

MINUTES

REGULAR & REORGANIZATIONAL MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
December 30, 2020
4:00 P.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.

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

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 4:00 P.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 board meetings and work sessions via live stream where the public is allowed to listen in. This conference call allows the Town of Eden to conduct town business with the Board and Town attorney.

Budget Transfers:

From Account	To Account	Reason for Amendment	Amount
A4389 Federal Aid Other Public Safety	A3120.4 Police - Contractual	Cares Act Funding for Police Radios	\$3,288.75
SF878 Restricted Capital Reserve Fire	SF3410.2 Fire - Equipment	Use of Reserves for purchase of Fire Rescue Per Permissive Referendum	\$51,098.73
SF878 Restricted Capital Reserve Fire	SF3410.2 Fire - Equipment	Use of Reserves for Installation of Radios in Fire Rescue Truck per Permissive Referendum	\$2,050.68
SR2130 Refuse & Garbage Charges	SR8160.4 Refuse & Garbage Contractual	Proceeds from sale of Totes to Purchase Additional Totes	\$1,000.00
SW917 Water Fund Balance	SW8320.4 Water Contractual	Use of Fund Balance for Emma Filing & Late Invoice from ECWA for Tank Repair prior to Turn Over of System	\$6,739.00
A1220.1 Supervisor - Personal	A1355.1 Assessors - Personal	Reallocation of Secretary Time	\$900.00
A1990.4 Contingent Fund	A1355.4 Assessors - Contractual	Overbudget - Training	\$450.00
A9060.8 Hospital & Medical	A1910.4 Unallocated Insurance	Increase in September Premium	\$8,000.00

A4389 Federal Aid Other Public Safety	A3120.4 Police - Contractual	Cares Act Funding for Police Laptops, Desktops Docking Station and Camera/Mic	\$5,610.00
A3120.4 Police - Contractual	A3120.1 Police - Personal	Adjustment for Retirement	\$18,000.00
A1990.4 Contingent Fund	A3120.1 Police - Personal	Adjustment for Retirement	\$5,000.00
A3620.1 Safety Inspection - Personal	A3620.4 Safety Inspection - Contractual	Overbudget	\$10.00
A899.1 Restricted EMS	A4540.4 Ambulance - Contractual	Revenue Recovery for Overbudget	\$3,000.00
A2170 Community Development Income	A6989.4 Other Economic Assistance	NY Main Street Grant for Eden Seafood and Four Corners Café	\$68,530.63
A1990.4 Contingent Fund	A5010.1 Hwy Supt - Personal	Error on Budget Calculation	\$175.00

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

Encumbrances: Tabled

Audit Bills:

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DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	889-947	\$104,592.50
Highway Dept. Fund	322-341	\$16,940.39
Fire Dept. Fund	282-297	\$67,798.01
Recreation Dept. Fund	110-114	\$1,080.33
Refuse and Garbage Fund	25	\$2,834.80
Street Lights Fund	38	\$506.29
Water Fund	22	\$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 with a correction to Voucher #890 to be in the amount of \$21,376.00; seconded by Councilperson Wilhelm; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

Hearing of Visitors on Agenda Items: None.

New and Unfinished Business:

1. Police Contract:

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

2. Renewal of Special Use Permit for St. John’s Eden Community Care Center:

MOTION was made by Supervisor Hartman to approve the Special Use Permit renewal for St. John’s Eden Community Care Center with all requirements met; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

3. Contract with Eden Veterinary Clinic:

No changes from previous agreement.

MOTION was made by Supervisor Hartman to approve the Dog Shelter Lease Agreement between the Eden Veterinary Clinic and the Town of Eden for the calendar year of 2021; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

4. 2021 Stop DWI Contract:

MOTION was made by Supervisor Hartman to approve the 2021 Police and Court STOP-DWI contract as presented; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

5. Amendment #2 to Waste Management Agreement – Additional Bulk Garbage Days for June and October (up to 10 items):

MOTION was made by Supervisor Hartman to approve Amendment Two; Collection, Hauling, and Disposal of Mixed Municipal Solid Waste and Specified Items and Materials and Collection, Hauling and Processing of Recyclables between Waste Management of New York, LLC and Town of Eden, New York; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

6. Set Fire Commissioner’s Meetings for 2021: January 27th, May 26th, September 22nd

Informational Only.

7. NYS Volunteer Firefighter Cancer Benefit Program (Eden & East Eden):

MOTION was made by Supervisor Hartman to approve the New York State Volunteer Firefighter Cancer Benefit Program Proposal of Coverage Enhanced Supplemental Plan for East Eden Fire Company in the amount of \$5,446.53; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Supervisor Hartman to approve the New York State Volunteer Firefighter Cancer Benefit Program Proposal of Coverage Enhanced Supplemental Plan for Eden Fire Company in the amount of \$7,276.80; seconded by Councilperson Ventry; All “Ayes”? Opposed? – None; Abstain? – None; Motion carried.

8. Resolution Directing NYS Governor’s Executive Order 202.83 on Senior Citizens and Disability Exemptions:

RESOLUTION DIRECTING THE TOWN ASSESSOR, PURSUANT TO NYS GOVERNOR’S EXECUTIVE ORDER 202.83 CONTINUING TEMPORARY SUSPENSION AND MODIFICATION OF LAWS RELATING TO THE PANDEMIC DISASTER EMERGENCY, SPECIFICALLY AS IT PERTAINS TO SENIOR AND DISABILITY EXEMPTIONS, SECTION 467 AND 459C OF THE REAL PROPERTY TAX LAW, TO GRANT EXEMPTIONS ON THE 2021 ASSESSMENT ROLL TO ALL PROPERTY OWNERS WHO RECEIVED THAT EXEMPTION ON THE 2020 ASSESSMENT ROLL, THEREBY DISPENSING WITH THE NEED FOR RENEWAL APPLICATIONS FROM SUCH PERSONS, AND FURTHER DISPENSING WITH THE REQUIREMENT FOR ASSESSORS TO MAIL RENEWAL APPLICATIONS TO SUCH PERSONS

WHEREAS, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, on December 18, 2020, the Governor issued Executive Order 202.83, a portion of which includes a local option pertaining to Senior Citizens’ and Persons with Disabilities’ partial property tax exemption, Subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law (Partial Tax Exemption for Persons with Disabilities), and Subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law (Partial Tax Exemption for Low Income Senior Citizens), to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received either of those exemption on the 2020 assessment roll, unless there has been a change in status that would no longer qualify the homeowner, dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

WHEREAS, the Town is desirous to adopt such resolution while also allowing the assessor to require a renewal application to be filed when the assessor has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed primary residence, added another owner to the deed, transferred the property to a new owner, or died;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans directs the Town Assessor, pursuant to the NYS Governor’s Executive Order 202.83 Continuing Temporary Suspension and Modification of Laws relating to the pandemic disaster emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459c of the Real Property Tax Law, to grant exemptions on the 2021 Assessment Roll to all property owners who received that exemption on the 2020 Assessment Roll, except in the case that there is a change of status that would no longer qualify the homeowner, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons.

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

Hearing of Visitors: There were none.

MOTION was made by Supervisor Hartman to adjourn the 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 4:27 P.M.

MOTION was made by Supervisor Hartman to open the Re-Organizational Meeting of the Eden Town Board; seconded by Councilperson Wilhelm; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

REORGANIZATIONAL MEETING

FOR THE YEAR 2021

TOWN OF EDEN

Supervisor Hartman began the Re-organizational Meeting by reading the following items:

1. Regular meetings of the Eden Town Board will be held on the second Wednesday of each month starting at 7:00 P.M. Additional meetings will be held on the fourth Wednesday of each month as needed.
2. The official newspaper of the Town of Eden will be “The Sun” and as an alternate, “The Buffalo News”.
3. Surety Bonds will be carried as follows:

\$1,116,000.00 – Tax Collector/Clerk
\$1,116,000.00 – Supervisor/Deputy Supervisor
\$1,116,000.00 – Bookkeeper
\$1,116,000.00 – Court Clerk
\$ 50,000.00 – Blanket Employee Dishonesty
4. Mileage reimbursement will be \$.575 per mile while using personal vehicles on Town business, authorized in advance.
5. Copies of adopted minutes will be on file at the Eden Library, the Town Clerk’s office and the Town of Eden Website.

Appoint Evans Bank, M & T, Key Bank, NYCLASS and Chase Bank and other institutions as deemed appropriate by the Board, as banks for deposits, checking and investments.

MOTION was made by Councilperson Wilhelm to accept and approve Items Nos. 1 thru 6 as presented; seconded by Councilperson Ventry. On the Vote: all Ayes. Motion carried.

Supervisor Hartman then read the Salaries of Elected Officials as follows:

Salaries of Elected Officials:

1. Town Board Members \$12,057.00 each yearly, to be paid bi-weekly.
2. Justices Michael Cooper and Melissa Zittel at \$18,326.00 each yearly, to be paid bi-weekly.
3. Supervisor Melissa Hartman at \$44,360.00 yearly, to be paid bi-weekly.
4. The Chair of the Board of Assessor will receive \$21,813.00 yearly, to be paid bi-weekly and the other two assessors \$16,973.00 each yearly, to be paid bi-weekly.
5. Town Clerk, Emily Hawkins at \$42,724.00 yearly, to be paid bi-weekly. The Town Clerk will also receive remuneration as school tax collector for the 2021-2022 school year, pursuant to an agreement with the Eden Central School District, in the amount of \$8,890.00.
6. Highway Superintendent, Ronald Maggs at \$81,741.00 yearly, to be paid bi-weekly.

MOTION was made by Supervisor Hartman to approve the above salaries; seconded by Councilperson Byrnes. On the Vote: all Ayes. Motion carried.

Supervisor Hartman read the following Appointments and Salaries:

Appoint Teresa Baskerville full-time Court Clerk at \$44,262.00 yearly, 38 hours per week, to be paid bi-weekly.

Appoint Cindy Henry part-time Court Clerk at \$15.90 per hour for up to 19 hours per week.

The salary of the full-time bookkeeper, Lisa Winter will be \$52,917.00 yearly, for 40 hours per week to be paid bi-weekly.

The rate of pay for part-time highway employees will be \$15.00 per hour, to be paid bi-weekly.

Re-appoint Dave Rice Fire Inspector at \$72.00 per occurrence.

Appoint Dave Rice Assistant Code Enforcement Officer for 40 hours per week at \$31.25 per hour.

Appoint Jen Crowe full-time secretary to the Code Enforcement Officer for 18 hours per week, the Assessor's Office for 18 hours per week and the Supervisors Office for 4 hours per week at \$18.70 per hour, to be paid bi-weekly.

MOTION was made by Councilperson Wilhelm to approve the above appointments; seconded by Councilperson Byrnes. On the Vote: all Ayes. Motion carried.

Supervisor Hartman read the following Appointments and Salaries:

Appoint Robert Pietrocarlo Chair of the Board of Assessors.

The Chairman of the Zoning Board of Appeals is to be paid \$500.00 yearly.

The Chairman of the Planning Board is to be paid \$500.00 yearly.

The Chairman of the Assessment Board of Review is to be paid \$125.00 yearly and the other members of the Assessment Board to be compensated \$85.00 each year. A secretary, if needed, will be compensated \$200.00 per year.

Acknowledge the Town Clerk's appointments of Deputy Town Clerk (Part-time) Janet Moot-Cunfer and Deputy Town Clerk (Part-time) Shannon Sam. Janet Moot-Cunfer will be paid \$16.20 per hour and Shannon Sam will be paid \$15.40 per hour both bi-weekly. The total Deputy Town Clerk hours and compensation should not exceed 1456 hours or \$23,213.00 for the year.

Appoint Emily Hawkins Registrar, at a rate of \$4,000.00 yearly, to be paid bi-weekly.

Appoint William Sickau part-time custodian, at a salary of \$8,640.00 yearly, to be paid bi-weekly.

Appoint Raymond Zabron, part-time Dog Control Officer, at an annual salary of \$17,838.00, to be paid bi-weekly plus \$60.00 per mandatory court session.

Appoint Maureen Zabron, part-time Dog Control Officer's secretary at an annual salary of \$3,653.00, to be paid bi-weekly.

Appoint Amy Porter, Recreation Director at \$23.90 per hour for 19 hours per week to be paid bi-weekly. A contingent additional 10 hours per week to be paid for 18 weeks pending the opening of the summer recreation program.

Appoint Scot Christiansen, full-time Recreation Working Crew Chief at \$28.27 per hour for 40 hours per week, to be paid bi-weekly.

Appoint Jim Schintzius, Cemetery Caretaker at \$17.50 per hour plus \$75.00 for Saturday burials, paid bi-weekly as needed.

Appoint Cindy Kugler secretary to the Highway Superintendent at \$22.40 per hour for 40 hours per week, to be paid bi-weekly and secretary to the Off-Road Drainage Committee at \$25.00 per meeting.

Appoint Kevin C. Condon, Town Prosecutor, at an annual salary of \$9,270.00, to be paid bi-weekly.

Reappoint Ronald Maggs Chairman of the Off-Road Drainage Committee.

Reappoint Ronald Maggs and reappoint Cindy Kugler as Co-MS4 Officers to be compensated \$1,800.00 and \$1,200.00, respectively, yearly, to be paid bi-weekly.

Appoint William J. Trask Sr. as Counsel to the Town and authorize Supervisor Hartman to accept terms of 2021 engagement with a base annual compensation of \$34,217.00 for general municipal legal services, to be paid bi-weekly, and an hourly rate of \$175.00 for litigation, special district/special project legal services.

Kim Soda, Full-time Police Clerk, will be compensated \$52,446.00 yearly for 40 hours per week to be paid bi-weekly.

Part-time Police Officers will be paid \$24.00 per hour for day shifts, not to exceed 3122 hours and \$74,928.00 and \$25.00 per hour for night shifts, not to exceed 2190 hours and \$54,750.00, not to exceed a total expenditure of \$129,678.00 for all part-time officers for the year to be paid bi-weekly.

Part-time public safety dispatchers with 1-5 years experience will be paid \$15.53 per hour, with 6-10 years experience \$16.11 per hour and with 11 years the rate will be \$16.70 per hour. All paid bi-weekly.

MOTION was made by Councilperson Wilhelm to approve the above appointments and salaries as stated; seconded by Councilperson Ventry. On the Vote: all Ayes. Motion carried.

The following appointments were read by Supervisor Hartman:

Appoint Jen Crowe Planning Board Secretary at \$110.00 per occasion.

Appoint Jen Crowe Zoning Board secretary at the rate of \$100.00 per hearing plus \$15.00 per hour for reconvened hearings.

Appoint the Police Chief the inspection official for games of chance at no pay.

Appoint the Town Clerk as Affirmative Action and Fair Housing Officer at no pay.

The Eden and East Eden Fire Chiefs will receive an annual stipend of \$1,500.00 each.

Appoint William Laing part-time Eden Fire Clerk at \$16.65 per hour, not to exceed 6 hours per week, to be paid bi-weekly and Scott Crowe as part-time E. Eden Clerk at \$16.65 per hour, not to exceed 4 hours per week, to be paid bi-weekly.

The Director of Operations for the Eden Emergency and Rescue Squad will receive an annual stipend of \$1,500.00.

MOTION was made by Supervisor Hartman to approve the above appointments and salaries; seconded by Councilperson Byrnes. On the Vote: all Ayes. Motion carried.

Appointments of the Supervisor:

Supervisor Hartman read the following appointments:

Appoint Marlene Grunder, Administrative Assistant and Confidential Secretary to the Supervisor at \$22.40 per hour for 36 hours per week, to be paid bi-weekly.

Appoint Rich Ventry as Deputy Town Supervisor at a \$1,500.00 yearly stipend to be paid bi-weekly.

MOTION was made by Councilperson Ventry to acknowledge the Supervisor's appointments and salaries as stated; seconded by Councilperson Byrnes. On the Vote: all Ayes. Motion carried.

Additional Appointments:

Appoint Sue Minekime Town Historian at \$2,380.00 annually.

Appoint Supervisor Melissa Hartman Director of Civil Defense at no salary.

Appoint Supervisor Melissa Hartman as Budget Director at a one-time \$6,000 stipend to be paid bi-weekly.

Appoint Brian Burgstahler as Emergency Coordinator and will receive an annual stipend of \$1,500.00.

Appoint Town Supervisor, Police Chief, Highway Superintendent to the Work Place Violence/Sexual Harassment Team and Town Clerk to serve as an alternate.

Appoint Chief Gregory Savage as Records Access Officer for the Police Department.

Appoint Joseph Flynn Captain of the Reserve Police at no salary.

Appoint Robert Pietrocarlo Head Assessor.

Motion was made by Councilperson Ventry, seconded by Councilperson Wilhelm to approve the salaries as stated. On the Vote: all Ayes. Motion carried.

Supervisor Hartman made the following appointments as Town Board Liaisons to the various Town Boards/Committees:

Michael Byrnes	Code Review Committee
Gary Sam	Recreation Advisory Board
Gary Sam	Eden Chamber of Commerce
Susan Wilhelm	Historic Preservation Board/Local History Comm.
Rich Ventry &	Master Plan Implementation Committee/Economic
Melissa Hartman	Development
Michael Byrnes	Conservation Advisory Board
Gary Sam	Zoning Board of Appeals
Susan Wilhelm	Library Board
Susan Wilhelm & Gary Sam	Emergency and Rescue Squad
Michael Byrnes	Street Light Committee
Susan Wilhelm & Rich Ventry	Planning Board
Gary Sam & Michael Byrnes	Fire Departments
Rich Ventry	Assessment Board of Review
Susan Wilhelm	Agricultural Advisory Board
Rich Ventry	Drainage Committee
Melissa Hartman	Technology Committee
Melissa Hartman & Rich Ventry	Emergency Preparedness Committee
Melissa Hartman	Association of Erie County Governments
Susan Wilhelm	NEST – Solid Waste
Melissa Hartman	Community Development Block Grant
Melissa Hartman	Rural Transit Service Advisory Board
Rich Ventry	Southtowns Community Enhancement Coalition

MOTION was made by Councilperson Ventry to acknowledge the Supervisor’s appointments of Town Board Liaisons; seconded by Councilperson Wilhelm. On the Vote: all Ayes. Motion carried.

Advisory Board Appointments/Reappointments:

- Andy Romanowski will be reappointed to the Planning Board as Vice-Chair for a 7-year term
- Bethany Fancher-Herbert will be re-appointed to the Planning Board as an alternate for a 1-year term
- Dave Brodzinski will be re-appointed to the Planning Board as an alternate for a 1-year term
- Kristin Kent will be re-appointed to the Zoning Board of Appeals as Chair for a 1-year term
- Andrew Riedel will be re-appointed to the Zoning Board of Appeals for a 5-year term
- Candice Pineau will be re-appointed to the Zoning Board of Appeals as an alternate for a 1-year term
- Robert Stickney will be re-appointed to the Code Review Committee for a 2-year term
- Norm Eckhardt will be re-appointed to the Code Review Committee for a 2-year term

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Andrew Riedel will be re-appointed to the Code Review Committee for a 2-year term
Larry Howie will be re-appointed to the Off-Road Drainage Committee for a 3-year term
MOTION was made by Supervisor Hartman to approve the re-appointments as presented;
seconded by Councilperson Byrnes. On the Vote: all Ayes. Motion carried.

The Conservation Board does not meet until January, appointments will be made after that.

Renewal of Independent Service Providers Contracts:

MOTION was made by Supervisor Hartman to enter into a contract with Joseph Ghosen, to serve as GIS Consultant for 2021 at \$6,750.00 yearly, to be reimbursed \$562.50.00 per month. Seconded by Councilperson Ventry. On the Vote: all Ayes. Motion carried.

MOTION was made by Supervisor Hartman to designate Lisa Winter, Bookkeeper, to oversee the services provided to the Town by Drescher and Malecki. Seconded by Councilperson Wilhelm. On the Vote: all Ayes. Motion carried.

MOTION was made by Councilperson Wilhelm to appoint CPL Team as our engineering and planning firm of record, providing retainer services with a not-to-exceed amount of \$15,000 for general engineering and planning services and to authorize Supervisor Melissa Hartman to execute said contract as prepared by CPL. Seconded by Councilperson Ventry. On the Vote: all Ayes. Motion carried.

Reaffirmation of the Town's Procurement and Investment Policies:

MOTION was made by Supervisor Hartman to adopt the Procurement Policy as amended December 29, 2010 and to adopt the Investment Policies and Guidelines of the Town of Eden as amended on December 29, 2010. Both are on file in the Town Clerk's office. Seconded by Councilperson Byrnes. On the Vote: all Ayes. Motion carried.

Adjournment:

MOTION was made by Supervisor Hartman to adjourn the Re-organizational Meeting of the Eden Town Board at 4:48 P.M., seconded by Councilperson Wilhelm. On the Vote: all Ayes. Motion carried.

Respectfully Submitted by:

Emily Hawkins, Town Clerk