

MINUTES

REGULAR MEETING – EDEN TOWN BOARD

2795 EAST CHURCH STREET

EDEN, NEW YORK

SEPTEMBER 10, 2003

7:30 P.M.

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS - SUPERVISOR
MARY LOU PEW - COUNCILWOMAN (*Deputy Supervisor*)
GEORGE F. ZITTEL - COUNCILMAN (*Absent*)
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 (*Absent*)
Paul Shephard - Eden Emergency Squad (*Absent*)
Paul Laing, Jr. - Eden Fire Chief
Kevin R. Schoenthal - East Eden Fire Chief
Susan Brass - Recreation Director
Mary Bailey - 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 7:30 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 of August 13, 2003; there were none.

MOTION was made by Councilman Walker to approve the Town Board Minutes of August 13, 2003 as presented: seconded by Councilwoman Pew ; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers:

Supervisor Nellis read the following “Budget Transfer” from Account D2770 to D5110.4 in the amount of \$1,738.25 for Highway Piping Permits #21-#27.

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 A2025 to A7150.1 in the amount of \$60.00 for reimbursement for lifeguards for squad picnic, from Account D2770 to D5130.4 in the amount of \$46.64 for refund for highway equipment parts, from Account A3389.E to A7110.4 in the amount of \$5,000.00 for grant received for fence at Gorcica Field and from Account H4089 to H8320.4 in the amount of \$141,560.55 for Federal grant money received for water project.

MOTION was made by Councilwoman Pew to approve the “Budget Amendments”; 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. There were none.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	479-523	\$21,098.04
Highway Dept. Fund	224-244	\$48,140.46
Fire Dept. Fund	174-192	\$5,390.08
Recreation Dept. Fund	137-155	\$4,050.95

Refuse and Garbage Fund	13	\$36,654.61
Street Lights Fund	19-22	5,184.16
Water Fund	12	4,019.02
Trust & Agency Fund	--	--
Capital Fund	38-43	\$1,411,431.46
Community Development	--	--

MOTION was made by Councilwoman Pew to approve the Audit of Bills as presented; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Departmental Reports:

Department reports for the month of August 2003 were presented to the Town Board in their meeting packets for Paul Shephard, Eden Emergency Squad; Paul Laing, Eden Fire Chief; Kevin Schoenthal, East Eden Fire Chief; Mike Felschow for 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; Mary Bailey, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Supervisor Nellis stated that with the permission of Kevin Schoenthal, East Eden Fire Chief the Town Board Meeting scheduled for October 8, 2003 will be held in the East Eden Fire Hall.

New and Unfinished Business:

1. Notification of Liquor License Renewal – Katherine’s Restaurant

Supervisor Nellis stated that the Town of Eden has received and filed notification from Katherine Ochal, owner of Katherine’s Restaurant, 8159 North Main Street, Eden, NY of her renewal to the New York State Liquor Authority for an on premise liquor license.

2. Approval of Fencing Bid for Gorcica Field

Susan M. Brass, Recreation Director submitted a Quote Award to the Eden Town Board for Fencing at Gorcica Field. As per the Town of Eden procurement policy, three informal written quote requests were sent to prospective vendors. Only one was returned. Armor Fence Co. of WNY, Inc. 4789 Bussendorfer Road, Orchard Park, NY submitted the one and only bid in the amount of \$4,850.00. At this time, Recreation Director Brass is asking for approval of this bid.

MOTION was made by Councilman Walker to approve the amount of \$4,850.00 to Armor Fence Co. of WNY, Inc. for fencing at Gorcica Field pending approval from Bill Trask, Town Attorney; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. Road Drainage Projects – Bid Approvals

No action was taken on this agenda item.

4. Hemlock Road Drainage Mitigation Project (Informational Update)

Ron Maggs, Highway Superintendent stated that the Hemlock Road drainage Project is moving along nicely. The first phase, which is Florence Avenue, is 90% complete. The next phase is the Park Street/Homer Avenue, which is the biggest part of the project. That phase will begin soon.

5. Recommendation from Planning Board

Supervisor Nellis read correspondence from Mark Agle, Chairman of the Eden Planning Board. The Board has been discussing and reviewing the Telecommunications and Wind Energy Conversion System codes for the last 5 months. Mr. Agle stated that it was the recommendation of the Planning Board that the moratoriums that are due to expire in November be extended for 6 months for the purpose of further research and refinement.

After further discussion of the Town Board it was decided to set a Public Hearing for October 8, 2003 at 8:00 to extend the moratorium for the Telecommunications and Wind Energy Conversion System.

MOTION was made by Councilman Walker to set a Public Hearing on October 8, 2003 at 8:00 P.M. at East Eden Fire Hall to further discuss the extension of the moratorium for the Telecommunications and Wind Energy Conversion System based on the recommendation of the Eden Planning Board which would be presented as proposed Local Law #7 and #8; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

6. Sidewalk Work

Supervisor Nellis stated that a preliminary report would be presented at the September 24, 2003 Town Board Meeting.

7. Sisson Highway Signage

Supervisor Nellis stated that a resident from Sisson Highway had made a request to the Town Board to review the possibility of signage on Sisson Highway as there are no signs indicating that it is Sisson Highway, only Route 75. Prices for 8 signs (one-sided regular green street signs) would cost \$19.80 each.

MOTION was made by Councilman Walker to purchase 8 signs for Sisson Highway subject to State approval; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8. Water District No. 4 – Change Orders to Contract 9PG-STC Construction

Supervisor Nellis stated that he had received correspondence from John Reid,

R & D Engineering requesting Change Order No. 1. The purpose of the change is for pipe material for STC Construction, Inc. in the amount of \$19,582.21.

MOTION was made by Councilman Walker to approve Change Order No.1 for pipe material in the amount of \$19,582.21 and authorize Supervisor Nellis to sign the document; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

9. Community Development Block Grant

Supervisor Nellis stated that a public hearing would need to be scheduled to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects or programs to meet those needs, particularly projects, which would benefit low and moderate-income persons in the Town of Eden. The hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities.

MOTION was made by Councilman Walker to set a public hearing for October 8, 2003 at 8:30 P.M. at the East Eden Fire Hall, 8097 East Eden Road, Eden, NY; seconded by Councilwoman Pew: All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

10. Sidewalks – Eden Schools

Supervisor Nellis stated that he received correspondence from the Eden

Central school district regarding the walking path from Merrill Place to the crosswalk at the Eden Jr./Sr. High School. Councilman Walker stated that he had been in contact with some of the residents on Merrill Place to find out ownership and who has the responsibility of the walk path. After discussion with Ann Knack, Administrative Assistant, an easement grant was given from the school district to the Town of Eden. Councilman Walker then discussed the situation with Ron Maggs, Highway Superintendent and he agreed to work up some figures in regards to maintenance.

After much discussion it was decided that a full report would be given at the September 24, 2003 Town Board Meeting and that Bill Trask, Town Attorney and Ron Maggs, would discuss the situation before the meeting.

11. Drainage Ditch – Merrill Place

Bill Trask, Town Attorney stated that he did meet with Mr. Gawlick, 8350 Merrill Place regarding the drainage ditch on Merrill Place. Councilman Walker suggested that Andrew Reilly, Town Engineer take a brief look and determine the scope of work and come up with a couple of proposals. At that time, notification will be made to homeowners affected and a special meeting would be scheduled.

Supervisor's Report:

Supervisor Nellis stated that a ceremony honoring our firefighters and emergency squad members would be held on September 11, 2003 at 7:00 P.M. in the Chamber of Commerce Park.

Supervisor Nellis stated that the Dollar General store is scheduled to open the week of September 15, 2003 and that they have already hired 20 employees.

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 Walker; 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 9:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk