

## **05/17/06 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, May 17, 2006, 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 Robert Pierce  
Building Inspector Joseph Colern  
Highway Superintendent Wayne Clark  
Water Superintendent Eugene Stevenson  
Town Engineer James Wyzykiewicz

Approximately 19 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 3, 2006 meeting. Ayes-5. Noes-0. Carried.

### Department Reports:

Town Engineer James Wyzykiewicz has recommended M E Engineering for the sprinkler system plans for the Senior Center.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to add the Sprinkler System Plans for the Senior Center to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to hire M E Engineering for the Sprinkler System plans at the Senior Center at the cost of \$450. Ayes-5. Noes-0. Carried.

Building Inspector Joseph Colern noted that four certificates of occupancy have been issued in Spring Brook Shores development.

Water Superintendent Eugene Stevenson is pricing the material to extend the water main at the Senior Center and for a flow test. Mr. Stevenson would like to accept sealed bids for the sale of two out of service vehicles at the water department. The Erie County Health Department will be at the Water Department on June 21st, 2006 at noon for a complete inspection all Town Board members are invited. Also on June 13th, 2006 at 2:30pm a presentation will be held on the GIS System all are invited.

Councilman Polak made the motion and Councilman Powers seconded the motion to add the bid specs for the sale of the water department vehicles to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the sealed bid opening for the sale of a 1996 Ford Taurus and 1995 Chev -- ton van on June 21st, 2006 Town Board meeting at 8:00PM. Ayes-5. Noes-0. Carried.

Highway Superintendent Wayne Clark noted that the Highway Department is in the process of road patching, weather permitting. Mulch is available at the transfer station for residents only.

Also no dumping is allowed behind the Highway garage on Bowen Road.

Bid opening on the dump body and plow works for the Highway Department is as follows:

Valley Fab & Equipment \$62,345 and STS Truck Equipment \$61,000 bids will be reviewed at the next Work Session on May 24, 2006.

Councilman Puleo made the motion and Councilman Powers seconded the motion to award the bid to Bison Truck Center Inc. \$106,614 for the 2007 dump truck for the Highway Department.

Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to issue a negative declaration on a short form SEQR to Managed Care Network Inc at 2430 Bowen Rd.

Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to issue a Business Use Permit for Managed Care Network Inc at 2430 Bowen Rd at medical billing review office for insurance companies. Building Inspector notes a permit for any advertising signs and a fire inspection within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to renew the Special Use Permit for RitaG+s Spring Brook Hotel at 6350 Seneca Street. Same restrictions apply that all live music to be performed inside building as to not create a noise nuisance to adjoining neighbors. Permit expires on May 31st , 2007 Town code 73. Bands will not carry out onto the patio and no indoor pyrotechnics on stage or inside entire bar area. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to bid out the addition for the Senior CitizensG+ Center on Bowen Road, sealed bids will be opened on June 21st, 2006 at 8:00PM, Town Board meeting. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to bid out the Sprinkler System for the Senior CitizensG+ Center on Bowen Road, sealed bids will be opened on June 21st, 2006 at 8:00PM, Town Board meeting. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to accept the bid from Wendel Duchscherer at a cost of \$1900 to do the engineering study for the sewer plants at Elma Meadows and Jerge Subdivisions. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the water tapping fee increase on new built as follows -+G!Ñ \$687, 1G!Ñ \$825, 1 -+G!Ñ \$1055, 2G!Ñ \$1485. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the following resolution:

WHEREAS, the Town has formed a Conservation Committee to review and discuss various Town environmental concerns, and

WHEREAS, the Town Board wishes to provide funding to the Conservation Committee to assist in the carrying out of their duties, and  
WHEREAS, the Town's 2006 adopted budget does not currently include such funding  
NOW THEREFORE, be it  
RESOLVED, that the Town Board hereby authorizes the amending of the 2006 adopted budget as follows: Increase appropriations; A8710.410 Conservation Committee- Contractual other expenses \$2000 and increases appropriated fund balance: A599 Appropriated fund balance \$2000. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the Supervisor Nolan signing the following resolution:  
That Michael P. Nolan, as Supervisor of the Town of Elma is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$100,000, with a Town match not to exceed \$50,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town of Elma for a Town Park at Creek Road Rehabilitation & Development Project, and if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.  
Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to deny Franklin Kester attending the NYS Association of Tax Receivers & Collectors conference in Rochester, June 11th to 14th, 2006. Ayes-4. Noes-0. Abstain-1. (Councilman Polak abstained) Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve Warrant #5 as follows with exceptions: Claim #455 thru #575  
General Fund \$90,692.11 Water District \$203,423.15  
Highway Fund \$ 9,708.76 Special District \$ 51,837.90  
Ayes-4. Noes-0. Abstain-1. (Councilman Puleo abstained) Carried.

Supervisor Nolan set a Public Hearing date of June 7, 2006 for Drainage District #176 Advanced Auto at Transit and Clinton Streets and Drainage District #177 Bravo Caf+¼ on Seneca Street.

All have received the Planning and Zoning Board agenda and minutes.

Supervisor Nolan stated that the next work session will be May 24, 2006 at 4:00PM.

Meeting adjourned at 8:39PM. (Highway Superintendent Mr. Clark and Councilman Puleo left the meeting before adjourned)

Respectfully submitted,

Patricia A King