

November 18, 2009

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
NOVEMBER 18, 2009  
7:30 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN
EDWARD KRYCIA, JR	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN

**DEPARTMENT HEADS PRESENT:**

Dave Johnson	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Rick Kirst	-	East Eden Fire Chief
Scott Henry	-	Code Enforcement Officer
Susan Brass	-	Recreation Director

**OTHERS PRESENT:**

William Trask	-	Town Attorney
Mary Jo Hultquist	-	Town Clerk
Anna M. Knack	-	Administrative Assistant
Mark Cavacoli	-	CRA – Engineer

**Call to Order:**

Supervisor Nellis called the Regular Meeting of the Eden Town Board to order at 7:50 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 October 14, 2009; there were none.

**MOTION** was made by Councilman Ventry to approve the Town Board Minutes of October 14, 2009 as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of October 28, 2009; there were none.

**MOTION** was made by Councilman Vacco to approve the Town Board Minutes of October 28, 2009 as presented; seconded by Councilman Ventry; “Ayes”? Nellis, Krycia, Vacco, Ventry; Opposed? – None; Abstain? - Pew; Motion carried.

**Petitions:**

There were none.

**Budget Transfers/Amendments:**

Supervisor Nellis read the following Budget Transfers/Amendments:

<b>From Account</b>	<b>To Account</b>	<b>Reason for Amendment/Transfer</b>	<b>Amount</b>
A1990.4 Contingent Fund	A7520.4 Historic Preservation	Overbudget	\$265.00
D4960 Federal Aid- Emergency Disaster Assistance	D5110.4 General Repairs	Amend budget to reflect anticipated reimbursement from FEMA for road work repairs as a result of August Storm	\$150,000.00
A1990.4 Contingent Fund	A1910.4 Unallocated Insurance	Adjust Budget for increased Insurance	\$2,992.53
A2025 Ski Fees	A7150.4 Special Rec	Additional paid participants in ski program beyond original estimates	\$6,340.00
A8790 Gen Maint Reserve	A1620.4 Town Hall Contractual	Use of General Maint reserve as per premissive referendum dated 7/8/09 for town hall sealing & doors	\$6,866.00
A2680 Insurance Recoveries	A1640.4 Central Garage-Contractual	Apply Insurance money received for Salt Barn roof replacement	\$8,950.00
A2192 Cemetery Services Revenue	A8810.4 Cemetery Services Contractual	Apply Money received for burials towards cost of burial	\$465.00
A1640 Ambulance Charges	A4540.4 Emergency Squad- Contractual	Offset overbudget with Ambulance Charge Income	\$4,500.00

**MOTION** was made by Councilman Ventry to approve the Budget Transfers/Amendments as presented; seconded by Councilman Krycia; “Ayes”? Nellis, Krycia, Ventry, Pew; Opposed? - None; Abstain? – Vacco; Motion carried.

**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.

<b>DESCRIPTION</b>	<b>VOUCHER NUMBERS</b>	<b>AMOUNT</b>
General Fund	612-692	\$74,827.73
Highway Dept. Fund	283-317	\$26,492.59
Fire Dept. Fund	244-270	\$14,663.68
Recreation Dept. Fund	134-147	\$2,902.11
Refuse and Garbage Fund	15-16	\$47,316.66
Street Lights Fund	26-29	\$4,451.84
Water Fund	32-35	\$5,903.92
Trust & Agency Fund	--	--
Capital Fund	--	--
Community Development	--	--

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

**Departmental Reports:**

Department reports for the month of October 2009 were presented by Councilwoman Pew for Chris Colvin, Eden Fire Chief; Rick Kirst for Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Councilman Vacco for Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; Dave Johnson, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director; Councilwoman Pew for Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Councilwoman Pew, reporting for Chris Colvin, Eden Fire Chief to remove Charles Schmitz with 14 years and Joe Winecki with 8 years from the active roster of the Eden Fire Department with thanks for the dedicated service to the town.

**MOTION** was made by Councilwoman Pew to remove Charles Schmitz and Joe Winecki from the active roster of the Eden Fire Department with thanks for the dedicated service to the town; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Dave Johnson, Town Engineer requested the Town Board approve the fee for Engineering Services for the Clarksburg Road subsidence problem for emergency temporary slope stabilization at a cost of \$20,040.00 and authorization for Supervisor Nellis to sign the required documents, pending review by William Trask, Town Attorney.

**MOTION** was made by Councilman Ventry to approve the fee for Engineering Services for the Clarksburg Road subsidence problem at a cost of \$20,040.00 and authorize Supervisor Nellis to sign the required documents, pending review by William Trask, Town Attorney; seconded by Councilman Vacco; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

**New and Unfinished Business:**

**1. Approval of 2010 Amended Water Budget**

Ann Knack, Administration Assistant requested the Town Board approve the 2010 amended Water Budget due to 5 properties in the Town of Evans, Water District #3 that was omitted from the original 2010 Water Budget. The rate is the same as presented and Erie County is aware of the change.

**MOTION** was made by Supervisor Nellis to approve the amended 2010 Water Budget as presented by Ann Knack, Administrative Assistant; seconded by Councilwoman Pew; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

**2. Update of Water Projects/Setting of Public Hearing on Proposed Water District No. 5**

Mark Cavacoli, Engineer for CRA Infrastructure & Engineering, Inc. reported on the ongoing water projects on Shadagee Road, the 16” line and pump station and Route 62 water project.

Supervisor Nellis read the following resolution:

**RESOLUTION OF THE EDEN TOWN BOARD  
DECLARING LEAD AGENCY STATUS  
TOWN OF EDEN WATER DISTRICT NO. 5**

November 18, 2009

**WHEREAS**, the Town Board of the Town of Eden, Erie County, New York is considering the creation of Town of Eden Water District No. 5 in accordance with a Map Plan and Report duly filed and accepted, and

**WHEREAS**, the Town Board proposes to design and construct new water system infrastructure to deliver potable water supply to residents within Water District No. 5, and

**WHEREAS**, the Town Board sought to commence coordinated review of this action pursuant to the requirements of the State Environmental Quality Review Act (“SEQRA”), 6 NYCRR Part 617, and

**WHEREAS**, the Town Board, pursuant to 6 NYCRR Part 617, provided the required notice of its completion of the Environmental Assessment Form and sought comments and consent from the various involved and interested agencies on its designation as “Lead Agency” with regard to this project, and

**WHEREAS**, the time period by which said comments and consent were to have been received has expired, and

**WHEREAS**, the Town Board having received no adverse comments objecting to said Board acting as “Lead Agency” for the purposes of SEQRA review;

**NOW, THEREFORE BE IT RESOLVED** that pursuant to the consent of the involved and interested agencies, the Town Board of the Town of Eden hereby declares itself as “Lead Agency” for the purposes of compliance with SEQRA, 6 NYCRR Part 617 in connection with this project, and it is further

**RESOLVED** that the Town Board shall undertake and complete all duties and obligations as “Lead Agency” as required by 6 NYCRR part 617.

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

William Trask, Town Attorney read the following resolution:

**ORDER CALLING PUBLIC  
HEARING TO BE HELD ON  
DECEMBER 10, 2009  
REGARDING THE PROPOSED  
ESTABLISHMENT OF TOWN OF EDEN  
WATER DISTRICT NO. 5**

WHEREAS, the Town Board of the Town of Eden (herein called ‘Town Board’ and ‘Town’, respectively), in the County of Erie, New York, has, pursuant to Town Law Article 12-A, caused CRA Infrastructure & Engineering, Inc. competent engineers duly licensed by the State of New York, to prepare a map, plan and report for the establishment of Water District No. 5 (the “District”), which map, plan and report is on file at the office of the Town Clerk, and available for public inspection at said location; and

WHEREAS, said map, plan and report proposed a water system to be installed along roadways and within right-of-ways previously disturbed by the construction of roads, ditches and utilities. The District will receive water from the Erie County Water Authority through various transmission mains. Approximately 23,100

lineal feet of 8-inch waterline will be installed along roadways in the District including, but not limited to, Ferrier Road, March Road, **Shadagee Road** and Hemlock Road, including all related right-of-way costs, new service installation, site work and other ancillary work, including hydrants, valves, apparatus, preliminary costs and other improvements and costs incidental thereto (collectively referred to herein as “Water Improvement”); and

WHEREAS, the proposed District is bounded and described as follows:

**Town of Eden - Proposed Water District No. 5 (November, 2009)**

All that tract or parcel of land situate in the Town of Eden, County of Erie, State of New York, and lying within Township 8, Range 8, Lot 31, Lot 32, Lot 38, Lot 39, Lot 40, Lot 46, Lot 47, Lot 48, Lot 52, Lot 54, Lot 55, Lot 56, Lot 59, and Lot 64 of the Holland Land Company’s survey and consisting of two (2) Sections being further described as follows:

**Eden Water District No. 5-Boundary 5A**

BEGINNING AT THE POINT OF INTERSECTION of the northwest corner of tax parcel no. 207.00-1-1.1 with the north line of the Town of Eden; thence southwesterly along the west line of 207.00-1-1.1 to the southwest corner thereof; thence southeasterly along the south line of 207.00-1-1.1 and an extension thereof to a point in the west line of 207.00-1-19; thence southwesterly along the west line of 207.00-1-19 to the southwest corner thereof; thence southeasterly along the south line of 207.00-1-19 to a point in the west line of Route 90 as a varied-width New York State Thruway right-of-way; thence northerly, easterly and then northerly again along the west line of Route 90 as a varied width New York State Thruway right-of way to a point in the south line of Shadagee Road as a 66 foot wide County right-of-way; thence southeasterly along the south line of said Shadagee Road to a point in the east line of Route 90 as a varied-width New York State Thruway right-of-way; thence southwesterly along the east line of said Route 90 to the northeast corner of 207.00-1-6.11; thence southwesterly, southeasterly and southwesterly again along the east line of said Route 90 and the north line of 207.00-1-6.11 to the northwest corner thereof; thence southerly along the west line of 207.00-1-6.11 to the southwest corner thereof, thence easterly along the south line of 207.00-1-6.11 to the northwest corner of 207.00-2-15.1; thence southerly along the west line of 207.00-2-15.1 to the northwest corner of 207.00-2-14; thence easterly along the north line of 207.00-2-14 to the northeast corner thereof; thence southerly along the east line of 207.00-2-14 to the southeast corner thereof and the north line of Ferrier Road; thence easterly along the north line of Ferrier Road to the southwest corner of 207.00-2-16; thence northerly along the west line of 207.00-2-16 to the northwest corner thereof; thence easterly along the north line of 207.00-2-16 to the northeast corner thereof; thence southerly along the east line of 207.00-2-16 to the southeast corner thereof and a point in the south line of 207.00-2-15.1; thence easterly along the south line of 207.00-2-15.1 and the north line of Ferrier Road to its intersection with northerly extension of the east line of 222.00-1-7 thence southerly along the said northerly extension and continuing along the east lines of 222.00-1-7 and 222.00-1-6; to the southeast corner of 222.00-1-6; thence westerly along the south line of 222.00-1-6 to the southwest corner thereof and the east line of 222.00-1-5, also being a point in the west line of 207.00-2-15.1; thence southerly along the east line of 222.00-1-5 and the west line 207.00-2-15.1 to the southwest corner of 207.00-2-15.1 thence easterly, northerly, easterly, southerly and easterly again along the south of 207.00-2-15.1 to the southeast corner of 207.00-2-15.1 and a point in the north line of 222.00-1-25.1; thence westerly along the north line 222.00-1-25.1 to the northwest corner thereof; thence southerly along the west line of 222.00-1-25.1, and the west line of 222.00-1-25.2 and the extension thereof to the northwest corner of 222.00-1-19 and the intersection of the north line of Derby Road and the east line of March Road; thence southeasterly along north line of Derby Road and the west line of 222.00-1-19 to the southwest corner thereof; thence northeasterly along the south line of 222.00-1-19 to

a point in the west line of 222.00-1-20; thence southeasterly along the west line of 222.00-1-20 to the southwest corner thereof; thence northeasterly along the south line of 222.00-1-20 to a point in the south line of 222.00-1-22; thence easterly along the south lines of 222.00-1-22 and 222.00-1-23.1 to the southeast corner of 222.00-1-23.1 and the west line of 223.00-5-1.11; thence southerly along the west line of 223.00-5-1.11 to the southwest corner thereof; thence easterly along the south line of 223.00-5-1.11 to the southeast corner thereof; thence northerly along the east line of 223.00-5-1.11 and 223.00-5-1.2 to the southwest corner of 223.00-5-3; thence easterly along the south line of 223.00-5-3, and 223.00-5-5.112 to a point in the west line of 223.00-5-5.112 and the northeast corner of 223.00-5-4.11; thence southerly along the west line of 223.00-5-5.112 to the southwest corner thereof and the north line of 223.00-5-6.1; thence easterly along the south lines of 223.00-5-5.112, 223.00-5-5.111, and 223.00-5-5.12 to the southeast corner of 223.00-5-5.12; thence northerly along the east line of 223.00-5-5.12 to the southwest corner of 223.00-1-36; thence easterly along the south lines of 223.00-1-36, 223.00-1-35, 223.00-1-33, and 223.00-1-19.111 to the northeast corner of 223.00-1-31 and a point in the west line of Schreiner Road as a 49.5 foot Town right-of-way; thence northerly along the west line of Schreiner Road to the south line of March Road; thence easterly along the south line of March Road to the northwest corner of 223.00-1-37; thence southerly along the west line of 223.00-1-37 to the southwest corner thereof; thence easterly along the south line of 223.00-1-37, and 223.00-1-25.11 to a point in the west line of 223.00-1-25.11; thence southerly along the west line of 223.00-1-25.11 to a point in the south line thereof and the southeast corner of 223.00-1-29.111; thence easterly along the south lines of 223.00-1-25.11, 223.00-1-26.2, and 223.00-1-28 to the southeast corner of 223.00-1-28; thence northerly and westerly along the east line of 223.00-1-28 to the northeast corner thereof a point in the south line of March Road as a 49.5 foot Town right-of-way; thence easterly along the south line of March Road to its southern most intersection with the west line of 223.00-2-7; thence southerly along the west line of 223.00-2-7 to the southwest corner thereof; thence easterly along the south lines of 223.00-2-7 and 223.04-1-26 to a point in the east line of 223.04-1-26; thence northerly along the east line of 223.04-1-26 to a point in the south line thereof; thence northeasterly along the south line of 223.04-1-26 to a point in the centerline line of Shadagee Road as a 66 foot County right-of-way; thence northwesterly along the centerline of Shadagee Road as a 66 foot County right-of-way to a point in the east line of 223.00-2-7; thence northerly along the east line of 223.00-2-7 to the northeast corner thereof; thence westerly along the north line of 223.00-2-7 to a point in the west line of the railroad right of way also designated as tax parcel 223.00-2-6; thence northeasterly along the west line of 223.00-2-6 to the northeast corner of 223.00-2-3.11; thence westerly along the north line of 223.00-2-3.11, 223.00-2-2.2, 223.00-2-2.111, 223.00-2-2.4, 223.00-2-1.12, 223.00-2-1.112 and 223.00-2-1.111 to a point in the east line of 223.00-1-21.21; thence northerly along the east line of 223.00-1-21.21, 208.00-5-10, 208.00-5-16 and 208.00-5-6.2 to the northeast corner thereof; thence westerly along the north line of 208.00-5-6.2 to the southwest corner of 208.00-5-5; thence northerly along the west lines of 208.00-5-5, 208.00-5-4.2 and 208.00-5-3 to the northwest corner of 208.00-5-3 and the south line of 208.00-2-7; thence westerly along the south lines of 208.00-2-7, 208.00-2-17 and 208.00-2-3 to the southwest corner thereof; thence northerly along the west line of 208.00-2-3 to the northeast corner of 208.00-1-18; thence westerly along the north line of 208.00-1-18 to the northwest corner thereof; thence southerly along the west line of 208.00-1-18 to the northeast corner of 208.00-1-16; thence westerly along the north line of 208.00-1-16 to the southeast corner of 208.00-1-15 and the southwest corner of 208.00-1-13.2; thence northerly along the west line of 208.00-1-13.2 and westerly along the north lines of 208.00-1-22.12, 208.00-1-38 and 208.00-1-39.1 to the northwest corner thereof and the northeast corner of 207.00-1-15; thence westerly along the north lines of 207.00-1-15, 207.00-1-14, 207.00-1-13, 207.00-1-12 and 207.00-1-11 to a point in the east line of Route 90 as a varied-width New York State Thruway right-of-way; thence southwestwesterly along the east line of Route 90 to a point in the north line of Shadagee Road as a 66 foot County right-of-way; thence northwesterly along the north line of Shadagee Road to a point in the west line of Route 90 as a varied-width New York State Thruway right-of-way; thence northeasterly along the west line of Route 90 to the north line of 207.00-1-7; thence westerly along the north lines of 207.00-1-7, 207.00-1-6.13 and 207.00-1-3 and its extension westerly to the west line of Southwestern Boulevard (Route 20); thence northerly along the west line of

Southwestern Boulevard to the north line of the Town of Eden; thence westerly along the north line of the Town of Eden to the point or place of beginning.

**Excluding: 223.00-2-6 (Erie Lackawanna Railroad) County of Erie**

**Eden Water District No. 5- Boundary 5B**

BEGINNING AT THE POINT OF INTERSECTION of the west line of Hemlock Road as a 49.5 foot wide Town right-of-way with the northeast corner of 222.00-2-33; thence westerly along the north line of 222.00-2-33 to the northwest corner thereof; thence southerly along the west line of 222.00-2-33 to a point in the north line of 237.00-1-4.1; thence westerly along the north line of 237.00-1-4.1 to the northwest corner thereof; thence southerly along the west line of 237.00-1-4.1 to the southwest corner thereof; thence easterly along the south line of 237.00-1-4.1, 237.00-1-6, 237.00-1-17.1, 237.00-2-22, 237.00-2-21, 237.00-2-20, 237.00-2-1.2, 237.00-2-18, 237.00-2-17.2, 237.00-2-15, 237.00-2-14, 237.00-2-12, 237.00-2-10, and 237.00-2-8 to the southeast corner 237.00-2-8; thence northerly along the east line of 237.00-2-8 to the southwest corner of 238.00-5-41; thence easterly along the south line of 238.00-5-41, 238.00-5-39.1, 238.00-5-38, 238.00-5-37, 238.00-5-36.11, and 238.00-5-36.12 to the southeast corner of 238.00-5-36.12; thence northerly along the east line of 238.00-5-36.12 to the centerline of Hemlock Road as a 66 foot wide Town right-of-way; thence westerly along the centerline of Hemlock Road as a 66 foot wide Town right-of-way to the intersection of the centerline of Hemlock Road as a 66 foot wide Town right-of-way and the southeast corner of 238.00-5-10; thence northerly along the east line of 238.00-5-10 to the northeast corner thereof; thence westerly along the north line of 238.00-5-10, 238.00-5-8, 238.00-5-7, 238.00-5-5, 238.00-5-3, 238.00-5-1.11, 237.00-2-7.11, 237.00-2-6, 237.00-2-24, 237.00-2-3, 237.00-2-1.11, 237.00-2-1.12, 237.00-1-13.2, 237.00-1-12.11, 237.00-1-12.12, 237.00-1-12.21, 237.00-1-11.1, 237.00-1-10, 237.00-1-9, 237.00-1-8, and 237.00-1-7, and 237.00-1-4.1 to the intersection of the west line of Hemlock Road as a 66 foot wide Town right-of-way and the southeast corner of 222.00-2-33; thence northerly along the centerline of Hemlock Road as a 66 foot wide Town right-of-way to the point or place of beginning.

WHEREAS, the maximum amount proposed to be expended for the Water Improvement is estimated to be \$2,550,000; and

WHEREAS, in addition to the benefits specifically attributable to the residents in the proposed District, the construction of the Water Improvement will also provide the following benefits to all existing (and proposed) water districts and customers: (i) improve the quality of the public water supply; (ii) improve the stability of the entire water supply; (ii) increase transmission capacity by connecting to the existing system and looping the waterlines; (iii) improve fire flow protection; and (iv) remove dead end water lines; and

WHEREAS, in light of the overall improvements the Water Improvement will have in the existing districts, the Town Board has determined to allocate approximately 20% (approximately \$550,000) of the cost of the Water Improvement to residents in the existing water districts through a separate Town proceeding scheduled to take place at a later date and intends to levy special assessments against the properties in the existing districts as determined by law; and

WHEREAS, the balance of the cost of the Water Improvement attributable to the residents in the proposed new District is \$2,000,000, which amount is to be

financed by the issuance of serial bonds in an amount not to exceed \$2,000,000, offset by any federal, state, county and/or local funds received and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and

WHEREAS, the expected average annual cost to the Typical Property (as defined by Town Law) in the proposed District (which is a single family home) during the first year will be approximately \$875 (such amount includes construction financing costs (debt service), estimated annual water usage costs and hydrant fees); and each property will also have to provide for service from their home to the property line and internal plumbing modifications to set a meter and valves at an estimated one-time cost of approximately \$1,500.

NOW, THEREFORE BE IT

ORDERED, that a meeting of the Town Board of the Town be held at the Eden Central High School, 3150 Schoolview Road, Eden, New York, on December 10, 2009, at \_\_\_7:00 p.m.\_\_\_o'clock \_\_\_\_ (Prevailing Time) to hear all persons interested in the Establishment of the Town of Eden Water District No. 5, and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the newspapers designated as the official newspapers of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing, and be it

FURTHER ORDERED, that the Town Clerk mail by first class mail to each owner of the taxable real property in the District, a copy of this Order; and be it

FURTHER ORDERED, that the Town Clerk shall file a certified copy of this Order with the Office of the State Comptroller, on or about the date of publication of this Order.

The question of the adoption of the foregoing order was duly put to vote on a roll call, which resulted as follows:

AYES:           Hon. Glenn R. Nellis, Supervisor  
                  Hon. Mary Lou Pew, Councilperson  
                  Hon. Edward Krycia, Councilperson  
                  Hon. Vincent Vacco, Councilperson



Hon. Richard Ventry, Councilperson

NOES: None

ABSENT: None

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

**3. Farmland Protection Plan “Implementation Plan”**

Supervisor Nellis presented the Town of Eden Agricultural and Farmland Protection Plan “Implementation Plan” from the Town of Eden Agricultural and Farmland Protection Plan.

The following is the plan for year one:

- Joint meeting of the Agricultural Advisory Committee, Conservation Board, and the Agricultural Planning Committee to discuss the plan recommendations and action items for year one.
- Implement conservation easement law; work with Conservation Board to move this forward.
- Utilize the land ranking form; work with the Planning Board to move this forward.
- Support the update of the Erie county Agricultural and Farmland Protection Plan; participate in the public process as it is offered. Be sure that Plan recommendations support Eden recommendations.
- Use Eden’s Plan for agricultural promotion:  
Ag Planning Committee will focus on this action by developing, printing, and distributing a “public” piece that highlights key elements of the Plan and focuses the benefits that Eden’s farms provide the community.

**MOTION** was made by Councilman Vacco to approve the Implementation Plan for year on, 2010; seconded by Councilwoman Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

**4. Memorandum of Understanding with Eden Police Club**

Supervisor Nellis moved this agenda item to “Old Business” to be reviewed and discussed at a future Town Board Meeting.

**5. Creation of Sergeant Position**

Supervisor Nellis stated that the creation of the Sergeant Position for the Town of Eden is required by the Erie County Civil Service to authorize the position/title if it was determined to add the position to the list of inventories to the competitive classification.

**MOTION** was made by Councilman Vacco to create the position of Sergeant to the list of inventories for the Town of Eden; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

**Supervisor’s Report:**

Supervisor Nellis attended quarterly meetings as a reviewer for the Community Development Block Grant Program.

November 18, 2009

**Hearing of Visitors:**

Bill Giroux, 2587 Hemlock Road  
Joe Klug, 7700 Bley Road  
Don Greuschow, 2246 Shadagee Road

**Adjournment:**

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 9:35 P.M.

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 10:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk