

March 9, 2011

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MARCH 9, 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:

Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Dave Cole	-	Eden Fire Department
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 7:30 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 February 9, 2011; there were none.

MOTION was made by Councilwoman Pew to approve the Town Board Minutes of February 9, 2011 as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of February 23, 2011; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of February 23, 2011 as presented; seconded by Councilwoman Pew; “Ayes”; Nellis, Pew, Vacco, Ventry; Opposed? – None; Abstain? - Krycia; 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.

Supervisor Nellis requesting adding Voucher #1 for Account H8320.401, payable to STC Construction, Inc. in the amount of \$19,953.80.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	75-141	\$91,890.63
Highway Dept. Fund	31-70	\$51,496.54
Fire Dept. Fund	24-55	\$22,857.06
Recreation Dept. Fund	6-16	\$6,256.38
Refuse and Garbage Fund	2-4	\$48,133.20
Street Lights Fund	2	\$1,121.85
Water Fund	4-6	\$5,316.02
Trust & Agency Fund	--	--
Capital Fund		
H3410.2	2-5	\$4,608.59
H8320.402	2	\$64.82
H8320.401	1	\$19,953.80
Community Development	--	--

2011 Payables

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	845-846	\$4,816.70
Highway Dept. Fund	224	\$57.00
Fire Dept. Fund	--	--
Recreation Dept. Fund	--	--
Refuse and Garbage Fund	--	--
Street Lights Fund	--	--
Water Fund	--	--
Trust & Agency Fund	--	--
Capital Fund		
H8320.401	57	\$22,002.50
H8320.402	19	\$37,900.00
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 February 2011 were presented by Scott Hultquist, Eden Emergency Squad; Rich Greeley, Eden Fire Chief; Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; 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.

New and Unfinished Business:

1. Bid approval for Town of Eden Water District No. 5 Water System Improvement

Stephen Waldvogel from CRA requested that the Town Board table this item

for approval at the March 23, 2011 Town Board Meeting.

2. Approval of Bid Opening for Motor Fuels and Related Services

Ron Maggs, Highway Superintendent recommended awarding the Motor Fuels and Related Services bid to Griffith Energy, being the only bidder. The bid results are as follows:

No-Lead Gas	\$2.8454
Diesel Fuel	\$3.1909
Winter Mix	\$3.3221
Hourly Rate	\$0.00

MOTION was made by Councilwoman Pew to award the fuel bid to Griffith Energy, based on the recommendation of Ron Maggs, Highway Superintendent; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? – None; Motion carried.

3. Resolution urging support for Farmland Protection and Environmental Protection Plan

Supervisor Nellis read the following resolution:

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE
TO SUPPORT THE FARMLAND PROTECTION PROGRAM
AND ENVIRONMENTAL PROTECTION PLAN**

WHEREAS, agriculture is a significant contributor to New York’s economy; and

WHEREAS, farms provide jobs, support local businesses and are part of the industry sectors that have a \$31 billion economic impact annually in New York; and

WHEREAS, farms comprise 7 million acres of land in New York, roughly 25% of the state’s land base; and

WHEREAS, rapidly changing economic conditions threaten the future viability of New York’s agricultural industry; and

WHEREAS, more than 425,000 acres of farmland were lost to development in New York between 1982 and 2007; and

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 64 towns to assist in the development of local agricultural and farmland protection plans; and

WHEREAS, the Farmland Protection Program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms; and

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program’s popularity, with more than \$500 million in applications turned away since the program’s inception in 1996; and

WHEREAS, funding for the Farmland Protection Program is allocated from the state’s Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and

WHEREAS, in 2010, funding for the Farmland Protection Program was cut by 51% and EPF funding was reduced by 37%; and

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York.

NOW, THEREFORE BE IT RESOLVED, that the TOWN OF EDEN does hereby support restoring New York's Environmental Protection Fund and Farmland Protection Program, and be it further

RESOLVED, that the TOWN OF EDEN does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting at least \$12 million in funding for the Farmland Protection Program and \$134 million for the Environmental Protection Fund; and be it further

RESOLVED, that the Clerk of the TOWN OF EDEN is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Assemblyman Kevin Smardz and State Senator Tim Kennedy.

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

4. Reappointment of Lamont Beers to Erie County Environmental Management Council

MOTION was made by Supervisor Nellis to reappoint Lamont Beers to the Erie County Environmental Management Council for a 2-year term starting 6/1/2011; seconded by Councilman Krycia; All "Ayes"; Opposed? - None; Abstain? – None; Motion carried.

5. Eden Regional Welch Farm Museum – setting Public Hearing on possible designation as Landmark status

MOTION was made by Councilman Krycia to set the Public Hearing for April 13, 2011 at 8:00 p.m. for possible designation as landmark status for the Eden Regional Welch Farm Museum; seconded by Councilwoman Pew; All "Ayes": Opposed? – None; Abstain? – None; Motion carried.

6. Notification of Liquor License Renewal – Newell Faulkner Post 880, Inc. The American Legion

Supervisor Nellis received notification of Liquor License Renewal from Newell Faulkner Post 880, Inc. the American Legion. This notification was received and filed.

Hearing of Visitors:

Mike Bolo

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 8:15 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 11:30 P.M.

Respectfully submitted by,

March 9, 2011

Mary Jo Hultquist, Town Clerk