

September 9, 2015

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
SEPTEMBER 9, 2015
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:

Stephen Waldvogel	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Matthew Colvin	-	Eden Fire Chief
Matt Blaszczyk	-	East Eden Fire
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.

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of August 12, 2015; there were none.

MOTION was made by Councilman Ventry to approve the Town Board Minutes of August 12, 2015 as presented; seconded by Councilman McLaughlin; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of August 26, 2015; there were none.

MOTION was made by Councilwoman Pew to approve the Town Board Minutes of August 26, 2015 as presented; seconded by Councilman Krycia; “Ayes” – Nellis, Krycia, Pew, McLaughlin; Opposed? – None; Abstain? – Ventry; None; Motion carried.

Petitions:

There were none.

Budget Transfers/Amendments:

Supervisor Nellis read the following Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
A2705 Gifts & Grants	A7110.4 Parks & Grounds Maintenance	Grant from Community Foundation to repair planter boxes at Gorcica Field	\$1,325.00
A2705 Gifts & Grants	A1620.4 Town Hall Contractual	Use of Keep America Beautiful grant to replace ballads at Four Corners	\$2,015.00
A882 General Maintenance Reserve	A3020.4 Public Safety Communication	Tower expenses per permissive referendum	\$20,000.00
A1990.4 Contingent Fund	A3020.4 Public Safety Communication	Communication tower expense	\$3,520.00
A2690 Other compensation for loss	A1620.4 Town Hall Contractual	Restitution for accident involving trees on Main St.	\$619.42
D878.2 Capital Reserve – Hwy Equip.	D5130.200 Machinery – Equipment	Use of reserve pre permissive referendum to purchase Gradall	\$260,613.20

MOTION was made by Councilman Krycia 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	532-599	\$45,904.70
Highway Dept. Fund	223-244	\$327,515.55
Fire Dept. Fund	178-195	\$17,625.92
Recreation Dept. Fund	97-114	\$6,897.53
Refuse and Garbage Fund	13	\$74.75
Street Lights Fund	21-23	\$4,174.34
Water Fund	28-30	\$1,241.34
Trust & Agency Fund	--	--
Capital Fund H3410.2 H8320.402 H8320.403 H8320.404	15-19	\$142,675.46
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 August 2015 were presented by Darci Hultquist, Eden EMS, Matthew Colvin, Eden Fire Chief; Matt Blaszczyk 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; Supervisor Nellis for Mark Clark, 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.

Ron Maggs, Highway Superintendent requested to declare the 1998 Gradall G3WD (SN0132367) Ditch Digging Excavator surplus and sell the same to the Town of Collins for \$20,000.00. Mr. Maggs stated that he feels that this is fair market price to both parties, it is greater than what we would have received if traded in.

MOTION was made by Councilwoman Pew to declare the 1998 Gradall G3WD (SN0132367) Ditch Digging Excavator surplus and sell the same to the Town of Collins for \$20,000.00 on the recommendation of Ron Maggs, Highway Superintendent that this is a fair market sale; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Stephen Waldvogel, GHD Engineering reported that the Green Street water project is complete and substantially under budget. Mr. Waldvogel introduced Michael Quinn, GHD Engineering who will assist with the proposed Engineering Project.

William Trask, Town Attorney stated that Notice of Administrative Hearing had been received from the Office for People with Developmental Disabilities and is scheduled for September 15, 2015 at 1:00 p.m. in the Eden Town Hall.

New and Unfinished Business:

1. Resolution Acknowledging Scott Hultquist for the Harriet C. Weber EMS Leadership Award

**RESOLUTION
Scott Hultquist Award Recognition
"Harriet C. Weber EMS Leadership Award"**

WHEREAS, Scott Hultquist has been the Director of Operations of the Eden Emergency Squad for ten years; and

WHEREAS, Scott is known for continually advocating for excellence in patient care and provider readiness and demonstrates leadership, both operationally and leading by example; and

WHEREAS, Scott was recently nominated by one of his peers for the Harriet C. Weber EMS Leadership Award; and

WHEREAS, the Harriet C. Weber EMS Leadership Award is awarded to an individual that exhibits longevity, innovation, dedication and responsibility. The individual should also have executive management skills, maintaining, promoting or expanding EMS organization agencies, and committees at the community or state level.

WHEREAS, by congratulatory letter dated June 10, 2015 from the Wyoming-Erie Regional Emergency Medical Service Council, Scott was notified that he had been selected to receive the 2015 Harriet C. Weber EMS Leadership Award; and

NOW, THEREFORE BE IT RESOLVED, that the Eden Town Board and myself, as Town Supervisor, join with Scott's fellow EMS Members, his family and the greater community of Eden in giving our congratulations to Scott for receiving this very prestigious award.

2. Engineering Proposal Approval for GHD Engineering work on town water system

MOTION was made by Councilman Ventry to approve the Professional Engineering Services Proposal for the Town of Eden for the Water System Improvement Project- Watermain, Tank, and Pump Station Improvements, for the amount of \$288,000.00 as stated in the proposal, pending review of William Trask, Town Attorney; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

3. Proposal of Off-Road Drainage Projects

Ron Maggs, as Chairperson of the Off-Road Drainage Committee recommended the following projects:

Project 2015-02: Miscellaneous small projects at the Highway Superintendent’s discretion in an amount not to exceed the balance in the account (approximately \$2,900).

MOTION was made by Councilman McLaughlin to approve Project 2015-02 in an amount not to exceed the balance in the account, approximately \$2,900.00 as recommended by Ron Maggs, Chairperson of the Off-Road Drainage Committee; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. Approval of 1-year Contract Extension on Waste Management (Garbage Collection)

Supervisor Nellis read the following resolution:

**RESOLUTION
FOR THE TOWN OF EDEN TO ENTER INTO
A ONE (1) YEAR RENEWAL CONTRACT
WITH WASTE MANAGEMENT OF NY LLC
EFFECTIVE JANUARY 1, 2016**

WHEREAS, on December 29, 2011, the Town of Eden entered into a three (3) year contract with Waste Management of NY LLC for the Collection, Hauling and Disposal of Mixed Municipal Solid Waste and Specified Items and Materials and the Collection, Hauling and Processing of Recyclables, which expired on December 31, 2014; and

WHEREAS, said contract document allows the Town, at its sole discretion, to renew this contract for up to three (3) additional (1) year terms; and

WHEREAS, on July 11, 2014, the Town of Eden approved the first one (1) year extension of the original contract with amendments pertaining to Waste Management of NY LLC providing the Town of Eden with quarterly itemized reports on weights of Municipal Solid Wastes and Recyclables hauled and disposed of and also Waste Management of NY LLC providing reimbursement to the Town of Eden for all recyclable materials collected, based on a blended value formula, which is commodity based and market driven, which extension with amendments expires December 31, 2015.

WHEREAS, after several conversations with Waste Management, the Town is desirous to renew our current contract.

NOW, THEREFORE, BE IT RESOLVED, that the Eden Town Board hereby agrees to renew its contract with Waste Management of NY LLC, as amended on July 11, 2014 for a second one (1) year period commencing January 1, 2016.

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

5. Public Notice on Agricultural District Annual Enrollment Period

Supervisor Nellis read the following:

PUBLIC NOTICE

**30-DAY PERIOD FOR INCLUSION OF
PREDOMINANTLY VIABLE AGRICULTURAL LANDS
INTO EXISTING AGRICULTURAL DISTRICTS**

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environments and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

6. Setting of Public Hearing for Fire District Budget

MOTION was made by Councilwoman Pew to set the Public Hearing for the Fire District Budget for October 20, 2015 at 7:00 p.m. in the conference room of the Eden Town Hall; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

7. Setting of Public Hearing for General Town Preliminary Budget

MOTION was made by Councilwoman Pew to set the Public Hearing for the General Town Preliminary Budget for October 28, 2015 at 8:00 p.m. in the Eden Town Hall; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

8. Resolution approving Eden Central School as Lead Agency on SEQRA (Environmental Review) for Proposition #2 for 2020 Capital Project

MOTION was made by Supervisor Nellis that the town board recommends to approve Eden Central School as Lead Agency for SEQRA for review of proposition #2 for 2020; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

9. Resignation of Part-time Court Clerk/Part-time Police Officer

MOTION was made by Councilman McLaughlin to accept the resignation of Teresa Wallace, part-time Court Clerk effective September 16, 2015, with thanks and appreciation; seconded by Councilman Krycia; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilwoman Pew to accept the resignation of Joseph J. Alessi effective September 25, 2015, part-time Police Officer with thanks and appreciation; seconded by Councilman McLaughlin; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

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MOTION was made by Councilwoman Pew to reinstate Joseph J. Alessi, part-time Police Officer effective October 1, 2015, a requirement of the State in regards to retirement; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Supervisor Nellis stated that Thomas Dearing, Commissioner for Environment and Planning for Erie County has set several dates for the Community Development Block Grants on 9/15/15, 9/16/15 and 9/17/15.

Supervisor Nellis stated that the hearing that is set for September 15, 2015 at 1:00 p.m. with the NYS Office for People with Development Disabilities is an administrative hearing and the public would not be allowed to participate.

Hearing of Visitors:

Joe Klug – inquiring about the senior housing behind Shurfine. Supervisor Nellis stated that the new owner needs to have documents, site plan review, to the Eden Planning Board before the 15th of September to get on the agenda for their meeting on September 29, 2015.

Adjournment:

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

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

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk