

MINUTES

REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
July 8, 2026 at 6:30 PM

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:

- RICHARD VENTRY - SUPERVISOR
- SUSAN WILHELM - COUNCILMEMBER
- VINCENT VACCO - COUNCILMEMBER
- MICHAEL BYRNES - COUNCILMEMBER (Arrived at 6:55 pm)
- TIMOTHY WALKER - COUNCILMEMBER

OTHERS PRESENT:

- Marlene Grunder - Administrative Assistant to the Supervisor
- Lisa Winter - Bookkeeper
- Bill Trask - Town Attorney
- Jennifer Johnston - Deputy Town Clerk
- Ari Goldberg - National Grid Representative
- David Saxton - National Grid Representative
- Gene Majchreak - Representative from Senator Patrick Gallivan’s Office

Pledge of Allegiance

#145-2026: MOTION was made by Councilmember Tim Walker to approve the Town Board Meeting Minutes of June 10, 2026 and June 24, 2026 as written; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Budget Transfers:

A2192	A8810.4	Fees for Burial Costs	\$545.00
Cemetery Services	Cemetery - Contractual		
A2192	A8810.1	Fees for Burial Costs	\$150.00
Cemetery Services	Cemetery - Personal		
SW917	SW.8320.4	Fund Balance for Town & County Taxes	\$2,205.24
Water Fund Balance	Water - Contractual	and Emma Report	
H5031	H7110.2	Swartz Field Project	\$131.08
Transfer In - Capital	Swartz Park Project		
A915.5 Assigned Rec to A9950.9 Transfer out to Capital for Swartz Project \$131.08			

#146-2026: MOTION was made by Supervisor Ventry to approve the Budget Transfers as listed; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Audit of Bills:

FUND DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General	368-437	\$97,189.64
Fire	169-204	\$35,885.44
Ambulance	106-121	\$11,450.24
Water	8-9	\$2,218.00
Street Lights	22-25	\$1,490.67
Refuse	13-13	\$223.00
Highway	150-170	\$44,443.09
Drainage District	N/A	
Capital	4-5	\$48,542.08

#147-2026: MOTION was made by Councilmember Vacco to approve the Audit of Bills as listed; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Departmental Reports:

Department reports for the month of July were submitted by Rick Kirst, East Eden Fire Chief; Joseph Hart, Eden Fire Chief; Robert Lazarczyk, Eden Police Chief; Judy Bigelow, Dog Control Officer; Glenn Christner, Code Enforcement Officer; Michael Rados, Assessor; Highway Superintendent, Nick Blaszc; and Emily Hawkins, Town Clerk. All Department Reports are available to the public and on file in the Town Clerk's office.

Public Comment on Agenda Items Only: No public comment.

NOTICE IS HEREBY GIVEN of PUBLIC HEARINGS to be held by the Eden Town Board at the Eden Town Hall, 2795 East Church Street, Eden, New York at on the 8th Day of July, 2026. The purpose of the Public Hearings is as follows:

6:45 PM: Special Use Permit application for Niagara Mohawk Power Corp d/b/a National Grid for a substation at Sandrock Road and Rt. 62

7:00 PM: Proposed Local Law 5-2026 Prohibiting Private Burial Grounds in the Town of Eden, New York

All interested parties may attend and be heard.

#148-2026: MOTION was made by Supervisor Ventry to open the Public Hearing regarding the Special Use Permit application for Niagara Mohawk Power Corp d/b/a National Grid for a substation at Sandrock Road and Rt. 62; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

- The site for the substation was approved by the Town of Eden Planning Board.
- Ari Goldberg, Attorney for National Grid, presented a visual simulation prepared by National Grid to show what the project will look like in reality.
- The visual simulation included landscaping plans which showed trees, shrubs, and greenery.
- David Saxton, a representative from National Grid, shared that it will take 3-7 years for the trees to grow and that the project manager will replace trees and greenery that die.
- National Grid will be responsible for maintaining current contact information with the Town.
- Councilmember Wilhelm thanked the representatives from National Grid for the visual representation.

#149-2026: MOTION was made by Supervisor Ventry to close the Public Hearing regarding the Special Use Permit application for Niagara Mohawk Power Corp d/b/a National Grid for a substation at Sandrock Road and Rt. 62; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

#150-2026: MOTION was made by Supervisor Ventry to open the Public Hearing regarding Proposed Local Law 5-2026 Prohibiting Private Burial Grounds in the Town of Eden, New York; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

- No public comment.

#151-2026: MOTION was made by Supervisor Ventry to close the Public Hearing regarding Proposed Local Law 5-2026 Prohibiting Private Burial Grounds in the Town of Eden, New York and return to the regular board meeting; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

New and Unfinished Business:

1. Request for Assistance of the Highway and Recreation Departments for the Corn Festival:

#152-2026: MOTION was made by Supervisor Ventry to approve the request for the Highway Department to help with the Eden Corn Festival at the discretion of the Highway Superintendent and the request for the Recreation Department to help with the Eden Corn Festival as needed; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

2. Budget Meetings Schedule: Informational.

Budget meeting dates are posted to the public bulletin board outside the Town Clerk's Office.

3. Special Use Permit for a Substation at Sandrock Rd. and Route 62:

#153-2026: MOTION was made by Supervisor Ventry to approve a Special Use Permit for Niagara Mohawk Power Corporation d/b/a National Grid for a substation at 9733 Gowanda State Rd; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried

This permit will expire December 31, 2026 and will need to be renewed annually. This Special Use Permit must meet the following conditions:

1. Compliance with all conditions set forth in the Planning Board's Site Plan approval.
2. The temporary driveway will be restored to the original state upon completion of the project.
3. Maintaining the vitality of the landscaping as presented in the Site Plan.
4. Maintain updated contact information with the Code Enforcement Office.

4. Proposed Local Law 5-2026 Prohibiting Private Burial Grounds:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EDEN AS FOLLOWS:

Town of Eden Code is hereby amended to add a new Chapter No. 92 entitled "Private Burial Grounds" which shall read as follows:

Chapter 92 - PRIVATE BURIAL GROUNDS

- 1. Title.**
- 2. Purpose.**
- 3. Prohibited acts.**
- 4. Enforcement.**
- 5. Filing of complaints.**
- 6. Notice to comply.**
- 7. Appearance tickets.**
- 8. Penalties for offenses.**

1. Title.

This chapter shall be known as "A Local Law Prohibiting Private Burial Grounds in the Town of Eden, New York."

2. Purpose.

The purpose of this chapter shall be to prohibit backyard burials to preserve the quality of the environment and the public health of the community in general.

3. Prohibited acts.

It shall be unlawful for any person to cause the remains of a human being to be buried or to establish a burial ground for such purpose, in the Town of Eden, in any ground not set apart and recognized as a municipal, religious, not-for-profit corporation, cemetery or registered cemetery.

4. Enforcement.

This chapter shall be enforced by the Town Code Enforcement Officer or by any individual so authorized by the Eden Town Board to enforce the Eden Town Code.

5. Filing of complaints.

Any person may file a complaint with the Code Enforcement Officer that a violation of this chapter may have taken place.

6. Notice to Violation.

Following investigation, the Code Enforcement Officer shall issue a written notice to the violator of this Chapter containing the following information:

- A. The name of the owner or occupant of the property to whom the notice shall be addressed.
- B. The location of the premises involved in the violation.
- C. The statement of facts that establish the violation of this Chapter.
- D. A copy of this chapter.
- E. A statement that a failure to properly and promptly remove the human remains to burial grounds that comply with this Chapter constitutes a misdemeanor and will result in enforcement and prosecution and that the costs incurred by the town in enforcing this Chapter shall be the obligation of the violator. The Code Enforcement Officer shall set a deadline for coming into compliance with this Chapter and shall notify the violator of such deadline in the written Notice of Violation issues to the violator.

F. A statement that upon the failure of the violator to properly remove the human remains as required above, enforcement proceedings shall proceed in the Eden Justice Court and equitable relief may be sought by the Town in a court of higher jurisdiction as stated herein.

7. Appearance tickets.

The Code Enforcement Officer is hereby authorized pursuant to Criminal Procedure Law to issue an appearance ticket to any person who the enforcement officer has reason to believe has violated this chapter and shall cause such person to appear before the Justice(s) of the Town of Eden in the Eden Town Court.

8. Penalties for offenses.

Any violation of this chapter is a misdemeanor punishable, after a finding of guilt in the Eden Town Court, by a fine fixed by the Justice Court in its sole discretion in an amount of not less than \$250.00 or no more than \$5,000.00. Additionally, the Town may also seek injunctive relief or any other equitable remedies to prevent the continued violation of this Chapter and the full costs of all such enforcement proceedings shall be the responsibility of the violator.

9. This local law shall become effective upon filing in the Office of the Secretary of State of the State of New York.

#154-2026: MOTION was made by Supervisor Ventry to add a new Chapter No. 92 entitled “Private Burial Grounds” to the Eden Town Code; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

5. Resignation of Police Officer Jeremy Lilga: Informational.

The Eden Town Board accepted the resignation of Jeremy Lilga as a police officer for the Town of Eden effective July 26, 2026. Jeremy Lilga was thanked for his service and wished the best of luck in the future.

6. Videoconferencing Policy:

**VIDEOCONFERENCING
POLICY TOWN OF EDEN**

1. Source of Authority. Pursuant to Public Officers Law § 103-a (2)(b) the Town of Eden has authorized all members of any public body of the Town of Eden, designated by the Town Board in the town’s Videoconferencing Policy, to participate in meetings using videoconferencing technology. Participation shall be in accordance with Public Officers Law § 103-a and this Videoconferencing Policy.

2. Posting and Amendment. This policy must be posted on the official Town website and may be amended at any time consistent with Public Officers Law Article 7, provided that such amendment(s) shall not be effective until they are posted publicly on the Town’s website.

3. Scope. These procedures apply to all meetings of public bodies designated by the Town Board, and which are conducted by use of videoconferencing. Designated public bodies include: Town Board, Planning Board, Zoning Board of Appeals, and the Board of Assessment Review.

4. Public Attendance. Except for such meetings or portions of meetings that are permitted to be closed to the public pursuant to Public Officers Law Article 7, the public shall be permitted to attend any meeting at the publicly noticed physical location for such meeting. At any meeting utilizing videoconferencing, and where public comment or participation is authorized, videoconferencing shall allow the same public participation or testimony as in-person participation.

5. Member Remote Attendance. Members of any public body designated by the Town of Eden may attend and participate in meetings using videoconferencing technology provided that:

A. A quorum of the public body must be physically present at the publicly noticed physical location for such meeting; and

B. The publicly noticed physical location for such meeting must be located within the geographical boundaries of the Town of Eden and accessible to the public for in-person attendance; and

C. An extraordinary circumstance exists which precludes a member’s in-person attendance, including disability, illness, caregiving responsibilities, or any other

significant or unexpected factor or event; and

D. Such member can be both seen, heard and identified via the videoconferencing.

E. Such member provides written notice of intention to participate in a meeting via videoconference to the Town Supervisor and Town Clerk as soon as practicable and at least 48 hours prior to the meeting to assure presence of a quorum, adequate time for public notice and availability of videoconferencing technology for such meeting.

6. Notice of Meetings Using Videoconferencing. The notice of any meeting using videoconferencing must state that videoconferencing will be used; the location where a quorum of the public body will be physically present and the public can attend in person; and information/directions to view and/or participate in such meeting via videoconferencing.

7. Record of Remote Attendance. Any meeting minutes of the public body of the Town shall indicate members who appeared via videoconference.

8. Recording of Meetings. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. Powers Reserved. Pursuant to Public Officers Law, the Town Supervisor maintains the power to waive the in-person requirements for any or all of the meetings of the Town of Eden during a state disaster or local state of emergency declaration if it is determined that the circumstances necessitating such declaration would affect or impair the ability of the public body to hold an in-person meeting.

#155-2026: MOTION was made by Councilmember Walker to accept the Videoconferencing Policy of the Town of Eden; seconded by Councilmember Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

7. Set Public Hearing for a Proposed Local Law on Videoconferencing:

#156-2026: MOTION was made by Supervisor Ventry to set a public hearing for a Proposed Local Law authorizing participation in public meetings by certain town officials via videoconferencing, as authorized by Public Officers Law Section 103-a for August 12, 2026 at 6:45 pm at the Eden Town Hall; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

8. Part-Time Police Officer Frederick Constantino:

#157-2026: MOTION was made by Supervisor Ventry to appoint Frederick Constantino as a Part-Time Police Officer at a pay rate of \$29.00 per hour; seconded by Councilmember Vacco; Ayes: All; Opposed: None; Abstain: None; Motion carried.

9. Dedication of Phase 1 Lighting Evergreen Subdivision:

**RESOLUTION ACCEPTING DEDICATION OF PHASE 1 LIGHTING
EVERGREEN SUBDIVISION**

Whereas, the Town Board of the Town of Eden (Town Board) has been requested to accept the dedication of Phase 1 of the street lighting within the Evergreen Subdivision, consisting of two (2) streetlights and all appurtenances thereto; and

Whereas, LaBella Associates, the Town Engineer, has reviewed the design plans, as-built plans, and site construction for the Phase 1 lighting improvements within the Evergreen Subdivision and has found the same to be satisfactory and in conformance with Town standards; and

Whereas, a maintenance bond will be required to guarantee said lighting improvements against defects in material and workmanship;

Now Therefore Be It Resolved, that the Town Board hereby accepts the dedication of Phase 1 of the lighting within the Evergreen Subdivision, consisting of two (2) streetlights and all appurtenances thereto, into the Town of Eden Lighting District; and

Be It Further Resolved, that said acceptance is conditioned upon the Applicant furnishing a maintenance

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bond, in a form and amount satisfactory to the Town, guaranteeing the aforesaid lighting improvements.

#158-2026: MOTION was made by Councilmember Walker to accept the dedication of Phase 1 Lighting Evergreen Subdivision; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Supervisor's Report:

- A Revitalization Plan Public Workshop will be held July 14, 2026 at 5:30 pm in the Duffy Center at the Immaculate Conception Church in Eden. Residents are invited to provide their input and vision for revitalization projects regarding Brownfield Grant money.
- The Corn Festival will be held August 6th – 9th 2026.
- The walking trail at Swartz Field will be completed by the end of July or early August.
- The exercise equipment at Swartz Field will be installed after the walking trail is complete.

Hearing of Visitors:

Gene Majchreak attended the meeting to represent Senator Patrick Gallivan. Gene was available for questions and shared contact information for the Senator's office.

#159-2025: MOTION was made by Supervisor Ventry to end the Regular Board meeting at 7:30 pm and enter into executive session for a discussion regarding Police Contractual; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Executive Session ended at 8:30 pm.

Respectfully submitted by,

Jennifer Johnston, Deputy Town Clerk