

A regular meeting of the Elma Town Board was held on Wednesday, November 6, 2019 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Dennis Powers
Councilman	Thomas Fallon
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy

Also:	Building Inspector	Joseph Colern
	Highway Superintendent	Wayne Clark
	Plant Manager	Brian Fiden
	Town Attorney	Phyllis Todoro
	Deputy Town Attorney	Dean Puleo
	Town Engineer	James Wyzykiewicz

Approximately 6 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 the 2020 Town of Elma Budget part of the minutes Supervisor Powers opened the public hearing at 7:01pm. No one spoke for or against the 2020 Budget. Supervisor Powers closed the public hearing at 7:02pm. This will be voted on at the next Town Board meeting.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the minutes from the October 23rd, 2019 meeting.
Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern noted he has been working with the Zombie Task Force regarding abandoned properties in the Town. Mr. Colern is also awaiting one more quote for the electrical work to hook up for the generator at Town Hall. Plant Manager Brian Fiden noted fire hydrants are being winterized and work will be completed on the septic at the new Highway garage. Highway Superintendent Wayne Clark noted the brush will be completed this Friday weather permitting, the water has been turned off at the Town parks and Mr. Clark would like to purchase a push box for the Highway and Town Hall parking lots.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to add and item to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve Highway Superintendent Clark to purchase a push box for the Hi-lift not to exceed \$8,500, he will have the quotes for the next Work Session.
Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to approve the 2019-2022 Snow Removal and Ice Control Agreement with Erie County Department of Public Works from September 1, 2019 through August 31, 2022, with 67.50 lane miles at a cost of \$4,193.37 per lane mile; 2019 to 2020 \$4,340.14 per land mile and 2020 to 2021 \$4,470.34 per lane mile from September 1, 2021 through August 31, 2022. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the resolution declaring public need for and authorizing the establishment of a Municipal Advanced Life Support Ambulance Service within and by the Town of Elma as follows: WHEREAS, Public Health Law section 3008(7) permits a town to establish and operate an advanced life support ("ALS") municipal ambulance service upon a declaration of public need; and WHEREAS, no ALS ambulance service providers who have a Certificate of Need covering the Town of Elma are willing or able to contract with the Town of Elma to provide ambulance service in the Town in a fashion that meets the needs of the residents and taxpayers of the Town and is acceptable to the Town Board, that being the local legislative body of the Town of Elma; and WHEREAS, the Town of Elma by its Town Board has determined that there is a public need for and in the best interests of the Town, its residents and taxpayers to establish and operate an ALS municipal ambulance service, either directly or through contract as authorized by General Municipal Law 122-b and otherwise; and WHEREAS, Lancaster Volunteer Ambulance Corps, Inc. will to contract with the Town of Elma to provide ALS ambulance service in the Town, but does not have a ambulance service operating certificate covering the Town of Elma; and

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WHEREAS, the best course of action for the residents, taxpayers and visitors to the Town of Elma is for the Town to acquire a municipal ambulance operating certificate and operate a municipal ALS ambulance service within the Town as provided for under Public Health Law 3008, General Municipal Law 122-b and as otherwise provided by law. NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board of the Town of Elma, being the local legislative body of the Town of Elma hereby finds, determines and declares pursuant to its legislative and other legal authority that there is an immediate public need and in the best interests of the Town of Elma for Advance Life Support ambulance service within the Town of Elma (the "Town");
2. The Town Board hereby establishes and authorizes the operation a municipal ALS ambulance service within the whole of the Town in a manner and fashion consistent with and authorized by General Municipal Law 122-b and otherwise;
3. That such municipal ambulance service shall be a basic and an advanced life support service providing up to paramedic level care;
4. The Town Board hereby requests, directs and authorizes Town Supervisor Powers to prepare, execute and submit an application and such other documents as required to obtain a Municipal Ambulance Operating Certificate (Municipal Certificate of Need, or "CON") on behalf of the Town of Elma to the New York State Department of Health, the Wyoming Erie Regional Emergency Medical Services Council, the Regional Emergency Medical Advisory Council and otherwise;
5. The Town Board hereby empowers and authorizes Supervisor Powers to take all steps necessary to obtain ambulance operating authority;
6. The Town Board hereby authorizes Supervisor Powers to execute on behalf of the Town an agreement between the Town and Lancaster Volunteer Ambulance Corps, Inc. and any other parties necessary to achieve the purposes authorized herein including without limitation contracts for ambulance billing services, with any such agreement(s) subject to the approval by the Town Attorney of the Town and/or any special counsel engaged by the Town for such purposes;
7. Supervisor Powers is also authorized and directed to apply for and obtain a Medicaid number and to apply for and obtain a Medicare number, all to effectuate the Certificate of Need;
8. A copy of this Resolution shall be included in the applications to New York State Department of Health, the Wyoming Erie Regional Emergency Medical Services Council, the Regional Emergency Medical Advisory Council and as otherwise required or appropriate; and
9. This resolution shall take effect immediately.

Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the legal services of the law offices of Mark C Butler, PLLC for the Muni-Con agreement in the amount of \$5,000. Ayes-5. Noes-0. Carried.

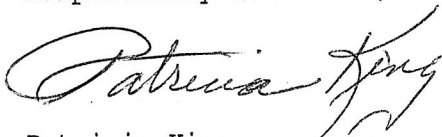
The next Work Session will be November 13, 2019 at 6:00pm and the Town Board meeting will be November 20th, 2019 at 7:00pm

All have received the Planning, Zoning and Conservation Boards agenda and minutes that apply.

Councilman Nolan asked for a moment of silence in remembrance of Chickie Larson. Wife of former Highway Superintendent Don Larson and Highway employee's mother-in-law Howard Diehl. She will be greatly missed. A page in the minute book will be left blank in her honor.

Meeting adjourned at 7:30 PM. All in favor.

Respectfully submitted,



Patricia King,
Town Clerk

TOWN OF ELMA
Notice of Public Hearing Tentative Budget

Notice is hereby given that the Preliminary Budget of the Town of Elma for the fiscal year beginning January 1, 2020 has been completed and filed in the office of the Town Clerk, Town of Elma, New York where it is available for inspection by any interested person during regular business hours. Further notice is hereby given that The Town Board of Elma will meet and review said Tentative ad valorem budget, Special District budgets and hold a public hearing at the Elma Town Hall, 1600 Bowen Road, Elma, New York at 7:00p.m. on November 6th, 2019 and that at such hearing any person may be heard in favor or against any items therein contained. Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town Officials are hereby specified as follows:

Supervisor	\$74,404
Councilman (4)	\$19,498
Town Clerk	\$67,776
Highway Superintendent	\$67,776
Justices (2)	\$38,280

By Order of the Elma Town Board
Town Clerk