

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
DECEMBER 11, 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:**

Ronald C. Maggs - Superintendent of Highways  
John McCarthy - Lieutenant  
Jack Rigley - Eden Fire Chief  
Rick Kirst - East Eden Fire  
Ray Zabron - Dog Control Officer

**OTHERS PRESENT:**

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 November 13, 2013; there were none.

**MOTION** was made by Councilman Ventry to approve the Town Board Minutes of November 13, 2013 as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Petitions:**

There were none.

**Budget Transfers/Amendments:**

<b>From Account</b>	<b>To Account</b>	<b>Reason for Amendment</b>	<b>Amount</b>
D9060.8 Health Insurance	D9010.8 State Retirement	Actual –vs.- estimate for state retirement	\$767.57
D9060.8 Health Insurance	D9040.8 Workers Comp.	Premium Increase	\$6,300.00
A9010.8 ERS Retirement	A9015.8 Police Retirement	Actual –vs.- estimate for state retirement	\$2,738.81

A1990.4 Contingent Fund	A9015.8 Police Retirement	Actual -vs.- estimate For state retirement	\$1,492.44
A1640 Ambulance Charges	A4540.4 Ambulance- Contractual	Estimated overage through 12/31/13	\$5,000.00
A1640 Ambulance Charges	A4540.1 Ambulance- Personal	Clerk typist for Eden Emergency Squad	\$5,200.00
A1640 Ambulance Charges	A9030.8 Ambulance Personal	Social Security/Medicare on Squad's Clerk Typist Position	\$400.00
A7140.1 Playground Personal	A7020.4 Rec.Admin. Contractual	Over budget	\$10.00
A1990.4 Contingent Fund	A1220.1 Supv.Contractual	Stipend for health insurance not taken left out of original budget	\$600.00
A1990.4 Contingent Fund	A3120.1 Police Personal	Estimated overage for payroll through 12/31/13	\$8,000.00
A1320.4 Audit Contractual	A1220.4 Supv.Contractual	Over budget year end office supplies needed	\$500.00
A9055.8 Disability Insurance	A9050.8 Unemployment Ins.	Over budget	\$800.00
A1990.4 Contingent Fund	A5010.100 Highway Superintendent Personal	Year End Accrual not figured into budget	\$150.00
A1990.4 Contingent fund	A3989.400 Other public safety	Over budget	\$110.00

**MOTION** was made by Councilwoman Pew to approve the Budget Transfers/Amendments as presented; seconded by Councilman McLaughlin; 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	716-790	\$156,831.87
Highway Dept. Fund	332-363	\$28,462.49
Fire Dept. Fund	265-293	\$24,599.45
Recreation Dept. Fund	154-170	\$8,277.13
Refuse and Garbage Fund	18	\$37,410.00
Street Lights Fund	54-58	\$6,507.62
Water Fund	30-32	\$5,160.26
Trust & Agency Fund	--	--
Capital Fund		
H3410.2		
H8320.402	8	\$17,058.92
H8302.403	19-20	\$15,010.00
Community Development	--	--

**MOTION** was made by Councilwoman Pew to approve the Audit of Bills as presented; seconded by Councilman McLaughlin; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

**Departmental Reports:**

Department reports for the month of November 2013 were presented by Jack Rigley, Eden Fire Chief; Rick Kirst for Andrew Breier, East Eden Fire Chief; John McCarthy for Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; Mary Jo Hultquist, Town Clerk; Supervisor Nellis for Scott Henry, Zoning Code Enforcement Officer; and Supervisor Nellis for Susan Brass, Recreation Director. All reports are on file in the Town Clerk’s office.

Jack Rigley, Eden Fire Chief requested removing the names of Ryan Sheehan and Joshua Kunch from the active roster of the Eden Fire Department.

**MOTION** was made by Councilwoman Pew to remove the names of Ryan Sheehan and Joshua Kunch from the active roster of the Eden Fire Department; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**New and Unfinished Business:**

**1. Eden Highway Association Collective Bargaining Agreement**

**MOTION** was made by Councilman Krycia to approve the contract between the Town of Eden and the Eden Highway Association for 2014, 2015 and 2016, with a 2% increase each year; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**2. Police Chief Contract**

**MOTION** was made by Supervisor Nellis to approve the contract between the Town of Eden and Eden Police Chief, Michael Felschow from 1/1/2014 through 1/1/2017 with a 2% increase each year; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**3. Approval of Work Place Violence Policy**

**MOTION** was made by Councilwoman Pew to approve the Work Place Violence Policy as presented; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilman Ventry to close the Regular Meeting of the Eden Town Board and open the Public Hearing; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the Regular Meeting of the Eden Town Board at 8:00 p.m.

**8:00 p.m.  
Public Hearing  
Renewal of Special Use Permits**

1. Norman Brenner Gravel Pit
2. Cazenovia Recovery Resources
3. St. John’s Church/Eden KinderCare
4. Crown Castle – Telecommunications Tower – Mammoser Property
5. SBA Towers II – Telecommunications Tower, North Main Street
6. Henrich – Airstrip
7. Gorecki – Dog Grooming/Boarding
8. Schreiber – Mini Self-Storage Facility
9. Minekime – Caretaker/Watchman Dwelling Unit
10. Renee Adams, Commercial Dog Kennel Facility
11. Upstate Cellular Network, d/b/a Verizon Wireless
12. Rainer and Pamela Sticht – Dog Kennel

Supervisor Nellis explained the purpose of the public hearing is to give the residents an opportunity to speak.

The following persons spoke and asked questions regarding the renewal of Special Use Permits:

There were none.

Lisa Greiner, Administrative Assistant stated that Verizon is required to submit a structural safety report by January 1, 2014 to be in compliance.

Supervisor Nellis stated that Richard Minekime is required to acknowledge that a caretaker is living on-site.

Mary Jo Hultquist, Town Clerk stated that all fees for the Special Use Permit Renewals had been received.

All persons desiring to be heard, having been heard, Supervisor Nellis closed the Public Hearing at 8:05 p.m.

**MOTION** was made by Councilman Krycia to close the Public Hearing and open the Regular Meeting of the Town Board; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

#### **4. Appointments**

**MOTION** was made by Councilman Ventry to approve the position of Clerk-Typist for the Eden Emergency Squad at the rate of pay of \$12.50 per hour, not to exceed 16 hours in a bi-weekly pay period or not to exceed 32 hours in a monthly pay period; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Councilman Ventry to approve Scott Hultquist as the Clerk-Typist for the Eden Emergency Squad retroactive to 1/1/2013 with payment to be made upon receipt of documented time; seconded by councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

#### **5. Schedule Public Hearing for Proposed Local Law No. 1-2014**

**MOTION** was made by Councilwoman Pew to schedule a Public Hearing for January 8, 2014 at 8:00 p.m. for Proposed Local Law No. 1-2014, a local law amending the Code of the Town of Eden Chapter 108 – Standard Schedule of Fees Law, specifically Section 108-3, Add "G", Fire Prevention and Safety Inspections; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

#### **6. Action on Special Use Permits**

Supervisor Nellis requested approval of the Special Use Permits as follows:

1. Norman Brenner Gravel Pit
2. Cazenovia Recovery Resources
3. St. John's Church/Eden KinderCare
4. Crown Castle – Telecommunications Tower – Mammoser Property
5. SBA Towers II – Telecommunications Tower, North Main Street
6. Henrich – Airstrip
7. Gorecki – Dog Grooming/Boarding
8. Schreiber – Mini Self-Storage Facility
9. Minekime – Caretaker/Watchman Dwelling Unit
10. Renee Adams, Commercial Dog Kennel Facility
11. Upstate Cellular Network, d/b/a Verizon Wireless
12. Rainer and Pamela Sticht – Dog Kennel

**MOTION** was made by Councilman Krycia to approve the above-mentioned Special Use Permits subject to compliance with all special permit conditions; seconded by Councilman McLaughlin; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

**7. Approval of Position**

**MOTION** was made by Councilman Ventry to approve a new position and job description of Part-Time Code Enforcement Officer (non-competitive) for the Town of Eden and authorizing the Town Supervisor to sign required Erie County Civil Service document “New Position Duties Statement” with regard to the new position; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**8. Dog Shelter Lease Agreement**

**MOTION** was made by Councilman Ventry to accept the 2014 Dog Shelter Lease Agreement between the Eden Veterinary Clinic and the Town of Eden and authorize the Town Supervisor to sign, as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed?-None; Abstain?- None. Motion carried.

**9. Contract with Eden Emergency Squad**

**MOTION** was Councilman Ventry to approve an Agreement between the Eden Emergency Squad and the Town of Eden for the positions of Paid Paramedic, one (1) full-time and one (1) part-time for 2014, pending approval of Town Attorney, which is on file in the Town Clerk’s office; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Supervisor’s Report:**

- Schedule the final Town Board Meeting and Re-organizational Meeting for December 30, 2013 at 7:30 p.m.
- December 12, 2013 at 7:30 p.m. – open meeting with the Western New York Land Conservancy.

**Hearing of Visitors:**

Phil Muck, regarding the part-time position of Code Enforcement Officer, a copy of his statement is on file at the Eden Town Clerk’s office.

Bob Stickney, regarding the street lights.

**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 8:25 P.M.

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 9:30 P.M.

Respectfully submitted by,

Mary Jo Hultquist  
Town Clerk