

**MINUTES**

**WORK SESSION MEETING – EDEN TOWN BOARD**

**2795 EAST CHURCH STREET**

**EDEN, NEW YORK**

**SEPTEMBER 24, 2003**

**7:30 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN ( <i>Dep. Supv.</i> ) <i>Absent</i>
GEORGE F. ZITTEL	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
TIMOTHY J. WALKER	-	COUNCILMAN

**OTHERS PRESENT:**

Mary Jo Hultquist	-	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:**

**1. Selection of Code Review Committee Members**

Supervisor Nellis stated that after advertising for members to form the Code Review Ad-Hoc Committee, four (4) responses were received from Albert J. Kline, Jr., Robert Stickney, Herbert A. Stocksclaeder, John Hains to represent the Zoning Board of Appeals and Mark Agle to represent the Planning Board. Supervisor Nellis also recommended Gerald Neifer, Scott Henry, Town Board members, Mary Lou Pew and Tim Walker and other Town Board members that are available.

**MOTION** was made by Councilman Walker to approve the above-mentioned recommendations to establish the Code Review Ad-Hoc Committee; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**2. Resolutions: a. Honoring Jack Smith b: 30<sup>th</sup> Anniversary of the Eden Police Department**

Supervisor Nellis read the following resolution:

**WHEREAS,** Jack M. Smith has truly contributed to the benefit of this community over a lifetime of commitment and service; and

**WHEREAS,** the Town and general community wish to honor Jack and his family by an appropriate retirement party – assuming he will continue to be active; and

**WHEREAS,** Jack’s accomplishments include numerous activities that go beyond the boundaries of our immediate community extending across Western New York; and

**WHEREAS,** his commitment has been over a lifetime and includes such work as the Eden Corn Festival, Little League and Softball, demonstrating a spirit or volunteerism that inspires us all; and

**WHEREAS,** Jack's devotion to family – wife, children and grandchildren – is further inspiration to all of us;

**NOW, THEREFORE,** the Eden Town Board joins others in this community in honoring Jack Smith personally and in looking to Jack's accomplishments as an inspiration to all of us in how to contribute back to the community as a volunteer and citizen or purpose.

**MOTION** was made by Councilman Walker to approve the resolution honoring Jack Smith; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the following resolution:

**WHEREAS,** on October 1, 2003, the Eden Police Department will officially mark its 30<sup>th</sup> Anniversary in service to the Town of Eden; and

**WHEREAS,** over the year, this Department has served the citizens of Eden well both in terms of law enforcement and in protection of them and their homes; and

**WHEREAS,** recent events related to 9/11 has raised the consciousness of us all in appreciation of those who serve and protect us; and

**WHEREAS,** this day would probably go past with little fanfare and recognition done or expected by those who serve unless we move to highlight this anniversary.

**MOTION** was made by Councilman Walker to approve the resolution honoring the Eden Police Department; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

### **3. Pump Station – Map, Plan and Report**

John Reid from R & D Engineering presented a report to analyze how large the pump station should be to provide supply to the areas in need. The pump station will be located near the Violet Street tank and pump to Church Street with the same connection. It will be shared with the Town of Boston and the cost of \$3,000.00 will be shared proportionally. A motion by Eden and Boston's Town Board would be in order with no referendum required for financing, after the report is completed.

### **4. GIS Contract – Mary Lou Pew**

No action was taken on this agenda item.

### **5. Road Drainage Bids**

No action was taken on this agenda item.

### **6. Sidewalk Work**

Supervisor Nellis stated that he and Ron Maggs, Highway Superintendent completed a walk-through and made a list of the worst sidewalk areas in town. A report was filed with six items listed. Supervisor Nellis and Highway Superintendent Maggs suggested that the two areas to be considered this year are Route 62 by Ryther Creek at an approximate cost of \$750.00 and the path between Schoolview Drive and Merrill Place at an approximate cost of \$7,500.00. The last sidewalk work was done at a cost of \$5.00/sq. ft. and that amount was used to estimate the proposed work.

**MOTION** was made by Councilman Zittel to approve the sidewalk improvements on Route 62 near Ryther Creek at an approximate cost of \$750.00 and the path between Schoolview Drive and Merrill Place at an approximate cost of \$7,500.00 subject to available funds and easements; seconded by Councilman Walker; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

7. **Resolution – to purchase a new highway truck form the Highway Equipment Reserve, subject to permissive referendum**

No action was taken on this agenda item.

8. **Resolution – In support of Business Enhancement Districts**

Councilman Walker read the following resolution:

**RESOLUTION IN SUPPORT  
OF  
BUSINESS ENHANCEMENT DISTRICTS**

**WHEREAS,** various towns wish to support the Enhancement and Redevelopment of commercial properties in their towns;

**WHEREAS,** many towns in Erie County, not having their own Industrial Development Corporation but being served by Erie County Industrial Development Agency (ECIDA), have expressed interest, even approval towards the development of Business Enhancement Districts;

**WHEREAS,** as part of town redevelopment effort, our various town boards have determined that providing financial and tax incentives to businesses and to the owners of commercial property occupied by business will stimulate such desirable development, expansion and retention of such businesses;

**WHEREAS,** the ECIDA is a public benefit corporation constituted for the purpose of assisting the development, expansion and retention of businesses in the county by providing certain financial and tax incentives to eligible businesses, and;

**WHEREAS,** the New York General Municipal Law 862 provides that, in order for the ECIDA to assist businesses engaged in sales of goods and services, the ECIDA must find that such goods and services would not be reasonable accessible to residents of various towns without ECIDA assistance; and

**NOW, THEREFORE**, be it resolved that we urge the New Executive Director of ECIDA, Charles E. Webb and the ECIDA Board of Directors to move forward with a sense of urgency to either reaffirm existing ECIDA policy which encourages development of Business Enhancement District and/or admonish the staff of ECIDA to come forward with any proposed changes to said policy by October, 2003 so we can implement our efforts locally, and

**RESOLVE**, that we hereby request that the ECIDA assume a primary role in assisting the redevelopment, expansion and retention of businesses in said redevelopment areas as other existing Town Industrial Development Agencies have done in their municipalities;

**RESOLVE**, that as municipalities covered by the ECIDA we ask no more than equality in what we are requesting to those business and tax incentives given by other towns through their local IDA's.

**RESOLVE**, that copies of this Resolution be forwarded to the appropriate County Legislators and the County Executive in the hope that they will use their influence to encourage Resolution of this issue before the ECIDA.

**MOTION** was made by Councilman Walker to accept the resolution; seconded by Councilman Zittel; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

### **Supervisor's Report:**

Supervisor Nellis stated that he received correspondence from James Barnack with the New York State Department of Transportation in response to the Town's letter regarding concerns for safety at the intersection of Rt. 62/Bley and North Boston Roads. The State DOT will do some re-striping of the area and place stop bars for maximum site to observe oncoming traffic at this intersection.

### **Hearing of Visitors:**

Ruth Szalasny, 3048 Belknap Road

Mike Bolo, 9998 Clarksburg Road

**Adjournment:**

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

Supervisor Nellis adjourned the Work Session Meeting at 8:25 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