

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
MAY 23, 2001
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR (Absent)
EDWARD C. KRYCIA, JR.	-	COUNCILMAN (Deputy Supervisor)
MARY LOU PEW	-	COUNCILWOMAN
VINCENT V. VACCO	-	COUNCILMAN
GEORGE F. ZITTEL	-	COUNCILMAN

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk (Absent)
DianaRae Walker	-	Deputy Town Clerk
Anna Knack	-	Administrative Assistant

Call To Order:

Deputy Supervisor Krycia called the Work Session of the Eden Town Board to order at 7:40 P.M.

Pledge of Allegiance:

Deputy Supervisor Krycia led the assembly in the Pledge of Allegiance to the flag followed by a moment of silence.

Deputy Supervisor Krycia added one item to the agenda under “New and Unfinished Business” regarding “1.) Appointments” to add “Part-time Secretary to the Supervisor and Building Inspector”.

New and Unfinished Business:

- 1.) Appointments: a) Part-time secretary to the Supervisor and Building Inspector
b) Historic Review Board

a) *Part-time Secretary to the Supervisor and Building Inspector*

Deputy Supervisor Krycia stated that Kathleen McCarthy who worked a total of 19 hours; 14 hours in the Supervisor’s office and 5 hours in the Building Inspector’s office at a rate of \$8.30 per hour, had resigned and went on to new fulltime employment. Deputy Supervisor

Krycia stated that there is a need to fill the vacant position. Eight applications were received, five were offered interviews and four were then interviewed and the job was offered to Catherine Ann Swiech who has accepted. With an appointment tonight by the Town Board, Catherine Ann Swiech would begin June 4, 2001 at a rate of \$8.30 per hour for 19 hours a week.

MOTION was made by Councilman Zittel to appoint Catherine Ann Swiech as Part-time Secretary to the Supervisor and Building Inspector; seconded by Councilman Vacco; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

b) Historic Review Board

Deputy Supervisor Krycia stated that there were two appointments to the Historic Review Board, the reappointment of Jane Clemens for another two-year term and Robert Law to be appointed Chairman of the Historic Review Board. Mr. Law is a current member of the board and is filling the vacancy left by Robert Stievater as Chairman.

MOTION was made by Councilwoman Pew to reappoint Jane Clemens for another two-year term to the Historic Review Board and to appoint Robert Law Chairman; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2.) Correspondence from Nextel requesting a Special Use Permit for construction of a telecommunications tower at 8174 N. Main Street, Eden

Deputy Supervisor Krycia stated that correspondence was received from Nextel requesting a Special Use Permit for construction of a 195’ guyed communications tower with a 10’ x 10’ equipment building at its base, located on 400’ x 400’ leased property, approximately 1400’ west of North Main Street on a 100 acre parcel owned by Anne Weidner. The facility would be used to provide Nextel wireless service to residents and the traveling public in and around the Town of Eden. A copy of the correspondence is on file in the Town Clerk’s office.

Deputy Supervisor Krycia stated that Gerry Brophy representing Nextel was present to make a brief presentation regarding the request. Mr. Brophy began his presentation with a brief overview of “Nextel Partners, Inc.” and what their intent is for a tower in Eden and why they chose the location on Anne Weidner’s property. Mr. Brophy explained that studies to use existing towers in Eden were done and for various reasons they were unacceptable. Nextel also looked at the location on the East Church Street water tank property and after testing was done the results showed that there would be interferences with Buffalo. Mr. Brophy went on to explain that Nextel selected the location of the proposed facility in order to:

- Minimize impact on the community schools, stores and residences and help insure compatibility with existing land uses by providing distance between populations and the facility.
- Minimize aesthetic impact by location in an area (near a railroad track and existing mill) where topography and natural foliage cause screening of the facility

- Minimize visual impact by use of a guyed tower, which reduces the visibility of the tower to a minimum.

Mr. Brophy displayed a site plan for the Town Board members and the audience.

After Mr. Brophy's presentation, he answered questions of the Town Board regarding the preliminary checks with the FAA regarding whether or not a light would be needed on top of the tower. Mr. Brophy felt that the tower might not need the light. Councilman Vacco asked, "What was the lease agreement of the tower?" Mr. Brophy explained that it was a 30-year lease in 5-year terms and that it is transferable if Mrs. Weidner sold her property. Councilman Vacco also asked about the use of the existing tower on Shadagee Road. Mr. Brophy stated that the tower is non-usable and Nextel has the documentation of engineers regarding the studies done on the existing towers in Eden.

After the presentation and brief discussion the request was referred to the Planning Board and Technology Committee for review.

MOTION was made by Councilwoman Pew to refer the request of a Special Use Permit from Nextel for the construction of a telecommunications tower at 8174 N. Main Street to the Eden Planning Board and Technology Committee for review in a joint session; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

3.) Natural Resource Working Group – Discussion with Darlene Vogel

Deputy Supervisor Krycia stated that this is part of the Town of Eden Agricultural Development and Farmland Protection program, which is part of the Town Eden Master Plan. Deputy Supervisor Krycia turned to Darlene Vogel, Agricultural Specialist who gave a brief presentation of the proposed activities pertaining to Agricultural Development and Farmland Protection. As part of the Town Eden Master Plan it was suggested that the local community would need to be educated regarding agriculture in the community and the preservation of farmland. Ms. Vogel explained the proposed activities of "Community Agricultural Education" and Farmland Protection". Community Agricultural Education would be to develop a message and content, and select the medium for agricultural education directed to the local community. A work group would determine the scope of the message or messages, general content, and means of delivering the information, then the assembly of a community focus group for testing the presentation of the message or messages and materials. Lastly, obtain cost estimates for the development and production of the product or materials. The estimated cost of development would be \$1,000.00.

Ms. Vogel continued her presentation regarding "Farmland Preservation" stating that she would facilitate the organization of farmland protection program for the establishment of conservation easements, purchased and term enrollments, on agricultural production and agricultural related support lands. Education sessions would be conducted for the purpose of reviewing the components of agricultural conservation easement and purchase of development rights programs that would accommodate the existence of the TDR ordinance. Then propose the distribution of responsibilities and investment by the Town, the landowners, and other parties

such as a land trust. The next step would be to assess landowner and farmer interest in participation in the available of program types. Then propose a procedure for accommodating farmer and landowner program enrollment and lastly propose the prioritization of agricultural land areas for preservation. Ms. Vogel stated that this approach makes a firm distinction between agricultural land preservation and the more general preservation of open space. The estimated facilitation cost would be \$2,000.00. A copy of Ms. Vogel's proposal is on file in the Town Clerk's office.

After Ms. Vogel's presentation members of the Town Board asked questions. Councilman Vacco asked, "What is the advantage to the farmer?" Ms. Vogel replied that it gives farmers options for preserving their farmland. Councilman Zittel asked for clarification of how these activities would be funded. Councilman Zittel stated that it was his understanding; after speaking with Supervisor Nellis that the monies would be funded by grant monies. Ms. Vogel replied that it would be County funded; County funds would support the cost of about \$7,000.00.

Deputy Supervisor Krycia stated that he was pleased to see the prioritization of agricultural land areas for preservation if you don't know what you want to preserve you need to have the information. Lastly Councilman Zittel supported moving forward with the study.

MOTION was made by Councilman Zittel to hire Darlene Vogel to do study at an estimated cost of \$3,000.00 pending grant; seconded by Councilwoman Pew. Councilwoman Pew also thanked Darlene Vogel, the Conservation Board, Agricultural Committee and Economic Committee for the hard work that they did. Councilwoman Pew felt that a lot of good results would come from the work that was done by Darlene Vogel and the Committees. The Motion was then put to vote; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Councilman Zittel asked Ms. Vogel "What the time Schedule was like and how long would it take?" Ms. Vogel replied that it would start as soon as possible in about thirty days and would take maybe a couple of months.

4.) Community Value Landscape Study by Kristin Spahn

Frank Mantione, Chairman of the Eden Conservation Advisory Board explained that Kristin Spahn is an intern with the Western New York Land Conservancy and she is in her fourth year of a five-year program in landscape architect. Ms. Spahn is a student at SUNY Environmental Science and Forestry School in Syracuse, New York. Mr. Mantione reported that Ms. Spahn was in attendance to present a proposal regarding a landscape study to be done in the Town of Eden.

Ms. Spahn began with what her study would consist of that is asking community members how they view their landscape of the town and to look at land management and development strategies. Through analysis of the community views Ms. Spahn would look at possible strategies that could be taken for grant management and how their value could work for the Town. Ms. Spahn study is at no cost to the Town, however would provide the Town with information on what landscapes the residents value and do not value.

After Ms. Spahn's presentation Councilwoman Pew asked how the survey would be done. Ms. Spahn replied that she would be attending functions and group meetings to get the survey out to people. Councilman Vacco asked, "How many people does she want to deal with and is this just study information?" Ms. Spahn replied that not only is it for study information for her, but information she can provide the town with regarding what landscapes residents value and do not value. Councilman Zittel asked if she would be working through the Conservation Advisory Board. Mr. Mantione answered that there is already a follow-up meeting with Ms. Spahn and to give her the right contacts to point her in the right direction. Councilman Zittel thanked Ms. Spahn for coming to the Town Board and advising the Town of her study.

Deputy Supervisor Krycia felt that it was a worth while endeavor and that possibly the Town would benefit from the study. Darlene Vogel, Agricultural Specialist also expressed her feelings that this is a good time to be looking at various landscapes throughout the Town. Ms. Spahn stated that her report would be completed by August 17, 2001.

5.) West Hill Grill in East Eden

Councilman Vacco stated that the West Hill Grill in East Eden is requesting from the Town a letter of support to send along with their liquor license application stating that they have met the local requirements when they built a porch to serve food and beverages outside. Deputy Supervisor Krycia stated that with the absence of Supervisor Nellis we should review that all Local Codes were met before sending such a letter.

Supervisor's Report:

Deputy Supervisor Krycia read a letter that Supervisor Nellis has sent to Brian Rowback, Regional Director of the New York State Department of Transportation regarding the traffic light to be installed at Route 62, Welch Lane and Schoolview Drive. The letter expressed the need of the traffic light for just recently another accident occurred at the intersection and a woman was taken to the hospital. A copy of the letter is on file in the Town Clerk's office.

Hearing of Visitors:

Wilbert Smutz of 3094 East Church Street

Adjournment:

MOTION was made by Councilwoman Pew to adjourn the Work Session of the Eden Town Board; seconded by Councilman Zittel; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

Respectfully submitted by,

DianaRae Walker
Deputy Town Clerk