

February 13, 2019

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
February 13, 2019
7:00 P.M.**

TOWN BOARD MEMBERS PRESENT:

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

DEPARTMENT HEADS PRESENT:

Ronald Maggs	-	Superintendent of Highways
Michael Felschow	-	Chief of Police
Rick Kirst	-	East Eden Fire Chief
Amy Porter	-	Recreation Director
Jesse Baker	-	Code Enforcement Officer
Ray Zabron	-	Dog Control Officer

OTHERS PRESENT:

William Trask	-	Town Attorney
Emily Hawkins	-	Town Clerk
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 January 2019; Marilyn Salzman, Paul Cotton, Jeanne Norton, Dolores Knoll, Arthur Smith, Roberta DeBon-Nasca, Florence Smith, and Shari Mosher.

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of January 9, 2019 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 January 9, 2019; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of January 23, 2019 as presented; seconded by Councilperson Sam; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of January 23, 2019; there were none.

Petitions:

There were none.

Public Comment on Agenda Items Only:

There were none.

Budget Transfers/Amendments:

Supervisor Hartman read the following Budget Transfers/Amendments:

For December 31, 2018

From Account	To Account	Reason for Amendment	Amount
A1990.4 Contingent Fund	A1680.4 Central Data Processing	End of Year Forms	\$160.00
A5010.1 Highway Supt - Personal	A5010.4 Highway Supt- Contractual	Budget Adjustment	\$1.00
A1440.4 Engineering - Contractual	A1440.401 Engineering	Account Distribution of Engineering Services	\$530.00
A899.1 Reserve - EMS	A4540.4 Ambulance Contractual	Use of Reserve for Repair 806	\$1,800.00

MOTION was made by Councilperson Ventry to approve the December Budget Transfers/Amendments as presented; seconded by Supervisor Hartman; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

For February 13, 2019

D878.2 Capital Reserve-Hwy Equip	D5130.2 Machinery Equipment	Use of Reserve for Mack/Mainline Truck	\$96,076.44
SW8320.4 Water - Contractual	SW9710.6 Bond Principal	WD#4 Bond Principal for Shadagee Phase II & Violet St	\$1,688.45
SW8320.4 Water - Contractual	SW9710.7 Bond Interest	WD#4 Bond Interest for Shadagee Phase II & Violet St	\$1,566.36
SW9710.651 Bond Principal WD#5	SW9950.9 Transfer Out to Capital	Transfer for 2019 BAN Principal Payment	\$40,000.00
SW.884.1 Reserve for Debt WD#5	SW9950.9 Transfer Out to Capital	Use of Reserve for Debt to Pay Down Principal for WD#5	\$165,000.00
SW9710.7 Bond Debt Interest	SW9730.7 BAN Interest	Reclassify Bond Debt Interest to BAN Interest	\$202,236.67
SW917 Water Fund Balance	SW9950.9 Transfer Out to Capital	Violet Tank Dome Principal Payment	\$10,000.00
SW917 Water Fund Balance	SW9730.7 BAN Interest	Violet Tank Dome Interest Payment	\$8,227.08

MOTION was made by Councilperson Wilhelm to approve the February 2019 Budget Transfers/Amendments as presented; seconded by Councilperson Ventry; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Additional Encumbrances/Assignments			
A1355.4	Assessors- Contractual	Desk	\$718.99
A3620.4	Safety Inspection - Contractual	Custom File Dividers	\$800.00
A4540.4	Ambulance - Contractual	D&W Diesel -Repairs to 806	\$1,884.63
A7110.4	Parks & Grounds - Contractual	Repair of Recreation Maintenance Pickup Truck M12	\$3,500.00

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MOTION was made by Supervisor Hartman to approve the additional encumbrances and assignments as presented; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? - None; Abstain? - None; Motion carried.

Audit Bills:

Supervisor Hartman noted an addition to the audit of bills for her travel and per diem expenses for her trip to Albany this week in the amount of \$455.72 (voucher #92 listed below).

2019 Payables

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	933-953	\$22,782.25
Highway Dept. Fund	358-360	\$6,608.71
Fire Dept. Fund	307-318	\$4,493.81
Recreation Dept. Fund	183-185	\$290.49
Refuse and Garbage Fund	-	-
Street Lights Fund	35-36	\$1,056.59
Water Fund	32-33	\$685.94
Capital Fund H8320.407	15	\$1,665.20

2019

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	18-92	\$51,730.80
Highway Dept. Fund	7-35	\$126,436.31
Fire Dept. Fund	4-22	\$6,139.16
Recreation Dept. Fund	4-11	\$2,210.81
Refuse and Garbage Fund	1-4	\$44,058.83
Street Lights Fund	1	\$5,021.56
Water Fund	--	--
Trust & Agency Fund	--	--
Capital Fund H8230.405 H8320.406 H8302.407	--	--
Community Development	--	--

MOTION was made by Supervisor Hartman 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 January 2019 were presented by Supervisor Hartman for Joe Hart, Eden Fire Chief; Rick Kirst, East Eden Fire; Michael Felschow, Eden Police Chief; Ray Zabron, Dog Control Officer; Ronald Maggs, Superintendent of Highways; William Trask, Town Attorney; Emily Hawkins, Town Clerk; Jesse Baker, Code Enforcement Officer; Amy Porter, Recreation Director; and Supervisor Hartman for Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Rick Kirst, East Eden Fire Chief noted that Engine 3 was back in service and the generator has been repaired and is working.

Amy Porter, Recreation Director, announced the following upcoming events:

- Youth Activity Night – Friday, March 1 @ Eden High School 6:30-9PM for students in grades 6-8
- Friday Night Family Swim – Friday February 5th 6:30-8:30 – High School
- Winter Kickball Tournament – March 9, 2019
- Summer Employment Applications: available online

Public Comment on Agenda Items Only: There were none.

New and Unfinished Business:

1. Conservation Board Re-Appointments:

MOTION was made by Supervisor Hartman to appoint Lamont Beers to Conservation Board Chairman for a 1-year term and Alan Silver to the Conservation Board for a 2-year term; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2. Planning Board Appointment:

To: Melissa Hartman, Supervisor and the Eden Town Board
From: William Mahoney - Eden Planning Board Chairman
Date: 2/7/2019
Re: Recommendation for appointment

On January 23, 2019 interviews were held for 1 alternate position vacancy on the Eden Planning Board by a committee. All the candidates that were interviewed had exceptional qualifications, this was not an easy decision.

The Planning Board would like to hereby recommend that the Town Board favorably consider appointing Ms. Bethany Fancher-Herbert to the position of alternate member of the Eden Planning Board for a 1 - year term.

Bethany Fancher-Herbert - Alternate position 1 - year term

MOTION was made by Supervisor Hartman to appoint Bethany Fancher-Herbert to the position of alternate member of the Eden Planning Board for a 1-year term; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Councilperson Wilhelm noted that all of the candidates that were interviewed had exceptional qualifications and backgrounds and would be interested to volunteer in other committees or boards.

3. 2019 Recreation Fees for Summer Recreation and Swim Programs:

Supervisor Hartman noted that the Summer Recreation Program costs the Town around \$299 a year per child and with the unfunded State mandates of the minimum wage increase that number continues to rise every year. Similar programs in neighboring towns cost participants around \$250 or above and Eden has remained under that amount. In order for Eden to sustain the program it is necessary that the cost to participants increases yearly. The program is important and the Town would like to keep it as part of their Recreation Department. Other Town’s in Erie County such as Boston, Elma, Marilla, and Wales have turned their programs over to the Boys and Girls Club.

Supervisor Hartman read the following Recreation Fees for 2019:

Recreation Fees	2018	2019
Program		
Summer Recreation camp	5 1/2 weeks	4 1/2 weeks
First child	\$65.00	\$95.00
Additional Children	\$45.00	\$85.00
Family Maximum	\$155.00	\$265.00
Non- resident fee	\$100.00	\$200.00
Mini day camp		
M-W-F	\$25.00	\$50.00
T-TH	\$20.00	\$40.00
Swimming Program		
Resident Swim Lessons	\$25.00	\$50.00
Non- Resident Swim Lessons	\$50.00	\$100.00
Resident Family Swim Lesson Maximum	\$75.00	\$150.00
Non- Resident Family Swim Lesson Maximum	\$110.00	\$300.00
Resident Individual Passes	\$35.00	\$45.00
Non-Resident Individual Passes	\$50.00	\$70.00
Resident Family Passes	\$75.00	\$135.00
Non-Resident Family Passes	\$105.00	\$210.00
Resident and Non-Resident Toddler Swim	\$20.00	\$30.00
Resident Lap Swim	\$20.00	\$40.00
Non-Resident Lap Swim	\$30.00	\$50.00
Resident Daily Pass Registration	\$5.00	\$7.00
Non-Resident Daily Pass Registration	\$10.00	\$12.00
Day Pass Return Swimmer	\$1.50	\$3.00

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

4. Amend Action from January 9, 2019 to State Change in Travel Dates to Association of Towns Annual Conference:

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On January 9th, it was approved for Teresa Baskerville and Michael Cooper to attend training from February 17th-19th. It has been requested to amend the end training/traveling date from February 19th to February 20th. They will be attending the Association of Towns 2019 Training School and Annual meeting in New York City.

MOTION was made by Supervisor Hartman amend the action from January 9, 2019 to change the travel dates to February 17th-20th for Teresa Baskerville and Michael Cooper to attend the Association of Towns 2019 Meeting; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – Councilperson Ventry; Abstain? – None; Motion carried.

5. Resignation of Part Time Police Officer – Matthew Cross:

January 29, 2019

Chief Michael Felschow
Eden Police Department
2795 E. Church St
Eden Ny, 14057

Dear Chief Felschow,

I must regretfully inform you that due to my probationary hire status with the Buffalo Police Department, I must resign my part time police officer position with the Eden Police Department. I am very grateful for the opportunity you have given me, and hope that once probation is over, you will consider me for reappointment. Thank you again sir.

Respectfully submitted,
Matthew Cross, Badge #44

The Town Board acknowledged the resignation of part-time police officer Matthew Cross with gratitude for his service.

6. Appoint Part-Time Police Officer Corey Sauberan:

MOTION was made by Supervisor Hartman to appoint Corey Sauberan as part-time police officer at a rate of pay of \$22.00 per hour; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

7. Declare Electronics Surplus:

The following list of items was declared as electronics surplus and will be recycled by Sunnking, Inc.:

THE FOLLOWING ITEMS ARE RECOMMENDED TO BE DECLARED AS ELECTRONICS SURPLUS ON 2/13/2019	
COMPAQ MV740 COMPUTER MONITOR	037C811TB926
HP MONITOR	CN13241919
GATEWAY MONITOR	BEJCB775B
DELL MONITOR	46633-556-5L4L
COMPAQ PRESARIO 5000 TOWER	174971-005
GATEWAY TOWER	10799712
DTK KEEN 2530 TOWER	89000676
HP TOWER	US21516118
APC PRO 650 TOWER	NB9923320680
DELL TOWER	8692TFDGXY2WQXY
KINGS PAO TOWER	92-01-L24068
DELL TOWER	00019-062-828-506
GATEWAY TOWER	18436804
Police - Property of Erie County (return to CPS)	
GATEWAY TOWER	14961426
GATEWAY TOWER	14616185
UNISYS TOWER	466579620
DTK PEER 2032 TOWER	F825K4PEER2032
J&J COMP TOWER	6444
GATEWAY KEYBOARD	Q9175A0283
GATEWAY KEYBOARD	B344128
GATEWAY KEYBOARD	B343166
COMPAQ KEYBOARD	B354ALQOAJMB7Q
HP KEYBOARD	1L00107894B
DELL KEYBOARD	92D-034J-A01
DELL KEYBOARD	37172-52M-042H
PICTAPHONE	551952
IBM	AN095A8530286
HP SCANNER	CN13W20261

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MOTION was made by Supervisor Hartman to declare the electronics surplus as presented; Seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

8. 2019 Burglar/Fire Alarm Agreement with Town of Hamburg:

MOTION was made by Supervisor Hartman to approve the agreement between the East Eden Fire Department and the Hamburg Police Department for surveillance of the fire/burglary alarm system; seconded by Councilperson Byrnes; All - “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

9. Resolution Requesting AIMS Funding Restored into 2020 Budget:

Supervisor Hartman read the following Resolution:

PROPOSED Resolution Opposing the Elimination of AIM Funding

WHEREAS Governor’s Cuomo’s proposed 2020 NYS Budget includes unprecedented cuts to unrestricted State Revenue Sharing program known as Aid and Incentives to Municipalities (AIM) in the amount of 49 million for all municipalities in the State of New York, effectivity eliminating the program, and

WHEREAS this proposed cut would result in a loss of \$42,127 from the Town of Eden’s general budget, and

WHEREAS, funding has not been increased in the last several years as unfunded mandates and cost of Town and Village services have risen, and

WHEREAS, if these cuts go through, a shocking 91% of Towns and Villages will permanently lose their AIM funding, and

WHEREAS, incentives for shared services, consolidation, and infrastructure remediation directed by consent orders in no way replace the needed financial assistance to fund and manage the increasing costs of day to day services and capital projects needed in sustainable Town and Village planning and management, and

WHEREAS, the proposal to eliminate AIM funding unfairly punishes State residents, making financial planning aligned with the NYS Tax Cap virtually impossible and

WHEREAS, the Governor is proposing to make the Tax Cap permanent, discontinue the \$65 Million in Extreme Winter Recovery Program and proposes no increase for CHIPs funding, for which there has been widespread vocal support, and

WHEREAS, the proposal to eliminate AIM funding is not proactive, but a method to cut a small percent from the State Budget, yet a significant amount of revenue to Town and Village budgets.

NOW, THEREFORE, BE IT RESOLVED: The Town of Eden strongly opposes the elimination of AIM funding, and

FURTHER RESOLVED, the AIM funding benefits all of our residents not only in the Town of Eden but throughout New York State and eliminating it could result in reduction of services, program cuts and layoffs. Every dollar that the State shared is a dollar that doesn’t have to be levied on backs of local taxpayers, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Senator Patrick Gallivan, Honorable Assemblyman David DiPietro, Honorable Legislature John Mills and Erie County Executive Mark Poloncarz.

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

MOTION was made by Supervisor Hartman to close the regular meeting of the Eden Town Board and Open the Public Hearing for Local Law 1-2019 Amending the Schedule of Fees; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

Supervisor Hartman opened the Public Hearing at 7:31 p.m.

**LEGAL NOTICE
TOWN OF EDEN, NEW YORK
NOTICE OF PUBLIC HEARING**

February 13, 2019

Pursuant to resolution of the Town Board of the Town of Eden, New York, notice is hereby given that the following public hearings will be held by the Eden Town Board in the Eden Town Hall, 2795 East Church Street, Eden, New York on the 13th day of February, 2019:

1. At 7:30 P.M. Local Time, for the purpose of considering Proposed Local Law No.1-2019 – An amendment to Chapter 108 of the code of the Town of Eden – amending Section 108-3, being the “Town of Eden Standard Schedule of Fees.”

Copies of the proposed local law are available for review in the office of the Town Clerk. All interested parties will be given an opportunity to be heard.

Supervisor Hartman stated that over the last two years the Planning Board, Zoning Board, Engineers, and others have been working on the up-dated fee schedule. These up-dates include increases and decreases in fees and additions to the existing schedule (solar).

Supervisor Hartman noted some corrections:

- Solar under Section G refers to a building permit and will be corrected to a Unified Solar Permit of \$75.00
- Under Minor Sub-Division Final Plat - \$500 + \$20 per lot will include the public hearing fee

Supervisor Hartman asked if there was anyone desiring to be heard.

Glenn McLaughlin asked if these changes would make Eden more in line with surrounding Towns to which Supervisor Hartman replied yes. He also asked if these changes would make Eden more appealing for outside businesses to come in. Supervisor Hartman responded that this schedule is more of an examination of the cost to the Town to ensure that they are in line with actual work we are doing or contracting out to our engineers.

Supervisor Hartman stated that there are other up-dates going on in order to make us more desirable for people to come into town. Councilperson Wilhelm added that the Town is working on implementing form-based zoning which will simply it for building or contractors to come in.

MOTION was made by Supervisor Hartman to close the Public Hearing and open the regular meeting; seconded by Councilperson Sam; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

All persons having been heard, desiring to be heard, Supervisor Hartman closed the Public Hearing at 7:36 p.m.

10. Approve Local Law 1-2019; amending the Code of the Town of Eden, chapter 108 – Standard Schedule of Fees Law:

**DRAFT
TOWN OF EDEN
PROPOSED LOCAL LAW NO. 1-2019**

**A Local Law Amending the Code of the Town of Eden
Chapter 108 – Standard Schedule of Fees Law**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EDEN AS FOLLOWS:

SECTION 108-3 Town of Eden Standard Schedule of Fees shall be amended as follows:

1. **Eliminate the existing A. Residential and add the following:**

A. Residential Permits

Detached one and two-family dwellings:	\$100.00 plus \$.25 per square foot of construction, including attached garages, porches and decks.
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All other residential dwellings (Apartments)	\$100.00 plus \$.20 per square foot of construction, including attached garages, porches and decks.
Dwelling Addition Permit	\$.25 per square foot of construction.
Accessory Buildings such as Garages, Barns and Sheds	\$.25 per square foot of construction
Accessory Structures such as Decks, Porches, TV Dishes, etc.	\$ 75.00
Alterations and Repairs	\$50 minimum/ \$.25 per square foot
Demolition	\$50.00 plus \$100.00 per 1000 square feet
Fence	\$ 50.00
Fireplace/Stove Permit	\$ 50.00 (Included with new dwelling Building permit.) Certificate of Compliance
	Required.
Swimming Pool Permit	\$ 50.00 above ground \$150.00 in ground (includes fence permit)
Pond Permit	\$250.00 (includes site plan review)
Certificate of Occupancy	No charge with unexpired building Permit. \$50.00 for expired permit or Moving in without Certificate of Occupancy.
Temporary Certificate of Occupancy	\$50.00
Certificate of Compliance	No Charge with expired permit (for Demolition, fences, swimming pools, etc. and accessory buildings)
Mobile Home Parks	\$ 10.00 per mobile home lot for initial license and annual renewal thereafter. \$100.00 per each new mobile home or replacement
<u>Recreation Fees</u>	
Major Subdivisions	\$750 per new dwelling unit payable upon final subdivision approval per the Sub-division Law.

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Minor Subdivisions	\$750 per new dwelling unit payable upon building Permit Approval
Duplexes	\$750 per new dwelling unit payable upon approval of Application
Multiple Dwellings (Conventional & Townhouse)	\$750 per new dwelling unit payable upon approval of Application
Cluster Development	\$750 per new dwelling unit, payable upon project Approval.
Mobile Home Park Unit,	\$750 per new Mobile Home Dwelling payable upon Project Approval.

2. Eliminate the existing B. BUSINESS/COMMERCIAL PERMITS and add the following:

B. BUSINESS/COMERCIAL PERMITS

Business/Commercial	\$100.00 plus \$.35 per square foot of construction
Additions	\$.35 per square foot of construction
Alterations/Repairs	\$75.00 minimum \$.35 per square foot
Accessory Structures	\$.30 per square foot of construction
Demolition	\$.20 per square foot construction
Agricultural Structures	\$.10 per square foot – Minimum of \$100
Certificate of Occupancy review	No charge with unexpired permit. \$50.00 for expired permit, site plan or special permit approval.
Sign Permits	\$ 75.00
Operating Permits	\$ 50.00
Special Use Permit or Zoning Amendment Hearing	\$250.00 – Includes Advertisement of Legal Notice by Town Board
Temporary Trailer Permit	\$ 25.00
Town Board Special Use Permit Renewal	\$ 100.00 Annually

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Tower Special Permit services	\$5,000.00 – plus reasonable costs of Engineering and/or other consultant required by the Town to assist it in reviewing and analyzing material and information submitted relative to the application.
Tower Co-Location Permit	\$1000.00 – Includes antenna, equipment box, fencing.
Zoning Board of Appeals notice.	\$250.00 – Includes advertising legal
Planning Board notice.	\$250.00 – Includes advertising legal
Posters for Notice	\$ 5.00 each
Assessors Search Fee for Special Use Permit Hearings or Zoning Board Hearings	\$ 35.00 for General Business, Office Business, General Industrial, Local Business, Hamlet Residential and Suburban Residential Districts. \$ 15.00 for all other zoned areas.
Copies of Maps	\$.50 Small Maps - \$1.00 Large Maps
<u>Police Department Fees:</u>	
Accident Reports	\$ 5.00 per report
Police Reports	\$ 5.00 per report
Photograph Copies	\$ 1.00 per photo
Transcripts	\$20.00 plus \$1.00 per page
<u>Highway Department Fees:</u>	
Highway Right-of-Way Permit	\$75.00 plus costs for labor/inspections
Highway Drainage Enclosure Permit	\$30.00

