

A regular meeting of the Elma Town Board was held on Wednesday, January 16, 2008, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Michael Nolan
Councilwoman	Susan Glowina
Councilman	David Polak
Councilman	Dennis Powers
Councilman	Dean Puleo

Also:	Town Attorney	Phyllis Todoro
	Building Inspector	Joseph Colern
	Highway Superintendent	Wayne Clark
	Water Superintendent	Eugene Stevenson
	Town Engineer	James Wyzykiewicz

Approximately 31 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 Omnipoint Communications Inc for a 170 foot monopole communications cell tower part of the minutes Supervisor Nolan opened the Public Hearing at 8:01PM. Speaking for was Attorney James Whitcomb representing Omnipoint Communications Inc. No one spoke against. Supervisor Nolan closed the Public Hearing at 8:04PM.

Making the Legal Notice for the Public Hearing on AT&T Velocitel to co-locate on the Jamison Road water tank handrail part of the minutes Supervisor Nolan opened the Public Hearing at 8:05PM. Speaking for was Tim Connolly from AT&T Velocitel. No one spoke against. Supervisor Nolan closed the Public Hearing at 8:08PM.

Making the Legal Notice for the Public Hearing on Drainage District #182 at 569 Winspear Road part of the minutes Supervisor Nolan opened the Public Hearing at 8:09PM. Speaking against was Attorney Kevin Condon representing Mr. Marotta property owner. No one spoke for. Supervisor Nolan closed the Public Hearing at 8:27PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the January 2, 2008 meeting. Ayes-3. Noes-2. (Councilwoman Glowina and Councilman Polak voted no.) Carried.

Department Reports

Building Inspector Joseph Colern is currently working on the Moog and Steuben expansion projects and reviewing civil service applicants for the assistant building inspector position.

Water Superintendent Eugene Stevenson noted that the 2008 flushing program is complete and the water will be shut off on N Blossom Road for one day to repair a fire hydrant. Also the 2008 Emergency Response Plan is at the Erie County Health Department for review.

Highway Superintendent Wayne Clark presented the agreement to spend Town Highway funds for 2008, top coating Billington Road.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve a one lot sub-division for Connie Ulrich at Kinsley near Northrup Roads, this has been approved by the Planning Board. Ayes-5. Noes-0. Carried.

Councilwoman Glowina made the motion and Councilman Puleo seconded the motion to approve a Special Use Permit to Omnipoint Communications Inc for a 170 foot monopole communications cell tower at 881 Schultz Road on the Luders property. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to issue a negative declaration on a short form SEQR for AT&T Velocitel to co-locate on the Jamison Road water tank handrail on the property owner by the Town of Elma. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to issue a Special Use Permit to AT&T Velocitel to co-locate on the Jamison Road water tank handrail on the property owner by the Town of Elma. Ayes-5. Noes-0. Carried.

Councilwoman Glowina made the motion and Councilman Puleo seconded the motion to approve Drainage District #182 at 569 Winspear Road for Mr. Marotta. Ayes-5. Noes-0. Carried.

Wednesday, January 16, 2008

Councilman Powers made the motion and Councilman Polak seconded the motion to approve Kerry Galuski to attend the NYS GFOA annual conference in April, 2008 at the cost of \$404.00 which has been budgeted for. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to approve the agreement with the Veterans of Foreign Wars #5861 for an appropriated sum of \$2000.00. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to approve the agreement with The Boys and Girls Club of Elma, Marilla, Wales Inc for an appropriated sum of \$45,000.00 and to have there budget submitted to the Town. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion add to the Agenda the agreement to spend Town Highway Funds. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to approve the Agreement to spend Town Highway Funds to top Billington Road. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to approve Warrant #13 claim #1530 thru #1614 and Warrant #1 claim #1 thru #56 as follows with noted exceptions:

#13 General Fund \$69,733.30	Water District \$15,149.93
Highway Fund \$58,198.55	Special District \$ 5,475.97
#1 General Fund \$56,096.04	Water District \$14,651.80
Highway Fund \$34,358.71	Special District \$573,944.08

Ayes-5. Noes-0. Carried.

Supervisor Nolan noted that the next Town Board meeting will be on February 6, 2008 at 8:00PM.

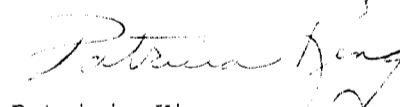
Councilman Powers made the motion and Councilman Puleo seconded the motion to change the Town Board meeting on February 20, 2008 to February 13, 2008 at 7:00PM with a Work Session starting at 6:00PM. There will be no Town Board meeting on February 20, 2008 due to the Association of Towns Conference in NYC. Ayes-5. Noes-0. Carried.

Supervisor Nolan set a Public Hearing date of February 13, 2008 at 7:00pm for Local Law #2-2008 Weight Limits.

All have received the Planning and Zoning Board Agenda and Minutes that apply.

Adjourned at 8:44PM.

Respectfully submitted,



Patricia King
Town Clerk

LEGAL NOTICE

WHEREAS, a petition dated December 19, 2007, has been duly presented to the Town Board of the Town of Elma, according to the law, requesting that a drainage district, as hereinafter described, be established in the Town of Elma, and

WHEREAS, the boundaries of the proposed drainage district # 182 are as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie and State of New York, being part of Lot No. 82, Township 10, Range 6 of the Buffalo Creek Reservation, described as follows:

Beginning at a point on the centerline of Winspear Road, said center line being the west line of Lot #82, distant 1455.42 feet southerly from the northwest corner of Lot # 82, said point also being the southwest corner of lands conveyed to Casey L. Olszewski and wife by deed recorded in Erie County Clerk's Office in Liber 3384 of Deeds at page 86; thence easterly along the south line of aforesaid deed, 1879.28 feet to the east line of Lot # 82, thence southerly along the east line of Lot #82, 121.76 feet; thence westerly parallel with the south line of lands conveyed to

Marcia Richmond by a deed recorded in the said Clerk's Office in Liber 6257 of Deeds at Page 451, 1880.49 feet to the center line of Winspear Road; thence northerly along the center line of Winspear Road, 120.63 feet to the point of beginning.

WHEREAS, the improvements proposed in said district consist of none, it is

ORDERED, that the Town Board of the Town of Elma, shall meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 16th day of January 2008 at 8:00 o'clock p.m. to consider such petition and hear all persons interested in the subject thereof, and it is further

ORDERED, that the Town Clerk of the Town of Elma is hereby authorized and directed to publish a certified copy of this order in the Elma Review and to post a copy of the same on the signboard of the Town of Elma in the time and manner required by law.

Anyone needing accommodations to assist their attendance at the public meeting pursuant to the Americans with Disabilities Act should contact the Town Clerk 48 hours prior to the meeting at 652-3260 so that arrangements can be made.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, Erie County, will meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 16th day of January, 2008, at 8:00 PM, for the purpose of conducting a public hearing upon Omnipoint Communication Inc for a 170 foot monopole cell tower communications facility to be located at 881 Schultz Road on the property owned by Ronald Luders having an SBL# of 146.00-2-1.11 in the Town of Elma, as hereinafter described at which time and place said Town Board will consider such proposal and hear all persons interested in the subject, thereof concerning the same.

For more specific descriptions and more detailed information regarding the proposed application is on file and placed in the Clerk's Office in the Elma Town Hall at 1600 Bowen Road, Elma, New York which contract may be examined by any interested person during regular office hours.

Anyone needing accommodations to assist their attendance at the public meeting pursuant to the Americans with Disabilities Act should contact the Town Clerk 48 hours prior to the meeting at 652-3260 so that arrangements can be made. By Order of the Town Board of the Town of Elma, New York.

Patricia A. King
Town Clerk of Elma

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, Erie County, will meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 16th day of January, 2008, at 8:00 PM, for the purpose of conducting a public hearing upon AT & T/Ve-locitel to co-locate on the Jamison Road Water Tank handrail on the property owned by the Town of Elma. As hereinafter described at which time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same.

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Patricia A. King
Town Clerk of Elma