

A regular meeting of the Elma Town Board was held on Wednesday, November 19, 2008, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

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

Approximately 18 people attended the meeting.

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

Retired Historian Mae Charlotte Yacobush presented her copy of the History of Elma book published in 1902, covering years 1620-1901 for the entire Town to enjoy.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to approve the minutes from the November 5, 2008 meeting. Ayes-4. Noes-0. Carried.

Department Reports

Building Inspector Joseph Colern presented the monthly report for October with 41 permits issued, fees collected of \$4,751.95 with an estimated value of construction \$624,300.

Water Superintendent Eugene Stevenson noted that all fire hydrants have been winterized; valve exercising and flushing will begin.

Highway Superintendent Wayne Clark noted that the parking ban is in effect.

Town Attorney Phyllis Todoro noted that an executive session will be called regarding a pending lawsuit.

Councilman Polak made the motion and Councilwoman Glowonia seconded the motion to approve a negative declaration on a short form SEQR to Studio S Salon at 6438 Seneca Street. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowonia seconded the motion to approve a Business Use Permit for Studio S Salon at 6438 Seneca Street. Building Inspector notes a fire inspection required within 30 days of occupancy and a permit for any advertising sign. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to rescind the Business Use Permits for Aurora Sales & Service at 5770 Seneca Street and The Farmhouse at 1230 Maple Road. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve the transfer of interest \$8500 from the meter deposit account to purchase replacement meters. Account SW8310203 was set up for this purpose. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to authorize Supervisor Nolan to sign the New York State Teamsters Health and Hospital fund participation agreements. Ayes-4. Noes-0. Carried.

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Councilman Powers made the motion and Councilman Polak seconded the motion to approve TVGA Consultants to do the survey for the Creek Road Park Grant at the cost of \$2900.
Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve Warrant #11 with noted exception as follows: claim #1195 thru #1328
General Fund \$151,843.11 Water District \$165,863.89 Capital Project \$15,926.
Highway Fund \$ 95,253.84 Special District \$144,464.03
Ayes-3. Noes-0. Abstain-1. (Councilman Polak abstained) Carried.

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

Supervisor Nolan announced an Executive Session regarding the pending lawsuit with Rite-Aid and Union negotiations, the Town Board may or may not take the bench pending a possible motion following this session.

Councilman Polak made the motion and Councilman Powers seconded the motion to enter Executive Session at 8:20PM. Ayes-4. Noes-0. Carried.

Councilman Puleo arrived.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to exit Executive Session at 8:40PM. Ayes-5. Noes-0. Carried.

Meeting adjourned at 8:40PM.

Respectfully submitted,


Patricia King
Town Clerk