

6/16/04 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, June 16, 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 Wyzykiewicz

Approximately 23 people attended the meeting.

The meeting was opened with the reciting of the Pledge of Allegiance.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve the minutes from June 2, 2004 meeting.
Ayes-5. Noes-0. Carried.

Department Reports

Water Superintendent Eugene Stevenson informed the Town Board of a fire in the electrical cabinet for pump #3 at the Jamison Road Pump House which has been repaired. Also the sand filter for the septic tank at the New Town Hall is 90% complete, they are waiting for the pump pit to be delivered and a final inspection from the Erie County Health Department.

Building Inspector Joseph Colern presented May 2004 monthly report with 27 permits issued, fees collected \$7,317.39 with an estimated value of construction of \$1,187,755. Highway Superintendent Wayne Clark noted that the Transfer Station building is re-sided and heavy trash pick up complete with brush starting tomorrow.

Town Engineer James Wyzykiewicz has contacted Milherst Construction Inc. and the South Blossom Road Detention project will be completed as soon as possible.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the Resolution for the Creek Road Park Rehabilitation Grant application as follows: RESOLVED:

That Michael 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 \$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 the Elma Town Park at Creek Road Rehabilitation 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 approve the Resolution opposing the Erie County and City of Buffalo Parks merger WHEREAS, the City of Buffalo is in financial straits and its financial affairs are currently being overseen by the Buffalo Fiscal Stability Authority, and WHEREAS, in an effort to assist the City, it has been proposed that, under an intermunicipal agreement, the County of Erie over maintaining the City's 180 parks and playgrounds as of July 1, 2004, the beginning of the City's 2004-05 budget year, and

WHEREAS, it is estimated that the City of Buffalo would save \$3.5 million in annual savings over 15 years if this takeover occurs, and

WHEREAS, however, a new worksheet created to answer County lawmakers' questions forecasts that expenses would exceed revenues by almost \$549, 000, and

WHEREAS, there are also other unanswered questions regarding whether suburban taxpayers should foot the bill for a county takeover of non-regional facilities such as city parks, and WHEREAS, although this Town Board supports many aspects of regionalism, we are concerned that suburban taxpayers, including those in the Town of Elma, will incur increases in their county taxes as a result of the current proposal that the County of Erie take over maintenance of Buffalo's numerous parks and playgrounds.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board objects to the current proposal whereby the County of Erie would take over maintenance of the City of Buffalo's 180 parks and playgrounds, effective July 1, 2004, and BE IT FURTHER

RESOLVED, that this Town Board requests the County of Erie and City of Buffalo engage in additional negotiations so that the suburban taxpayers of other local governments in Erie County do not suffer increased county taxes as a result of the County's takeover of City parks, and BE IT FURTHER

RESOLVED, that this Town Board is willing to reconsider its position on this matter if the proposal can be modified to avoid any consequential increases in county taxes to suburban taxpayers, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Clerk of the County Legislature, County Executive Joel Giambra, County Legislators serving Elma, and to the Mayor of the City of Buffalo.
Ayes-5. Noes-0. Carried.

Councilman Cirocco made the motion and Councilwoman Glowonia seconded the motion to award the bid for the Jamison Road Water Tank Rehabilitation to Amstar of Western New York at the cost of \$214,300. Bids from Erie Painting & Maintenance for \$298,000, Global Contracting & Painting for \$216,140, Marine Steel Painting Corp for \$251,000 and Promo-Pro,Ltd for \$800,000 were also reviewed. Ayes-5. Noes-0. Carried.

Councilman Cirocco made the motion and Councilman Powers seconded the motion to approve a Preliminary Business Use Permit for The Farmhouse Restaurant at 1230 Maple Road for Mary David. Per Building Inspector Joseph Colern final approval from the Planning Board is needed and completion of a Drainage District before final approval. Ayes-5. Noes-0. Carried.

Supervisor Nolan set a date of July 21,2004 for Public Hearings on re-zoning of 2125 Transit Road and Drainage District #168 for Fischione and Drainage District #169 for The Farmhouse Restaurant at 1230 Maple Road.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #6 as follows: Claim # 625 thru # 753
General Fund \$ 34,190.51 Water District \$92,609.54
Highway Fund \$ 5,853.13 Special District \$ 5,614.23
New Town Hall \$446,316.08

Ayes-5. Noes-0. Carried.

All have received the Agenda and Minutes from the Planning and Zoning Board.

Supervisor Nolan announced the next Work Session will be Wednesday, June 30, 2004 at 6:00PM.

Privilege of the Floor

Trudy Weber representing the SeniorG⁺s Citizens Group inquired about possibly purchase a portable sign to advertise up coming events held at the Senior Center, Museum and The Village Green, but they need a place to store the sign when not in use. Mr. Colern advised that there is a 30 day limit on a temporary sign usage per year. Jeffrey Besser informed the Town Board of a drainage problem occurring on his property from a new house being built on adjacent land. Mr. Besser was advised to attend the next work session on June 30, 2004 to address his problem.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to enter Executive Session regarding a Personnel matter at 8:36PM. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to exit Executive Session at 9:19PM. Ayes-5. Noes-0. Carried.

Meeting adjourned at 9:20PM. All in favor.

Respectfully submitted,

Patricia A. King
Town Clerk