
MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
APRIL 9, 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

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 (*Absent*)
Paul Laing, Jr. - Eden Fire Chief
Kevin R. Schoenthal - East Eden Fire Chief (*Absent*)
Susan Brass - Recreation Director (*Absent*)
Mary Bailey - Chairman Board of Assessors
Scott T. Henry - Zoning Code Enforcement Officer

OTHERS PRESENT:

William Trask - Town Attorney
Mary Jo Hultquist - Town Clerk
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 for Jim Bulger, Vice-Chairman of the Recreation Board who passed away on April 2, 2003.

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of March 12, 2003; there were none.

MOTION was made by Councilman Walker to approve the Town Board Minutes of March 12, 2003 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 March 26, 2003; there were none.

MOTION was made by Councilman Zittel to approve the Town Board Minutes of March 26, 2003 as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers:

Supervisor Nellis read the following “Budget Transfer” from Account D5120.2 to D5142.4 in the amount of \$5,000.00 for winter maintenance.

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

Budget Amendments:

Supervisor Nellis read the following “Budget Amendments” from Account A2763 to A8020.4C in the amount of \$2,827.90 for Industrial Park grant money received and from Account D2770 to D9060.8 in the amount of \$852.87 for Employee reimbursement for three (3) months health insurance.

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	161-220	\$24,484.22
Highway Dept. Fund	59-88	\$20,477.79
Fire Dept. Fund	48-74	\$14,339.40
Recreation Dept. Fund	29-42	\$1,779.40
Refuse and Garbage Fund	3-4	\$26,812.31
Street Lights Fund	5-6	\$813.07
Water Fund	5	\$4,019.02
Trust & Agency Fund	--	--
Capital Fund	9-12	\$180,541.47
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 March 2003 were presented by Bill Roach for Paul Shephard, Eden Emergency Squad; Paul Laing, Eden Fire Chief; Councilman Zittel for 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 Bailey, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

In the report given for Kevin Schoenthal, East Eden Fire Chief, he requested the Town Board remove Matt Pasnik from the East Eden Fire Co. active roster.

MOTION was made by Councilman Zittel to remove Matt Pasnik from the active roster of the East Eden Fire Co.; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

In the report given for Kevin Schoenthal, East Eden Fire Chief, he requested the Town Board’s approval to send East Eden #5 out for repairs. This item was included in the 2003 budget in the amount of \$4,500.00. The repairs are for the resurfacing of the tank. The Eden Fire Department will be supplying additional support with one of their tankers to the East Eden Fire Department during this period.

In the report given for Kevin Schoenthal, East Eden Fire Chief, he thanked the Town Board on behalf of the East Eden Fire Department for their efforts put forth to accomplish the tax reduction for the emergency services workers within the town.

Supervisor Nellis stated that the following firefighters went to the Rochester area to help with the ice storm and our thanks to them:

Jerome Schmitz
Chris Enser
Kevin Durski
Tom Schreiner

Ron Maggs, Highway Superintendent requested permission to attend Highway School in Ithica, New York from June 2, 2003 to June 4, 2003.

MOTION was made by Councilwoman Pew to approve the attendance to Highway School from June 2, 2003 – June 4, 2003; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Mary Jo Hultquist, Town Clerk requested permission to attend the New York State Town Clerk’s Association Conference from April 27, 2003 to April 30, 2003.

MOTION was made by Councilwoman Pew to approve the attendance to NYS Town Clerk’s Association Conference from April 27, 2003 to April 30, 2003; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Mary Bailey, Head Assessor stated that the Assessors Office would be open from 9-4:30 p.m. from April 28 – May 1, 2003 to accept exemption applications. Grievance Day will be June 3, 2003 from 6-10:00 p.m. Applications may be picked up at the office.

New and Unfinished Business:

1. Advisory Board Appointments

Supervisor Nellis stated that the following appointments were received:

Frank Mantione	Drainage Committee	3-year term
Salvatore Manuel	Recreation Board	5-year term
Jane Clemens	Historic Review Board	2-year term
John Hains	Zoning Board	5-year term

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

2. **Correspondence from North East – Southtowns Solid Waste Management Board,
Re: Comprehensive Solid Waste Management Plan**

Supervisor Nellis read the following resolution:

**NORTHEAST SOUTHTOWNS REGIONAL SOLID WASTE
MANAGEMENT PLAN
RESOLUTION FOR ADOPTION
TOWN OF EDEN**

WHEREAS, the Town of Eden’s intent is to develop a viable solution to its Solid Waste Management needs by preparing the Plan in accordance with the provisions of ECL 27-0107;

NOW, THEREFORE, BE IT RESOLVED that the Town of Eden hereby adopts the integrated solid waste management plan prepared by Tellus Institute dated January 7, 2003 and entitled “**Northeast Southtowns Regional Solid Waste Management Plan**” and will implement such solid waste management programs, projects and plans as identified in the recommendation of said Plan as the local integrated solid waste management plan in effect for the Town of Eden.

BE IT FURTHER RESOLVED that the Town of Eden hereby intends to provide information to NEST every two years for reports displaying compliance with the action items and schedules contained in the Plan. This information will be provided to the New York State Department of Environmental Conservation.

BE IT FURTHER RESOLVED, that the NEST on behalf of the Town of Eden hereby intends to submit modifications to the Plan to the New York State Department of Environmental Conservation for approval whenever there is any substantive deviation form the Plan as identified in 6 NYCRR Part 360-15.11(b).

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

3. **Change Date of May Town Board Meeting from May 14th to May 7, 2003**

Supervisor Nellis stated that the Town Board Meeting scheduled for May 14,2003 would be changed to May 7, 2003 due to vacations, and held at the East Eden Fire Hall. The official papers, Buffalo News and The Hamburg Sun would be notified and a notice would be posted in the Town Hall.

MOTION was made by Councilman Walker to change the meeting date to May 7, 2003 and held at the East Eden Fire Hall; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. **Water District No. 4 – Vouchers for payment**

Supervisor Nellis stated that a memo had been received from Ann Knack, Administrative Assistant to keep current with our billing and payments for this projects that the following vouchers be considered for payment:

Janik Paving & Construction	\$230,107.81
Fisher Tank Company	\$9,500.00
STC Construction Inc.	\$21,318.00
Michael G. Cooper, as Attorney	\$5,400.00 (Transfer of Brockman Property)
Shaw & Shaw, P.C.	\$1,030.00 (Title Insurance & Closing Costs for Brockman)

When approved they will be shown as “Paid” items on the May Capital Projects Abstract.

MOTION was made by Supervisor Nellis to approve the above-mentioned vouchers for payment; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis stated that Rural Development would be in his office next week to get the paper work up-to-date.

John Reid, R & D Engineering, stated that the project is on track but the weather is slowing things down.

Supervisor’s Report:

Supervisor Nellis stated that two (2) bridges would be closed from March 31, 2003 to late August 2003 in the area of New Oregon Road and Route 75 and just south of Rocky Mountain Road.

Supervisor Nellis expressed his appreciation to Ron Maggs, Highway Superintendent for his assistance with the sidewalk construction from Eden Elementary School to the Shurfine/Eckerd store.

Hearing of Visitors:

Ruth Szalasny, 3048 Belknap Road

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 8:50 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 10:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk