

April 11, 2012

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
APRIL 11, 2012
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN
EDWARD KRYCIA, JR	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN
FRAN MCLAUGHLIN	-	COUNCILMAN

DEPARTMENT HEADS PRESENT:

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
Ray Zabron	-	Dog Control Officer

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 March 14, 2012; there were none.

MOTION was made by Councilman McLaughlin to approve the Town Board Minutes of March 14, 2012 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 March 28, 2012; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of March 28, 2012 as presented; seconded by Councilman Krycia; “Ayes”; Nellis, Krycia, McLaughlin, Ventry; Opposed? – None; Abstain? - Pew; 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. There were none.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	185-249	\$83,877.10
Highway Dept. Fund	73-108	\$31,917.19
Fire Dept. Fund	52-72	\$344,308.74
Recreation Dept. Fund	17-26	\$1,674.00
Refuse and Garbage Fund	5	\$36,609.84
Street Lights Fund	5-8	\$5,353.19
Water Fund	6-12	\$9,142.82
Trust & Agency Fund	--	--
Capital Fund		
H3410.2	2	\$4,707.00
H8320.401	8-11	\$14,484.51
H8320.402	2-3	\$7,414.00
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 March 2012 were presented by Jack Rigley, Eden Fire Chief; Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; Supervisor Nellis for Ronald Maggs, Superintendent of Highways; 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 a bid opening for the Itemized Equipment for the Eden Fire Department and the East Eden Fire Department for May 11, 2012 at 4:00 p.m. in the Town Clerk’s office.

MOTION was made by Councilwoman Pew to set a bid opening for Friday, May 11, 2012 at 4:00 p.m. in the Town Clerk’s office for the Itemized Equipment for the Eden Fire Department and the East Fire Department; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis for Ron Maggs, Highway Superintendent requested permission to attend Highway School in Ithaca, New York from June 11-13, 2012.

MOTION was made by Councilwoman Pew to grant permission to Ron Maggs, Highway Superintendent to attend Highway School in Ithaca, New York from June 11-13, 2012; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business:

1. Police Contract

Supervisor Nellis requested that this item be “tabled” to be reviewed and and discussed at a future Town Board Meeting.

2. Update on Water Project

Supervisor Nellis reported that as of Tuesday, April 3, 2012, the construction Contractor for the Water District #5 Improvements Project, ML Smith Construction, Inc., informed the Town of Eden that it is unable to complete the work on that project. Upon receipt of this notification from the contractor, the Town of Eden immediately began the process of working with the contractor's performance bond surety to take whatever steps are needed to expedite the claims process, which will ultimately result in the resumption of work and completion of the project.

William Trask, Town Attorney has been in contact with the Attorney for M.L. Smith Construction, Inc. and with CRA, the engineering firm.

3. Approval of additional inspection funding for Water District #5

Supervisor Nellis read the following request for authorization of additional Inspection funding:

Summary of Water District #5 Inspection

From June 22, 2011 through March 8, 2012

119 full days – 10 partial days (1/2 days)

To date: 124 full day equivalents

CRA contract estimate of “on site inspection” – 120 calendar days

Remaining inspection days estimate to complete Water District #5:
6-8 weeks at 5/days/week = 30-40 days

Based on current rate for inspector @ \$82/hour – approximately \$25,000 will be needed to complete Water District #5 work and finish bringing water to residents.

MOTION was made by Supervisor Nellis to approve the additional inspection funding for Water District #5 for CRA for \$25,000; seconded by Councilman Krycia; “Ayes”; Nellis, Krycia, McLaughlin, Pew; Opposed? – Ventry; Abstain? – None; Motion carried.

4. Liquor License Renewal for Schunk's West Hill Grill and Eden Wine & Liquor

These notifications have been received and filed.

5. Boaters Proclamation

Councilman Krycia read the following resolution:

**NORTH AMERICAN SAFE
BOATING WEEK CAMPAIGN**

WHEREAS, on average, 700 people die each year in boating-related accidents in U.S.; approximately 70% of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

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WHEREAS, today's life jackets are more comfortable, more attractive and more wearable than styles of years past and deserve a fresh look by today's boating public; and

THEREFORE, I Glenn R. Nellis, Supervisor of the Town of Eden do hereby support the goals of the North American Safe Boating Campaign and proclaim May 19-25, 2012 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

IN WITNESS THEREOF, I urge all those who boat to "Wear It" and practice safe boating habits and hereunto set my hand and seal of the said Town of Eden, Erie County New York the 11th day of April 2012.

Glenn R. Nellis, Supervisor

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

Supervisor's Report:

- April 13, 2012 – last day to apply for HEAP
- Main Street beautification clean-up starting
- Signed bid bond anticipation note for East Eden Fire Hall

Hearing of Visitors:

There were none.

Adjournment:

MOTION was made by Councilman McLaughlin 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 8:10 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 11:00 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk