

August 9, 2023

MINUTES

**REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
August 9, 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

OTHERS PRESENT:

Emily Hawkins - Town Clerk
Marlene Grunder - Administrative Assistant
Dave Rice - Code Enforcement Officer
Sue Johnson - Assessor
Bill Trask - Town Attorney
Ron Maggs - Highway Superintendent

Supervisor Ventry called the meeting to order at 7:05 P.M.

Pledge of Allegiance

Approval of Minutes:

#99-2023: MOTION was made by Councilperson Wilhelm to approve the Town Board Minutes of July 12, 2023; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Petitions: None.

Budget Transfers:

August 2023

From Account	To Account	Reason for Amendment	Amount
A2001 Park & Rec Fees	A7140.4 Playgrounds - Contractual	Field Trip Fees for Cost of Field Trips	\$5,840.00
SW917 Water Fund Balance	SW8320.4 Water - Contractual	Fund Balance Used for EMMA filing	\$2,000.00
SD917 Fund Balance Dist #1	SD8540.410 Drainage Dist #1-Oakhill	Oakhill Subdivision Drainage District Work	\$245.00

Use of Assignments

- *A915.5 -Assigned Rec to A7110.4 Parks & Grounds Contractual for Recreation Tools \$4893.00
- *A915.5 -Assigned Rec to A7110.4 Parks & Grounds Contractual for Trailer Rebuild \$904.00
- *A915.5 -Assigned Rec to A7110.2 Parks & Grounds Equipment for Water Tractor Ad On's \$5000.00
- *A915.6- Assigned Rec to A8540.4 Drainage Contractual for Drainage Project 2022-03 \$850.00
- *SF915.2-Assigned Fire Building Maintenance for Eden Fire Addition Engineering Fees \$12,000.00

#100-2023: MOTION was made by Councilperson Vacco to approve the Budget Transfers as presented; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Audit Bills:

August 2023		
DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	474-534	\$67,180.30
Fire Dept. Fund	169-200	\$24,042.45
Recreation Fund	133-152	\$9,062.42
Water Fund	11-13	\$2,782.08
Street Lights Fund	26-29	\$1,024.08
Refuse Fund	14-15	\$48,326.62
Highway Fund	167-188	\$232,428.51
SD1	3	\$245.00

#101-2023: MOTION was made by Supervisor Ventry to approve the Audit of Bills as presented; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Departmental Reports:

Department reports for the month of August 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 & Buildings and Grounds; Drew Riedel, Recreation Director; and Nick Blaszczyk, Dog Control Officer. All reports are on file in the Town Clerk’s office.

Committee Reports:

Zoning Board – Gary Sam: Rayzor’s variance for mini golf course denied. Code Review Committee to look at current code as mini golf falls under the guidelines of a regular golf course with limitations on setbacks etc.

Library Board – Sue Wilhelm: Book sale 10/18-10/21, Summer Carnival on 8/22 from 4-6 (carnival games, cotton candy, hot dogs etc) Storytime on Friday mornings and Brick Builders group through August.

Code Review Committee – Mike Byrnes: Looking at changes to code for mini golf and other recreation sports that are not under our current guidelines.

Historical Society – Sue Wilhelm: Working on a flyer of the historical locations within the town

EMS – Sue & Gary: Bid on side by side

Fire Department – Sue: 100-year anniversary party on 9/16

Eden Corn Festival – Vinny Vacco: Successful year, busy, thank you to all the volunteers

Public Comment on Agenda Items Only: No public comment.

New and Unfinished Business:

1. Deputy Supervisor:

Supervisor Ventry acknowledged his appointment of Gary Sam as Deputy Supervisor effective July 21, 2023

#102-2023: MOTION was made by Supervisor Ventry to approve Gary Sam be paid the current stipend, paid bi-weekly, for Deputy Supervisor; seconded by Councilperson Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

2. Correction to Minutes of 6/9/21:

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

August 9, 2023

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~~ (Correction: Hartman, Wilhelm, Byrnes, Sam); Opposed: None; Abstain: ~~None~~ (Correction: Ventry); Motion carried.

#103-2023: MOTION was made by Councilperson Ventry to approve the amendment to the June 9, 2021 minutes to correct the vote on agenda item #5, Resolution for Application fo NYS Homes and Community Renewal (NYS Main Street Grant), as requested by the Town Clerk; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

3. Change of Zoning from Light Industrial to Rural Residential:

2023 and 2119 Derby Rd.

1 message

Dave Rice <building@edenny.gov>

Tue, Jul 18, 2023 at 3:10 PM

To: Rich Ventry <supervisor@edenny.gov>, Susan Wilhelm <swilhelm@edenny.gov>, Michael Byrnes <mbyrnes@edenny.gov>, Gary Sam <garysam@edenny.gov>, Marlene Grunder <admin@edenny.gov>, Vincent Vacco <vvacco@edenny.gov>

Hi All

It has come to my attention that 2023 and 2119 Derby Rd. are currently zoned Light Industrial. Before we rezoned the town last year About half of this land was zoned Rural Residential and the other half was Industrial. During our rezoning committee meetings we were going to rezone all of the land RR. Somehow it went the other way and it is all zoned LI. The owner of both of the properties currently has an operating farm and would like to build another barn. Because the zone is LI they can't. I am Asking the board to change the zoning from LI to RR. If possible could the board set the public hearing for the September meeting?

--
David Rice
Code Enforcement Officer
Town of Eden
(716) 992-3408 Ext 125

#104-2023: MOTION was made by Supervisor Ventry to declare the Town Board as lead agency for the rezoing of 2023 and 2119 Derby Rd.; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: Ventry; Motion carried.

#105-2023: MOTION was made by Supervisor Ventry to refer the rezoing of 2023 and 2119 Derby Rd. to the Planning Board; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: Ventry; Motion carried.

#106-2023: MOTION was made by Supervisor Ventry to set the Public Hearing for rezoing of 2023 and 2119 Derby Rd. to September 13, 2023 at 7:30 PM; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: Ventry; Motion carried.

4. Set Bid Opening - EMS:

#107-2023: MOTION was made by Supervisor Ventry to set a bid opening date for one new and unused Can Am Max Defender Max Cab LTD HD10 with Apache 360 LT Track System (All Season) for August 28, 2023 at 11:00am; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

5. Resignation:

Supervisor Ventry acknowledged the resignation of Emily Wickett, as police clerk, with gratitude for her service.

6. Budget Meetings:

The schedule for the 2024 Budget Hearings will be posted outside the Town Clerk's Office.

7. Declare Highway Vehicles and Items for Surplus:

Ron Maggs read his following request:

1. Request permission to declare the following items surplus & to be sold at auction:
 - a. Truck #17 – 1985 Auto Car DC42B Vin #1WBRACJDXFU096973
 - b. Truck #23 – 2004 Chevrolet Silverado CC3500 Vin #1GBJC34UX4E231382
 - c. 1994 Ferguson Roller – Vin #T04039D464709
 - d. Miscellaneous Elgin Sweeper Parts

#108-2023: MOTION was made by Supervisor Ventry to approve the request as presented by Ron Maggs to declare the highway items and vehicles surplus and to be sold at auction; seconded by Councilperson Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

8. Off Road Drainage Projects:

Ron Maggs read his following request:

As Chairperson of the Off-Road Drainage Committee, I am recommending that the board approve the following project:

- 1) Project 2023-02: Miscellaneous Townwide Mowing and Clearing and 2024 Spring Walk at a cost not to exceed \$4,000.
- 2) Project 2022-01: Randall @ East Pleasant. Cleaning ditch at 8414 Randall Place was approved at a cost not to exceed \$1,500. After reviewing further, this will cost at least \$3,500. The homeowner has agreed to contribute \$1,000 and do the final restoration. I am requesting to add \$1,000 to the towns cost, a total of \$2,500.

#109-2023: MOTION was made by Supervisor Ventry to approve Project 2023-02 and 2022-01 as presented; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

9. Changes to Master Water Improvement Area Values:

Adjustments to Equivalent Dwelling Units:

<u>Property Class</u>	<u>Number</u>	<u>Action</u>	
Agricultural Vacant land	105	chg	from 0 to 1
Truck Crops	140	chg	from 5 to 3
Berry/Other	160	new	3
Nursery	170	new	3
Multiple Res	281	new	1 per unit
Comm vacant w/imp	331	new	1
Small retail	457	new	2 plus 1 for each unit
Funeral Home	471	new	2 plus 1 each additional unit
Dog/cat kennel/vet	472	chg	from 5 plus 1 for each additional unit - to 2 plus 1 each additional unit
Education	610	new	0
Library	611	new	0
Health office	640	new	2 plus 1 each additional unit
Highway	651	new	0
Town	652	new	0
Fire/EMT	662	new	0
Cemeteries	695	new	0
Mfg & Processing	710	chg	from 5 to 2 plus 1 additional unit
Light ind	714	new	2 plus 1 additional unit
Water Supply	822	chg	from 3 to 0
Communication	830	chg	from 15 to 16
Telephone	831	chg	from 15 to 16
Telephone Outside Service	836	chg	from 15 to 16
Electric & Gas	861	chg	from 15 to 16
Telephone	866	chg	from 15 to 16
Television	869	chg	from 15 to 16
Electric Transmission Imp.	882	chg	from 15 to 16
Gas Transmission Imp.	883	chg	from 15 to 16
Cell Tower	837	new	16
Solar	878	new	16
Wind	879	new	16

**Town of Eden
Equivalent Dwelling Unit Assignments
Water MWIA - 40048**

Revised 8/9/2023

Applied to all parcels that also exist in 40028,40030,40033,40034,40035,40044,40046,40047

Wepax Water regardless or property class = 0

<u>Assessment Property Class Description</u>	<u>Class Number</u>	<u>Value</u>	
Agricultural Vacant Land (Productive)	105	1	
Poultry & Poultry Products	111	3	
Dairy Products	112	5	
Cattle, Calves & Hogs	113	3	
Sheep & Wool	114	3	
Horse Farm	117	3	
Field Crops	120	3	
Truck Crops	140	3	
Vineyard	152	3	
Berry/Other	160	3	
Nursery	170	3	
One Family Year Round Residence	210	1	
One Family Year-Round Residence with Accessory Apartment	215	1 Per Unit	Wepax Rd not in MWIA
Two Family Year-Round Residence	220	2	
Three Family Year-Round Residence	230	3	
Rural Residence with 10 or more acres	240	1.5	
Primary residential, also used in agricultural production	241	4	
Estate	250	2 + 1 Per Unit	
Seasonal Residences	260	1	
Residential - Multi-Purpose/Multi-Structure	280	1 Per Unit	
Multiple Residentces	281	1 Per Unit	
Residence with Incidental Commercial Use	283	Commercial Use Class +1	
Vacant Land	300	1	
Residential	310	1	
Residential Vacant Land	311	1	
Residential Land Including a Small Improvement (not used for living accommodations)	312	1	
Rural Vacant Lots of 10 Acres or Less	314	1	
Rural Vacant	320	1	
Residential Vacant Land Over 10 Acres	322	1	
Other Rural Vacant Lands	323	1	
Vacant Land Located in Commercial Areas	330	1	
Commercial Vacant Land with Minor Improvements	331	1	
Vacant Land Located in Industrial Areas	340	1	
Commercial	400	2	
Apartments	411	One Per Apartment Unit	
Mobile Home Parks (trailer parks, trailer courts)	416	One Per Mobile Unit	
Camps, Cottages, Bungalows	417	1 Per Unit	
Inns, Lodges, Boarding and Rooming Houses, Tourist Homes	418	1 Per Mobile Unit	
Restaurants	421	Two + 1 Per Additional Unit	
Snack Bars, Drive-Ins, Ice Cream Bars	423	Two + 1 Per Additional Unit	
Night Clubs	425	3	
Fast Food Franchises	426	5	
Auto Dealers - Sales and Service	431	10	
Service and Gas Stations	432	4 + 2 for Gas Pumps	
Auto Body, Tire Shops, Other Related Auto Sales	433	4	

Parking Lot	438	1	
Fuel Storage and Distribution Facilities	441	2	
Mini Warehouse (Self Storage)	442		2 Per Building+1 Each Additional Unit
Grain and Feed Elevators, Mixers, Sales Outlets	443		6 + 2 Each Additional Building + 1 Per Unit
Cold Storage Facilities	446	15	
Other Storage, Warehouse and Distribution Facilities	449		2 + 1 Each Additional Unit
Large Retail Outlets	453	5	
Large Retail Food Stores	454		10+3 Each Additional Unit + 2 Gas Pumps
Small Retail Outlet (less than 10,000 sq ft floor area)	457		2 + 1 Each Additional Unit
Banks and Office Buildings	460	5	
Bank Complex with Office Building	463	5	
Office Building	464	2	
Professional Building	465		2+ 1 Each Additional Unit
Funeral Home	471		2+ 1 Each Additional Unit
Dog Kennels, Veterinary Clinics	472		2+ 1 Each Additional Unit
Multiple Use or Multi-purpose	480		2+ 1 Each Additional Unit
Downtown Row Type (with common wall)	481		2+ 1 Each Additional Unit
Downtown Row Type (detached)	482		2+ 1 Each Additional Unit
Converted Residence	483		2+ 1 Each Additional Unit
One Story Small Structure	484		2+ 1 Each Additional Unit
One Story Small Structure - Multi occupant	485		2+ 1 Each Additional Unit
Social Organizations	534	0	
Bowling Centers	541	4	
Other Outdoor Sports	557	1	
Community Services	600	1	
Education	610	0	
Library	611	0	
Schools	612	0	
Religious	620	0	
Health Office	640		2+ 1 Each Additional Unit
Homes for the Aged	633		2 + 1 per room
All Other Health Facilities	642		1 per room unless exempt
Highway Garage	651	0	
Office Building (owned by government jurisdiction)	652	0	
Police and Fire Protection	662	0	
Cultural Facilities	681	2	unless whole exempt
Recreational Facilities	682	1	
Miscellaneous - Commercial	690	3	unless whole exempt
Cemeteries	695	0	
Manufacturing and Processing	710		2+ 1 Each Additional Unit
Light Industrial Manufacturing and Processing	714		2+ 1 Each Additional Unit
Heavy Manufacturing & Processing	715	20	plus 10 per unit Taxable Gas Wells
Gas (for production)	733	1	Only
Water Supply	822	0	
Communication	830	16	
Telephone	831	16	
Telephone Outside Plant	836	16	
Cell Tower	837	16	
Electric and Gas	861	16	
Telephone	866	16	
Television	869	16	
Solar	878	16	

Wind	879	16
Electric Transmission Improvement	882	16
Gas Transmission Improvement	883	16

#110-2023: MOTION was made by Supervisor Ventry to approve the changes to the MWIA as presented; seconded by Councilperson Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

10. Acknowledge Retirement:

The Town Board acknowledged Jeffrey Schreiber’s retirement from the Highway Department effective July 26, 2023 with gratitude for his over 12 years of service to the Town of Eden.

11. Set Bid Opening for Town Hall:

#111-2023: MOTION was made by Supervisor Ventry;

Whereas the Town of Eden has designated funds for the Eden Town Hall Exterior Masonry Repair and Roof Replacement Projects; 2795 E. Church St., Eden, NY 14057.

Now be it Resolved that the Town Clerk is hereby authorized to advertise and receive bids for the Town Hall Exterior Masonry Repair and Roof Replacement Projects, in accordance with all appropriate State and Federal Standards, to be received at 2795 E. Church St., Eden, NY 14057 at 11:30am on Thursday, September 7, 2023.

seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

12. Declare Dog Control Item Surplus:

#112-2023: MOTION was made by Supervisor Ventry to declare four rims from a 2016 Ford Explorer (Dog Control Officer’s vehicle) surplus to be sold at auction; seconded by Councilperson Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

13. Declar Various Police Items Surplus:

- BOX OF MISC METAL BRACKETS/RADIO COMPONENTS/MOUNTS ETC
- BOS OF MISC EMERGENCY LIGHTS/WIRS/RELAYS/HARNESSES
- LIGHTS/SIREN BOX, V-CON CODE 3 MODEL – 3692L4, (BAR CODE)-PAV001741
- VIVITAR SERIES 1 CAMERA (W/CASE) SER # 7113
- WHELEN SIREN MODEL SA315P SER # N072707
- PROGARD SHOTGUN MOUNT STOCK ORDER # G4904X
- LIGHTS/SIREN BOX V-CON CODE 3 MODEL 3892L6 (BAR CODE- PP087909)
- PSE 100 CODE 3 SIREN – NO NUMBER
- L-TRON BAR CODE SCANNER SER# 15245B4257
- L-TRON BAR CODE SCANNER SER# 20006N0BF0
- QUANTUM BADBOY T5 LIGHTING SYSTEM (GROW LIGHT)
- BODY CAM W/ REMOTE MODEL # BC-100 SER# 15121051
- BODY CAM W/ REMOTE MODEL # BC-100 SER# 8060075
- IN FOCUS PROJECTOR W/CASE SER# 7GT14300175
- GENESIS RADAR GUN W/CASE, TUNING FORKS SER# 3640
- FORD CROWN VIC REAR VIEW MIRROR
- RADIO SHACK REGULATED POWER SUPPLY BOX 10AMP SER# 903584
- KENWOOD TK840 RADIO HEAD UHF FM TRANSCIEVER HEAD W/ MICROPHONE SER# 80400608
- MOTOROLA PRO5100 RADIO HEAD W/MICROPHONE SER#103TCEK297
- MOTOROLA CDM1250 RADIO HEAD SER# 103TCEK303
- MOTOROLA RADIUS M120 RADIO HEAD W/MICROPHONE SER# 799TVSC478
- MOTOROLA MICROPHONE/DESKTOP SER# HMN3000A-9409
- ASTOON POWER SUPPLY BOX SER# 203030162
- KENWOOD M4XMAX RADIO HES W/MICROPHONE SER# 00301901
- MOTOROLA POWER SUPPLY BOX MODEL HPN1007B SER# 9333
- KENWOOD TK862G RADIO HEAD W/MICROPHONE M4X8MAX SER# 90300387
- UNIDEN MODEL SMH400D RADIO HEAD W/MIC SER#13002067
- WHELEN STROBE POWER SUPPLY W/CORD MODEL CSP660 SER# PNG60505
- WHELEN STROBE POWER SUPPLY W/CORD MODEL CSP660 SER# N00751
- MOTOROLA CM200D RADIO HEAD W/MIC/CABLE/ANTENNA SER# 751IRN1061
- MOTOROLA XTL1500 RADIO HEAD SER# 726CNB0462
- TASER AND ACCESSORIES:

- 1 X26 TASER W/TASER CAMERA SER# X00-710993
- 4 25ft CARTRIDGES
- 24 21ft CARTRIDGES
- 8 TRAINING CARTRIDGES
- 1 RIGHT HAND HOLSTER
- 1 LEFT HAND HOLSTER
- 1 CHARGER

#113-2023: MOTION was made by Supervisor Ventry to declare four rims from a 2016 Ford Explorer (Dog Control Officer's vehicle) surplus to be sold at auction; seconded by Councilperson Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Hearing of Visitors:

Ron Maggs asked for permission to assist the Eden Historical Society with the driveway repair at Asa Warren House, removing material, at his discretion. This item was tabled.

Ron stated that the Highway Department received a Bridge NY Grant for a culvert replacement on Larkin Rd.

Emily Hawkins stated that the North Collins Town Board was holding a largely attended Town Board Meeting regarding the Collins Windmill Project and asked the Town Board to please review the proposal and be proactive to ensure the Town of Eden is protected.

Supervisor's Report:

- Ideas for CDBG – low-income areas in town, seniors, etc.
- Thank you for those that assisted in the Eden Corn Festival success
- Information regarding the amount of abandoned dogs affecting Eden and surrounding towns, dogs are boarded at tax payer expense until a home or rescue can be found.
 - Emily Hawkins gave information on the process for abandoned dogs and the amount of work from many organizations it takes in order to get them into home.

#114-2023: MOTION was made by Supervisor Ventry to close the Regular Meeting and enter Executive for contractual for highway; seconded by Councilperson Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

The Regular Meeting was adjourned at 8:00 P.M.

Executive Session was adjourned at 8:38 P.M.

Respectfully Submitted by:

Emily Hawkins, Town Clerk