

A regular meeting of the Elma Town Board was held on Wednesday, September 1, 2004, at 8:00 PM at the Elma Town Hall, 1910 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
	Highway Superintendent	Wayne Clark
	Water Superintendent	Eugene Stevenson
	Town Engineer	James Wzykiewicz

Approximately 31 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 August 18, 2004 meeting.
Ayes-5. Noes-0. Carried.

Department Reports

Water Superintendent Eugene Stevenson stated that the Jamison Water Tank Restoration Project is complete and in full service.
Highway Superintendent Wayne Clark stated that paving of Nanette Drive and Hidden Valley is complete.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to accept bids until October 20, 2004 on a new pick-up for the Highway Department. Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to award the bid for the Cleaning Services at the New Town Hall to Clean Sweep Janitorial Services, Inc at an annual cost of \$20,040.
Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the Right To Farm Act Resolution as follows:

WHEREAS, the Elma Town Board supports the agricultural industry, the protection of farmland, intelligent development of rural communities, the Right To Farm Act and Better ways to coordinate between various levels of government on development and agricultural issues, and
WHEREAS, it was stated publicly at a June 16, 2004 meeting of the Erie County Legislators and Town Supervisors and representatives from Erie County Legislature is committed to working with local towns and villages to secure more state and federal funding to protect farmland and help the agricultural industry in Erie County, and
WHEREAS, one solution to providing needed funds is found in legislation before the New York State Assembly and Senate (S.6949/A.10053), which if approved would create a fund for the implementation of plans for preservation of community character, including the protection of farmland, and
WHEREAS, if approved this fund would allow towns to acquire interests or rights in real property for the preservation of community character, to establish a bank pursuant to a transfer of development rights program and to provide management and stewardship for such interests and rights,
NOW, THEREFORE BE IT RESOLVED the Elma Town Board is committed to helping the agricultural industry, the protection of farmland, intelligent development of rural communities, the Right to Farm Act and better ways to coordinate between various levels of government, and
BE IT FURTHER RESOLVED that this honorable Body asks the Governor and the New York State Legislature to consider passing (S.6949/A.10053), which would create a community preservation fund, and
BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Governor George Pataki, the Western New York Delegation to the New York State Legislature, the Supervisors of Amherst, Alden, Aurora, Boston, Brant, Cheektowaga, Clarence, Colden, Collins, Concord, Eden, Evans, Hamburg, Holland, Lancaster, Marilla, Newstead, North Collins, Orchard Park, Sardinia and Wales, the Erie County Commissioner of Environment and Planning, the New York State Commissioner, Department of Environmental Conservation and the President of the Erie County Farm Bureau.
Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve the State Budget Resolution as follows:

RESOLUTION BY THE ASSOCIATION OF ERIE COUNTY GOVERNMENTS

WHEREAS, the recently approved state budget includes language that will adversely affect the return of significant court fee revenue to towns and village; and
WHEREAS, the loss of this revenue will give towns and villages no choice but to increase real property taxes; and
WHEREAS, this action by the state will not generate significant revenue for the state but will cause serious financial damage to towns and villages that are attempting to hold down local property taxes;

NOW THEREFORE BE IT RESOLVED: that we call upon State Legislative leaders, Senator Joe Bruno and Assembly Speaker Sheldon Silver as well as Governor George Pataki to work together with a sense of urgency to restore these monies back to towns, villages and other affected local government: and BE IT FURTHER RESOLVED: that we ask our individual State Senators and Assemblyman to remind the state legislative leaders of the dire tax consequences to municipalities if the state legislative leaders and the Governor do not eliminate the language contained in the state budget that will have such an adverse affect on towns, villages and other governments; and FINALLY, BE IT FURTHER RESOLVED; that copies of this resolution forwarded to Governor George Pataki, Senate Majority Leader Joe Bruno, Assembly Speaker Sheldon Silver, Assembly Majority Leader Paul Tokasz, State Senator Dale Volker and other elected state officials from Western New York. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to set a Public Hearing date of October 6, 2004 at 8:00PM to change the Vehicle and Traffic Code Ordinance to include a \$10.00 surcharge on traffic fines. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to approve Eugene Stevenson and Edward Sauer to attend the Erie County Local Emergency Planning Committee on October 6th and 7th 2004 at the cost of \$150 each. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to approve Kandace Wittmeyer to attend the NYS Assessors Conference on October 3rd to 6th at a cost of \$750 plus mileage which has been budgeted for. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Pumpkin Festival on October 16, 2004 at the Elma Village Green with a cost of \$2200. Ayes-4. Noes-1. (Councilman Cirocco voted no.)Carried.

Councilman Puleo made the motion and Councilman Cirocco seconded the motion to accept the resignation of Anthony LoTempio from the Zoning Board of Appeals. Ayes-5. Noes-0. Carried.

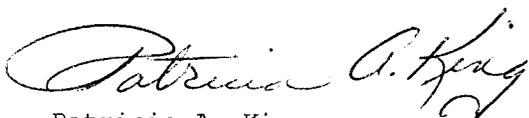
Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Alfred Harrington to the Zoning Board of Appeals to replace Anthony LoTempio. Ayes-5. Noes-0. Carried.

Next Work Session will be Wednesday, September 8, 2004 at 6:00PM.

In honor of former Supervisor Bill Lexo his wife Faye Lexo was asked to take the bench for a final Town Board Meeting adjournment at 1910 Bowen Road where her husband served as Supervisor of the Town from 1963 until 1987. The next Town Board Meeting on September 15, 2004 will be at 1600 Bowen Road.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to adjourn the meeting by Faye Lexo at 8:40PM. All in favor.

Respectfully submitted,



Patricia A. King
Town Clerk

WEDNESDAY, SEPTEMBER 1, 2004