

September 11, 2019

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
September 11, 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:

Jesse Baker - Code Enforcement Officer
Joe Hart - Eden Fire Chief
Rick Kirst - East Eden Fire Chief
Robert Pietrocarlo - Chairman Board of Assessors
Amy Porter - Recreation Director
Ray Zabron - Dog Control Officer

OTHERS PRESENT:

William Trask - Town Attorney
Emily Hawkins - Town Clerk
Lisa Winter - Bookkeeper
Marlene Grunder - Administrative Assistant
John J. Mills - Erie County Legislator

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 7:03 P.M.

Pledge of Allegiance

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of July 10, 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 July 10, 2019; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of August 14, 2019 as presented; seconded by Councilperson Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes of August 14, 2019; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of August 28, 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 August 28, 2019; there were none.

Petitions: There were none.

Budget Transfers/Amendments:

From Account	To Account	Reason for Amendment	Amount
SF915.3 Assigned Gear	SF3410.2 Fire-Equipment	Air Bottles - Eden	\$5,013.27

A882 Gen. Maintenance Reserve	A7410.2 Library Equipment	Use of Reserved Funds for Library Roof as per permissive referendum	\$32,950.00
A1990.4 Contingent Fund	A7410.2 Library-Equipment	Addition of Seamless 6" Gutters & Downspouts to Roof Project	\$1,900.00
A915.5 Assigned Recreation	A7140.4 Playgrounds and Rec Center Contractual	Use of Assigned Funds for Slow Roll	\$1,500.00
A915.5 Assigned Recreation	A7110.4 Parks & Ground – Contractual	Use of Assigned Funds for Truck Repair	\$3,500.00
A915.6 Assigned Non-Recreation	A3620.4 Safety Contractual	Use of Assigned funds for File Dividers for Bldg Dept.	\$800.00
A915.6 Assigned – Non Rec	A8540.4 Drainage - Contractual	Use of Assigned funds for Drainage Project 2018-3 & 2018-5	\$1,562.50
A2001 Parks & Recreation	A7140.4 Playground & Rec Centers	Revenue from Pedal Party of Offset Expense	\$4,179.00
A2170 Community Development Income	A6989.400 Other Economic Assistance	Draw from NY Main Street Grant	\$1,000.00

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

Audit Bills:

September 2019

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	559-631	\$86,744.67
Highway Dept. Fund	238-258	\$152,773.83
Fire Dept. Fund	189-212	\$19,778.62
Recreation Dept. Fund	117-130	\$3,581.43
Refuse and Garbage Fund	21-21	\$43,797.45
Street Lights Fund	20-22	\$4,629.24
Water Fund	33-39	\$1,928.96
Capital Fund H8230.405 H8320.406 H8302.407	No Activity No Activity No Activity	

MOTION was made by Councilperson Ventry to approve the Audit of Bills as presented; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Departmental Reports:

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

Legislator Mills: Legislator Mills gave information regarding the following. Pamphlets are available outside the Town Clerk’s Office.

Yellow Dot Program: Helps emergency responders provide prompt medical care in the event of an accident.

Erie County Department of Senior Services Guide to Services: Phone book for finding services for seniors.

WNY Great Lakes Fishing Guide

HEAP (Home Energy Assistance Program) eligibility information

Housing Rehabilitation Loan Program

Public Comment on Agenda Items Only: There were none

New and Unfinished Business:

1. Proclamation to Honor Harold “Skip” Greeley for 55 years of services to the Eden Fire Department:

RESOLUTION

HONORING Harold “Skip” Greeley Jr.

WHEREAS, Harold “Skip” Greeley Jr. has served the Town of Eden residents as a volunteer on the Eden Fire Department for 55 years being elected to the department on March 9, 1964, and

WHEREAS, he has served our town honorably, and

WHEREAS, Harold has held the following positions;

- *2nd Lieutenant 1972 and 1973*
- *Trustee 1980, 1981 and 1982*
- *Vice President 1984, 1985 and 1986*
- *President 1987, 1988 and 1989, and*

WHEREAS, Harold became a Life Member Active Status on January 8, 1990, and

WHEREAS, he has served on various committees over his years with the department including the building committee, investigation committee, the installation dinner committee and several truck committees where he has served as the truck engineer, and

WHEREAS, Harold has been instrumental in fundraising for the Eden Fire Department, including his participation at the annual Eden Corn Festival since the festival’s first year 56 years ago, and

WHEREAS, even though Harold and his wife, Barb Greeley spend several months in Florida, he remains active in the fire department from almost the day he returns each year, and

WHEREAS, his many contributions to the Town of Eden including the Eden Fire Department is greatly appreciative, and

NOW, BE IT RESOLVED, that, by act of this Town Board meeting on September 11th, we honor Harold “Skip” Greeley for his 55 years of service and we thank him for his dedicated service to the Town of Eden.

Mr. Greeley received additional recognition from Erie County Legislature, NYS Assembly, FASONY, Erie County Emergency Services, the Eden Town Board and the Eden Fire Department.

2. Public Notice for Agricultural Districts Annual Enrollment Period:

PUBLIC NOTICE

**30-DAY PERIOD FOR INCLUSION OF
PREDOMINANTLY VIABLE AGRICULTURAL LANDS
INTO EXISTING AGRICULTURAL DISTRICTS**

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

CONTACT:

Elias Reden, Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-1911
Fax: (716) 858-7248
Email: agriculture@erie.gov

3. Amend Minutes from June 12, 2019:

Corrections to Minutes of 6/12/2019

1. Add Motion to award bid
2. Motion to approve resolution –amend second to Councilperson Sam

Agenda Item #11. Library Roof Replacement:

The following bids were received:

2019 Estimates for Library Roof

Felschow Construction	\$33,500
Sahlem’s Roofing	\$32,950
Kaz Home Improvements	No Bid
John Bauer	No Bid
M&M Siding by Bruce Mosher	No Bid

MOTION was made by Supervisor Hartman to award the bid Sahelm’s Roofing in an amount not to exceed \$32,950.00; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman read the following Resolution:

**RESOLUTION AUTHORIZING SUPERVISOR MELISSA M. HARTMAN
TO EXPEND FUNDS FROM THE GENERAL FUND RESTRICTED RESERVE FOR BUILDING
MAINTENANCE
OF THE TOWN OF EDEN SUBJECT TO PERMISSIVE REFERENDUM**

The Town Board of the Town of Eden, duly convened in a regular session, does hereby resolve pursuant to the provisions of Section 6-C of the General Municipal Law of the State of New York that the Town Supervisor of the Town of Eden be and is hereby authorized and directed to appropriate a sum not to exceed \$32,950.00 from the Restricted Reserve for General Building Maintenance A882.0 of the Town of Eden for the purpose of replacing the Library roof.

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

MOTION was made by Supervisor Hartman to approve the amendment to the June 12, 2019 minutes; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. Resolution Closing Out Outstanding Water Projects:

This item was tabled.

**5. Receive and Refer Draft of Town-Wide Signage Code to the Planning Board:
A. Declare Lead Agency**

September 11, 2019

TO THE EDEN PLANNING BOARD
FOR THE TOWN OF EDEN, NY

On **Motion** of Supervisor Hartman, seconded by Councilperson Byrnes, the following resolution was adopted by the Town Board of the Town of Eden (the Board):

Whereas, the Eden Town Board (the “Board”) is the responsible authority for amendments and changes to the Town Code, including zoning; and

Whereas, in conjunction with the Town’s Planning Consultant, CPL (the “Consultant”), amendments to the zoning code have been proposed specific to signage regulations; and

Whereas, the proposed amendments have been prepared in accordance with the Town’s Comprehensive Plan, **Cultivate Eden**.

Now Therefore Be It Resolved, that the Town Board hereby accepts the draft zoning amendments from the Consultant and recommends that the amendments be referred to the Planning Board for review and a report pursuant to §225-48 of the Town Code.

RESOLUTION #19-2019
SEQRA LEAD AGENCY DESIGNATION FOR THE
PROPOSED ZONING AMENDMENTS
FOR THE TOWN OF EDEN, NY

On **Motion** of Supervisor Hartman, seconded by Councilperson Sam, the following resolution was adopted by the Town Board of the Town of Eden (the Board):

Whereas, the Eden Town Board (the “Board”) has proposed amendments and changes to the Town Code, specifically Chapter 225 titled Zoning; and

Whereas, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the project is determined to be a Type 1 Action; and

Whereas, as the action is a legislative action which entails adoption of a local law, the Board is the only Involved Agency.

Now Therefore Be It Resolved that the Board hereby designates itself as Lead Agency for the proposed action pursuant to 6 NYCRR Part 617 and intends to make a determination of significance at a subsequent meeting following further examination of the project.

6. Declare Truck #18, 1999 International 4700 Dump Truck Surplus for Highway Department and Permission to Sell at Auction:

MOTION was made by Supervisor Hartman to declare Truck #18, 1999 International 4700 Dump Truck, Vin #1HTSCARR5XH651996, surplus; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Supervisor Hartman to authorize Ronald Maggs, Highway Superintendent, to sell Truck #18, 1999 International 4700 Dump Truck, Vin #1HTSCARR5XH651996 at Auction International; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

7. Approve Annual Insurance Renewal:

MOTION was made by Supervisor Hartman to approve the annual insurance renewal with Selection Insurance in the amount of \$88,320.91; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8. Set Public Hearing for Community Development Block Grant:

MOTION was made by Supervisor Hartman set the Public Hearing for the Community Development Block Grant to October 9, 2019 at 7:30 pm; seconded by Councilperson Sam; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

9. Set Public Hearing for the Town Budget:

MOTION was made by Supervisor Hartman set the Public Hearing for the Town Budget to October 23, 2019 at 7:15 pm; seconded by Councilperson Sam; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

10. Set Public Hearing for the Possible Tax Cap Override:

MOTION was made by Supervisor Hartman set the Public Hearing for the possible Tax Cap Override to October 23, 2019 at 7:30 pm; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

11. Set Public Hearing for the Fire District Budget:

MOTION was made by Supervisor Hartman set the Public Hearing for the Fire District Budget to October 15, 2019 at 7:00 pm; seconded by Councilperson Sam; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

12. Agreement with Forte for Credit Card Processing Services:

Emily Hawkins requested authorization for a new credit card processing service to be used in the Town Clerk’s Office. There will be no changes to the fee structure and this is at no cost to the Town.

MOTION was made by Supervisor Hartman authorizing the agreement with Forte credit card processing services and to give a town officer permission to sign said agreement; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

- Water Vote Results: 195 yes and 9 no. Town Officials were available to answer questions the day of the vote and the Supervisor’s Office answered questions and concerns from residents. The water project was the most talked about issue at many Town Board Meetings over the last few years. In anticipation of the vote the Town sent out post cards, advertised, and had info available on Facebook and the website. The Town put in a lot of hard work to make savings happen and are working on the final stages to finish the project.

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 8:08 P.M.

Executive Session (budget and personal):

Supervisor Hartman adjourned the Executive Session of the Eden Town Board Meeting at 9:00 P.M.

Respectfully submitted by,

Emily Hawkins, Town Clerk