

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
SEPTEMBER 22, 2004
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN (<i>Deputy Supervisor</i>)
EDWARD KRYCIA, JR.	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
TIMOTHY J. WALKER	-	COUNCILMAN (<i>Absent</i>)

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
Anna M. Knack	-	Administrative Assistant

Call To Order:

Supervisor Nellis called the Work Session of the Eden Town Board to order at 7:45 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. Discussion/Decision – Special Use Permit Request from Richard Minekime

Supervisor Nellis stated that the discussion/decision on a request from Mr. Minekime for a Special Use Permit for his property at 2679 Hemlock Road for a portion of the property to be used for residential purposes as a caretaker residence had been discussed at length at a Public Hearing held on September 8, 2004. Supervisor Nellis stated that the Planning Board reviewed the request and voted 3-2 in favor of the request from Mr. Minekime for a Special Use Permit. Supervisor Nellis suggested that the Town Board take action on the request.

MOTION was made by Councilman Krycia to approve the Special Use Permit with the following conditions:

- a. Must provide yearly proof that the caretaker is employed in connection with any permitted use on said lot.
- b. The Caretaker's apartment must conform to all of the Town of Eden Building Codes as reviewed by our Town Code Enforcement Officer.

- c. This Special Use Permit shall be renewable annually, beginning January 1, 2005.

Seconded by Councilman Vacco.

Councilwoman Pew asked if there were any comments regarding the above-mentioned conditions before the Town Board votes on the Motion.

Mrs. Joyce Harms, representing Page Harms Oil Co., Inc. stated that with a kitchen in the area it is a dangerous situation with the potential for danger. She assured the Town Board that they are making mistake by granting this Special Use Permit in a hazardous material area and that she is holding the Town Board responsible. She thanked Town Board members Krycia and Vacco for visiting the site.

Mr. Minekime stated that the conditions that exist now would be there. Yes, there is a potential for problems, but they have been there for many years. This is not increasing danger. It is not meant for families.

After much discussion the Town Board voted on the Special Use Permit:

“Ayes”; Nellis, Krycia, Vacco; Abstain? – None; Opposed? – Pew; Motion carried.

2. **October 13, 2004 Town Board Meeting – East Eden Fire Hall**

Supervisor Nellis stated that as in previous years, a Town Board Meeting will be held in East Eden on October 13, 2004, if approved by the Town Board.

MOTION was made by Supervisor Nellis to schedule the next Town Board Meeting, October 13, 2004 at 7:30 P.M. at the East Eden Fire Hall; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. **Approval of Contractor for Concrete Work – Walkway Easement from Weller Subdivision to School**

Supervisor Nellis read correspondence from Ron Maggs, Highway Superintendent regarding approval of the Contractor for concrete work for the new sidewalk construction for the path between Merrill Place and Schoolview Drive. Two bids were received with the following results:

- a. T.S. & W. Concrete & Masonry, LLC in the amount of \$7,150.00
- b. Southern Tier Construction in the amount of \$7,900.00

The recommendation of Ron Maggs, Highway Superintendent was to award the bid to the low bidder, TS & W Concrete & Masonry, LLC in the amount of \$7,150.00.

MOTION was made by Supervisor Nellis to award the bid to TS & W Concrete & Masonry, LLC in the amount of \$7,150.00 on the recommendation of Ron Maggs, Highway Superintendent; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. Economic Development Committee

Councilman Krycia stated that the Economic Development Committee would be holding an Audio Web Conference on October 6, 2004 between 4:00 PM and 5:00 PM in the Eden Town Hall at a cost of \$500.00. Councilman Krycia extended an invitation to all residents along with the Chamber of Commerce and members of the Planning Board with more information will forthcoming in the Penny Saver.

MOTION was made by Councilman Vacco to allow the Economic Development Committee to expend up to \$500.00 for the Audio Web Conference to be held at the Eden Town Hall on October 6, 2004; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Supervisor Nellis stated that the resolution that was passed at the September 8, 2004 Town Board meeting referring to Court Fees has been rescinded by the State Senate and possibly the Assembly with no word from Governor Pataki. If passed, the Town of Eden would suffer a loss of \$45,000, which could result in a 7% increase in property taxes.

Hearing of Visitors:

There were none.

Adjournment:

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

Supervisor Nellis adjourned the Work Session Meeting of the Eden Town Board at 8:10 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk