

March 13, 2019

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
March 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
Joe Hart - Eden Fire Chief
Robert Pietrocario - Chairman, Board of Assessors
Amy Porter - Recreation Director
Jesse Baker - Code Enforcement Officer

OTHERS PRESENT:

William Trask - Town Attorney
Emily Hawkins - Town Clerk
Marlene Grunder - 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 February 2019; Elizabeth Hine, Kurt Wittenbrink, and Edwin Schunk.

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of February 13, 2019 as presented; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of February 13, 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
A7140.1 Playgrounds & Rec Center	A7110.4 Parks & Grounds	For year end Encumbrances	\$3,000.00

March 13, 2019

Personal	Contractual		
A7140.1 Playgrounds & Rec Center	A7140.4 Playgrounds & Rec Center	For year end Encumbrances	\$1,000.00
Personal	Contractual		
A3620.1 Safety Inspection - Personal	A1220.1 Supervisor - Personal	Redistribution of Clerk Time Summer	\$562.00
A3989.1 Other Public Safety - Personal	A3989.4 Other Public Safety - Contractual	Correct Account Dist of Director Stipend	\$1,500.00
A9045.8 Life Insurance	A9040.8 Worker's Comp Insurance	Overbudget	\$43.00
A899.1 Reserve - EMS	A4540.2 Ambulance - Equipment	Use of Reserve for Balance of Roof Project	\$2,007.00
A899.1 Reserve - EMS	A4540.4 Ambulance - Contractual	Use of Reserve for Payables	\$15,203.00
SF915.3 Assigned Gear	SF3410.2 Fire -Equipment	Use of Assigned for Gear for Payable & Encumbrance	\$8,555.00

Additional Encumbrances/Assignments for 2018

D5130.4	Machinery Contractual	Shop Supplies	\$264.78
A3120.4	Police - Contractual	Lakeshore Embroidery - Dispatcher Shirts	\$217.00

Councilperson Wilhelm asked what encumbrances for the first two line items for Recreation were for. Lisa Winter replied that they were the last of the transfers for encumbrances from 2018 that were previously approved by the Board.

MOTION was made by Supervisor Hartman to approve the December Budget Transfers/Amendments and additional Encumbrances/Assignments for 2018 as presented; seconded by Councilperson Sam; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

For March 2019

A2170 Community Development Income	A6989.4 Other Economic Assistance Contractual	Grant for Administration of Main Street Grant	\$9,000.00
A6989.4 Other Economic Assistance	A8010.4 Zoning - Contractual	Implementation of Form Based Zoning	\$19,000.00

MOTION was made by Supervisor Hartman to approve the March 2019 Budget Transfers/Amendments as presented; seconded by Councilperson Wilhelm; All "Ayes"; Opposed? - None; Abstain? - None; Motion carried.

Audit Bills:

2019 Payables

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	954-959	\$29,457.50
Fire Dept. Fund	319	\$31,697.65

2019

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	93-175	\$119,851.52
Highway Dept. Fund	36-73	\$60,739.45
Fire Dept. Fund	23-57	\$36,350.07
Recreation Dept. Fund	12-24	\$3,745.70
Refuse and Garbage Fund	5-7	\$44,254.51
Street Lights Fund	2-4	\$5,551.04
Water Fund	1-11	\$97,208.04
Capital Fund H8230.405	1-2	\$7,901.30

March 13, 2019

H8320.406	1-2	\$1,789.66
H8302.407	1-3	\$1,264.52

Councilperson Wilhelm asked what the purchase of \$236.95 to Goalie Monkey was for. Amy Porter responded it was for the hockey nets for the ice rink.

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 February 2019 were presented by Joe Hart, Eden Fire Chief; Rick Kirst, East Eden Fire Chief; Michael Felschow, Eden Police Chief; Supervisor Hartman for 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 Robert Pietrocarlo, Chairman Board of Assessors. All reports are on file in the Town Clerk’s office.

Public Comment on Agenda Items Only: There were none.

New and Unfinished Business:

1. Appoint Nicholas Blaszc as Sergeant:

Chief Felschow recommended to the Board that Officer Nicholas Blaszc be appointed to Sergeant. Supervisor Hartman thanked Officer Blaszc for his service to the Town of Eden and his involvement in the Town being named 23rd safest town in the nation and 5th safest in New York State. Chief Felschow stated that Officer Blaszc fits the mold of what it means to be a police officer and does his job. Officer Blaszc thanked the Town Board, Chief Felschow, and the community members that came to show their support.

MOTION was made by Supervisor Hartman to appoint Nicholas Blaszc as Sergeant; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2. Resolution for Environmental Protection Fund grant for Bley Street Mill Park Study:

Supervisor Hartman read the following Resolution regarding the Bley Street Mill Park Study which will give the Town a better understanding of future use:

RESOLVED, that the Town of Eden applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under the Environmental Protection Fund Grant Program for Parks, Preservation and Heritage for the purpose of funding the Bley Street Mill Park Project.

RESOLVED, that the Town of Eden is authorized and directed to accept these grant funds in an amount not to exceed \$20,000.00 for the project described in the grant application;

RESOLVED, that the Town of Eden is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such Bley Street Mill Park Project.

RESOLVED, that the Town of Eden is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any required deed of easement to the individual who holds the following elected or appointed municipal office and employment position title: Town of Eden Supervisor.

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

3. Solarize Partnership Agreement:

Supervisor Hartman stated that the Solarize Partnership Agreement is an agreement with surrounding communities to bring low cost solar program options to our Town. Councilperson

Byrnes is leading the project and will host a public information night for any residents interested in solar power options.

MOTION was made by Councilperson Ventry to approve the Solarize Partnership Agreement and allow Supervisor Hartman to sign; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. Resolution for Community Development Block Grant Program;

Supervisor Hartman read the following Resolution:

WHEREAS, the Town of Eden is in need of funds for eligible programs under the Community Development Block Grant program, and
WHEREAS, the Town of Eden is desirous of obtaining financial assistance for these proposals, and
WHEREAS, it is in the public interest that the Town of Eden apply for such financial assistance from the community Development Block Grant program through the Erie County Department of Environment and Planning.
NOW, THEREFORE, BE IT
RESOLVED, that the Supervisor be and hereby is authorized and directed to file applications on the forms prescribed by the County of Erie for financial assistance in accordance with the provisions of the CDBG program and upon approval of said requests to enter into and execute an agreement with the County of Erie.
NOW, THEREFORE, BE IT FURTHER
RESOLVED, that 9723 New Oregon Road has been abandoned for 10+ years and has deteriorated to a point where the Town Building Inspector has deemed it unsafe to enter for danger of collapse and poses a health and safety hazard to surrounding residences and
RESOLVED, that the Town of Eden has designated as an area of “Spot Blight” as per HUD Community Development Block Grant criteria

Supervisor Hartman stated that this Resolution is for a property on New Oregon Rd. in need of demolishing; it is a zombie home that is falling down and is now a safety concern. The Town was able to secure funding with a grant through Erie County which will cover the expenses to demolish the property.

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

5. Contract Between Nick Miller and Town of Eden for IT Services:

Supervisor Hartman stated that Nick has been helping the Town with IT services for the last two years and has helped to increase the Town’s cyber security and technology.

MOTION was made by Supervisor Hartman to approve the contract between Nick Miller and the Town of Eden for IT Services; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

6. Eden Recreation Staff and Rate of Pay:

The Recreation Board submitted a request for approval for the below list of Recreation employees to be hired for various 2019 recreation programs.

2019	Employee	Rate
Supervision		
Summer Supervision	Tera Baker-Clerc	\$3200.00
Playground Leaders		
Elementary	Kevin Armbrust	\$13.00
Gorcica	Sharon Wright	\$13.00
Flower	Deanne Glendenning	\$13.00
Mini Camp/Arts & Crafts	Michelle Koszelak	\$12.25
Arts/Crafts Asst.	Maureen Bender	\$11.20
Arts/Crafts Asst.	Kelsey Pressing	\$11.20

March 13, 2019

Playground Assistants		
Elementary	Kaitlyn Greeley	\$11.20
Elementary	Mitchell Mason	\$11.35
Elementary	Brianna Keller	\$11.20
Elementary	Peter Brockman	\$11.20
Elementary	Lainey Overhoff	\$11.20
Elementary	Myles Kifner	\$11.20
Elementary	Sarah Bialy	\$11.10
Elementary	Alaina James	\$11.10
Elementary	Rachel Henning	\$11.10
Elementary	Aidan Johnson	\$11.10
Elementary/Alternate	Corbin Maggs	\$11.10
Elementary/Alternate	Lousis DeCarolis	\$11.10
Elementary/Alternate	Justin Reed	\$11.10
Elementary/Alternate	Danielle Thompson	\$11.10
Elementary/Alternate	Tess Ratajczak	\$11.10
Elementary/Alternate	Alex Overhoff	\$11.20
Elementary/Alternate	Sam LoTempio	\$11.10
Elementary/Alternate	Anthony Gombos	\$11.10
Elementary/Alternate	Grace Haier	\$11.10
Elementary/Alternate	Miles Coleman	\$11.10
Elementary/Alternate	Thomas Wahl	\$11.10
Elementary/Alternate	Gavin Musielak	\$11.10
Elementary/Alternate	Damien Edwards	\$11.10
Substitute Assistant	Heather Mardino	\$11.20
Substitute Assistant	Marlene Grunder	\$11.20
Gorcica	Zach DeCarolis	\$11.10
Gorcica	Casandria Keller	\$11.10
Flower	Sam Gaglione	\$11.20
Flower	Anne Brockman	\$11.20
Flower	Joshua Breeden	\$11.20
Mini Camp	Dawn Ovitt	\$11.20
Mini Camp	Caroline Winiecki	\$11.20
Mini Camp	Trent Laing	\$11.20
Tennis Leader	Bridget Bender	\$12.50
Assistant	Mary Kate Schmitz	\$11.10
Sports Camp Leader	Joe LoTempio	\$12.25
Assistant	Abby Puckhaber	\$11.20
Assistant	Brittaney Goodrich	\$11.20
Town Pool Staff		
Aquatics Director	Ivan Bitnun	\$4000.00
Head Lifeguard	Elizabeth Kisker	\$12.25
Lifeguard	Cara Hackford	\$11.35
Lifeguard	Camryn Klawon	\$11.20
Lifeguard	Aubree Gross	\$11.35
Lifeguard	Makayla Scheu	\$11.20
Head Instructor	Allision Winiecki	\$12.25
Instructor	Maggie Colligan	\$11.20
Instructor	Emily Nelson	\$11.20
Instructor	Ivy Schrecengost	\$11.20
Instructor	Caroline Szufliita	\$11.20
Instructor	Jacob Schupp	\$11.20
Pool C.I.T.	Brianna Johnson	\$11.10
Pool C.I.T.	Samantha Mason	\$11.10
Pool C.I.T.	Adam Dibble	\$11.10

March 13, 2019

Pool C.I.T.	Blake Colantino	\$11.20
Pool C.I.T.	Camile Profic	\$11.10
Alternate	Benjamin Kisker	\$11.10
Alternate	Caroline Coleman	\$11.10
Maintenance		
Assistant	Jason Porter	\$11.70
Assistant	Derek Reed	\$11.20
Assistant	Andrew Henry	\$11.20
Assistant	Carson Profic	\$11.20
Assistant as Needed	Trent Laing	\$11.20

MOTION was made by Councilperson Wilhelm to approve the list of Recreation employees for 2019; seconded by Councilperson Ventry; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

7. Contracting and Hosting Slow Roll Buffalo on June 28, 2019:

The Recreation Advisory Board requested the approval for contracting and hosting Slow Roll Buffalo on June 28, 2019 in Eden, NY.

Supervisor Hartman noted that the Town is working on a Special Events Permit as a way to notify different departments of events that will be happening in the Town as a way to ensure public safety of our residents.

Councilperson Ventry asked what the contracting and hosting entailed and Amy Porter replied that the contracting would be for \$2,000 payable to Slow Roll Buffalo and the remaining funds to host the event would be brought in through fundraising.

MOTION was made by Councilperson Wilhelm to approve the contracting and hosting of the Slow Roll on June 28, 2019; seconded by Supervisor Hartman; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

8. Acknowledge Special Use Permit Application for Eden Solar;

Supervisor Hartman acknowledged the receipt of the Special Use Permit Application for Eden Solar LLC located at 7501 Sisson Highway.

9. Resolution Declaring Lead Agency Status Under SEQRA and Setting Public Hearing:

Supervisor Hartman read the following Resolution:

**RESOLUTION OF THE EDEN TOWN BOARD
DECLARING LEAD AGENCY STATUS UNDER SEQRA
AND SETTING PUBLIC HEARING
(Proposed Local Law No. 2-2019; Flood Damage Prevention)**

WHEREAS the Town Board of the Town of Eden, Erie County, New York has been notified by New York State Department of Environmental Conservation of the need to enact a new local law to comply with the floodplain management requirements of the National Flood Insurance Program (NFIP) contained in 44 CFR 60.3 (b, c, d & e), in order to not jeopardize community eligibility for benefits under the NFIP, and

WHEREAS, in connection therewith, the Town Board seeks to commence proceedings pursuant to the requirements of the State Environmental Review Act (“SEQRA”), 6 NYCRR Part 617,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Eden hereby declares itself as “Lead Agency” for the purposes of compliance with SEQRA, 6 NYCRR Part 617 in connection with this project, and it is further

RESOLVED, that the Town Board shall undertake and complete all duties and obligations as “Lead Agency” as required by 6 NYCRR Part 617 and it is further

RESOLVED, that a public hearing on such local law is hereby scheduled for April 10, 2019 at 7:30 p.m. at a regular meeting of the Eden Town Board.

March 13, 2019

MOTION was made by Supervisor Hartman approve the Resolution as presented and set the public hearing to April 10, 2019; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? - None; Motion carried.

Supervisor’s Report:

- The Town of Eden recently went through a credit rating review and Eden’s credit rating was recently increased after only being established in 2016. This is credited to our Boards, finances, budgeting and the Town’s growth. Congratulations to everyone for that achievement
- Because of the great credit rating we have completed our bond sale after the completion of the water project. We received a very good interest rate.
- We had two successful informational meetings for the NYS Main Street Grant. There were about 13 businesses that came to learn about how they can be a part of the grant. Applications are due April 16, 2019 and questions can be brought to the Supervisor’s office.
- Legislative Up-dates – The Supervisor recently joined other Supervisors in Albany to lobby State Legislatures on two very important issues that affect the Town of Eden:
 - AIM Funding – Governor’s first proposed budget eliminated just over \$42,000 in funding for the Town of Eden. After it’s restoration the funding was then proposed to go directly to the County who would then distribute. The Senate and Assembly have both included in their one-house bills to restore Aim funding back into the budget as it was previously.
 - Permanent Tax Cap: While the Town supports the concept of a 2% tax cap, it is important that steps are taken to fix it before it becomes permanent. The Erie County Supervisors Forum is requesting that municipalities are treated the same as school districts and that capital improvements/infrastructure projects are removed from the tax cap calculation. By including capital expenditures, towns are forced to choose from not fixing crumbling infrastructure or drawing down essential reserves and fund balances that would put towns and villages in financial instability.

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 Ventry; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman adjourned the Regular Meeting of the Eden Town Board at 7:52 P.M.

Executive Session (personnel and contractual discussion):

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 9:20 P.M.

Respectfully submitted by,

Emily Hawkins, Town Clerk