

October 22, 2008

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
OCTOBER 22, 2008
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:

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 7:30 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. Naming of Road in Industrial Park

Supervisor Nellis read the following correspondence from Ron Maggs, Highway Superintendent:

“As Superintendent of Highways, I am recommending that the town board accept for dedication, the Industrial Access Road. I have inspected and witnessed the construction of the road and find that it meets or exceeds our expectations.”

MOTION was made by Supervisor Nellis to accept the recommendation as presented by Ron Maggs, Highway Superintendent; seconded by Councilwoman Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Nellis read the following correspondence from Ferris Randall, Historian, ex-officio:

“As per your request to suggest a name for the road to the industrial park, may I suggest Landon Drive? The property belonged to the Landon’s as early as 1860, and Warren Landon used to have his cow stanchions there. It was Ida Landon who was the first Lady Supervisor of Eden, succeeding her husband. It would seem to me that for histories sake this would be a justifiable name.”

MOTION was made by Supervisor Nellis to accept the recommendation as presented by Ferris Randall to name the road in Industrial Park “Landon Parkway”; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

2. Public Notice for Inclusion of Lands into an Agricultural District

Supervisor Nellis read the following correspondence from John S. Opalka, Planner for the County of Erie:

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“The Erie County Legislature has designated November 1 through November 30 as the annual thirty-day time period within which a landowner may request predominantly viable agricultural land for inclusion to a certified agricultural district in accordance to Section 303-b of N.Y.S. Agricultural and Markets Law.”

Supervisor Nellis read the following public notice:

**PUBLIC NOTICE
30-DAY PERIOD
FOR INCLUSION OF LANDS
INTO AN AGRICULTURAL DISTRICT
FOR 2008**

The Erie County Legislature on September 23, 2004 designated November 1st through November 30th as the annual thirty-day period during which landowners may submit requests for the inclusion of predominantly viable agricultural land within an existing certified agricultural district as per New York State Agriculture and Markets Law Section 303-b.

The Erie County Department of Environment and Planning (ECDEP) (Room 1063) at 95 Franklin Street, Buffalo, New York 14202 will accept applications for addition into an agricultural district.

Town Supervisors, Clerks and Assessors in Erie County and ECDEP at the above-mentioned address have copies of the application form to provide to any persons requesting them.

If you have any questions or problems concerning the 30-day period process, please contact ECDEP Planner John Opalka at (716)858-6229.

3. Correspondence from Rural Transit Service, Inc., Re: Support of the van Program through the 2009-2010 Community Development Block Grant Year

Supervisor Nellis read the following correspondence from Brenda Henderson, Executive Director for Rural Transit Service, Inc.:

“Rural Transit Service is a non-profit transportation organization offering rides to senior citizens, disabled and low income residents in your community. The service is totally volunteer driven and free (suggested \$2 donation/trip). This service provides transportation to eligible residents for doctor visits, dental appointments, counseling, banking, grocery shopping, hair cuts, senior centers, nutrition sites, personal trips, etc.”

4. Selection of Community Development Block Grant Projects

Supervisor Nellis recommended the following (2) two projects for Submission for Community Development Block Grant Projects:

1. Pre-vocational Center for the Suburban Adult Services, owners of the Kazoo Factory, a not-for-profit organization that services the mentally disabled, a \$100,000.00 grant to purchase property to be demolished to build a 3500 sq. ft. new building to employ 8-10 people.

2. Rural Transit Service, Inc.

MOTION was made by Supervisor Nellis to approve the above-mentioned selections for Community Development Block Grant Projects; seconded by Councilman Vacco; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

5. Resolution Opposing the Proposed Changes to the Public Health Law Consolidating Local Registrars of Vital Statistics

Supervisor Nellis read the following resolution:

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**Resolution Opposing the Proposed Changes
To the Public Health Law Consolidating Local Registrars of Vital Statistics**

WHEREAS, the New York State Local Government Commission on Efficiency and Competitiveness has made recommendations to the Governor which affect the operation of local governments, and

WHEREAS, one of the recommendations of the commission was to move all Registrar of Vital Statistics duties to the County level under the direction of the New York State Health Commissioner, and

WHEREAS, the NYS Department of Health has developed a program bill (Senate Bill #S8184 and Assembly Bill #A11560) that would allow the Commissioner to consolidate the function of the local Registrars of Vital Statistics, and

WHEREAS, the Commissioner could consolidate these services without County Legislature approval as is required by law currently, and

WHEREAS, the NYS Department of Health has inappropriately attached these proposed changes in the structure of the Registrar of Vital Statistics duties to changes in the “Pandemic Flu and Public Health Emergency Preparedness Law”, and

WHEREAS, the local City, Town and Village Clerks have provided this service professionally, efficiently and in a timely and cost effective manner over the years, and

WHEREAS, the Eden Town Board feels with the current high costs and financial stress to citizens, including fuel and the County Hall’s distance from the Town of Eden, this would put an additional undue burden on residents as these services would be located much further away and the local registrars currently charge \$10.00 per certified copy and the state proposes to allow the County to charge \$30.00 per certified copy, thereby tripling their current fee, and

WHEREAS, the loss of revenues would have a financial impact on the Town of Eden as well as all local governments.

NOW, THEREFORE BE IT RESOLVED that in the interest of its residents and good, efficient, cost effective government, the Town of Eden opposes the consolidation of the function of the local Registrars of Vital Statistics to the County, and

BE IT FURTHER RESOLVED that the Town of Eden appeals to its County and State Officials to oppose the proposed changes to the Public Health Law relating to the Registrars of Vital Statistics and requests that a copy of this resolution be forwarded to Governor David Patterson, Erie County Executive Christopher Collins, Erie County Legislature, Erie County Clerk and the Western New York delegation of the New York State Senate and Assembly.

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

6. Approval of Adult Winter Recreation Program Supervisors

Supervisor Nellis read the following staff appointments as recommended by the Recreation Board:

Don Williams as Adult Volleyball Supervisor, Tuesday nights, November through April at a pay rate of \$8.50/hour.

Alison Eckert as Adult Swimming Supervisor on Monday & Wednesday nights, November through April at a pay rate of \$10.00/hour.

Jessica Evans as Adult Swimming Supervisor on Monday & Wednesday nights, November through April at a pay rate of \$10.00/hour.

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MOTION was made by Supervisor Nellis to approve the Adult Winter Recreation Program Supervisors as recommended by the Recreation Board; seconded by Councilwoman Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

7. Correspondence from Chris Colvin, Eden Fire Chief

Supervisor Nellis read correspondence from Chris Colvin, Eden Fire Chief requesting adding John Rigley to the active roster of the Eden Fire Department, pending physical and background check.

MOTION was made by Councilwoman Pew to add John Rigley to the active roster of the Eden Fire Department pending physical and background check; seconded by Councilman Krycia; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

MOTION was made by Councilman Ventry 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 Town Board at 8:00 p.m.

MOTION was made by Councilman Ventry to open the Public Hearing for the Proposed Budget for 2009; seconded by Councilwoman Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Nellis opened the Public Hearing at 8:00 p.m.

**PUBLIC HEARING
8:00 P.M.**

The purpose of the Public Hearing is to review the Proposed Budget of the Town of Eden for the year 2009. The proposed tax rates for 2009 are:

General	-	\$2.05 per thousand
Highway	-	\$3.24 per thousand
Light	-	\$.19 per thousand
Fire	-	<u>\$.83 per thousand</u>
		\$6.31 per thousand

Net increase of \$0.09 per thousand, a home assessed at \$100,000 would show a net increase of \$9.00 on their tax bill for the above items.

The Garbage rate for 2009 is \$183.00 per unit, up from \$175.00 in 2008.

Supervisor Nellis stated that copies of the Proposed 2009 Budget have been made available in the Town Clerk's office and at the meeting tonight.

Supervisor Nellis opened up the Public Hearing to residents present for their questions or concerns.

The following residents made comments regarding the proposed budget:

Mary Lou Schwanz, requesting funds be set aside for new tables and chairs for the Senior Citizens Group.

All persons desiring to be heard, having been heard, Supervisor Nellis closed the Public Hearing at 8:05 p.m.

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

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Supervisor's Report:

Supervisor Nellis reported that a survey is being conducted in the Town of Eden over the next month of farms in the southtowns.

Councilman Krycia reported that the Chamber of Commerce would be holding their Election Dinner on November 13, 2008 at 6:00 p.m. at the Immaculate Conception Parish Center. The cost of the steak dinner will be \$25.00/single or \$45.00/ couple.

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 Councilman Krycia; 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.

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