

April 8, 2009

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
APRIL 8, 2009  
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

**DEPARTMENT HEADS PRESENT:**

Ronald C. Maggs	-	Superintendent of Highways
Michael Felschow	-	Chief of Police
Scott Hultquist	-	Eden Emergency Squad
Chris Colvin	-	Eden Fire Chief
Andrew Breier	-	East Eden Fire Chief
Scott Henry	-	Zoning Code Enforcement Officer
Susan Brass	-	Recreation Director

**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 7:30 P.M.

**Pledge of Allegiance:**

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

**Approval of Minutes:**

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of March 11, 2009; there were none.

**MOTION** was made by Councilman Krycia to approve the Town Board Minutes of March 11, 2009 as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of March 25, 2009; there were none.

**MOTION** was made by Councilman Vacco to approve the Town Board Minutes of March 25, 2009 as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

**Petitions:**

There were none.

**Budget Transfers/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	139-208	\$47,792.18
Highway Dept. Fund	63-93	\$13,689.36
Fire Dept. Fund	54-81	\$35,642.69
Recreation Dept. Fund	22-33	\$2,133.24
Refuse and Garbage Fund	--	--
Street Lights Fund	4-6	\$5,128.99
Water Fund	8-10	\$17,066.18
Trust & Agency Fund	--	--
Capital Fund		
H8320.402	2	\$305.54
H1440.4	1	\$1,501.50
Community Development	--	--

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

**Departmental Reports:**

Department reports for the month of March 2009 were presented by Scott Hultquist, Eden Emergency Squad; Chris Colvin, Eden Fire Chief; Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Supervisor Nellis for Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director. All reports are on file in the Town Clerk’s office.

Chris Colvin, Eden Fire Chief and Andy Breier, East Eden Fire Chief requested permission to advertise the RFP’s (Request for Proposals) for Itemized Fire Equipment with the bid opening date of Friday, May 8, 2009 at 4:00 p.m. in the Town Clerk’s Office.

**MOTION** was made by Councilwoman Pew to set the bid opening for Friday, May 8, 2009 at 4:00 p.m. in the Town Clerk’s office for Itemized Fire Equipment for the Eden Fire Department and the East Eden Fire Department; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Chris Colvin, Eden Fire Chief requested permission to apply for the 2009 FEMA Grant. They will be applying for 400 mhg radios. A matching 10% is requested with an approximate total cost of \$72,000.00, the matching \$7,200.00.

**MOTION** was made by Councilwoman Pew to allow the Eden Fire Department to apply for the 2009 FEMA Grant with matching funds of approximately \$7,200.00; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Ron Maggs, Highway Superintendent requested permission to attend the annual Highway School in Ithaca, New York on June 1-3, 2009.

**MOTION** was made by Councilwoman Pew to allow Ron Maggs, Highway Superintendent to attend the annual Highway School in Ithaca, New York on June 1-3, 2009; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Ron Maggs, Highway Superintendent requested permission to assist the Little Loop Football Association with repairs to the ball field at Legion Drive at his discretion.

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**MOTION** was made by Supervisor Nellis to allow Ron Maggs, Highway Superintendent to assist Little Loop Football Association with repair to the ball field at Legion Drive at his discretion; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? - None; Motion carried.

William Trask, Town Attorney stated that the property at 2639 Sunset Drive will be included in the Foreclosure Auction to be held on May 6, 2009 at 9:30 a.m. at the Old County Hall, 4<sup>th</sup> Floor, 92 Franklin Street, Buffalo, New York.

**New and Unfinished Business:**

**1. Approval of Porta-Potties for Eden Recreation Program**

Susan Brass, Recreation Director stated that RFP's (Request for Proposals) were mailed out with a deadline date of Friday, April 10, 2009. This item will be moved to "Old Business" to be approved at a later date.

**2. Approval of Appointments to Committee on Local History**

Supervisor Nellis stated that a Committee on Local History is being formed and is recommending the following appointments; Carl Modica, Janice Wightman, Gary Nobbs along with the Co-Historians, Susan Minekime and Ferris Randall as ex-officio and Ed Krycia as liaison.

**MOTION** was made by Councilman Vacco to approve the appointments to the Committee on Local History as presented; seconded by Councilman Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

**3. Approval of Reappointment of Chairman of Eden Conservation Board**

Supervisor Nellis read correspondence from the Eden Conservation Board regarding the re-appointment of Frank Mantione to another 2-year term as Chairman of the Eden Conservation Board. According to Article 12F of the General Municipal Law this recommendation must be approved by the town legislative body. Mr. Mantione stated that he has been proud to serve in this capacity for the past 17 years.

**MOTION** was made by Councilman Krycia to re-appoint Frank Mantione to a 2-year term as Chairman of the Eden Conservation Board; seconded by Councilman Vacco; All "Ayes"; Opposed? - None; Abstain? – None; Motion carried.

**4. Eden Emergency Squad – 3<sup>rd</sup> Party Billing**

Supervisor Nellis suggested that the Town Board proceed with an agreement and authorization for the Eden Emergency Squad for calendar year 2009 and 3<sup>rd</sup> Party Agreement. After much discussion the following motions were offered for consideration;

The Eden Town Board authorizes Supervisor Nellis to execute an Ambulance Service, Emergency Service and Rescue Service agreement with the Eden Emergency Squad for calendar year 2009, upon final review by the Town Attorney.

**MOTION** was made by Councilman Krycia to authorize Supervisor Nellis to execute the agreement with the Eden Emergency Squad for Ambulance Service, Emergency Service and Rescue Service for calendar year 2009, upon final review by the Town Attorney; seconded by Councilman Vacco; All "Ayes"; Opposed?- None; Abstain? – None; Motion carried.

The Eden Town Board authorizes the Eden Emergency & Rescue Squad to proceed to work out a 3<sup>rd</sup> Party Billing Agreement with Certified Ambulance Group (CAG), open to final review by the Town Attorney.

**MOTION** was made by Councilwoman Pew to authorize the Eden Emergency & Rescue Squad to proceed to work out a 3<sup>rd</sup> Party Billing Agreement with Certified Ambulance

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Group (CAG), open to final review by the Town Attorney; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**5. Auditors – Schedule presentation**

Supervisor Nellis stated that the auditors from Drescher & Malecki are scheduled to give a presentation regarding the audit of the Town of Eden for 2008 on May 13, 2009.

**Supervisor’s Report:**

- Supervisor Nellis received the 2008 Annual Water Quality Monitoring Report (AWQR) from Erie County Water Authority. This report is prepared in accordance with the requirements of both the United States Environmental Protection Agency and the New York State Department of Health. A copy of this report will be on file in the Town Clerk’s office.
- Real Estate Auction, May 6, 2009 at 9:30 at Old County Hall. The property at 2639 Sunset Drive is included on the list.
- The new reporting form C2 for Workmen’s Compensation is available in the Supervisor’s office.

**Hearing of Visitors:**

There were none.

**Adjournment:**

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 8:20 P.M.

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 9:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk