

12/21/11 Town Board Minutes

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A regular meeting of the Elma Town Board was held on Wednesday, December 21, 2011 at 7:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

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

Approximately 30 people attended the meeting.

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

Making the Legal Notice for the Public Hearing on Upstate Cellular Network d/b/a Verizon Wireless to construct a wireless telecommunications facility at 1000 North Blossom Road part of the minutes Supervisor Powers opened the public hearing at 7:02PM. Speaking against D Kling; speaking for Attorney J Lusk for Verizon and T Sluberski. Supervisor Powers closed the public hearing at 7:11PM.

Councilman Nolan made the motion and Councilman Puleo seconded the motion to add and item relating to Verizon Wireless to the Agenda. Ayes-5. Noes-0. Carried.

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

approve and accept the Town Board of the Town of Elma State Environmental Quality Review Act resolution adopting an Amended Negative Declaration for Upstate Cellular Network d/b/a Verizon Wireless to construct a wireless telecommunications facility at 1000 North Blossom Road. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve Upstate Cellular Network d/b/a Verizon Wireless to construct a wireless telecommunications facility at 1000 North Blossom Road. Ayes-5. Noes-0. Carried.

Supervisor Powers presented a proclamation to Mitchell A. Phillips on his achievement to become Eagle Scout.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the minutes from the November 16, 2011 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for November with 16 permits issued, fees collected of \$5,785.29 with an estimated value of construction of \$1,039,145.

Water Superintendent Eugene Stevenson noted that the flushing program is in progress; taps and leak repairs are being completed. Mr. Stevenson asked the Town Board for a part time clerk to fill in as needed due to an up coming surgery.

Highway Superintendent Wayne Clark noted a drainage problem on Chairfactory Road has been repaired and the new dump truck will be in service soon.

Town Attorney Phyllis Todoro asked to have Tom Reid from EMW on the next Work Session.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to accept lead agency on the SEQR for Seasonal Nursery & Garden Center at 1120 Bullis Road and to hire Clark Patterson Lee for SEQR review at Mr. Young's expense. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to accept the resignation of James Malczewski as member of the Conservation Board. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to accept the resignation of Arthur Aigner as member of the Library Board with regrets. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the Union Contract for three (3) years. Ayes-4. Noes-1. (Councilman Puleo voted no.) Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve Supervisor Powers to sign the rate agreement with Independent Health/FlexFit Select for the retirees. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the Service Award point correction for Matthew Kalinowski. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the upgrades for the Pond Brook wastewater facility at the cost of \$25,000 to Mollenberg-Betz Inc. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to approve Brian Nolan Jr as truck driver (CDL and brake endorsement) for the transfer station. Ayes-4. Noes-0. Abstain-1. (Councilman Nolan abstained) Carried.

Councilman Petrocy made the motion and Councilman Puleo seconded the motion to approve the request from Douglas Scofield for a speed study on Girdle Road in front of Iroquois School District to permanently reduce the speed limit to 35mph. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve Warrant #12; claim #1500 thru #1701 as follows: General Fund \$73,695.70; Highway Fund \$12,818.08; Water District \$127,394.77; Special Districts \$84,424.36 And Capital Project \$145,216.75. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to

extend the Fire Company Agreement until the Public Hearing on January 4th, 2012 at 7:00PM. Ayes-5. Noes-0. Carried.

Supervisor Powers set a Public Hearing date of January 4th, 2012 at 7:00PM for the Fire Company Agreement.

Supervisor Powers stated that the pay rates for all employees have been filed in the Town Clerks Office in a timely manner.

All have received the Agenda and Minutes from the Planning, Zoning and Conservation Boards that apply.

Supervisor Powers noted the next Town Board meeting will be January 4, 2012 at 7:00PM.

Councilman Nolan presented Councilman Puleo with a Certificate of Appreciation for his eight (8) years of service to the Town of Elma, and Supervisor Powers presented Councilman Puleo with a plaque for his eight years of service on the Town Board.

Supervisor Powers adjourned the meeting in honor of the late Joseph Winiewicz Jr. Mr. Winiewicz Jr had served on the Zoning Board from 1956 till 1971 and Town Council from 1972 till 1979.

Meeting adjourned at 8:11PM. All in Favor.

Respectfully submitted,

Patricia King,
Town Clerk