

June 9, 2021

MINUTES

REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
June 9, 2021
7:00 P.M.

**Due to the COVID-19 Pandemic this meeting was held in person and 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

DEPARTMENT HEADS PRESENT:

Gregory Savage - Eden Police Chief
Matthew Colvin - Eden Fire Chief
Rick Kirst - East Eden Fire Chief
Ron Maggs - Highway Superintendent
Robert Pietrocario - Chairman Board of Assessors
Amy Porter - Recreation Director
Dave Rice - Code Enforcement 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 May 12, 2021 as presented; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Supervisor Hartman asked if there were any additions or corrections to the Town Board Minutes; there were none.

Budget Transfers:

From Account	To Account	Reason for Amendment	Amount
SF878 Reserve Fire	SF3410.2 Fire Equipment	Additional Work to East Eden Rescue 7	\$2,420.68
SW917 Water Fund Balance	SW8320.4 Water Maintenance	Use of Fund Balance for Town & County Taxes and Emma Filing	\$2,208.71

MOTION was made by Councilperson Ventry to approve the Budget Transfers from June 2021, as presented; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Audit Bills:

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DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	311-373	\$41,288.04
Highway Dept. Fund	112-139	\$24,682.46
Fire Dept. Fund	117-151	\$9,738.14

Recreation Dept. Fund	35-55	\$7,961.91
Refuse and Garbage Fund	10-12	\$50,050.83
Street Lights Fund	16-19	\$2,127.65
Water Fund	8-10	\$2,838.09

MOTION was made by Councilperson Ventry to approve the Audit of Bills as presented; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Departmental Reports:

Department reports for the month of June 2021 were submitted by Rick Kirst, East Eden Fire Chief; Matthew Colvin, Eden Fire Chief; Robert Pietrocarlo, Chairman Board of Assessors; Greg Savage, Eden Police Chief; Ronald Maggs, Highway Superintendent; Emily Hawkins, Town Clerk; Dave Rice; Code Enforcement Officer; Amy Porter, Recreation Director; Ray Zabron, Dog Control Officer, and Eden Emergency Squad. All reports are on file in the Town Clerk’s office.

MOTION was made by Supervisor Hartman to reinstate Kevin Durski to the active roster pending physical; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

MOTION was made by Supervisor Hartman to approve the purchase of items from the bid equipment list for Eden and East Eden Fire Departments; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

New and Unfinished Business:

1. Recognize Kim Soda’s Retirement:

**A PROCLAMATION
Is hereby established
By the Eden Town Board
HONORING KIM SODA**

***WHEREAS**, Kim Soda has honorably served the Town of Eden residents for over 20 years as the Eden Police Clerk, and*

***WHEREAS**, she has been the face and main voice of the Eden Police Department since January 15, 2001, and*

***WHEREAS**, Kim has assisted Eden residents during many times of need, providing comfort, instruction and answers during stressful situations in a very calm demeanor, and*

***WHEREAS**, Kim’s various administrative and matron duties, as well as her willingness to always be available has helped each officer and the Chief of Police do a more effective job, and*

***WHEREAS**, she has transformed Eden’s police services and dispatch through technology, making information and communication easier and more transparent, and*

***WHEREAS**, Kim has written various grants throughout her 20 years with the Town of Eden that have contributed to road and officer safety, and*

***WHEREAS**, during her 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**, Kim’s many contributions to the Town of Eden including her assistance with the Town’s Emergency Services during storms, disasters, accidents and assistance with the Eden Emergency Squad calls has greatly contributed to the safety and well-being of the Town of Eden,*

***NOW, BE IT RESOLVED**, that, by act of this Town Board meeting on June 9, 2021, we honor Kim Soda for her over 20 years of service and wish Kim well in her retirement and thank her for her dedicated service to the Town of Eden and its residents.*

2. Ratify Recreation Staff Appointment:

MOTION was made by Supervisor Hartman to ratify the approval of Christian Walsh for part time grounds and maintenance at a rate of \$12.50 per hours effective as of May 24, 2021; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

*Previously approved via email, Motion: Supervisor Hartman, Second: Councilperson Sam

3. Waiver of 30-Day Municipality Notification for Liquor License – Pilot Light Pub:

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MOTION was made by Supervisor Hartman to approve the Request for Waiver of 30-Day Municipality Notification for Pilot Light Pub; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

4. Ratify ENPM Appraisal Firm – Article 7 of the Real Property Tax Law:

MOTION was made by Supervisor Hartman to ratify the approval of retaining the appraisal firm ENPM in the amount of \$10,000 for a court ready approval for the Eden Heights Nursing Home Article 78 proceeding; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

5. Resolution for Application to NYS Homes and Community Renewal (NYS Main Street Grant):

Resolution by the Town Board approving and endorsing the Town of Eden in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program.

WHEREAS, the Town of Eden desires to apply for \$500,000 in financial assistance through the 2021 Consolidated Funding Application (CFA) under the New York Main Street Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings in the Target Areas; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Eden approves and endorses the 2021 New York Main Street Program Name for assistance prepared and to be submitted by the Town of Eden

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

6. Set Public Hearing for Proposed Local Law #2-2021 19 NYCRR Part 1203:

MOTION was made by Supervisor Hartman to set the public hearing for Local Law #2-2021 19 NYCRR Part 1203 to July 14, 2021 at 7:30 PM; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

7. Appoint Dean Nelipowitz as Fire Inspector and Assistant Code Enforcement Officer:

MOTION was made by Councilperson Wilhelm to appoint Dean Nelipowitz as Fire Inspector at a rate of \$72 per occurrence and Assistant Code Enforcement Officer at \$20 per hour; seconded by Supervisor Hartman; Ayes: All; Opposed: None; Abstain: None; Motion carried.

8. Set Bid Opening Date for Sidewalk Replacement Grant Project:

MOTION was made by Supervisor Hartman to set the bid opening date for Thursday July 8, 2021 at 11:00 AM in the Town Clerk’s Office, for the Sidewalk Replacement Grant Project on Green Street & Welch Lane; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

9. Acknowledge Receipt of the Planning Board’s Negative Declaration and Special Use Permit Conditions: -Received by Town Board

10. Set Public Hearing for Special Use Permit – Solar Project:

MOTION was made by Supervisor Hartman to set the Public Hearing to consider the issuance of a Special Use Permit to the applicant, Eden Solar LLC, allowing a Utility Scale Solar Energy System at 7501 Sisson Highway to July 14, 2021 at 7:30 PM; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

11. Hamburg Dispatching Contract:

Hamburg currently does overnight dispatching and will be taking over full-time dispatching. This agreement is in the amount of \$51,168.30 from 2021-2024, \$51,679.98 for year 2026, \$52,196.78 for 2027, \$52,718.75 for year 2028, and \$53,245.95 for year 2029.

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MOTION was made by Councilperson Wilhelm to approve the contract between the Town of Hamburg and Town of Eden for fire and dispatch services effective July 1, 2021 and ending December 31, 2029 and allow the Supervisor to execute said contract; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

12. EMS Contract with Town of Eden:

MOTION was made by Councilperson Ventry to approve the agreement between the Town of Eden and the Eden Emergency Squad, Inc. for emergency and ambulatory service in the Town of Eden and allow the supervisor to execute said contract; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Supervisor's Report:

- LED light conversion is finalized, maintenance agreement is in place
- NYS Main Street Grant is in process
- 2021 Highschool Senior parade Monday June 21 @ 7PM

Hearing of Visitors:

Stephan Mychajliw, Erie County Comptroller, gave a presentation on preserving the skyway and asking the Town Board to pass a Resolution opposing the removal of the skyway.

MOTION was made by Supervisor Hartman to adjourn the Regular Meeting of the Eden Town Board and open Executive Session for contractual; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Regular Meeting: Closed at 7:53 P.M.

Executive Session: Adjourned at 9:10 P.M.

Respectfully Submitted by:

Emily Hawkins, Town Clerk