

October 25, 2017

MINUTES

**TOWN BOARD MEETING
2795 EAST CHURCH STREET
EDEN, NEW YORK
OCTOBER 25, 2017
7:00 P.M.**

TOWN BOARD MEMBERS PRESENT:

MELISSA HARTMAN	-	SUPERVISOR
RICHARD VENTRY	-	COUNCILPERSON
MARY LOU PEW	-	COUNCILPERSON (<i>Absent</i>)
SUSAN WILHELM	-	COUNCILPERSON
MICHAEL BYRNES	-	COUNCILPERSON

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
Debbie Gregoire	-	Administrative Assistant

Call To Order:

Supervisor Hartman called the Work Session 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 followed by a moment of silence for Buffalo Police Officer Lehner who died in the line of duty.

New and Unfinished Business:

1. Approval of Fire District Budget

Supervisor Hartman stated that a Public Hearing was held on Tuesday, October 17, 2017 at 7:00 pm at the Eden Town Hall to consider the 2018 preliminary Fire Budget. There were no comments at the Public Hearing. The fire budget will increase from \$1.29 to \$1.30 per thousand.

MOTION was made by Supervisor Hartman to adopt the 2018 Fire Budget as presented; seconded by Councilperson Wilhelm; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

2. Town Clerk Appointment

Mary Jo Hultquist, Town Clerk requested the town board appoint Janet Cunfer, 3112 East Church Street, Eden, New York to the position of Deputy Town Clerk at \$12.50 per hour for up to 15 hours per week of training with Heather Ohmit, Deputy Town Clerk, who will be resigning from her position in December 2017.

MOTION was made by Supervisor Hartman to appoint Janet L. Cunfer, 3112 East Church Street, Eden, New York to the position of Deputy Town Clerk at a starting rate of \$12.50 per hour for up to 15 hours per week of training with Heather Ohmit, Deputy Town Clerk who will be resigning from her position in December, 2017; seconded by Councilperson Wilhelm; All "Ayes"; Opposed? - None; Abstain? -None; Motion carried.

3. Erie County Tax Act Amendment

Supervisor Hartman read the following Resolution:

**Re: Supporting a Home Rule Request: Seeking Permission from
New York State to Amend the Erie County Tax Act**

WHEREAS, since 2015 more than 800 homes in Western New York have been deemed “zombie houses” defined as properties undergoing the foreclosure process that can remain vacant for years; and

WHEREAS, the economic result of such vacant properties is nearly \$58 million worth of real estate in Erie County since it was last calculated; and

WHEREAS, if the home remains vacant for a long period of time the property value could decrease to such a level that it is no longer in a bank's financial interest to foreclose on the property implying that time is a crucial factor in these cases; and

WHEREAS, these houses remain empty typically due to homeowners' misunderstanding of proper foreclosure procedure – leaving these houses in limbo, i.e. the homeowners no longer maintain the property and banks are not legally obligated to. This means these properties are maintained oftentimes at the expense of taxpayers; and

WHEREAS, in the United States the average time it takes to foreclose on a property is two years. If a house has been deemed abandoned by the municipality the foreclosure process should only take one year; and

WHEREAS, as such the Town of Eden Legislature requests permission from New York State to make the following amendments to the legislation known as the Erie County Tax Act; and

WHEREAS, the purpose of this resolution is to recommend the New York State Senate and Assembly amend § 9-1.0 of the Erie County Tax Act to shorten the period in which the holder of a tax sale certificate may foreclose on a property that is certified by a municipality to be vacant and abandoned from two years to one year; and

WHEREAS, additionally to recommend § 11-2.0 of the Erie County Tax Act to be amended to shorten the period in which the county may foreclose on a tax certificate on a property that is certified by a municipality to be vacant and abandoned from two years to one year.

NOW, THEREFORE, BE IT

RESOLVED, that the Clerk of the Town of Eden forward certified copies of this resolution to the New York State Assembly attention Speaker Carl E. Heastie and New York State Senate attention Majority Leader Flanagan as well as to the Erie County Executive, the Honorable Mark Poloncarz and to all other parties deemed necessary and proper.

FISCAL IMPACT: None for resolution.

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

4. Proclamation – Town of Amherst 200th Anniversary

Supervisor Hartman read the following proclamation:

COMMEMORATING the 200th Anniversary of the Town of Amherst, New York

WHEREAS, the Town of Amherst, New York celebrates its Bicentennial in the year of 2018 and it is fitting to recognize the Town of Amherst on the occasion of this special milestone and to applaud its distinguished history; and

WHEREAS, The Town of Amherst was officially created on April 10, 1819 from part of the town of Buffalo (later known as the city of Buffalo), has a total of 53.28 square miles, is the largest Town of Erie County, New York and includes the Village of

Williamsville, as well as the hamlets of Eggertsville, Getzville, Snyder, Swormville and East Amherst; and

WHEREAS, In the nineteenth century Amherst was a prosperous farming community with seven grist mills, several saw mills, a tannery and boot and shoe factory and two forges with commercial activity centered in Williamsville; and

WHEREAS, The Town grew from being primarily a farming community to an urban community in the twentieth century with the creation of new subdivisions, the building of the University at Buffalo Campus in Amherst and the location of the Millard Filmore Suburban Hospital within the Town; and

WHEREAS, the Town today is comprised of 125,000 residents and provides many facilities and attractions including: a four rink recreational facility that attracts national and international ice tournaments, a state of the art senior center, three libraries and a State Park; and

WHEREAS, the Town of Amherst will proudly mark its 200th Anniversary with a series of celebrations throughout its Bicentennial Year, beginning on January 2, 2018 with a 200th Birthday Party, and continuing with a gigantic Parade, historic walking tours, slogan contest, Interclub Service Club Luncheon and gala Bicentennial Ball; and

WHEREAS, in recognition of the Town of Amherst's rich history and enduring contributions, it is indeed an honor to pay tribute to this Town upon the occasion of its Bicentennial; now, therefore, be it

RESOLVED, that congratulations are sent to the Town of Amherst on their Bicentennial and the Town and its residents are to be enthusiastically recognized as they celebrate this auspicious occasion; and be it further

RESOLVED, that a copy of this Resolution, suitably engrossed, be transmitted to the Town of Amherst Bicentennial Commission.

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

MOTION was made by Supervisor Hartman to enter into Executive Session at 7:15 pm; seconded by Councilperson Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

MOTION was made by Supervisor Hartman to return to the Regular Meeting of the Eden Town Board at 7:25 pm; seconded by Councilperson Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

5. Approve Resolution – Community Block Grant

Supervisor Hartman read the following resolution:

AUTHORIZING RESOLUTION

At a meeting of the town of Eden Board held on October 25, 2017, the Board authorized Melissa M. Hartman, Supervisor, to sign, submit and execute a contract with the Erie County Community Development Block Grant (ECCDBG) program for the following project(s) upon approval of ECCDBG:

1. Rural Transit Service, Inc.

MOTION was made by Councilman Ventry to authorize Supervisor Hartman to sign, submit and execute a contract with the Erie County Community Development Block Grant (ECCDBG) program for the project stated, Rural Transit Service, Inc.; seconded by Councilman Wilhelm; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Hearing of Visitors:

Dave Schreiber asked if FIOS will be coming to Eden. Supervisor Hartman stated that no new lines will be coming and that new technology for wireless is coming, but no time-frame was disclosed. Bob Stickney stated that the Public Service Commission required the whole town to participate to bring FIOS to Eden.

Joan Staby a member of ACES group, a senior citizen group in Eden stated that Eden is the only community in Erie County that doesn't have a senior facility. She also said that many seniors suffer from social isolation and if Eden had a senior facility many opportunities would be offered to the senior population in town. Mrs. Staby stated that the town is not meeting the needs of the seniors. Supervisor Hartman and Councilperson Wilhelm stated that even though it wasn't included in the Community Block Grant, they are taking steps to secure other options/grants and will proceed with the senior facility project.

MOTION was made by Supervisor Hartman to adjourn the Regular Meeting of the Eden Town Board and open the Fire Commissioners Meeting at 7:35 pm; seconded by Councilperson Ventry; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Fire Commissioners Meeting:

Present: Joe Hart, Eden Fire Chief and others
Matt Blaszczyk, East Eden Fire First Lieutenant and others

1. East Eden Fire Truck

Supervisor Hartman stated that this item would be tabled and discussed at a future Town Board Meeting.

2. ISO Update

Supervisor Hartman stated that the ISO (Insurance Service Office) has made the following three (3) requirements that must be met by the Eden and East Eden Fire Departments:

1. 4 (combined) training per year (2 for each department)
2. Pump Testing
3. Hose Testing

Much discussion ensued between the town board and the fire department members present regarding the hose testing, and that it would cost approximately \$8,000 for both departments.

3. Suggested 2018 Meeting dates

Supervisor Hartman suggested the following meeting dates for the Fire Commissioners and the Fire Departments:

January 24, 2018
May 23, 2018
September 26, 2018

Supervisor Hartman encouraged the fire personnel present to invite all firefighters of both the Eden and East Fire Departments to attend the meetings.

Joe Hart, Eden Fire Chief stated that the training that was scheduled for November has been canceled, however another training was added at Ellicott Creek for those dates in November, up to 3 fireman per company at \$25.00/each.

MOTION was made by Supervisor Hartman to approve sending up to 3 fireman to the training at Ellicott Creek on November 10, 11 and 12, 2017 at a cost of \$25/each for both

October 25, 2017

Eden and East Eden Fire Departments; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Adjournment:

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

Supervisor Hartman adjourned the Work Session Meeting of the Eden Town Board at 8:25 P.M.

Executive Session:

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 9:05 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk