

07/25/07 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, July 25, 2007, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan
Councilwoman Susan Glownia
Councilman David Polak
Councilman Dennis Powers
Councilman Dean Puleo

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

Approximately 26 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 June 20, 2007 meeting. Ayes-5. Noes-0. Carried.

Department Reports

Water Superintendent Eugene Stevenson noted that from June 11 to July 12, 2007 the water department pumped 70 million gallons of water.

Highway Superintendent Wayne Clark noted that 900 Aurora Street has been taken down and the basement has been filled in. Also Chairfactory Road has been repaved.

Supervisor Rickey Venditti from the Town of Wales presented the Town Board with the following Proclamation: Whereas, the Town of Elma was created in the year of 1857 by an act of the Board of Supervisors of Erie County in a vote of twenty-eight to three, from parts of Aurora and Lancaster and became a Town in the State of New York and, Whereas, the Town of Elma being the youngest town of Erie County, and touches the

North West corner of the Town of Wales and has enjoyed a steady, regular relationship with the Town of Wales, and has maintained the qualities for its residents which make life rich and rewarding and, Whereas, the Town of Elma this year is celebrating its 150th Anniversary with numerous civic, cultural and other related activities, and Whereas, in 1857, Supervisor of the Town of Wales, Comfort Parson sent congratulations to the Town of Elma's Supervisor, P.B. Lathrop, Therefore be it RESOLVED Supervisor Rickey Venditti, and the Town Board of Wales do hereby proclaim its awareness of the events, and likewise 150 years ago sends it greetings, and wishes the Town of Elma, its residents and friends a safe and enjoyable celebration, and urges all to participate in and contribute to the commemorative activities and events for this memorable occasion.

Supervisor Nolan read the following Proclamation from Erie County Clerk Kathy Hochul:

Erie County Clerk's Office, Certificate of Recognition Proudly Presented to the Town of Elma, New York A great place to live and raise a family Celebrating its Sesquicentennial July 4-August 4, 2007 The Town of Elma was incorporated in April 1857 and sits squarely in the center of Erie County it is lovingly referred to as the heart of Erie County by its 11, 000+ residents. There is a wealth of treasures in Elma, some historic, some educational, and other just plain fun. On behalf of the citizens of Erie County, I wish the Town of Elma, New York continued prosperity.

Supervisor Nolan presented Kyle Uebler with a Certificate of Achievement for his accomplishment to be an Eagle Scout.

Celeste Lawson from the Arts Council presented the Town of Elma with a check for \$1200 in recognition and support of the Summer Concerts program.

Councilwoman Glownia made the motion and Councilman Polak seconded the motion to issue a negative declaration on a short form SEQR for Advance Auto Parts at 3419 Transit Road.

Ayes-5.Noes-0.Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to issue a Business Use Permit for Advance Auto Parts at 3419 Transit Road. Building Inspector notes a permit is required for any advertising signs. Ayes-5. Noes-0.Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to issue a negative declaration on a short form SEQR for Specialized Tree Service at 1241 Bowen Road.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to issue a Business Use Permit for Specialized Tree Service at 1247 Bowen Road. Building Inspector notes no outside storage of any tree debris or mulch piles. No grinding or recycling of tree debris on site. Also, service of vehicles limited to owned fleet vehicles. Not to be used as public garage. No outside storage of junk vehicles or parts. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to hire W M Schutt Associates to do the independent review of the SEQR for Omnipoint Communications on Schultz Road at an estimated expense of \$1,950. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to approve the Recycling Contract with NEI Waste at a cost of \$15 per ton. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Puleo seconded the motion to authorize Supervisor Nolan to sign the Hazmat Agreement with the City of Buffalo at an annual cost of \$4500. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve an Invitation to bid for Cleaning Services at the Town Hall. Specifications are available in the Town Clerk's office, returnable by August 15, 2007 at 4:00PM to be opened August 15, 2007 Town Board meeting at 8:00PM. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve an Invitation to bid for a 2008 Pickup for the Water Department. Specifications are available in the Town Clerk's office, returnable by August 15, 2007 at 4:00PM to be opened August 15, 2007 Town Board meeting at 8:00PM. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the following resolution for the land purchase: Whereas, the Town wishes to purchase land in an area behind the current Town Hall, and Whereas, the Town did not include the funding for the purchase of such land within the adopted 2007 budget, and Whereas, the Town does have sufficient fund balance in the General Fund which would allow for such purchase NOW, THEREFORE, be it Resolved, that the Town Board hereby authorizes the purchase of a parcel of land from Richard & Susan Murzynski for \$75,000. BE IT FURTHER RESOLVED that the Town Board authorizes the amending of the Town's 2007 adopted budget to provide the appropriation of fund balance required for the acquisition of such land, as follows Increase Appropriations: A1960.2 Property Acquisition \$75,000. Increase Appropriated Fund Balance: A599 Appropriated Fund Balance \$75,000. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the following resolution for a budget transfer to increase appropriations for Fireworks: WHEREAS, the Town wishes to provide for an annual fireworks celebration for Town residents, and WHEREAS, the Town Board wishes to provide funding for such fireworks, and WHEREAS, the Town's 2007 adopted budget does not currently include such funding NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the transfer of budgetary appropriations in the Town's 2007 adopted budget as follows: Increase Appropriations: A7550.41 Celebrations ûFireworks \$ 10,000.00 Decrease Appropriations:A1990. Special Items-Contingent Account \$10,000.00. Ayes-5. Noes-0.Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve Town Justice Robert Pierce and Jeannine Willson to attend the New York State Magistrates' Association's annual training conference in September, 2007, the cost has been budgeted to cover the expenses. Ayes-5. Noes-0. Carried.

Supervisor Nolan set a Public Hearing date of August 15, 2007 at 8:00PM for Drainage District #181 Balducci Construction on Pound Road, a commercial variance for Todd Huber, Building Solutions and a commercial variance for Matt Dole, Heritage Fence.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #7 as follows: #680 thru #828 with noted exceptions:

General Fund \$76,322.41 Water District \$174,148.79
Highway Fund \$51,848.30 Special District \$ 13,594.05 Capital Project \$7,085.43
Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to add Right to Farm Law signs to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the purchase of Right to Farm Law signs at a cost of \$13.95 each to be placed at entrance roads in Town. Ayes-5. Noes-0. Carried.

All have received the Planning, Zoning and Conservation Board Agenda and Minutes that apply.

Supervisor Nolan noted the next Work Session will be August 15, 2007 at 7:00PM and the Town Board meeting will be held on Wednesday August 15, 2007 at 8:00PM.

Adjourned at 8:28PM.

Respectfully submitted,

Patricia King
Town Clerk