

05/21/08 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, May 21, 2008, 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
Highway Superintendent Wayne Clark-Absent
Water Superintendent Eugene Stevenson-Absent
Town Engineer James Wzykiewicz-Absent

Approximately 10 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 May 7, 2008 meeting.
Ayes-5. Noes-0. Carried.

Department Reports

Building Inspector Joseph Colern reported that 6180 Clinton Street has been cleaned up from the fire and 7220 Clinton Street is 75% cleaned up.
Supervisor Nolan stated that the brush collection is complete.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve a one lot subdivision for Connie Ulrich at Kingsley and Northrup Roads. Ayes-4. Noes-1. (Councilman Polak voted no.)Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to

approve a Special Use Permit for live music-outdoors one day special event (2nd Anniversary) on Sunday June 1, 2008 from 12:00PM to 6:00PM for the Blue Lantern at 6120 Seneca Street. Building Inspector notes cars to be parked across the street at Building Solutions and not in Right of Way on Northrup Road. Ayes-3. Noes-2. (Councilman Powers and Supervisor Nolan voted no) Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to approve a Special Use Permit for live music outdoors. The live music will be on the deck, Saturdays from 1:00PM to 5:00PM during June, July and August at the Blue Lantern 6120 Seneca Street. Building Inspector notes permit expires August 31st, 2008 with same restriction according to Town code Chapter 73. Ayes-3. Noes-2. (Councilman Powers and Supervisor Nolan voted no) Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to approve a 3% raise for the Erie County Sheriffs that work on Court nights starting May 21, 2008. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Resolution for Authority to Sign Legal Documents.
I, Patricia King, the duly elected and qualified secretary OR the duly qualified and acting Clerk of the Town of Elma corporation subject to the Not-for-Profit Corporation Law of New York State and qualified for tax exempt status under the federal internal revenue code OR Municipality, New York, do hereby certify that the following resolution was adopted at a meeting of the governing body held on May 21, 2008, and is incorporated in the original minutes of said meeting OR on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect. RESOLVED: That Michael P. Nolan, as Supervisor of our organization, the Town of Elma, is hereby authorized to sign legal documents related to the legislative member item appropriation PKS-06-NI-005 in the amount of \$20,000 for the rehabilitation of baseball diamonds and fencing at the Elma Town Park at Creek Road. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve EMW Baseball quotes for landscaping and fencing at the Elma Town Park at Creek Road, Susi Landscaping and Iroquois Fence Co. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the Resolution for Authority to Sign Legal Documents.

I, Patricia King, the duly elected and qualified secretary OR the duly qualified and acting Clerk of the Town of Elma, Elma, New York, do hereby certify that the following resolution was adopted at a meeting of the governing body held on May 21, 2008, and is incorporated in the original minutes of said meeting OR on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect. RESOLVED: That Michael P. Nolan, as Supervisor of the Town of Elma is hereby authorized to sign legal documents on behalf of our organization for PKS-07-NI-055 in the amount of \$12,000 for the purchase and installation of playground equipment for the Elma Town Park at Creek Road. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Grant reimbursement of \$50,000 for the traffic signal on Girdle Road in front of Iroquois Central School. Ayes-4.

Noes-1. (Councilman Polak voted no.) Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the counter extension in the Tax Receivers office in the amount of \$1733, the money is in the budget and is reimbursable from a Grant. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the donation of the old computer monitors to the Lancaster Office of Emergency Management. Ayes-5. Noes-0. Carried.

Supervisor Nolan set a Public Hearing date of June 4, 2008 on Local Law #4-2008 the Extension of the Moratorium on Land Use for a variance at Samco Recreational Vehicles, Inc, 1721 Transit Road.

Councilman Powers made the motion and Councilman Puleo seconded the motion to add the tractor purchase for the park to the Agenda.

Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the purchase of a John Deere tractor at the lowest bid of \$9999.00 for the park. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #5 claim #453 thru #606 with noted exceptions as follows:

General Fund \$89,753.42 Water District \$120,395.18

Highway Fund \$11,198.21 Special District \$5,248.85

Capital Project \$1,724.02

Ayes-5. Noes-0. Carried.

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

Councilman Puleo made the motion and Councilman Powers seconded the motion to add road paving to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Highway Superintendent to sign on to commit for the purchase of material for road paving in the amount of \$275,000. This will need a budget amendment at the next Town Board meeting.

Ayes-5. Noes-0. Carried.

Supervisor Nolan asked for a motion to enter Executive Session regarding a personnel matter.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to enter Executive Session at 8:35PM. Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Polak seconded the motion to exit Executive Session at 9:40PM. Ayes-5. Noes-0. Carried.

Adjourned at 9:43PM.

Respectfully submitted,

Patricia King
Town Clerk

