

## **04/01/09 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, April 1, 2009, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan  
Councilwoman Susan Glowina-Absent  
Councilman David Polak  
Councilman Dennis Powers  
Councilman Dean Puleo

Also: Town Attorney Phyllis Todoro  
Building Inspector Joseph Colern  
Highway Superintendent Wayne Clark  
Water Superintendent Eugene Stevenson  
Town Engineer James Wzykiewicz

Approximately 11 people attended the meeting.

The meeting was opened with the reciting of the Pledge of Allegiance.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the March 18, 2009 meeting. Ayes-3. Noes-0. Carried.

Councilman Polak arrived.

### Department Reports

Building Inspector Joseph Colern noted that several property complaints are being addressed.

Water Superintendent Eugene Stevenson presented the 2008 Annual Water Report.

Highway Superintendent Wayne Clark noted that the Town Parks and Town Hall have been cleaned up, with rubbish pick-up starting on Monday.

Councilman Puleo made the motion and Councilman Powers seconded the motion to add the bids for the hydraulic valve exerciser to the Agenda. Ayes-4. Noes-0. Carried.

Supervisor Nolan noted that specs for the hydraulic valve exerciser for the Elma Water Department are available in the Town Clerk's office and will be opened April 15, 2009 at 8:00PM, Town Board meeting.

Councilman Puleo made the motion and Councilman Powers seconded the motion to add the Highway Department pick-up to the Agenda. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to award the bid for the Highway Department 2009 pick-up to Delacy Ford at the cost of \$25,687. Ayes-4. Noes-0. Carried.

Supervisor Nolan opened the public comment session for the Stormwater Management Program. Diane Rohl questioned the size of the area involved.

Supervisor Nolan opened the bids for the Creek Road Park shelter as follows: Katilus Construction Co \$24,140, CBL Snyder Corp \$15,495, Emerald Services of WNY Inc \$15,346, Arc-Tek \$13,263, A. Lund Construction Inc \$15,948, MGR Construction Inc \$20,540, Building Solutions \$15,884, Miller Enterprises, Inc \$21,700. The bids will be reviewed and awarded per Grant specifications.

Councilman Puleo made the motion and Councilman Powers seconded the motion to extend the cleaning contract for the Town Hall one more year with Clean Sweep Janitorial Services, Inc at no additional cost. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve the agreement with Premier Pyrotechnics Inc for the July 4h, 2009 fireworks at the Boys & Girls Club on Girdle Rd, rain date will be July 5th, 2009. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to approve Diane Rohl attending the GIS digital mapping conference on April 14th, 2009 at the cost of \$100. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilman Puleo seconded the motion to

approve the Water Department assisting the Blossom Fire Company to install a fire hydrant for training purposes at the fire hall. No material cost, only labor. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to amend the resolution for Planning and Zoning Board members training requirements to add item #4. The County of Erie and all other counties located in New York State, to include on-line tutorials sanctioned by New York State as meeting the State requirements for training of planning board, zoning board of appeals and alternate members. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman powers seconded the motion to approve Supervisor Nolan to sign the following parks grant resolution: I, Patricia King, the qualified and acting Clerk of the Town of Elma, Elma, New York, a corporation subject to the Not for Profit Corporation Law of New York State and qualified for tax exempt status under the federal internal revenue code] OR [ Elma, New York], do hereby certify that the following resolution was adopted at a regular meeting of the Town of Elma held on April 1, 2009, and is [incorporated in the original minutes of said Town of Elma of said meeting] OR [on file and of record], and that said resolution has not been altered, amended or revoked and is in full force and effect.

WHEREAS, this organization has received a special grant in the 2008-09 New York State Budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

NOW, THEREFORE, this body resolves the following:

1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in "GUIDELINES for projects over \$50,000 or involving construction or bidding - Fiscal Year 2008 – 2009," provided by the New York State Office of Parks, Recreation and Historic Preservation
2. That Michael P. Nolan, as Town Supervisor of our organization, is hereby authorized to sign legal documents on behalf of our organization and that such signature is acknowledgement of the acceptance by this body of compliance with all terms and conditions of the grant agreement, to be executed for the grant. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to approve the Motorcycle Safety and Awareness Month resolution as follows: WHEREAS,

motorcycle safety awareness is of critical importance to both riders and other potential victims; and WHEREAS, in the past year, Erie County has experienced more than a dozen mishaps involving motorcycles, more than half ending in fatalities; and WHEREAS, no single cause is to blame; and WHEREAS, motorcycle safety awareness has been identified by Governor David Paterson, as well as other government officials, as a priority in traffic safety; NOW, THEREFORE WE the members of the Town Board of the Town of Elma, declare the month of May, 2009 as "Motorcycle Safety and Awareness Month" in our municipality; and FURTHERMORE, we take note of the Saturday, May 2nd assembly of area bikers sponsored by the Buffalo-Erie County Chapter, American Bikers Aimed Toward Education (ABATE) in the month of May; and FINALLY, WE RESOLVE that a copy of this proclamation be sent to Frank Martorana, Coordinator of ABATE, as well as to all Mayors and Supervisors who are members of the Association of Erie County Governments. Ayes-4. Noes-0. Carried.

Supervisor Nolan announced the next Work Session will be April 8, 2009 at 6:00PM.

All have received the Planning, Zoning and Conservation Board, Design Guidelines Committee minutes that apply.

Supervisor Nolan asked for a moment of silence in remembrance of George J Navagh, Town Attorney from 1963 to 1966 and Town Justice from 1967 to 1979 who passed away.

Meeting adjourned at 8:42PM.

Respectfully submitted,

Patricia King, Town Clerk