

MINUTES
REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
OCTOBER 12, 2005
7:30 P.M.

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR (<i>Absent</i>)
MARY LOU PEW	-	COUNCILWOMAN (<i>Deputy Supervisor</i>)
EDWARD KRYCIA, JR	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN (<i>Absent</i>)
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
Julie Boedo	-	Eden Emergency Squad
David A. Cole	-	Eden Fire Chief
Kevin R. Schoenthal	-	East Eden Fire Chief
Robert Pietrocarlo	-	Chairman Board of Assessors
Susan Brass	-	Recreation Director

OTHERS PRESENT:

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

Call to Order:

Deputy Supervisor Pew called the Regular Meeting of the Eden Town Board to order at 7:30 P.M.

Pledge of Allegiance:

Deputy Supervisor Pew led the assembly in the Pledge of Allegiance to the flag followed by a moment of silence.

Approval of Minutes:

Deputy Supervisor Pew asked if there were any additions or corrections to the Town Board Minutes of September 14, 2005; There were none.

MOTION was made by Councilman Krycia to approve the Town Board Minutes of September 14, 2005 as presented; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers:

Deputy Supervisor Pew read the following “Budget Transfers” from Account SW909 Water District Fund Balance to Account SW8320.4V for balance of Town’s share of Local Project Cost (\$125,000) in the amount of \$79,490.06 and from Account Police Sick Bank to Account A3120.1 for Felschow Accumulated Time Retirement in the amount of \$51,905.43. **MOTION** was made by Councilman Walker to approve the “Budget Transfers” as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Budget Amendments:

There were none.

Audit Bills:

Deputy Supervisor Pew 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	529-594	\$61,414.05
Highway Dept. Fund	268-290	\$17,818.06
Fire Dept. Fund	212-233	\$6,469.76
Recreation Dept. Fund	141-156	\$5,549.10
Refuse and Garbage Fund	--	--
Street Lights Fund	23-25	\$3,601.34
Water Fund	19-21	\$15,101.07
Trust & Agency Fund	--	--
Capital Fund	12-13	\$3,842.79
Community Development	--	--

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

Departmental Reports:

Department reports for the month of September, 2005 were presented by Julie Boedo, Eden Emergency Squad; David Cole, Eden Fire Chief; Kevin Schoenthal, East Eden Fire Chief; Patrick Howard, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; Andrew Reilly, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Councilman Walker for Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director; Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk's office.

Kevin Schoenthal, East Eden Fire Chief requested the Town Board add the name of Eric Schreiber to the East Eden active roster pending an OSHA physical and arson background check.

MOTION was made by Councilwoman Pew to add the name of Eric Schreiber to the East Eden active roster pending an OSHA physical and arson background check; seconded by Councilman Walker; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Ron Maggs, Highway Superintendent requested the following "Budget Transfers" from Account D5120.2 to D5110.4 in the amount of \$5,000; from Account D5120.4 to D5110.4 in the amount of \$5,000; and from Account D2770 to D5110.4 in the amount of \$5,000 (payment from Off-Road Drainage Account for Highway Department performing mowing services as previously approved by the Town Board).

MOTION was made by Councilman Walker to approve the "Budget Transfers" for the Highway Department as presented; seconded by Councilman Krycia; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

New and Unfinished Business:

1. Setting of Bid Opening Date for new Garbage Contract

Deputy Supervisor Pew expressed her thanks to Ann Knack, Administrative Assistant and William Trask, Town Attorney for their work on the proposed garbage contract and stated that a Bid Opening date should be scheduled for November 21, 2005 at 2:00 P.M. in the Town Clerk's office.

MOTION was made by Councilman Walker to schedule the bid opening for the new Garbage Contract for November 21, 2005 at 2:00 P.M. in the Town Clerk's office; seconded by Councilman Krycia; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

2. Setting of Public Hearing Date on Town of Eden 2006 Preliminary Budget

Deputy Supervisor Pew stated that a Public Hearing should be scheduled for November 9, 2005 at 8:00 P.M. to present the Preliminary Budget for 2006.

MOTION was made by Councilman Walker to set the Public Hearing for the Preliminary 2006 Budget for November 9, 2005 at 8:00 P.M.; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. Setting of Bid Opening Date – Parking Lot/Sidewalks

Deputy Supervisor Pew stated that a Bid Opening date should be scheduled for the Parking Lot and Sidewalk Reconstruction for October 24, 2005 at 3:00 P.M. in the Town Clerk’s office. The bidding documents may be obtained on or after October 13, 2005 at the office of the Town Clerk, Town Hall, 2795 East Church Street, Eden, NY, upon payment of \$25.00 per set of documents.

MOTION was made by Councilman Walker to set the Bid Opening date for October 24, 2005 at 3:00 P.M. in the Town Clerk’s office for the Parking Lot and Sidewalk Reconstruction; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. Discussion – Setting of Public Hearing on Proposed Local Law No. 2005-6

Deputy Supervisor Pew moved this item to “Old Business” to be reviewed and discussed at a future Town Board Meeting.

5. 2005-2007 Snow Plowing Contract – Authorization for Supervisor to sign

Deputy Supervisor Pew stated that authorization is needed for her signature on the 2005-2007 Snow Removal and Ice Control Agreement with Erie County, which agreement is on file in the Town Clerk’s office.

MOTION was made by Councilman Walker that the Town of Eden participates in the 2005-2007 Snow Removal and Ice Control Agreement with Erie County and that Deputy Supervisor Mary Lou Pew be authorized to execute this agreement on behalf of the Town of Eden; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

6. Inter-Municipal Agreement Western New York Storm Water Coalition – Authorization for Supervisor to sign

Deputy Supervisor Pew stated that authorization is needed for the signature of Glenn R. Nellis, Town Supervisor for The Inter-Municipal Agreement creating the Western New York Storm Water Coalition Agreement, which agreement is on file in the Town Clerk’s office.

MOTION was made by Councilman Krycia that the Town of Eden participate in the Inter-Municipal Agreement creating the Western New York Storm Water Coalition Agreement and that Supervisor Glenn R. Nellis be authorized to execute this agreement on behalf of the Town of Eden; seconded by Councilman Walker; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Walker to close the Regular Meeting of the Eden Town Board for public hearing; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Deputy Supervisor Pew closed the Regular Meeting of the Eden Town Board at 8:00 P.M.

MOTION was made by Councilman Walker to open the Public Hearing for the purpose of project suggestions for Community Development Block Grant Application; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Deputy Supervisor Pew opened the Public Hearing at 8:00 P.M.

8:00 P.M.
Public Hearing
Project suggestions for
Community Development Block Grant Application

Deputy Supervisor Pew read the Legal Notice that was published in the Hamburg Sun regarding the Public Hearing and listed past projects that had been awarded to the Town of Eden with Community Development Block Grant Funding. Ms. Pew also stated that certain criteria is to be followed as to the areas in the Town of Eden that are eligible for funding, which is Route 62, from the Shurfine area to approximately Sandrock Road.

The following citizens gave their comments:

Ruth Szalasny, 3048 Belknap Road. In view of the fact that we are all, in the Town of Eden going to be financially challenged in 2006, not just one neighborhood, I suggest, seeing that in view of the fact the Town of Eden is committed to help defray the expenses of the Eden Library, that we consider whether we would be eligible for a grant to cover the amount the Town of Eden would be responsible for.

Deputy Supervisor Pew read the following letter received from Debbie Asboth:

Dear Mr. Nellis and board:

I am requested that a portion of the next Community Block Grant go towards the cost of rebuilding the playground at the site of the previous PACE playground. (Perhaps \$5,000). During the summer of 2004 our 17-year old wooden playground had to be torn down after tests revealed high levels of arsenic. We now have plans in place to rebuild the facility through a playground vendor named Parkitek. It is our objective to build a new playground that represents community, education and family cohesiveness for the 8,300 residents of our community.

A dedicated committee comprised of community members has been formed for the past year. The estimated cost is \$78,000 and we have received \$19,000 in donations and **fundraisers**

at this point. Several more fundraisers and targeted resources have been planned for this school year.

I will gladly make a presentation to you about what we have planned at this point. I hope you will consider using even a small portion of the Block Grant in helping us reach our financial goal so that we may have a summer 2006 build! You will not only be supporting the project that can help build strong muscles and coordination skills in children but you will be helping families create friendships that can last a lifetime. I would like to specifically thank you, Mr. Nellis, and Mr. Walker for the support you have given the committee at this point. I hope to hear from you soon. Thank you.

Signed: Sincerely, Debbie Asboth.

Christina Abt, 9411 Sandrock Road. I am just trying to clarify this, could this block grant could go towards public transportation and what form would that be seeing that we have none now so is there something now that the Planning Board is working on towards public transportation possibility in the future. Deputy Supervisor Pew stated that it is a County Van and the Town of Eden has always included the Rural Transit Van in their applications for Community Development Block Grant application and has been successful. The Rural Transit Van is used for the senior citizens in the community.

All persons desiring to be heard, having been heard, Deputy Supervisor Pew closed the Public Hearing at 8:10 P.M.

MOTION was made by Councilman Walker to close the Public Hearing; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Deputy Supervisor Pew closed the Public Hearing at 8:10 P.M.

MOTION was made by Councilman Walker to open the Regular Meeting of the Eden Town Board; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Deputy Supervisor Pew opened the Regular Meeting of the Eden Town Board at 8:10 P.M.

Supervisor's Report:

Deputy Supervisor Pew stated that the work on the Eden Valley Bridge would continue through mid November.

NOTE: Councilman Walker stated that Department Heads have requested that the Town Board consider limiting their appearance at the Town Board meetings, as the reports are submitted timely each and every month. Councilman Walker suggested that the Town Board consider the appearance of Department Heads to a quarterly basis. Deputy Supervisor Pew suggested that this item be taken under consideration with the entire

Town Board present. Councilman Walker suggested that this item be an agenda item for the next Work Session Meeting of the Eden Town Board.

Hearing of Visitors:

Phil Muck, 2763 Oakland Drive
Wilbert Smutz, 3094 East Church Street
Ruth Szalasny, 3048 Belknap Road

Adjournment:

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

Deputy Supervisor Pew adjourned the Regular Meeting of the Eden Town Board at 8:15 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk