

November 28, 2018

**MINUTES**

**TOWN BOARD MEETING  
2795 EAST CHURCH STREET  
EDEN, NEW YORK  
NOVEMBER 28, 2018  
6:00 P.M.**

**TOWN BOARD MEMBERS PRESENT:**

MELISSA HARTMAN	-	SUPERVISOR
MICHAEL BYRNES	-	COUNCILPERSON
SUSAN WILHELM	-	COUNCILPERSON
GARY SAM	-	COUNCILPERSON

**TOWN BOARD MEMBERS ABSENT:**

RICHARD VENTRY	-	COUNCILPERSON
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**OTHERS PRESENT:**

Emily Hawkins	-	Town Clerk
Shannon Sam	-	Deputy Town Clerk
Marlene Grunder	-	Administrative Assistant
Lisa Winter	-	Bookkeeper

**Call to Order:**

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

**Pledge of Allegiance:**

Supervisor Hartman led the assembly in the Pledge of Allegiance to the flag.

**MOTION** was made by Supervisor Hartman to start the Work Session Meeting of the Eden Town Board; seconded by Councilperson Wilhelm All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

**MOTION** was made by Supervisor Hartman to close the Work Session Meeting of the Eden Town Board and open the Executive Session; seconded by Councilperson Wilhelm All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman opened the Executive Session of the Eden Town Board Meeting at 6:02pm.

**MOTION** was made by Supervisor Hartman to close the Executive Session Meeting of the Eden Town Board and open the Work Session; seconded by Councilperson Wilhelm All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman closed Executive Session of the Eden Town Board Meeting and opened the Work Session at 7:15pm.

**Hearing of Visitors on Agenda Items Only:**

There were none.

**New and Unfinished Business:**

**1. Resolution approving the sale and transfer of the water system to the Erie County Water Authority:**

Supervisor Hartman read the following resolution:

RESOLUTION OF EDEN TOWN BOARD

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WHEREAS, the Town of Eden currently owns its municipal water system consisting of easements and rights of ways, pumping stations, standpipes and water towers, transmission lines and appurtenant facilities (hereafter “Water System”); and

WHEREAS, for more than 20 years, the Town of Eden has provided water supply to properties serviced by the Water System through a Lease-Management Agreement with the Erie County Water Authority (hereafter “ECWA”) under which the Town of Eden remained responsible for major repairs and capital improvement costs; and

WHEREAS, in 2014, the Town of Eden was awarded a grant to study the feasibility of moving from Lease-Management arrangement to a “Direct Service” arrangement with the ECWA, under which the ECWA would assume full responsibility for the Water System; and

WHEREAS, following the completion of the feasibility study, which was undertaken with the participation of the ECWA, the Eden Town Board determined that moving to Direct Service would result in substantial long-term savings to property owners and taxpayers receiving public water service in the Town of Eden; and

WHEREAS, on or about September 27, 2017 the Town of Eden entered into a Memorandum of Understanding (“MOU”) with the ECWA providing for the Town of Eden to make certain improvements to the Water System in anticipation of moving from Lease-Management to Direct Service which the ECWA; and

WHEREAS, under the terms of the MOU, title to the Water System would be transferred to the ECWA in consideration for the ECWA providing Direct Service; and

WHEREAS, the Eden Town Board has undertaken all MOU-required improvements to the Water System and has undertaken all required legal proceedings, including all actions required under SEQRA;

NOW, THEREFORE, it is RESOLVED that the Town of Eden does hereby approve the sale and transfer of the Water System to the ECWA in consideration for ECWA providing Direct Service and the Supervisor is hereby authorized to execute all documents required to enter into Direct Service with ECWA and to effectuate such transfer to ECWA, reserving to the Town of Eden all rights and interests required for the continued provision of water service to areas which will not immediately be eligible for Direct Service, namely, the Wepax Road Service Area.

This Resolution is subject to permissive referendum.

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

## **2. Approve maintenance agreement for generator**

**MOTION** was made by Supervisor Hartman to approve the renewal of the maintenance agreement for the generator in the amount not to exceed \$1,983.54; seconded by Councilperson Sam All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

## **3. Set public hearing for 2679 Hemlock Road for a special use permit**

**MOTION** was made by Supervisor Hartman to set the public hearing for 2679 Hemlock Road for a special use permit on December 26, 2018 at 4:00pm; seconded by Councilperson Wilhelm All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman noted that the reorganizational meeting would also take place on that

date.

**Hearing of Visitors:**

There were none.

**MOTION** was made by Supervisor Hartman to enter the Work Session; seconded by Councilperson Byrnes All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

**Work Session** – Presentation by Joesph Crimi NY Power Authority on LED Light Conversion.

Supervisor Hartman introduced Mr. Crimi and stated that NY Power Authority conducted a Bill analysis at the Town’s request to convert street lights to LED which will and should produce significant savings for residents.

Mr. Crimi began by explaining that the bill analysis was performed by evaluating the Town’s lighting and utility invoices, comparing current cost and tariff cost to the cost that would apply if the towns system was changed. Mr. Crimi described two components that the utility company charges for; one being electricity the second a facilities maintenance charge. He explained conversion to LED would significantly reduce the facilities charges. All towns are charged for electricity of street lights, but also get charged for facilities maintenance charge. Mr. Crimi broke this down explaining estimated energy costs drop from about \$25,000 a year to \$8,000. Facilities charge is reduced from \$30,000 to \$2,500. Long term annual cost of towns lighting bill would be about \$39,000. Purchasing would cost about \$125,000 to be paid back over five years.

Supervisor Hartman discussed the savings being used towards pay back rather than having up front costs. Mr. Crimi replied the Power Authority carries cost for design through construction. Along with purchase and installation of materials until the end of the project. Supervisor Hartman asked for an explanation on maintenance contracts. Mr. Crimi responded with options; Town does work themselves; Town hires a 3<sup>rd</sup> party. Supervisor Hartman stated that the Erie County Supervisors Forum is working on intermunicipal agreements to add further savings. Mr. Crimi stated this is possible as the Power Authority is currently working on aggregated projects in other counties. He also mentioned the third option of RFP of statewide services. Supervisor Hartman said this could work if other towns are not as far along in the program. Ron Maggs inquired about maintenance charges and costs. Mr. Crimi. conservatively estimated a \$6,000 in maintenance costs and the lights have a 10-year warranty.

Karl Simmeth, Community Liaison from Assemblyman DiPietro’s office, talked about intermunicipal agreements and asked who was responsible for the pole and arm. Mr. Crimi stated the Town owns the arm, bulb and wiring from the fuse up and the pole and wiring from the fuse down is owned by the utility company.

Supervisor Hartman asked about the timeline, next steps and design. Mr. Crimi responded that the next step is to request a purchase agreement, get agreement signed and send to PSC for a 60-day review. The design period can begin at that time. Design portion has huge benefits by updating light accuracy and guides the proper lights to be located where needed.

Supervisor Hartman thanked Mr. Crimi and asked if there were any other questions. There were none.

**Adjournment:**

**MOTION** was made by Supervisor Hartman to adjourn the Work Session and go to Executive Session; seconded by Councilperson Wilhelm All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman adjourned the Work Session Meeting of the Eden Town Board at 7:59 P.M.

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**Executive Session:**

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 8:45 P.M.

Respectfully submitted by,

Shannon Sam  
Deputy Town Clerk