

April 11, 2018

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
APRIL 11, 2018
6:00 P.M./7:00 P.M.**

The meeting was video-taped by a private citizen.

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 6:00 P.M.

MOTION was made by Supervisor Hartman to move to Executive Session at 6:00 P.M.; 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 7:00 P.M.; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

TOWN BOARD MEMBERS PRESENT:

MELISSA HARTMAN	-	SUPERVISOR
RICHARD S. VENTRY	-	COUNCILPERSON
MICHAEL BYRNES	-	COUNCILPERSON
SUSAN WILHELM	-	COUNCILPERSON
GARY SAM	-	COUNCILPERSON

DEPARTMENT HEADS PRESENT:

Michael Quinn	-	Town Engineer
Ronald C. Maggs	-	Superintendent of Highways
Michael J. Felschow	-	Chief of Police
Joe Hart	-	Eden Fire Chief
Rick Kirst	-	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
Janet Cunfer	-	Deputy Town Clerk
Debbie Gregoire	-	Administrative Assistant
Lisa Winter	-	Bookkeeper

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 March 2018, Florence Soule, Ivan Hartzell, Brian Swiech and Henry Moore.

Approval of Minutes:

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of March 14, 2018; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of March 14, 2018 as presented; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of March 28, 2018; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of March 28, 2018 as presented; seconded by Councilperson Byrnes; 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	A1010.1 Town Board Personal	Town Board Security	\$237.36
A3120.4 Police Contractual	A3120.1 Police-Personal	Sick Time buy back for 2016 & 2017 previously not submitted	\$3,384.16
A3021 Court Facilities	A1620.4 Town Hall Contractual	JCAP Grant Funds used for Court Room Door replacement	\$4,960.50
A3021 Court Facilities	A1110.4 Municipal Court Contractual	JCAP funds used for Court Room Television	\$883.47

MOTION was made by Supervisor Hartman to approve the Budget Transfers/Amendments as presented; seconded by Councilperson Ventry; 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	177-241	\$78,698.97
Highway Dept. Fund	59-77	\$13,068.39
Fire Dept. Fund	54-68	\$7,296.20
Recreation Dept. Fund	24-37	\$3,017.45
Refuse and Garbage Fund	9-11	\$49,290.50
Street Lights Fund	4-6	\$5,059.75
Water Fund	10	\$11.00
Trust & Agency Fund	--	--
Capital Fund H3410.405	4-5	\$220,195.64

H8320.406	1	\$43,992.13
H8302.407	3	\$2618.20
Community Development	--	--

MOTION was made by Supervisor Hartman 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 March 2018 were presented by Joe Hart, Eden Fire Chief; Rick Kirst, 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.

Rick Kirst, East Eden Fire Chief, stated that they would like to thank Ron Maggs and his crew for helping out on a few projects around the fire hall, including the extension of water and air lines to the front of the truck bays. They did a great job and the new lines will be very useful in servicing the trucks.

Joe Hart, Eden Fire Chief, requested the Town Board add Josh Walczyk to the active roster of the Eden Fire Department, pending physical and background check.

MOTION was made by Supervisor Hartman to add Josh Walczyk to the active roster of the Eden Fire Department, pending physical and background check; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Joe Hart, Eden Fire Chief, requested permission of the Town Board to send (2) two Lieutenants of the Eden Fire Department to the NYS Chief’s Show in Verona, NY on June 14 and 15, 2018 at a cost not to exceed \$1,500.00, which is a budgeted amount.

MOTION was made by Councilperson Wilhelm to approve sending (2) two Lieutenants of the Eden Fire Department to the NYS Chief’s Show in Verona, NY on June 14 and 15, 2018 at a cost not to exceed \$1,500.00; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Ron Maggs, Highway Superintendent, requested permission to attend Highway School in Ithaca, NY on June 4-6, 2018.

MOTION was made by Supervisor Hartman to grant permission to Ron Maggs, Highway Superintendent to attend Highway School in Ithaca, NY on June 4-6, 2018; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Amy Porter, Recreation Director requested the Town Board accept the resignation of Jon Achtyl from the Recreation Advisory Board.

The Town Board acknowledged the resignation of Jon Achtyl from the Recreation Advisory Board, with thanks and appreciation for time served on that board.

New and Unfinished Business:

1. Presentation by Drescher & Malecki – Annual Audit Report

Luke R. Malecki, CPA, Partner Drescher & Malecki and Erica M. Handley, CPA, Manager Drescher & Malecki gave a presentation describing the process of the Town of Eden audit ending December 31, 2017. Drescher & Malecki stated that they found the town to be in good standing and had no concerns at this time. Copies of the financial statements are available in the Town Clerk’s office during normal business hours.

