

May 14, 2008

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MAY 14, 2008
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN (<i>Deputy Supervisor</i>)
EDWARD KRYCIA, JR	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN

DEPARTMENT HEADS PRESENT:

Dana Braun of Wendel	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
John McCarthy	-	Lieutenant
Scott Hultquist	-	Director Emergency Squad
Rich Greeley	-	Eden Fire Department
Rick Kirst	-	East Eden Fire Department
Robert Pietrocarlo	-	Chairman Board of Assessors

OTHERS PRESENT:

William Trask	-	Town Attorney
Mary Jo Hultquist	-	Town Clerk
Anna M. Knack	-	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.

Presentation:

Supervisor Nellis and the entire Town Board presented a plaque to Robert Brueggeman in appreciation of his 35 years of service as Police Dispatcher for the Eden Police Department.

Approval of Minutes:

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of April 9, 2008; there were none.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of April 9, 2008 as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis asked if there were any additions or corrections to the Town Board Minutes of April 23, 2008; there were none.

MOTION was made by Councilman Vacco to approve the Town Board Minutes of April 23, 2008 as presented; seconded by Councilman Krycia; All “Ayes”; Opposed?- None; Abstain? - None; Motion carried.

Petitions:

Mr. Wesley Schunk, 9203 Sauer Road presented a petition to the Town Board, signed by residents of Sauer Road interested in being included in the next water project.

Budget Transfers:

There were none.

Budget 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	209-282	\$51,970.06
Highway Dept. Fund	102-134	\$23,149.75
Fire Dept. Fund	67-94	\$15,996.68
Recreation Dept. Fund	30-43	\$4,038.56
Refuse and Garbage Fund	5-7	\$94,315.77
Street Lights Fund	9-12	\$6,330.58
Water Fund	11-14	\$6,262,30
Trust & Agency Fund	--	--
Capital Fund	2	\$10,386.54
Community Development	--	--

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

Departmental Reports:

Department reports for the month of April, 2008 were presented by Scott Hultquist, Director Eden Emergency Squad; Rich Greeley for Chris Colvin, Eden Fire Chief; Rick Kirst for Andrew Breier, East Eden Fire Chief; John McCarthy for Patrick Howard, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; Dana Braun for Andrew Reilly, Town Engineer; William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; Supervisor Nellis for Scott Henry, Zoning Code Enforcement Officer; Supervisor Nellis for Susan Brass, Recreation Director; Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Rich Greeley, Eden Fire Department requested the Town Board add James Salzler to the active roll for the Eden Fire Department pending a department physical.

MOTION was made by Councilwoman Pew to add James Salzler to the active roll for the Eden Fire Department pending a physical; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

Ron Maggs, Highway Superintendent requested permission to assist the American Legion with a tractor pull event on June 1, 2008.

MOTION was made by Councilwoman Pew to allow Ron Maggs, Highway Superintendent to assist the American Legion with a tractor pull event on June 1, 2008; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

May 14, 2008

Ron Maggs, Off Road Drainage Committee Chairperson requested approval of the following projects recommended by the Drainage Committee:

Project 2008-01; mowing the ditch at Schreiner Road 500' in both directions, Randall Place, Maple Avenue and Roswell Parkway to have Eden Highway Department do the work, with a cost not to exceed \$800., subject to obtaining easements.

MOTION was made by Councilwoman Pew to approve Project 2008-01 as described; seconded by Councilman Vacco; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Project 2008-02; Ryther Creek between Hemlock and Woodside to have the Eden Highway Department clear two trees by hand with a cost not to exceed \$300.

MOTION was made by Councilwoman Pew to approve Project 2008-02 as described and recommended that Attorney Trask review all projects and receive monthly minutes of the Off Road Drainage Committee; seconded by Councilman Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

8:00 P.M.
Public Meeting
Stormwater Management Annual Report

Rebecca Wightman, P.E., Wendel Duchscherer presented the Annual Report of the Stormwater Management Program, as required by the New York State Department of Environmental Conservation and due by June 1, 2008. This is Year 5 of the annual report table. Copies of the report will be available in the Town Clerk's office and on the Eden website through May 19, 2008 for review and comments.

Ms. Wightman listed the following six (6) minimum control measures and stated that the Town of Eden has reached full compliance:

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control Regulatory Mechanism
5. Post-Construction Site Stormwater Runoff Control Regulatory Mechanism
6. Pollution Prevention/Good Housekeeping for Municipal Operations

New and Unfinished Business:

1. Status Report on Status of Unsafe Structure at 2718 West Church Street

William Trask, Town Attorney reported that he and Scott Henry, Code Enforcement Officer have had no contact with the purchaser, but spoke to Attorney Rooth, the attorney for the purchaser and advised him to have the purchaser contact Mr. Henry directly with updates. Mr. Trask expressed his concerns of the lack of communication to Attorney Rooth. Mr. Trask advised the Town Board to add this item to the May 28, 2008 Town Board Meeting agenda.

Supervisor Nellis stated that if information were not received, a request for the purchaser's attorney to be present would be made.

2. Water Projects – Update

William Trask, Town Attorney requested authorization for Supervisor Nellis to enter into a purchase contract for the pump station property, a \$3,500.00 purchase price. The sellers are Mr. & Mrs. Robert Shepker, 2199 Shadagee Road. Mr. Trask is prepared to proceed with that acquisition.

MOTION was made by Councilman Vacco to authorize Glenn R. Nellis, Supervisor to enter into a purchase contract for the pump station property for the purchase price of \$3,500.00 from Mr. & Mrs. Robert Shepker, 2199 Shadagee Road; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

Stephen Waldvogel, Project Engineer for CRA Infrastructure & Engineering stated that the design of the water line is moving along, but the design on Shadagee Road is an issue with Erie County Water Authority regarding hydraulic issues.

Mr. Waldvogel answered several questions of residents present regarding future water projects.

3. County Road Roadwork in Eden (Informational)

Ron Maggs, Highway Superintendent read a list of roads to be patched or oil-chipped by Erie County Highway Department, which list is available at the Eden Highway Department.

4. Approval of General Contract with Wendel Duchscherer, our Planning/Engineering Consultant

Supervisor Nellis stated that the approval of the general contract between Wendel Duchscherer, Planning/Engineering Consultant, and the Town of Eden was not approved in January, 2008. The Town of Eden agrees to pay the Engineer for services at a rate of \$550.00 per month, first payments to commence at the end of the first month of service and upon submission of an appropriate voucher.

MOTION was made by Councilwoman Pew to approve the General Contract between Wendel Duchscherer, Planning/Engineering Consultant and the Town of Eden for services at a rate of \$500.00 per month; seconded by Councilman Krycia; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

5. Setting of Bid Opening Date – Library Boilers

Supervisor Nellis read correspondence from Joyce Maguda, Library Director regarding a new Boiler, Heating/Cooling replacement. 90% of the award amount of the New York State Education Department’s Public Library Construction Grant has been received. A request has been made to schedule a bid opening for June 5, 2008 at 11:00 a.m. in the Town Clerk’s office.

MOTION was made by Supervisor Nellis to set a bid opening date of June 5, 2008 at 11:00 in the Town Clerk’s office; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

6. Bid Document on Blacktop Sealing of Main Street Municipal Parking Lot and entrance to Swartz Field

Ron Maggs, Highway Superintendent stated that no formal bids had been received, although RFP’s (Request for Proposal) had been received from local contractors. Supervisor Nellis stated that this is a project that alternates parking lots located throughout the Town of Eden, i.e., Library, Town Hall, etc.

7. Contract with American Farmland Trust

Supervisor Nellis stated that information was not made available and this item would be moved to “Old Business” to be discussed at a future Town Board meeting.

8. Results/Recommendations – Itemized Fire Equipment Bids

Chris Colvin, Eden Fire Chief and Andrew Breier, East Eden Fire Chief requested the Town Board’s approval for the 2008 Itemized Fire Equipment Bids. The Eden Fire Department is requesting \$14,998.30 and the East Eden Fire Department is requesting \$11,051.50. Copies of the bid results are available in the Town Clerk’s office.

MOTION was made by Councilman Vacco to approve \$14,998.30 for the 2008 Itemized Fire Equipment bid for the Eden Fire Department and \$11,051.50 for the 2008 Itemized Fire Equipment bid for the East Eden Fire Department; seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor’s Report:

- Time Warner Cable has moved the date for discontinuing the analog transmission of HBO on channel 5 to June 24, 2008. This change will make sure that all customers who wish to subscribe to HBO can find it on the same digital channel 201 throughout the Western New York area.
- Received the report of the New York State Commission on Local Government Efficiency & Competitiveness – 21st Century Local Government
- Erie County Water Authority Open House to be held on May 29, 2008

Hearing of Visitors:

Richard Miller
Deborah Hoelscher

Mr. Miller and Ms. Hoelscher voiced their concerns regarding the condition of the property located at 2639 Sunset Drive. They are asking for assistance from the Town of Eden to have raccoons removed from the property and the repair/demolition of the structure.

Adjournment:

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

Supervisor Nellis adjourned the Regular Meeting of the Eden Town Board at 9:20 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board Meeting at 10:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk