

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
NOVEMBER 28, 2001
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS - SUPERVISOR
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*)
Paula Thurston - Deputy Town Clerk
Ann Knack - Administrative Assistant

Call To Order:

Supervisor Nellis called the Work Session of the Eden Town Board to order at 7:35 P.M. with the Pledge of Allegiance to the Flag followed by a moment of silence.

New and Unfinished Business:

Stormwater Management and Erosion Control Law

Supervisor Nellis explained that the Town Board had held a public hearing on the proposed Stormwater Management and Erosion Control Law a few weeks earlier. The Town's Drainage Committee had worked very hard to put this document together which was then reviewed by the Town's legal council as well as our engineer. He then asked the Town Board if they were ready to act on adoption of this law to which they responded yes.

Councilman Edward Krycia, Jr. offered the following motion:

WHEREAS, the Town of Eden has proposed to amend the Code of the Town of Eden, to include a new chapter entitled "Stormwater Management and Erosion Control", and,

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review – SEQR) of the Environmental Conservation Law, the Eden Town Board has reviewed the proposed code amendment, and

WHEREAS, the code amendment will not adversely affect the natural resources of the State and/or health, safety and welfare of the public, and are consistent with social and economic considerations,

THEREFORE, BE IT RESOLVED, that the Eden Town Board has determined that the proposed code amendment is not anticipated to result in any significant effect on the environment, and that a Negative Declaration (notice of determination of non-significance) is hereby issued, based on the following reasons:

1. The proposed code amendment is in accordance with the Town's adopted Comprehensive Plan (implementation item called out for in the Plan).
2. The code amendment is intended to protect the environment by regulating Stormwater and erosion control for construction activities.
3. The regulation in general follows the guidelines established in New York State's Pollution Discharge Elimination System (SPDES) permit program.

BE IT FURTHER RESOLVED, that the Supervisor be authorized to sign the environmental assessment form.

Motion was seconded by Councilman Vincent Vacco. Motion carried, all ayes.

Councilman Edward Krycia, Jr. offered the following motion:

WHEREAS, the Town of Eden has proposed to amend the Code of the Town of Eden to include a new chapter entitled "Stormwater Management and Erosion Control", and

WHEREAS, the code amendment is recommended in the Town's adopted Comprehensive Plan, and the code revision was promulgated and recommended to the Town Board by the Town's Drainage Committee, and

WHEREAS, the Town Board has held the appropriate public hearing and has determined that the project will not have a significant effect on the environment and has issued a Negative Declaration under the State Environmental Quality Review Act (SEQR),

NOW, THEREFORE, BE IT RESOLVED, that the Code of the Town of Eden be amended per the attached Town of Eden Local Law No. 9 of the 2001.

Presentation: Community Environmental Management (CEM) – Cally Miklasz, Executive Secretary-Treasurer – Erie County Soil & Conservation District.

At the request of Supervisor Nellis, Conservation Board Chairman, Frank Mantione, introduced the evening's guest speaker, Cally Miklasz. Cally is the executive Secretary Treasurer of the Erie County Soil & Water Conservation District located in East Aurora and is working to develop a program known as Community Environmental Management or CEM.

Cally introduced John Schumacher with the NYS Soil and Water Conservation District, who came to assist with the presentation. Cally started her presentation using the projector and screen to highlight information about the CEM program. Cally stated that this was a pilot program in the process of being developed. Erie County is one of two pilot counties in the state to receive funding from the NYS Department of Environmental Conservation to help develop and try out this planning process. The other county is Dutchess County. New York has many delivery programs which focus on agricultural planning, but few that consider the whole spectrum of natural resource concerns that communities throughout the state are dealing with. Cally indicated she was eager to give this presentation to find out if Eden was interested in being a part of this pilot project.

CEM is a planning tool for municipalities to use to more effectively address water quality issues and other natural resource concerns in their communities. Cally's presentation included information on where CEM can be used, who can do a CEM assessment and explained their TIER process. Information that is gathered for this pilot program regarding problem identification and assessment and resolution will be shared with other communities that have similar problems. It will be available to all NYS communities as a tool to manage their resources. It can be used by professional staff in their work with community officials and concerned groups of citizens to identify and evaluate problem areas that contribute to natural resource degradation, causes of those problems, and resources to help alliviate those problems.

Erie County is in the process of hiring a planner whose services would be free to communities who are developing a CEM. It will be easier for homeowners whose communities have gone through the planning process to get money to assist them in correcting problems. If we identify problems and what's causing them and can come up with the proper way to correct them, funds will be made available to assist us in making the corrections.

At this point, Cally asked if the Town was interested in this program and if she should continue her work, which doesn't cost the Town anything), on the CEM. The Town Board stated they were definitely interested in participating in the CEM pilot program and agreed that a working committee from the Town consisting of a Conservation Board member, a Drainage Committee member and a liaison from the Town Board assist the CEM County Planner.

Ed Walker, of 8614 S. Main Street, asked if any assistance would be available to him through the CEM program regarding the problem he is experiencing with trees leaning over his house due to erosion of the creek bed. Mr. Walker has been seeking to obtain some form of help or assistance in removing these trees before they fall on this house.

Ms. Miklasz indicated that because none of the preliminary work has been done yet on the CEM for Eden, monies directly from the CEM program would not be available at this time but that perhaps, if the conditions were right, monies could be obtained through the Soil and Water Conservation Office to come out and make an inspection of the situation. Mr. Walker stated that he had made that phone call just today and was told that someone would be out to evaluate the problem within the next few days. Ms. Miklasz stated she would be glad to follow-up on Mr. Walker's phone call to the Soil and Water Conservation Office to see what steps would be taken and if any relief could be offered.

Other Business:

Because of the Christmas holiday, the Town Board agreed that the final meeting of the year 2001 and audit of bills would be held on Thursday, December 27, 2001 at 7:30 P.M.

Adjournment:

At 8:40 P.M. motion was made by Councilman George F. Zittel, seconded by Councilman Vincent Vacco to adjourn into executive session. Carried, all ayes.

Respectfully submitted by,

Paula Thurston
Deputy Town Clerk