

A Regular Meeting of the Marilla Town Board was held March 8, 2007 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

George Gertz, Councilman/ Deputy Supervisor
Barbara Spanitz, Councilman
Fred Specht, Councilman
Warren Handley, Councilman

Absent: John Foss, Supervisor

Deputy Supervisor Gertz called the meeting to order and the Pledge of Allegiance to the Flag was given.

Communications

- a. A letter from Richard Rose requesting appointment to the Assessment Review Board.
- b. Resignation from James Bernhardt from the Zoning Board of Appeals.

Committee Reports

Councilman Spanitz reported that the Marilla Librarian and her assistant will be increasing their hours from 24 to 30 (Librarian) and from 10 to 19 hours (assistant) due to increased funding. The Library needs a new roof and shelving and they are applying for a grant which will help pay for it. The Tri-town summer program brochures will be out soon. The next Planning Board Meeting will be held on March 22nd at 7:00 pm.

Councilman Specht reported that they have calculated the fire service award participants and are just waiting for the bill from Standard Security Life Insurance to see if they agree. It should be about \$10,500 which is below what we have budgeted for. Time Warner's rates will be changing, some packages rising and some lowering. The CAB meeting had a speaker from the Elma and Wales Land Conservancy, they also have three new members. He wanted to compliment George on the disaster preparedness program that he put on for the Kiwanis Club, Legislature Kathy Konst wants him to take it on the road to other towns.

Councilman Handley reported that the Pavilion Committee's Concert Schedule is done for this year. They have added a new program this year, the Polish Festival, we will have Polish food and music. The season will open with Iroquois Select Chorus and Orchestra, we will also have Glen Colton again. More information will be out soon.

Deputy Supervisor Gertz reported that he attended a disaster preparedness meeting with the County and the State, they are working on evacuations for the disabled. The State is also dictating that we must adopt a disaster evacuation for pets.

Deputy Supervisor Gertz reported for Supervisor Foss that we have received the FEMA money from the October storm, about \$43,000 for reimbursement for the Highway Departments man hours. The Fire Company also received their reimbursement, but because they are a volunteer organization the State took most of it.

Open Board Presentations From the Public

Old Business

Motion: Councilman Specht moved, seconded by Councilman Spanitz to approve the minutes from the Regular Board Meeting held on 2/8/07 Motion Carried.

New Business

Motion Councilman Handley moved, seconded by Councilman Specht to refer request for rezoning of property located at 1487 Two Rod Road owned by John Shubert for a proposed lumber yard to the Planning Board for review. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz the following resolution for Local Law No. 1 for 2007:

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Marilla, in the County of Erie shall be held at the Town Hall, 1740 Two Rod Road, Marilla, New York at 7:30 p.m. on the 12th day of April, 2007, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2007; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser and the Elma Review, designated by the Town as its official newspapers for this publication, such publication to be not less than ten days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than ten days before the date of the Public Hearing and notify County Planning as required under §239-m of the General Municipal Law; and

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 1 of the Year 2007, entitled "Amendment to the B-1 Restricted Business District", available at her office for inspection and distribution to any interested person during business hours.

Roll Call Vote:

Councilman Specht ó Aye

Councilman Spanitz ó Aye

Councilman Gertz ó Aye

Councilman Handley ó Aye

Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Handley to approve the following resolution:

WHEREAS, Elma, Marilla, Wales Sports, Inc. provides services for the benefit of the residents of the Town of Marilla; and

WHEREAS, the Town of Marilla has made provision in the 2007 budget in support of such organization; and

WHEREAS, the Town of Marilla has previously approved funding of a contract with Elma, Marilla, Wales Sports, Inc. in the amount of \$3,300 which contract has been executed by the parties but the Town of Marilla has determined that the funding approved is not sufficient to allow Elma, Marilla, Wales Sports, Inc. to fully pay for the services which the Town of Marilla would like to have provided.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board does hereby approve a supplemental agreement with Elma, Marilla, Wales Sports, Inc. for an additional sum of \$600 which sum together with the previously authorized payment of \$3,300 will provide for total funding for the year 2007 in the amount of \$3,900, a copy of which agreement is annexed hereto.
2. That the Supervisor is hereby authorized to execute such agreement on behalf of the Town of Marilla.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on March 8, 2007, the results of which were as follows.

Roll Call Vote:

Councilman Specht ó Aye

Councilman Spanitz ó Aye

Councilman Gertz ó Aye

Councilman Handley ó Aye

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Specht to approve the Fire Service Award for the Marilla Volunteer Fire Company Members for 2007. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to approve the new building fee schedule. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Specht to appoint Richard Rose to the Assessment Review Board for a term to expire 12/31/11.

Roll Call Vote:

Councilman Specht ó Aye

Councilman Spanitz ó Aye

Councilman Gertz ó Aye

Councilman Handley ó Nay

Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Handley to appoint Jason Engel as a consultant to the CAB Board on an as needed basis to be determined by the CAB Chairman. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to approve the low bidder DDM Building Systems Inc., located at 3681 Bullis Rd., Elma, NY 14059 for the new Pierce Family Park Shelter at a cost of \$8,925 and to be completed by June 1st, 2007. Motion Carried.

Deputy Supervisor Gertz announced that the Town Board Work Session scheduled for March 20th is being changed to March 27th at 7:30 pm.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to amend the agenda. Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Specht to appoint Roger Gustavel as Chairman to the CAB Board. Motion Carried.

Report of Town Officials

Building Inspector John Fronczek submitted a written report with 1 building application received with fees totaling \$15, 1 building permit issued with a total value of \$400, 12 inspections were made and no complaints were received for the month of February 2007. A total of 100 official code enforcement activities were performed in the month of February.

Town Attorney Nathan Neill reported that the Town of Newstead will be holding training sessions for Planning and Zoning Board Members on April 17th, May 15th, October 16th, and November 13th at a cost of \$30, Marilla members are welcome to attend.

Town Assessor Earl Dabb reported that all the exemption forms have been sent out and residents are already coming in with them. The Office is running very well.

The Planning Board's next meeting will be March 22nd at 7:00 p.m. and minutes have been received and posted.

The Conservation Advisory minutes have been received and posted.

Volunteer Fireman Bill Blarr stated that The Marilla Fire Company will be having a chicken barbeque on March 25th.

Town Historian Hubert Kutter reported that the Historical Society has been clearing out his office and it is looking very organized. He received some bookcases from the old Donovan Building in the City of Buffalo. He wanted to thank Warren Handley for donating the new carpet in his office (carpet and installation were donated).

Open Board Presentations

Councilman Spanitz commented that if residents had a chance they should stop in and look at the new James Handy Meeting Room Plaque.

Councilman Spanitz stated that the Kiwanis will be holding a pancake breakfast on March 18th.

Councilman Handley stated that he was driving down East Avenue at dusk and saw a dog in the road, he could not see the person walking the dog. He warned residents that they should wear light colored clothing when walking outdoors. He received letters from some Iroquois High School Students that he will share with us next month.

Deputy Supervisor Gertz warned drivers to be careful and watch for pedestrians because of the snow there are no shoulders for them to walk on right now.

Motion: Councilman Specht moved, seconded by Councilman Handley to approve the claims as follows:

General Fund Claims, Vouchers 57-96	\$ 82,485.45
Highway Fund Claims, Vouchers 33-57	\$ 31,796.66
Special Districts	
Sanitation (SR), Vouchers 15-27	\$ 14,854.60
Special Fire Voucher	\$.00
Water District #2, Vouchers 3-5	\$ 3,003.96
Water District #3 Voucher 2	\$ 1,353.40
Water District #4 Voucher 2	\$ 817.84
Community Develop. PACE 3-4	\$ 1,750.00
Community Develop. HUD	\$.00

Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Handley to adjourn the meeting at 8:05 p.m. Motion Carried.

Respectfully submitted,

_____ Town Clerk _____ Supervisor

_____ Councilman _____ Councilman

_____ Councilman _____ Councilman