

June 10, 2020

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
June 10, 2020
10:00 A.M.**

**Due to the COVID-19 Pandemic this meeting was held virtually through GoToMeeting.com. The meeting link was made available to the public prior to the meeting in order to listen or observe.

TOWN BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

Emily Hawkins - Town Clerk
Marlene Grunder - Administrative Assistant
William Trask - Town Attorney
Lisa Winter - Bookkeeper
Amy Porter - Recreation Director
Ron Maggs - Highway Superintendent

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 10:00 A.M.

Pledge of Allegiance

Opening Statement:

Due to the State of Emergency and Executive Orders issued by the Governor and the Town of Eden, it allows the Town Board to hold this board meetings and work sessions via live stream where the public is allowed to listen in only.

This conference call allows me to conduct town business with the Board and Town attorney and will suspend privilege of the floor at this time. I am advising all public participants to mute your phones, including board members. Only Board Members or Town Attorney can unmute themselves for reply/comment. Should public participants not adhere to the request I will ask one additional time that you mute your phone, if the disruption continues, I will be forced to remove you from the call. I also suggest because this meeting has to provide a verbatim transcription, I am asking the councilmembers and attorney to state your name each time you make a comment and to keep the comments brief and on point.

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of May 13, 2020 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 May 13, 2020; there were none.

Budget Transfers:

From Account	To Account	Reason for Amendment	Amount
A2192 Cemetery Services	A8810.4 Cemetery - Contractual	Payment received for burial at North Evans Cemetery for cost to open grave	\$445.00
A915.6 Assigned – Non-Rec	A1640.4 Central Garage - Contractual	Use of assigned funds for lean two	\$11,000

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A1990.4 Contingent Fund	A1420.4 Legal Contractual	Legal - Personnel	\$7,310.00
A23097 General Govt Capital Projects	A3650.4 Demolition of Unsafe Buildings	Grant Funds from Erie County for Demolition of House on New Oregon Rd.	\$26,975.00

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

Audit Bills:

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DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	332-398	\$50,887.49
Highway Dept. Fund	109-138	\$34,248.02
Fire Dept. Fund	107-125	\$4,716.26
Recreation Dept. Fund	46-57	\$872.37
Refuse and Garbage Fund	12-13	\$45,475.18
Street Lights Fund	11-14	\$10,488.63
Water Fund	9-9	\$11.00
Capital Fund H8230.405 H8320.406 H8302.407	No Activity No Activity No Activity	

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

Departmental Reports:

Departmental Reports were submitted for the month of May 2020 and are attached to these minutes as “Appendix-A”

MOTION was made by Supervisor Hartman to include the department reports into record; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business:

1. Addendum Extending Chief Fleschow’s Contract:

WHEREAS, the New York State response to the COVID-19 outbreak has severely impacted many municipal functions, including the process of finding a replacement for Chief Felschow who had planned on leaving service to the Town of Eden following the expiration of his current employment agreement which runs through June 26, 2020, and

WHEREAS, Chief Felschow has agreed to extend his period of service for an additional two (2) months to allow the canvassing and interview processes to proceed on a more normal footing once the existing state-imposed limitations on such activities have been eased, and

WHEREAS, the Town of Eden is deeply appreciative of Chief Felschow’s willingness to extend his period of service.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. The Employment Agreement between the Town of Eden and Chief Felschow made and entered into as of January 1, 2020 is hereby extended and shall run through August 28, 2020, unless terminated soon as provided therein.
2. Salary and other compensation shall continue during the two (2) month extension at the same level as pro-rated.
3. All other terms and conditions of the said Employment Agreement shall remain in effect as stated therein for the balance of the term, as extended.

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

2. Create Two Additional Part Time Police Officer Positions:

MOTION was made by Supervisor Hartman add two additional part-time police officer positions to the civil service inventory; seconded by Councilperson Byrnes; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

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3. Appoint Jeremy Lilga as Part-Time Police Officer:

MOTION was made by Supervisor Hartman approve Jeremy Lilga as part-time police officer at a rate of pay of \$23.00 per hour; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.
Discussion.

4. Acknowledge Retirement of Lieutenant John McCarthy Beginning July 1, 2020:

Supervisor Hartman and the Town Board thanked Officer McCarthy for his service to the Town of Eden. It was noted that a retirement ceremony would be held at a future date due to the COVID-19 restrictions currently in place.

5. Set Public Hearing for Mixed-Use Standards:

The final draft copy of the Mixed-Use Design Standards is available on the Town’s website at:
<http://edenny.gov/mixed-use-districts-design-standards/>

MOTION was made by Supervisor Hartman to set the public hearing for the Mixed-Use Design Standards to July 8, 2020 at 7:30 PM; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

6. Sign Off on NYPS Design of LED Streetlight Conversion:

MOTION was made by Supervisor Hartman to approve the Final Design and Authorization to Proceed between the Town of Eden and the New York Power Authority for the LED streetlight conversion project as presented; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

7. Approval of Additional Electrical Inspectors:

MOTION was made by Supervisor Hartman to add Electric Inspectors of WNY LLC to the list of approved electric inspectors for the Town of Eden; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

8. Recommendations from the Code Review Committee:

The Town Board received recommendations from the Code Review Committee for changes to the Town Code and have forwarded them to the Town Attorney to draft the local law.

9. Adjustments to Garbage Code:

The Town Board received adjustments to the Town Code for Solid Waste and have forwarded them to the Town Attorney to draft the local law.

10. Off Road Drainage:

Town of Eden
Off-Road Drainage Committee
Ron Maggs, Committee Chairperson
992-3823

June 8, 2020

Supervisor Hartman & Honorable Town Board
2795 E Church Street
Eden, NY 14057

Dear Supervisor Hartman & Honorable Town Board,

As Chairperson of the Off-Road Drainage committee I am recommending that the board approve the following project:

- 1) Project 2020-01: End of Maple – Remove blockage from ditch in an amount not to exceed \$1,000.
- 2) Project 2020-02: Misc Town wide Mowing and Hand Clearing in an amount not to exceed \$3,000.

Please call before the board meeting if you have any questions.

Sincerely,



Ron Maggs
Off Road Drainage Committee Chairperson

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MOTION was made by Supervisor Hartman to approve project 2020-01 in an amount not to exceed \$1,000 and 2020-02 in an amount not to exceed \$3,000 as presented; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

11. Ratify Temporary Outside Dining Permit:

Interim Policy for Exterior Dining

WHEREAS, on March 15, 2020, Supervisor Hartman issued an Executive Order declaring a local state of emergency in the Town of Eden and has issued extensions to such state of emergency currently due to expire on June 15, 2020; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and Erie County and are expected to continue; and

WHEREAS, the Covid-19 Health Emergency has impacted the community’s existing restaurants by requiring that they limit their service to take-out only, and that when future business re-opening phases are allowed to resume, restaurants with indoor dining will be required to significantly reduce their permitted indoor capacity to maintain social distancing requirements, and

WHEREAS, the Town has established an interim administrative temporary approval policy to permit the Code Enforcement Officer to review requests for temporary outdoor dining provisions to supplement dining capacity being lost on the interior of the restaurant and promote social distancing, consistent with directives and guidance from New York State, and

NOW, THEREFORE BE IT RESOLVED THAT, the Town of Eden Town Board hereby directs the Building Department to implement the Policy for Administrative Approval of Temporary Exterior Dining Areas attached hereto.

FINANCIAL IMPACT:

None

MOTION was made by Supervisor Hartman to ratify the approval of the Interim Dining Policy as presented effective for a 90-day period beginning June 8, 2020; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Hearing of Visitors:

The public was asked to submit information prior to the meeting. No information was received.

Supervisor’s Report:

- Up-date on COVID-19 phase openings
- Town Hall remains open by appointment only
- Letters from 2nd Graders about how to make Eden a better place

Councilperson Wilhelm Reports the Library is open.

Councilperson Sam reports the Eden Chamber of Commerce will hold their annual chicken BBQ on Saturday, August 9, 2020 at the chamber barn on Legion Drive.

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

Supervisor Hartman adjourned the Regular Meeting of the Eden Town Board at 10:40 A.M.

Executive Session ended at 12:15 A.M.

Respectfully Submitted by:

Emily Hawkins, Town Clerk