

The regular meeting of the Marilla Town Board was held on Thursday, September 10, 2009 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

George Gertz, Supervisor
Barbara Spanitz, Councilman
Fred Specht, Councilman
Warren Handley, Councilman
Daniel Handy, Councilman

Supervisor Gertz called the meeting to order and the Pledge of Allegiance to the Flag was given. Supervisor Gertz stated that on the wall there are rules for governing and conducting business in the Town of Marilla. He read several sentences pertaining to conduct and how the Town Board wishes to carry out their meetings. He stated he would not accept any comments that they had last month, he said it was out of line and unprofessional.

Communications

1. Kodiak Jackø notified the Town that they renewed their Liquor License.
2. Town Justice David Wyzykowski requested to be reimbursed for lodging and mileage to attend the New York State Magistrates Conference on October 19th, 20th, and 21st.
3. Robert Reynolds, Chairman of Erie County Farmland Protection Board notified the Town of their concern about the rezoning of Bullis Road from Agriculture to Rural Residential.
4. The Town Clerk received the Marilla Fire Companyø 2008 financial report.

Committee Reports

Highway Superintendent Ron Unverdorben reported that the Town Hall parking lot will be repaved on September 11th he reported he was aware of some parking lot lights being out and is waiting on the Electrician to come and fix them. He said the Town Park will be open until September 27th and then only on the weekends through October. He said big rubbish pickup will start on September 28th, everyone must have their trash out by 7 a.m.

Councilman Spanitz reported that the Planning Board will be meeting on Thursday, September 17th at 7:00 pm, she wanted to remind residents that the Library will be having their annual book sale beginning Friday September 18th.

Councilman Handy reported that he attended a NEST waste management meeting, Saturday September 12th is a household hazardous waste drop off day. It will be held at 20 Peabody Street, Buffalo, NY from 9 am to 1 pm. He reported on Saturday, September 26th there will be an E-waste & computer Recycling drop off held at ECC South Campus in Orchard Park from 9am to 1 pm. He also reported there will be a pharmaceutical drop off at Kenmore Mercy Hospital from 9 am to 1 pm. He stated they must be in there original labeled containers.

Councilman Handley stated that at the last meeting he brought up three questions that he had for the Town Board. They were in reference to the rezoning on Bullis Road, the Town Attorney and the Attorney they had talked with came to the same conclusion, in reference to the 264, the Town does not have to notify residents within 500 feet. He said in the past they had notified municipalities, counties, and the State, he said we did that as a courtesy itø not a mandatory thing. He stated possibly in the future when they are doing things like this they need to understand why they are doing it, if itø just a courtesy they need to know that and they do now. He said in reference to the water laterals there was another question he had on that, due to the word non-agricultural that was put in there, he said once we do as was stated and rezone a property to RR, they can now hook into those water laterals. He said where that will be a problem down the road he doesnø know with the tower or water pressure. He guessed that will be something in the future to see if there is a problem. He said as far as the Ag Data Statement goes the Town Board and Town Attorney were not aware that the Planning Board did have an Ag Data Statement submitted to them, however the Ag Date Statement that was submitted came in before the process started, being that they never had an application filed for a rezone and they never had an application filed for a subdivision. He said they brought in a sketch plan and this took place with the sketch plan discussion and

later on the Planning Board received a rezone request and at that time as we all know now you don't have to do an Ag Data Statement with that request. He said the Ag Data Statement comes to play when they file for a subdivision. He feels it's a little backwards that you would notify people when you apply for the subdivision but not when you rezone it, but apparently that's the way the law is written and we now have clarification. He stated that now when they do their subdivision application they will have to file another Ag Data Statement. The key point with this is the Developer notified the residents and it's the Town's responsibility and it's not the residents to be notified it's just active farmland owners. He said there is a lot of controversy on this and he is asking the Town Board to just notify the residents when they do a rezone or a subdivision, to notify everybody within 500 feet. He said we could possibly have the developer pay for the mailings, he thinks this would be fair for the residents of the Town. He said working with all this the discussion came up about people being notified about things in Town and how residents are in the dark about what is happening. He said he is not sure out of the 5600 residents in Town how many subscribe to the Alden Advertiser or Elma Review where legal notices are advertised. He said the Town Board discussed putting up a sign to advertise what is going on in Town. The suggestion he liked the best was having a phone line that residents can call to find out what is happening in Town, whether it be an Historical Meeting, Planning Board Meeting, ZBA or Town Board Meeting. They are looking for alternatives to get the message out there to the public. He said lastly he did ask the Town Board to reconsider the rezoning request for the subdivision, he had 8 points he has 9 now, he said he would read them quickly; first one was the public concern over the rezoning; in the past there was a rezone request in the hamlet for a business and due to the public outcry at that time the Town Board was not in favor of it because the residents were against it. His feeling was the same thing should have taken place here due to the fact that there were even more residents against this project. The second concern was the Town received the second letter from Environment and Planning 35 days after the first letter, by law they didn't have to take that letter, and if they would not have the first letter would have applied which would have needed the super majority vote from the Town Board and the subdivision would have failed. Next was the recent letter from Farmland protection agreeing with Environment and Planning and the impact on the framework for Erie Niagara and Regional growth. He said he really thinks they need to take a look at it and decide where they are going, they need to do more research when they are pushing these projects through so they have good calculated reasons for what they do, and that's from all the Board Members. He said the notification process is being done after the fact of the rezone as he stated before with the Ag Data Statement. He said the confusion that the Town Board and Town Attorney had in regards to the Ag Data Statement, they don't go through subdivisions everyday so there are processes that they still need to learn. He said he is not pointing his finger at anybody but they have to continue their education on when they are pushing these things through so that they know and make calculated decisions. He said again the letter from Robert Reynolds the Chairman from Erie County Farmland Protection Board, he thinks that says it pretty clear by displaying to the public that large lot residential use will now be permitted in and near Agricultural Districts in Town, eventually this will catch up with us. He said the other thing that came up was the soil test, they were told that the whole property was mined and that there was no topsoil, they have no documentation proving how much top soil was there. A resident from that area stated last week at the Town Board's work session that 50 feet on each lot line was the only thing that was stripped and the middle part had corn, whether or not that's true he doesn't know but that person lives over there and that was their testimony. He said the point he is trying to make is they need educated documentation when they are approving things in Town so that they can make the right calculated decisions. He said that is all he has on that but on a lighter note he attended a conference in Niagara Falls concerning the electromagnetic pulse; EMP. He wasn't able to attend the full conference but he was there for the majority of it, after Mike Huckleby spoke it woke him up to the reality that this could take place. Basically it is a black out from magnetic impulse; there are two ways we can get this, they are anticipating it from a solar storm and they are 100 percent sure it is going to happen, they just don't know when. The other way it could happen is by someone setting off a bomb and the concern came with Iran, now they have the parts in place to make the bomb and are expected to have a bomb made within weeks. He said that bomb could be set off from a freighter into the air. He said basically what happens is we lose all power, anything that is computerized is shut down, we will have no water or gas, no electricity, no cars or cell phones. It is a big concern and we will be hearing more about this, Elma Supervisor Mike Nolan is working with Steuben Foods who sponsored the program, they will be working with surrounding towns to educate people on this. He said that he learned as a Town we are supposed to have 3-5 days of food for the entire Town, this is a new federal law that was passed. He said we will be hearing more in the future, Supervisor Gertz will be informed, any information they do get will be passed to the public. He said maybe in the near future they will have literature in the Community

Center and possibly have some kind of conference ourselves. He said and finally on a lighter note Ag Day is coming up on Sunday, September 20th everyone is welcome and it sounds like we will have a good turnout and lets hope for good weather.

Supervisor Gertz responded there is no way the Town could prepare for 3 days of food. He reported that he received a letter from Erie County requesting the Town to post a public hearing notice for landowners wishing enter their property for inclusion into an agricultural district from November 1st to November 30th. He stated he received a letter from Rural Development that we received a loan of \$967,000 and a grant of \$348,000 under the American Recovery and Reinvestment Act of 2009 for construction of Water District 5, the funds will be retained by Rural Development until the completion of the Water District.

Open Board Presentations From the Public

Town Assessor Kandace Wittmeyer stated that she attended the same Conference as Councilman Handley she stated it was not all gloom and doom, but this could happen and they want us to be prepared. She stated that reason we are not prepared is the United States as a whole has not done what is need to be done to protect our grid. She said there is a Federal Bill HR2195 and a Senate Bill and to call your Congressman and ask them to take the stimulus money that is already there and put it into the grid to protect us. She said we are light years behind other countries and even the third world nations in protecting our grid.

Resident Eugene Limpinsel stated that most of the western European Countries are protected against that.

Old Business

Motion: Councilman Specht moved, seconded by Councilman Spanitz to approve the minutes of the Regular Board Meeting held on 8/13/2009. Motion Carried.

New Business

Motion: Councilman Handy moved, seconded by Councilman Handley to approve the following resolution concerning the East Avenue Cemetery;

WHEREAS, there has been established in the Town of Marilla (the ðTownö), a cemetery known as MAPLEWOOD CEMETERY (the ðCemeteryö) by the MAPLEWOOD CEMETERY ASSOCIATION (the ðAssociationö), which Association maintains a public cemetery on Two Rod Road in the Town of Marilla, Erie County, New York, and owns real property in said Town, and

WHEREAS, said Association has under its care certain funds for perpetual care, permanent maintenance, special trust, general fund, deposited in the following banks:

Permanent Maintenance Funds

Alden State Bank

Acct. 024413	\$1,536.45
Acct. 094803	\$5,258.30
Acct. 105090	\$ 2,700.00

Special Trust Funds

1. Boldt Trust (\$2,000 principal with income usable for lot care)
& Monchow Trust (\$500 principal usable for general maintenance)
Alden State Bank (held jointly) Acct. 175380 \$2,500.00
2. Maloney Trust
Alden State Bank Acct. 185512 \$15,000.00

General Fund

Alden State Bank

Checking Acct. 316349	\$110.92
Acct. 006462394	\$446.72

(all numbers are as of 09/01/09.)

WHEREAS, the Association has been and still is unable to procure

sufficient income from the above investments, the members of the Association and from representatives of the deceased persons interred in the cemetery, and

WHEREAS, the Association has requested that the Town of Marilla pursuant to Section 1506 (j) of the Not-for-Profit Corporation Law, accept the conveyance of the Cemetery and transfer of assets which transfer is to take place on September 15, 2009.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF MARILLA AS FOLLOWS:

1. The Town of Marilla does hereby agree to accept the conveyance of the Cemetery premises and the transfer of the assets of the Cemetery from the Association, such conveyance to be subject to all agreements as to lots sold and all trust restrictions and conditions upon the title or use of the real property or assets.
2. 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 of the Town of Marilla held on September 10, 2009, the results of which were as follows:

Councilman Spanitz ó Aye Councilman Specht ó Aye
Councilman Handley ó Aye Councilman Handy ó Aye
Supervisor Gertz - Aye
Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Specht to approve the following resolution for road salt;

WHEREAS, New York State mandates where municipalities can purchase their winter road salt, and

WHEREAS, the Town of Marilla and many other small municipalities must contract with the State of New York to purchase road salt from the state bid contract before knowing the price charged by the State for that winter season, and

WHEREAS, the budgets of smaller municipalities can be effected greatly by the price of road salt, and

WHEREAS, larger government entities (such as Erie County) bid their winter road salt needs on a yearly basis and sometimes get a lower price from the State than do the smaller municipalities, and

WHEREAS, the smaller municipalities are currently locked into a higher road salt price with the State than larger municipalities are. The State is charging the Town of Marilla more for road salt at *** \$40.12/ton*** than it is charging the County of Erie at *\$37.22/ton*, and

WHEREAS, it is patently unfair for the State to require municipalities to buy road salt from the State without disclosing the price then charge different prices for the same road salt to different municipalities;

NOW THEREFORE BE IT RESOLVED that the Town of Marilla believes that the State Senate and Assembly should make a law to allow smaller government agencies to chose the lowest road salt price when contracts are presented to them by the State, and be it further

RESOLVED, that the Town of Marilla believes that the price of road salt should be given by the State before contracts are sent out to small municipalities; and be it further

RESOLVED, that the Marilla Town Clerk is directed to send copies of this resolution to: Assemblywoman Jane Corwin; Senator Dale Volker; Governor David Paterson; County Executive Chris Collins and to the Towns

and Villages in Erie County; and

This resolution shall take effect immediately

Roll Call Vote:

Councilman Spanitz ó Aye

Councilman Specht ó Aye

Councilman Handley ó Aye

Councilman Handy ó Aye

Supervisor Gertz - Aye

Motion Carried

Motion: Councilman Handley moved, seconded by Councilman Handy to approve the following resolution concerning Mutual Aid;

WHEREAS, there have been numerous occasions upon which local governments have been overwhelmed with the ramifications of a serious disasters such as the October Storm and the Clarence Airplane crash, among others, where municipalities have had the need for additional assistance in the form of disaster coordinators and emergency managers from other municipalities to cope with such events; and

WHEREAS, in the past municipalities have provided assistance to each other on an informal basis but now there has been submitted a proposal to formalize the process to provide for municipalities to authorize the provision of and receipt of such assistance in advance of the occurrence of such disaster; and

WHEREAS, a proposed Local Emergency Management Mutual Aid Assistance Memorandum of Understanding has been circulated to allow individual municipalities to formally join together to provide mutual aid.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board does hereby approve the Local Emergency Management Mutual Aid Assistance Memorandum of Understanding.
2. The Town Board does hereby authorize the Town Supervisor and the Local Emergency Manager 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 September 10, 2009, the results of which were as follows:

Councilman Spanitz ó Aye

Councilman Specht ó Aye

Councilman Handley ó Aye

Councilman Handy ó Aye

Supervisor Gertz - Aye

Motion Carried

Motion: Councilman Specht moved, seconded by Councilman Handley to declare surplus the 1985 Bobcat 642 Skidder. Motion Carried.

Report of Town Officials

Town Engineer Marie Nowak reported that their survey crews are out and they should finish up early next week. She said Residents in that area should be seeing crews out doing soil bores at the roadside next week.

Building Inspector Scott Rider reported that 6 building permits were issued with fees totaling \$988 and a value of \$246,500. A total of 12 inspections were made and a total of 188 calls were logged.

Town Attorney Nathan Neill stated that last month's meeting was unfortunate and it was too bad that it happened like it did, he was sorry it happened like that and he hopes it doesn't happen again. He said it was clear they didn't make any mistakes in what they did, and they didn't do anything improper. He wanted to point out why the Ag Data Statement is done after

the fact is because Marilla unlike other towns doesn't allow anyone to do a subdivision in an agricultural district. He said if it wasn't for that it would be going out at the same time, it's because we required that first. He said until the property got rezoned they could not apply for a subdivision, it has to be a two step process. It's extra protection for the Town, it basically protects the Town from development but it is a two step process. He said the other thing he wanted to point out is they passed the law earlier this year which basically says the Town does not have to consider any requests for rezoning. If someone wants to rezone property the Town Board can so no, that's it, we are not interested. He said they did that this year partly in light of the Bullis Road request, he said that's the law right now in the Town of Marilla. The Town Board can actually, when they receive a request, they can say they are not interested and that's it. He said the concern over developmental pressure, clearly people think they can do it but only if the Town Board agrees to it. He said he hopes people can understand that we have a lot more control in Marilla than most places do.

Planning Board minutes were received and posted. Their next meeting will be September 17th at 7:00 p.m.

The Conservation Advisory Board minutes were received and posted and their next meeting will be on September 1st at 6:45 p.m.

Fire Company Representative Bradley Wurthner stated that winter is coming soon and he asked residents to keep the hydrants clear, it really helps them out in case of an emergency. He asked residents to check their smoke detectors and clean their chimneys. He also wanted to let residents know the reflective address signs are still available through the Fire Company for \$15, the reflective house numbers makes their job much easier. The Marilla Fire Company is always accepting applications; you must live in Town for one year, and they meet Thursday Evenings.

Open Board Presentations

Resident Robert Lemke asked if the upper Cemetery was having a problem too?

Supervisor Gertz said not to his knowledge.

Debbie Zimmerman stated that she is the treasurer and they are fine.

Resident Shirley Limpinsel stated that she wanted to address the last couple of work sessions that she attended. She said many residents attended that last couple of work sessions and the thing she found the most amazing was that Legislature Bob Reynolds who is the Chairman of the Farmland Protection Board of Erie County and his recent letter to our Town support the original decision of the Environment and Planning to keep the Bullis Road property Agricultural. She said they were all advising us not to rezone this land for a subdivision. On Tuesday the Board had the opportunity to correct this situation but Mr. Specht, Mr. Handy and Mrs. Spanitz decided not to heed the advice of the experts and stick to the original decision. She said Mrs. Spanitz kept referring to the Bullis Road property as having no agricultural value. She along with other residents have seen corn growing on that land because they live by it. She said there is land all over this Town that is being taken back by farmers and being worked by farmers. She said as a resident and a taxpayer she wants to know what their research was for the statement that this land is not good agricultural land. She wants to see the results of the tests that this Board requested that brought them to the decision that the land had no agricultural value. She said they have been told by the people living all around that land that it has been not stripped of topsoil except for 50 feet around the edge of the perimeter. She asked Councilman Dan Handy on Tuesday after the work session if he or any of the Board Members went to the Bullis Road Property and he told her clearly it was private land and they couldn't go there. Her question is how can they rezone any piece of property without proper research? She said Councilman Warren Handley is the only who has done any research on this property long with the blessing of our Supervisor. She stated as a Board they were given graphs and facts on how a subdivision would impact the taxpayers in this town but they chose to ignore it. She said Mr. Specht kept saying that the comprehensive plan is that the hamlet is for businesses and subdivisions, Bullis Road is not in the hamlet it's on the edge of Town. He always refers to the northwest corner in the comprehensive plan, that corner is Mr. Berner's property not the Bullis Road property. She said her last comment is to Mr. Neill the Town Attorney; "Mr. Neill you're not doing your job for this Town, had you heeded the advice of the Chairman of the Farmland Protection Board of Erie County and the advice of the Environment and Planning Board this property would have never been turned over to RR land." She said he didn't do his homework and go

