

March 13, 2013

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
MARCH 13, 2013  
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:**

Mark Cavacolli	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Jack Rigley	-	Eden Fire Chief
Chris Brind'Amour	-	East Eden Fire
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 7:30 P.M.

**Pledge of Allegiance:**

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

Supervisor Nellis noted that the Public Hearing scheduled for tonight at 8:00 p.m. would be cancelled as some changes had occurred with the project on Schoolview Drive and would be rescheduled for the April 10<sup>th</sup> meeting at 8:00 p.m.

**Approval of Minutes:**

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of February 13, 2013; there were none.

**MOTION** was made by Councilman McLaughlin to approve the Town Board Minutes of February 13, 2013 as presented; seconded by Councilman Krycia; 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 27, 2013; there were none.

**MOTION** was made by Councilman Krycia to approve the Town Board Minutes of February 27, 2013 as presented; seconded by Councilman Ventry; "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	80-149	\$67,354.22
Highway Dept. Fund	44-76	\$47,819.98
Fire Dept. Fund	25-53	\$11,820.18
Recreation Dept. Fund	9-23	\$5,051.57
Refuse and Garbage Fund	1-2	\$74,820.00
Street Lights Fund	2-4	\$5,601.55
Water Fund	2-5	\$11,848.45
Trust & Agency Fund	--	--
Capital Fund		
H2310.2	1-2	\$669.44
H8320.402	1	\$13,038.18
H8320.403	1	\$74.37
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 2013 were presented by Jack Rigley, Eden Fire Chief; Chris Brind’Amour for Andrew Breier, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; 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.

**New and Unfinished Business:**

**1. Appointments/Reappointments**

Supervisor Nellis read correspondence from Michael Felschow, Eden Chief of Police, requesting the appointment of Christopher M. Schreiber as a part-time Police Officer.

**MOTION** was made by Councilwoman Pew to approve the appointment of Christopher M. Schreiber as part-time Police Officer; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**2. Schoolview Road Water Project**

Mark Cavacolli, Engineer from CRA presented a revised Map, Plan and Report for Increase and Improvement of facilities for the Consolidated Water District and Extensions for the Schoolview Drive project area. This revision is in part after notification that part of the water line on Schoolview Drive is owned by Erie County Water Authority and does not need to be repaired or replaced.

March 13, 2013

**MOTION** was made by Councilman Krycia to receive and file the Map, Plan and Report for the Schoolview Drive water project; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Town Attorney Trask read the following resolution:

**ORDER CALLING  
PUBLIC HEARING TO BE HELD ON  
APRIL 10, 2013**

WHEREAS, the Town Board of the Town of Eden (herein called “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Eden Consolidated Water District (the “District”); and

WHEREAS, the Town Board has directed CRA Infrastructure & Engineering, Inc., competent engineers licensed in New York, to prepare a revised map, plan and report for a water system capital improvements project within the District; and

WHEREAS, such water system capital improvements project will include, but not be limited to, the construction of approximately 4,265 lineal feet of 8-inch waterline along Schoolview Road in the Town, the construction of four interconnections, the installation of a flow control valve chamber, and the installation of hydrants, valves and appurtenances, as well as other such improvements as more fully identified in such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary engineering map, plan and report for such increase and improvement of facilities of the District and has estimated the maximum estimated cost thereof to be \$610,000; such cost to be financed by the issuance of serial bonds of the Town in an aggregate amount not to exceed \$610,000, such bonds to be offset by any federal, state, county and/or local funds received;

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Eden will be held at the Town Hall, 2795 East Church Street, Eden, New York, on April 10, 2013 at 8:00 o’clock P.M. (prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate amount not to exceed \$610,000, said amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection from the several lots and parcels of land within the District for such purpose in the same manner and at the same time as other Town charges to pay the principal of and interest on said bonds as the same shall become due and payable, except as otherwise provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than 10 nor more than 20 days before the date of such public hearing

**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. SouthTowns Community Enhancement Coalition**

Supervisor Nellis read the following report:

Concord and Sardinia have been added to the Coalition that also includes Brant, Eden, Evans, North Collins, and Villages of Angola, Farnham and North Collins.

Three on-going projects:

- Establish website
- Working to create “Farm Trail” for tourists to follow. Will include local businesses
- Seasonal dinner on September 21<sup>st</sup> at the Marienthal Bed and Breakfast. Only produce and products grown or made in our towns will be used.

**4. Approval of Bid on 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	\$3.3946
Diesel Fuel	\$3.5016
Winter Mix	\$3.5316
Hourly Rate	no charge

**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 McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**5. Off Road Drainage Committee Appointment**

**MOTION** was made by Councilman McLaughlin to appoint Dave Johnson to a 3-year term to the Off Road Drainage Committee; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilwoman Pew to hold the May 8<sup>th</sup> Town Board meeting at the East Eden Fire Hall; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None.

**Supervisor’s Report:**

Erie County Water Authority’s 2012 Annual Water Quality Report has been received and is available at the Town Clerk’s office or the Supervisor’s office.

**Hearing of Visitors:**

There were none.

**Adjournment:**

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

March 13, 2013

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 10:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk