

01/18/06 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, January 18, 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 29 people attended the meeting.

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

Making the Legal Notice for the Public Hearings regarding Stoneridge Estates for the Drainage District #173 and the rezoning of the parcel from Residential C to Residential B part of the minutes, Supervisor Nolan opened the public hearing for Drainage District #173 at 8:10PM.

No one spoke for or against the Drainage District #173.

Supervisor Nolan closed the public hearing at 8:10PM.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve Drainage District #173 for Stoneridge Estates on Rice Road. Ayes-5. Noes-0. Carried.

Supervisor Nolan opened the public hearing for the rezoning of Stoneridge Estates on Rice Road from Residential C to Residential B at 8:11PM. Rick Muller spoke in favor of Stoneridge Estates. Kathy Zilke and Michael Fanelli spoke against wanting to keep it as

farm land. Supervisor Nolan closed the public hearing at 8:17PM.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the rezoning from Residential C to Residential B for Stoneridge Estates on Rice Road. Ayes-4. Noes-1. Councilman Polak voted no. Carried.

Supervisor Nolan presented Proclamations to Robert W Waver III and Brian W Thompson on their achievements to Eagle Scouts.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the January 4, 2006 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern and Thomas Stynes would like to attend the NYS Building Inspectors Conference.

Water Superintendent Eugene Stevenson noted that the water hydrant flushing program is complete, valve boxes have been repaired and the valve exercising program is in progress.

Town Attorney Robert Pierce will be working on a development cap.

Highway Superintendent Wayne Clark has requested permission to spend Town Highway funds.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to add approval to attend NYS Building Conference and permission to spend Town Highway funds on the Agenda. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve Joseph Colern and Thomas Stynes to attend the NYS Building Inspectors Conference on January 30 to February 1, 2006 at a cost of \$500 which has been budgeted for. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the agreement to spend Town Highway Funds for 2006 with \$200,000 for general repairs of 39.66 miles of town highways and Pinewood Trail starting at Jamison Road ending at the cul-de-sac not to exceed \$35,000. Anyes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion the accept the road extension of Clark Court for Fargo Development to include filed easements and the driveways to be widened. Ayes-5. Noes-0. Carried

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to authorize Supervisor Nolan to sign the following resolution:

Whereas the potential loss of active farmland will forever change the community character and deplete the benefits of open space in the Town of Elma;

Whereas the Town of Elma Board supports farmland preservation to prevent the exhaustion of open space and to protect natural resources in Elma;

Whereas the Town of Elma has been operating under the Erie County Agricultural and Farmland Protection Plan and will continue to use this plan as a planning tool for open space preservation.

Whereas the Town of Elma also requests and authorizes the Western New York Land Conservancy to assist in the planning and implementation of local farmland protection program. This includes, but is not limited to prioritizing of parcels and areas from protection, coordination of appraisals, negotiation in the purchase of development rights, co-holding of conservation easements with the Town of Elma and perpetual stewardship and monitoring of conservation easements. RESOLVED: That Michael P. Nolan, as Supervisor of the Town of Elma is hereby authorized and directed to file an application for Farmland Protection funds from the New York State Department of Agriculture and Markets requesting \$82,950 in funding from the New York State Department of Agriculture and Markets and will provide a Town match of \$27,650 (\$24,150 in cash and \$3,5000 through in-kind services). Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the resolution for the Sesquicentennial Grant to authorize the Supervisor to sign legal documents for said Grant. BE IT: RESOLVED: That Michael P. Nolan, as Supervisor, of the Town of Elma, is hereby authorized to sign legal documents on behalf of our organization. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the Town of Elma Hazardous Material Response Plan as presented by Edward Sauer, Town Disaster Coordinator. Ayes- 4. Noes-0. Abstain-1. Councilman Polak abstained. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the contract with Aurora Consulting Group Inc for 2006 at a cost of \$65.00 per hour for systems and network support, also software/graphic development. Ayes- 5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve the contract with independent accountants and auditors Drescher & Malecki LLP for 2006 at a cost not to exceed \$14,600. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the meeting dates of the fourth Tuesday of every month at 8:00Pm for the Conservation Board meeting night. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the Request for Proposal providing engineering services to report on Sewer District #5 Elma Meadows Subdivision and Sewer District #1 Jerge Subdivision sewer line inflow concerns with a returnable date of March 14, 2006. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the Elma Library's request of \$10,000 from there allocated \$20,000 Capital Fund 2006 budget to be used for operating expenses to meet the 35 hours a week of operation mandated by New York State. Erie County currently has only funded the Library for 28 hours a week. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the following warrants:

Warrant #13 claim #1459 to #1530 with exceptions
General Fund \$34,364.44 Water District \$37,848.56
Highway Fund \$15,145.71 Special District \$ 3,139.57
Warrant #1, claim #1 to #52 as follows:
General Fund \$65,475.44 Water District \$8,592.54
Highway Fund \$1,539.30 Special District \$3,690.98
Ayes-5. Noes-0. Carried.

All have received the Planning Board Agenda.

Supervisor Nolan stated the next work session of the Elma Town Board will be on January 25, 2006 at 6:00PM.

Correspondence: State of New York, Department of Transportation, Erie County Department of Public Works has completed a traffic engineering investigation for a reduced speed limit on Bowen Road and Rice Road in the Town of Elma which previously reviewed Bowen Road and Rice Road and established 45mph speed limits for each roadway. These speed limits are appropriate for existing conditions and should be maintained.

Meeting adjourned at 8:48PM. All in favor.

Respectfully submitted,

Patricia A King
Town Clerk