

March 23, 2016

MINUTES

**TOWN BOARD MEETING
2795 EAST CHURCH STREET
EDEN, NEW YORK
MARCH 23, 2016
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

MELISSA HARTM	-	SUPERVISOR
RICHARD VENTRY	-	COUNCILMAN
MARY LOU PEW	-	COUNCILWOMAN
SUSAN WILHELM	-	COUNCILWOMAN (<i>Absent</i>)
MICHAEL BYRNES	-	COUNCILMAN

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
Lisa Winter	-	Bookkeeper

Call To Order:

Supervisor Hartman called the Work Session of the Eden Town Board to order at 7:30 P.M.

Pledge of Allegiance:

Supervisor Hartman led the assembly in the Pledge of Allegiance to the flag.

Councilwoman Pew requested a brief executive session.

MOTION was made by Councilman Ventry to adjourn to Executive Session for Personnel at 7:30 p.m.; seconded by Councilwoman Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

MOTION was made by Supervisor Hartman to return to the Work Session of the Eden Town Board at 7:40 p.m.; seconded by Councilman Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

New and Unfinished Business:

1. Health Insurance Review and Approval

Supervisor Hartman stated that this item would be tabled to be reviewed by both unions, Police and Highway, and discussed at a future Town Board meeting.

2. Approval of Portable Sanitation Units for 2016

Supervisor Hartman read correspondence from Susan Brass, Recreation Director regarding quotes received for the Portable Sanitation Services for the 2016 season. The Eden Recreation Advisory Board received the following two quotes:

Modern Portable Toilets, Inc.	\$2,775.00
Ball Toilet & Septic Services	\$2,082.27

The Recreation Advisory Board is requesting the Town Board award Ball Toilets & Septic Services, which was the low quote at \$2,082.27

MOTION was made by Councilwoman Pew to award the bid to Ball Toilets & Septic Services in the amount of \$2,082.27 seconded by Councilman Byrnes; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

3. Summer Recreation Appointments

Supervisor Hartman presented the 2016 Seasonal Employee Hires as presented and recommended by the Eden Recreation Advisory Board:

2016	Employee	Hourly Pay Rate
SUPERVISION		
Summer Supervisor	Maun Best	Annual Stipend \$3,800.00
PLAYGROUND LEADERS		
Elementary	Ryan Schummer	\$10.00
Gorcica	Sharon Wright	\$11.00
Flower/Minikime	Deanne Glendenning	\$11.00
Mini Camp	Angela Yingling Luther	\$10.00
Arts/Crafts	Brittney Gawel	\$9.25
Arts/Crafts/Asst.	Lauren Soda	\$9.15
Arts/Crafts Asst. ½ day	Ann Marie Brockman	\$9.00
PLAYGROUND ASSISTANTS		
Elementary	Christa Greiner	\$9.25
Elementary	Taylor Mitchell	\$9.00
Elementary	Kaitlyn Stayzer	\$9.75
Elementary	Matthew Herzog	\$9.75
Elementary	Molly Brockman	\$9.00
Elementary	Andrew Bialy	\$9.00
Elementary	Sierra Puckhaber	\$9.15
Elementary	Frank Barnack	\$9.15
Elementary	Mitchell Mason	\$9.00
Elementary	Patrick Sullivan	\$9.15
Elementary	Kevin Armbrust	\$9.75
Gorcica	Robert Slisz	\$9.50
Gorcica	Emily Popple	\$9.50
Flower	Kelly Staub	\$9.25
Flower	Ryan McGillacudy	\$9.15
Flower	Jared Breeden	\$9.00
Mini Camp	Julia Aleksandrowicz	\$9.75
Mini Camp	Andrea Stayzer	\$9.50
Mini Camp	Lauren Brass	\$9.50
Alternate	Macy Overhoff	\$9.00
Alternate	Sawyer Overhoff	\$9.00
Alternate	Hannah Mardino	\$9.00
Alternate	Demetra Jacobs	\$9.00
Alternate	Brittaney Goodrich	\$9.00
TENNIS		
Leader	Elizabeth Karstedt	\$9.75
Assistant	Amanda Popple	\$9.15
Assistant	Lillian Harrington	\$9.00
SPORTS CAMPS		
Leader	Kyle Acker	\$9.75
Assistant	Lauren Gugino	\$9.25
TOWN POOL STAFF		
Aquatics Director	David Evans	Annual Stipend \$4,600.00
HEAD Lifeguard	Anna Winter	\$10.00
Lifeguard	Jamie Miller	\$9.75

Lifeguard	Jacob Schlegel	\$9.25
Lifeguard	Austin Feasley	\$9.15
Lifeguard	Evan Kifner	\$9.15
HEAD Instructor	Elizabeth Benedict	\$11.00
Instructor	Emily Cataldo	\$9.50
Instructor	Melissa Cataldo	\$10.00
Instructor	Jenna Phillips	\$10.00
Instructor	Molly Braymiller	\$9.50
Instructor	Allison Winiecki	\$9.50
Pool C.I.T.	Cara Hackford	\$9.15
Pool C.I.T.	Alex Hutz	\$9.15
Pool C.I.T.	Aubree Gross	\$9.15
Pool C.I.T.	Maggie O'Connell	\$9.15
Pool C.I.T.	Nicole Mroz	\$9.00
Alternate		
MAINTENANCE RECREATION FACILITIES/GROUND MAINTENANCE		
Supervisor	Scot Christiansen	
Assistant	Michael Benedict	\$9.50
Assistant	Brad Palmerton	\$9.50
Assistant	Henry Ohmit	\$9.25
Assistant	Alexander Feasley	\$9.00
Assistant	Myles Kifner	\$9.00
Alternate	Drew Palmerton	\$9.00

MOTION was made by Supervisor Hartman to approve the 2016 Seasonal Employee Hires as presented by Susan Brass, Recreation Director and recommended by the Eden Recreation Advisory Board; seconded by Councilman Byrnes; All “Ayes”; Opposed? – None; Abstain? –None; Motion carried.

4. Western New York “Safety Week” Proclamation

Supervisor Hartman read the following Proclamation:

**TOWN OF EDEN
PROCLAMATION
RECOGNIZING April 4-7, 2016
“SAFETY WEEK”**

WHEREAS, in 1935 a group of safety minded individuals in Western New York joined together to discuss the importance of safety education to both employees and management and, after several meetings, these crusaders organized the Western New York Safety Conference; and

WHEREAS, it was their aim to supply information, techniques and basic administrative assistance to employees, supervisors, and managers through an annual conference and exhibit in an effort to reduce the number of injuries in the workplace; and

WHEREAS, the safety group conducted their first conference and exhibit in the spring of 1936 and are continuing to hold conferences and exhibits annually; and

WHEREAS, this conference is attended by some 500 delegates each year and is the largest gathering of safety-oriented and interested people in the Eastern United States; and

WHEREAS, the Western New York Safety Conference, Inc., which is celebrating its

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80th Anniversary in 2016, is an independent, non-profit organization dedicated to the conservation of human lives and the safety and health of the individual through the prevention of accidents and occupational diseases; and

WHEREAS, the 80th Annual Safety Conference and Exhibit will be held at the Seneca Event Center, Niagara Falls, NY on April 4th, 5th, 6th, and 7th, 2016,

NOW, THEREFORE, I Melissa M. Hartman, Supervisor of the Town of Eden, do hereby proclaim the period of April 4-7, 2016 as “Safety Week” in the Town of Eden and urge all my fellow citizens to support the conference's many safety objectives during these special days and throughout the year.

5. Water Projects

- **SEQRA Resolution – Pump station and Water Storage Tank Improvements**

Supervisor Hartman read the following resolution:

State Environmental Quality Review (SEQRA)
Resolution Establishing Lead Agency
Type 2 SEQR Action

Name of Action: Pump Station and Water Storage Tank Improvements

WHEREAS, the Town of Eden Town Board is considering various improvements to existing pump stations and water storage tanks in the Consolidated Water District; and

WHEREAS, this Board, by motion dated March 23, 2016 declared itself to be Lead Agency for purposes of SEQRA; and

WHEREAS, the engineering report describing the proposed improvements dated March 21, 2016 has been submitted by GHD for the Town Board's consideration; and

WHEREAS, this project is a Type 2 Action for purposes of SEQRA pursuant to 5 NYCRR 617.5(c)(1) as it involves the maintenance and repair involving no substantial change to existing pump stations and water storage tanks, and is, therefore, not subject to review pursuant to SEQRA; and

NOW, THEREFORE BE IT RESOLVED, that this project has been determined not to have a significant impact on the environment and is not subject to further review under SEQRA.

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

- **Setting of Public Hearing**

Supervisor Hartman read the following resolution:

**ORDER CALLING
PUBLIC HEARING TO BE HELD ON
April 13, 2016**

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

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WHEREAS, the Town Board has directed GHD, 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 generally consist of improvements to the various pump stations in the Town including, but not limited to, pump building improvements, installation of new equipment, installation of LED lighting, roof replacement and installation of new asphalt driveway, as well as various water tank improvements including, but not limited to, the replacement of various valves, access ladders, railings, access hatches, valve pit enclosures, electric service and meter sockets, 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 and in connection with the financing thereof (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 \$853,500; said cost to be financed by the issuance of serial bonds of the Town in an aggregate amount not to exceed \$853,500, 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 13, 2016 at 8:00 o'clock P.M. or shortly thereafter (prevailing Time) to consider said increase and improvement of 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 \$853,500, 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

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

AYES: Melissa Hartman, Supervisor
 Richard Ventry, Councilman
 Mary Lou Pew, Councilwoman
 Michael Byrnes, Councilman

NOES: None

ABSENT: Susan Wilhelm, Councilwoman

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The Order Calling for Public Hearing was declared adopted.

- **Authorization to Advertise Resolution**

Supervisor Hartman read the following resolution:

**RESOLUTION
TOWN OF EDEN, EDEN TOWN BOARD
MARCH 23, 2016
AUTHORIZING ADVERTISING FOR BIDS ON
PUMP STATION AND WATER STORAGE TANK IMPROVEMENTS**

WHEREAS, proceedings have been initiated to consider the increase and improvement of facilities of the Town of Eden Consolidated Water District and Extensions consisting of the construction of various improvements at the East Church and Eden 4 storage tanks, and the Eden 1, Eden 3 and Violet pump stations as more fully identified in a map, plan and report dated March, 2016 (hereinafter “Project”, and

WHEREAS, the Eden Town Board has been advised by project engineers, GHD Consulting Services, Inc. (GHD) that it has prepared such plans and specifications as are necessary to competitively bid the project work, and

WHEREAS, GHD has recommended that subject to final approval by the Erie County Water Authority and the New York State and Erie County Departments of Health, the Town Board proceed to advertise the project construction and receive bids for such work at this time.

NOW, THEREFORE, it is hereby

RESOLVED, that the Town Supervisor is authorized to place such advertisements and legal notices as may be required to be published and posted for purposes of soliciting bids for the said project as soon as GHD verifies that they are in a position to prepare bid specifications. Such bid specifications will state that the final bid award will be contingent upon the town confirming financing and final approval.

MOTION was made by Councilman Ventry to approve the resolution as presented; seconded by Councilman Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

MOTION was made by Supervisor Hartman to receive and file the Map and Plan for the proposed Pump Station and Water Storage Tank Improvements, presented by GHD Consulting Services, in the amount of \$853,500.00 with an estimated tax rate of \$0.18 (per \$1,000 of assessed valuation) and an estimated annual tax payment of \$15.00 (single family home assessed at \$80,000); seconded by Councilman Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Hartman received the following correspondence from Stephen Waldvogel, PE, Project Manager:

**Re: Water System Improvements - Tank and Pump Station Improvements
Construction Inspection Services**

1.0 Introduction

GHD Consulting Services, Inc. (GHD) is pleased to submit this proposal to provide construction inspection services in connection with the above-referenced project. This proposal was developed based upon the final agreed scope and schedule of the construction project.

In September 2015, the Town of Eden (Town) retained GHD to design the improvements to the Town's water system and to prepare construction bidding

documents. The improvements include rehabilitation of a number of storage tanks and pumping stations, and replacement of various water mains throughout the Town. The design of the tank and pump station improvements (“fixed facility”) project is nearing completion and according to the overall project schedule will be advertised for bids in early April 2016. Consistent with previous water improvement projects, the Town plans to retain professional engineering field assistance during construction. In addition, the design of the water main replacements is currently underway and scheduled for advertised in the fall of 2016.

Note that the original design authorization included and estimated budget for construction administration services; however, that budget did not contemplate two distinct projects for construction purposes, nor that the tank and pump station improvements would require multiple prime contacts to administer. During subsequent planning discussions with the Town, it was agreed that in order to take advantage of a more favorable bidding climate, two separate projects would be completed; the fixed facility (tanks and pumping stations) and the water main replacements. In addition, as required by Wicks Law, since the final construction cost estimate for the fixed facilities improvements exceeds \$500,000, general construction and electrical construction contracts are required. Based on these factors, we estimate the current authorization services is sufficient for completion of the fixed facility improvements. However, similar to the residential inspection services GHD will prepare a proposal for additional professional engineering construction services prior to the bidding of the water main replacement project. Consequently, the scope and budget presented below pertains solely to the construction inspection task for the tank and pump station improvements.

2.0 Scope of Services

Upon receipt of construction bids, the Town intends to award a contract to the lowest responsible bidder. During construction there will be various administrative and inspection duties necessary for satisfactory project completion. GHD proposes to perform the following scope of services on behalf of the Town during construction:

Task 1 – Resident Inspection Services

A full-time resident inspector will be assigned to the project. Resident inspection phase services are based on the following:

- Approximate 6-month project including up to 4 months of active on-site construction duration. In addition, since the ECWA has requested that any construction work requiring shutdowns at certain facilities be completed during the night, this proposal included additional hours to account for such coverage. Our proposal is based on a total estimate of 700 hours.
- Document the contractor's work progress.
- Confirm that work is being performed according to the final contract documents
- Review and clarify contractor questions.
- Make recommendations for field adjustments to the work.
- Assist with coordination and verify that the sequence of construction is properly followed.
- Obtain measurements and quantities for contractor payments.
- Complete final inspection and generate project punch list for the project with the Town and the ECWA prior to final acceptance of the work.

3.0 Schedule and Fee

GHD will begin work on this project immediately upon receiving written authorization to proceed. GHD proposes to provide the above-referenced services for the following fee:

Task 1 – Resident Inspection Services	\$75,000 (Not-to-Exceed)
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The not-to-exceed fee is based on an estimated 700 hours of inspection time at an hourly rate of \$97 plus an allowance of approximately 10% for miscellaneous expenses. Please note that GHD will invoice only for actual hours worked and actual expenses incurred during construction. Invoicing for Task 1 will be issued monthly on an hourly basis and direct expenses will be invoiced at cost plus five percent (5%). Invoices shall be due within 30 days from receipt.

Should this proposal meet with your approval, please sign the attached Standard Terms for Professional Services and return a copy to us for our files.

This correspondence was signed by Stephen Waldvogel, PE, Project Manager.

MOTION was made by Councilwoman Pew to authorize Supervisor Hartman to sign the Standard Terms for Professional Services in the amount not-to-exceed \$75,000; seconded by Councilman Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

6. Schunk's West Hill Grill (Liquor License)

Supervisor Hartman stated that a Liquor License had been received and filed for Schunk's West Hill Grill.

7. Appoint Kristen Kent – Zoning Board Chairman

Supervisor Hartman requested approval of the following appointment to the Zoning Board:

Kristin Kent, Chairman Zoning Board, effective immediately to 12/31/16.

MOTION was made by Supervisor Hartman to appoint Kristin Kent as Chairman of the Zoning Board effective immediately to 12/31/16; seconded by Councilman Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Hearing of Visitors:

Phil Muck stated that it was printed in the Hamburg Sun that he was asked to volunteer to be the Chairman of the Zoning Board, but that he was never interviewed and it was unfair that he wasn't asked to be interviewed for the position of Chairman of the Zoning Board by the Town Board.

Work Session

1. Town's Comprehensive/Master Plan discussion/presentation

Supervisor Hartman introduced Gregory Keyser, Environment Planner from GHD Consulting Services, Inc.

Mr. Keyser presented a power point presentation, a copy is available in the Town Clerk's office during regular business hours for review.

An open discussion followed with questions and comments from residents.

Supervisor Hartman stated that a sign-up sheet was available for anyone interested in serving on a committee going forward.

Adjournment:

MOTION was made by Councilman Ventry to adjourn the Work Session Meeting of the Eden Town Board; seconded by Councilman Byrnes; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman adjourned the Work Session Meeting of the Eden Town Board at 9:35 P.M.

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Executive Session:

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 10:50 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk