

February 12, 2020

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
February 12, 2020
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:

Michael Felschow	-	Eden Police Chief
Mike Hart	-	Eden Fire Chief
Rick Kirst	-	East Eden Fire Chief
Ronald Maggs	-	Highway Superintendent
Amy Porter	-	Recreation Director
Dave Rice	-	Code Enforcement Officer
Ray Zabron	-	Dog Control Officer

OTHERS PRESENT:

Emily Hawkins	-	Town Clerk
William Trask	-	Town Attorney
Lisa Winter	-	Bookkeeper

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 7:02 P.M.

Pledge of Allegiance

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of January 8, 2020 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 January 8, 2020; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of January 22, 2020 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 January 22, 2020.

Petitions: There were none.

Budget Transfers/Amendments:

for December 31,2019

From Account	To Account	Reason for Amendment	Amount
A3120.1 Police - Personal	A3120.4 Police Contractual	Adjust for incorrect amount on previous budget Transfer (correct amount transferred - for record purpose only)	\$5,939.00
A2170 Community Development Income	A6989.4 Community Development	NY Main Street Grant	\$15,000.00
A899.1 Ambulance Insurance Recovery Funds	A4540.4 Ambulance Contractual	Use of Revenue Recovery for Squad Expenses	\$9,900.00
A1220.1 Supervisor Personal	A1220.4 Supervisor Contractual	Budget Adjustment	\$50.00
A1355.1 Assessors Personal	A1355.4 Assessors Contractual	Budget Adjustment Office Upgrades	\$225.00
A1620.4 Town Hall Contractual	A1640.4 Central Garage Contractual	Budget Adjustment for Labor for Lean To	\$7,300.00
A1620.4 Town Hall Contractual	A1680.4 Central Data Processing	Budget Adjustment - Fiber Line	\$3,200.00
A1440.4 Engineering Contractual	A3650.4 Demolition Unsafe Building	Engineering for New Oregon Road Demo	\$150.00
A1440.401 Engineering - Contract Personal	A8020.4 Planning Contractual	Budget Adjustment for Engineering	\$4,300.00
SW8320.401 Maintenance - Wepax Rd	SW8320.402 Wepax Road - Farnham	Budget Adjustment Wepax Road	\$296.00

for February 12, 2020

A1620.4 Town Hall Contractual	A1680.4 Central Data Processing	Budget Adjustment - Fiber Line	\$4,080.00
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MOTION was made by Supervisor Hartman to approve the Budget Transfers of December 31, 2019, as presented; seconded by Councilperson Sam; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilperson Wilhelm to approve the Budget Transfers of February 12, 2020, as presented; seconded by Councilperson Sam; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

Audit Bills:

February Payables 2019

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	957-987	\$28,603.91
Highway Dept. Fund	377-383	\$7,881.22
Fire Dept. Fund	292-304	\$2,822.92
Recreation Dept. Fund	187-192	\$995.11
Refuse and Garbage Fund	30	\$43,847.45
Street Lights Fund	36-37	\$685.42
Water Fund	53-55	\$2,422.08
Capital Fund H8230.405 H8320.406 H8302.407	5 No Activity No Activity	\$17,500

February 2020

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	15-106	\$111,218.75
Highway Dept. Fund	4-33	\$28,177.14
Fire Dept. Fund	2-22	\$4,509.07
Recreation Dept. Fund	2-12	\$1,876.00
Refuse and Garbage Fund	1-4	\$45,489.86
Street Lights Fund	1	\$5,320.14
Water Fund	No Activity	
Capital Fund		
H8230.405	No Activity	
H8320.406	No Activity	
H8302.407	No Activity	

MOTION was made by Councilperson Wilhelm 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 January 2020 were presented by Rick Kirst, East Eden Fire Chief; Mike Hart, Eden Fire Chief; Supervisor Hartman for Robert Pietrocarlo, Chairman Board of Assessors; Michael Felschow, Eden Police Chief; Ronald Maggs, Highway Superintendent; William Trask, Town Attorney; Emily Hawkins, Town Clerk; Dave Rice; Acting Code Enforcement Officer; Amy Porter, Recreation Director; and Ray Zabron, Dog Control Officer. All reports are on file in the Town Clerk’s office.

Rick Kirst asked to remove Jake Vernon, John Yonkosky, and Zak Kordal from the active roster with gratitude for their service.

Mike Hart asked to add Shane Bingman to the active roster pending a physical and remove David Basinski with gratitude for his service.

MOTION was made by Supervisor Hartman to add Shane Bingman to the active roster pending a physical; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Eden Fire Department will need to order the approved light rescue truck by March 5th, 2020 for delivery this year. Supervisor Hartman asked them to get bid specifications as soon as possible.

Supervisor Hartman read the following extended hours for the Assessor’s Office for processing of exemptions before the March 2nd deadline: February 27th and 28th 9:00AM-4:00PM

Bill Trask requested executive session for litigation.

Emily Hawkins stated that the 2020 Town and County tax bills have been mailed and are due without penalty by Monday, March 16, 2020.

Amy Porter gave the following schedule of up-dated programs:

- Youth Activity Night Friday, Feb 28th 6:30-9:00pm at the Eden HS for grades 6-8
- Friday Night Family Swim, Friday, March 13th
- Summer employment applications due by March 1st
- Pedal Party 2020 set for Friday, June 26th
- Stargazing at Gorcica Field, Friday, July 31st

Winter Fest was a great success with many well attended events. Many groups, organizations, and businesses came together to plan a weekend full of winter friendly events. Supervisor Hartman and the board praised the event and thanked all involved.

Public Comment on Agenda Items Only: There were none

New and Unfinished Business:

1. Proclamation Honoring Phillip Muck as Outstanding Citizen:

RESOLUTION

HONORING PHILLIP MUCK

WHEREAS, Phillip Muck has honorably served as a volunteer in many capacities to the Town of Eden residents for four decades, and

WHEREAS, he became a member of the Zoning Board of Appeals on June 1, 1980 and remains on the board today totaling 40 years, and

WHEREAS, Phillip served on the Eden Library Board of Trustees, the Eden Historical Society and the Code Review Committee and

WHEREAS, he participated in the development of the 2000 Eden Master Plan, and

WHEREAS, he was a member of Eden's Bi-Centennial Committee where he was responsible for the time capsule and landscaping project to help beautify the Town, and

WHEREAS, Phillip has committed his time to many other charitable causes across WNY, helping the less fortunate and sick, and

WHEREAS, Phillip was named 2002 Citizen of the Year by the Eden Chamber of Commerce, and

WHEREAS, he was named Erie County Senior of the Year in 2012 being recognized by both the County and New York State, and

NOW, BE IT RESOLVED, that, by act of this Town Board, we honor Phillip Muck by presenting him with Eden's Outstanding Citizen Award for his many years of dedication and commitment to the Town of Eden, and

BE IT FURTHER RESOLVED, that February 12, 2020 be proclaimed Phillip Muck Day in the Town of Eden, New York.

2. Proclamation Honoring Robert Stickney for his Dedication and Service to the Town:

RESOLUTION

HONORING ROBERT W. STICKNEY

WHEREAS, Robert W. Stickney has honorably served as a volunteer to the Town of Eden residents for almost 60 years, and

WHEREAS, he moved to the Town of Eden in 1952, married his wife Barbara in 1967 and has two sons, Bill and David, and

WHEREAS, Robert had a career with National Fuel for 40 years, and

WHEREAS, he became a member of the Eden Fire Department in August of 1962 serving in many roles, including, President, Vice President, Trustee, and Board of Directors, and

WHEREAS, Robert is an active Lifetime Member of the Eden Fire Department, and

WHEREAS, he has been the Town of Eden's Emergency Coordinator and part of the Emergency Preparedness Committee since 1999 helping during countless emergencies, storms, and floods, as well as countless hours preparing for such events, and

WHEREAS, Robert has been a member of Eden's Speed Review Committee, Code Review Committee and Fire Hall Committee, and

WHEREAS, he is considered the local expert on the Town of Eden as well as all things electrical and power generating, and

WHEREAS, his many contributions to the safety of the Town of Eden and help to the office of Town Supervisor, Town Board and individual departments are deeply appreciated, join us in saying "thank you" to Robert W. Stickney for his services that have contributed to making him an outstanding citizen,

NOW, BE IT RESOLVED, that, by act of this Town Board meeting on February 12, 2020, we honor Robert W. Stickney by presenting him with Eden's "Key to the Town" as a thank you for his many years of commitment to the Town of Eden.

3. Notice of Extension of Collector's Warrant:

MOTION was made by Councilperson Wilhelm to extend the time to collect taxes remaining unpaid to June 30, 2020 and allow Supervisor Hartman to sign the notice; seconded by Councilperson Ventry; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

4. Reappoint Lamont Beers, Chairman, Conservation Board:

MOTION was made by Supervisor Hartman to reappoint Lamont Beers as Chairman of the Conservation Board for a 1-year term; seconded by Councilperson Byrnes; All - "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

5. Reappoint Conservation Board:

MOTION was made by Supervisor Hartman to appoint Russell Barten, Lamont Beers, Mary Jane Bolo, Kenneth Foltyniak, Greg Genco, Barbara Huntoon, Candice Pineau, and Judith Striebich to the Conservation Board for 2-year terms; seconded by Councilperson Ventry; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

6. Policy Change for Brush and Yard Waste:

TO: SUPERVISOR HARTMAN & HONORABLE TOWN BOARD
FROM: RON MAGGS
SUBJECT: POLICY CHANGE FOR BRUSH AND YARD WASTE
DATE: 12/30/19

I am recommending a change in the town's brush/yard waste program. Over the years the cost for this service has increased significantly. The amount of product has also increased, and I believe this is because the contractors know they can dispose of the product here without cost (I believe some contractors even bring brush from out of town projects).

Currently the town provides roadside pick up five times per year for brush. We also offer unlimited access to drop off any yard waste with no limits on size and amount for either. Roadside pick-ups cost \$8,000 and has always been absorbed by the highway fund.

The costs for the town to dispose of this waste is raising significantly. We hire a contractor to grind the product. In 2014 this cost was \$8,000, in 2018 it was \$21,400 and in 2019 it was \$29,795, this expense is taken from the General Refuse Account.

My recommendations include limiting the diameter of what is accepted, either by pick up or drop off. Whole tree disposal will be the residents or contractor's responsibility for disposal. See the attached sheet with all that is accepted/refused with changes in bold. These changes should get our cost under control without eliminating the service completely.

	CURBSIDE PICK UP	DROP OFF
When	5 Times/year	Anytime
Max Diameter Branches	6"	6"
Max Length Branches	10'	10'
Leaves	No	Yes (No Bags)
Grass	No	Yes (No Bags)
Max Diameter Chunk Wood	6"	6"
Stumps	No	No
Dirt	No	No
Mulch	No	No
Woodchips	No	No
Lot Clearing	No	No
Concrete	No	No
Blacktop	No	No
Construction Debris	No	No

Supervisor Hartman stated that the town is no longer paid for their brush and it has become an expensive part of refuse. Ron Maggs stated that the current policy is being abused by residents, businesses, and people from other towns which is creating an increase cost for tax payers. The highway department checks the waste pile daily for items including stumps, trash, and concrete that is being dumped illegally.

The amendments to this policy will keep the current system in check and allow the highway department to continue to pick up brush and yard waste without an increased burden to tax payers. The policy change will be put in the Pennysaver, on the website, on social media pages, and posted at the Highway Department. The Board also discussed looking into a fine for illegal dumping.

MOTION was made by Supervisor Hartman to approve the policy change for the brush and yard waste as presented; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

7. Approve Purchase of New Wheel Loader for Town Highway:

MOTION was made by Supervisor Hartman to declare the 2012 Hyundai 740-9 as surplus and eligible for trade in; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Supervisor Hartman to approve the Highway Superintendent’s request to purchase a 2020 John Deere 524L wheel loader per Sourcewell Bid in the amount of \$93,935.70; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

8. Contract with Municipal Solutions for General Financial Services:

MOTION was made by Councilperson Ventry to approve the contract with Municipal Solutions for general financial services; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

9. Contract with Municipal Solutions for Continuing Disclosure Updates and EMMA Filings:

MOTION was made by Councilperson Sam to approve the contract with Municipal Solutions for continuing disclosure updates and EMMA filings; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

10. NYS Volunteer Firefighter Cancer Benefit Program for East Eden and Eden Fire Departments:

MOTION was made by Supervisor Hartman to approve the NYS Volunteer Firefighter Cancer Benefit Program Proposal with Hartford Life and Accident Insurance Company, for the enhanced plan, in the amount of \$199.03 per firefighter for East Eden and Eden Fire Departments; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

11. Contract with Loomis:

MOTION was made by Supervisor Hartman to approve the contract with Loomis for tax collection transport services in the amount of \$24.68 per pick up; seconded by Councilperson Sam; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

- Remodel of the Building Department/Assessor’s Office is complete. Thank you to the Highway Department and Scot Christiansen for their help.

Susan Wilhelm: Code Club at the Library has 30 participants ages 8-18

Hearing of Visitors: There were none.

MOTION was made by Supervisor Hartman to close the Regular Meeting of the Eden Town Board; seconded by Councilperson Sam; 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:

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

Respectfully submitted by,

Emily Hawkins, Town Clerk