

June 27, 2018

**MINUTES**

**TOWN BOARD MEETING  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
JUNE 27, 2018  
7:00 P.M.**

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

**TOWN BOARD MEMBERS PRESENT:**

MELISSA HARTMAN - SUPERVISOR (*Absent*)  
RICHARD VENTRY - COUNCILPERSON  
MICHAEL BYRNES - COUNCILPERSON  
SUSAN WILHELM - COUNCILPERSON  
GARY SAM - COUNCILPERSON

**OTHERS PRESENT:**

Mary Jo Hultquist - Town Clerk  
Emily Hawkins - Deputy Town Clerk  
Lisa Winter - Bookkeeper

**Call to Order:**

Councilperson Ventry called the Work Session of the Eden Town Board to order at 7:00 P.M.

**Pledge of Allegiance:**

Councilperson Ventry led the assembly in the Pledge of Allegiance to the flag.

**New and Unfinished Business:**

**1. East Eden Fire Department 2018 Itemized Bid Specifications.**

**MOTION** was made by Councilperson Wilhelm to approve the East Eden Fire Department itemized Bid Specifications in the amount of \$9,859.23 which is included in the budget; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**2. Approve Eden Fire alarm system upgrade to meet NYS Building Codes.**

Councilperson Ventry stated that two bids were received for the Eden Fire alarm systems upgrades as shown below:

Company	Amount
Amherst Alarm, Inc.	\$5,000+
DFT Security	\$3,250

**MOTION** was made by Councilperson Ventry to approve the East Eden Fire alarm system upgrade; bid will be awarded to DFT Security not to exceed the amount of \$3,250; Seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**3. Ratification of Approval of Eden Fire’s Commercial Door Safety Sensors.**

Two bids were received for Eden Fire’s commercial door safety sensor installation:

Company	Amount
Hamburg Overhead Door	\$1,725.00
National Overhead Door	\$1,573.40

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**MOTION** was made by Councilperson Wilhelm to approve the Eden Fire Department's commercial door safety sensor installation required by PESH (Public Employee Safety and Health Bureau) in the amount of \$1,573.40 by National Overhead Door; Seconded by Councilperson Sam; All "Ayes"; Opposed? – None; Abstain? – None; Motion Carried

**4. Water Project: Receive and File Revised Map & Plan for the Master Improvement Area.**

Councilperson Ventry acknowledged receipt of the map and plan for the water improvement project. A copy is on file at the Town Clerk's Office for review during normal business hours. No motion was necessary.

**5. Resolution calling for public hearing for the Master Water Improvement Area.**

Councilperson Wilhelm read the following order:

**ORDER CALLING SUPPLEMENTAL PUBLIC  
HEARING TO BE HELD ON  
JULY 11, 2018  
REGARDING THE INCREASE IN COST  
OF THE MASTER WATER IMPROVEMENT AREA**

WHEREAS, the Town Board of the Town of Eden (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has, pursuant to Town Law Article 12-C, created the Master Water Improvement Area (the "Water Improvement Area"); and

WHEREAS, in connection with the establishment of the Water Improvement Area, the Town Board directed GHD (the "Engineer"), competent engineers duly licensed by the State of New York to prepare a preliminary map, plan and report for the establishment of the Master Water Improvement Area (the "Water Improvement Area") and the construction of water improvements therein (collectively, the "Project"); and

WHEREAS, the Town Board took the following specific actions with respect to the Project: (a) adopted on December 13, 2017 a certain order calling for a public hearing, (b) on January 10, 2018 held such public hearing, (c) on January 10, 2018 adopted a certain resolution establishing the Water Improvement Area, and (d) on January 10, 2018 adopted a bond resolution; and

WHEREAS, the plan of financing for the Project identified an estimated maximum cost of \$275,000, with the issuance of bonds in an aggregate amount not to exceed \$275,000; and

WHEREAS, due to construction bids coming in higher than anticipated, the estimated maximum cost of the Project has increased from \$275,000 to \$460,000; and

WHEREAS, in June 2018, the Town Board directed GHD to prepare a revised map, plan and report; and

WHEREAS, such revised map, plan and report is on file at the office of the Town Clerk, and available for public inspection at said location; and

WHEREAS, the scope of the Project is substantially the same as originally presented and identified in such original map, plan and report; and

WHEREAS, it is the intention of the Town Board that the Water Improvement Area will include improvements necessary to facilitate the transfer of water service to the Erie County Water Authority at a future date; and

WHEREAS, such water system improvements project will generally consist of various improvements at the Violet Parkway storage tank including, but not limited to, the replacement of the tank dome, as well as other such improvements as more fully identified in (or contemplated by) such revised map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and

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other improvements and costs preliminary/incidental thereto and in connection with the financing thereof (collectively, the "Improvement"); and

WHEREAS, the Engineer has estimated the total cost of the Improvement to be \$460,000; said cost to be financed by the issuance of serial bonds of the Town in the aggregate principal amount of \$460,000 offset by any federal, state, county and/or local funds received; and

WHEREAS, the estimated maximum cost of the Project includes soft costs (engineering, legal and administrative); and

WHEREAS, the Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary; and

NOW, THEREFORE, BE IT ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 2795 East Church Street, Eden, New York, on July 11, 2018, at 7:30 o'clock P.M. (Prevailing Time) to consider the increase in the cost of the Master Water Improvement Area and the construction of the improvement therein, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Board may establish water rents/rates as provided in subdivision 12-a of Town Law Section 209-q and paragraph (d) of subdivision three of Town Law Section 198; and it is hereby

FURTHER ORDERED, the estimated maximum amount proposed to be expended for the construction of the Master Water Improvement Area shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$460,000 said amount to be offset by any federal, state, county and/or local funds, and unless paid from other sources or charges (including, but not limited to, water rents/rates), the costs of said Improvement shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Master Water Improvement Area, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds or notes as the same shall become due and payable, except as provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

AYES: Councilperson Ventry  
Councilperson Wilhelm  
Councilperson Byrnes  
Councilperson Sam  
NOES: None  
ABSENT: Supervisor Hartman

The Order Calling for Public Hearing was declared adopted.

**6. Award bid for Eden Emergency Rescue Squad Roof Replacement project.**

Councilperson Ventry explained that the bids opened on June 14<sup>th</sup> and 8 bids were received. The lowest bid was received by Elmer W. Davis, Inc. in the amount of \$147,800.

<b>Bidders:</b>	<b>Amount:</b>	<b>Bid Bond:</b>
J & B Installations	\$275,000.00	Yes
Weaver Metal & Roofing	\$172,000.00	Yes
Progressive Roofing, Inc.	\$182,600.00	Yes
Jos. A. Sanders & Sons	\$177,504.00	Yes
Action Roofing, Inc.	\$173,900.00	Yes
Elmer W. Davis Roofing	\$147,800.00	Yes
Jameson Roofing Co.	\$197,791.00	Yes
Grove Roofing	\$157,865.00	Yes

**MOTION** was made by Council Person Ventry to approve the bid from Elmer W. Davis, Inc. not to exceed the amount of \$147,800; Seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**7. Appoint Deputy Town Clerk – Emily Hawkins**

The following statement was read by Councilperson Ventry:

“There have been a few inquiries in regards to the process of appointing a Town Clerk. We would like to address some of those inquires. Due to the shortness of time available to find a qualified person, fill the position and arrange for training, we chose to interview two candidates that we felt best matched our needs at this time. Any interested individuals will have the opportunity to seek the position later this year when it will be on the ballot in November for the Town voters to decide on who will complete the Town Clerk’s term.”

**MOTION** was made by Councilperson Ventry to appoint Emily Hawkins as Deputy Town Clerk for training purposes effective June 26, 2018 at a rate of \$12.50 per hour; Seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**8. Approve Supervisor to sign engagement letter for Drescher & Malecki, LLP to conduct an Exit Audit of the Eden Town Clerk.**

**MOTION** was made by Councilperson Ventry to allow Supervisor Hartman to acknowledge and agree to the exit audit by Drescher & Malecki LLP not to exceed the amount of \$2,400 for the period beginning January 1, 2018 and ending June 30, 2018; Seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**9. Approve specifications on Vacuum Tanker Truck & Conventional Tanker Truck for East Eden Fire.**

**MOTION** was made by Councilperson Ventry to approve the specifications on the Vacuum Tanker Truck & Conventional Tanker Truck for East Eden Fire: Seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**10. Set bid opening date of July 30, 2018 at 10:00 am for Vacuum Tanker Truck & Conventional Tanker Truck**

**MOTION** to set bid opening date at the Town Clerk’s Office to July 30, 2018 at 10AM; Seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**11. Accept Secretary to the Supervisor’s resignation.**

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Councilperson Ventry acknowledged the acceptance of the resignation of Debra Gregoire, Secretary to the Supervisor, effective June 15, 2018.

**12. Appoint Secretary to the Supervisor.**

**MOTION** was made to acknowledge the appointment of the Administrative Assistant and Confidential Secretary to the Supervisor, Marlene Grunder, at a rate of pay of \$19.52 per hour effective July 2, 2018; Seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**13. Changes to Recreation Department Personnel.**

Councilman Ventry read the below changes for Recreation Personnel:

Employee	Change	Rate	Note
Demetra Jacobs	Resignation		
Frank Barnack	Resignation		
Andrew Bialy	Resignation		
Jason Porter	Ground and Maintenance to G/m Supervisor	\$10.50 to \$11.00	Retro to June 1st
Sarah Swiecicki	Recreation Counselor	\$10.40	
Kelsey Pressing	Recreation Counselor	\$10.40	
Brittney Gawel	Recreation Counselor	\$10.40	

**MOTION** was made by Councilperson Ventry to approve Recreation Department Personnel changes as recommended by the Eden Recreation Board; Seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**Hearing of Visitors:**

Cheryl Carpenter asked the Town Board what the logistics are of people in the community taking care of the neglected bank owned property on Evelyn/Beverly brought up by a community member in the most recent Facebook posts. She offered her services in order to help take care of these properties. Councilperson Barnes stated that the Town is currently working with the land bank and Councilperson Ventry will further look into what can be done with regards to mowing the property. The Board thanked her for her concern.

Cheryl also mentioned the Eden Pedal Party is taking place this Friday June 29 at the Eden Legion which will include a free 10-mile community bike ride, an afterparty, and the Sports Booster club will be raffling two pallets of beer.

**Adjournment:**

**MOTION** was made by Councilperson Ventry to adjourn Regular Meeting of the Eden Town Board and move into Executive Session at 7:28PM; Seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion Carried

**Executive Session:**

Councilperson Ventry adjourned the Executive Session of the Eden Town Board Meeting at 7:45 PM.

Respectfully submitted by,

Emily Hawkins  
Deputy Town Clerk