort to reduce costs across the County of Erie, the Purchasing Department for Erie County is looking into the feasibility of establishing a countywide purchasing cooperative. The purpose of this cooperative will be to identify commonality with respect to products and services, pool quantities together in a committed purchase effort, and conduct bids in order to leverage the best pricing schedule. It is anticipated that the County of Erie will act as the parent organization and conduct the bidding process for the political subdivisions, although all members will approve procedures. It is anticipated that an organizational meeting will take place in mid April.

MOTION was made by Councilman Walker to authorized Supervisor Nellis to participate as recommended; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2.) Formal Approval – Highway Collective Bargaining Agreement

Supervisor Nellis stated that formal approval for the Highway Collective Bargaining Agreement was presented to the Town Board for their approval. Supervisor Nellis stated that Councilmen Walker and Vacco were on the negotiation committee for the Highway Association.

MOTION was made by Councilman Walker to approve the Highway Collective Bargaining Agreement; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

On behalf of Councilman Vacco, Councilman Walker publicly thanked Ron Maggs, Matt Colvin and the bargaining group.

3.) State and Local Aid and Economic Stimulus Act of 2003

Supervisor Nellis read the following Resolution:

WHEREAS, Senator Olympia Snowe, and Senator Charles Schumer introduced a bi-partisan bill S.201, the State and Local Aid and Economic Stimulus Act of 2003 which will provide \$40 billion indirect Federal Aid to states ad localities on a one-time basis; and

WHEREAS, according to Senators Snowe and Schumer State and Local governments across the nation are facing their worst fiscal crisis since World War II, total state budget deficits are estimated to be between \$61 billion and \$90 billion, and the deficits in cities an counties are equally staggering; and

WHEREAS, Senate Bill 201 which would provide states and localities with \$40 billion, and one-half of the funds will go to states, and one-half of the funds go to cities and other localities based on size and need; and

WHEREAS, the Town of Eden could benefit from this aid;

NOW, THEREFORE, DO WE, the Eden Town Board, lend support and urge adoption of Senate Bill 201, the State and Local Aid and Economic Stimulus Act of 2003, and urge our representative in the House to co-sponsor the bill.

MOTION was made by Councilman Vacco to adopt the Resolution; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

4.) Discussion/Action on Local Law #1-2003 – Amending the Town of Eden Building Code

Supervisor Nellis stated that at the request of members of the Town Board this item would be put on hold at this time for further discussion.

5.) Approval of Payments – Janik Paving & STC Construction – Water System Improvements Contract No. 9A and 9PG

Supervisor Nellis stated that these are two items related to Water System Improvements Contract No. 9A and 9PG.

At this time approval is needed for payment to Janik Paving and Construction, Inc. in the total amount of \$151,019.39 covering the period from January 31, 2003 to February 28, 2003. This project is approximately 45% complete.

MOTION was made by Councilman Walker to approve the payment of \$151,019.39 to Janik Paving and Construction, Inc. for Contract No. 9A based on the recommendation of Daniel J. Kolkmann, Construction Manager for R & D Engineering; seconded by Councilman Vacco; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

At this time approval is needed for payment to STC Construction, Inc. in the total amount of \$29,203.00 covering the period from January 1, 2003 to February 28, 2003. This project is approximately 70% complete.

MOTION was made by Councilwoman Pew to approve the payment of \$29,203.00 to STC Construction for Contract No. 9PG based on the recommendation of Daniel J. Kolkmann, Construction Manager for R & D Engineering; seconded by Councilman Vacco; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

6.) Approval of 2003 Summer Recreation Employees

The Eden Recreation Advisory Board has reviewed all 2003 summer employment

Applicants. It is with their unanimous recommendation that the applicants listed on the enclosed 2003 Summer Staff Assignments be appointed at the salaries and positions listed. This list is available at the Town Clerk's office.

Councilman Walker stated that as liaison to the Eden Recreation Advisory Board and along with Councilman Vacco the positions were presented to the Recreation Advisory Board and they made the recommendations along with Recreation Director Susan Brass.

MOTION was made by Councilman Walker to approve the 2003 Summer Staff Assignments with the recommendation of the Eden Recreation Advisory Board; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

7.) RFP's for Itemized Fire Equipment for Eden & East Eden Fire Departments

Councilman Zittel requested permission of the Town Board to advertise the RFP's for Itemized Fire Equipment for Eden & East Eden Fire Departments with a bid opening date of April 16, 2003 @ 11:00 A.M. in the Town Clerk's office.

MOTION was made by Councilman Zittel to advertise the bid opening for Itemized Fire Equipment for Eden & East Eden Fire Departments with a bid opening date of April 16, 2003 @ 11:00 A.M. in the Town Clerk's office; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilwoman Pew to close the Work Session Meeting of the Eden Town Board for public hearing; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the Work Session of the Eden Town Board at 8:00 P.M.

MOTION was made by Councilwoman Pew to open the Public Hearing to consider the Gary Drive Water Improvement Area; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the Public Hearing at 8:00 P.M.

8:00 P.M.

Public Hearing

Gary Drive Water Improvement Area

Supervisor Nellis explained the purpose of the public hearing was to listen to any concerns or questions that citizens have.

Supervisor Nellis then read the following resolution:

Insert resolution

There were no comments from the citizens present.

All persons desiring to be heard, having been heard, Supervisor Nellis closed the Public Hearing at 8:10 P.M.

MOTION was made by Councilman Walker to close the Public Hearing; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8:15 P.M.

Public Hearing

Proposed Local Law #4-2003, which is approved would offer a property tax exemption to Volunteer Firemen and Emergency Squad Members

Supervisor Nellis explained the purpose of the public hearing was to listen to any concerns or questions that citizens have. Supervisor Nellis then read the Proposed Local Law.

The following persons spoke in favor of Proposed Local Law #4-2003:

Paul Laing, 2852 East Church Street
Paul Shephard, 3196 East Church Street
William Rice, 2955 East Church Street
Robert Stickney, 2718 Lourdes Drive
Vicky Sickau, 2670 Sunset Drive
Michael Bolo, 9998 Clarksburg Road
Wilbert Smutz, 3094 East Church Street

The following persons spoke and asked questions about the Proposed Local Law:

Ruth Szalasny, 3048 Belknap Road
Ed Krycia, 7322 East Eden Road

Two students spoke but did not identify themselves. Discussion continued between the citizens and members of the Town Board.

All persons desiring to be heard, having been heard, Supervisor Nellis closed the Public Hearing at 8:40 P.M.

MOTION was made by Councilman Zittel to close the Public Hearing; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

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

At this time Councilwoman Pew read the Resolution establishing Gary Drive Water Improvement Area 4, which is above-mentioned.

MOTION was made by Councilwoman Pew to approve the Resolution establishing Gary Drive Water Improvement Area 4; seconded by Councilman Zittel; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked the Town Board if they would like to act on Proposed Local Law #4-2003, which was discussed during the Public Hearing this evening.

MOTION was made by Councilman Zittel to approve and adopt Local Law #1-2003 to establish a partial exemption for qualified Volunteer Firefighters and Emergency Squad members; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Supervisor Nellis stated that the sidewalk project from the Eden Elementary School to the Shurfine store would start next week.

Hearing of Visitors:

Dawn Bauer, 2630 West Church Street
Ruth Szalasny, 3048 Belknap Road

Adjournment:

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

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

Executive Session:

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

Respectfully submitted by,

Paula Thurston
Deputy Town Clerk

