

July 12, 2023

**MINUTES**

**REGULAR MEETING – EDEN TOWN BOARD  
2795 East Church Street  
Eden, NY 14057  
July 12, 2023 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:**

- RICH VENTRY - SUPERVISOR
- SUSAN WILHELM - COUNCILPERSON
- MICHAEL BYRNES - COUNCILPERSON
- GARY SAM - COUNCILPERSON
- VINCENT VACCO - COUNCILPERSON (participated in meeting after appointment)

**OTHERS PRESENT:**

- Emily Hawkins - Town Clerk
- Marlene Grunder - Administrative Assistant
- Dave Rice - Code Enforcement Officer
- Lisa Winter - Bookkeeper
- Bill Trask - Town Attorney

Supervisor Ventry called the meeting to order at 7:00 P.M.

**Pledge of Allegiance**

**Approval of Minutes:**

**#84-2023: MOTION** was made by Councilperson Wilhelm to approve the Town Board Minutes of June 14, 2023; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**#85-2023: MOTION** was made by Councilperson Wilhelm to approve the Town Board Minutes of June 28, 2023; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**Petitions:** None.

**Budget Transfers:**

**July 2023**

<b>From Account</b>	<b>To Account</b>	<b>Reason for Amendment</b>	<b>Amount</b>
A2170 Community Development Income	A6989.4 Other Economic Development	Receipt/Disbursement of Main St Grant funds for Legion	\$14,077.50
A3620.4 Safety Inspection - Contractual	A3620.2 Safety Inspection - Equipment	Set up cost of new printer/scanner	\$381.95
Restricted Capital Reserve- Highway Equipment	D5130.2 Machinery - Equipment	Body for Truck 23 per permissive referendum	\$14,590.00
SD917 Unassigned Fund Balance	SD8540.410 Drainage Dist #1 Oakhill	Use of fund balance for finish work done after 2022 repair	\$3,037.19

**Use of Assignments**

\*A915.6 -Assigned Non Rec to A6989.4 Other Economic Assistance - Main St Grant Part Fees for Environmental Letter \$2800.00

\*A915.6 -Assigned Non Rec to A3510.4 Control of Dog-Contractual for Vehicle Repair \$1735.18

**#86-2023: MOTION** was made by Councilperson Wilhelm to approve the Budget Transfers as presented; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**Audit Bills:**

<b>July 2023</b>		
<b>DESCRIPTION</b>	<b>VOUCHER NUMBERS</b>	<b>AMOUNT</b>
General Fund	414-473	\$47,606.62
Fire Dept. Fund	145-168	\$9,147.92
Recreation Fund	109-132	\$17,068.96
Water Fund	10	\$15.00
Street Lights Fund	22-25	\$999.30
Refuse Fund	NA	
Highway Fund	146-166	\$73,522.84
SD8540.4	1-2	\$3,037.19

**#87-2023: MOTION** was made by Councilperson Byrnes to approve the Audit of Bills as presented; seconded by Councilperson Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**Departmental Reports:**

Department reports for the month of July 2023 were submitted by Scott Crowe, East Eden Fire Chief; Malcolm VanKoughnett, Eden Fire Chief; Susan Johnson, Assessor; Greg Savage, Eden Police Chief; Emily Hawkins, Town Clerk; Dave Rice, Code Enforcement Officer; Drew Riedel, Recreation Director; Nick Blaszczyk, Dog Control Officer, & Joseph Ghosen. All reports are on file in the Town Clerk’s office.

**#88-2023: MOTION** was made by Supervisor Ventry to add Joseph Kordal and Joe Enterline to the active role of the East Eden Fire Department pending background check and physical; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**Public Comment on Agenda Items Only:** No public comment.

**New and Unfinished Business:**

**1. Deputy Supervisor:**

This item was tabled as there were some legal questions regarding appointing the Town Clerk.

**2. Appoint Vincent Vacco as Town Board Member:**

**#89-2023: MOTION** was made by Councilperson Wilhelm to appoint Vincent Vacco as Town Board Member to fill Richard Ventry’s vacant seat effective July 12, 2023 at the current Town Board members’ rate of pay to be paid bi-weekly; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

The Oath of Office was given to Mr. Vacco by Emily Hawkins, Town Clerk.

**3. Request Assistance of Eden Highway and Eden Recreation Departments:**

**#90-2023: MOTION** was made by Councilperson Vacco to approve the request for assistance of Highway and Recreation Departments for the 2023 Eden Corn Festival by Newell-Faulkner Eden American Legion Post 880 and the Corn Festival; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: Ventry; Motion carried.

**4. Authorization to Sign Disbursements:**

**#91-2023: MOTION** was made by Councilperson Wilhelm to authorize Emily Hawkins to sign disbursements for the NY Main Street Grant; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**5. Ratify Approval of NYPA Streetlight Maintenance Contract Extension:**

Supervisor Ventry stated that the current contract with NYPA for maintenance is not being fulfilled as promised and street lights are not getting replaced. The Town is in the process of looking for a new company to contract with but in the meantime the current contract will be extended.

**#92-2023: MOTION** was made by Councilperson Wilhelm to extend the contract for street light maintenance with NYPA until August 11, 2023; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**6. Eden Alumni Proclamation:**

**40th ANNUAL  
EDEN ALUMNI REUNION  
July 28-29, 2023**

**Proclamation**

**WHEREAS**, we are fortunate to have an active Eden Alumni Association who will be celebrating their 40th Annual Reunion on July 28th and 29th, 2023; and

**WHEREAS**, Eden Alumni are important to this community because of the pride we share in the history of our school in providing quality education for so many years; and

**WHEREAS**, it gives us pleasure to recognize the Eden Alumni Association for all they do to stay in contact with individual alumni, encourage alumni to participate in Class Reunions and their continuing scholarship program for current students.

**THEREFORE**, I, Richard Ventry, Supervisor of the Town of Eden, extend sincere congratulations to the Eden Alumni Association and hereby proclaim July 28th and 29th, 2023, EDEN ALUMNI-DAYS in the Town of Eden and I urge all Alumni to join in the many festivities that have been planned to celebrate this year’s reunion celebration.

**#93-2023: MOTION** was made by Supervisor Ventry to accept the Proclamation as read; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**7. Discussion with CPL on Roof Project:**

Supervisor Ventry started the discussion with the background on the roof project stating that when the bid process originally started CPL estimated the total cost would be \$400,000. The Town received two bids, one for one million dollars and another for two million dollars, which was extremely more than was originally expected. The Town rejected both bids and is now looking to CPL for explanation.

Brian Kulpa, Town Planner with CPL, lead a discussion with the Town Board on the proposed roof project at Town Hall, stating his firm was at fault and would like to re-bid the project using multiple scenarios. Mr. Kulpa advised the Town Board that he would not be billing for the time involved in the re-bid process as the fault lies on CPL. He will work directly on the bid to ensure that the bid specifications hopefully result in a lower cost to the Town.

Over the next two weeks Mr. Kulpa will work with the Town to prepare the new specifications and expects that the Town can set a bid date at the August Town Board Meeting with hopes to approve a bid at the September Town Board Meeting.

**#94-2023: MOTION** was made by Supervisor Ventry to open the Public Hearing; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**LEGAL NOTICE  
TOWN OF EDEN, NEW YORK  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN of a PUBLIC HEARING to be held by the Eden Town Board at the Eden Town Hall, 2795 East Church Street, Eden, New York at 7:30 PM on the 12<sup>th</sup> Day of July, 2023. The purpose of the said Public Hearing is to consider the issuance of a special use permit to the applicant, Melissa Singer-Dumars, to operate farm-to-table catered events at 9411 Sandrock Road in the Town of Eden. All interested parties may attend and be heard.

The Public Hearing was opened at 7:30 PM.

Ms. Singer-Dumars explained her planned use of the property for farm to table dinners. She stated that all requests by the town had been met.

Councilperson Wilhelm outlined the recommendations from the Planning Board.

Bill Trask commented that the information on the proposed special use permit was sent to Erie County Department of Environment and Planning and returned with no recommendation.

**#95-2023: MOTION** was made by Councilperson Wilhelm to close the Public Hearing and open the regular meeting; seconded by Councilperson Sam Ayes: All; Opposed: None; Abstain: None; Motion carried.

The Public Hearing was closed at 7:35 PM.

**8. Special Use Permit for 9411 Sandrock Road:**

**#96-2023: MOTION** was made by Supervisor Ventry to approve the Special Use Permit for farm to table catered events at Crown Hill Farm 9411 Sandrock Road with the following conditions met

- All permitting documents (State Liquor Authority, Erie County Department of Health) must be available on site at all times and produced upon request to the Code Enforcement Officer to ensure compliance
- No more than two food vendors and two alcohol vendors per event
- Hours of operation will be 30 minutes after dawn until 30 minutes before dusk
- Maximum of 50 guests (plus workers) per event

Seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**#97-2023: MOTION** was made by Supervisor Ventry to approve CPL to prepare the town hall roof and envelope repair rebid specifications at no cost per Brian Kulpa’s report; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

**Supervisor’s Report:**

- Thank you to the Town staff for the easy transition into Supervisor, met with department heads and employees to get a better understanding of the day to day
- First priority is beautification and updating our parks
- Would like to increase board communication, Town Board liaisons to give monthly reports on the various boards and organizations.

**Council Report; Sue Wilhelm:**

- Library book sale 10/18-10/20
- Library received aid from Mills & DiPietro
- 3,890 books were circulation in June
- Volunteers needed for corn stand at the Corn Fest
- Community Day “Touch a Truck” on 9/16 at the Eden Legion grounds will have fire trucks, highway trucks, mercy flight

**Hearing of Visitors: None**

**#98-2023: MOTION** was made by Supervisor Ventry to close the Regular Meeting and enter Executive for contractual; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

The Regular Meeting was adjourned at 7:50 P.M.

Executive Session was adjourned at 8:30 P.M.

Respectfully Submitted by:

Emily Hawkins, Town Clerk