over what it would do to the taxpayers to this Town, if he would have done his homework this would have never happened. She said he had a chance to advise them to rescind their vote and start over with proper research but again he chose not to do his job. She said it's easier just to say there is no agricultural value, don't forget Marilla is an agricultural town. She wanted to end by thanking first Warren Handley and George Gertz for working hard to keep our Town agricultural and she wants to see the results of the soil test upon which they based their decision that this is not viable agricultural land and she wanted that on record please.

Deborah Zimmerman member of the Planning Board said that the Planning Board looked at the Zelasko property long and hard, many, many months of work went into it. She asked if it was in the master plan that for that part of Town be zoned for commercial and for subdivisions.

Supervisor Gertz said yes, it's in the comprehensive plan.

Deborah Zimmerman said if we were to have a subdivision in our Town it would be put in that area. She asked if that was correct?

Supervisor Gertz said it could be construed as that, yes.

Mrs. Zimmerman then asked Dawn if when the Planning Board had their public meeting on this property if letters were sent out to people in the area notifying them of the public meeting for this? She believed the Planning Board requested letters to have gone out. She said she feels if people are concerned about something in that area, if a subdivision is going in behind them, it's up to them to be informed, it's up to them to find out where they have to go. She said the Town shouldn't be posting stuff all over, if residents are concerned about something it's their job to be here.

Resident Mary Nette Foss stated she knows a lot people are concerned about farming in this town and they should be concerned. Her question of the Town Board is rather than worrying about this property or that property, she asked if any of them contacted their Legislatures about the price of milk. She asked if they know how many individual small farmers are closing and going out and moving in the next few weeks because of the price of milk. She asked if they had contacted their Legislatures or done anything on that end of it? She said their concerns should be of course of our Town and our rural community but the essence here is keeping those farmers in business and that's with the price of milk. She said the local farmers here are getting paid now what they got paid in 1977, they are losing money every day. She personally knows someone who is closing, her husband's family John Foss's family is in the farm community and her family was a farm family. Her concern is with our individual farmers and the problem is the price of milk, so she thinks they as a body need to contact their Legislature and get some work done on that end. She said "that is where their focus should be, if you want to keep this rural the solution is keeping our farmers open and making money instead of losing money everyday."

Town Board Presentations

Councilman Specht said he wanted to explain that years ago one of his many grandchildren had the benefit of Mercy Flight and ever since then he has been a staunch supporter. He has supported it through church, Kiwanis and more recently the Car Show. He said supporting Mercy Flight for him is like a sacred trust and he gets upset when things go wrong. He said last month he was wrong, he should have had a personal conversation with Supervisor Gertz about the problem and they didn't and it won't happen again.

Supervisor Gertz said he has the same passion for Mercy Flight, he flew for 5 years as a medic on Mercy Flight. He said they just used Mercy Flight Friday night there was a really bad accident on Eastwood and Williston Roads. A former Town Employee was involved in it and there were 2 critical injuries. He explained that Mercy Flight was here within 6 minutes of his requesting them, they took the 13 year old to ECMC and by the time the other victim was brought there via land, the child was already being operated on. He said Mercy Flight is a valuable asset to this community.

Councilman Handy said on August 24th the Kiwanis had a meeting and Joanne Nintzel brought up relief for Gowanda. He appointed 2 other people to the committee who did a tremendous job, but the biggest part was done by Ron Unverdorben. Ron volunteered and the work force under him volunteered to help load and transport the stuff to Gowanda.

There was a truck load about 540 cubic feet of goods and \$1500 is cash and certificates that were donated by the residents of Marilla and transported by Ron to Gowanda. He had a hearty thank you to Ron (with applause).

Supervisor Gertz said that's the first I've heard of it.

Councilman Specht said that Ron also went down for two days to volunteer and he volunteered one day.

Councilman Handley said he had a couple of comments, he thinks Mary Nette had a great point. He said everyone knows he is for farming and keeping this land in an agricultural district. He said what he got from Mary's conversation is that we need to open up communication with our farmers. He said we need to sit down with our farmers and hear their plight. She is 100 percent right, he keeps fighting for them but he doesn't see them here, but that doesn't mean anything because he knows the lifestyle they live. He said he has a small farm and he knows what it takes for him to maintain that and it's a lot of work. He said if you add on a bunch of animals and crops that come in, your time is very limited. So he thinks the Town Board has an obligation not only to the residents of the Town but to the farmers to find ways that we can help them and work with them, so that we can continue this Ag district. His plea is to the Town Board to possibly set something up with the local farmers to see if we can get them involved and hear what they have to say. The other thing is Town Assessor Kandace Wittmeyer put together a report for Elma, it's the Assessor's Office year end roll. He said it is his hope that we incorporate this too, it gives a lot of good information. He said it's his job as a Councilman to research things and give residents good information when they ask for it. He said she has this organized from tax liens to splits and mergers, exemptions, assessment changes, variances, education, personnel, special projects and professional achievements.

Town Assessor Kandace Wittmeyer said there were 2 projects that they did in Elma, one was working with Steuben Foods to help them come off of ECIA and become a viable company. The other one was with Iroquois School, they were going to lose the biggest percentage of State Aid. She introduced them to Jane Corwin and they came to the table with a list of changes to save money, and unfunded mandates that the School had to provide. She said that officials at Iroquois actually testified in front of the Senate and the Assembly to try and get legislation changed so that taxpayers don't pay for all of the unfunded mandates.

Supervisor Gertz reported that Erie County sent him a letter called being active in Erie County. They will be having free guided walks in the County Parks, there will be six of them; Delaware, Isleview, Akron, Emery, Chestnut Ridge, and Ellicott Creek Park from September thru October. They will have health screening, blood pressure and a bunch of different things to do. This will be posted on the Town's bulletin board, registration starts at 9 am at each one of the sights. He also received something from New York State Public Service Commission called national life line; disconnect telephone service awareness week which is from September 14th thru the 20th. It's about local telephone service companies to help provide income eligible customers save money on their phone bills. He said information will be posted and there is an application in there. He reported that at the last work session they had Greg Willey come in to propose senior housing, they want to rezone some property owned by Leon Berner, the Town Board took the first step and sent it to the Planning Board. After the Planning Board has their meetings and public hearing, the Town Board will have their meetings and public hearings and they will make a decision whether they want to move forward or not.

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

General Fund Claims, Vouchers 392-433	\$ 60,345.45
Highway Fund Claims, Vouchers 124-136	\$ 86,151.49
Special Districts	
Sanitation (SR), Vouchers 85-90	\$ 21,744.15
Special Fire Voucher	\$.00
Water District #2, Vouchers 21-22	\$ 2,510.89
Water District #3 Voucher 11	\$ 1,353.40
Water District #4 Voucher 10	\$ 817.40
Community Develop. PACE Vouchers	\$.00
Community Develop. HUD	\$.00

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to adjourn the meeting at 8:25 p.m. Motion Carried.

Respectfully submitted,

_____	Town Clerk	_____	Supervisor
_____	Councilman	_____	Councilman
_____	Councilman	_____	Councilman

Special Meeting
September 29, 2009

A Special Meeting of the Marilla Town Board was held Tuesday September 29, 2009 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York 14102.

Officials present were:

George Gertz, Supervisor
Barbara Spanitz, Councilman
Fred Specht, Councilman
Warren Handley, Councilman
Daniel Handy, Councilman

Supervisor Gertz called the meeting to order at 8:20 p.m. for the purpose of setting a public hearing date and negotiate the Firemen's Contract.

Motion: Councilman Handley moved, seconded by Councilman Handy to set the public hearing date for possible use of HUD funds for Thursday, October 8th at 7:30 p.m. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to adjourn the meeting at 8:25 pm. Motion Carried.

Respectfully submitted,

_____ Town Clerk