

October 11, 2017

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
OCTOBER 11, 2017
4:00 P.M./7:00 P.M.**

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 4:00 P.M.

MOTION was made by Supervisor Hartman to move to Executive Session at 4:00 P.M.; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried. **(Town Board Members present were Supervisor Hartman, Councilperson Pew and Councilperson Wilhelm).**

MOTION was made by Supervisor Hartman to return to the Regular Meeting of the Eden Town Board at 7:00 P.M.; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

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
Matt Blaszc	-	East Eden Fire
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

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 August 2017, Gloria Russell, George Slaughenaupt, Jr., and Gary Kashino.

Approval of Minutes:

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of September 13, 2017; there were none.

MOTION was made by Councilperson Ventry to approve the Town Board Minutes of September 13, 2017 as presented; seconded by Supervisor Hartman; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of September 27, 2017; there were none.

MOTION was made by Councilperson Ventry to approve the Town Board Minutes of September 27, 2017 as presented; seconded by Councilperson Pew; 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
SF915.2 Fire Building Maint.	SF3410.1 Fire Contractual	Use of Assigned for Building Funds for Fire Exhaust hood	\$3,250.00
A1990.4 Contingent Fund	A3020.4 Public Safety Communication	Replacement of Batteries on Tower – E. Church St.	\$201.00
A2115 Planning Board Permit Fees	A8020.4 Planning Contractual	Permit fees collected for Engineering review	\$2,500.00

MOTION was made by Councilperson Pew 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. There were none.

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	584-655	\$94,366.07
Highway Dept. Fund	216-241	\$93,436.43
Fire Dept. Fund	188-204	\$10,767.06
Recreation Dept. Fund	146-157	\$7,202.83
Refuse and Garbage Fund	17-18	\$39,403.73
Street Lights Fund	22-23	\$4,181.70
Water Fund	22-23	\$682.95
Trust & Agency Fund	--	--
Capital Fund		
H8320.405	18-20	\$290,105.82
H8320.406	12	\$16,435.00
H8320.407	1	\$2,600.00
Community Development	--	--

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

Departmental Reports:

Department reports for the month of September 2017 were presented by Supervisor Hartman for Joe Hart Eden Fire Chief; Matt Blaszczyk for 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 Jesse Baker, 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.

Supervisor Hartman for Joe Hart, Eden Fire Chief, requested \$120.00 for 4 members to attend a training seminar at Sheridan Park Fire Department on October 24, 2017.

MOTION was made by Supervisor Hartman to approve \$120.00 for 4 members to attend a training seminar at Sheridan Park Fire Department on October 24, 2017; seconded by Councilperson Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Supervisor Hartman for Joe Hart, Eden Fire Chief had previously requested \$150.00 to attend a training course for Life Safety Educator at the State Fire Academy in Montour Falls, the fee is \$168.00

MOTION was made by Supervisor Hartman to amend the motion and 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 \$168.00; seconded by Councilperson Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Ron Maggs, Highway Superintendent read the following resolution:

BE IT RESOLVED that the Eden Town Board hereby agrees to enter into a mutual agreement with the Town of North Collins, whereby the Town of North Collins Highway Department will plow Clarksburg Road from the North Collins Town Line to the Eighteen Mile Creek Bridge. In exchange, the Eden Town Highway Department will plow the lower sections of both Belcher and Rocky Mountain Roads.

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

Ron Maggs, Highway Superintendent requested permission to declare the 2000 Brush Bandit 90W Chipper, Serial #4FMUS1418XR004122, surplus and to sell at auction. The Town Board reserves the right to reject all bids.

MOTION was made by Councilperson Pew to approve the request to declare the 2000 Brush Bandit 90W Chipper, Serial #4FMUS1418XR004122, surplus and to sell at auction. The Town Board reserves the right to reject all bids, seconded by Supervisor Hartman; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Ron Maggs, Highway Superintendent requested permission to declare the Lasermark LMH 700-3, Serial #1002 Dual Grade Laser surplus and to sell at auction. The Town Board reserves the right to reject all bids.

MOTION was made by Councilperson Pew to approve the request to declare the Lasermark LMH 700-3, Serial #1002 Dual Grade Laser surplus and to sell at auction. The Town Board reserves the right to reject all bids, seconded by Councilperson Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

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

Project 2017-04: Misc. Town-wide mowing at a cost not to exceed \$1,800.00

MOTION was made by Supervisor Hartman to approve Project 2017-04 as presented for the Off-Road Drainage Committee at a cost not to exceed \$1,800.00; seconded by Councilperson Wilhelm; "Ayes"; Hartman, Ventry, Byrnes, Wilhelm; Opposed? - None; Abstain? - Pew; Motion carried.

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Project 2017-05: To clear miscellaneous blockages throughout the town at a cost not to exceed the balance in the account (approximately \$1,200). (To be done in the Spring of 2018)

MOTION was made by Supervisor Hartman to approve Project 2017-05 as presented for the Off-Road Drainage Committee at a cost not to exceed the balance in the account (approximately \$1,200), to be done in the Spring of 2018; seconded by Councilperson Byrnes; All "Ayes"; Opposed?- None; Abstain? - None; Motion carried.

MOTION was made by Supervisor Hartman to close the Regular Meeting of the Eden Town Board and open the Public Hearing at 7:30 pm; seconded by Councilperson Pew; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

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

**7:30 P.M.
Public Hearing**

NOTICE OF PUBLIC HEARING

Notice to the Citizens of the Town of Eden

A Public Hearing will be held on October 11, 2017 at 7:30 pm at the Town Hall regarding the use of Federal Community Development funds on the Town of Eden.

The Town of Eden is eligible for a Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate-income persons in the Town of Eden.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Eden's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town of Eden at 992-3408 by October 6, 2017.

Supervisor Hartman stated that the following projects that have been proposed:

1. Rural Transit Service, Inc.
2. Senior Community Center at Swartz Field

The following persons made comments:

Pam Henrich stated that Eden is the only community that does not have a community center for the seniors citizens. She also asked the percentage of senior citizens in Eden? It was stated approximately 35%. Mrs. Henrich stated that there is a great need for a facility and would there be bathroom facilities accessible from the outside, for the people using the sports fields. It was answered yes. Mrs. Henrich also inquired if this facility would be used just for senior citizens or community use? It was answered that the priority was for senior citizens with kitchen facilities also.

Councilperson Wilhelm stated that the committee is working on a facility and that the senior population needs are not being met.

Ray Klein asked if the town would do a Bond to build the facility and then a Bond? Supervisor Hartman stated that a public hearing would be held to do the Bond, but it would be the choice of the town board.

Ron Maggs asked if sidewalks were considered, and was answered that they are not in the area eligible for the grant.

Patti Hartman asked if a snack shack would be included in the facility and was answered no.

Ray Zabron asked about gas and water past Kulp Road on Jennings Road to get into the 21st century, then that area could be developed.

All persons desiring to be heard, having been heard, Supervisor Hartman closed the Public Hearing at 7:55 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 Pew; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

New and Unfinished Business:

1. Legislator John Mills – Update on County

Mr. John Mills, Erie County Legislator and Chairman of Erie County Legislator stated that he has been Chairman for 4 years and is the Legislator for 15 Towns and Villages in Erie County. Mr. Mills made several handouts available for the public and explained the Yellow Dot Program, a project of the New York State's Sheriffs' Association. Mr. Mills stated that the Library hot dog roast was very successful again this year.

2. Ratification – Setting of the Public Hearing for the Fire Budget – 10/17/17 at 7:00 pm

MOTION was made by Supervisor Hartman to set the Public Hearing for the Proposed 2018 Fire District Budget for October 17, 2017 at 7:00 pm at the Eden Town Hall, Conference room; seconded by Councilperson Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

3. Declare Lead Agency – 8800 S. Main Street

Supervisor Hartman read the following resolution:

**RESOLUTION OF THE EDEN TOWN BOARD
Declaring Lead Agency Status for Proposed Storage Facility,
8800 South Main Street, Eden, NY 14057**

WHEREAS, the Eden Town Board has received a request from Robert Hornberger (hereafter “developer”) for development of property at 8800 South Main Street in the Town of Eden as an Indoor Storage Facility (hereinafter “Project”); and

WHEREAS, the Town of Eden is in receipt of a completed Short Environmental Assessment Form from the developer; and

WHEREAS, upon review by Town Engineers, GHD, it was determined that the Project would require issuance of a Special Use Permit by the Town Board; and

WHEREAS, based upon the preliminary review by GHD, it was determined that the proposed action is an unlisted action under 6 NYCRR Part 617 (SEQR);

NOW, THEREFORE BE IT RESOLVED, that the Eden Town Board does hereby declare itself Lead Agency under SEQR.

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

4. Set Public Hearing for override of tax levy for 11/8/17 at 7:45 pm

MOTION was made by Councilperson Ventry to set the Public Hearing for November 8, 2017 at 7:45 pm for the over ride of tax levy limit; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

5. East Eden Fire Truck Discussion

Matt Blaszczyk from East Eden Fire Department supplied the Town Board with a handout of specs for the 2 (two) options for the new Fire Truck which compared the Traditional Tanker Truck (\$350,000.00) – vs – Vacuum Tanker Truck (\$375,000.00).

An extensive discussion ensued between the Town Board and several of the East Eden Fire Department members. Many options were discussed and a decision will be made at a later date.

6. Halloween Trick or Treating Hours

Supervisor Hartman stated that the Halloween Trick or Treat hours would be 6:00 pm – 8:00 pm on Tuesday, October 31, 2017, as opposed to 5:00 pm – 8:00 pm in previous years.

7. Planning Board Recommendations for Vacancies

MOTION was made by Councilperson Wilhelm to appoint Brian Reed as a permanent member of the Eden Planning Board, to fill Juanita Majewski's unexpired term; seconded by Councilperson Byrnes; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

8. Resolution – Holiday Lighting

Supervisor Hartman read the following resolution:

RESOLUTION

WHEREAS, the Eden Chamber of Commerce desires to increase the holiday lighting throughout the Town of Eden and has requested 13 convenience outlets to be added; and

WHEREAS, the cost of such convenience outlets to be added has been supplied by National Grid and will be paid for by the Chamber of Commerce; and

WHEREAS, the Town of Eden will be responsible for the additional electrical costs.

NOW, THEREFORE, be it resolved that the Eden Town Board approve the joint project to increase holiday lighting throughout the Town of Eden.

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

Note: It was announced by Patti Hartman that \$16,000.00 has been raised by the Eden Chamber of Commerce for this project.

9. Recreation Appointments

Supervisor Hartman read the following Recreation Appointments recommended by the Recreation Board:

Don Williams as Adult Volleyball Supervisor, Tuesday nights. November through April at a pay rate of \$10.00/hour.

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Mike Cross as Adult Basketball Supervisor on Wednesday nights from October through April.

Bonnie Doctor and Chris Porter as Pickle ball Supervisors on Monday nights from September through November and November through April on Monday nights.

Nicole Mroz and Maggie Colligan as Adult Swimming Supervisor/Lifeguard on Monday & Wednesday nights. November through April at a pay rate of \$10.50 and 10.00/hour respectively. Makayla Scheu as a lifeguard substitute at \$10.00/hour.

Nicole Mroz, Maggie Colligan, Makayla Scheu, Ivan Bitnun, as lifeguards for Friday Night Family Swim and Youth Activity Nights at \$10.50/hour.

Marlene Grunder, Margie Brockman, Deanne Glendenning, Sharon Wright as supervision for Friday Night Family Swim and Youth Activity Nights at a rate of \$11.00/hour.

Peter Brockman, Annie Brockman, Brittany Goodrich, Gabby Schneider, Mitch Mason and Frank Barnack as assistant leaders for Friday Night Family Swim and Youth Activity Nights at a rate of \$10.50/hour.

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

10. Declare 2011 Kubota Tractor Surplus

MOTION was made by Supervisor Hartman to declare the 2011 Kubota Tractor, Model #GR2110, Serial #13702 surplus and to sell at auction, the Town Board reserves the right to reject all bids; seconded by Councilperson Pew; All “Ayes”: Opposed? - None; Abstain? - None; Motion carried.

Supervisor’s Report:

- Master Plan, Community Input and Display on 10/14/17 from 11 am – 2 pm at the Eden Fire Department Open House and again on 10/21/17 at 12:30 at the Eden Halloween Parade.
- On 10/12/17 at 9:00 am - UB students will be interviewing residents for the vision project they are working on.
- Code Review Committee meeting on 10/18/17 at 7 pm – reviewing Splits/Minor and Major Subdivisions.

Hearing of Visitors:

Billie Swab asked if the exercise program would be started again at the Eden Methodist Church. Amy Porter, Recreation Director stated that it would be starting again in November.

Adjournment:

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

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

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk