

MINUTES

REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
September 9, 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
TIMOTHY WALKER	-	COUNCILMEMBER

OTHERS PRESENT:

Marlene Grunder	-	Administrative Assistant to the Supervisor
Lisa Winter	-	Bookkeeper
Bill Trask	-	Town Attorney
Jennifer Johnston	-	Deputy Town Clerk
Nick Blaszczyk	-	Superintendent of Highways

Pledge of Allegiance

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 a public hearing will be held by the Eden Town Board in the Eden Town Hall, 2795 East Church Street, Eden, New York on the 9th day of September, 2026 at 6:30 P.M. Local Time, for a proposed local law imposing a twelve (12) month moratorium on siting, development or construction of data centers, accessory data centers and cryptocurrency data mines within the Town of Eden. Copies of the proposed local law are available for review at edenny.gov or in the office of the Town Clerk. All interested parties will be given an opportunity to be heard.

#176-2026: MOTION was made by Supervisor Ventry to open the Public Hearing regarding a proposed local law imposing a twelve-month moratorium on siting, development or construction of data centers, accessory data centers and cryptocurrency data mines within the Town of Eden; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

- No Public Comment

#177-2026: MOTION was made by Supervisor Ventry to close the Public Hearing regarding a proposed local law imposing a twelve-month moratorium on siting, development or construction of data centers, accessory data centers and cryptocurrency data mines within the Town of Eden; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

#178-2026: MOTION was made by Councilmember Wilhelm to accept the minutes of August 12, 2026 as written; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Budget Transfers/Amendments, September 9, 2026:

A2001 Park & Rec Charges	A7140.4 Playground & Rec Centers	Field Trip Participation Fees to Offset Costs	\$3,370.00
A1990.4 Contingent Fund	A1640.4 Central Garage Contractual	Oil & Stone Highway	\$10,000.00
D5142.4 Snow Removal - Contractual	D5110.4 Maintenance of Roads	Overbudget Roadwork	\$45,000.00
D2650	D5110.4	Overbudget Roadwork	\$2,362.66

Sale of Scrap	Maintenance of Roads		
D2770 Unclassified Revenue	D5110.4 Maintenance of Roads	Overbudget Roadwork	\$42,381.89
D5130.2 Machinery--Equipment	D5110.4 Maintenance of Roads	Overbudget Roadwork	\$10,738.06
H5031 Transfer In	H7110.2 Swartz Park Project	Walking Trail, Tree Removal & Other Misc. Exp for Swartz	\$36,260.40

SF 915.3 Assigned Gear Fund to SF3410.4 for 5 Sets Pants & Coats - Eden Fire \$23220.00

A 915.5 Assigned Rec to A9950.9 Transfer Out to Capital \$36260.40

#179-2026: MOTION was made by Supervisor Ventry to approve the Budget Transfers as listed; seconded by Councilmember Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Audit of Bills:

FUND DESCRIPTION	VOUCHER NUMBERS	AMOUNT
General	519-572	\$76, 089.49
Fire	234-259	\$16,672.46
Ambulance	138-152	\$12,081.94
Water	13-13	\$18.00
Street Lights	31-36	\$2,046.07
Refuse	16-19	\$20,925.01
Highway	193-214	\$307,399.24
Drainage District	N/A	N/A
Capital H5110.2	5-5	\$12,091.05
Capital H7110.2	7-10	\$36,260.40

#180-2026: MOTION was made by Councilmember Vacco to approve the Audit of Bills as listed; seconded by Councilmember Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Departmental Reports:

Department reports for the month of September 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.

- Councilmember Vacco shared that the Neighbors Helping Neighbors Group is hosting a presentation about Medicare and Social Security at the Eden Methodist Church on September 17, 2026 at 1:00 pm. This event is free and all are invited.

Public Comment on Agenda Items Only: No public comment.

New and Unfinished Business:

1. Wepax Road Water Contract with the Village of Angola:

#181-2026: MOTION was made by Supervisor Ventry to accept the Wepax Road Service Area Water Maintenance Agreement; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

2. SPCA Contract:

#182-2026: MOTION was made by Supervisor Ventry to accept the SPCA Contract as written; seconded by Councilmember Willhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

3. Nick Blaszc Resignation as Dog Control Officer:

#183-2026: MOTION was made by Councilmember Walker to accept Nick Blaszczyk's resignation as Dog Control Officer with a last day of August 25, 2026; seconded by Supervisor Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried. Nick was thanked for his service to the Town.

4. Appoint Judy Bigelow as Dog Control Officer:

#184-2026: MOTION was made by Supervisor Ventry to appoint Judy Bigelow as the Part-Time Eden Dog Control Officer at the rate of \$16,000 a year to be paid bi-weekly plus \$60.00 per mandatory court session effective August 26, 2026; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

5. STOP DWI Contract:

#185-2026: MOTION was made by Supervisor Ventry to accept the STOP DWI Contract; seconded by Councilmember Byrnes; Ayes: All; Opposed: None; Abstain: None; Motion carried.

6. Selective Insurance:

#186-2026: MOTION was made by Supervisor Ventry to accept the proposal from Selective Insurance at a total cost of \$170,506.04, effective September 17, 2026 and valid through September 16, 2027; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

7. Cyber Insurance:

#187-2026: MOTION was made by Supervisor Ventry to accept the Cyber Insurance contract with the Underwriter's at Lloyd's, London at a total policy cost of \$2,481.06 effective September 17, 2026 and valid through September 16, 2027; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

8. Proposed Local Law for Data Center Moratorium:

TOWN OF EDEN PROPOSED LOCAL LAW NO. 8 OF 2026

A LOCAL LAW IMPOSING A TWELVE (12) MONTH MORATORIUM ON SITING, DEVELOPMENT OR CONSTRUCTION OF DATA CENTERS, ACCESSORY DATA CENTERS, AND CRYPTOCURRENCY DATA MINES WITHIN THE TOWN OF EDEN

Be it enacted by the Town Board of the Town of Eden as follows:

Section 1. Authority

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law Section 10.

Section 2. Intent

It is the intent of the Town Board of the Town of Eden to impose a twelve (12) month moratorium on the siting, development or construction of Data Centers, Accessory Data Centers and Cryptocurrency Data Mines within the Town of Eden.

Section 3. Legislative Purpose

The Town Board of the Town of Eden finds that it is in the best interest of the Town of Eden to enact a moratorium on any new Data Centers, Accessory Data Centers and Cryptocurrency Data Mines, which consist of buildings containing numerous servers and which have high demand for energy, cooling, and water mechanisms, and can result in disturbing noise generation. The Town Board recognizes the potential impact of Data Centers, Accessory Data Centers and Cryptocurrency Data Mines on the Town's infrastructure, environment, public health, safety, and welfare of its residents. Accordingly, it is the purpose of this temporary moratorium to provide the Town Board with sufficient time to study and address any concerns, including, but not limited to, zoning, environmental impacts, public safety, and economic implications from Data Centers, Accessory Data Centers and Cryptocurrency Data Mines.

Section 4. Definitions

ACCESSORY DATA CENTER – A building, or structure, or partial use of a building or structure, used to store, manage, process, or transmit digital data for business uses, including computers, network equipment, systems, servers, and other associated components related to the digital data storage and operations that is secondary, subordinate and/or customarily incidental to and located on the same lot as the principal use of a property. Such a use cannot operate as an independent principal use.

CRYPTOCURRENCY – Digital currency in which encryption techniques are used to regulate the generation of units of currency and verify transfer of funds, operating independently of a central bank.

CRYPTOCURRENCY DATA MINE – A specific type of data center using a facility or use of land, buildings or structures where computing equipment is used to solve complex mathematical algorithms in connection with verifying and adding transactions to a blockchain or other distributed ledger, commonly known as cryptocurrency mining. For purposes of this law, a cryptocurrency data mining operation shall be considered a distinct land use, different from a data center as defined in this section.

COMMERCIAL CRYPTOCURRENCY MINING – The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrency are released, through the use of server farms employing data processing equipment. For the avoidance of doubt, any equipment requiring a High-Density Load Service, or any Server Farm, will constitute a Commercial Cryptocurrency Mining operation.

DATA CENTER – An industrial use facility that is primarily used for the storage, management, processing, and transmission of digital data, and which houses computer or network equipment, systems, servers, appliances, and other associated components related to the digital data storage and processing as a principal land use on a parcel. Equipment and accessories customary to data centers including but not limited to air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure shall also be considered part of a data center.

