

January 24, 2024

MINUTES

**REGULAR MEETING– EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
January 24, 2024 7:00 P.M.**

There was no meeting held on January 10, 2024 due to a sustained power outage in the Town of Eden, Town Hall was opened as a warming center.

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 - COUNCILMEMBER
MICHAEL BYRNES - COUNCILMEMBER
GARY SAM - COUNCILMEMBER
VINCENT VACCO - COUNCILMEMBER

OTHERS PRESENT:

Emily Hawkins - Town Clerk
Marlene Grunder - Administrative Assistant
Ron Maggs - Highway Superintendent
Lisa Winter - Bookkeeper

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

Pledge of Allegiance

Approval of Minutes:

#1-2024: **MOTION** was made by Councilmember Wilhelm to approve the Town Board Minutes of December 13, 2023 and December 28, 2023 as presented; seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Budget Transfers:

For 12/31/2023

From Account	To Account	Reason for Amendment	Amount
A2170 Community Development	A6989.4 Other Economic Assistance- Cont	NY Main St Grant - 8380 N Main - DQ	\$50,000.00
D5110.4 Roads - Contractual	D5130.4 Machinery - Contractual	Budget Amendment	\$8,000.00
A1110.1 Municipal Court - Personal	A3120.4 Police Contractual	Overbudget	\$3,200.00
A1990.4 Contingent Fund	A3120.4 Police Contractual	Overbudget	\$1,300.00
A3510.1 Control of Dogs - Personal	A3510.4 Control of Dogs - Contractual	Overbudget	\$725.00
A1010.4 Town Board - Contractaul	A1355.1 Assessors - Personal	Overbudget	\$2,900.00
A1410.4 Town Clerk - Contractual	A1410.1 Town Clerk - Personal	Overbudget	\$415.00
A1220.1 Supervisor - Personal	A3120.1 Police - Personal	Overbudget	\$11,400.00
A7020.1 Rec Admin - Personal	A7020.4 Rec Admin - Contractual	Correct BT of 12/28 from incorrect account	\$5,000.00
A7140.4 Playground & Rec - Cont	A7310.4 Youth Program - Contractual	Overbudget	\$1,000.00

SF3410.1 Fire - Personal	SF3410.4 Fire - Contractual	Overbudget	\$1,500.00
A1440.4 Engineering - Contractaul	A6989.4 Other Economic Assistance - Cont	Overbudget	\$8,500.00

For January 10, 2024

SW2140 Wepax Road Revenue	SW8320.401 Maintenance - Wepax Road	Establish Wepax Water Budget Lines	\$2,700.00
SW2140 Wepax Road Revenue	SW.8320.402 Water Contractual - Farnham	Establish Wepax Water Budget Lines	\$2,100.00

#2-2024: MOTION was made by Supervisor Ventry to approve the Budget Transfers as presented; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Audit of Bills:

January Payables 2023

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	883-914	\$93,735.79
Fire Dept. Fund	321-325	\$530.92
Recreation Fund	201-202	\$1,200.30
Water Fund	20-21	\$710.26
Street Lights Fund	51	\$1,146.96
Refuse Fund		
Highway Fund	355-365	\$12,902.88

January 10, 2024

DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General Fund	1-18	\$35,416.34
Fire Dept. Fund	1-5	\$23,350.34
Recreation Fund	1-6	\$1,824.14
Water Fund	NA	
Street Lights Fund	NA	
Refuse Fund	NA	
Highway Fund	1-3	\$18,803.95

#3-2024: MOTION was made by Supervisor Ventry to ratify the approval the Audit of Bills effective January 11, 2024, as presented; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Departmental Reports:

Department reports for the month of December 2024 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/Bulding & Maintenance; Drew Riedel, Recreation Director; Nick Blasz, Dog Control Officer, & Joseph Ghosen. All reports are on file in the Town Clerk’s office.

#4-2024: MOTION was made by Supervisor Ventry to add Julie Dombrowski to the active roster of the East Eden Fire Department pending a background check and physical; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

#5-2024: MOTION was made by Councilmember Wilhelm to give permission to Eden and East Eden Fire Companies to take fire equipment out of the Fire District for mutual aid, repairs, training, funerals, and parades, at the discretion of the Chief or officer in charge; seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Public Comment on Agenda Items Only: No comment.

New and Unfinished Business:

1. Proclamation Honoring Eden Alzheimer’s Respite Program:

The Town Board presented Kevin Karstedt and the Respite Volunteers with the following Proclamation:

January 24, 2024

***A Proclamation Honoring the Eden Alzheimer's Respite Program
January 24, 2024
by the Eden Town Board***

WHEREAS, the Eden Alzheimer's Respite program was founded in 2015; and

WHEREAS, this free program is open to anyone caring for a loved one with Dementia or Alzheimer's Disease; and

WHEREAS, the family member or friend will be cared for and loved while the caregiver receives an essential break to attend to their own needs;

WHEREAS, this program includes companionship and socialization through games, crafts, sing-a-longs and activities; and

WHEREAS, the success of this program would not be possible without the continuous support of the over 60 volunteers from Eden and neighboring towns; and

WHEREAS, every year the Alzheimer's Association of WNY recognizes a person or organization whose work has made extraordinary advances toward improving the quality of life for persons with dementia.

NOW, THEREFORE, BE IT RESOLVED that the Eden Town Board congratulates the Eden Alzheimer's Respite Program on the receipt of the William P Gillick Quality of Life Award. Eden is grateful to the Respite Program for serving not only our community but many other communities during their time of need.

2. Designate Delegate and Alternate for Annual Business Session of Association of Towns Meeting:

#6-2024: MOTION was made by Councilmember Wilhelm to designate Richard Ventry, Supervisor, as delegate and Vincent Vacco, Town Councilman, as alternate, for the Annual Business Meeting of the Association of Towns; seconded by Councilmember Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

3. Special Use Permits:

#7-2024: MOTION was made by Supervisor Ventry to approve the following Special Use Permit Renewals, subject to existing conditions, to expire on December 31, 2024;

1. Bell Atlantic Mobil Systems, d/b/a Verizon Wireless – Adjacent to Swartz field, R8534 N. Main St, Eden, NY for operation of the Verizon Telecommunications Tower

2. Bell Atlantic Mobil Systems, d/b/a Verizon Wireless – R3274 Webster Road tower for operation of a Verizon Telecommunications Tower.

3. Crown Castle/ Donald Mammoser – 8635 East Eden Road for a telecommunication tower

seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

4. Request from Highway:

#8-2024: MOTION was made by Councilmember Sam to approve the request from the Highway Superintendent to help with Winter Fest at his discretion; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

5. CPL Engineering Services for 2024:

The following standard billing rates were provided by CPL:

BILLING ROLE	BILLING RATE
Principal Architect	\$275.00
Principal Engineer	\$275.00
Principal Consultant	\$185.00
Project Manager	\$185.00
Senior Planner	\$170.00
Senior Engineer MEP	\$170.00
Landscape Architect	\$170.00
Senior Engineer Civil/Structural	\$155.00
Senior Interior Designer	\$155.00
Planner	\$140.00
Project Architect	\$140.00
Project Engineer MEP	\$140.00
Project Engineer Civil/Structural	\$125.00
Resident Observer	\$125.00
Interior Designer	\$110.00

Junior Planner	\$95.00
Junior Engineer	\$95.00
Junior Draftsperson	\$95.00
Clerical Administrative	\$80.00

Municipal Services

Building Plans Examiner	\$155.00
Building Inspector	\$140.00
Building Official	\$140.00
Senior Code Enforcement Officer	\$125.00
Soil and Erosion Control Supervisor	\$125.00
Soil and Erosion Control Inspector	\$110.00
Permit Technician	\$80.00

#9-2024: MOTION was made by Supervisor Ventry to approve the proposal for general engineering services for 2024 with CPL and accepting the provided rates; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

6. Agreement to Spend:

#10-2024: MOTION was made by Supervisor Ventry to approve the Agreement to Spend Town Highway Funds on any and all town roads, a distance of 49.05 miles, and not to exceed \$646,000.00; seconded by Councilmember Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

7. North Evans Cemetery Burial Prices:

North Evans Cemetery Burial Prices
effective 1/11/2024

Grave Lot \$1400.00

Full Burial \$1300.00

Cremation Burial \$800.00

Saturday Burial extra \$250.00

Sunday Burial & Holiday Burials \$350.00

Holidays:

New Years Day

Good Friday

Easter Sunday

Memorial Day

4th of July

Labor Day

Columbus Day

Veterans Day

Thanksgiving

Christmas Eve

Christmas Day

New Years Eve

#11-2024: MOTION was made by Supervisor Ventry to approve the North Evans Cemetery Burial Prices as presented; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

8. Amend Summer Swim Staff Wages:

2024			
Playground Wages			
1 year	\$15.50	4 years	\$17.00
2 years	\$16.00	5 years	\$17.50
3 years	\$16.50	6+ years	\$18.00

2024	
Maintenance Wages	
1 year	\$18.00
2 years	\$18.50
3+ years	\$19.00

Location & Maint Crew Leaders may receive an additional \$1.00/hour

Department Leaders and Instructors may receive an additional \$0.50/hr

2024

Pool Wages			
1 year	\$16.00	4 years	\$17.50
2 years	\$16.50	5 years	\$18.50
3 years	\$17.50	6+ years	\$18.50

Head Instructor & Head Guard additional \$1.00/hour

#12-2024: MOTION was made by Supervisor Ventry to the amended swim staff wages for 2024 as presented; seconded by Councilmember Sam; Ayes: All; Opposed: None; Abstain: None; Motion carried.

9. Readopt Local Law 6-2023:

TOWN OF EDEN
LOCAL LAW NO. 6 OF THE YEAR 2023

A local law imposing a temporary moratorium on the issuance of applications and the granting of zoning permits or approvals for the siting and operation of New York State licensed adult-use cannabis retail dispensaries and on-site consumption sites (hereinafter collectively referred to as “licensed cannabis facilities”), in order to allow for the consideration and possible adoption of appropriate amendments to existing regulations pertaining to such uses,

Be it enacted by the Town Board of the Town of Eden (“Town”) as follows:

WHEREAS, on March 31, 2021, the Cannabis Law of the State of New York was signed into law by Governor Hochul legalizing and regulating the possession, sale and use of cannabis products in New York State, and

WHEREAS, the Town of Eden did not “opt-out” of hosting licensed cannabis facilities, and

WHEREAS, the Cannabis Law allows municipalities which have not opted-out of such hosting to enact local laws and regulations governing “the time, place and manner” of the operation of licensed cannabis facilities within the municipality and current local laws, ordinances and regulations do not adequately address the issues and concerns which must be considered to fairly address the impacts of siting such uses in the Town, and

WHEREAS, the Town Board has determined that it is necessary to protect the public interest and welfare by imposing a temporary moratorium on new siting, location and establishment of licensed cannabis facilities while the Town undertakes a close review of the issues raised by the siting and operation of these uses, and

WHEREAS, such moratorium is intended to allow the Town sufficient and necessary time to address such concerns and issues and enact new laws or regulations, and/or appropriate amendments to existing laws or regulations to properly address community impacts, concerns or issues related to the siting and operation of licensed cannabis facilities in a manner which is meaningful and consistent with the Town’s comprehensive plan and community welfare.

NOW, THEREFORE, the Town Board of the Town of Eden hereby declares that no new applications shall be issued and no permits or approvals shall be granted by any officer, department, board or agency of the Town of Eden with respect to the siting, location or establishment of licensed cannabis facilities within the Town of Eden for a period of six (6) months from the effective date of this local law, unless earlier terminated by other local law, duly adopted.

This local law is intended to supersede all applicable provisions of the Town of Eden Code, to the extent required to give effect to the provisions hereof for the effective period hereof.

#13-2024: MOTION was made by Supervisor Ventry to readopt Local Law 6-2023, a Moratorium on Siting Cannabis Facilities, correcting a typographical error on the law that was originally adopted on December 13, 2023; seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

10. Part-time Laborer:

#14-2024: MOTION was made by Supervisor Ventry to approve the hire of Chris Naedele as part-time recreation laborer at \$20 per hour, paid bi-weekly, not to exceed 19 hours per week; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

11. Rotella Grant Management:

#15-2024: MOTION was made by Supervisor Ventry to approve the month-to-month contract with Rotella Grant Management at an amount not to exceed \$1,800 per month, pending attorney approval of the contract and terminable by either party; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

12. Appoint Jen Johnston as Court Clerk:

#16-2024: MOTION was made by Supervisor Ventry to appoint Jennifer Johnston as partime Court Clerk at a rate of pay of \$18.80 per hour to be paid bi-weekly; seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Supervisors Report:

- Thank you to first responders for their assistance during the January winter storm
- National Grid distributed dry ice and water for those in need
- Code Red Sign up
- Looking into selling unused Town of Eden Properties to put them back on the tax roll
- Working on various policies and and employee handbook
- Winter Fest 2023 on 2/3/24 at the Eden Legion Grounds

Councilmember Wilhelm: NEST – compost bins at a reduced price, information coming soon
Library – carpet on order

Hearing of Visitors: None.

#18-2024: MOTION was made by Supervisor Ventry adjourn the Regular meeting and enter Exectuive Session for contractual purposes; seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

The Regular Meeting was adjourned at 7:37 PM

Exectuive Session Ended at 8:30 PM.

Respectfully Submitted by:

Emily Hawkins, Town Clerk