

September 8, 2021

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
September 8, 2021
7:00 P.M.**

**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
GARY SAM	-	COUNCILPERSON
MICHAEL BYRNES	-	COUNCILPERSON

DEPARTMENT HEADS PRESENT:

Matthew Colvin	-	Eden Fire Chief
Rick Kirst	-	East Eden Fire Chief
Greg Savage	-	Eden Police Chief
Robert Pietrocarlo	-	Chairman Board of Assessors
Dave Rice	-	Code Enforcement Officer
Amy Porter	-	Recreation Director
Ron Maggs	-	Highway Superintendent

OTHERS PRESENT:

Shannon Sam	-	Deputy Town Clerk
Marlene Grunder	-	Administrative Assistant
William Trask	-	Town Attorney

Call to Order:

Supervisor Hartman called the Regular Meeting of the Eden Town Board to order at 7:02 P.M.

Pledge of Allegiance

Approval of Minutes:

MOTION was made by Supervisor Hartman to approve the Town Board Minutes from August 11th 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.

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Budget Transfers:

**Budget Transfers/Amendments
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From Account	To Account	Reason for Amendment	Amount
915.6 Assigned - Non Rec	A3120.2 Police - Equipment	Police Car -Lights	\$6,931.48
A2705 Gifts & Donations	A915.5 Assigned- Rec	Donation for Fitness Trail	\$1,366.00
A2001 Park & Rec Fees	A915.5 Assigned- Rec	Pedal Party Funds assigned for 2022 Pedal Party	\$310.00
A917 Unassigned Fund Balance North Evans Cemetery	A8810.4 Cemetery - Contractual	Use of Funds from North Evans Cemetery for Tree Removal in Cemetery	\$3,550.00
SW917 Fund Balance	SW9710.6 Bond Debt Principal	Rounding Error	\$0.01
SW917 Fund Balance	SW9710.7 Bond Debt Interest	Rounding Error	\$0.04
A2170 Community Development Income	A6989.4 Other Economic Assistance	NY Main Street Grant for Eden Bowling	\$28,463.00
A7310.4 Youth Program - Contractual	A7110.4 Parks & Grounds- Contractual	Baseball, Football, Lacrosse & Soccer Stipends used for field marking and maintenance -	\$2,000.00
A915.3 Assigned Sick Pay Reserve	A3120.1 Police - Personal	Use of Sick Pay Reserve	\$21,832.00
A9060.8 Hospital & Medical	A9040.8 Worker's Comp	General Worker's Comp Rate higher then Budgeted	\$2,751.00
D915.3 Assigned Other Hwy Projects	D5110.4 Maintenance of Roads Contractual	Use of Assigned Funds for Additional Roadwork	\$100,000.00

MOTION was made by Supervisor Hartman to approve the Budget Transfers from August 2021, as presented; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Audit Bills:

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DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	517-575	\$130,250.07
Highway Dept. Fund	209-230	\$196,023.20
Fire Dept. Fund	204-238	\$29,343.72
Recreation Dept. Fund	99-110	\$2,711.50
Refuse and Garbage Fund	18-19	\$10,448.00

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Street Lights Fund	28-30	\$571.16
Water Fund	14-15	\$716.00

MOTION was made by Supervisor Hartman 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 September 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.

Public Comments on Agenda Items Only: There were none.

New and Unfinished Business:

1. Set Public Hearing for Community Development Block Grant Program:

MOTION was made by Supervisor Hartman set Public Hearing for the Community Development Block Grant Program to October 13, 2021 at 7:30 PM; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried

2. Set Public Hearing for Town Budget:

MOTION was made by Supervisor Hartman to set the Public Hearing for the Town Budget on October 27th 2021 at 7:15 PM; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried

3. 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 27th 2021 at 7:30 PM; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried

Supervisor Hartman noted there is no anticipation of going over the Tax Cap. The Eden Town Board sets this in the event of changes.

4. Set Public Hearing for Fire District Budget:

MOTION was made by Supervisor Hartman to set the Public Hearing for Fire District Budget on October 19th 2021 at 7:00 PM; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried

5. Justice Court Assistance Program application:

MOTION was made by Supervisor Hartman; Be it RESOLVED The Board of The Town of Eden New York authorizes The Town of Eden Town Court to apply for a JCAP grant in the 2021-2022 grant cycle

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up to \$8,365; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried

6. Public Notice for Agricultural Districts Annual Enrollment Period:

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

7. Energy Benchmark Resolution:

MOTION was made by Supervisor Hartman to approve the Establishing Energy Benchmark Requirements for certain municipal buildings as presented; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried

8. Set Public Hearing for Special Use Permit for Cazenovia Recovery Systems:

MOTION was made by Supervisor Hartman to set the Public Hearing for Cazenovia Recovery Systems Special Use permit on October 13th 2021 at 7:45 PM; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried

9. Annual Insurance Renewal.

MOTION was made by Supervisor Hartman to approve the annual insurance renewal for The Town of Eden in the amount of \$102,782.99 through Selective Insurance; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried

10. Cyber Insurance renewal.

MOTION was made by Supervisor Hartman to approve the annual cyber insurance renewal for The Town of Eden in the amount of \$3,230.56 through the underwriters at Lloyd's; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried

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Supervisors Report: Supervisor Hartman shared The Town of Eden is in the process of applying for a TAP Grant, this is a transportation grant. The Town of Eden is looking to utilize the grant if approved for safety. Supervisor Hartman listed some items they were focusing on, such as repair sidewalks, gain crosswalk enhancements, as well as school safety improvements, specifically between Eden Elementary School and the Boys and Girls Club on N. Main Street. The application is due at the end of the month. Supervisor Hartman also stated the New York State DOT has been extremely helpful to the Town of Eden during the process of putting the application together. The Town of Eden is hopeful in working with them they will consider a heavier road project in the future with The Town of Eden.

Hearing of Visitors:

Robert Cook Town of Eden resident stated he had a few questions for The Eden Town Board. Starting with how zoning board members get selected. Supervisor Hartman explained when a spot on the zoning board opens, the position is filled by an application and interview process. Next Mr. Cook inquired about Town of Eden residents appealing a variance decision recently made by the Zoning Board. William Trask Town of Eden attorney stated that would be a question for legal counsel of Mr. Cooks own, Mr. Trask stated there is no legal advice that would come from the Eden Town Board. Mr. Cooks last statement to The Eden Town Board pertained to 2535 Beverly Drive, Mr. Cook expressed concerns of it being vacant. Code Enforcement Officer Dave Rice stated this specific home is tied up in the court system. Supervisor Hartman noted that the outside was being maintained and The Town of Eden was aware of the situation.

MOTION was made by Supervisor Hartman to adjourn the Regular Meeting of the Eden Town Board; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Regular Meeting: Closed at 7:31 P.M.

Respectfully Submitted by:

Shannon Sam, Deputy Town Clerk