2. Authorize Renewal Quote for Vodavi XTS Telephone System

MOTION was made by Supervisor Hartman to renew the annual quote for the Vodavi XTS Telephone System, 1-year maintenance plan at a cost of \$725.00 and sign the agreement; seconded by Councilperson Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Note: Supervisor Hartman noted that the telephone system is in need of an upgrade due to the fact that every year we learn of a new part that won’t be able to be replaced.

3. SEQRA Negative Declaration – Master Plan

RESOLUTION

**SEQRA LEAD AGENCY CONFIRMATION
FOR TOWN OF EDEN COMPREHENSIVE PLAN UPDATE**

WHEREAS, THE Board is proposing an update to their existing Comprehensive Plan, adopted on October 11, 2000; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the Board adopted a resolution on February 28, 2018 declaring its intent to act as Lead Agency for SEQRA review of this Type 1 Action and circulated said intent to all Involved Agencies; and

WHEREAS, no Involved Agencies challenged the intent of the Board to act as Lead Agency and the Board confirmed itself as Lead Agency on March 28, 2018.

NOW, THEREFORE, BE IT RESOLVED that based upon examination of the Environmental Assessment Form (EAF), its own independent analysis of the Proposed Action, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the Board finds that the Proposed Action will not have a significant environmental impact and hereby issues a Negative Declaration; and

BE IT FURTHER RESOLVED that this determination is based on the facts and conclusions as noted in the attached EAF.

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

4. Resolution - Adoption of Town of Eden Comprehensive Master Plan

RESOLUTION

**ADOPTION OF THE COMPREHENSIVE PLAN UPDATE
FOR THE TOWN OF EDEN, NY**

WHEREAS, the Town Board of the Town of Eden (the “Board”) is responsible for the preparation and adoption of the Town of Eden Comprehensive Plan (the “Plan”), pursuant to Section 272-a of the New York State Town Law; and

WHEREAS, the Plan was funded by Erie County through the Community Development Block Grant program; and

WHEREAS, a steering committee (the “Committee”) of volunteers, including Town residents, elected officials, local Board member, and other representative stakeholders was created and charged with the update to the Plan together with the planning consultant, Clark Patterson Lee; and

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WHEREAS, numerous committee meetings, public meetings and workshops, and other avenues for community outreach were held through the duration of the project to receive public input on the update to the Plan; and

WHEREAS, the Committee and the planning consultant undertook a comprehensive study of the historic and existing conditions in the town; identified issues and opportunities; analyzed numerous topics and potential options; and developed goals, objectives, policy recommendations and implementation strategies which resulted in the Comprehensive Plan Update, titled **Cultivate Eden**; and

WHEREAS, the Committee Provided the Board with the final draft of the Plan prior to the regular Board meeting on February 28, 2018 for review and consideration of adoption pending a public hearing; and

WHEREAS, on February 28, 2018 the Board referred the Plan to Erie County Department of Planning under Section 239m of the General Municipal Law; and

WHEREAS, Erie County Department of Planning reviewed the Plan, determining the Plan was a matter of local concern and provided “No Recommendation”; and

WHEREAS, Pursuant to Section 272-a.6 of Town Law of the State of New York, the Board did hold a public hearing on March 28, 2018 at Town Hall to provide and opportunity for citizen comment prior to final adoption; and

WHEREAS, the Board, as the designated Lead Agency, conducted an environmental review under the State Environmental Quality Review Act and issued a Negative Declaration on April 11, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Eden does hereby adopt and place on file the update to the Comprehensive Plan dated April 11, 2018, as an important planning tool for the future of the community which identifies a wide range of issues, initiatives, studies, projects and programs which can be undertaken by various entities in the short- and long-term.

MOTION was made by Councilperson Ventry to approve the resolution as presented and adopt the Town of Eden Comprehensive Master Plan; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

5. Approval of Recreation fee changes

Supervisor Hartman read the schedule of recreation fees as presented by Amy Porter, Recreation Director:

\$65.00 – Eden Resident

\$60.00 – Early Bird

\$45.00 – Each Additional Child – no early bird

\$155.00 – Family Max

\$100.00 – Non-Resident/Child (no second child discount or early bird special)

All other fees remain the same.

Supervisor Hartman stated that fees will increase annually and are necessary to continue and sustain the program. The minimum wage increase is one of the main reasons. There have been little changes in attendance since the Recreation Fees have been implemented. Also, the town board did not approve a secretary for the Recreation Director, it is being considered.

Supervisor Hartman listed the neighboring communities and their rates:

Town of Boston:	July 9 th – August 17 th – 6-weeks – 8 am- 3 pm		
2018	Resident	\$375.00 (Early Bird)	\$400.00 (Regular)
	Non-Resident	\$475.00 (Early Bird)	\$500.00 (Regular)

Town of Brant: \$85.00 – 6-week program
2017

Town of Hamburg: 7-week program – 9 am – 4 pm
2018 \$120.00 per week to \$160.00 per week, the lowest cost for the full program is \$840.00.

MOTION was made by Councilperson Ventry to approve the Recreation Fee Changes as presented by Amy Porter, Recreation Director; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

6. Set bid opening for misc. fire equipment and paraphernalia for Eden Fire Dept. No. 1 and East Eden Fire Dept

MOTION was made by Supervisor Hartman to set the bid opening date for April 27, 2018 at 3:30 p.m. for Miscellaneous Fire Equipment Supplies and Paraphernalia for the Eden Fire Department No. 1 and Miscellaneous Fire Equipment Supplies and Paraphernalia for the East Eden Fire Department; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

7. Set bid opening date for Violet Tank Improvement Project

MOTION was made by Supervisor Hartman to set the bid opening date for May 7, 2018 at 10:30 am for the Violet Parkway Water Storage Tank Improvement Project; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

8. Review and Approve Change Order for Water System Tank and Pump Station Improvements

Supervisor Hartman received correspondence from Daniel Kolkmann, Construction Manager for GHD, Town Engineers regarding the Town of Eden Water System Tank & Pump Station Improvements. Change Order No. 1 is necessary to comply with Erie County Water Authority’s security policies at a total cost of \$27,913.00.

MOTION was made by Councilperson Byrnes to approve Change Order No. 1 for the Water System Tank and Pump Station Improvements at a total cost of \$27,913.00; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

9. Review and Approve NYS & Empire State Grant Funding

Supervisor Hartman received information from NYS and Empire State Develop Regarding a Feasibility Study. The study is in two parts, and the focus will be on a joint effort between the Town of Eden and the University of Buffalo School of Architecture and Planning to help plan for a future community center. The Town of Eden will invest \$12,000 and Empire State Development will offer the Town of Eden a state incentive valued at \$2,400.

MOTION was made by Supervisor Hartman to approve and sign the Feasibility Study, with an investment of \$12,000 from the Town of Eden and a state incentive of \$2,400; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

10. Recreation Advisory Board Appointment

MOTION was made by Councilperson Ventry to appoint Emily Hawkins to the Recreation Advisory Board for a five-year term as recommended by Joseph Winiecki, Recreation Advisory Board Chairman; seconded by Supervisor Hartman; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

11. Schunk’s West Hill Grill – renewal of Liquor License (informational)

Received and filed.

Supervisor’s Report:

- Congratulations to Michael Byrnes on his recent marriage to Tiffany.
- Congratulations to Mary Jo Hultquist, Town Clerk on being awarded by the Erie County Federation of Republican Woman.
- Thanks to Ron Maggs and his staff with the Spring Clean-up
- Councilperson Wilhelm stated that EMS and Eden Friends of the Library – still looking for volunteers.

Hearing of Visitors:

Phil Muck, asked about the Comprehensive Plan, that it’s just a plan, have committees been formed? Supervisor Hartman stated that the Comprehensive Plan was adopted tonight at the meeting and that committees are being formed. Mr. Muck is concerned about the effect the plan will have on farming in our town. Mr. Muck also asked about the fields behind the legion, do leagues and non-residents use the fields? Councilperson Wilhelm stated that non-residents are not using the fields. Amy Porter, Recreation Director stated that no outside leagues are using the facility. Mr. Muck asked who is paying for the illumination for the fields? Lisa Winter, Bookkeeper stated that she has not received any bill for the lights at that field. Mr. Muck asked about the property on Erie Street, are they being taxed/assessed for a structure on that property? Supervisor Hartman stated that the status is unknown on that property.

Glenn McLaughlin, questioned the recreation fees, that there has been no discussion about fee increases. Supervisor Hartman stated that there was discussion at the January meeting. There were no fees from 1994 to now, why fees now. Lisa Winter, Bookkeeper stated that there was a \$.70 increase in minimum wage. Mr. McLaughlin stated that just because other towns charge fees, why should Eden charge fees. Supervisor Hartman stated that the fees should have happened 10 years ago, the town can’t not charge for the program, necessary to balance the budget. Councilperson Wilhelm stated that there was not a decrease in attendance last year, our residents appreciate the program, it is an excellent program at a minimum cost. Councilperson Ventry stated that before everyone was paying for the program in taxes, now the people using the program are paying. Amy Porter, Recreation Director stated that it is different than before, they have implemented new programs with staff that are educators. There are doing science projects, 4 field trips instead of 1. The old program charged for crafts, they are not charging for craft projects. Mr. McLaughlin stated that the children can not come and go as they used to do. Amy Porter, Recreation Director stated that with the capital project, it was a safety issue not a cost issue. They currently escort the children to the Boys/Girls Club when necessary.

Adjournment:

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

Supervisor Hartman adjourned the Regular Meeting of the Eden Town Board at 8:20 P.M.

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Executive Session:

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 9:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk