

September 9, 2020

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
September 9, 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
Dave Rice - Code Enforcement Officer
Gregory Savage - Eden Police Chief
Ray Zabron - Dog Control Officer
Robert Pietrocarlo - Chairman Board of Assessors

OTHERS PRESENT:

Janet Cunfer - Deputy Town Clerk
Marlene Grunder - Administrative Assistant
William Trask - Town Attorney (Via GoToMeeting)
Lisa Winter - Bookkeeper (Via GoToMeeting)

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 August 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 August 12, 2020; there were none.

Budget Transfers:

September 2020

From Account	To Account	Reason for Amendment	Amount
A3021 Court Facilities	A1110.4 Municipal Court Contractual	JCAP Grant Received for Court Dividers	\$946.00
A915.3 Reserve Sick Pay-General	A3120.4 Police Personal	Retirement	\$36,000.00
A2115 Permit Fees	A889 Restricted Commercial Permit Fees	Nexamp-Held for Review Costs of Project	\$30,000.00
A878.1 Restricted	A4540.2 Ambulance Equipment	Purchase of Ambulance	\$125,500.00
A4540.4 Ambulance Contractual	A4540.2 Ambulance - Equipment	Legal Notice Purchase of Ambulance	\$90.00

MOTION was made by Councilperson Ventry to approve the Budget Transfers of September 9, 2020, as presented; seconded by Supervisor Hartman; All “Ayes” Opposed? – None; Abstain? – None; Motion carried.

Audit Bills:

September 9, 2020

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	556-626	\$170,933.32
Highway Dept. Fund	186-220	\$61,297.49
Fire Dept. Fund	176-191	\$3,856.53
Recreation Dept. Fund	79-82	\$1,116.66
Refuse and Garbage Fund	16-18	\$74,564.43
Street Lights Fund	22-23	\$4,044.62
Water Fund	15-15	\$11.00
Capital Fund		
H8230.405	No Activity	
H8320.406	No Activity	
H8302.407	No Activity	
Drainage District SD 4	No Activity	

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

Departmental Reports:

Department reports for the month of September 2020 were presented by Rick Kirst, East Eden Fire Chief; Mike Hart, Eden Fire Chief; Robert Pietrocarlo, Chairman Board of Assessors; Greg Savage, Eden Police Chief; Ronald Maggs, Highway Superintendent; William Trask, Town Attorney; Janet Cunfer, Deputy Town Clerk; Dave Rice; Acting Code Enforcement Officer; Councilperson Sam reporting for Amy Porter, Recreation Director; and Ray Zabron, Dog Control Officer. All reports are on file in the Town Clerk’s office.

There were no public comments on agenda items.

New and Unfinished Business:

1. Resignation of Phillip Muck from Eden Library Board:

Supervisor Hartman acknowledged the resignation of Mr. Muck from the Library Board. She added gratitude and thanks from the entire town for his years of community involvement. He will be sorely missed. Councilperson Wilhelm noted that the Library Board will be naming a new Board member soon.

2. Approve Local Law 3-2020 Signage Code:

**Town of Eden
Proposed Local Law #3-2020**

A local law establishing the Signage Code being Section 225-29 of the Town of Eden Zoning Law.

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 replace the current Section 225-29 entitled “Signs” in its entirety with a new Section 225-29 entitled “Signage” which shall read as shown on the 28 pages attached hereto.

SECTION 2. Severability.

If any article, section, subdivision, paragraph or provision 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 3: Effective Date.

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

MOTION was made by Supervisor Hartman to approve Local Law 3-2020, establishing the Signage Code being Section 225-29 of the Town of Eden Zoning Law; seconded by Councilperson Wilhelm; “Ayes” – Councilpersons Wilhelm, Byrnes and Sam; Opposed? – Councilperson Ventry; Abstain? – None; Motion carried.

Councilperson Ventry noted that his opposition to this local law came from his belief that it is too strict.

3. Declare Ambulance Surplus:

MOTION was made by Councilperson Ventry to declare the 2008 Ford E450 ambulance VIN#1FDXE45P88DB04412 surplus and to sell at auction with a minimum bid set at \$2,000.00; seconded by Councilperson Byrnes; All “Ayes” Opposed? – None; Abstain? – None; Motion carried.

4. Set Public Hearing for Town Budget:

MOTION was made by Supervisor Hartman to set the Public Hearing for the Town Budget to October 28, 2020 at 7:15 pm; seconded by Councilperson Sam; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

5. Set Public Hearing for Possible Override of Tax Cap:

MOTION was made by Supervisor Hartman to set the Public Hearing for the possible override of Tax Cap to October 28, 2020 at 7:30 pm; seconded by Councilperson Ventry; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

6. Set Public Hearing for Fire District Budget:

MOTION was made by Supervisor Hartman to set the Public Hearing for the Fire District Budget to October 20, 2020 at 7:00 pm; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

7. Public Notice for Agricultural District Budget:

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/agenrollment.

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:

Sarah Gatti, Senior Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-6014
Fax: (716) 858-7248
Email: agriculture@erie.gov

Items #8 & #9 were tabled by the Town Board.

8. Create Additional Part-Time Police Position to Civil Service Inventory:

9. Appoint Shauna McCarthy as Part-Time Police Officer:

10. Award Bid for Purchase of 2021 Pick-Up:

The following bids were received:

Bids for Highway Department Pick-Up Truck	
Company	Amount
Cappellino Chevrolet	\$24,233.00
West Herr Chevrolet	\$26,691.43

MOTION was made by Supervisor Hartman to approve the bid from Cappellino Chevrolet in the amount of \$24,233 for the purchase of a new 2021 pick-up truck for the Highway Department; seconded by Councilperson Wilhelm; All “Ayes” Opposed? – None; Abstain? – None; Motion carried.

11. NYPA – Eden Streetlight Maintenance Agreement:

Supervisor Hartman mentioned that only the last page of the current agreement has changed. The Town would choose a monthly or annual payment instead of the lump sum. This agreement would become effective at execution. Overall, the savings to the Town on lighting maintenance will be significant.

MOTION was made by Supervisor Hartman to approve Agreement between NYPA and the Town of Eden; seconded by Councilperson Byrnes; All “Ayes” Opposed? – None; Abstain? – None; Motion carried.

12. Set Public Hearing for Community Development Block Grant:

MOTION was made by Supervisor Hartman to set the Public Hearing for the Community Development Block Grant to October 14, 2020 at 7:30 pm; seconded by Councilperson Ventry; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

Supervisor Hartman thanked all department heads and volunteers involved in the budget process while in the midst of the on-going uncertainty brought on by the COVID-19 pandemic. She recognized the difficulty in planning for a future full of unknowns and is grateful for the patience everyone has shown.

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 Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Hartman adjourned the Regular Meeting of the Eden Town Board at 7:38 PM.

Respectfully submitted by,

Janet Cunfer, Deputy Town Clerk