

January 12, 2011

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
JANUARY 12, 2011
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
Jack Rigley	-	Eden Fire Chief
Andrew Breier	-	East Eden Fire Chief
Robert Pietrocarlo	-	Chairman Board of Assessors
Scott Henry	-	Code Enforcement Officer
Susan Brass	-	Recreation Director

OTHERS PRESENT:

William Trask	-	Town Attorney
Mary Jo Hultquist	-	Town Clerk
Lisa Greiner	-	Administrative Assistant

Call to Order:

Supervisor Nellis called the Regular Meeting 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.

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of December 8, 2010; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of December 8, 2010 as presented; seconded by Councilman Krycia; “Ayes”; Nellis, Krycia, Vacco, Ventry; Opposed? – None; Abstain? – Pew; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of December 29, 2010.

Supervisor Nellis made the following corrections:

Cynthia Ciesielski should have been appointed a part-time Court Clerk at the rate of \$10.72 per hour for up to 10 hours per week instead of 20 hours per month.

The name of the fire inspector for structural fire was omitted from the minutes, it should be Dave Rice.

Reappoint Joe Ghosen as GIS Consultant for \$12,000 annually to be paid \$1,000.00 per month.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of December 29, 2010 as presented; seconded by Councilman Krycia; “Ayes” Nellis, Krycia, Vacco, Ventry; Opposed? – None; Abstain? - Pew; Motion carried.

Petitions:

There were none.

Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
A1990.4	A1680.4	Over-budget	\$500.00
A1990.4	A3120.4	Over-budget	\$500.00

MOTION was made by Councilwoman Pew to approve the Budget Transfers/Amendments as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? - None; 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.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	1-15	\$12,783.29
Highway Dept. Fund	1-2	\$810.00
Fire Dept. Fund	1-2	\$4,679.93
Recreation Dept. Fund	1	\$500.00
Refuse and Garbage Fund	1	\$47,660.60
Street Lights Fund	--	--
Water Fund	--	--
Trust & Agency Fund	--	--
Capital Fund H8320.401	--	--
Community Development	--	--

2010 Payables

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	797-821	\$11,414.02
Highway Dept. Fund	407-418	\$14,217.77
Fire Dept. Fund	263-265	\$172.16
Recreation Dept. Fund	164-166	\$549.00
Refuse and Garbage Fund	--	--
Street Lights Fund	33-34	\$5,502.16
Water Fund	30-31	\$5,452.61
Trust & Agency Fund	--	--
Capital Fund H8320.401	52-54	\$1,055,137.31
H8320.402	18	\$1,262.00
H3410.2	23	\$2,114.58
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 December 2010 were presented by Jack Rigley, 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; Dave Johnson, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Scott Henry, Zoning Code Enforcement Officer; Susan Brass, Recreation Director; Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk's office.

Jack Rigley, Eden Fire Chief requested approval of the following officers for 2011:

Jack Rigley – Chief	Ronald Salzman – President
Glenn Scott – 1 st Asst. Chief	John Agle – Vice President
David Cole – 2 nd Asst. Chief	Jack Gavin – Secretary
Mike Hine – Captain	Tom Schreiner – Treasurer
Matt Vankounett – 1 st Lieutenant	Rich Greeley - BOD
Joe Hart– 2 nd Lieutenant	Paul Laing - BOD
Clyde Colvin – Safety Officer	William Laing - BOD
William Henry – Safety Officer	Vicki Sickau - BOD
Ronald Salzman – Safety Officer	Randy Lauber - BOD
	Robert Stickney – BOD

MOTION was made by Councilwoman Pew to approve the officers of 2011 for the Eden Fire Department as presented; seconded by Councilman Vacco; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Jack Rigley, Eden Fire Chief requested permission to take fire equipment out of the fire district for mutual aid, repairs, training, funerals and parades at the discretion of the Chief or Officer in charge.

MOTION was made by Councilwoman Pew to grant permission to take fire equipment out of the fire district for mutual aid, repairs, training, funerals and parades at the discretion of the Chief or Officer in charge; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried

Andrew Breier, East Eden Fire Chief requested permission to take fire equipment out of the fire district for mutual aid, repairs, training, funerals and parades at the discretion of the Chief or Officer in charge.

MOTION was made by Councilwoman Pew to grant permission to take fire equipment out of the fire district for mutual aid, repairs, training, funerals and parades at the discretion of the Chief or Officer in charge; seconded by Councilman Vacco; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried

New and Unfinished Business:

1. Renewal and New Appointments to various Town Board

Supervisor Nellis read the following reappointments to the Eden Planning Board:

Frank Meyer, DDS – one-year term expiring December 31, 2011

Kevin O’Gorman, MD – seven-year term expiring December 31, 2017

MOTION was made by Supervisor Nellis to reappoint Frank Meyer and Kevin O’Gorman to the Eden Planning Board; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2. Actions on East Eden Fire Hall – Approve advertising for bids
- **bid opening February 11, 2011**

Supervisor Nellis read the following resolution:

**JANUARY 12, 2011 RESOLUTION
BOARD OF COMMISSIONERS – EDEN FIRE DISTRICT
AUTHORIZING ADVERTISING FOR BIDS ON
EAST EDEN FIRE HALL RENOVATIONS PROJECT**

WHEREAS, all required proceedings, including a mandatory referendum, have been held to consider the reconstruction of the Eden Fire District building commonly known as the East Eden Fire Hall, located at 8097 East Eden Road in the Town of Eden (hereafter “Project”), and

WHEREAS, the Board of Fire Commissioners of the Eden Fire District (“Board”) has been advised by project engineers, Nussbaumer and Clarke, Inc. (hereafter “Nussbaumer”) that the design and engineering for the Project is completed, and

WHEREAS, Nussbaumer has prepared such plans and specifications as are necessary to competitively bid the project work and has recommended that the Board proceed to advertise the project construction and receive bids for such work.

NOW, THEREFORE, it is hereby

RESOLVED, that such advertisement and legal notices as may be required to notify potential bidders shall be published and posted no later than January 20, 2011 for purposes of soliciting bids for the East Eden Fire Hall Renovations, as described in the said plans and specifications, and it is further

RESOLVED that sealed bids and appropriate bid security will be received for opening no later than February 11, 2011 at 11:00 a.m. in the office of the Eden Fire District Secretary (Eden Town Clerk).

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

3. Annual Association of Towns Meeting

This item was tabled and moved to “old business” to be reviewed and discussed at a future Town Board meeting.

4. Approval of Family Swim Life guards

Supervisor Nellis read the following staff appointments for Family Swim Life Guards:

Rachael Baltes, Program Supervisor at a pay rate of \$10.00/hour
Dalton Crowe, Life Guard at a pay rate of \$8.00/hour
Elizabeth Blaschak, Life Guard at a pay rate of \$8.00/hour
Melissa Cataldo, Life Guard at a pay rate of \$8.00/hour
Jenna Phillips, Life Guard at a pay rate of \$8.00/hour
Catlin Hackford, Life Guard at a pay rate of \$8.00/hour

The Recreation Board asked that these appointments be made at the earliest convenience of the Town Board. All Life Guards have current certification.

MOTION was made by Councilwoman Pew to approve the staff appointments for Family Swim Life Guards based on the recommendation of the Recreation Board; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

5. Year-End Report – Senior Citizen Transportation

Supervisor Nellis received the 2010 Senior Citizen Transportation full year report and thanked the following volunteer drivers:

David Sully	Frank Miller	Walter Henry
Marcia Sully	Ron Smith	Ed Sturm
Linda Meyer	Harry Doherty	Tom Zelasko

6. Notification of Liquor License Renewal – Eden Memorial Post #8265 VFW

Supervisor Nellis received and filed the Liquor License Renewal for Eden Memorial Post #8265 VFW.

7. Agreement to Spend – Highway Department

Ron Maggs, Highway Superintendent requested the Town Board approve the “Agreement to Spend” with general repairs in the amount of \$390,000.00 for 48.98 miles of Town Highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewal thereof.

The improvements of the following town highways; on any all town roads, a distance of 48.98. miles not over the sum of \$390,000.00.

MOTION was made by Councilman Ventry to approve the “Amendment to Spend” as presented with a copy to be filed in the Town Clerk’s office; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8. Resolution – Town of Eden and Village of Farnham

**AGREEMENT TO EXTEND
THE WEPAX ROAD SERVICE AREA
WATER MAINTENANCE AGREEMENT
BETWEEN
THE TOWN OF EDEN AND
VILLAGE OF FARNHAM**

WHEREAS, the Wepax Road Service Area Water Maintenance Agreement between the Town of Eden and Village of Farnham dated October 13, 2004 expired on October 13, 2009; and

WHEREAS, Item No. 7 of the October 13, 2004 Agreement allows for the extension of this agreement upon such terms and conditions as may be agreed to by the parties involved; and

WHEREAS, both the Town of Eden and Village of Farnham are desirous to renew the 2004 Agreement for a period of five (5) years, retroactive to October 13, 2009;

NOW, THEREFORE BE IT RESOLVED that the Town of Eden and Village of Farnham agree to renew the October 13, 2004 Wepax Road Service Area Water Maintenance Agreement for a five (5) year period, retroactive to October 13, 2009 so that the agreement, as extended, now expires October 13, 2014; and be it further

RESOLVED, that Appendix B “Schedule of Fees and Compensation” of the 2004 Agreement be amended per the attached new updated Appendix B.

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

Adjournment:

MOTION was made by Councilman Ventry to adjourn the Regular Meeting of the Eden Town Board to go into Executive Session; 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. to go into Executive Session.

Supervisor Nellis calls the Town Board Meeting back to regular session at 8:59 p.m..

9. Resolution – Authorizing Advertising for bids on Water District No. 5 Water System Improvements Project

Supervisor Nellis read the following resolution:

**JANUARY 12, 2011
RESOLUTION
EDEN TOWN BOARD
AUTHORIZING ADVERTISING FOR BIDS ON
WATER DISTRICT NO. 5 WATER SYSTEM IMPROVEMENTS PROJECT**

WHEREAS, all required proceedings, including a referendum, have been held to consider the financing and construction of the water system improvements for Water District No. 5 in the town of Eden (hereafter “Project”), and

WHEREAS, the Eden Town Board (“Board”) has been advised by project engineers, CRA Infrastructure & Engineering, Inc. (hereafter “CRA”) that the design and engineering for the Project is completed, and

WHEREAS, CRA has prepared such plans and specifications as are necessary to competitively bid the project work and has recommended that the Board proceed to advertise the project construction and receive bids for such work.

NOW, THEREFORE, it is hereby

RESOLVED, that such advertisements and legal notices as may be required to notify potential bidders shall be published and posted no later than January 20, 2011 for purposes of soliciting bids for water system improvements for Water District No. 5, as described in the said plans and specifications, and it is further

RESOLVED that sealed bids and appropriate bid security will be received for opening no later than February 11, 2011 at 11:30 a.m. in the office of the Eden Town Clerk, 2795 E. Church Street, Eden, New York.

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

Adjournment:

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board Meeting at 9:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk

January 12, 2011