3. Eliminate the existing C. SUBDIVISION FEES and add the following:

C. SUBDIVISION FEES

(d) The developer should note that additional inspection deposits may be required by outside agencies such as the Erie County Sewer District. The affected agency should be consulted to determine its costs.

4. Eliminate the existing D. SITE PLAN REVIEW FEES and add the following:

D. Site Plan Review Fees:

<u>Site Plan Waiver Fees</u>	\$150.00
<u>Number of Improved Acres</u>	
Less than 1 acre	\$250.00
1 acre to less than 2 acres	\$500.00
2 acres to less than 3 acres	\$750.00
3 acres to less than 4 acres	\$1000.00
4 acres to less than 5 acres	\$1500.00
5 acres to less than 6 acres	\$2000.00
Over 6 acres	\$2500.00

- (1) Site plan review fees apply to all uses requiring Site Plan Review.
- (2) This review fee includes two submittals and shall be paid at the time of initial submittal. If the plans cannot be approved in the second submittal because they are incomplete or Town specifications are not being followed, one-half the review fee will be charged for each subsequent submittal.
- (3) For construction in districts without sewer, a \$.025 per \$100 of construction value shall be applied.

E. SEQR Fees:

(1) SEQR reviews: reimbursement to the Town for any SEQR costs incurred. Estimates will be provided at the time of application.

F. Stormwater pollution prevention plans and site inspection fees.

- (1) Single phase residential and commercial development projects.
 - (a) If design is in conformance with New York State Design Manuals:

Number of Acres SWPPP Design Plan	Construction	Total
Review Fee	Inspection Fee	
Less than 5 acres	\$300	\$500
\$800		
5 acres to 10 acres	\$500	\$700
\$1150		
Over 10 acres	\$500 plus \$100 for each additional 5 acres or portion thereof	\$700 plus \$200 for each additional 5 acres or portion there

- (b) If design is not conformance with New York State Design Manuals:

Number of Acres SWPPP Design Plan	Construction	Total
Review Fee	Inspection Fee	
Less than 5 acres	\$600	\$500
\$1100		

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\$1450	5 acres to 10 acres	\$750	\$700
	Over 10 acres	\$750 plus \$100 for each additional 5 acres or portion thereof	\$700 plus \$200 for each additional 5 acres or portion thereof

(2) Multiphase residential and commercial development projects.

- (a) When the entire project is first being reviewed and approved by the municipality, use the single phase residential and commercial development project schedule above to determine an initial fee based on the entire acreage of the project to be developed in several phases.**
- (b) Add \$500 for each subsequent phase after the first initial phase, to be collected at the beginning of the development of each subsequent phase. This additional \$500 is to be used for construction inspection assuming that the SWPPP and design plans do not change.**

Note: These fees are in addition to the existing site plan or subdivision review/application fee.

G. Solar Permitting

(1) Building, Roof and Ground Mounted Solar Photovoltaic Systems:

- (a) A NY State Unified Solar Permit (\$75.00) shall be required for the installation of all roof and building mounted SPSs and ground mounted systems for small-scale residential use.**
- (b) All review and permitting for roof, building and ground mounted systems shall be the responsibility of the Town of Eden Code Enforcement Officer.**
- (c) Any post construction changes to any small-scale roof, building and ground mounted SPS will require review and approval by the Town of Eden Code Enforcement Officer.**

(2) Utility Scale Solar Photovoltaic Systems:

- (a) In addition to a NY State Unified Solar Permit (\$75), all utility scale SPSs shall require the issuance of a special use permit approval from the Eden Town Board. The Town Board shall refer all special use permit applications to the Planning Board and Code Enforcement Office for review and recommendations prior to the issuance of the site plan approval and the special use permit.**

(3) Applicability:

- (a) Two types of ground mounted SPSs are addressed herein:**
 - (i) SPS Type 1 – A utility (large) scale system designed for the generation of power supplied for commercial use and/or to the public grid by way of a net metering agreement;**
 - (ii) SPS Type 2 – A small scale system designed to generate power for a single residence or property owner. A Type 2 system shall be permitted to supply power to the local utility grid, on a limited basis, by way of a net metering agreement at no greater than 110% of.**

H. Dog licensing and dog control fees. The Town Board shall, by resolution, from time to time establish the schedule of fees it shall deem necessary and appropriate for the proper administration of its dog licensing and dog control program, and hereby authorizes the Town Clerk to collect and remit such fees consistent with the requirements of article 7 of the Agriculture and Markets Law of the State of New York.

I. Fire prevention and Safety Inspections.

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Type of Building:	Fee
Public assembly buildings	\$75
Buildings used as dormitories	\$75
Multiple dwellings/nonresidential structures	\$75

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

MOTION was made by Supervisor Hartman to approve Local Law 1-2019, amending the Schedule of Fees; seconded by Councilperson Ventry; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

11. Approve Grant Admin for NYS Main Street Grant:

Supervisor Hartman stated that the Town sent out several requests for proposal and received one proposal back from Alma Brown at Clinton Brown Architecture. The Town then sought additional RFP’s from other businesses and extended the deadline in hopes to receive more responses however no others were received.

Alma Brown has worked with many towns as the Main Street Grant administrator and she put in a proposal for expenses not to exceed \$22,500 which is the amount that is allotted through the grant funding.

There will be two meetings for business owners in the area approved for grant funding:
-March 7th at 6:00 pm
-March 12th at 9:00 am
-Location: upstairs conference room at the Town Hall

Letters with information will be going out to any business that is in the are that qualifies for the grant funding.

MOTION was made by Supervisor Hartman to approve Clinton Brown Architecture and Alma Brown as Grant Administrator for the NYS Main Street Grant in an amount not to exceed \$22,500; seconded by Councilperson Sam; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

12. Resolution approving Pro-flex HRA Plan/Summary Plan:

Supervisor Hartman read the following Resolution:

CERTIFICATE OF RESOLUTION

The undersigned authorized representative of **Town of Eden** (the Employer) hereby certifies that the following resolutions were duly adopted by the governing body of the Employer on _____, and that such resolutions have not been modified or rescinded as of the date hereof:

RESOLVED, that the form of Welfare Benefit Plan, effective January 01, 2019, presented to this meeting (and a copy of which is attached hereto) is hereby approved and adopted, and that the proper agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of said Plan one or more counterparts of the Plan.

RESOLVED, that the Administrator shall be instructed to take such actions that the Administrator deems necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures for the provision of benefits under the Plan.

RESOLVED, that the proper agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Plan and to deliver to each employee a copy of the Summary Plan Description of the Plan, which Summary Plan Description is attached hereto and is hereby approved.

The undersigned further certifies that attached hereto as Exhibits, are true copies of Town of Eden's Benefit Plan Document and Summary Plan Description approved and adopted at this meeting.

February 13, 2019

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

Supervisor’s Report:

- Thank you to the Highway Department and Police Department for their actions during the blizzard like conditions Eden experienced in January. Highway cleared roads and there were no major incidents.
- Eden declared a State of Emergency in order to enact a travel ban
- Trip to Albany was successful
 - Discussed restoring and increasing AIM funding
 - School Resource Officer funding – discussed permanent funding – Senator Gallivan will assist Eden in securing future funding.
 - Discussed the possible permanent tax cap which does not provide for unfunded mandates and infrastructure costs
 - Agriculture funding – relatively new, getting more information
 - Broadband Access – Streets in Eden still do not have internet access which is unacceptable in 2019

Councilperson Wilhelm:

- Planning Board has met with the consultants and plan implementation committee and is on board with the form-based zoning
- Library statistics for 2019 were read

Hearing of Visitors: There were none.

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 7:58 P.M.

Executive Session (personnel and contractual discussion):

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 9:35 P.M.

Respectfully submitted by,

Emily Hawkins, Town Clerk