

## **06/15/05 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, June 15, 2005, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan  
Councilman Bill Cirocco  
Councilwoman Susan Glownia  
Councilman Dennis Powers  
Councilman Dean Puleo

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

Approximately 23 people attended the meeting.

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

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve the minutes from the June 1, 2005 meeting. Ayes-5. Noes-0. Carried.

Supervisor Nolan presented a Certificate of Achievement to Timothy Phillips on becoming an Eagle Scout. Ryan Griffin, Peter Natalzia and Devin Zydel certificates will be mailed to them.

### **Department Reports:**

Town Engineer James Wyzykiewicz asked the Town Board to review the second opinion letter from J. A. Daigler & Associates on Spring Brook Shores at the next Work Session on June 29.

Water Superintendent Eugene Stevenson asked the Town Board to review the changes to update the Water Ordinance. The first round for the lead and copper testing program of water sample mandated by the New York State Health Department on 15 homes has been

done with the next set of samples to be taken in July which will complete the program for the next three years. Also fire hydrant maintenance and painting is also in progress. Highway Superintendent Wayne Clark noted that the rubbish pick up is complete with brush being picked up next. An area has been cleared at the Transfer Station for residents to drop off brush with mulch being available for resident to pick up. Also both Parks were damaged due to the last heavy rain storm, reports have been filed with FEMA and the County.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the following resolution:

Whereas, the County of Erie/Towns and Villages Snow Removal and Ice Control Agreement expires August 31, 2005, and

Whereas, a series of meetings have been held with the town representatives and the Department of Public Works, and

Whereas, as a result of these meetings, a tentative two-year agreement has been reached, NOW, THEREFORE, BE, IT,

RESOLVED, that the November 1, 2005 through August 31, 2007 rate for which the County of Erie reimburses the suburban and rural municipalities for snow and ice removal on County roads shall be increased as follows: Amount of Increase New Amount  
2005-2006 \$70.00 \$2,393 per lane mile  
2006-2007 \$139.00 \$2,532 per lane mile  
and be it further,

RESOLVED, that the County Executive be authorized to enter into an agreement with the Towns and Villages; and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments from GL Account #520060; and be it further,

RESOLVED, that in the event the Erie County Budget is in deficit and funds are not available, the County reserves the right to terminate this contract, taking note of the County's executory clause and availability of County funds.

Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to appoint Michael Komorek to the Zoning Board of Appeals. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to appoint Robert Iggulden to the Assessment Board of Review. Ayes 5. Noes 0.

Carried

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to authorize Supervisor Nolan to sign the Park Grant as follows being RESOLVED: That Michael P. Nolan, as Supervisor of the Town of Elma is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$50,000, with a Town match of \$50,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Elma for the Elma Town Park at Creek Road Waterfront Development and Rehabilitation Grant and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.  
Ayes-5. Noes-0. Carried.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to approve the Parks and Recreation Master Plan as follows being RESOLVED: WHEREAS an Advisory Committee was formed in September 1994 and in June 2002 to review the Town's parks and recreation existing amenities and areas of deficiency, and WHEREAS the Advisory Committee developed a five-year Parks and Recreation Master Plan in 1994, which was updated in 2002 whereby the Town seeks to expand the variety and types of parks and recreational amenities within the Town of Elma for citizens of all ages;  
WHEREAS the Parks and Recreation Master Plan specifies the need for expanding recreational improvements, including, but not limited to waterfront access at the Elma Town Park on Creek Road and the rehabilitation of existing recreational amenities at the Elma Town Park on Creek Road.  
NOW, THEREFORE, BE IT RESOLVED:  
That the Town Board of the Town of Elma does hereby reaffirm the contents of the five-year Town of Elma Parks and Recreation Master Plan , and  
BE IT FURTHER RESOLVED:  
The Town of Elma Town Board will review said Parks and Recreation Master Plan on an annual basis, beginning one year from the date of this resolution.  
Ayes-5 . Noes-0 . Carried.

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

approve Warrant #6 as follows with exceptions: claim #473 to #603  
General Fund \$76,127.78 Water District \$95,659.31  
Highway Fund \$12,204.06 Special District \$ 5,058.98  
Ayes-5. Noes-0. Carried.

All have received the Planning Board Agenda.

Supervisor Nolan stated the next Work Session will be on Wednesday, June 29, 2005 at 4:00PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to enter Executive Session at 8:24PM regarding a pending litigation matter with the Town Board meeting adjourning immediately following the executive session. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to exit Executive Session at 9:00PM. Ayes-5. Noes-0. Carried.

Meeting adjourned at 9:00PM. All in favor.

Respectfully submitted,

Patricia King  
Town Clerk