

March 19, 2014

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
MARCH 19, 2014  
(RESCHEDULED FROM MARCH 12, 2014)  
7:30 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

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

**DEPARTMENT HEADS PRESENT:**

Mark Cavacoli - Town Engineer  
Ronald C. Maggs - Superintendent of Highways  
Michael J. Felschow - Chief of Police  
Matthew Colvin - Eden Fire Chief  
Chris Brind' amour - East Eden 2<sup>nd</sup> Ass't Fire Chief  
Robert Pietrocarlo - Chairman Board of Assessors  
Susan Brass - Recreation Director  
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 February 12, 2014; there were none.

**MOTION** was made by Councilman Krycia to approve the Town Board Minutes of February 12, 2014 as presented; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**Petitions:**

There were none.

**Budget Transfers/Amendments:**

From Account	To Account	Reason for Amendment	Amount
SF884 Reserve for Debt	SF5031 Transfer In	Use of Reserve for Debt	\$1474.81

SW884 Reserve for Debt	SW5031 Transfer In	Use of Reserve for Debt	\$148,612.18
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Reserve for debt from closed Fire & Water Projects.

**MOTION** was made by Councilwoman Pew to approve the Budget Transfers/Amendments of March 19, 2014, for year end 12/31/13 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	71-142	\$75,503.83
Highway Dept. Fund	41-68	\$60,053.97
Fire Dept. Fund	25-53	\$14,115.11
Recreation Dept. Fund	3-16	\$4,855.53
Refuse and Garbage Fund	2-3	\$38,114.64
Street Lights Fund	2-4	\$6,039.90
Water Fund	4-7	\$6,852.87
Trust & Agency Fund	--	--
Capital Fund		
H3410.2	--	--
H8320.402		
H8302.403		
Community Development	--	--

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

**Departmental Reports:**

Department reports for the month of February 2014 were presented by Matthew Colvin, Eden Fire Chief; Chris Brind’Amour, East Eden 2<sup>nd</sup> Assistant 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; Supervisor Nellis for 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.

Matthew Colvin, Eden Fire Chief requesting adding Christopher Greeley of 3045 Schoolview Drive to the active roster pending his background check and physical exam.

**MOTION** was made by Councilwoman Pew to add Christopher Greeley of 3045 Schoolview Drive to the active roster of the Eden Fire Department, pending his background check and physical exam; seconded by Councilman Krycia; All “Ayes”: Opposed? – None; Abstain? – None; Motion carried.

Ron Maggs, Highway Superintendent requested up to \$100,000 from the Equipment Reserve Account D9950.9 for the restoration of their current 1997 Mack Mainline Plow Truck, subject to Permission Referendum.

**MOTION** was made by Councilman McLaughlin to approve the request of up to \$100,000 from the Equipment Reserve Account D9950.9 for the restoration of their current 1997 Mack Mainline Plow Truck, subject to Permissive Referendum; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**New and Unfinished Business:**

**1. Presentation by Community Concerns regarding funding needs**

Supervisor Nellis introduced Jerry Bartone and Jennifer Gunia of Community Concern. This presentation was informational in nature.

**2. Action on Green Street Project – Map and Plan Report; proposals for Engineering services; set Public Hearing**

**MOTION** was made by Supervisor Nellis to accept the Map, Plan and Report as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis read the following resolution:

**State Environmental Quality Review (SEQR)**  
Resolution Establishing Lead Agency  
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Green Street and Depot Street Waterline Improvement Project

**WHEREAS**, the Town of Eden Town Board is considering the replacement of approximately 850 lineal feet of 8-inch waterline along Green Street and the abandonment of approximately 430 lineal feet of 6-inch waterline along Depot Street; and

**WHEREAS**, after comparing the thresholds in 6 NYCRR 617.4 and 5, the Town Board has determined that the proposed project is an Unlisted Action; and

**WHEREAS**, the Environmental Assessment Form (EAF) dated March 7, 2014 has been submitted by CRA Infrastructure & Engineering, Inc. for the Town Board’s consideration, and

**WHEREAS**, the Town Board has determined the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6 (a) (6) do not apply, and

**WHEREAS**, after examining the EAF, the Town Board has determined that the Erie County Water Authority and the Erie County Health Department will be involved as permitting agencies on this matter.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board declares itself Lead Agency for review of this action.

**BE IT FURTHER RESOLVED** that a Determination of Significance will be made at such a time as all reasonable necessary information has been received by the Town Board to enable it to determine whether the action will or will not have a significant effect on the environment.

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

Supervisor Nellis read the following resolution:

March 19, 2014

A meeting of the Town Board of the Town of Eden, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 19, 2014.

PRESENT:

Hon. Glenn R. Nellis, Supervisor  
Mary Lou Pew, Councilperson  
Edward Krycia, Jr., Councilperson  
Francis McLaughlin, Councilperson

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In the Matter

of the

Increase and Improvement of Facilities of the Town of Eden Consolidated Water District, in the Town of Eden, County of Erie, New York, pursuant to Section 202-b of the Town Law.

-----X

**ORDER CALLING  
PUBLIC HEARING TO BE HELD ON  
April 9, 2014**

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 preliminary 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 installation of approximately 850 lineal feet of 8-inch waterline along Green Street, the abandonment of approximately 430 lineal feet of 6-inch waterline along Depot Street, the installation of interconnections, hydrants, valves and appurtenances, the reconnection of services to the new water line on Green Street, the transfer of services to an adjacent water line on Depot Street, 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 map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$200,000; such cost to be financed by the issuance of serial bonds of the Town in an aggregate amount not to exceed \$200,000, 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 9, 2014 at 8:00 o'clock P.M.** (prevailing Time) to consider said increase and improvement of

March 19, 2014

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 \$200,000, 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 ten nor more than 20 days before the date of such public hearing

DATED: March 19, 2014

TOWN BOARD OF THE  
TOWN OF EDEN

The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

AYES: Glenn R. Nellis, Supervisor  
Mary Lou Pew, Councilwoman  
Edward Krycia, Jr., Councilman  
Francis McLaughlin, Councilman

NOES: None

ABSENT: Richard Ventry, Councilman

The Order Calling for Public Hearing was declared adopted.

Supervisor Nellis presented the Community Development Block Grant – Subrecipient Agreement between The County of Erie and the Town of Eden for Green Street Waterline Replacement Project, which is on file in the Town Clerk’s office.

**MOTION** was made by Councilman McLaughlin to accept the Community Development Block Grant – Subrecipient Agreement between The County of Erie and the Town of Eden for Green Street Waterline Replacement Project; seconded by Councilwoman Pew; All “Ayes”; Opposed?- None; Abstain?- None; Motion carried.

**3. Engineering proposal for Consolidated Water Study Project**

Supervisor Nellis read the following Professional Engineering Services Proposal for the Green Street Waterline Replacement and Depot Street Waterline Abandonment, which is on file in the Town Clerk’s office.

Supervisor Nellis read the following Fee Schedule:

Project Planning Phase	\$ 2,700 Lump Sum
Engineering Design Phase	\$16,200 Lump Sum
Construction Administration Svcs.	\$ 5,400 Lump Sum
Estimated Resident Inspection	\$ 9,400 Hourly Upset Allowance

**MOTION** was made by Councilwoman Pew to approve the Fee Schedule for the Green Street Waterline Replacement and Depot Street Waterline Abandonment as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Mark Cavacoli presented the following Professional Engineering Services Proposal for the Town of Eden/Erie County Water Authority Water System Consolidation Study, which is on file in the Town Clerk’s office.

**MOTION** was made by Councilwoman Pew to approve the estimated fee for the required engineering services for Conestoga-Rovers & Associates, CRA, at a preliminary lump sum of \$55,500.00 and to authorize Supervisor Nellis to sign said document; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**4. Approval of Shared Services Agreement with Appendix**

Supervisor Nellis discussed the Highway Shared Services Agreement, which is Available at the Town Clerk’s Office and read the following:

**SHARED SERVICES AGREEMENT  
APPENDIX “A”**

1. Work Rules for another Municipality borrowing Town of Eden Equipment

The Eden Town Board requires that when town equipment is lent to another municipality, that an Eden employee, trained on this equipment, be loaned to the borrowing municipality as well.

**MOTION** was made by Councilman McLaughlin to approve the Shared Services Agreement along with Appendix “A” as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**5. Appointments/Reappointments**

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

David Yingling – 5-year appointment

**MOTION** was made by Councilwoman Pew to approve the Recreation Board reappointment as presented; seconded by Councilman McLaughlin; All “Ayes”; Opposed?- None; Abstain?- None; Motion carried.

**MOTION** was made by Councilwoman Pew to set the salaries for the previously appointed part-time dispatchers as follows, retroactive to date of hire:

Darci Hultquist	\$11.47 per hour
Christopher Schmidt	\$10.92 per hour

**MOTION** was made by Councilwoman Pew to approve the salaries for the previously appointed part-time dispatchers as above-mentioned; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis presented the 2014 Seasonal Employee Hires as presented and recommended by the Eden Recreation Advisory Board:

<b>2014</b>	<b>Employee</b>	<b>Hourly Pay Rate</b>
<b>SUPERVISION</b>		
Summer Supervisor	Maun Best	Annual Stipend \$3,600.00
<b>PLAYGROUND LEADERS</b>		
Elementary	Cindy Smith	\$9.75
Gorcica	Sharon Wright	\$9.75
Flower/Minikime	Deanne Glendenning	\$9.75
Mini Camp	Angela Yingling Luther	\$8.75
Arts/Crafts	Amy Smith	\$8.75
Arts/Crafts/Asst.	Michaela Glendenning	\$8.00
Arts/Crafts Asst. ½ day	Christa Greiner	\$8.00
<b>PLAYGROUND ASSISTANTS</b>		
Elementary	Matthew Herzog	\$8.25
Elementary	Kevin Armbrust	\$8.35
Elementary	Taylor Kaiser	\$8.15
Elementary	Cassie Smythe	\$8.50
Elementary	Kaitlyn Stayzer	\$8.50
Elementary	Brady Bermingham	\$8.15
Elementary	Ryan Schummer	\$8.50
Elementary	Matthew Bialy	\$8.35
Elementary	Joe Hart	\$8.50
Elementary	David Baskerville	\$8.15
Gorcica	Robert Slisz	\$8.00
Gorcica	Emily Popple	\$8.15
Flower	Christopher Kreuger	\$9.00
Flower	Shawn Patterson	\$8.00
Mini Camp	Katherine Armbrust	\$8.15
Mini Camp	Julia Aleksandrowicz	\$8.35
Mini Camp	Andrea Stayzer	\$8.15
Alternate	Cole Overhoff	\$8.00
Alternate	Chelsea Holewaka	\$8.00
Alternate	Kelly Staub	\$8.00
Alternate	Anna Wickett	\$8.00
Alternate	Anthony Sinnott	\$8.00
Alternate	Emily Agle	\$8.00
Alternate	Miram Harms	\$8.00
<b>TENNIS</b>		
Leader	Elizabeth Karstedt	\$8.50
Assistant	Brad Palmerton	\$8.15
Assistant	Amber Penna	\$8.50
<b>SPORTS CAMPS</b>		
Leader	Kyle Acker	\$8.50
Assistant	Lauren Gugino	\$8.00
<b>TOWN POOL STAFF</b>		

Aquatics Director	David Evans	Annual Stipend \$4,400.00
<b>HEAD</b> Lifeguard	Molly Miller	\$9.50
Lifeguard	Jamie Miller	\$8.35
Lifeguard	Anna Winter	\$8.25
Lifeguard	Molly Braymiller	\$8.25
Lifeguard	Caitlin Hackford	\$9.00
<b>HEAD</b> Instructor	Elizabeth Benedict	\$9.25
Instructor	Christopher Winter	\$9.00
Instructor	Melissa Cataldo	\$8.75
Instructor	Jenna Phillips	\$8.75
Instructor	Lee Kerwin	\$8.35
Pool C.I.T.	Allison Winiecki	\$8.15
Pool C.I.T.	Emily Cataldo	\$8.15
Pool C.I.T.	Jacob Schlegel	\$8.00
Pool C.I.T.	Molly Neureuter	\$8.25
Pool C.I.T.	Katlin Schnaufer	\$8.25
Alternate	Mackenzie Biastre	\$8.00
Alternate	Macy Overhoff	\$8.00
<b>MAINTENANCE RECREATION FACILITIES/GROUND MAINTENANCE</b>		
Supervisor	Scot Christiansen	
Assistant	Michael Benedict	\$9.00
Assistant	Matthew Benedict	\$8.50
Assistant	Julian Bermingham	\$8.50
Assistant	Jay Senozetnik	\$8.50
Assistant	Jason Kryszak	\$8.50
Alternate	Brady Bermingham	\$8.25
Alternate	Henry Ohmit	\$8.00

**MOTION** was made by Councilwoman Pew to approve the 2014 Seasonal Employee Hires as presented by Susan Brass, Recreation Director and recommended by the Eden Recreation Advisory Board; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? –None; Motion carried.

**6. Report on Bid opening results – 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	\$3.1490
Diesel Fuel	\$3.5119
Winter Mix	\$3.5490
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 Supervisor Nellis; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**7. Approval of new contract for Street Lights with National Grid**

This item was tabled for future discussion.

**8. Recommendation from Planning board on possible Amendment to the Town’s Sign Ordinance regarding LED signage**

Supervisor Nellis read the following referral from Mark Agle, Chairman of the



Eden Planning Board:

“At our regular Planning Board meeting on February 25, 2014 there was a discussion concerning the recent up trend of LED signs being used for business advertising. This same subject was referred to the Town Board back in 2009 (referral attached) with no action taken. The Planning Board has re-visited this subject again and would like to request the Town Board to consider a 6-month moratorium on the sign ordinances for the LED signage. The Planning Board thought that this topic would merit further consideration by the Town Board as to whether to amend our sign ordinance to address LED signage.

For your review, attached is a recent such amendment made to its ordinances by the Town of Hamburg and also a copy of the article in the Hamburg Sun about this same matter from the Town of Boston, which copies are available to view at the Town Clerk’s Office.

The Planning Board hereby makes a referral to the Town Board with the suggestion that they may wish to be proactive in their consideration of this topic”.

Supervisor Nellis read the following:

**Resolution of the Eden Town Board**

**WHEREAS**, the Town of Eden Town Board is considering the adoption of Proposed Local Law #2-2014, which would impose a 6 month moratorium on the issuance of applications and permits for Illuminated or Electronic Message signs in the Town of Eden in order to allow an update of regulation pertaining to such signs, and

**NOW THEREFORE BE IT RESOLVED**, THAT THE town Board declares itself Lead Agency for the review of this action and

**BE IT FURTHER RESOLVED**, that a public hearing on the adoption of Proposed Local Law #2-2014 be held on April 9, 2014 at 8:30 pm.

**MOTION** was made by Supervisor Nellis to adopt the Resolution as read; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**9. Resolution regarding Estate of Town Resident**

**MOTION** was made by Councilwoman Pew to approve the acceptance of funds from the Estate of Megan Elder f/k/a Elizabeth Gajewski, in the amount of \$23,128.84, restricted for the Town of Eden Police Retirement and to authorize Supervisor Glenn R. Nellis to sign the appropriate release in the presence of a notary public; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**10. Resolution on Water District No. 5 close out**

Supervisor Nellis read the following resolution:

**RESOLUTION  
CLOSING WATER DISTRICT NO.5 PROJECT**

**WHEREAS**, beginning in August 2008, proceedings have been held to consider the joint increase and improvement of facilities of the Town of Eden Consolidated Water District and establishment of Water Districts No. 5 \*hereinafter “Water District #5 Project”), in said Town, and

**WHEREAS**, the Eden Town Board has received satisfactory documentation confirming that all work on the Water District #5 Project is completed and has been accepted upon

recommendation of project engineers and the Town of Eden seeks to formally close this project.

**NOW, THEREFORE**, it is hereby

**RESOLVED** that the Eden Town Board does hereby declare the Water District #5 Project as “closed”, and is further

**RESOLVED**, that the Eden Town Board does hereby report the sum of \$62,824.26 as the balance remaining on the Water District #5 Project to be used for debt.

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

### **11. Resolution on East Eden Fire Hall Close Out**

Supervisor Nellis read the following resolution:

**RESOLUTION  
TONW OF EDEN, EDEN TOWN BOARD, AS COMMISSIONERS OF THE  
EDEN FIRE DISTRICT  
CLOSING EAST EDEN FIRE HALL PROJECT**

**WHEREAS**, beginning in April 2010, proceedings have been held to consider the improvement of facilities of the Eden Fire District East Eden Fire Hall Improvement Project (hereinafter “East Eden Fire Hall Project”), in said Town, and

**WHEREAS**, the Eden Town Board, as Commissioners of the Eden Fire District, has received satisfactory documentation confirming that all work on the East Eden Fire Hall Project is completed and has been accepted upon recommendation of project engineers and the Town of Eden seeks to formally close this project.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Eden Town Board, as Commissioners of the Eden Fire District, does hereby declare the East Eden Fire Hall Project as “closed”, and it is further

**RESOLVED**, that the Eden Town Board, as Commissioners of the Eden Fire District, does hereby report all funds were spent.

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

### **12. Approval on purchase of new police car**

**MOTION** was made by Councilwoman Pew to approve the purchase of a 2014, 4 door, AWD Ford Explorer police vehicle in an amount not to exceed \$32,000, purchased under county contract, per the request of Chief Michael Felschow; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

### **13. Discussion on implementation of streamline process for building permits applications**

Councilwoman Pew presented her ideas for streamlining the building permit application process.

Deputy Town Clerk Heather Ohmit read a statement from Town Clerk Mary Jo Hultquist regarding the effect this would have on the Town Clerk’s office.

**14. Approve 3-year Cooperation Agreement with Community Development Block Grant Consortium**

Supervisor Nellis read the following:

**First Amendatory Agreement  
to the 2/12/2003 Cooperation Agreement  
Between the County of Erie and the Town of Eden,  
Pursuant to the Housing and Community Development Act of 1974, As  
Amended and the 1990 National Affordable Housing Act**

This First Amendatory Agreement made this 24th day of February, 2014 between the County of Erie, a municipal corporation of the State of New York, having its offices at 95 Franklin Street, Buffalo, New York 14202, hereinafter referred to as the "County", and the Town of Eden, hereinafter referred to as the "Municipality", having its principal place of business at 2795 East Church Street, Eden, New York 14057.

**WITNESSETH:**

WHEREAS, the County and Municipality have entered into an Agreement for the implementation and establishment of an Urban County Community Development Block Grant Program, dated 2/12/2003, hereinafter referred to as the "Original Agreement"; and

WHEREAS, the Original Agreement indicates that the County and the Municipality shall adopt any amendment to the Original Agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent Three-Year Urban County qualification period; and

WHEREAS, federal Urban Qualification Period Notice – CPD Notice -13-04, requires the agreement to cover the Emergency Solutions Grants (ESG) Programs within applicable sections of the Agreement.

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NOW, THEREFORE, BE IT RESOLVED that the following Contract Amendment is hereby adopted and incorporated into the Original Agreement:

- A. Section 1 – A new Section 1 to read as follows:
  - 1. The terms of this Agreement shall cover the Community Development Block Grant Entitlement Program, HOME Investment Partnership Program, and the Emergency Solutions Grants (ESG).
- B. Section 19 – A new Section 19 to read as follows:
  - 19. This Agreement must remain in effect until the CDBG, HOME, and ESG funds and program income received with respect to the three-year qualification period and any successive qualification periods are expended and the funded activities completed, and that the County and Municipality may not terminate or withdraw from the Agreement while the Agreement remains in effect.
- C. A new Section 21 shall be added as follows:
  - 21. The Municipality may receive a formula allocation under the ESG Program only through the Urban County.

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**MOTION** was made by Councilwoman Pew to approve the 3-year Cooperation Agreement with Community Development Block Grant Consortium, including the first Amendatory Agreement as read and to authorize Supervisor Nellis to sign the appropriate documents; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**15. Set Bid Opening Date for April 7, 2014 for purchase of 2014 Pick-Up Truck (Highway Department)**

**MOTION** was made by Supervisor Nellis to set the bid opening date for April 7, 2014 at 10:00 a.m. in the Town Clerk's Office for the purchase of a 2014 Pick-up Truck for the Eden Highway Department; seconded by Councilwoman Pew; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**Supervisor's Report:**

Supervisor Nellis mentioned the One Region Meeting being held at the Eden Town Hall on March 20<sup>th</sup>.

Town employees and residents were encouraged to go Blue4Ben on Thursday March 20th as a show of support for the Clarence family of Ben Sauer who is fighting an aggressive form of cancer.

**Hearing of Visitors:**

Mr. Phil Muck	-	Spoke against LED signs
Mr. Ray Klein	-	Spoke in favor of LED signs

**Adjournment:**

**MOTION** was made by Supervisor Nellis to adjourn the Regular Meeting of the Eden Town Board; seconded by Councilman McLaughlin ; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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

**Executive Session:**

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 10:00 P.M.

Respectfully submitted by,

Heather Ohmit  
Deputy Town Clerk