

March 11, 2020

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
March 11, 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
Robert Pietrocarlo - Assessor
Amy Porter - Recreation Director
Dave Rice - Code Enforcement Officer
Ray Zabron - Dog Control Officer

OTHERS PRESENT:

Emily Hawkins - Town Clerk
Marlene Grunder - Administrative Assistant
William Trask - Town Attorney
Lisa Winter - Bookkeeper

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 7:00 P.M.

Pledge of Allegiance

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of February 12, 2020 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 February 12, 2020; there were none.

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of February 26, 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 February 26, 2020.

Petitions: There were none.

Budget Transfers:

| From Account | To Account | Reason for Amendment | Amount |
|-----------------------------------|-------------------------------------|------------------------------|---------------|
| SW915.2 Assigned Water Project | SW9950.9 Transfer out to Capital | Balance of Waterline Project | \$40,520.74 |

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

Audit Bills:

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March Payables for 2019

| DESCRIPTION | VOUCHER NUMBERS | AMOUNT |
|-----------------|-----------------|------------|
| General Fund | 988-990 | \$4,117.82 |
| Fire Dept. Fund | 305-308 | \$1,152.14 |

March 2020

| DESCRIPTION | VOUCHER NUMBERS | AMOUNT |
|---|---|--------------|
| General Fund | 107-183 | \$125,509.92 |
| Highway Dept. Fund | 34-65 | \$46,292.75 |
| Fire Dept. Fund | 23-48 | \$25,385.04 |
| Recreation Dept. Fund | 13-27 | \$3,508.75 |
| Refuse and Garbage Fund | 5-6 | \$48,104.78 |
| Street Lights Fund | 2-3 | \$4,797.05 |
| Water Fund | 1-3 | \$108,439.53 |
| 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 Supervisor Hartman; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Departmental Reports:

Department reports for the month of February 2020 were presented by Rick Kirst, East Eden Fire Chief; Mike Hart, Eden Fire Chief; 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 Mike Reding from the active roster with gratitude for his service.

Public Comment on Agenda Items Only: There were none

New and Unfinished Business:

1. **Negative Declaration of Signage Code:** -Tabled
2. **Set Public Hearing for Signage Code:** -Tabled
3. **Set Public Hearing for Mixed Use Standards:** -Tabled
4. **Set Recreation Program Rates:**

| Recreation Fees | | | |
|--|-------------|-------------|-------------|
| Program | 2018 | 2019 | 2020 |
| Summer Recreation camp | 5 1/2 weeks | 4 1/2 weeks | 5 1/2 weeks |
| First child | \$65.00 | \$95.00 | \$125 |
| Additional Children | \$45.00 | \$85.00 | \$100 |
| Family Maximum | \$155.00 | \$265.00 | \$275 |
| Non- resident fee | \$100.00 | \$200.00 | \$250 |
| Mini day camp | | | |
| M-W-F | \$25.00 | \$50.00 | \$50.00 |
| T-TH | \$20.00 | \$40.00 | \$40.00 |
| Swimming Program | | | |
| Resident Swim Lessons | \$25.00 | \$50.00 | \$50.00 |
| Non- Resident Swim Lessons | \$50.00 | \$100.00 | \$100.00 |
| Resident Family Swim Lesson Maximum | \$75.00 | \$150.00 | \$150.00 |
| Non- Resident Family Swim Lesson Maximum | \$110.00 | \$300.00 | \$300.00 |
| Resident Individual Passes | \$35.00 | \$45.00 | \$45.00 |
| Non-Resident Individual Passes | \$50.00 | \$70.00 | \$70.00 |
| Resident Family Passes | \$75.00 | \$135.00 | \$135.00 |
| Non-Resident Family Passes | \$105.00 | \$210.00 | \$210.00 |
| Resident and Non-Resident Toddler Swim | \$20.00 | \$30.00 | \$30.00 |
| Resident Lap Swim | \$20.00 | \$40.00 | \$40.00 |
| Non-Resident Lap Swim | \$30.00 | \$50.00 | \$50.00 |
| Resident Daily Pass Registration | \$5.00 | \$7.00 | \$7.00 |
| Non-Resident Daily Pass Registration | \$10.00 | \$12.00 | \$12.00 |
| Day Pass Return Swimmer | \$1.50 | \$3.00 | \$3.00 |

Supervisor Hartman stated that Recreation Board provided a 5-year plan in 2019 for Recreation fee increases. It was noted that Eden’s program charges the least of any similar programs in the surrounding areas.

The swim fees will remain the same for 2020 since they were doubled from 2018 to 2019. Councilperson Ventry suggested that the fee still increase a small amount yearly as minimum wage continues to increase.

Councilperson Byrnes questioned the non-resident fee of \$250.00 and if it covers the cost of the program. Amy Porter replied that it is close but the amount is hard to calculate without knowing how many participants sign up.

MOTION was made by Supervisor Hartman to approve the 2020 Summer Recreation Fees as presented; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

5. Set Recreation Staff Rates:

Summer Recreation Assistants:

- 1 year: \$11.80 (minimum wage)
- 2-3 year: \$11.90
- 4-7 year: \$12.05
- 8-10 year: \$12.15
- 11 plus year: \$12.25

Leaders:

- 1 year: \$12.50
- 2-3 year: \$12.75
- 4-7 year: \$13.00
- 8-10 year: \$13.25
- 11 plus year: \$13.50

Elementary Leader: Additional \$.50 per hour

Crew Chief: Additional \$.50 per hour

| 2020 | Employee | Rate |
|------------------------------|---------------------|---------|
| Supervision | | |
| Summer Supervision | Tera Baker-Clerc | 3300.00 |
| Playground Leaders | | |
| Elementary | Margaret Sullivan | 13.00 |
| Gorcica | Sharon Wright | 13.25 |
| Flower | Sam Gaglione | 12.75 |
| Mini Camp | Adrianna Jimenez | 12.50 |
| Arts & Crafts | Maureen Bender* | 12.50 |
| Arts/Crafts Asst. | Anne Brockman | 12.05 |
| Arts/Crafts Asst. | Kelsey Pressing | 11.90 |
| Playground Assistants | | |
| Elementary | Deanne Glendenning | 12.25 |
| Elementary | Rachel Henning | 11.90 |
| Elementary | Sarah Swiecki | 11.90 |
| Elementary | Rheanna Gallego | 11.80 |
| Elementary | Tesse Ratajczak | 11.80 |
| Elementary | Amanda Preischel | 11.80 |
| Elementary | Quinn Harrington | 11.80 |
| Elementary | Samantha Emke | 11.80 |
| Elementary/Alternate | Brianna Meatyrd | 11.80 |
| Elementary/Alternate | Mackenzie Roberts | 11.80 |
| Elementary/Alternate | Gabrielle Inserra | 11.80 |
| Elementary/Alternate | Damien Edwards | 11.80 |
| Elementary/Alternate | Mary Kate Schmitz | 11.90 |
| Elementary/Alternate | Connor Gleason | 11.80 |
| Elementary/Alternate | Marlene Grunder | 12.05 |
| Gorcica | Zach DeCarolis | 11.90 |
| Gorcica | Sarah Bialy | 11.90 |
| Flower | Aidan Johnson | 11.90 |
| Flower | Natalie Eggleston | 11.80 |
| Flower | Miles Coleman | 11.80 |
| Mini Camp | Dawn Ovitt | 11.90 |
| Mini Camp | Hannah Teoro | 11.80 |
| Tennis Leader | Bridget Bender* | 13.00 |
| Assistant | Braedon Sidor | 11.80 |
| Sports Camp Leader | Brittaney Goodrich* | 13.00 |
| Assistant | Alaina James | 11.90 |
| Assistant | Sam LoTempio* | 11.80 |

| Town Pool Staff | | |
|------------------------|--------------------|---------|
| Aquatics Director | Ivan Bitnun | 4100.00 |
| Head Lifeguard | Elizabeth Kisker | 13.00 |
| Lifeguard | Cara Hackford | 12.05 |
| Lifeguard | Benjamin Kisker | 11.90 |
| Lifeguard | Makayla Scheu | 12.05 |
| Lifeguard | Josh Dibble | 11.80 |
| Lifeguard | Connor Gleason | 11.80 |
| Head Instructor | Emily Nelson | 12.75 |
| Instructor | Caroline Szuffita | 11.90 |
| Instructor | Caroline Coleman | 11.90 |
| Instructor | Camryn Klawon | 11.90 |
| Instructor | Adam Dibble | 11.90 |
| Instructor | Sam Mason | 11.90 |
| Pool C.I.T. | Camille Profic | 11.90 |
| Pool C.I.T. | Sam Crowe | 11.80 |
| Pool C.I.T. | Maddie Sutherland | 11.80 |
| Pool C.I.T. | Isabelle Marchitte | 11.80 |
| Pool C.I.T. | Danielle Gephart | 11.80 |
| Alternate | Jacob Schupp | 11.90 |
| Alternate | Ella Brenner | 11.80 |
| Alternate | | |
| Alternate | | |
| Alternate | | |
| Maintenance | | |
| Supervisor | Scot Christiansen | |
| Assistant/Crew Chief | Carson Profic | 12.40 |
| Assistant | Jason Porter | 11.90 |
| Assistant | Andrew Henry | 11.90 |
| Assistant | Joe LoTempio | 11.90 |
| Assistant as Needed | Trent Laing | 11.90 |
| Alternate | Sam LoTempio | 11.80 |
| Alternate | Nathan Henry | 11.80 |

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

6. Recreation Portable Sanitation Facilities:

Two bids were received for portable sanitation:

Roger Gloss: \$3,150

Modern Portable Toilets, Inc.: \$3,804.99

MOTION was made by Supervisor Hartman to approve Roger Gloss in the amount of \$3,150 for portable sanitation facilities; seconded by Councilperson Sam; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

7. Contracting and Hosting Slow Roll, June 26, 2020:

MOTION was made by Supervisor Hartman to approve the contract with Slow Roll Buffalo for June 26, 2020 in the amount of \$2,000; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

8. Ratify Approval of Appraiser, IREM:

MOTION was made by Councilperson Wilhelm to approve IREM as appraiser in the amount of \$4,500 plus any future charges or consultation in the amount of \$250 per hour for the property located at 8121 N. Main St., and allow the Supervisor to sign the contract pending settlement before that date; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

9. Renewable Energy Resolution:

RESOLUTION OPPOSING GOV. CUOMO BUDGET AMENDMENT

Whereas: On February 21, 2020, Governor Cuomo submitted a 30 day budget amendment entitled “Accelerated renewable energy growth and community benefit act” for the purposes of meeting the Governor’s goals for renewable energy, and

Whereas: This amendment would establish a new system for permitting and siting renewable projects, setting aside the current “Article 10 Siting Board” process, and

Whereas: Permitting will now be under the jurisdiction of a new entity – Office of Renewable Energy Siting (ORES), and

Whereas: the powers assigned to ORES will totally usurp and diminish local home rule, local zoning codes, local planning and Local Waterfront Revitalization Plans when permitting and siting renewable energy projects, and

Whereas: ORES will now have the power to

- Make available to developers “build – ready” sites
- Develop “uniform permitting standards”
- “coordinate, approve, evaluate, issue, amend, transfer and enforce siting permits”
- Limit the ability of local governments to raise objections to proposed projects
- Direct local appeals to ORES decisions to litigation through the Article 78 process
- Prohibit local governments from requiring any additional approvals or permits

Whereas: By filling this action as a 30 day budget amendment, is ignoring and bypassing the legislative process of formulating policy through public input, public hearings and public debate in favor of a rushed and secretive process, and

Whereas: This amendment represents a blatant attempt to usurp local government’s historical and constitutionally power of home rule in the areas of planning, zoning and land use,

Now therefore be it resolved that the Town of Eden does hereby go on record strongly opposing this Governor’s attempt to dilute and usurp the roles and powers of local governments in New York State, and Further be it resolved that the Town of Eden Urges State Legislators to oppose this amendment and have it removed from the final budget document and,

Further be it resolved that a copy of this resolution be transmitted to the Governor, Lieutenant Governor, Speaker of the Assembly and Majority Leader of the Senate and Western New York Delegation.

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

10. IT Contract with Nicholas Miller:

MOTION was made by Supervisor Hartman to approve the 2020 IT contract with Nicholas Miller; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

It was noted that there were not changes from the 2019 contract to the 2020 contract.

11. Approve BAS as Official Building Department System:

MOTION was made by Supervisor Hartman to approve BAS as the official building department system; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

12. Electrical Inspector Services for Town:

MOTION was made by Councilperson Ventry to approve LCR Inspections and Commonwealth Electrical Inspections as electrical inspectors for the town; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

13. Amendments to Solar Code:

-Referred to planning board

14. Schedule of Fees:

-Referred to planning board

15. Building Department Applications – Informational:

Dave Rice provided a copy of the “Change of Classification or Use Group” application. This item is informational only.

16. Recognized Resignation of Public Safety Dispatcher Jeremy Lilga:

The Town Board recognized Jeremy Lilga’s resignation with gratitude for his service.

17. Appoint Steve Bugary as Part-Time Public Safety Dispatcher:

MOTION was made by Supervisor Hartman to appoint Steve Bugary as part time public safety dispatcher at a rate of pay reflecting his experience; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

- Recognized Eden athletes and teams that made it to finals in their divisions.
- Recognized the great performances of the high school musical
- Covid-19 action meeting following town board meeting for continuity planning. Initiative for Code Red sign ups.

Hearing of Visitors: There were none.

MOTION was made by Supervisor Hartman to close the Regular Meeting of the Eden Town Board and open the work session; seconded by Councilperson Byrnes; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

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

Work Session – COVID-19:

The Town of Eden Emergency Management Team as well as the Town Board, Town Department Heads and Eden School District met to discuss the coronavirus outbreak and start to plan. We will continue to work daily to make sure our residents are informed. While we fully expect this information to change daily here is the latest information for our residents:

Based off of recommendations from the CDC, we are asking residents who are 60 years and over and anyone with an underlying illness to begin social distancing and avoid mass gatherings. Please prepare by stocking up on non-perishable food and prescription medications.

We are highly recommending that all mass gatherings of 50 people or more be cancelled, this includes church services. The school has already cancelled most outside activities that involves group gatherings.

Any resident that is in need of help, please call the Supervisor’s Office and we will work to assist you. This includes anyone in need of their prescriptions or food and can’t leave their homes.

Anyone who is worried that they have COVID-19, please call your primary care doctor. They will direct you on how to get tested.

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And finally, continue to wash your hands, clean spaces visited by the public and make decisions that are best for you and your family. This is the time to check on your neighbors to make sure they have everything they need.

Please continue to check the Town website and Facebook pages for updates.

MOTION was made by Supervisor Hartman to adjourn the meeting; seconded by Councilperson Sam; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman closed the meeting at 9:22 pm.

Respectfully Submitted by:

Emily Hawkins, Town Clerk