

## MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
SEPTEMBER 27, 2006  
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
RICHARD S. VENTRY	-	COUNCILMAN

### **OTHERS PRESENT:**

Janice L. King	-	Deputy Town Clerk
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### **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. American Farmland Protection Act**

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Supervisor Nellis read correspondence from the Agriculture Advisory Committee and the Conservation Board Committee in support of the American Farmland Protection Act which makes available state funding for town agricultural and farmland protection plans. In 2005, the New York State Legislature passed legislation making towns eligible for state grants to develop local agriculture and farmland protection plans. Funding for the proposed town agricultural and farmland protection plans would be allocated from the Farmland Protection Program funding with the state's Environmental Protection Fund and would be administered by the NYS Department of Agriculture and Markets.

The new state legislation makes towns eligible for grant assistance to develop municipal agricultural and farmland protection plans that complement county plans. Interested town governments would be eligible for grants up to \$25,000 or 75% of the cost of developing a plan (whichever is less).

Plans would need to:

1. Identify the areas where it wants to support agriculture.
2. Document the benefits provided by local farms to the community.
3. Describe the threats to productive farmland and consequences of farmland conversion.
4. Outline the activities and strategies the municipality intends to use to support local farms.

This legislation provides incentives for municipalities to consider the future of Agriculture in their jurisdictions and develop pro-active strategies to support the agricultural industry and protect farmland. The legislation also helps support smart growth initiatives around the state by assisting towns with conserving agricultural resources and supporting the agricultural economy – key components of protecting the quality of life in many New York communities.

The following persons spoke:

Bill Feasley spoke regarding TDR (Transfer Development Rights), and in favor of the American Farmland Protection Act. Frank Mantione spoke in agreement of Mr. Feasley and TDR's and stated that this would not affect the taxpayers in the Town of Eden. Diane Phillips explained the grant process. Kevin O'Gorman, Planning Board stated that residential development raises everyone's taxes. After much discussion between Town Board members and residents the following motion was offered:

**MOTION** was made by Councilman Krycia to authorize the Town of Eden to apply to the State of New York for funding for the proposed town agricultural and farmland protection plans to be administered by the NYS Department of Agriculture and Markets; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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

Supervisor Nellis closed the Work Session Meeting of the Eden Town Board at 8:00 P.M.

**MOTION** was made by Councilman Vacco to open the Public Hearing for the "Restore New York Grant Proposal"; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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

**8:00 P.M.**  
**Public Hearing**  
**Restore New York Grant Proposal**

Supervisor Nellis explained the purpose of the public hearing is to listen to any concerns or questions that citizens have.

Supervisor Nellis stated that a grant is being submitted to the Restore New York Grant Proposal for the property located south of Schreiber's Self Storage for Eden Industrial Park. The grant proposal, \$1.1 million, which would include \$522,000 for upgrading the property at 8800 South Main Street, where Multy Industries will be operating a distribution center.

The following persons spoke and asked questions:

Kevin O'Gorman, 9430 Sandrock Road  
Mike Bolo, 9998 Clarksburg Road

All persons desiring to be heard, having been heard, Supervisor Nellis closed the Public Hearing at 8:13 P.M.

**MOTION** was made by Councilman Krycia to close the public hearing; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilman Krycia to open the Work Session Meeting of the Eden Town Board; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

2. **Approval of Loan Resolution – Violet Street Pump Station**

- A resolution of the Town Board of the Town of Eden authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its Violet Street Pump Station facility to serve an area lawfully within its jurisdiction to serve. The total cost of the loan is \$453,000.00.

**MOTION** was made by Councilman Vacco to authorize Supervisor Nellis to sign the loan document in the amount of \$453,000.00; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

3. **Resolution authorizing the Erie County Water Authority to replace the portion of waterline on Hemlock Road that runs under the Railroad Tracks**

- Supervisor Nellis stated that William Trask, Town Attorney has reviewed and approved the resolution authorizing the Erie County Water Authority to replace the portion of waterline on Hemlock Road that runs under the railroad tracks.

**MOTION** was made by Councilman Krycia to authorize Erie County Water Authority to proceed with the project; seconded by Councilman Vacco; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

4. **Resolution in support of Eden Industrial Park Project**

- Supervisor Nellis read the following resolution:

**RESOLUTION IN SUPPORT OF  
EDEN INDUSTRIAL PARK PROJECT**

**WHEREAS,** the proposed industrial project for 8800 South Main Street is consistent with our existing Town Comprehensive Plan and other local and regional plans; and

**WHEREAS,** the Town of Eden has worked toward the renovation and improvement of this critical industrial/commercial property for economic development purposes for several years; and

**WHEREAS,** the proposed financing is appropriate for this specific facility combining municipal, county and state funding with private investment; and

**WHEREAS,** this industrial project facilitates effective and efficient use of existing and future public resources as well as private investment promoting economic development through job creation and an improved facility critical to future growth of this industrial park; and

**WHEREAS,** through the mixed use of public and private funding economic growth is promoted by preserving community resources; and

**WHEREAS,** this project develops and enhances infrastructure in a manner that will attract, create and sustain employment opportunities in the Town of Eden;

**NOW, THEREFORE BE IT RESOLVED** that the Eden Town Board strongly supports this industrial project, which adds to the economic strength of this municipality and nearby region.

Discussion: Supervisor Nellis noted that \$8,000 has been allocated from the budget for the match for this project, as in-kind services, and the rest of the share from the county for economic development.

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

5. **Resolution – 190<sup>th</sup> Anniversary First Baptist Church**

- Supervisor Nellis read the following resolution:

**RESOLUTION IN RECOGNITION OF THE  
190<sup>TH</sup> ANNIVERSARY OF THE FIRST BAPTIST CHURCH OF EDEN**

**WHEREAS,** the First Baptist Church is the oldest church in the Town of Eden, being founded on October 2, 1816, and

**WHEREAS,** after worshipping for 5 years in an old school house near Eden Valley, the congregation built a wood frame church in the valley, and

**WHEREAS,** in 1848 the congregation purchased a structure known as the “Academy” building located on the site of the church today, and

**WHEREAS,** the existing church building was dedicated on January 30, 1896 and in the early 1960’s a basement and addition were built, and

**WHEREAS,** forty-one pastors have served this church over the past 190 years, with the current pastor being the Reverend Lawrence King.

**NOW, THEREFORE, BE IT RESOLVED** that the Eden Town Board joins with other members of the community of Eden congratulating the members of the congregation of the First Baptist Church on this, the church’s 190<sup>th</sup> anniversary, and

**FINALLY, BE IT RESOLVED** that October 2, 2006 is dedicated as “First Baptist Church” Day in the Town of Eden in recognition of the many contributions made over the years to the community of Eden by this church and the members of it’s congregation.

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

**Supervisor’s Report:**

- § Rural Transit is in need of volunteers.
- § People, Inc. held a public meeting September 25, 2006 at the Eden Town Hall. The Town of Eden has a limited role in the process and alternative locations were suggested.
- § Erie County Water Authority has set no date for the Hemlock Road project.

**Hearing of Visitors:**

Wilbert Smutz, 3094 E. Church Street  
Herbert Stocksclaeder, 2497 Bauer Road  
Mike Bolo, 9998 Clarksburg Road

**Adjournment:**

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

Supervisor Nellis adjourned the Work Session Meeting of the Eden Town Board at 8:35 P.M.

**Executive Session:**

P.M. Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 11:15

Respectfully submitted by,

Janice King, Deputy Town Clerk