

## **03/02/11 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, March 2, 2011, at 7:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan  
Councilman Thomas Fallon  
Councilman Tracy Petrocy  
Councilman Dennis Powers  
Councilman Dean Puleo

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

Approximately 18 people attended the meeting.

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

Making the legal notice parts of the minutes Supervisor Nolan opened the public hearing at 7:01PM for Drainage District #188 Sylvia's Place at 2460 Bowen Road. No one spoke for or against Drainage District #188, but the drainage districts were discussed in general. Supervisor Nolan closed the public hearing at 7:17PM.

Councilman Fallon made the motion and Councilman Powers seconded the motion to approve Drainage District #188 for Sylvia's Place at 2460 Bowen Rd.  
Ayes-5. Noes-0. Carried.

Making the legal notice parts of the minutes Supervisor Nolan opened the public hearing at 7:28PM for Drainage District #189; Donato on Clinton Street. No one spoke for or against Drainage District #189. Supervisor Nolan closed the public hearing at 7:29PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to

approve Drainage District #189 for Donato on Clinton St.  
Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the February 16, 2011 meeting.  
Ayes-5. Noes-0. Carried.

Under Department Reports nothing to report.

Councilman Powers made the motion and Councilman Puleo seconded the motion to issue a negative declaration on a short form SEQR for Phoenix Apparel LLC at 2827 Transit Rd. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to approve a Business Use Permit for Phoenix Apparel LLC at 2827 Transit Rd. Building Inspector notes a permit for any advertising sign and a fire inspection within 30 days.  
Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Petrocy seconded the motion to issue a negative declaration on a short form SEQR for Carmody Roofing and Sheet Metal Co Inc at 1191 Bowen Road Suite 4. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit for Carmody Roofing and Sheet Metal Co Inc at 1191 Bowen Road Suite 4. Building Inspector notes a permit is required for any advertising signs and the fire inspection was completed on February 18, 2011.  
Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to hire Mark Palmer as laborer part time for the Sewer Districts at a pay rate of \$16.32per hour;part time with six (6) month probation.  
Ayes-5. Noes-0. Carried.

Supervisor Nolan stated bids will be accepted for a 2012 Plow Truck, Body and Plow for the Highway Department. Specs are available in the Town Clerks office and sealed bids will be accepted until April 6th, 2011 at 4:00PM. Bids will be opened at the Town Board

meeting at 7:00PM.

Councilman Puleo made the motion and Councilman Powers seconded the motion to hire a second Security Officer for court nights to operate the metal detector in the foyer. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to approve Supervisor Nolan to sign the extension to collect taxes remaining unpaid until June 30th, 2011. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve the resolution to authorize a budget amendment for additional appropriations for snow removal as follows: WHEREAS, the Town wishes to purchase additional salt for snow removal, and WHEREAS, the Town wishes to allocate additional Eric County snow removal revenue to fund the additional salt purchase, and WHEREAS, the Town wishes to proceed with the additional salt purchase NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the Town's 2011 adopted budget to recognize the additional Erie County snow removal revenue to be received by the Highway Fund and to authorize additional appropriations to provide for the cost of additional salt purchase. Increase Estimated Revenues: DA2300--Erie County Snow Removal--\$16,000.00. Increase Appropriations: DA5142.400--Materials and Supplies--\$16,000.00. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Petrocy seconded the motion to approve the Service Award Points for the Blossom Volunteer Fire Co, Elma Volunteer Fire Co and Jamison Road Fire Co. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to rescind the Business Use Permits for Samcoe Recreational Vehicles Inc at 1721 Transit Road; RJ'S First Aid Supply at 2827 Transit Rd; Phoenix Custom Homes at 2827 Transit Rd and Buffalo Valve Repair at 7000 Seneca St. Ayes-5. Noes-0. Carried.

Supervisor Nolan stated the next Work Session will be March 9, 2011 at 6PM.

Councilman Fallon made the motion and Councilman Powers seconded the motion to add an item to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to oppose the proposed licensing of bicycles in New York State. A letter will be sent to Governor Cuomo. Ayes-5. Noes-0. Carried.

Councilman Powers reviewed the fifteen (15) resolutions acted upon at the Associations of Towns in New York City; they will be reviewed at the next Work Session.

Meeting adjourned at 7:55PM. All in Favor.

Respectfully submitted,

Patricia King,  
Town Clerk