A regular meeting of the Elma Town Board was held on Wednesday, March 16, 2005, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Councilman Councilwoman Councilman Councilman Michael Nolan-Absent Bill Cirocco Susan Glownia Dennis Powers Dean Puleo

Also:

Town Attorney
Building Inspector
Highway Superintendent
Water Superintendent
Town Engineer

Robert Pierce Joseph Colern Wayne Clark-Absent Eugene Stevenson James Wyzykiewicz

Approximately 29 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 March 2, 2005 meeting. Ayes-4. Noes-0. Carried.

Department Reports: Nothing reported by Department Heads.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to approve a negative declaration on a short form SEQR for Paul Boylin, Automotive Excellence at 5960 Seneca Street.

Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve a Business Use Permit for Paul Boylin, Automotive Excellence at 5960 Seneca Street. Building Inspector notes with restrictions in "Use" no auto painting and no sale of used cars (because lot is not zoned for sale of used cars). Also no junk vehicle(s) or automotive parts stored outside and only three (3) vehicles outside waiting for repair code section 114-39C. Fire inspection required within 30 days of occupancy and no advertising sign allowed without a permit. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve a Business Use Permit for Dr. John Ward, Medical Office at 7531 Seneca Street on a negative declaration with a short form SEQR. Building Inspector notes with restrictions in "Use" building shall comply with Chapter K of Building Code New York. Also fire inspection required within 30 days of occupancy and a permit required for any advertising sign. Ayes-4. Noes-0. Carried.

Councilman Cirocco made the motion and Councilman Powers seconded the motion to approve a Business Use Permit for John Travis, Elma Marilla Physical Therapy at 2320 Bowen Road on a negative declaration with a short form SEQR. Building Inspector notes a fire inspection within 30 days of occupancy and a permit is required for advertising signs. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve a Business Use Permit for Walter Wagner Jr., Paradign Systems at 3171 Transit Road on a negative declaration with a short form SEQR. Building Inspector notes a fire inspection within 30 days of occupancy and a sign permit is required for an advertising sign. Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Cirocco seconded the motion to approve a Special Use Permit for Lafarge North America Construction on Jamison Road for the removal of an estimated 1,000 yards of sand, gravel ONLY. This permit is effective for six(6) months starting March 16, 2005 and all conditions of the original Resolution Agreement with the Town of Elma dated July 25, 1995 are still in effect. Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Cirocco seconded the motion to approve a negative declaration on SEQR #158, the Town Board had accepted lead Agency previously on SEQR #158 for Craig Fargo on Clark Court for four lot 280-A development. Ayes-4. Noes-0. Carried.

March 16, 2005

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to give final approval on Clark Court for a four lot 280-A development contingent on performance bonds being filed with the Town before acceptance of Town road and infrastructure. Also filing of all easements for drainage, and all utilities at time of acceptance of road, including, but not limited to the agreed release of preexisting easements. (Copies to be provided to Town Attorney for review and to be recorded by Town Attorney). Contractor/developer to provide all testing and inspections on water line installation and road installation to appropriate Department heads at time before road and water lines are accepted by Town of Elma. Ayes-4. Noes-0. Carried.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to approve Franklin Kester, Receiver of Taxes and Assessments request to extend the collection of the 2005 County Tax from May $2^{\rm nd}$, 2005, until June $30^{\rm th}$, 2005 which is requested by the County of Erie Finance Office. Ayes-4. Noes-0. Carried.

Councilman Cirocco made the motion and Councilman Powers seconded the motion to approve the following resolution and amendments: WHEREAS, the Town is in the process of closing its accounting for the fiscal year ended December 31, 2004, and WHEREAS, certain appropriation accounts were noted to need adjustments to allow for appropriate closing of accounts, and WHEREAS, the funding for these adjusted appropriations is available within other appropriation accounts in the Town's 2004 budget, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the

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

Town's 2004 budget (inserted at the end of the minutes).

RESOLVED that the following recommendations be submitted to New York State Senators Dale Volker and Joseph Bruno, New York State Assembly Representatives Sandra Lee Wirth and Sheldon Silver, and Governor George Pataki, with a letter on behalf of the citizens of the Town of Elma urging their immediate attention.

WHEREAS the residents of the Town of Elma have collectively considered the local issues of greatest concern to them and identified high property taxes as on e of the highest priority among them; and WHEREAS funding for local governmental services, including public education, is provided primarily through a tax on the estimated value of property; and

WHEREAS the welfare of Elma homeowners is jeopardized by the rapid increase in the costs of public education and the inability of many homeowners to pay these increased costs; and

WHEREAS the increasing burden of public education on taxpayers also impacts on the ability to raise other taxes to provide services and to fund Town-specific and local initiatives important to the well-being of the community

THEREFORE THE Town Board of the Town of Elma appeals to New York State public officials to implement new measures for financing public education, including the following suggested actions:

- Ensure equity in a formula for funding public education based on the taxpayers' ability to pay.
- Decrease the revenue raised form tax sources based on the value of dwellings.
- Refrain from imposing state mandated requirements upon school systems without corresponding state funding.
- Adjust the formulas on revenues earmarked as aid to education from state lottery and other future gaming activities so that the annual percentage is substantially increased from current levels.
- Maintain the enhanced STAR exemption for the town's neediest citizens, but also increase STAR exemption for senior citizens specifically at all income levels.
- Regain lost tax revenue from the above actions through income tax.

Ayes-4. Noes-0. Carried.

Ayes-4. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve Warrant #3 as follows: Claim #121 to #232 \$ 66,768.50 \$120,005.33 General Fund Water District \$84,045.99 Highway Fund Special District \$ 8,730.79 Ayes-4. Noes-0. Carried.

Deputy Supervisor Puleo stated that NO Work Session next Wednesday March 23, 2005. The next Work Session will be on March 30, 2005 at 6:00PM.

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

Meeting adjourned at 8:21PM. All in favor.

34,139.78

March 16, 2005

Respectfully submitted,

Patricia A. King Elma Town Clerk

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	x Collector-Part Time Help	1,948,38	
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	Buildings-Repairs Assessment-Part Time Help		4,492.3 3,827.3
	Assessment-Other Expenses Town Clerk-Part Time Clerk	 	7,744.5 <u>841.9</u>
		18,853.84	18,853.8
Ce	ntral Printing & Mailing Town Clerk-Other Expenses	2,865.79	486.44
	Town Clerk-Codification of Ordinances Engineer-Consulting Services		1,829.00 570.38
		2,865.79	2,866.7
	elem Administrator Engineer-Other Expenses	1,224.52	218.8
	Engineer-Consulting Services Systemn Administrator-Other Expenses		507.7 500.0
		1,224.62	1,224.5
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Dis	saster Coordinator-Other Expenses	603.44	
	Supervisor's Secretary	903.44	903.4 903.4
	affic Control-Signals & intersections	342.39	
ACCUSTOMENTS	Traffic Control-Highway Signa	342.39	342.3 342.3
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	uth Recreation-Wages	166,622.84 18,312.62	156,622.84
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SF3410.400	Fire Protection Services		5.00
SF3410.401	EA Mutual Alerm System		7,400.58
SF599	Appropriated Fund Balance		352.44
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Street 1,741.56	SW8310.430			**
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SW8310 204	SW8310.202	Field Tools		1,543.19
SW8310.206				
SW8310-005	SW8310.208	Cepital Improvements		
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SS8121.202		BICT#1		
S8121.4.03		Sewer Treatment Operator Operations Equipment		
SS905.805 Disability Insurance 0.74	SS8121.403	Mileage & Snow Removal	92.08	
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SEWER DISTRICT #2 Sel 122,400 S8#2 Maintenance Expense 116,00 SS2401 Interest Revenue 31,85 SS2401 Interest Revenue 34,34 SS2401 Interest Revenue 34,34 SS2401 Interest Revenue 34,34 SS2401 SS2			19,44	705.67
SEWER DISTRICT #2 Sel 122,400 S8#2 Maintenance Expense 116,00 SS2401 Interest Revenue 31,85 SS2401 Interest Revenue 34,34 SS2401 Interest Revenue 34,34 SS2401 Interest Revenue 34,34 SS2401 SS2			705,57	705.57
SS8122,400 SS#2 Maintenance Expense 116,00 SS2401 Interest Revenue 31,85 SS599 Appropriated Fund Balance 84,30 SS599 Appropriated Fund Balance 116,00 118,00 SS599 SS5124,400 Power and Light ST7,05 SS5124,400 Power and Light ST7,05 SS5124,407 Consultation & Lab Testing 1,33 SS5005,804 Disability Insurance 1,28 SS5000,805 Morkers Compensation 54,00 SS5055,804 Disability Insurance 33,65 SS5124,402 Studge Removal 1,176,55 1,176,55 SS5125,402 Studge Removal 1,176,55 SS5125,202 Operations equipment 411,96 SS5125,403 Mileage 151,00 SS5125,403 Mileage 446,55 SS5125,407 Consultation & Lab Testing 170,22 SS5125,403 Mileage 446,55 SS5125,407 Consultation & Lab Testing 170,28 SS5005,804 Disability Insurance 8,70 SS505,804 Disability Insurance 8,70 SS505,804 Disability Insurance 8,70 SS505,804 Disability Insurance 8,70 SS5070,900 SAN-Principal 1,800,00 SS5070,900 SS5070,900 SAN-Interest 1,800,00 SS5077,900 SS6077,900 SS60	200m2 V\$2.50			
SS2401 Interest Ravenue 31.65	SEWER DIST	RICT #2		
SSS99			116.00	
SEWER DISTRICT #4				84,34
SEWER DISTRICT #4 S88124.100 Sawer Treatment Operator S8.00 S88124.400 Power and Light S71.05 S8.0124.400 Power and Light S71.05 S8.0124.407 Consultation & Lab Testing 1.33 S8.004.803 Workers Compensation 54.00 S8.005.804 Disability Insurance 1.28 S8.0060.805 Health Insurance 33.85 S8.0060.805 Health Insurance 33.85 S8.0060.805 Health Insurance 33.85 1.176.56 S8.0060.805 Health Insurance 33.85 S8.0060.805 Health Insurance 37.00 S8.0060.805 Health Insurance 37.00 S8.0060.805 Health Insurance S8.0060.805 Health Insurance 1.732.97 S8.0060.805 S8.0060.805 Mileage 41.00 S8.0060.805 Mileage 440.56 S8.0060.805 Mileage 440.56 S8.0060.805 Mileage 440.56 S8.0060.805 Mileage 440.56 S8.0060.805 Health Insurance 3.31 S8.0060.805 Health Insurance 3.31 S8.0060.805 Health Insurance 3.31 S8.0060.805 Health Insurance 3.31 S8.0060.805 Mileage S8.006			116.00	118.00
SS8124.100 Sawer Treatment Operator SS8124.400 Power and Light S71.05 SS8124.403 Milesge 177.24 SS8124.403 Milesge 177.24 SS8124.403 Milesge 1,33 SS9010.903 Workers Compensation 54.00 SS905.5.04 Disability Insurance 1.28 SS9060.805 Health Insurance 33.85 SS8124.402 Sludge Removal 1,176.58 1,176.58				
S88124.400	SEWER DIST	RICT #4		
SS6124.403 Milesupe 177.24 SS6124.407 Consultation & Lab Testing 1.33 SS9040.803 Workers Compensation 54.00 SS9055.804 Disability insurance 1.28 SS9000.805 Health Insurance 33.68 1.176.58 1.176.58 SS8124.402 Studge Removal 1.78.58 1.176.58 1.176.58 1.176.58 SS8124.402 Sewer Treatment Operator 97.99 SS8125.100 Sewer Treatment Operator 97.99 SS8125.201 Plant Improvement & Repair 1.732.97 SS8125.201 Plant Improvement & SS9125.401 Chemicals & Supplies 151.03 SS8125.401 Chemicals & Supplies 151.03 SS8125.407 Consultation & Lab Testing 170.28 SS8125.407 Consultation & Lab Testing 170.29 SS8125.407 Chemicals & Supplies 151.03 SS8005.804 Health Insurance 85.70 SS8125.407 SS8127.400 Sewer Treatment Operator 42.00 SS8127.400 SS8127.400 Power & Light 575.59 SS8127.400 Power & Light 575.59 SS8127.400 Power & Light 575.59 SS8127.401 Consultation & Leb Testing 27.28 SS9040.803 Workers Compensation 52.00 SS9055.804 Disability Insurance 37.45 SS9068.805 Health Insurance 37.45 SS8068.805 Health Insurance 37.45 SS8068.805 Health Insurance 37.45 SS8068.805 SS8127.201 Plant Improvement & Repair 1.003.81				
SS0040.803 Workers Compensation 54,00	\$58124.403	Mileage	177.24	
SS005.805 Disability Insurance 1.28	SS9040.803	Workers Compensation	54.00	
### SEWER DISTRICT ### Sewer Treatment Operator ### 97.99 \$58125.201	889060.805	Health Insurance		
SEWER DISTRICT #5 SS6125.100	SS8124.402	Sludge Removal		1,176.58
SEWER DISTRICT #5 S8125.100	164,000 15		1,178.68	1,176.68
SS6125.100 Sewer Treatment Operator 97.99	Annual House Street Street Co.	RICT 45		Sand and area of the second
Sel 25,201 Plant Improvement & Repeir 1,732,97				
SS8125.401 Chemicals & Supplies 151.03	SS8125.201	Plant Improvement & Repair	1,732.97	
\$88125.407 Consultation & Lab Testing 170.28 \$\$9040.803 Workers Compensation 119.00 \$\$90508.004 Disability insurance 3.3.1 \$\$0000.800 Health Insurance 86.70 \$\$99710.000 BAN-Principal 1,800.00 \$\$8125.101 Laborer P/T 1,1800.00 \$\$8125.402 Studge Removal 2,050.00 \$\$58710.700 BAN-Interest 1,800.00 \$\$99710.700 BAN-Interest 1,800.00 \$\$99710.700 BAN-Interest 2,050.00 \$\$99710.700 BAN-Interest 4,000.00 \$\$1,000.00		Operations equipment Chemicals & Supplies		
SS040,803 Workers Compensation 119,00				
SS000.00	SS9040.803	Workers Companiation	119.00	
SS8128.101	\$59060.806	Heelth Insurance	86.70	
\$5,019.81 1,800.00 \$5,019.81 5,019.81 \$5,019.81 5,019.81 \$5,019.81 5,019.81 \$5,019.8	SS8125.101	Laborer P/T	1,800.00	1,169.81
SEWER DISTRICT ST Sewer Treatment Operator 42.00				2,050.00 1,800.00
SEWER DISTRICT ST Sewer Treatment Operator 42.00				
SEWER DISTRICT ST Sewer Treatment Operator 42.00	(Thomas Relieu)	18 the Newtonian of the	5,019.81	5,019.8
Sest 27.100 Sewer Treatment Operator 42.00	SEWER DIST			
888127.202 Operations Equipment 99.57 \$88127.400 Power & Light 575.59 \$88127.403 Milesge 168.60 \$88127.407 Consultation & Leb Teeling 27.28 \$89040.003 Workers Compensation 52.00 \$89055.804 Disability insurance 1.42 \$89080.805 Health Insurance 37.45 \$8127.201 Plant Improvement & Repair 1,003.81		Sewer Treatment Operator		
SS8127.403 Milesge 168.50		Operations Equipment	99.57	
SS9040.803 Workers Compensation 52.00	888127.403	Mileage	168.50	
8SB080.805 Health Insurance 37.45 8S8127.201 Plant Improvement & Repeir 1,003.8 1,003.81 1,003.81	859040.803	Workers Compensation	52.00	•
\$\$8127.201 Plant Improvement & Repeir 1,003.81 1,003.81 1,003.81	8\$9080.805	Health Insurance		<i>‡</i>
			-	1,003.8
	CORRECTION OF THE PERSON AND PROPERTY OF THE PERSON AND PARTY.			1,003.8