

A regular meeting of the Elma Town Board was held on Wednesday, September 16, 2009, 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 Clerk
	Water Superintendent	Eugene Stevenson
	Town Engineer	James Wyzykiewicz

Approximately 14 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 Drainage District #184 for 2989 Transit Road, Online Auto Connection part of the minutes Supervisor Nolan opened the public hearing at 8:01PM. No one spoke for or against. Supervisor Nolan closed the public hearing at 8:02PM.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve Drainage District #184 at 2989 Transit Road, Online Auto Connection. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the minutes from the September 2, 2009 meeting. Ayes-5. Noes-0. Carried.

Department Reports

Highway Superintendent Wayne Clark informed the Town Board that the vandals were caught that vandalized the bathrooms at the Creek Road Park on 9-7-09, they will be doing restitution. The shoulders on Northrup Road are completed and the Jackman Road project is just about complete. A gas leak at the Senior Center has been repaired. Rubbish pick up starts on October 5th with brush on October 19th.

Councilman Polak made the motion and Councilman Puleo seconded the motion to approve a negative declaration on a short form SEQR for Blossom Feed Mill at 1091 N Blossom Rd. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Puleo seconded the motion to approve the Business Use Permit to the Blossom Feed Mill at 1091 N Blossom Rd for Gene Dirosa and Edward Otto. Building Inspector notes fire inspection required within 30 days of occupancy. Also a permit is required for any advertising signs. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve the Supervisor to sign the agreement with EMW Little League Soccer for \$5,000 for 2009. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the resolution amending the 2009 adopted budget for budget transfers follows: WHEREAS, as the year has progressed the Town's actual spending has exceeded the 2009 adopted budget in certain line items, and WHEREAS, while these lines have no effect on the total General Fund 2009 adopted budget, it is necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the following transfers within the 2009 budget: Decrease Appropriations: A1620.402--Supplies & Contracts--\$2,000.00; A1990.400--Contingency--\$1,500.00; A3310.401--Signals & Intersection--\$ 2,000.00; A7510.401--Utilities--\$100.00; Total \$5,600.00. Increase Appropriations: A1620.201--Furniture & Equipment--\$500.00; A1620.400--Repairs--\$1,500.00; A3010.400--Disaster Coordinator Exp--\$500.00; A3120.401--Expenses-Crossing Guard--\$1,000.00; A3310.400--Highway Signs--\$2,000.00; A7510.400--Other Expenses--\$100.00; Total \$5,600.00. Ayes-5. Noes-0. Carried.

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Councilman Powers made the motion and Councilwoman Glowina seconded the motion to approve the resolution the Transfer Station repairs as follows: WHEREAS, the Town wishes to make repairs at the Transfer Station, and WHEREAS, the Town did not include the funding for such repairs within the adopted 2009 budget, and WHEREAS, the Town does have sufficient fund balance in the General Fund which would allow for such repairs NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the repairs at the Transfer Station for \$28,000. BE IT FURTHER RESOLVED, that the Town Board authorizes the amending of the Town's 2009 adopted budget to provide for the appropriation of fund balance required for the repairs at the Transfer Station, as follows: Increase Appropriations: A8160.404--Sanitation--Outside Contractors--\$28,000.00. Increase Appropriated Fund Balance: A599--Appropriated Fund Balance--\$28,000.00. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to add the Pondbrook Wastewater Roof to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to approve Strum Roofing at the cost of \$24,700 for the Pondbrook Wastewater roof replacement. Quote from A-1 Construction & Painting Inc at the cost of \$34,000 was also reviewed. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to add the agreement with the Grant Consultant to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the agreement with Connie D Miner Grant Consultants at the cost of \$14,808. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #9 as follows: Claim #2650 thru #2756 General Fund \$41,579.06, Highway Fund \$ 95,930.59, Capital Projects \$3,264., Special Districts \$6,830.50 and Water District \$9,271.81 Ayes-5. Noes-0. Carried.

Supervisor Nolan announced that the next Work Session will be October 7th, 2009 at 6:30PM with the Town Board meeting at 8:00PM.

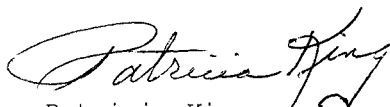
Supervisor Nolan set a Public Hearing date of October 7, 2009 at 8:00PM for the Community Development Block Grant.

Supervisor Nolan adjourned the meeting with a moment of silence in Honor of Franklin W Kester former Tax Receiver from 1996 to 2006 whom suddenly passed.

All have received the Planning, Zoning and Conservation Board, Design Guidelines Committee minutes that apply.

Meeting adjourned at 8:30PM.

Respectfully submitted,



Patricia King
Town Clerk

LEGAL NOTICE

WHEREAS, a petition dated August 19, 2009, has been duly presented to the Town Board of the Town of Elma, according to the law, requesting that a drainage district, as hereinafter described, be established in the Town of Elma, and

WHEREAS, the boundaries of the proposed drainage district # 184 are as follows:

Parcel A:
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie and State of New York, being part of Lot No. 386 of the Ebenezer Lands, so called, as shown on a Map filed in the Erie County Clerk's office under Cover No. 58, bounded and described as follows:

BEGINNING at a point in the east line of Transit Road, 259.5 feet south of the intersection of the north line of Lot No. 386 with the east line of Transit Road; thence southerly on and along the east line of Transit Road, 259.5 feet to a point; thence easterly at an interior angle of 89°55' and on a line parallel with the south line of Lot No. 386, 590 feet; thence northerly and parallel with the east line of Transit Road, 259.5 feet; thence westerly and parallel with the south line of Lot No. 386, 590 feet to the point or place of beginning.

Parcel B:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie and State of New York, being part of Lot No. 385 and 386 of the Ebenezer Lands, so called, as shown on a Map filed in the Erie County Clerk's office under Cover No. 58, bounded and described as follows:

BEGINNING at a point in the east line of Transit Road, as now laid out, 418 feet northerly from its intersection with south line of Lot No. 385; thence easterly parallel with the south line of Lot No. 385, 250 feet; thence northerly parallel with Transit Road, 120 feet; thence westerly parallel with the south line of Lot No. 385, 250 feet to the east line of Transit Road; thence southerly along the east line of Transit Road, 120 feet to the place of beginning.

WHEREAS, the improvements proposed in said district consist of none, it is

ORDERED, that the Town Board of the Town of Elma, shall meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 16th day of September 2009 at 8:00 o'clock p.m. to consider such petition and hear all persons interested in the subject thereof, and it is further

ORDERED, that the Town Clerk of the Town of Elma is hereby authorized and directed to publish a certified copy of this order in the Elma Review and to post a copy of the same on the signboard of the Town of Elma in the time and manner required by law.