

**MINUTES**

**SPECIAL MEETING  
TOWN BOARD MEETING  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
OCTOBER 16, 2010  
1:00 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Mary Jo Hultquist	-	Town Clerk
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**Call To Order:**

Deputy Supervisor Pew called the Work Session of the Eden Town Board to order at 1:00 P.M.

**Pledge of Allegiance:**

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

Deputy Supervisor Pew read the following resolution:

**RESOLUTION OF THE EDEN FIRE DISTRICT, IN THE TOWN OF EDEN, NEW YORK, ADOPTED OCTOBER 16, 2010, CALLING A SPECIAL REFERENDUM TO BE HELD AT THE SPECIAL ELECTION ON NOVEMBER 23, 2010, DIRECTING PUBLICATION OF NOTICE OF SPECIAL REFERENDUM AT THE SPECIAL ELECTION, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

RESOLVED by the Board of Fire Commissioners of the Eden Fire District, in the Town of Eden, in the County of Erie, New York (the "Fire District"), as follows:

Section 1. A Special Referendum at the Special Election of the qualified voters of the Fire District shall be held at the East Eden Fire Hall, 8097 East Eden Road, Eden, New York (Town of Eden Election Districts #1 and 6) and at Eden Town Hall, 2795 E. Church Street, Eden New York (Town of Eden Election Districts #2, 3, 4, 5 & 7), in the Fire District, on November 23, 2010, at 12:00 Noon (Prevailing Time) and the polls shall remain open until 9:00

o'clock P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes.

Section 2. The vote upon the Proposition to be submitted to the qualified voters shall be by machine ballot and the Fire District Secretary is hereby authorized and directed to have the necessary ballot labels prepared for use in voting.

Section 3. The Fire District Secretary is hereby authorized and directed to give notice of said Special Referendum at the Special Election by causing a Notice (in substantially the form set forth in Section 5 hereof) to be:

(a) published at least once, not less than 27 days nor more than 34 days prior to the date of such Special Referendum at the Special Election in the official newspaper(s) of the Fire District, said newspaper having a general circulation within the Fire District; and

(b) posted on the Fire District sign board and website, if such exist, for at least 15 days prior to such Special Referendum at the Special Election and shall not be posted any sooner than 20 days before such Special Referendum at the Special Election; and

(c) posted (after providing such Notice in a timely manner) on the municipal website, if one exists, of any town located within the geographic boundaries of the Fire District, or any town or fire district with which the Fire District contracts for at least 15 days prior to such Special Referendum at the Special Election and shall not be posted any sooner than 20 days before such Special Referendum at the Special Election; and

(d) posted by the Town Clerk on the bulletin board and sign board maintained by the Town pursuant to Section 30 (6) of the Town Law so as to ensure timely notification of such Special Referendum at the Special Election.

Section 4. This Resolution supersedes Resolution No. 2.B adopted by the Board of Fire Commissioners of the Eden Fire District at a regular meeting of the Eden Town Board on October 13, 2010.

Section 5. Said Notice shall be in substantially the following form:

**NOTICE OF SPECIAL REFERENDUM AT THE SPECIAL ELECTION**

**EDEN FIRE DISTRICT, IN THE  
TOWN OF EDEN, IN THE  
COUNTY OF ERIE, NEW YORK  
NOVEMBER 23, 2010**

NOTICE IS HEREBY GIVEN that pursuant to the resolution duly adopted by the Board of Fire Commissioners of Eden Fire District, in the Town of Eden, in the County of Erie, New York, on October 16, 2010, a Special Referendum at the Special Election of the qualified voters of said Fire District, will be held at the East Eden Fire Hall, 8097 East Eden Road, Eden, New York and

the Eden Town Hall, 2795 E. Church Street, Eden, New York, in said Fire District, on November 23, 2010, at 12:00 Noon (Prevailing Time) and the polls to remain open until 9:00 o'clock P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes to vote upon the following Proposition:

**PROPOSITION**

SHALL the bond resolution of Eden Fire District, in the Town of Eden, New York, entitled: "A BOND RESOLUTION, DATED OCTOBER 13, 2010, OF THE EDEN FIRE DISTRICT, IN THE TOWN OF EDEN, ERIE COUNTY, NEW YORK (THE "FIRE DISTRICT"), AUTHORIZING THE RECONSTRUCTION OF THE FIRE DISTRICT BUILDING LOCATED AT 8097 EAST EDEN ROAD, EDEN, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000 OF THE FIRE DISTRICT, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY, AND/OR LOCAL FUNDS RECEIVED; DELEGATING THE POWER TO ISSUE SUCH BONDS AND BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE FIRE DISTRICT TREASURER; AND PROVIDING FOR THE LEVY OF A TAX TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS", be approved?

Such Proposition shall appear on the ballot labels at said Special Referendum at the Special Election in substantially the following form:

**PROPOSITION 1**

YES

NO

SHALL the bond resolution of Eden Fire District, in the Town of Eden, New York, entitled: "A BOND RESOLUTION, DATED OCTOBER 13, 2010, OF THE EDEN FIRE DISTRICT, IN THE TOWN OF EDEN, ERIE COUNTY, NEW YORK (THE "FIRE DISTRICT"), AUTHORIZING THE RECONSTRUCTION OF THE FIRE DISTRICT BUILDING LOCATED AT 8097 EAST EDEN ROAD, EDEN, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000 OF THE FIRE DISTRICT, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY, AND/OR LOCAL FUNDS RECEIVED; DELEGATING THE POWER TO ISSUE SUCH BONDS AND BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE FIRE DISTRICT TREASURER; AND PROVIDING FOR THE LEVY OF A TAX TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS", be approved?

NOTICE IS HEREBY FURTHER GIVEN that the voting will be conducted by machine ballot as provided by law and the polls will remain open from 12:00 Noon (Prevailing Time) to 9:00 o'clock P.M. (Prevailing Time) and as much longer as may be necessary to enable the voters then present to cast their ballots.

NOTICE IS HEREBY FURTHER GIVEN that applications for absentee ballots will be available in the Office of the Eden Town Clerk, 2795 E. Church Street, Eden, NY between November 1, 2010 and November 15, 2010 and completed applications for absentee ballots must be received in the Office of the Eden Town Clerk by November 15, 2010 at 4:30 pm, and completed absentee ballots must be received in the Office of the Eden Town Clerk by November 23, 2010 at 4:30 pm in order to be included in the results.

NOTICE IS HEREBY FURTHER GIVEN that electors registered to vote in Town of Eden Election Districts 1 and 6 will vote at the polling place at the East Eden Fire Hall, 8097 East Eden Road, Eden, New York and electors registered to vote in Town of Eden Election District 2, 3, 4, 5 and 7 will vote at the polling place at the Eden Town Hall, 2795 E. Church Street, Eden, New York.

NOTICE IS HEREBY FURTHER GIVEN every elector of the Town who shall be a registered voter and who shall have resided in the Fire District for the period of 30 days prior to such Special Referendum at the Special Election shall be eligible to vote.

BY ORDER OF THE BOARD OF FIRE COMMISSIONERS

DATED: October 16, 2010

Mary Jo Hultquist  
FIRE DISTRICT SECRETARY

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

October 16, 2010

Deputy Supervisor Pew stated that an informal work session meeting would be held on October 21, 2010 at 7:30 p.m. at the East Eden Fire Hall. Deputy Supervisor Pew stated that an agenda would be available prior to the meeting.

**Adjournment:**

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

Deputy Supervisor Pew adjourned the Work Session Meeting of the Eden Town Board at 1:25 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk