

July 12, 2017

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
JULY 12, 2017
7:00 P.M.**

TOWN BOARD MEMBERS PRESENT:

MELISSA HARTMAN - SUPERVISOR
RICHARD S. VENTRY - COUNCILPERSON
MARY LOU PEW - COUNCILPERSON
SUSAN WILHELM - COUNCILPERSON
MICHAEL BYRNES - COUNCILPERSON

DEPARTMENT HEADS PRESENT:

Stephen Waldvogel - Town Engineer
Ronald C. Maggs - Superintendent of Highways
Michael J. Felschow - Chief of Police
Joe Hart - Eden Fire Chief
Scott Hunter - East Eden Fire Chief
Robert Pietrocarlo - Chairman Board of Assessors
Amy Porter - Recreation Director
Ray Zabron - Dog Control Officer

OTHERS PRESENT:

William Trask - Town Attorney
Mary Jo Hultquist - Town Clerk
Debbie Gregoire - Administrative Assistant

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 7:00 P.M.

Pledge of Allegiance:

Supervisor Hartman led the assembly in the Pledge of Allegiance to the flag. A moment of silence was observed for the deceased members of the community for the month of June, 2017, Pete Putnam, Edna Miller, Patricia Barrett, Josephine Wilczak, Andrew Sandekian, Eugene Blaszc and Margaret Franz.

Approval of Minutes:

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of June 14, 2017; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of June 14, 2017 as presented; seconded by Councilperson Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Petitions:

There were none.

Budget Transfers/Amendments:

Supervisor Hartman read the following Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
---------------------	-------------------	-----------------------------	---------------

A1990.4 Contingent Fund	A7110.4 Parks & Grounds	Maintenance and Improvements to Swartz Field Parking & Driveway	\$3,800.00
A915.6 Assigned for Rec.	A7110.4 Parks & Grounds	Maintenance and Improvements to Swartz Field Parking & Driveway	\$4,050.01
SW2140 Wepax Road Revenues	SW8320.401 Wepax Water Maintenance	Water Revenue Collected to Offset Expenses	\$3,300.00
SW2140 Wepax Road Revenues	SW8320.402 Wepax Water – Farnham	Water Revenue Collected to Offset Expenses	\$1,600.00
SW915.3 Assigned Fire Gear	SF3410.2 Fire Equipment	Reserves used for Half of Air Bottle Purchase	\$8,246.00

MOTION was made by Councilperson Ventry to approve the Budget Transfers/Amendments as presented; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Audit Bills:

Supervisor Hartman asked if there were any changes or additions to the “Audit of Bills” which are on file in the Town Clerk’s office.

Addition of Voucher #6 for STC Construction, Inc. for payment application No. 3 for Town of Eden Water System Tank & Pump Station Improvements in the amount of \$79,832.30.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	373-438	\$51,729.22
Highway Dept. Fund	151-167	\$45,073.73
Fire Dept. Fund	126-145	\$7,706.01
Recreation Dept. Fund	69-99	\$9,230.75
Refuse and Garbage Fund	11	\$46.00
Street Lights Fund	14-16	\$4,201.50
Water Fund	14-16	\$4,110.46
Trust & Agency Fund	--	--
Capital Fund		
H8320.405	10-12	\$36,856.54
H8302.406	6	\$82,432.30
Community Development	--	--

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

Departmental Reports:

Department reports for the month of June 2017 were presented by Joe Hart, Eden Fire Chief; Scott Hunter, 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 Hartman for Mark Clark, Zoning Code Enforcement Officer; Amy Porter, Recreation Director; Robert Pietrocarlo, Chairman Board of Assessors and Supervisor Hartman for Joe Ghosen, GIS Consultant. All reports are on file in the Town Clerk’s office.

July 12, 2017

Scott Hunter, East Eden Fire Chief requested the Town Board's approval for the 2017 Itemized Fire Equipment Bids. The East Eden Fire Department is requesting \$16,733.70. Copies of the bid results are available at the Town Clerk's office.

MOTION was made by Supervisor Hartman to approve \$16,733.70 for the 2017 Itemized Fire Equipment bid for the East Eden Fire Department; seconded by Councilperson Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Joe Hart, Eden Fire Chief requested permission to attend a training course for Life Safety Educator at the State Fire Academy in Montour Falls.

MOTION was made by Supervisor Hartman to grant permission to Joe Hart to attend a training course for Life Safety Educator at the State Fire Academy in Montour Falls, at an amount not to exceed \$150.00; seconded by Councilperson Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Joe Hart, Eden Fire Chief requested the addition of Matthew Szal to the active roster of the Eden Fire Department pending his background check and physical exam.

MOTION was made by Councilperson Pew to add Matthew Szal to the active roster of the Eden Fire Department pending his background check and physical exam; seconded by Councilperson Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Ron Maggs, Highway Superintendent requested permission for the blacktop and sealing of the Eden Town Hall and the Eden Library parking lots. Three (3) proposals went out to Land On, Palmieri and Ballowe. A bid of \$4,000.00 was received from Land On (the only bid received).

MOTION was made by Supervisor Hartman to award the bid to Land On at a bid price of \$4,000.00 for the blacktop and sealing of the Eden Town Hall and Eden Library parking lots; seconded by Councilperson Wilhelm; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

New and Unfinished Business:

1. Proclamation – William Henry

**CERTIFICATE OF RECOGNITION
HONORING WILLIAM HENRY**

WHEREAS, William Henry has served the Town of Eden, specifically the Eden Fire Company, for 45 years as a volunteer; and

WHEREAS, he has served in a variety of leadership positions in the Eden Fire Company during the period of July 9, 1973 through April 10, 2017, including:

Vice-President – 1993-1995, President – 1996-1998, 2nd Lieutenant – 1999, 1st Lieutenant – 2000, 2001, Captain – 2002, Trustee – 1989-1991, Board of Directors – 2010-2013, Truck Engineer – 2009-2017, Safety Officer – 2012-2017, Truck Committee – Engine #2 (2012), Rescue #7 (2003), Engine #1 (1999), Tanker #5 (1990), Engine #3 (1987). Life Member – 2001 (Active) and Life Member 2017 (Inactive).

WHEREAS, he has taken pride in every position held, taking care of various details required in each position.

NOW, BE IT RESOLVED, that the Eden Town Board by this resolution unanimously recognizes and extends to William Henry our deep appreciation on behalf of all the citizens of Eden for the time and pride he has contributed in service to the Eden Fire Company and to the Town of Eden.

Signed by the Eden Town Board.

July 12, 2017

MOTION was made by Supervisor Hartman to close the Regular Meeting of the Eden Town Board for Public Hearing; seconded by Councilperson Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Hartman closed the Regular Meeting of the Eden Town Board at 7:30 pm.

MOTION was made by Councilperson Ventry to open the Public Hearing to consider Proposed Local Law No. 2-2017 which if enacted, would create Chapter 172 to the Town of Eden Code entitled “Solar Energy Systems” to regulate such systems in the Town of Eden; seconded by Councilperson Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Hartman opened the Public Hearing at 7:30 pm.

7:30 pm
Public Hearing
Proposed Local Law No. 2-2017
Which, if enacted, would create Chapter 172 to the Town of Eden Code entitled
“Solar Energy Systems” to regulate such systems in the
Town of Eden

Supervisor Hartman read the following:

Town of Eden Solar Code Highlights (Code Review Committee)

The Code Review Committee was asked to draft a Solar code for consideration by the Town Board. The Committee took the approach that the Town may wish to accommodate both residential solar and larger, commercial solar energy systems, but not in a way that would degrade Eden's environment, aesthetics or safety. Here are the highlights of the draft Solar Code:

1. Small solar energy systems (capable of producing up to 12kW of electricity per hour), such as roof panels or tiles on homes, would be allowed in all zoning districts, subject to placement limits. The larger “utility-scale” solar systems would be allowed only in the Agricultural, Rural Residential, Planned Industrial and Suburban Residential districts, also subject to placement limits. No large systems are allowed in sensitive areas such as the Conservation and Floodplain overlay areas, however.
2. There are height limits for all roof, ground-mounted and building-mounted systems. Small ground-mounted systems can only be placed on lots of 3 acres or more, and can only be placed in a side yard or rear yard. Solar systems on the sides of buildings may not face the street.
3. Utility-scale solar energy systems must be at least 200 feet from all lot lines, and their electric lines must be buried underground. A berm or landscape screen may be required along lot lines of large systems that abut a residence or public park. Large systems are subject to an annual inspection to determine their continuing compliance with the approvals and permits they received.
4. All solar energy system components must be non-reflective, and must not direct solar rays onto neighboring properties, roads or parks.
5. No solar energy system would be allowed if it would have a significant adverse impact on wildlife or plant species or critical habitats.
6. All solar energy systems must apply for a building permit from the Code Enforcement Officer. In addition, utility-scale solar energy systems require a full Site Plan review and SEQRA review, and must submit for approval plans showing expected grading, and stormwater and erosion control methods. The Planning and Town Board would handle applications for the large utility-scale systems.
7. All solar energy systems are required to be removed when they are no longer in use, or if they are out of compliance with the approvals and permits they received. Utility-scale systems must post a bond to cover future demolition/removal costs.

July 12, 2017

8. All solar energy systems must comply with applicable Eden, State and Federal laws, and must meet building and fire code standards.

The following persons spoke and asked questions regarding the Proposed Local Law:

There were none.

Supervisor Hartman publicly thanked the Code Review Committee, Kristin Kent, Andrew Riedel, Bob Stickney, Dave Rice and Mary Lou Pew for their hard work and dedication as volunteers of that committee.

All persons desiring to be heard, having been heard, Supervisor Hartman closed the Public Hearing at 7:45 pm.

MOTION was made by Supervisor Hartman to close the Public Hearing and return to the Regular Meeting of the Eden Town Board; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

2. Highway Assistance – Eden Corn Festival

MOTION was made by Councilperson Pew to grant permission for the Highway Superintendent to assist with the Eden Corn Festival, at his discretion; seconded by Councilperson Wilhelm; All “Ayes”?; Opposed?- None; Abstain?- None; Motion carried.

3. Street Light conversion to LED

MOTION was made by Councilperson Ventry to authorize Supervisor Hartman to sign the waiver stating the the Town of Eden would like to put its current streetlight LED conversion request on hold pending the Commission's decision on the Company's streetlight energy efficiency incentive proposal, until April 2018, at which time the Town of Eden will consider submitting a new request to the Company; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

4. Disposition of (2) two broken laser printers

MOTION was made by Supervisor Hartman to dispose of two (2) broken laser printers, after being checked by IT personnel; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

5. Recreation Director – Re-evaluation

MOTION was made by Supervisor Hartman to increase the hourly wage of Amy Porter, Recreation Director to \$20.00 per hour (increase of \$1.00) with thanks for a great job; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

6. Violet Parkway Storage Tank – Dome Replacement

Supervisor Hartman read the following resolution:

**RESOLUTION
TOWN OF EDEN, EDEN TOWN BOARD JULY 12, 2017
AUTHORIZING TOWN ENGINEER (GHD) TO DESIGNATEDTHE
REPLACEMENT OF THE VIOLET PARKWAY
WATER STORAGE TANK DOME**

WHEREAS, the Erie County Water Authority (ECWA), during the repainting of the Violet Parkway Water Storage Tank, identified that the existing roof dome has deteriorated such that it cannot be repaired, and

WHEREAS, the ECWA and GHD Consulting Services, Inc. (GHD) have determined that the roof dome should be replaced in its entirety, and

July 12, 2017

WHEREAS, GHD has prepared a proposal in the amount of \$49,700 to design the dome replacement and provide bidding assistance, construction administration and on-site inspection.

NOW, THEREFORE, it is hereby

RESOLVED, that the Town Board approves an amendment to GHD's existing contract for the design and construction phase services associated with the Water Systems Improvements Project in the amount of \$49,700, and be it further

RESOLVED that the Town Supervisor is authorized to execute the amendment.

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

7. Schedule for Budget Hearings (informational)

Supervisor Hartman read the tentative schedule for Budget Hearings.

8. 8572 N. Main Street – Structural concerns

Supervisor Hartman read the following Order:

**ORDER OF EDEN TOWN BOARD
Pursuant to Eden Code, Chapter 90
Regarding Property Commonly Known as
8572 N. Main Street, Eden, New York**

**To: MICHAEL HOFFMAN, designated agent for A.I.T.C.H. LLC ("Owner")
5106 Parker Road
Hamburg, New York 14075**

WHEREAS, the Code Enforcement Officer of the Town of Eden, Erie County, State of New York, undertook several recent interior and exterior inspections of the subject property and has filed a written report dated June 30, 2017 with the Town Board of the Town of Eden, pursuant to the provisions of the Town of Eden Unsafe Buildings and Structures Law, Chapter 90 of the Town of Eden Code, regarding the structure and improvements situated on premises reputedly owned by A.I.T.C.H. LLC and located at 8572 N. Main Street, Town of Eden, designated by Tax Map Parcel No: 238.07-1-33, and

WHEREAS, said Report deems the property to be in violation of the provisions of Chapter 90 in that the said structure is in a state of dangerous disrepair and deterioration including, but not limited to, significant damage and deterioration to the foundation resulting in sections of the foundation walls being in a state of rapid failure, together with such other interior and exterior deficiencies as are described in the Code Enforcement Officer's Report, which is incorporated herein by reference, resulting in the said structure being dangerous or unsafe to the general public and also resulting in such structure to be unfit for the purposes for which it may be lawfully used or occupied.

NOW, THEREFORE, the Town Board of the Town of Eden, after considering said report, and pursuant to the provisions of said Chapter 90, does hereby determine that the said structure and improvements located at 8572 N. Main Street, Eden, NY are unsafe and dangerous and makes the following ORDER:

1. **ORDERED** that the conditions described in the CEO'S Report of the structure located at 8572 N. Main St. in the Town of Eden constitute an imminent danger to occupants and to the public requiring the immediate issuance and posting by the Code Enforcement Office of Notices prohibiting occupancy or entry except for purposes of securing the

property against further deterioration and/or for purposes of evaluating measures to demolish, secure or repair the structure, and it is further Ordered

2. **ORDERED** that the owner of the structure located at 8572 N. Main St. in the Town of Eden, at its sole cost, take immediate steps to secure the property against unauthorized entry and to secure the property against further deterioration and, it is further
3. **ORDERED** that the owner promptly obtain all necessary authorizations for demolishing said structure pursuant to permit duly issued by the Town of Eden, in which case the debris and rubbish therefrom shall be properly disposed of and removed from the premises and owner shall take all steps required to secure the site and surrounding properties and public ways from damage or debris during such demolition, and it is further
4. **ORDERED** that such demolition must be commenced within twenty (20) days of the service on the owner of the notice required by Chapter 90 and shall be completed within sixty (60) days of the service of this notice, unless for good cause shown such time shall be extended by the Town Board, and is it further
5. **ORDERED** that the Town Board of the Town of Eden will conduct a public hearing on August 9, 2017 at 8:00 pm at the Eden Town Hall, 2795 East Church Street, Eden, New York 14057, at which time the owner will be given an opportunity to be heard by the Town Board on the issue of why the said Order for Demolition should not be executed, and it is further
6. **ORDERED** that due Notice be provided to the Owner of this Order and of the authority of the Town to proceed as authorized by Eden Code Chapter 90 in the event Owner shall fail to undertake its obligation pursuant to this Order and the legal and financial penalties that may be assessed against the Owner upon its failure to comply.

MOTION was made by Supervisor Hartman to approve the Order as presented; seconded by Councilperson Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

NOTE: The owner of 8572 N. Main Street, Eden, NY, Mr. Michael Hoffman, was present and a discussion between Mr. Hoffman and the Town Board, along with Jesse Baker, Code Enforcement Officer and Dave Rice, Assistant Code Enforcement/Fire Inspector ensued.

9. Resignation – Dispatcher – Eden Police

MOTION was made by Supervisor Hartman to accept the resignation of Eden Police Dispatcher, Steve Bugary, with thanks and appreciation; seconded by Councilperson Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

10. Code Enforcement Officer – amend final work day

MOTION was made by Supervisor Hartman to amend the final work day of Mark Clark, Code Enforcement Office to June 14, 2017; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

11. Tentative Approval – Solar Code

Supervisor Hartman read the following:

**TOWN BOARD OF THE TOWN OF EDEN
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
Negative Declaration (July 12, 2017)**

WHEREAS, the Eden Town Board is considering action relative to the adoption of Proposed Local Law No. 2-2017, which would enact regulations for Solar Energy Systems in the Town of Eden (hereinafter “Project” or “Action”); and

WHEREAS, the Eden Town Board previously determined that the proposed Action declared itself Lead, and

WHEREAS, the Board made a referral of the proposed Action to the Erie County Department of Environment and Planning pursuant to General Municipal Law Section 239-m and has received no response or comments from such agency; and

WHEREAS, the Board has taken a “hard look” at all potentially adverse environmental impacts pursuant to SEQRA.

NOW, THEREFORE, be it resolved by the Board that:

Based upon the board's thorough and careful review of the Action, including the Environmental Assessment Form and all other materials submitted in connection therewith, the Board hereby determines that the Action will not result in any significant environmental impacts and hereby issues a negative declaration for the Action pursuant to SEQRA.

REASONS FOR SUPPORTING THE NEGATIVE DECLARATION:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Action will not create any permanent adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems.
2. Aesthetics, Agriculture, Archaeology, History, Natural or Cultural Resource, Community or Neighborhood Characteristics: The Action will not adversely affect agricultural, archaeological, historical, natural or cultural resources.
3. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species: No plant or animal life will be adversely affected by the Action.
4. Community Plans, Use of Land or Natural Resources: The Action is not inconsistent with official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.
5. Growth, Subsequent Development, etc.: The Action will not induce any significant or adverse growth or subsequent development.
6. Long Term, Short Term, Cumulative, or Other Effects: The Action will not have any significant adverse long term, short term, cumulative or other environmental effects.
7. Critical Environmental Area: The Action will not have significant impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14 (g).
8. Public Health and Safety: The Action will have no immediate impact upon these concerns.
- 9.

6 NYCRR §617.1 states that it is the intention of the SEQR regulation “that a suitable balance of social, economic and environmental factors be incorporated in the planning and decision making of State, regional and local agencies. It is not the intention of SEQR that environmental factors be the sole consideration in decision making.”

This Board has considered all of the evidence submitted and has determined that this Action will not have a significant adverse environmental impact on the community.

MOTION was made by Supervisor Hartman to approve the Negative Declaration as presented; seconded by Councilperson Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

MOTION was made by Supervisor Hartman to adopt Local Law No. 2-2017; seconded by Councilperson Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

12. Resolution – Adopting Uniform Building Permit

Supervisor Hartman read the following resolution:

**RESOLUTION
ADOPTING STANDARDIZED SOLAR PERMIT PROCESS
FOR THE TOWN OF EDEN**

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) is offering financial incentives to municipalities that adopt a uniform New York State solar permit process; and

WHEREAS, the Eden Code Enforcement Officer has advised the Town Board of the Town of Eden that the New York State uniform process is consistent and compatible with the Eden Zoning Code and permitting practices, and

WHEREAS, the Eden Town Board supports the use of solar energy as a renewable energy source.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF EDEN that the Town of Eden hereby fully and formally adopts the New York State Unified Solar Permit process for NY- Sun Solar Powering New York in accordance with the Solar Energy Systems chapter of the Town Code, and establishes the permit fee at \$75.00.

FURTHER RESOLVED, the Town Board, in regular session duly convened, does hereby authorize and direct the Supervisor of the town to execute such other and additional documents as may be required for to perfect the resolutions herein.

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

13. Appoint Matthew Cross as Part-time Police Officer

MOTION was made by Supervisor Hartman to appoint Matthew Cross as Part-time Police Officer at a rate of pay of \$19.39/hour; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

14. Summer Recreation Adjustment

Supervisor Hartman read the following Summer Recreation Adjustments:

Heather Mardino	Summer Rec Supervisor	\$3800 Stipend
Ally Agate	Resignation at Pool	
Christa Greiner	Resignation Playground Asst.	
Liz Karstedt	Resignation Playground Asst.	
April Mosgeller	Termination Pool – no response	
Allison Winiecki	Pool Instructor/Guard/C.I.T.	\$10.00
Jon Bauer	Pool Instructor/Guard/C.I.T.	\$9.75
Jason Porter	Summer Rec/Maintenance Sub	Same
Derek Reed	Playground Assistant	\$9.75
Kaitlyn Greeley	Playground Assistant	\$9.75
Peter Brockman	Playground Assistant Sub.	\$9.75
Randy Perison	PT Grounds & Maint./Sub	\$9.75
Patrick Cuddihy	Playground Assistant Sub	\$9.75

MOTION was made by Councilperson Pew to approve the Summer Recreation Adjustments as presented; seconded by Supervisor Hartman; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

15. Approval of Generator Planned Maintenance Contract Renewal

MOTION was made by Councilperson Ventry to authorize Supervisor Hartman to sign the One-Year Planned Equipment Maintenance Agreement for the Generator at an amount not to exceed \$1,925.77; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

16. Community Building Update

Councilpersons Pew and Wilhelm stated that authorization was needed to go forward with the feasibility study regarding the Community Building (Senior facility) to consider a new facility at Swartz Field or to utilize the Town Hall. After much discussion, this item will be tabled and moved to “Old Business” to be reviewed and discussed at a future town board meeting.

17. Resolution – NY Main Street Program

Supervisor Hartman read the following resolution:

Resolution by the Town of Eden approving and endorsing the application to NYS Homes and Community Renewal for funding under the 2017 New York Main Street Program.

WHEREAS, the Town desires to apply for \$240,000 in financial assistance through the 2017 Consolidated Funding Application (CFA) under the New York Main Street Program; and

WHEREAS, the application process funding to assist property owners to complete building renovations to buildings on “downtown” Main Street in and around the vicinity of the Eden Business Center; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Eden approves and endorses the 2017 New York Main Street Program for assistance prepared and to be submitted by Clark Patterson Lee.

MOTION was made by Supervisor Hartman to approve the resolution as presented; seconded by Councilperson Byrnes; “Ayes”; Hartman, Pew, Wilhelm, Byrnes; Opposed? - None; Abstain? - Ventry; Motion carried.

Supervisor’s Report:

- Hot Dog roast today, July 12, 2017 at Eden Library, sponsored by John Mills, Legislator.
- Comprehensive Plan update – July 16, 2017, also at Eden Corn Festival
- Town of Eden web-site is up and running.
- Uber and Lift now active in Eden.

Hearing of Visitors:

There were none.

Adjournment:

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

July 12, 2017

Supervisor Hartman adjourned the Regular Meeting of the Eden Town Board at 8:50 P.M.

Executive Session:

MOTION was made by Supervisor Hartman to go into Executive Session at 8:50 pm; seconded by Councilperson Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

MOTION was made by Councilperson Ventry to return to the Regular Meeting of the Eden Town Board at 10:00 pm; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

William Trask, Town Attorney, read the following:

OUT OF DISTRICT POLICY FOR WATER USERS

1. If the homeowner/customer is already in another Water District and has been historically paying water taxes in that district, although an Out of District Customer (ODC) Permit may be issued, that customer will continue to pay water taxes to the original district but receive water supply from the new district.

If the customer is not located in an existing Water District but wishes to receive service from an existing Water District as an “out of district” customer, the customer must agree to pay toward the servicing Water District's capital debt and maintenance costs in the same manner and at the same rate as other homeowners located in the servicing Water District as a condition of receiving such service. This amount will be included on the homeowner's annual Town property tax bill.

2. The homeowner must pay the new water district the cost of the service tap from the main to the Right of Way. (Rate to be established based on contractor's prices.)
3. The homeowner must install their own new service line from the home to the right of way.
4. All inside plumbing necessary for the water tap will be the responsibility of the homeowner.
5. The homeowner must schedule a meter installation by the ECWA in the home. If the water meter is not supplied free of charge by the ECWA, the homeowner will be responsible for purchasing it.
6. The homeowner will be responsible for a one-time ODC Administrative Fee of \$100.
7. If a homeowner is not in an existing water district but wishes to tap in to the water supply of the nearest district, a water line (meeting water district specifications) must first be run from the existing district the entire frontage of their property, at their sole cost, in order to qualify as an Out of District Customer. The homeowner shall pay for any additional costs incurred by the Water District for professional review and approval of such construction.

MOTION was made by Supervisor Hartman to approve the Out of District Policy for Water Users as presented; seconded by Councilperson Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 10:05 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk

July 12, 2017