

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
FEBRUARY 12, 2014  
7:30 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN (8 pm)
EDWARD KRYCIA, JR	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN
FRAN MCLAUGHLIN	-	COUNCILMAN (absent)

**DEPARTMENT HEADS PRESENT:**

Mark Cavacolli	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Matthew Colvin	-	Eden Fire Chief
Andrew Breier	-	East Eden Fire Chief
Robert Pietrocarlo	-	Chairman Board of Assessors
Ray Zabron	-	Dog Control Officer

**OTHERS PRESENT:**

William Trask	-	Town Attorney
Heather Ohmit	-	Deputy 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 January 8, 2014; there were none.

**MOTION** was made by Councilman Ventry to approve the Town Board Minutes of January 8, 2014 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 January 22, 2014; there were none.

**MOTION** was made by Councilman Krycia to approve the Town Board Minutes of January 22, 2014 as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Petitions:**

There were none.

**Budget Transfers/Amendments:**

**February 12, 2014  
For year end 12/31/13**

<b>From Account</b>	<b>To Account</b>	<b>Reason for Amendment</b>	<b>Amount</b>
A1640 Ambulance charges	A4540.4 Ambulance- Contractual	Overbudget	\$800.00
A3120.1 Police Personal	A3120.4 Police Contractual	Overbudget Electrical Work & Encumbrances	\$2,400.00
A1990.4 Contingent Fund	A1620.4 Town Hall Contractual	Electrical Work at Town Hall	\$2,200.00
D5142.4 Snow Removal- Contractual	D5142.1 Snow Removal- Personal	Budget Adjustment	\$400.00
SW878.5 Water Cap.Improve.Reserve.	SW8320.4 Water Contractual	Use of Reserve for Standby Power at Eden 1 Pump Station	\$5,000.00
SW878.9 Water Emergency Repair Reserve	SW8320.4 Water Contractual	Use of fund Balance for Standby Power at Eden 1 Pump Station	\$44,834.24
SW917 Fund Balance-Water	SW8320.4 Water Contractual	Use of Fund Balance for Standby Power at Eden 1 Pump Station	\$83,000.00
SW917 Fund Balance-Water	SW8320.401 Maint Wepax Water	Overbudget	\$500.00
SL917 Fund Balance	SL5182.4 Street Light- Contractual	Overbudget	\$270.00

**Additional Encumbrances for 2013**

SF3410.2	Fire-Equipment	Hose purchase	\$800.00
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**MOTION** was made by Councilman Krycia to approve the budget transfers and encumbrances as presented; seconded by Councilman Ventry; 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.

<b>DESCRIPTION</b>	<b>VOUCHER NUMBERS</b>	<b>AMOUNT</b>
General Fund	11-70	\$80,949.06
Highway Dept. Fund	5-40	\$50,962.44
Fire Dept. Fund	3-24	\$12,204.87
Recreation Dept. Fund	1-2	\$461.00

Refuse and Garbage Fund	1	\$37,730.24
Street Lights Fund	1	\$5,037.53
Water Fund	1-3	\$6,148.21
Trust & Agency Fund		
Capital Fund H3410.2 H8320.402 H8302.403		
Community Development	--	--

**2013 Payables**

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	862-884	\$26,292.75
Highway Dept. Fund	392-398	\$7,748.95
Fire Dept. Fund	316-328	\$7,097.86
Recreation Dept. Fund	180-184	\$410.25
Refuse and Garbage Fund		
Street Lights Fund	36-37	\$1,179.82
Water Fund	64-66	\$151,142.72
Trust & Agency Fund		
Capital Fund H3410.2 H8320.402 H8302.403		
Community Development	--	--

**MOTION** was made by Councilman Krycia 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 January 2014 were presented by Matthew Colvin, Eden Fire Chief; 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; Heather Ohmit, Deputy Town Clerk; Glenn Nellis for Scott Henry, Zoning Code Enforcement Officer; Richard Ventry for Susan Brass, Recreation Director; Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Andy Breier, East Eden Fire Chief, requested the Town Board’s permission to take fire apparatus out of district for parades, funerals, training etc., for 2014.

**MOTION** was made by Councilman Krycia to allow East Eden fire apparatus to go out of district for parades, funerals, training, etc for 2014; seconded by Councilman Ventry; All “Ayes”; Opposed?-None; Abstain?-None; Motion carried.

Andy Breier, East Eden Fire Chief, presented the following company roster for the Town Board’s approval:

Chief Andrew Breier	President John McCarthy
1 <sup>st</sup> Asst. Chief Rick Kirst	Vice Pres. Ed Blaze
2 <sup>nd</sup> Asst.Chief Chris Brind’ Amour	Sec.Joy Wendle
Capt. Joe Armbruster	Treasurer Marie Armstrong
1 <sup>st</sup> Lieut. Chris Enser	Trustees John Blaze
2 <sup>nd</sup> Lieut. Scott Hunter	John Skrzypek

**MOTION** was made by Supervisor Nellis to approve the East Eden Fire Department roster for 2014 as presented; seconded by Councilman Krycia; All “Ayes”; Opposed?-None; Abstain?- None; Motion carried.

Ron Maggs, Highway Superintendent, requested the Town Board set a bid opening date for Motor Fuels and Related Services for Thursday, March 6<sup>th</sup> at 10:00 a.m. in the Town Clerk's Office.

**MOTION** was made by Councilman Krycia to set the bid opening date for Motor fuels and Related Services for Thursday, March 6<sup>th</sup> a.m. in the Town Clerk's office; seconded by Councilman Ventry; All "Ayes"; Opposed?- None; Abstain?- None; Motion carried

Ron Maggs, Highway Superintendent requested the Town Board approve up to \$24,000.00 from the Equipment reserve Account D9950.9 for the purchase of a new and unused 2014 Pickup Truck, as per replacement schedule, subject to Permissive Referendum.

**MOTION** was made by Councilman Ventry to approve up to \$24,000.00 from Equipment Reserve Account D9950.9 for the purchase of a new and unused 2014 Pickup Truck, as per replacement schedule, subject to Permissive Referendum; seconded by Councilman Krycia; All "Ayes"; Opposed?- None; Abstain?- None; Motion carried.

### **New and Unfinished Business:**

#### **1. Action on Green Street Project to replace waterline/hydrants**

This item was tabled at the request of Mark Cavacoli, CRA.

#### **2. Further review and approval of Shared Services Agreement**

This item was tabled pending further discussion.

#### **3. Appointments/Reappointments**

The Planning Board submitted the following request for re-appointments;

Chairman-Mark Agle (7 year term)

Member-Andrew Romanowski (7 year term)

Alt.Planning Board Member-Frank Meyer, DDS (1 year term)

Alt.Planning Board Member-David Johnson (1 year term)

**MOTION** was made by Councilman Ventry to approve the Planning Board reappointments as presented; seconded by Councilman Krycia; All "Ayes"; Opposed?- None; Abstain?- None; Motion carried.

The Conservation Board submitted the following request for re-appointments:

Russell Barten

Mary Jane Bolo

Barbara Huntoon

Robert Stievater

Judith Striebich

**MOTION** was made by Councilman Krycia to approve the Conservation Board reappointments as presented; seconded by Councilman Ventry; All "Ayes"; Opposed?- None; Abstain?-None; Motion carried.

The Conservation Board requested the reappointment of Lamont Beers as Conservation Board chairman.

**MOTION** was made by Councilman Krycia to appoint Lamont Beers as chairman of the Conservation Board; seconded by Councilman Ventry; All "Ayes"; Opposed?- None; Abstain?- None; Motion carried.

Michael Felschow, Chief of Police, in lieu of resignation received from Jane Henry, requested the appointment of Darci Hultquist as dispatcher.

**MOTION** was made by Councilwoman Pew to approve the appointment of Darci Hultquist as dispatcher; seconded by Councilman Ventry; All “Ayes”; Opposed?-None; Abstain?-None; Motion carried.

Michael Felschow, Chief of Police, requested the appointment of Christopher Schmidt as a part time dispatcher.

**MOTION** was made by Councilman Krycia to approve Christopher Schmidt as a part time dispatcher; seconded by Councilman Ventry; All “Ayes”; Opposed?-None; Abstain?-None; Motion carried.

**4. Declare surplus equipment (piano)**

**MOTION** was made by Supervisor Nellis to declare the piano located in the Town Hall auditorium as surplus equipment with a bid opening date of March 12<sup>th</sup>, at 9:30 a.m. in the Town Clerk’s office; seconded by Councilwoman Pew; All “Ayes”, Opposed?-None; Abstain?-None; Motion carried.

**5. Report on the South towns Coalition**

Joe Castiglia, Executive Director, and Lori Sussix, Coalition Board Member, presented information about the Southtowns Coalition. This presentation was informational in nature.

**6. Home Rule Resolution**

**TOWN OF EDEN HOME RULE RESOLUTION  
IN SUPPORT OF  
SENATE BILL S.4924-A GALLIVAN  
AND  
ASSEMBLY BILL A.7357-A DiPIETRO**

**WHEREAS**, the Town of Eden is a predominately rural community located in Erie County, New York which prides itself on its rural heritage; and

**WHEREAS**, it is the desire of the Town of Eden to amend the real property tax law, in relation to establishing a conservation easement agreement exemption in a town having a population of not less than seven thousand six hundred and not more than seven thousand seven hundred, based up the two thousand ten federal census; and

**WHEREAS**, the purpose of such legislation will provide for the acquisition of interest or rights in real property for the preservation of open space, farmland and areas which shall constitute a public purpose for which public funds may be expended or advanced after due notice and public hearing, by which the Town of Eden may acquire by purchase, gift, grant, bequest, device lease or otherwise the fee or any lesser interest, development right, easement, covenant, or to other contractual right necessary to acquire “open space” or “open area” as the same is defined in this legislation; and

**WHEREAS**, passage of this legislation will ensure that the rural character and open space is preserved for the inhabitants of the Town of Eden to enjoy now and potentially for future generations; and

**WHEREAS**, in addition t helping ensure protection of open space, farmland and areas of public purpose, there is a potential significant savings in the form of a reduction in property assessment, resulting in lower property taxes on land protected by an easement agreement;

**NOW, THEREFORE BE IT RESOLVED** that the Eden Town Board wholeheartedly supports Senate Bill S.4924-A Gallivan and Assembly Bill A.7357-A and formally requests that New York State approve such a bill.

**MOTION** was made by Supervisor Nellis to approve the resolution as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**7. Standard Workday Resolution**

Supervisor Nellis read the following Resolution and noted that the document is required by the NYS Retirement System:

BE IT RESOLVED that the Town of Eden/Location code 30505, hereby establishes the following as a standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body.

**MOTION** was made by Supervisor Nellis to accept the Standard Workday Resolution; seconded by Councilwoman Pew; All “Ayes”; Opposed?-None; Abstain?- None; Motion carried.

**Supervisor’s Report:**

Supervisor Nellis noted that flyers were posted in the Town Hall informing citizens of a Water Department Senior Citizen scam. Citizens are advised to call Erie County Water Authority regarding any questions.

**Hearing of Visitors:**

Phil Muck spoke regarding electronic signs.

**Adjournment:**

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 8:40 P.M.

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 11:15 P.M.

Respectfully submitted by,

Heather Ohmit  
Deputy Town Clerk