

August 12, 2020

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
August 12, 2020
7:00 P.M.**

**This meeting was held in person and live streamed through GoToMeeting.com. The meeting link was made available to the public prior to the meeting in order to listen, observe, and participate. Members of the public were also able to attend the meeting in person.

TOWN BOARD MEMBERS PRESENT:

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

DEPARTMENT HEADS PRESENT:

Mike Hart	-	Eden Fire Chief
Rick Kirst	-	East Eden Fire Chief
Ronald Maggs	-	Highway Superintendent
Amy Porter	-	Recreation Director
Dave Rice	-	Code Enforcement Officer
Gregory Savage	-	Eden Police Chief

OTHERS PRESENT:

Emily Hawkins	-	Town Clerk
Marlene Grunder	-	Administrative Assistant
William Trask	-	Town Attorney (Via GoToMeeting)
Lisa Winter	-	Bookkeeper (Via GoToMeeting)
Brian Kulpa	-	Town Planner (Via GoToMeeting)

GUESTS:

Chris Jacobs	-	Congressman 27 th District of NYS
Mitch Martin	-	Office of Senator Patrick Gallivan
John Mills	-	Legislator – District 11

Call to Order:

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

Pledge of Allegiance

Statement on COVID-19 Increase in Town of Eden:

Supervisor Hartman opened the meeting addressing the increase in Coronavirus cases in the Town of Eden. Erie County Department of Health has assured the town that anyone involved is isolated or quarantined and the outbreak was not caused by a socially irresponsible gathering. The town is not aware of the source or location of the outbreak and has been informed by the DOH that there is a low risk to residents. Supervisor Hartman recognized the uncertainty and assured residents that the town is safe. She urged everyone to continue to social distance, wear masks, and wash hands as the pandemic is still ongoing.

Public Comment on Agenda Items Only: There were none

New and Unfinished Business:

1. Ratify Set Public Hearing for Building Code:

Supervisor Hartman stated that the public hearing had previously been set, all legal notices were posted and the following action is a formality.

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MOTION was made by Supervisor Hartman to set the public hearing for amendments to the building code to August 12, 2020 at 7:30 PM; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

2. Recognition of Lieutenant John McCarthy for Years of Service and Dedication to the Town of Eden:

Lieutenant McCarthy was honored and presented proclamations by Congressman Chris Jacobs, Mitch Martin (Senator Patrick Gallivan), & Legislator John Mills. Supervisor Hartman and the Town Board thanked him for his service to the town and presented the following Proclamation:

RESOLUTION

HONORING LIEUTENANT JOHN MCCARTHY

WHEREAS, John McCarthy has honorably served the Town of Eden residents since the age of eighteen, spanning over 40 years, four years as Reserve Officer, six years as a Police Clerk, five years as a Part-time Police Officer and thirty-one years as a Full-time Police Officer, and

WHEREAS, he became Lieutenant in 2006 and served in this role for 14 years, and

WHEREAS, he has served our town honorably, and

WHEREAS, during the Lieutenant’s tenure the Town of Eden was identified as the 5th Safest Town in New York State and the 23rd Safest Town in the United States, and

WHEREAS, he worked diligently to protect and work with our Town’s youth as a liaison for the Eden Central School District, and

WHEREAS, Lieutenant McCarthy has been a recipient of the following awards; Town of Eden’s Outstanding Employee Award in 1998, Eden Teacher Association Presidents Award in 2013 and the Erie County STOP-DWI Award for multiple years, and

WHEREAS, he has been recognized by NYS Traffic Safety for the NYS Buckle-Up for seatbelt enforcement, and

WHEREAS, Lieutenant McCarthy is still actively working to protect our Town as he continues as a Part-time Officer for the Town of Eden, and

WHEREAS, his many contributions to the Town of Eden including his assistance with the Town’s Emergency Services during storms, disasters, assistance with the Eden Emergency Squad calls and fire calls which everyone is greatly appreciative, please join us in saying “thank you” to Lieutenant John McCarthy,

NOW, BE IT RESOLVED, that, by act of this Town Board meeting on August 12th, we honor Lieutenant John McCarthy for his over 40 years of service and wish him well in his retirement and thank him for his dedicated service to the Town of Eden.

3. Recognition of Chief Michael Felschow for Years of Service and Dedication to the Town of Eden:

Chief Michael Felschow was honored and presented proclamations by Congressman Chris Jacobs, Mitch Martin (Senator Patrick Gallivan), & Legislator John Mills. Supervisor Hartman and the Town Board thanked him for his dedication to the town and presented the following Proclamation along with a “Key to the Town.”

RESOLUTION

HONORING CHIEF MICHAEL FELSCHOW

WHEREAS, Michael Felschow has honorably served the Town of Eden residents for 46 years, and

WHEREAS, Chief was a Lieutenant for 10 of those years, and

WHEREAS, he became Chief of the Eden Police Department in 2009, and

WHEREAS, Chief has been honored in receiving the Stop DWI and Mothers Against Drunk Drivers County awards, and

WHEREAS, Chief made many changes to the department during his tenure, including positive changes to personnel as well as creative budget strategies that saved taxpayers money, and

WHEREAS, he taught a Police Academy for community members that led to an increased enrollment in the Eden Police Reserves, and

WHEREAS, Chief has secured thousands of dollars in grant funding that has paid for items such as uniforms and covered salary costs for safety programs, and

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WHEREAS, he has been an integral part of the safety and well-being of Eden residents for 46 years including the Blizzard of '77, November Storm, historic August flood, and countless other weather events, accidents and incidents, and

WHEREAS, Chief has handled all of his responsibilities with integrity, passion and commitment, and

WHEREAS, his many contributions to the safety of the Town of Eden and his help to the office of Town Supervisor, Town Board and individual departments are deeply appreciated, join us in saying "thank you" to Chief Michael Felschow for his service to our town and the Eden Police Department,

NOW, BE IT RESOLVED, that, by act of this Town Board meeting on August 12, 2020, we honor Chief Michael Felschow by presenting him with Eden's "Key to the Town" as a thank you for his many years of service to the Town of Eden.

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes of July 8, 2020 as presented; seconded by Councilperson Sam; 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 8, 2020; there were none.

MOTION was made by Supervisor Hartman to close the regular meeting and open the public hearing; seconded by Councilperson Byrnes; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

The public hearing opened at 7:30 PM.

**LEGAL NOTICE
TOWN OF EDEN, NEW YORK
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Eden Town Board in the Eden Town Hall, 2795 East Church Street, Eden, New York on the 12th day of August, 2020 at 7:30 P.M. Local Time, for the purpose of considering the adoption of proposed Local Law #2-2020 which amends requirements for Building Permits under Section 110-4 of the Town of Eden Code and which also amends Section 184-17 of the Town of Eden Code to add the Town Engineer as a member of the Minor Subdivision Review Committee. Copies of the proposed local law are available for public review in the Office of the Eden Town Clerk. All interested parties will be given an opportunity to be heard.

**PROPOSED LOCAL LAW #2-2020
A local law updating provisions of the Town of Eden Code for Building Permits and Minor Subdivision Review**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EDEN AS FOLLOWS:

1. The last sentence of Town of Eden Code Section 110-4 ["Building Permits"] subsection A is hereby amended to read as follows: "No building permit shall be required for small noncommercial structures not exceeding 144 square feet and not intended as quarters for living, sleeping, eating or cooking."
2. Town of Eden Code Section 110-4 ["Building Permits"] subsection A (1)(b)[1] which currently reads "Cost less than \$10,000.00" is hereby deleted in its entirety.
3. The first sentence of Town of Eden Code Section 184-17 ["Minor subdivision review"] is hereby amended to read as follows: "There shall be created a Minor Subdivision Review Committee, which will be made up of the Planning Board Chair or his/her designee and the Building and Zoning Inspector."
4. This local law shall take effect immediately upon adoption.

Supervisor Hartman asked if there was anyone present to be heard: There were none.

MOTION was made by Supervisor Hartman to close the public hearing and open the regular meeting; seconded by Councilperson Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

The public hearing was closed at 7:32 P.M.

Petitions: There were none.

Budget Transfers:**August 2020**

From Account	To Account	Reason for Amendment	Amount
A2170 Community Development Income	A6772.4 Programs for Aging Contractual	Grant Money for New Senior Car	\$22,230.09
A2170 Community Development Income	A1620.4 Town Hall Contractual	Grant Money for Bike Racks, Benches & Trash Receptacles	\$16,247.01
A915.4 Assigned Police Sick Pay	A3120.4 Police Contractual	Retirement	\$59,000.00
A3120.1 Police Payroll	A3120.4 Police Contractual	Retirement	\$16,311.00
A3620.1 Safety Inspection Payroll	A3620.4 Safety Inspection Contractual	Program Upgrades and Remodel Expenses	\$4,000.00
A3889 Other Culture & Recreation State Funding	A915.2 Assigned - Recreation	Grant Money for Summer Concert Series to be held for 2021 Program	\$3,323.00
A1440.4 Engineer - Contractual	A8540.401 Drainage - Stormwater Contractual	Over Budget Engineering Fees for MS4 Report	\$80.00
A2192 Charges Cemetery Services	A8810.1 Cemeteries - Personal	North Evans Cemetery Burial	\$500.00
A2192 Charges Cemetery Services	A8810.4 Cemeteries - Contractual	North Evans Cemetery Burial	\$445.00
A917 Unassigned Fund Balance	A915.6 Assigned Not Rec	Correction of Year End Drainage Encumbrance for 2019 addition to Project 2018-01	\$3,000.00
SD917 Drainage Fund Unassigned Fund Balance	SD8540.440 Drainage Dist #4- Contractual	Mowing Done Drainage Dist #4	\$118.39
D2665 Sale of Equipment	D5130.2 Machinery - Equipment	Proceeds from Sale of Elign Sweepers for Purchase of Replacement Sweeper	\$4,990.00
A7140.1 Playground - Personal	A917 Unassigned Fund Balance	Cancellation of Summer Program	\$71,000.00
A7140.4 Playgrounds Contractual	A917 Unassigned Fund Balance	Cancellation of Summer Recreation	\$18,000.00
A917 Unassigned Fund Balance	A2001 Park & Recreation Charges	Cancellation of Summer Recreation	\$35,000.00
A917 Unassigned Fund Balance	A2025 Beach Pool & Ski Fees	Cancellation of Summer Swim Programs	\$12,000.00
A7150.1 Special Rec Facilities Personal	A917 Unassigned Fund Balance	Cancellation of Summer Swim Programs	\$42,800.00
A7150.4 Special Rec Facilities Contractual	A917 Unassigned Fund Balance	Cancellation of Summer Swim Programs	\$8,300.00

MOTION was made by Supervisor Hartman to approve the Budget Transfers of August 2020, as presented; seconded by Councilperson Ventry; All "Ayes"? Opposed? – None; Abstain? – None; Motion carried.

Audit Bills:

August 2020

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	468-555	\$85,346.49
Highway Dept. Fund	166-185	\$147,824.42
Fire Dept. Fund	149-175	\$7,158.67
Recreation Dept. Fund	68-78	\$1,205.60
Refuse and Garbage Fund	14-15	\$6,344.88
Street Lights Fund	18-21	\$4,309.97
Water Fund	12-14	\$2,549.37
Capital Fund H8230.405 H8320.406 H8302.407	No Activity No Activity No Activity	
Drainage District SD 4	1-1	\$118.39

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 2020 were presented by Rick Kirst, East Eden Fire Chief; Mike Hart, Eden Fire Chief; Councilperson Ventry for Robert Pietrocarlo, Chairman Board of Assessors; Greg Savage, 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 Supervisor Hartman for Ray Zabron, Dog Control Officer. All reports are on file in the Town Clerk’s office.

MOTION was made by Supervisor Hartman to add John Pineau to the East Eden Fire active roster pending background check and physical; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Supervisor Hartman to close the regular meeting and open the public hearing; seconded by Councilperson Wilhelm; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

The public hearing opened at 7:45 PM.

**LEGAL NOTICE
TOWN OF EDEN, NEW YORK
NOTICE OF PUBLIC HEARING**

Pursuant to resolution of the Town Board of the Town of Eden, New York, notice is hereby given that a public hearing will be held by the Eden Town Board in the Eden Town Hall, 2795 East Church Street, Eden, New York on the 12th day of August, 2020 at 7:45 P.M. Local Time, for the purpose of considering the proposed amendments to the Signage Code. All interested parties will be given an opportunity to be heard.

Supervisor Hartman asked if there was anyone present to be heard:

Rich Ventry stated he is opposed as he does not believe that any signs currently in town would be approved under this code and that it is too restrictive to business owners.

With all those being heard Supervisor Hartman closed the public hearing at 7:46 P.M.

MOTION was made by Supervisor Hartman to close the public hearing and open the regular meeting; seconded by Councilperson Byrnes; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

New and Unfinished Business (continued):

4. Ratify; Declare Senior Car Surplus and Permission to Sell at Auction:

MOTION was made by Supervisor Hartman to ratify declaring the 2007 Chrysler Pacifica Touring, VIN# 2A8GM68X37R115823 for surplus and to sell at Auctions International; seconded by Councilperson Sam; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

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5. Auctions International Contract:

MOTION was made by Supervisor Hartman to approve the Online Auction Contract between the Town of Eden and Auctions Internationals, Inc. as presented; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

6. Resolution to Expend Funds from the Ambulance Reserve:

EDEN EMERGENCY & RESCUE SQUAD
EST. 1968

July 21, 2020

Attention: Supervisor Hartman and Eden Town Board

Today I was able to meet with 2 Town Councilman the discussion was mainly in regards to the mechanical condition of Eden 806. I explained the current state of the vehicle and requested that we move forward in purchasing a new ambulance. In the current state 806 was due to be replaced in 2021.

I received a call from the mechanic that had been trying to figure out why the ambulance would not start. He stated that the engine had no oil pressure and that the high pressure oil pump had failed and the serpentine belt needed to be replaced. The estimated cost would be approximately \$3,500 dollars.

At this time I am requesting that 806 be declared surplus and the process of purchasing a new ambulance be started. I also request that this replacement be made as an emergency purchase.

Sincerely,

Scott Hultquist
Director of Operations
Eden Emergency & Rescue Squad

MOTION was made by Supervisor Hartman to expend up to \$130,000 from the Ambulance Equipment Reserve A878.1 for the purchase of a new and unused ambulance, subject to permissive referendum; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

7. Ratify Emergency Purchase of Ambulance:

EDEN EMERGENCY & RESCUE SQUAD
EST. 1968

July 28, 2020

Attention: Supervisor Hartman and Eden Town Board

Today, North Eastern Vehicles was out with a 2021 crestliner ambulance. Tom Toy from North Eastern Vehicles presented the ambulance and allowed several of our members to look, drive and ask questions in regards to the vehicle. This line of ambulances is new to our area and is owned by Demers ambulance based out of Canada. This is the sixth line of ambulances that North Eastern Vehicles are able to sell and sell exclusively in our area. The lower cost of this ambulance line is because of the limited changes that can be made during the construction process. The company can mass produce without having to stop and make changes to their production line.

The Crestliner CL150 will meet the needs of the Eden Emergency Squad allowing the squad to have to 2 fully functioning ambulances. I believe that this will also decrease the amount of money that is spent on costly repairs.

I am asking that the Town Supervisor along with the Town Board consider this an emergency purchase and move forward using the bid specs already generated by the East Seneca Fire Company. The East Seneca Fire Company is located in the Town of West Seneca and is also known as Fire District number 4. They just took delivery of a 2019 Crestliner CL150. They did make a few modification, modifications that were completed by North Eastern Vehicles prior to the delivery. I reached out to their Fire Chief and obtained a copy of the bid specs they put out, (bid attached). I have also attached quotes from North Eastern Vehicles for 2 ambulances from the different ambulance lines they sell. One is for a wheel coach and the second for a Braun. Both are type 3 ambulances with a patient compartment of 150 inches and head room of 72 inches.

I am asking that this purchase be put through as an emergency purchase as there has been several incidents since Eden 806 has been out that the squad has had back to back calls or have been dispatched for motor vehicle collisions with more than one patient that needed to be transported. Only have 1 ambulance could delay patient care waiting for a mutual aid ambulance to arrive on scene.

Thank you for your consideration into this matter. I look forward to working on this process with all of you.

Sincerely,

Scott Hultquist
Director of Operations
Eden Emergency & Rescue Squad

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MOTION was made by Supervisor Hartman to ratify the approval of the emergency purchase from Northeastern Rescue Vehicle, Inc. in the amount of \$125,550 for a 2019 Crestline Type III 150 CCL Module Built on a Ford-350 Chassis with payment upon delivery; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

8. State Environmental Quality Review Act (SEQRA) of Proposed Mixed Use District Standards – Negative Declaration:

SEQRA NOTICE LEAD AGENCY DESIGNATION AND
DETERMINATION OF SIGNIFICANCE
FOR TOWN OF EDEN ZONING AMENDMENTS

Whereas, the Town of Eden Town Board has proposed amendments to the current Zoning Code for the creation of two new zoning districts for the area around the hamlet of Eden Center, implementing recommendations and goals contained within the Town’s 2018 Comprehensive Plan; and

Whereas, the zoning amendment will replace the existing General Business and Office Business Districts located within the hamlet of Eden Center, amending the zoning map and creating new development and design standards and regulations; and

Whereas, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the project is determined to be a Type 1 Action which is subject to a coordinated review, though no other agencies have jurisdiction over legislative adoptions by the Town of Eden; and

Whereas, the Town Board declared itself as Lead Agency for the proposed action pursuant to 6 NYCRR Part 617 on May 8, 2019.

Now Therefore Be It Resolved that based upon examination of the Environmental Assessment Form (EAF), its own independent analysis of the Proposed Action, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the Town Board finds that the Proposed Action will not have a significant environmental impact and hereby issues a Negative Declaration; and

Be it Further Resolved that this determination is based on the facts and conclusions as noted in the attached EAF.

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

9. Proposed Local Law #1-2020: Mixed Use District Standards:

**Town of Eden
Proposed Local Law #1-2020**

A local law establishing Mixed Use Zoning Districts in the Town of Eden.

Be it enacted by the Town Board of the Town of Eden, Erie County, New York as follows:

SECTION I. Chapter 225 of the Town of Eden Code is hereby amended to establish a new Section 225-12 entitled “Mixed Use Districts” which shall read as shown on the 47 pages attached hereto.

SECTION 2. Section 225-5 of the Town of Eden Code, entitled “Classes of Districts” is hereby amended to add thereto the following:

Mixed Use District (MU) – A district of mixed uses and architectural features intended to enhance the benefits of traditional, hamlet characteristics in close proximity to higher density residential uses.

SECTION 3. Section 225-15.1 of the Town of Eden Code, entitled “Hamlet Overlay District” is hereby deleted in its entirety.

SECTION 4: Severability.

If any article, section, subdivision, paragraph or prevision of this local law is adjudged to be invalid, such adjudication shall apply only to such portion thereof so expressly adjudged invalid, and the remainder of this local law shall be deemed in all respects valid and effective.

SECTION 5: Effective Date.

This local law shall take effect upon filing in the office of the Secretary of State.

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MOTION was made by Supervisor Hartman to approve Local Law #1-2020 as presented; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

10. Resolution for Retention and Disposition Schedule:

**RESOLUTION Adopting the
*Retention and Disposition Schedule for New York Local Government Records (LGS-1)***

RESOLVED, By the Town Board of the Town of Eden that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

MOTION was made by Supervisor Hartman to adopt the LGS-1 Retention and Disposition Schedule as presented; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

11. Police Reform Resolution:

**RESOLUTION REGARDING NEW YORK STATE POLICE REFORM AND REINVENTION
COLLABORATIVE PURSUANT TO EXECUTIVE ORDER**

WHEREAS, **Executive Order Number 203** was issued by Andrew M. Cuomo, Governor of the State of New York on June 12, 2020, ordering the director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, to take steps to increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the guidance to be sent to all local governments the director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, the Town of Eden shall perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color, and

BE IT FURTHER RESOLVED, that the Town Supervisor shall convene the Police Chef, as head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program, and

BE IT FURTHER RESOLVED, that the Town of Eden, in coordination with its police agency, shall consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing, and

BE IT FURTHER RESOLVED, that such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the Town Board of the Town of Eden, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

BE IT FURTHER RESOLVED, the Town of Eden shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted.

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

The question of the adoption of the foregoing budget was duly put to vote on a roll call, which resulted as follows:

AYES: Supervisor Hartman
Councilperson Ventry
Councilperson Wilhelm
Councilperson Byrnes
Councilperson Sam

NOES: There were none.

The foregoing resolution was thereupon declared duly adopted.

12. Approve Bid for Clean, Seal, and Stripe Eden Library and Eden Town Hall Parking Lot:

The following estimates were received:

2020 Estimates to Clean, Seal, & Stripe Parking Lots

Company	Library	Town Hall
Land-On	\$850.00	\$3,100
Superior Seal	\$1,765.00	\$5,181.00
Palmieri Paving	No Bid	No Bid
Ballou Paving & Sealing	No Bid	No Bid

MOTION was made by Supervisor Hartman to approve the bid from Land-On to clean, seal, and stripe the parking lots in the amount of \$850.00 for the Eden Library and \$3,100.00 for the Eden Town Hall parking lot; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

13. Resolution to Expend Funds from the Highway Equipment Reserve for the Purchase of a New and Unused Pick-Up Truck:

MOTION was made by Councilperson Ventry to approve up to \$25,000 from the Equipment Reserve Account D878.2 for the purchase of a new and unused pick-up truck, subject to permissive referendum; seconded by Supervisor Hartman; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

14. Set Bid Opening Date for Purchase of Pick-Up Truck:

Supervisor Hartman stated that the funds in the Equipment Reserve Account can not be used to help fill the budget deficit and is only for equipment purchases.

MOTION was made by Supervisor Hartman to set the bid opening date to September 3, 2020 at 10:00 AM in the Town Clerk’s Office for the purchase of a new and unused pick-up truck; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

15. Set Bid Opening Date for Purchase of Fire Equipment:

Supervisor Hartman stated that due to the budget restrains the various equipment was to go out to bid and each Fire Department were to only order what is needed at this time.

MOTION was made by Supervisor Hartman to set the bid opening date to September 10, 2020 at 3:00 PM in the Town Clerk’s Office for the purchase of 2020 itemized equipment for Eden and East Eden Fire Departments; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

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16. Grant Disbursement Agreement Amendment Between Empire State Development and Town of Eden:

MOTION was made by Supervisor Hartman to approve the Grant Disbursement Agreement Amendment by and between the New York State Urban Development Corporation d/b/a Empire State Development and the Town of Eden; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

The grant is in the amount of \$2,400 for the feasibility study of the community center which has been delayed due to the COVID-19 Pandemic.

17. Proposed Local Law #2-2020: Up-dating Provisions of the Town of Eden Code for Building Permits and Minor Subdivision Review:

PROPOSED LOCAL LAW #2-2020

A local law updating provisions of the Town of Eden Code for Building Permits and Minor Subdivision Review

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EDEN AS FOLLOWS:

1. The last sentence of Town of Eden Code Section 110-4 [“Building Permits”] subsection A is hereby amended to read as follows: “No building permit shall be required for small noncommercial structures not exceeding 144 square feet and not intended as quarters for living, sleeping, eating or cooking.”
2. Town of Eden Code Section 110-4 [“Building Permits”] subsection A (1)(b)[1] which currently reads “Cost less than \$10,000.00” is hereby deleted in its entirety.
3. The first sentence of Town of Eden Code Section 184-17 [“Minor subdivision review”] is hereby amended to read as follows: “There shall be created a Minor Subdivision Review Committee, which will be made up of the Planning Board Chair or his/her designee and the Building and Zoning Inspector.”
4. This local law shall take effect immediately upon adoption.

MOTION was made by Supervisor Hartman to approve the adoption of Local Law #2-2020 as presented; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

18. Justice Court Assistance Program Application:

TOWN OF EDEN COURT

2795 E. Church Street
Eden, New York 14057
(716) 992-3559

MICHAEL G. COOPER
Town Justice

MELISSA L. ZITTEL
Town Justice

August 10, 2020

To the Town of Eden Board Members:

The court is applying for a Grant through the Justice Court Assistance Program (JCAP) for 2020.

The following are being included:

- Three office doors
- Flooring for the office
- PPE supplies (masks and disinfecting wipes)

Thank you,


Teresa Baskerville

MOTION was made by Supervisor Hartman to approve the application for the Justice Court Assistance Program; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

August 12, 2020

19. Schedule of Budget Hearings (Informational):

To: Town Board Members
From: Supervisor Hartman
Date: August 12, 2020
Re: Budget Sessions

The following dates and times have been set aside to discuss the 2021 budget

Wednesday September 9, 2020

6:00 PM Department Meeting if Needed
After Town Board Mtg Department Meeting if Needed
Executive Budget Session

Wednesday September 16, 2020

6:00 PM Department Meeting if Needed
Budget Work Session

Wednesday September 23, 2020

6:00 PM Department Meeting if Needed
After Town Board Mtg Budget Work Session

Supervisor's Report:

- Recent COVID-19 outbreak in Eden has a low potential risk, continue to social distance, wear a mask, and wash your hands
- Town is closing on the purchase of the street lights with NYPA and LED conversion should be done by the end of 2020

Susan Wilhelm:

- Eden Library is a WIFI hot spot and it can be accessed in the parking lot

Hearing of Visitors: There were none.

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

Supervisor Hartman adjourned the Regular Meeting of the Eden Town Board at 8:26 PM.

Executive Session was adjourned at 9:20 PM.

Respectfully submitted by,

Emily Hawkins, Town Clerk