

11/07/07 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, November 7, 2007, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan
Councilwoman Susan Glowina
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 Wzykiewicz

Approximately 32 people attended the meeting.

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

Making the Legal Notice for the Public Hearing on the 2008 Preliminary Budget part of the minutes Supervisor Nolan opened the Public Hearing at 8:01PM. No one spoke for or against the Preliminary Budget.

Supervisor Nolan closed the Public Hearing at 8:02PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to adopt the 2008 Town of Elma Budget. Ayes-4. Noes-0. Abstain-1. Councilman Polak abstained. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the October 17, 2007 meeting. Ayes-5. Noes-0. Carried.

Department Reports

Town Engineer James Wyzykiewicz informed the Town Board of three (3) resolutions that must be passed before January 8, 2008 for the Storm Water Coalition. This will be on the next Work Session.

Water Superintendent Eugene Stevenson noted that Town parks and all fire hydrants have been winterized. A water main break occurred at 5121 Clinton Street which has been repaired. And the water pump at Jamison Road pump house is back in service.

Highway Superintendent Wayne Clark noted that the winter parking ban is in effect from November 15, 2007 to April 1, 2008 between the hours of 2:00AM until 8:00AM.

Town Attorney Phyllis Todoro also spoke regarding the Storm Water Coalition resolutions.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the Special Use Permit for Gorman Enterprises at 691 Bullis Road under zoning code 144-100c and referred to the Planning Board for a site plan review. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to table the request from EduKids Early Childhood Centers at 6961 Seneca Street and set a public hearing date of December 19, 2007 for a variance under Local Law #1-2007. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to accept with regrets the resignation of Jeannine A. Willson as Court Clerk for Judge Pierce. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve Donna Dimitroff as Court Clerk to Judge Pierce. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve a negative declaration on SEQR #164 for Omnipoint Cell Towner on Schultz Rd and referring them to the Zoning Board of Appeals. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the following resolution for Town Hall Bond Anticipation Note: Where as, the

Town wishes to provide for the complete payment of bond anticipation notes for the construction of Town Hall, and Whereas, the funding for the payment of this debt is available in the General Fund and was previously designated for such purpose by the Town, now therefore be it Resolved, that the Town Board authorizes the amending of the 2007 adopted budget as follows:

Increase: A9730.600 Principal-Town Hall BAN \$228,555

Decrease: A599 Appropriated Fund Balance \$228,555.

Ayes-4. Noes-1. Carried. (Councilman Polak voted no.)

Councilman Puleo made the motion and Councilman Powers seconded the motion to authorize Supervisor Nolan to sign the 2007-2010 Snow Removal and Ice Control Agreement with Erie County. Ayes-5. Noes-0. Carried.

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

Supervisor Nolan noted the next Work Session will be on November 14, 2007 at 6:00PM.

Supervisor Nolan announced an Executive Session for a discussion on the Rite-Aid lawsuit and a personnel matter in the Court Office and the meeting will be adjourned immediately following this session.

Councilman Powers made the motion and Councilman Puleo seconded the motion to enter Executive Session at 8:29PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to exit Executive Session at 8:47PM.

Adjourned at 8:47PM.

Respectfully submitted,

Patricia King
Town Clerk