HIGH DENSITY LOAD SERVICE – The provision of electrical service where the requested load density has, for any monthly billing or usage period, either an average power demand in excess of 300 kilowatts, or an average power density in excess of 250 kilowatt-hours per year per square foot of the leased or owned boundaries of floor space devoted to operating the data processing equipment, and excludes space used for office, storage, and other non-electronic processing uses.

SERVER FARM – Three (3) or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

Section 5. MORATORIUM

A. The Town Board hereby enacts a moratorium which shall prohibit the siting, development or construction of any Data Center, Accessory Data Center and Cryptocurrency Data Mine in the Town of Eden.

B. This moratorium shall be in effect for a period of twelve (12) months from the effective date of this Local Law and shall expire on the earlier of: (i) the date twelve (12) months from the effective date of this Local Law, unless renewed; or (ii) the enactment by Town Board of a resolution indicating that the Town Board is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all real property in the Town of Eden.

D. Special Use Permits which have been previously granted for the siting, development or construction of any Data Center, Accessory Data Center and Cryptocurrency Data Mine shall be expressly excluded from this moratorium.

Section 6. RELIEF FROM PROVISIONS OF THIS LOCAL LAW

A. The Town Board reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Town Clerk together with a filing fee of \$250.00 and an escrow fund in an amount determined to be reasonably necessary to cover expected costs for professional consultants hired by the Town of Eden to assist in evaluating such application. The application shall specifically identify the property involved, recite the circumstances pursuant to which relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorneys' fees incurred by the Town, shall be reimbursed to the Town by the applicant. The Town Board shall apply Use Variance criteria as set forth in the New York State Town Law, Section 267-b(2) in reviewing any application for relief.

C. The Town Board may refer any applications for relief herein to the Town Planning Board for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Town Board after determining whether the requested relief is compatible with any contemplated amendments to the Town's Zoning Law, unless completely satisfied that the proposed relief is compatible, the Town Board shall deny the application.

D. The Town Board shall conduct a public hearing on any request for relief within forty-five (45) days of receipt of a completed application by the Town Clerk and shall issue its final decision on requests within forty-five (45) days from the date of the public hearing.

Section 7. PENALTIES

Any person, firm, entity or corporation who shall site, develop or construct a Data Center, Accessory Data Center and Cryptocurrency Data Mine in the Town of Eden, in violation of the provisions of this Local Law, shall be subject to:

- A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.
- B. A civil action inclusive of injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any constructions, improvements, or related items or by products which may have taken place in violation of this Local Law.

Section 8. ENFORCEMENT

This Local Law shall be enforced by the Town of Eden Code Enforcement Officer or such other zoning enforcement individual(s) as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this Local Law.

Section 9. VALIDITY AND SEVERABILITY

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

Section 10. EFFECTIVE DATE

This Local Law shall take effect immediately upon passage and thereafter shall be filed with the New York State Department of State and shall remain in force and effect as aforementioned in this Local Law.

#188-2026: MOTION was made by Supervisor Ventry to approve Local Law 8-2026, which Imposes a Twelve (12) Month Moratorium on Siting, Development or Construction of Data Centers, Accessory Data Centers, and Cryptocurrency Data Mines within the Town of Eden; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

9. Change Dates of Upcoming Town Board Meetings:

There will not be a Town Board meeting on September 23, 2026.

#189-2026: MOTION was made by Supervisor Ventry to change the date of the September 23, 2026 Town Board meeting to September 30, 2026 at the regular time of 6:30 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Due to Veteran's Day, The Town Board meeting will not take place on November 11, 2026.

#190-2026: MOTION was made by Supervisor Ventry to change the date of the November 11, 2026 Town Board meeting to Thursday, November 12, 2026 at the regular time of 6:30 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

10. Set Fire Commissioner's Meeting:

#191-2026: MOTION was made by Supervisor Ventry to set a Fire Commissioners' meeting on October 14, 2026 at 6:30 pm followed by the Regular Eden Town Board meeting; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

11. Set Public Hearing for Fire District Budget:

#192-2026: MOTION was made by Supervisor Ventry to set a Public Hearing for the Fire District Budget on October 14, 2026 at 6:45 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

12. Set Public Hearing for possible override of Tax Cap:

#193-2026: MOTION was made by Supervisor Ventry to set a Public Hearing for the possible override of the Tax Cap for October 28, 2026 at 6:30 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

13. Set Public Hearing for Town Budget:

#194-2026: MOTION was made by Supervisor Ventry to set a Public Hearing for the Town Budget on October 28, 2026 at 6:45 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; **Motion carried.**

14. Police Chief Contract:

#195-2026: MOTION was made by Supervisor Ventry to accept the Police Chief Contract between the Town of Eden and Chief Robert Lazarczyk, entered into September 1, 2026 through August 31, 2028; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; **Motion carried.**

15. Surplus of Six Lengths of Forestry Hose (Eden Fire):

#196-2026: MOTION was made by Supervisor Ventry to surplus and dispose six lengths of forestry hose; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; **Motion carried.**

16. Request for Purchase of a New or Used Pickup Truck from Nick Blaszczyk, Highway Superintendent.

**RESOLUTION AUTHORIZING SUPERVISOR RICHARD S. VENTRY
TO EXPEND FUNDS FROM THE HIGHWAY EQUIPMENT RESERVE
OF THE TOWN OF EDEN SUBJECT TO PERMISSIVE REFERENDUM**

#197-2026: MOTION was made by Councilmember Wilhelm authorizing Supervisor Ventry to appropriate a sum not to exceed \$70,000.00 from the Restricted Highway Equipment Reserve Account D878.2 of the Town of Eden for a new or used Pickup Truck subject to permissive referendum; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; **Motion carried.**

17. Set Public Hearing for a Proposed Local Law regarding Wepax Water Service:

#198-2026: MOTION was made by Supervisor Ventry to set a Public Hearing for a proposed Local Law establishing rules and regulations for the Wepax Road Water Service Area for October 14, 2026 at 7:00 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; **Motion carried.**

18. Surplus Pagers and Charging Stations (Eden Fire):

#199-2026: MOTION was made by Supervisor Ventry to surplus and possibly donate to Eden EMS Squad 14 Minitor V pagers and charging stations; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; **Motion carried.**

19. Town Prosecutor Resignation:

#200-2026: MOTION was made by Supervisor Ventry to accept the resignation of Kevin Condon, Eden Town Prosecutor, whose last day of employment is October 31, 2026; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; **Motion carried.** Kevin was thanked for his service to the Town.

Supervisor's Report:

- Resident's have had questions about projects in the Town of Eden. Supervisor Ventry clarified that a National Grid Substation is being constructed on Sandrock Rd. and Route 62. There is also a culvert replacement on Larkin Road.
- The Board is working on the 2027 Budget.

Hearing of Visitors:

- Harry Golata asked if Eden will have a tax reduction for Vietnam Veterans. Supervisor Ventry explained that the Town of Eden is waiting to see how this tax reduction is handled by the State and County. This item is on the Erie County Agenda for their meeting on September 10, 2026. Updates to follow.
- Harry Golata also asked if it would be possible to change the speed limit on Schoolview Road. Supervisor Ventry explained that the State sets the school speed limit. The Board referred Mr. Golata to the Speed Review Committee.
- Dan Malarkey asked the Board if it would be possible to create a sign with flashing lights at the traffic signal at E. Church St. and Route 62 to draw more attention to the fact that drivers need to "Stop Here on Red". The Board referred Mr. Malarkey to the Highway Department for further questions.
- Dan Malarkey also had questions about demolishing his shed and building a new one. The Board referred Mr. Malarkey to the Building Department.
- Jimmy Szymanski reported that he is continuing to work on designing a new Town Flag for his Eagle Scout project. Jimmy shared the designs he is currently working on with the Board. The Board suggested that Jimmy reach out to community groups for feedback.

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- Jimmy Szymanski would also like to design a Town Seal. The Board suggested that he continue his work on the flag project and email them with ideas for a Town Seal. He will keep the Board updated on his progress.

#201-2026: MOTION was made by Supervisor Ventry to end the Regular Board meeting at 7:35 pm; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Respectfully submitted by,

Jennifer Johnston, Deputy Town Clerk