

June 13, 2018

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
JUNE 13, 2018  
5:30 P.M./7:00 P.M.**

**The meeting was video-taped by a private citizen and shared on Facebook.**

**Call to Order:**

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 5:30 P.M.

**MOTION** was made by Supervisor Hartman to move to Executive Session at 5:30 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 7:15 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
Mike Hart	-	Eden Fire Chief
Rick Kirst	-	East Eden Fire Chief
Robert Pietrocarlo	-	Chairman Board of Assessors
Amy Porter	-	Recreation Director
Jesse Baker	-	Code Enforcement Officer
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 7:15 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 May 2018, Frank Stiller, Dr. Ronald Santasiero, Jimmy Thomas, Lois Friedrich.

**Approval of Minutes:**

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of May 9, 2018; there were none.

**MOTION** was made by Supervisor Hartman to approve the Town Board Minutes of May 9, 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 May 23, 2018; there were none.

**MOTION** was made by Supervisor Hartman to approve the Town Board Minutes of May 23, 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:

<b>From Account</b>	<b>To Account</b>	<b>Reason for Amendment</b>	<b>Amount</b>
A2115 Planning Board Permit Fees	A8020.4 Planning Contractual	Minor Subdivision Fees for Cost of Engineering Review	\$750.00
A4540.4 Ambulance- Contractual	A4540.2 Ambulance Equipment	Legal Notice for Roof Bid	\$137.00

**MOTION** was made by Councilperson Wilhelm to approve the Budget Transfers/Amendments as presented; seconded by Supervisor Hartman; 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.

<b>DESCRIPTION</b>	<b>VOUCHER NUMBERS</b>	<b>AMOUNT</b>
General Fund	319-410	\$80,472.10
Highway Dept. Fund	116-148	\$122,333.77
Fire Dept. Fund	105-135	\$19,161.60
Recreation Dept. Fund	63-79	\$3,814.92
Refuse and Garbage Fund	15-18	\$46,384.20
Street Lights Fund	10-12	\$4,626.93
Water Fund	14	11.00
Trust & Agency Fund	--	--
Capital Fund		
H3410.405	9	\$154,407.84
H8320.406	3	\$4,928.13
Community Development	--	--

**MOTION** was made by Supervisor Harman 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 May 2018 were presented by Councilperson Sam for Scott Hultquist, Director Eden EMS, Mike Hart for Joe Hart, Eden Fire Chief;

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Rick Kirst, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; Mike Quinn, GHD, Town Engineer, William Trask, Town Attorney; Mary Jo Hultquist, Town Clerk; 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 requested permission to purchase 10-15 Scott Bottles and 3-5 turn-out gear at a cost not to exceed \$13,500.

**MOTION** was made by Supervisor Hartman to approve the purchase of 10-15 Scott Bottles and 3-5 turn-out gear at a cost not to exceed \$13,500; seconded by Councilperson Wilhelm; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Rick Kirst, East Eden Fire Chief presented the 2018 Itemized Bid request for approval and it was decided that a decision would be made at the June 27, 2018 Town Board Meeting, to allow the town board further review.

Mike Hart, Eden Fire Department requested approval of the Gear Fund at a cost of \$16,128.45.

**MOTION** was made by Supervisor Hartman to approval the Gear Fund at a cost not to exceed \$16,500.00; seconded by Councilperson Wilhelm; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Mike Hart, Eden Fire Department requested approval of the 2018 Itemized Bid request for approval in an amount of \$11,409.48.

**MOTION** was made by Supervisor Hartman to approve the 2018 Itemized Bid of \$11,409.48; seconded by Councilperson Byrnes; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Robert Pietrocarlo, Head Assessor stated that Grievance Day was held on May 22, 2018 with a low attendance, showing that citizens of Eden are happy with their assessments. Mr. Pietrocarlo requested Executive Session with the Town Board following the meeting.

Mike Quinn, GHD, Town Engineer reported that the Water Project is completed.

Amy Porter, Recreation Director presented her report and gave some suggestions regarding options with the upcoming Eden Central School District re-vote and the possibility of additional costs to the Recreation Department in the event of a Contingency Budget.

Councilperson Sam for Scott Hultquist, Director of Operations for the Eden Emergency Squad requested that Ambulance #805 be declared surplus and to start the process of selling the vehicle.

**MOTION** was made by Supervisor Hartman to declare Ambulance #805 as surplus to allow the Eden Emergency Squad to start the process of selling the vehicle; seconded by Councilperson Sam; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

#### **New and Unfinished Business:**

##### **1. Legislator John Mills – Police Recognition**

Legislator John Mills presented a Proclamation to Michael Felschow, Eden Chief Of Police in recognition of the award of 23<sup>rd</sup> Safest Town in the Nation and the 5<sup>th</sup> Safest Town in New York. Mr. Mills recognized the achievements of all members of the Eden Police Department.

**2. Request to amend Special Use Permit – Schreiber & Winkelman due to Minor Subdivision application**

Supervisor Hartman read correspondence from Don Schreiber requesting an Amendment to their existing Special Use Permit due to subdividing the property at 8750 South Main Street, Eden Self-Storage Units. This is an acknowledgment; no action is required at this time.

**3. Code Red Program renewal**

**MOTION** was made by Supervisor Hartman to approve the renewal for the Code Red Program for 6/29/2018 – 6/28/2019 at a cost of \$5,535.00; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Councilperson Wilhelm asked Bill Stickney if there is a contact number to get on the list and Mr. Stickney stated that it was on a flyer that was sent out with the Eden Fire Fundraiser and Debbie Gregoire, Administrative Assistant stated that it is on the front page of the Town of Eden web-site.

**4. Review Violet Parkway Water Storage Tank Improvements Bid**

Supervisor Hartman stated that this item would be tabled and moved to “Old Business” for further review and discussion with the Town Engineer. A decision will be made at the July 11, 2018 Town Board Meeting.

**5. East Eden Tavern Request – outdoor live concerts**

**MOTION** was made by Supervisor Hartman to approve the Outdoor Live Concerts for the East Eden Tavern, through August 30, 2018 from 6:00 pm to 10:00 pm; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Amended Motion:

**MOTION** was made by Supervisor Hartman to approve the Outdoor Live Concerts for the Est Eden Tavern, **with the conditions previously approved at the June 14, 2017 Town Board Meeting** through August 30, 2018 from 6:00 pm to 10:00 pm; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**6. Accept Town Clerk Retirement/Resignation**

Supervisor Hartman accepted the Retirement/Resignation from Mary Jo Hultquist effective July 13, 2018.

**7. Appoint of new Town Clerk**

Supervisor Hartman read the following:

Eden Town Board appoints Emily Hawkins to the appointed position of Town Clerk effective July 14, 2018. This position will be up for a special election on Tuesday, November 6, 2018 for a one-year term. This position will then be up for election in November 2019 for a 4-year term beginning January 1, 2020.

Our current Town Clerk has the right to appoint this person as a Deputy Town Clerk for the purposes of training prior to July 14, 2018.

The salary for the Town Clerk is \$39,483.00 yearly, to be paid bi-weekly. The Town Clerk will also receive remuneration as school tax collector for the 2018-2019 school year pursuant to the agreement with the Eden Central School District in the amount of \$8,380.00.

This person will also be appointed as the Town Registrar at a rate of \$3,870.00 yearly, prorated through December 31, 2018 to be paid monthly.

**MOTION** was made by Councilperson Wilhelm to appoint Emily Hawkins as Eden Town Clerk, effective July 14, 2018 as above-stated; seconded by Councilperson Byrnes; “Ayes”; Ventry, Wilhelm, Byrnes, Sam; Opposed? – None; Abstain? – Hartman; Motion carried.

**8. Recreation Department appointments/changes**

The following recommended appointments/changes were made by Joseph Winiecki, Chairman of the Eden Recreation Department:

Melissa Cataldo as Swim Instructor at a rate of \$10.90 per hour.

Mindy Winship as the Arts and Crafts leader at a rate of \$11.50 per hour.

Kevin Armbrust as a substitute for lifeguarding, recreation and camp at a rate of \$10.65 per hour.

**MOTION** was made by Supervisor Hartman to make the above-mentioned appointments as recommended by Joseph Winiecki, Chairman of the Eden Recreation Board: seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried

**9. Approve Recreation Department request for Early Drop Off Program**

Supervisor Hartman read the following correspondence from Joseph Winiecki, Chairman of the Eden Recreation Board:

“It is the recommendation of the Eden Recreation Board to approve the AM Supervision Program. The Program would run from 7:30 – 9:00 a.m. from June 25<sup>th</sup> through July 31<sup>st</sup>. The cost would be \$6 per child per day regardless of the drop-off time. The supervision would include a leader with an assistant and would take place at the Elementary School location only. Children would need to be registered the Friday preceding the week that they would like to attend so that we could staff appropriately.”

After much discussion, the following motion was offered:

**MOTION** was made by Supervisor Hartman to approve the AM Supervision Program as above-stated; seconded by Councilperson Byrnes; All “Ayes”; Opposed? -None; Abstain? – None; Motion carried.

Amended Motion:

**MOTION** was made by Supervisor Hartman to approve the AM Supervision Program at a location to be determined; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**10. Police Department resignations/appointments**

Supervisor Hartman read the following resignations:

John Geary and Anthony Zolnowski, as part-time Police Officers and  
Derek Filipiak as a part-time Public Safety Dispatcher, effective 5-12-18.

**MOTION** was made by Supervisor Hartman to accept the resignations of John Geary and Anthony Zolnowski as part-time Police Officers and Derek Filipiak as a part-time Public Safety Dispatcher, effective 5-12-18 with thanks and appreciation; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman read the following appointments:

Cori Kowalski as a part-time Police Officer and  
Rachel Baltes as a part-time Public Safety Dispatcher

**MOTION** was made by Supervisor Hartman to appoint Cori Kowalski as a part-time Police Officer and Rachel Baltes as a part-time Public Safety Dispatcher; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**11. Ambulance Rate Adjustment**

Supervisor Hartman read the following rates:

**Town of Eden Rates**

<b>Service Level</b>	<b>Current Rates Eden/OP/Gowanda</b>	<b>Suggested Rates Eden</b>
ALS2	850/1400/1400	<b>1400</b>
ALS1	700/1200/1200	<b>1150</b>
BLS	550/900/890	<b>850</b>
T/R	250/500/500	<b>250</b>
Mileage	15/30/30	<b>25</b>

**MOTION** was made by Supervisor Hartman to approve the new rates for the Eden Emergency Squad; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Supervisor’s Report:**

- Congratulations to the Eden Girls Softball/Lacrosse Champions.
- Received \$3600 Grant from the Eden Community Foundation for the Community Center Study.
- Met with Eden Central School District regarding the SRO Officer.
- Supervisors/Clerks/Assessors met with the Erie County Legislators with concerns regarding the changes to the Erie County Tax Act of 1942, with thanks to Legislator Mills for forwarding the information to the Supervisors/Clerks before a vote of the Legislators.
- Thanks to Legislators for the amended version to allow towns/cities to speed up the process of Zombie homes.
- Councilperson Ventry met with Glenn Nellis at the Tax Web facility, the old straw factory. They manufacture chains/straps.
- Councilperson Wilhelm stated that the Friends of the Library and EMS are still looking for volunteers.

**Hearing of Visitors:**

Ray Zabron stated that the increase in fees to the recreation department by the school feels like the school board is holding the residents of Eden hostage to pass the re-vote. It was stated that the contingent budget may not happen and a lot is NYS mandates. Councilperson Wilhelm stated that the town will find alternatives, if that happens.

Emily Hawkins thanked the Town Board for the appointment of Eden Town Clerk.

**Adjournment:**

**MOTION** was made by Supervisor Hartman 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 8:30 P.M.

**Executive Session:**

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Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 10:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist, Town Clerk