

September 23, 2009

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
SEPTEMBER 23, 2009
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
Anna M. Knack	-	Administrative Assistant
Dave Johnson	-	Town Engineer

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. Scheduling of Public Hearing – To include the Town of Eden’s Farmland Protection Plan as part of the Town’s Master Plan

Supervisor Nellis requesting setting a Public Hearing to include the Town of Eden’s Farmland Protection Plan as part of the Town’s Master Plan to be held on October 28, 2009 at 8:00 p.m.

MOTION was made by Supervisor Nellis to set the Public Hearing for October 28, 2009 at 8:00 p.m.; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

Supervisor Nellis also requested to declare the Town of Eden as Lead Agency as per Town Engineer, David Johnson, Nussbaumer & Clarke, Inc.

MOTION was made by Supervisor Nellis to declare the Town of Eden as Lead Agency as per Dave Johnson, Nussbaumer & Clarke, Inc.; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

2. Local Emergency Management Mutual Aid Assistance – Memorandum of Understanding

Supervisor Nellis read the following resolution:

**RESOLUTION OF THE EDEN TOWN BOARD
AUTHORIZING ENTRY INTO LOCAL
EMERGENCY MANAGEMENT MUTUAL AID ASSISTANCE MOU**

WHEREAS, the Town of Eden has been informally participating with the County of Erie and other local government agencies in efforts to coordinate responses to emergencies and disasters, and

WHEREAS, the co-chairs of the Town of Eden’s Disaster Preparedness Committee have participated in the Erie County Disaster Coordinators Association, and

WHEREAS, the Erie county Deputy Commissioner of Disaster Preparedness, the Erie County Disaster Coordinators Association and the Erie County Disaster Preparedness Advisory Board have determined that it would be beneficial for local governing boards to formally give authorization to their disaster coordinators to participate with other local agencies in coordinated responses to emergencies and disasters which may not already be covered under existing mutual aid agreements, and

WHEREAS, the Local Emergency Management Mutual Aid Assistance Memorandum of Understanding has been drafted in response to such need.

NOW, THEREFORE BE IT RESOLVED that Supervisor Glenn R. Nellis is authorized to execute said Local Emergency Management Mutual Aid Assistance Memorandum of Understanding, authorizing the co-chairs of the Town of Eden’s Disaster Preparedness Committee and such qualified persons as may be designated by the co-chairs to participate in mutual aid activities pursuant to such MOU, and it is further

RESOLVED that a copy of this Resolution be provided to the Erie County Deputy Commissioner of Disaster preparedness, the Erie County Disaster Coordinators Association and the Erie County Disaster Preparedness Advisory Board.

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

3. Schedule of Public Hearing – Community Development Block Grant – October 14, 2009

Supervisor Nellis requested setting a Public Hearing for comments regarding the Community Development Block Grant for October 14, 2009 at 8:00 p.m.

MOTION was made by Supervisor Nellis to set the Public Hearing for October 14, 2009 at 8:00 p.m.; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

4. Approval of the Town’s annual insurance coverage

Supervisor Nellis read the following Town of Eden Premium Summary:

DESCRIPTION OF COVERAGE	PREMIUM
PACKAGE: Includes: Property General Liability Crime Automobile Commercial Umbrella Inland Marine Coverage	\$ 61,831.04
Owners’ & Contractors’ Protection Coverage (OCP)	\$ 280.00
Police Professional Liability	\$ 9,724.00
Public Officials Liability	\$ 8,779.00
Public Officials Bond	\$ 1,212.00
Total Premium	\$ 81,826.04

MOTION was made by Supervisor Nellis to approve the Town of Eden’s annual insurance coverage at a total to \$81,826.04; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

5. East Eden Fire Company, Inc. – Seminar Request

Councilman Ventry read correspondence from Andrew Breier, East Eden Fire Chief requesting permission to send two (2) East Eden Firefighters to Montour Falls for the 35th Annual Arson Seminar from November 4-6, 2009. The cost is \$25.00 per person for course registration, \$75.00 per person for lodging and meals. Course materials costs are not known until you arrive according to the registration. Mr. Breier is requesting a total of \$300.00 to cover the course, lodging, meals and some miscellaneous costs.

MOTION was made by Councilman Ventry to approve the Seminar Request to send two (2) East Eden Firefighters to Montour Falls at a cost not to exceed \$300.00; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to close the Work Session Meeting of the Eden Town Board for public hearing; seconded by Councilman Ventry; 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 Krycia to open the Public Hearing for the Special Use Permit Commercial Dog Kennel, Sticht Family, 9293 Sisson Highway; seconded by Councilman Ventry; 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
Special Use Permit
Commercial Dog Kennel
Sticht Family
9293 Sisson Highway**

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

Supervisor Nellis stated that no objections have been received from Erie County and Eden Planning Board.

The Eden Zoning Board made the following restriction:

“There will be no boarding of dogs other than those owned by the Stichts; and that there will not be more than the number of dogs than the applicants have requested as established in the site plan twelve (12) Irish Wolfhounds and six (6) Border Terriers.”

The following persons spoke in favor of the Special Use Permit:

Beth Fleming, 9348 Sisson Hwy., no problem as long as it stays they way it is now, no boarding kennel.

Maurice Janeczko, 9313 Sisson Hwy., no objections (statement received by Supervisor Nellis)

It was stated for the record, that if approved, this is a Special Use Permit, which will be renewed annually.

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

MOTION was made by Councilman Ventry to close the Public Hearing; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

September 23, 2009

MOTION was made by Councilman Ventry to open the Work Session of the Eden Town Board; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Nellis stated that a teleconference was held earlier today with Bob Stickney, Disaster Coordinator and Dr. Anthony Billitier, Erie County Health Commissioner regarding the Swine Flu shots. It was determined that the Eden Central Jr./Sr. High School would be a POD – Point of Distribution starting approximately October 8 – 15, 2009.

Robert Reynolds, Erie County Legislator was present and excited about Eden’s participation with the Farmland Protection Plan. Also, Mr. Reynolds stated that FEMA, Federal Emergency Management Agency has everything in line to assist with the August rainstorm. Bob Stickney and Ron Maggs will be meeting with a FEMA representative on September 24, 2009.

MOTION was made by Councilman Krycia to close the Work Session Meeting of the Eden Town Board; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the Work Session Meeting of the Eden Town Board at 8:30 p.m.

MOTION was made by Councilman Krycia to open the Public Hearing for the renewal of the Time-Warner Cable Franchise Agreement; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis opened the Public Hearing at 8:30 p.m.

8:30 P.M.
Public Hearing
Renewal of the Time-Warner Cable Franchise Agreement

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

Supervisor Nellis stated that the franchise agreement has been reviewed and approved by William Trask, Town Attorney and the Technology Committee.

There were no comments.

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

MOTION was made by Councilman Ventry to close the Public Hearing; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

MOTION was made by Councilman Ventry to open the Work Session of the Eden Town Board; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor’s Report:

Supervisor Nellis received a letter of thanks from the Eden Corn Festival Committee, especially thanking Ron Maggs and the Eden Highway Department for all their help during the 46th annual Corn Festival.

Hearing of Visitors:

Mike Bolo
Ed Sroda

September 23, 2009

Adjournment:

MOTION was made by Councilman Ventry 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 8:35 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk