

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
AUGUST 10, 2005
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

DEPARTMENT HEADS PRESENT:

Andrew C. Reilly of Wendel	-	Town Engineer
Patrick M. Howard	-	Chief of Police
Paul Shephard	-	Eden Emergency Squad
David A. Cole	-	Eden Fire Chief
Kevin R. Schoenthal	-	East Eden Fire Chief
Robert Pietrocarlo	-	Chairman Board of Assessors

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 7:40 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 July 13, 2005; there were none.

MOTION was made by Councilman Krycia to approve the Town Board Minutes of July 13, 2005 as presented; seconded by Councilwoman Pew; “Ayes”? Nellis, Krycia, Pew, Walker; Opposed? – None; Abstain? – Vacco; Motion carried.

Petitions:

There were none.

Budget Transfers:

There were none.

Budget Amendments:

There were none.

Audit Bills:

Supervisor Nellis asked if there were any changes or additions to the “Audit of Bills” which are on file in the Town Clerk’s office. There were none.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	402-466	\$44,772.03
Highway Dept. Fund	196-228	\$111,080.29
Fire Dept. Fund	164-189	\$12,623.08
Recreation Dept. Fund	86-121	\$11,624.09
Refuse and Garbage Fund	18-19	\$28,214.53
Street Lights Fund	17-19	\$3,480.85
Water Fund	15	\$5,042.07
Trust & Agency Fund	--	--
Capital Fund	10	\$745.50
Community Development	--	--

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

Departmental Reports:

Department reports for the month of July 2005 were presented by Paul Shephard, Eden Emergency Squad; David Cole, Eden Fire Chief; Kevin Schoenthal, East Eden Fire Chief; Patrick Howard, Eden Police Chief; Patrick Howard for Ray Zabron, Dog Control Officer; Andrew Reilly, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Supervisor Nellis for Scott Henry, Zoning Code Enforcement Officer; Supervisor Nellis for

Susan Brass, Recreation Director; Robert Pietrocarlo, Chairman Board of Assessors, no report submitted. All reports are on file in the Town Clerk's office.

Dave Cole, Eden Fire Chief requested the Town Board add Mark Smythe, 2915 Kulp road to the active roster of the Eden Fire Department, pending background check and physical exam.

MOTION was made by Councilwoman Pew to add Mark Smythe, 2915 Kulp Road to the active roster of the Eden Fire Department, pending background check and physical exam; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Mary Jo Hultquist, Town Clerk stated correspondence would be sent to Erie County Board of Elections Commissioners to consolidate the polling locations in the Town of Eden to assist with inspector availability and a cost savings to the Town.

New and Unfinished Business:

1. Water Project Report

Steve Waldvogel, CRA Infrastructure & Engineering, Inc. reported that the Violet Parkway Pump Station project is moving forward. The signed documents have been sent to Rural Development and a pre-construction meeting will be held September 2, 2005. The Southwest Erie County Consortium Regional Water Project is moving forward with several minor discussions with Collins Corrections Facility. A meeting with the State Senator is being planned and the level of funding commitment from the corrections facility is being discussed.

Supervisor Nellis stated that a limit of water use was currently posted in the Town of North Collins.

2. Motion to Accept Combined County Agricultural District

Supervisor Nellis stated that he received correspondence from Chet Jandzinski, County of Erie Department of Environment and Planning, regarding the Agricultural Districts in the Town of Eden. Currently there are three (3) Agricultural Districts and the County is proposing that they be merged into one district.

MOTION was made by Supervisor Nellis to accept the County of Erie's proposal to combine the 3 agricultural districts into one district; seconded by Councilman Krycia; All "Ayes"; - Opposed? – None; Abstain? – None; Motion carried.

3. Approval of Sale of Surplus 1993 Ford F150 Pickup Truck

Supervisor Nellis received correspondence regarding the 1993 Ford F150 Pickup Truck from Zinovay Gusakov with an offer of \$100.00 to purchase the truck.

MOTION was made by Supervisor Nellis to authorize the sale to Zinovay Gusakov for \$100.00; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. Ratification of new bid opening deadline for Garbage Contract Bids

Supervisor Nellis stated that a new bid opening date was scheduled for August 15, 2005 at 2:00 P.M. in the Town Clerk’s office for the Solid Waste Pickup and Disposal bid opening, which has been advertised in the “Hamburg Sun”.

MOTION was made by Councilman Walker to approve the new bid opening date for the Garbage Contract Bids to August 15, 2005 at 2:00 P.M.; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

5. Resolution on Eden Library

Supervisor Nellis read the following resolution:

RESOLUTION ON

SAVING EDEN’S LIBRARY

WHEREAS, the Buffalo and Erie County Public Library System Board of Trustees is considering closing the Eden Library as part of a system-wide reduction in the number of library branches.

WHEREAS, the main planning document of Erie County Government “Guiding Principles for Countywide Lands Use Planning” identifies the importance to place and maintain libraries in rural centers of county-wide significance, and

WHEREAS, the hamlet of Eden ranks second in all of Erie County as a Rural Center of county-wide significance by Erie County’s own documentation, and

WHEREAS, the people of Eden pay \$216,000 in county library taxes annually while receiving \$102,000 back to operate the Eden Library, and

WHEREAS, the people of Eden raised private money totaling 70% of the funds needed to build the excellent facility the Eden Library now has, and

WHEREAS, the Eden Library is by most criteria – i.e., an excellent facility, dedicated Board and staff, well used, with the second largest rural collection in Erie County – one of the jewels of this Library system.

NOW, THEREFORE BE IT RESOLVED that the Eden Town Board urges the Library Planning Committee and subsequently, the full Board of Trustees of the Buffalo and Erie County Public Library system to keep the Eden Library open!

FURTHERMORE, we direct that copies of this Resolution be forwarded to Michael Mahaney, Director of the Public Library system and to Rebecca Pordum, Chair of the Public Library Board of Trustees.

MOTION was made by Councilman Krycia to accept the resolution as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

- Note: Susan Minekime, Eden Librarian publicly thanked the efforts of the Eden Town Board, the Library Board, Sandy Ploetz, School Librarian and the residents of the Town of Eden. This has been a community effort and everyone involved is continuing to have hope.

6. Town Board authorization – Bank Credit Card for Necessary On-line Transactions/Purchases

Supervisor Nellis read the following resolution:

WHEREAS, the Bank of America Business Credit Card Program requires a copy of our corporate resolution, and

WHEREAS, having such a credit card will be helpful from time to time but will not be used excessively by the town,

NOW, THEREFORE, BE IT RESOLVED that the Eden Town Board approves the recent application for the Town of Eden for a Bank of America Business Credit Card.

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

7. Appointment of new Bookkeeper

Supervisor Nellis requested the Town Board appoint Jayne Kolipinski as the new Bookkeeper for the Town of Eden. Ms. Kolipinski was listed on the Erie County Civil Service and chosen for an interview. Ms. Kolipinski was offered an annual salary of \$26,000 retroactive to August 4, 2005 with a 6-month probation period.

MOTION was made by Supervisor Nellis to approve the appointment of Jayne Kolipinski as the Bookkeeper for the Town of Eden at a salary of \$26,000, retroactive to August 4, 2005 with a 6-month probation period; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8. Calendar for 2006 Budget Process

Supervisor Nellis requested that the Town Board advise his office of their availability so as to schedule the calendar for the 2006 budget process.

**9. Notice of Liquor License Renewal Application – Eden North Collins Gun Club
Notice of Liquor License Renewal Application – Eden Bowling Center**

Supervisor Nellis received correspondence from Eden North Collins Gun Club and the Eden Bowling Center regarding the renewal of their Liquor License Application, which correspondence was accepted and filed.

10. Setting of Public Hearing – Proposed Local Law No. 6-2005

Supervisor Nellis requested the Town Board set a Public Hearing for Proposed Local Law No. 6-2005, amending specific sections of the Town of Eden Code, for September 28, 2005 at 8:00 P.M.

MOTION was made by Councilman Walker to schedule the Public Hearing for Proposed Local Law No. 6-2005, amending specific sections of the Town of Eden Code for September 14, 2005 at 8:00 P.M.; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Discussion: Councilman Krycia suggested that the Town Board meet to discuss some of the verbiage contained within the amended changes to Proposed Local Law #6-2005. After much discussion the motion was amended.

MOTION was made by Supervisor Nellis to schedule the Public Hearing for Proposed Local Law #6-2005, amending specific sections of the Town of Eden Code for September 28, 2005 at 8:00 P.M.; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

11. Resolution – North Boston Road

Supervisor Nellis read the following resolution:

WHEREAS, a petition has been received from sixty-two residents of North Boston Road in Eden requesting the speed limit be lowered from 55 MPH to 45 MPH, and

WHEREAS, the Eden Town Board did request such a reduction in October 2004, and

WHEREAS, since then, the Town of Boston portion of North Boston Road has been granted such a reduction by the State Department of Transportation, and

NOW, BE IT RESOLVED that the Eden Town Board request again that our portion of North Boston Road be reduced from 55 MPH to 45 MPH consistent with the reduction given to the Town of Boston portion of this road and in keeping with the request of sixty-two citizens of Eden.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded through the Erie County Highway Department, to the State Department of Transportation, Senator William Stachowski and Assemblyman Jack Quinn.

MOTION was made by Supervisor Nellis to accept the resolution as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

After much discussion, the motion was amended.

MOTION was made by Supervisor Nellis to accept the resolution as presented, pending authorization from Ron Maggs, Highway Superintendent; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

12. Memo of Understanding – Eden Recreation Department/Richard Minekime

Supervisor Nellis received a “Memorandum of Understanding” regarding the Dedication of Recreation Space in Lieu of Recreation Fee from Applicant Richard E. Minekime for development of Beverly and Evelyn Drive. The purpose of this Memorandum of Understanding is to memorialize the terms and conditions of an agreement reached between Richard E. Minekime and the Town of Eden with respect to the above-referenced matter. This Memorandum of Understanding is subject to approval by the Eden Town Board in open session. A copy of the “Memorandum of Understanding” is available in the Town Clerk’s office.

MOTION was made by Councilman Walker to accept and file the “Memorandum of Understanding” regarding Dedication of Recreation Space in Lieu of Recreation Fee from applicant Richard E. Minekime for development of Beverly and Evelyn Drive; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

- Note: Councilman Walker publicly thanked the Recreation Advisory Board, Mr. Minekime, Attorney Trask and Jim Brass for the countless hours that was needed to make this a reality.

13. Off-Road Drainage Committee

Supervisor Nellis read correspondence from Ron Maggs, Off Road Drainage Committee Chairperson regarding Project 2005-6; recommendation to clean the Sonnybrook detention basin between East Pleasant Avenue and Hillbrook Drive at a cost not to exceed \$6,000.

MOTION was made by Councilman Walker to approve the recommendation of Ron Maggs, Chairperson of the Off Road Drainage Committee as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

- Eden Valley Bridge is down to one-lane for approximately 2 months, while repairs are completed.

- Association of Erie County Governments will be conducting their August meeting in Eden at the Eden VFW on August 25, 2005 at 6:30 P.M. with dinner and two guest speakers.

Hearing of Visitors:

Ruth Szalasny, 3048 Belknap Road
Sue Minekime, 7947 Old Jennings Road
Joe Klug, 7700 Bley Road
Jim Legal, Town of Boston

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 9:18 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 11:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist