

March 23, 2011

**MINUTES**

**TOWN BOARD MEETING  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
MARCH 23, 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   |

**OTHERS PRESENT:**

|                   |   |                          |
|-------------------|---|--------------------------|
| Mary Jo Hultquist | - | Town Clerk               |
| Lisa Greiner      | - | Administrative Assistant |
| Stephen Waldvogel | - | CRA                      |
| Mark Cavacolli    | - | CRA                      |

**Call To Order:**

Supervisor Nellis called the Work Session of the Eden Town Board to order at 7:35 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. Referral to Planning Board and setting of public hearing for Special Use Permit Automotive Repair Shop at 7341 Southwestern Blvd.**

**MOTION** was made by Councilman Krycia to refer the request for a Special Use Permit for an automotive Repair Shop at the Front Building of 7341 Southwestern Blvd. to the Eden Planning Board for their recommendation; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilwoman Pew to set a Public Hearing for a Special Use Permit for the Automotive Repair Shop at 7341 Southwestern Blvd for April 27, 2011 at 8:00 p.m.; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**2. Approval of Bid on Water District #5**

Supervisor Nellis read the following resolution:

**RESOLUTION  
TOWN OF EDEN, EDEN TOWN BOARD  
AWARDING CONTRACT ON WATER DISTRICT NO. 5  
WATER SYSTEM IMPROVEMENTS PROJECT**

**WHEREAS**, since 2009, proceedings have been held to consider the creation of Water District No. 5 as well as proceedings for Water System Improvements for Town of Eden Water District No. 5 (hereinafter, "Project"), in said Town, and

**WHEREAS**, the Eden Town Board previously authorized Project Engineer, Conestoga-Rovers & Associates (CRA) to prepare specifications for the Project and authorized advertising seeking bids for the construction of such Project, and

**WHEREAS**, bids have been received and reviewed by CRA, which has recommended that the Town Board proceed to award the Project construction contract as set forth in this resolution.

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Eden Town Board does hereby award the construction contract for Water District No. 5 Water System Improvements to the lowest, responsible bidder, M. L. Smith Construction, Inc. in the total amount of \$1,694,740.00; contingent upon receipt and approval of all required insurance and bonding, and it is further

**RESOLVED**, that Supervisor Glenn R. Nellis is hereby authorized to execute all contract documents on behalf of the Town of Eden Water District No. 5, and it is further

**RESOLVED**, that Supervisor Glenn R. Nellis is hereby authorized to issue a Notice to Proceed to the contractor upon recommendation of CRA and legal counsel for the Town.

**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. Appointments – 2011 Recreation Summer Staff**

Supervisor Nellis read correspondence from Susan Brass, Recreation Director stating that all 2011 summer employment applicants have been reviewed. It is with their unanimous recommendation that the applicants listed on the 2011 Summer Staff Assignments be appointed at the salaries and positions listed, which is on file in the Town Clerk's office.

**MOTION** was made by Councilwoman Pew to approve the 2011 Summer Staff Assignments as recommended by the Recreation Advisory Board; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**4. Appointment to the Grievance Board**

Supervisor Nellis read correspondence from John Bauer, Chairman of the Grievance Board recommending the appointment of Mr. Brent Hardy to the Grievance Board for a 5-year term. Mr. Hardy will be compensated \$85.00 per session. This appointment is contingent upon Mr. Hardy attending training.

**MOTION** was made by Councilwoman Pew to appoint Mr. Brent Hardy to the Grievance Board for a 5-year term contingent upon Mr. Hardy attending training; seconded by Councilman Vacco; All "Ayes"; Opposed? – None; Abstain? - None; Motion carried.

**5. Highway Department requesting funding from the Equipment Reserve Account**

Supervisor Nellis read correspondence from Ron Maggs, Highway Superintendent requesting up to \$50,000.00 from the Equipment Reserve Account D9950.9 for the purchase of a Skid Steer and Trailer as per their replacement schedule, subject to Permissive Referendum.

**MOTION** was made by Councilman Ventry to approve funding up to \$50,000.00 from the Equipment Reserve Account D9950.9 for the purchase of a Skid Steer and Trailer as per their replacement schedule, subject to Permissive Referendum; seconded by Councilman Vacco; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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**Hearing of Visitors:**

There were none.

**Adjournment:**

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

Supervisor Nellis adjourned the Work Session Meeting of the Eden Town Board at 7:55 P.M.

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 9:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk