

A regular meeting of the Elma Town Board was held on Wednesday, March 16, 2005, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

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

Approximately 29 people attended the meeting.

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

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the minutes from the March 2, 2005 meeting.
Ayes-4. Noes-0. Carried.

Department Reports: Nothing reported by Department Heads.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to approve a negative declaration on a short form SEQR for Paul Boylin, Automotive Excellence at 5960 Seneca Street.
Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve a Business Use Permit for Paul Boylin, Automotive Excellence at 5960 Seneca Street. Building Inspector notes with restrictions in "Use" no auto painting and no sale of used cars (because lot is not zoned for sale of used cars). Also no junk vehicle(s) or automotive parts stored outside and only three (3) vehicles outside waiting for repair code section 114-39C. Fire inspection required within 30 days of occupancy and no advertising sign allowed without a permit.
Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve a Business Use Permit for Dr. John Ward, Medical Office at 7531 Seneca Street on a negative declaration with a short form SEQR. Building Inspector notes with restrictions in "Use" building shall comply with Chapter K of Building Code New York. Also fire inspection required within 30 days of occupancy and a permit required for any advertising sign. Ayes-4. Noes-0. Carried.

Councilman Cirocco made the motion and Councilman Powers seconded the motion to approve a Business Use Permit for John Travis, Elma Marilla Physical Therapy at 2320 Bowen Road on a negative declaration with a short form SEQR. Building Inspector notes a fire inspection within 30 days of occupancy and a permit is required for advertising signs.
Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve a Business Use Permit for Walter Wagner Jr., Paradigm Systems at 3171 Transit Road on a negative declaration with a short form SEQR. Building Inspector notes a fire inspection within 30 days of occupancy and a sign permit is required for an advertising sign.
Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Cirocco seconded the motion to approve a Special Use Permit for Lafarge North America Construction on Jamison Road for the removal of an estimated 1,000 yards of sand, gravel ONLY. This permit is effective for six(6) months starting March 16, 2005 and all conditions of the original Resolution Agreement with the Town of Elma dated July 25, 1995 are still in effect. Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Cirocco seconded the motion to approve a negative declaration on SEQR #158, the Town Board had accepted lead Agency previously on SEQR #158 for Craig Fargo on Clark Court for four lot 280-A development. Ayes-4. Noes-0. Carried.

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Councilwoman Glownia made the motion and Councilman Powers seconded the motion to give final approval on Clark Court for a four lot 280-A development contingent on performance bonds being filed with the Town before acceptance of Town road and infrastructure. Also filing of all easements for drainage, and all utilities at time of acceptance of road, including, but not limited to the agreed release of preexisting easements. (Copies to be provided to Town Attorney for review and to be recorded by Town Attorney). Contractor/developer to provide all testing and inspections on water line installation and road installation to appropriate Department heads at time before road and water lines are accepted by Town of Elma. Ayes-4. Noes-0. Carried.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to approve Franklin Kester, Receiver of Taxes and Assessments request to extend the collection of the 2005 County Tax from May 2nd, 2005, until June 30th, 2005 which is requested by the County of Erie Finance Office. Ayes-4. Noes-0. Carried.

Councilman Cirocco made the motion and Councilman Powers seconded the motion to approve the following resolution and amendments:
 WHEREAS, the Town is in the process of closing its accounting for the fiscal year ended December 31, 2004, and
 WHEREAS, certain appropriation accounts were noted to need adjustments to allow for appropriate closing of accounts, and
 WHEREAS, the funding for these adjusted appropriations is available within other appropriation accounts in the Town's 2004 budget,
 NOW, THEREFORE, be it
 RESOLVED, that the Town Board hereby authorizes the amending of the Town's 2004 budget (inserted at the end of the minutes).
 Ayes-4. Noes-0. Carried.

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

RESOLVED that the following recommendations be submitted to New York State Senators Dale Volker and Joseph Bruno, New York State Assembly Representatives Sandra Lee Wirth and Sheldon Silver, and Governor George Pataki, with a letter on behalf of the citizens of the Town of Elma urging their immediate attention.

WHEREAS the residents of the Town of Elma have collectively considered the local issues of greatest concern to them and identified high property taxes as one of the highest priority among them; and
 WHEREAS funding for local governmental services, including public education, is provided primarily through a tax on the estimated value of property; and
 WHEREAS the welfare of Elma homeowners is jeopardized by the rapid increase in the costs of public education and the inability of many homeowners to pay these increased costs; and
 WHEREAS the increasing burden of public education on taxpayers also impacts on the ability to raise other taxes to provide services and to fund Town-specific and local initiatives important to the well-being of the community.

THEREFORE THE Town Board of the Town of Elma appeals to New York State public officials to implement new measures for financing public education, including the following suggested actions:

1. Ensure equity in a formula for funding public education based on the taxpayers' ability to pay.
2. Decrease the revenue raised from tax sources based on the value of dwellings.
3. Refrain from imposing state mandated requirements upon school systems without corresponding state funding.
4. Adjust the formulas on revenues earmarked as aid to education from state lottery and other future gaming activities so that the annual percentage is substantially increased from current levels.
5. Maintain the enhanced STAR exemption for the town's neediest citizens, but also increase STAR exemption for senior citizens specifically at all income levels.
6. Regain lost tax revenue from the above actions through income tax.

Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve Warrant #3 as follows: Claim #121 to #232

General Fund	\$ 66,768.50	Water District	\$84,045.99
Highway Fund	\$120,005.33	Special District	\$ 8,730.79

Ayes-4. Noes-0. Carried.

Deputy Supervisor Puleo stated that NO Work Session next Wednesday March 23, 2005. The next Work Session will be on March 30, 2005 at 6:00PM.

All have received the Planning Board agenda and Zoning Board minutes.

Meeting adjourned at 8:21PM. All in favor.

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Respectfully submitted,

Patricia A. King

Patricia A. King
Elma Town Clerk

GENERAL FUND

Table with columns for account number, description, and amounts. Includes sections for Town Board-Other Expenses, Town Justice-Court Clerks-OT, Supervisor-Other Expenses, Tax Collector-Part Time Help, Assessment-Deputy Wages, Town Clerk-Records Management, Deputy Town Attorney Salary, Furniture & Equipment, System Administrator, Bookkeeper-Part Time, Youth Recreation-Wages, Celebrations-Patriotic Observances, Seniors-Part Time Director, Refuse-Laborer Part Time, and Zoning-Compensation of Board.

Table with columns for account number, description, and amounts. Includes NYR Retirement, Workers Compensation, Health Insurance, Social Security, Disability Insurance, Engineer-Consulting Services, Election-Compensation & Mileage, Election-Rental of Polling Places, Election-Repairs & Supplies, Election-Transport & Storage of Machines, Supervisor's Secretary-Wages, Supervisor's Secretary-Other Expenses, Bookkeeper-Other Expenses, and Contingency.

Table with columns for account number, description, and amounts. Includes BAN-Principal, BAN-Interest, Deputy Building Inspector, Appropriated Fund Balance, Transfer to Capital Projects, Contingency, Deputy Building Inspector, Building Inspector-Part Time Help, and Building Dept-Purchase of Truck.

HIGHWAY FUND

Table with columns for account number, description, and amounts. Includes Snow Removal-wages, Workers Compensation, Health Insurance, and Machinery-Contractual Expenses.

WATER FUND

Table with columns for account number, description, and amounts. Includes Independent Contractors (Jarrison Tank), Motor Equipment Operator, Water Maintenance Worker, Laborer P/T, Laborer F/T, Overtime, Road Equipment, Shop Tools, Meters, Purchase of Water, Electric Power, Meter Repairs, Vehicle Repairs, Miscellaneous Expenses, Gas, Oil & Grease, Hydrant Maintenance & Supplies, Bids & Grounds Maintenance Supplies, Lease Lines, State Retirement, Social Security, Workers Compensation, Hospital & Medical Insurance, Water Crew Chief, Water Maintenance Worker, Caretaker P/T, Clerk Typist P/T, Field Tools, Misc. Pipe Fittings, Office Furniture & Equipment, Capital Improvements, Gas, Heat & Emerg. Power, Pipe Line Repairs, Office Supplies, Postage, Printing, Education & Travel, Insurance, Maintenance Contracts, Special Services, Uniform Allowances, Cross Control Connection, Locating Services-UFPO, Equipment Maintenance, Water Quality, Telephone, Equipment Maintenance, Telemetering Charts, Contingent Account, Contribn. Reserve for Repair, Disability Insurance, Co-pay & Prescription, and Appropriated Fund Balance.

SEWER DISTRICT #1

Table with columns for account number, description, and amounts. Includes Sewer Treatment Operator, Operations Equipment, Mileage & Snow Removal, Workers Compensation, Disability Insurance, Health Insurance, and Sludge Removal.

SEWER DISTRICT #2

Table with columns for account number, description, and amounts. Includes SS#2 Maintenance Expense, Interest Revenue, and Appropriated Fund Balance.

SEWER DISTRICT #4

Table with columns for account number, description, and amounts. Includes Sewer Treatment Operator, Power and Light, Mileage, Consultation & Lab Testing, Workers Compensation, Disability Insurance, Health Insurance, Sludge Removal, and BAN-Principal.

SEWER DISTRICT #5

Table with columns for account number, description, and amounts. Includes Sewer Treatment Operator, Plant Improvement & Repair, Operations equipment, Chemicals & Supplies, Mileage, Consultation & Lab Testing, Workers Compensation, Disability Insurance, Health Insurance, BAN-Principal, Laborer P/T, Sludge Removal, and BAN-Interest.

SEWER DISTRICT #7

Table with columns for account number, description, and amounts. Includes Sewer Treatment Operator, Operations Equipment, Power & Light, Mileage, Consultation & Lab Testing, Workers Compensation, Disability Insurance, Health Insurance, and Plant Improvement & Repair.

FIRE DISTRICT

Table with columns for account number, description, and amounts. Includes Fire Service Award, Volunteer Fire Co. Insurance, Fire Protection Services, EA Mutual Alarm System, and Appropriated Fund Balance.