

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MAY 23, 2007
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN (<i>Deputy Supervisor</i>)
EDWARD KRYCIA, JR.	-	COUNCILMAN (<i>Arrived late</i>)
VINCENT V. VACCO	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN

OTHERS PRESENT:

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

Call To Order:

Supervisor Nellis called the Work Session 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.

New and Unfinished Business:

1. **Tennessee Gas Pipeline – Donation to Eden Recreation Programs**

Supervisor Nellis read correspondence dated May 11, 2007 from Rob Redmond, Area Manager on behalf of Tennessee Gas Pipeline Company with a check for \$500.00 payable to the Town of Eden Recreation Department in support of the Town's recreation programs.

2. **Summer Recreation Employees – Replacements**

Supervisor Nellis read correspondence from Susan Brass, Recreation Director regarding adjustments to staff appointments due to the departure from employment of personnel already approved. The following staff appointments were presented:

Neil Kerwin, from lifeguard to head lifeguard at \$7.50/hour
Kyle Sickau, from CIT to lifeguard at \$7.25/hour

MOTION was made by Councilwoman Pew to accept the adjusted staff appointments as presented by Susan Brass, Recreation Director; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. **Household Hazardous Waste Drop-Off Day – June 16, 2007**

Supervisor Nellis noted that a Household Hazardous Waste Drop-Off Day would
Be held on Saturday, June 16, 2007 from 9:00 a.m. – 2:00 p.m. at Erie Community College South Campus, Orchard Park, New York. A list of items which can be brought to the site for free, proper disposal are available at the Town Hall.

4. **Status Report on Route 62 Repaving Project – (North Collins to Eden Valley Bridge)**

Supervisor Nellis read correspondence from Alan Taylor, Regional Director, Region 5, New York State Department of Transportation, regarding designation of restricted highway. A portion of U.S. Route 62 beginning 2,000 feet south of the intersection with Halley Road and ending at the intersection with Bley Road; and a portion of NY Route 249 beginning 1,500 feet west of the North Collins west village line and ending 1,500 feet east of the intersection with NY Route 75. Including all intersecting roads to the limits shown on the contract plans. All in the Village and Town
of North Collins and the Town of Eden.

Supervisor Nellis stated that this is a maintenance program and would being in approximately 2 weeks.

5. **Resurfacing of Parking Lot(s)**

Supervisor Nellis stated that the following quotes had been received by Ron Maggs, Highway Superintendent to resurface the Town Hall and Library parking lots:

Ballou Enterprises Paving & Sealing \$2,830.00

Palmieri Paving & Sealing

\$3,150.00

After reviewing the quotes received the following Motion was offered:

MOTION was made by Supervisor Nellis to accept the quote from Ballou Enterprises Paving & Sealing at a total cost of \$2,830.00, being the low quote; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain?- None; Motion carried.

Supervisor Nellis read the following resolution:

RESOLUTION AUTHORIZING SUPERVISOR GLENN R. NELLIS TO EXPEND FUNDS FORM THE GENERAL MAINTENANCE RESERVE FUND OF THE TOWN OF EDEN SUBJECT TO PERMISSIVE REFERENDUM.

The Town Board of the Town of Eden, duly convened in regular session, does hereby resolve pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York that the Town Supervisor of the Town of Eden be and is hereby authorized and directed to transfer from the General Maintenance Reserve Fund of the Town of Eden to the Town Hall Contractual Line, Account A1620.4, a sum not to exceed \$2,830.00 from said Reserve Fund for the purpose of sealing the parking lots at the Eden Town Hall and Eden Library.

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

6. **Review of Proposed Local Law on State Building Code**

Supervisor Nellis stated that this item would be tabled at this time to be reviewed and discussed at a future Town Board meeting.

7. **North Evans Cemetery**

Supervisor Nellis read the following correspondence from Marilyn Quatroche, Secretary/Treasurer of the North Evans Cemetery:

“It is with regret that the trustees of the North Evans Cemetery (15051) request that the Town of Eden take over the responsibilities of the cemetery. The rising cost of maintenance and insurance along with the minimum of burial activity has caused

our general fund to become depleted. Under these circumstances it has become impossible for us to continue to administer and maintain the cemetery.

We appreciate your consideration of this request and have enclosed the required paperwork as given to us by Cynthia Craig of the Buffalo office.”

The following resolution was also included:

“We, the trustees of the North Evans Cemetery Association, do hereby resolve to request the township of Eden, New York, to assume the maintenance and administrative duties of the subject cemetery. We further agree that upon formal acceptance of the cemetery and the aforementioned responsibilities, we will turn over to the township of Eden all records and assets of the subject cemetery. This action is taken in recognition of the fact that a town takeover is the only reasonable course of action to preserve and protect the best interest of the cemetery and the families buried in the cemetery.”

(The resolution was signed by the 7 (seven) trustees).

Supervisor Nellis read the following resolution:

RESOLUTION

Town of Eden, County of Erie, State of New York

WHEREAS, there has been established in this Town a cemetery known as the North Evans Cemetery Association, Inc., which association maintains a public cemetery on Shadagee Road in Eden, Erie County, New York and owns real property in said Town, and

WHEREAS, said association has under its care certain funds, in the amount of \$32,589.39 for perpetual care, permanent maintenance, special trust, general, deposited in the following banks: Evans National Bank, and

WHEREAS, the association has been and still is unable to procure sufficient income from above investments, the members of the association and from the representatives of the deceased persons interred in the cemetery.

WHEREAS, the cemetery association has requested that the Town of Eden, pursuant to Section 1506(j) of the Not-for-Profit Corporation Law, accept the conveyance of the cemetery premises and transfer of assets.

RESOLVED, that the Town of Eden accept the conveyance of the cemetery premises and the transfer of the assets from the cemetery association, such conveyance shall be subject to all agreements as to lots sold and all trusts, restrictions and conditions upon the title or use of the real property or assets.

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

8. **Letter of Resignation – Tim Schnauer – Historic Review Board**
Re-appointment of Lamont Beers – Conservation Advisory Board

Supervisor Nellis read correspondence from Timothy C. Schnauer regarding the resignation of his duties as the Architect and Chairperson of the Historic Review Board.

MOTION was made by Councilman Vacco to accept the letter of resignation from Timothy C. Schnauer with regret and appreciation for the time served on the Historic Review Board; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read correspondence from Andrew Eszak, Commissioner of the Erie County Department of Environment & Planning regarding the two-year term of Lamont Beers on the Erie County Environmental Management Council that will expire on May 31, 2007. The Town Board has the option to re-designate Mr. Beers for an additional two-year term or nominate a new representative.

Frank Mantione, Chairman of the Eden Conservation Advisory Board submitted a letter of recommendation to the Town Board in favor of re-designating Mr. Beers to an additional two-year term on the Erie County Environmental Management Council. Mr. Beers has been contacted and will accept the recommendation.

MOTION was made by Supervisor Nellis to re-designate Lamont Beers for an additional two-year term on the Erie County Environmental Management Council based on the recommendation of Frank Mantione, Chairman of the Eden Conservation Advisory Board; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

9. **Eden Tower Site 875154**

Councilwoman Pew read an e-mail from Kevin C. Hughes, Public Safety Communications, Erie County Central Police Services regarding the tower located on East Eden Road. Mr. Hughes stated that lease documents have been received from Crown Castle for the tower site. It appears Crown Castle will enter into an agreement directly with the County of Erie for the tower space, unlike the previous owner, Global Signal, who only wanted to deal with the Town of Eden. Once the agreement is signed by the County and returned to Crown Castle installation will begin. Mr. Hughes expressed his sincere appreciation to the Town Board and Town Attorney for all they have done to help throughout this process and promised to keep all advised on the progress in the field over the next few weeks and looking forward to getting the First Responder's of the Town of Eden on board with their system soon.

10. Tractor Pull – American Legion

Supervisor Nellis read correspondence from Ron Maggs, Highway Superintendent regarding the use of highway equipment after-hours for the upcoming Tractor Pull to be held at the American Legion on June 3, 2007.

MOTION was made by Councilwoman Pew to approve the use of highway equipment after-hours for the Tractor Pull to be held at the American Legion on June 3, 2007 under the discretion of Ron Maggs, Highway Superintendent; seconded by Councilman Vacco; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor's Report:

Supervisor Nellis made note of the upcoming "Summer Events" in the 4-Town, 3-Village area. Copies are available in the Town Clerk's office.

Hearing of Visitors:

Herbert Stocksclaeder

Adjournment:

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

Supervisor Nellis adjourned the Work Session Meeting of the Eden Town Board at 8:15 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board
at 9:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk