

October 26, 2022

MINUTES
REGULAR MEETING/WORK SESSION – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
October 26, 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
MICHAEL BYRNES	-	COUNCILPERSON
GARY SAM	-	COUNCILPERSON

OTHERS PRESENT:

Emily Hawkins	-	Town Clerk
Marlene Grunder	-	Administrative Assistant
Lisa Winter	-	Bookkeeper

Supervisor Hartman called the meeting order at 7:01 P.M.

Pledge of Allegiance

Public Comments on Agenda Items: There were none.

#221-2022 MOTION was made by Supervisor Hartman to open the Public Hearing for the 2023 Preliminary Budget; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstained: None. Motion carried.

The public hearing was opened at 7:01 P.M.

LEGAL NOTICE

TOWN OF EDEN, NEW YORK
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Preliminary budget of the town of Eden, Erie County, New York, for the Fiscal Year beginning January 1, 2023 has been completed and filed in the Office of the Town Clerk of the said Town Hall 2795 East Church Street in said Town, where it is available for inspection by any interested persons at all reasonable hours. FURTHER NOTICE IS HEREBY GIVEN that the Town Board of said Town of Eden will meet and review said preliminary budget and hold a public hearing thereon at the Town Hall at 7:00pm on the 26th day of October, 2022, and that at such hearing any persons may be heard in favor of or against the preliminary budget as compiled, or for or against the preliminary budget as compiled, or for or against any items for items herein contained. AND FURTHER NOTICE IS HEREBY GIVEN pursuant to the section 108 of the Town Law that the following are proposed yearly salaries of the Town Officers of this Town, to wit:

Supervisor: \$53,684
Councilmen (4 each): \$12,852
Superintendent of the Highways: \$87,136
Town Clerk: \$45,544

Supervisor Hartman stated that the overall budget increase is 1.57%.

She then opened the floor to comments. There were none.

#222-2022 MOTION was made by Supervisor Hartman to close the Public Hearing; seconded by Councilperson Wilhelm; Ayes: all; Opposed: None; Abstain: None; Motion carried.

The Public Hearing was closed at 7:04 PM.

New and Old Business:

1. Amend Motion #210-2022:

#223-2022 MOTION was made by Supervisor Hartman to amend motion #210-2022 from the October 12, 2022 meeting to set a Public Hearing for Local Law 13-2022 increasing the Maximum Exemption

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Amounts under the Alternative Veterans Exemption to November 9, 2022 at 7:15 PM; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstained: None. Motion carried.

**2. Community Development Block Grant Resolution:
a. Rural Transit**

#224-2022: MOTION was made by Councilperson Ventry to authorize Melissa Hartman, Town Supervisor, to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG; Rural Transit; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Supervisor Hartman stated that there were other ideas presented at the Public Hearing, but the Town did not have time to prepare those items and submit for the grant. The items will be added to next year's grant preparation.

3. Personnel Policy:

The Town Supervisor provided an up-dated Personnel Policy to the Town Board which was discussed at length. Changes will be made to the policy and it will be reviewed at a later date.

#225-2022 MOTION was made by Supervisor Hartman to open the Public Hearing for the Tax Cap Override; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstained: None. Motion carried.

The Public Hearing was opened at 7:15 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 the following public hearings will be held by the Eden Town Board in the Eden Town Hall, 2795 East Church Street, Eden, New York on the 26th day of October, 2022:

1. At 7:15 P.M. Local Time, for the purpose of considering Proposed Local Law No.13-2022 which, if approved, would allow the real property tax levy in the 2023 Town budget to exceed the tax levy limit pursuant to General Municipal Law Section 3-c (5).

Copies of the proposed local law are available for review in the office of the Town Clerk. All interested parties will be given an opportunity to be heard.

Supervisor Hartman stated that at this time the Town does not plan to exceed the tax cap.

There was no one present to be heard.

#226-2022 MOTION was made by Supervisor Hartman to close the Public Hearing for the Tax Cap Override and enter regular session; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstained: None. Motion carried.

The Public Hearing was closed at 7:16 PM.

4. Proposed Local Law 9-2022; Fire Rapid Entry System: Tabled

5. Proposed LL 10-2022; Mobile Food Vending:

#227-2022: MOTION was made by Supervisor Hartman to adopt Local Law 10-2022 adding Chapter 135 Regulating Mobile Food Vending to the Town of Eden Code; seconded by Councilperson Sam; Ayes: Hartman, Wilhelm, Byrnes, Sam; Opposed: None; Abstain: Ventry; Motion carried.

6. Proposed LL 10-2022; Application Fee:

#228-2022: MOTION was made by Councilperson Sam to set the temporary fee to \$250.00 for Regulating Mobile Food Vending; seconded by Councilperson Wilhelm; Ayes: Hartman, Wilhelm, Byrnes, Sam; Opposed: None; Abstain: Ventry; Motion carried.

The Town Board could not decide on a fee amount, a temporary fee was set, and will be reviewed at a future meeting.

7. Proposed LL 11-2022; Transient Retail Merchants:

#229-2022: MOTION was made by Supervisor Hartman to approve Local Law 11-2022 adding Chapter 200 (Transient Retail Merchants) of the Town of Eden Code, Regulating Transient Retail Merchants; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

8. Proposed LL 11-2022; Application Fee:

#230-2022: MOTION was made by Councilperson Wilhelm to set the permit fee for LL 11-2022 to \$100; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

9. Proposed LL 12-2022; Peddling and Soliciting:

#231-2022: MOTION was made by Supervisor Hartman to approve Local Law 12-2022 repealing the current Chapter 153, entitled "Peddling and Soliciting" in its entirety and replace it with new Chapter 153 entitled "Peddling and Soliciting;" seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

10. Proposed LL 12-2022; Application Fee:

#232-2022: MOTION was made by Councilperson Sam to set the temporary permit fee for LL 12-2022 to \$250.00 seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

#173-2022 MOTION was made by Supervisor Hartman to close the Town Board Meeting and enter Executive Session for Personnel and Highway Contractual; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

The Supervisor adjourned the Work Session of the Eden Town Board at 8:37 PM.

Executive Session was adjourned at 8:30 PM

Respectfully Submitted by:

Emily Hawkins, Town Clerk