

## **12/15/10 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, December 15, 2010, 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-Absent  
Town Attorney Phyllis Todoro  
Town Engineer James Wyzykiewicz

Approximately 9 people attended the meeting.

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

Making the legal notice on the public hearing for Drainage District #187 for Transit and Bullis Roads, Transit Commons part of the minutes Supervisor Nolan opened the Public Hearing at 7:01PM. Speaking for the Drainage District #187 was Mr. Schutt from Wm Schutt Associates. No one spoke against. Supervisor Nolan closed the public hearing at 7:02PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Drainage District #187 for Transit Commons at Transit and Bullis Roads. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve the minutes from the December 8, 2010 meeting. Ayes-5. Noes-0. Carried.

Department Reports nothing at this time.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to rescind the Business Use Permit to Continental Automotive Systems at 611 Jamison Road. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for 611 Jamison Rd LLC at 611 Jamison Road. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit for 611 Jamison Rd LLC at 611 Jamison Road. Building Inspector notes a fire inspection is required within 30 days of occupancy and a permit is required for any advertising signs. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve a negative declaration on the SEQR for the proposed professional office complex, Transit Commons at Transit and Bullis Roads. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to table the 280-A for Leon Berner on Knabb Road, Town Attorney to review and the Town Board will visit the property. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the resolution for a budget transfer to increase appropriations for Control of Dogs as follows: WHEREAS, the Town wishes to increase the appropriations line for the control of dogs, and WHEREAS, the Town Board wishes to provide funding for the dog licenses and cell phone, and WHEREAS, the Town's 2010 adopted budget does not currently include such funding NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the transfer of budgetary appropriations in the Town's 2010 adopted budget as follows: Increase Appropriations: A3510.413 Control of Dogs-Cell Phone \$500.00; A3510.414 Control of Dogs-Dog Licenses \$2,000.00. Decrease Appropriations: A1990.400 Special Items-Contingent Account \$2,500.00. Ayes-5. Noes-0. Carried.

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

approve the resolution for a budget amendment for insurance loss at the Highway Garage as follows: WHEREAS, the Town has experienced an insurance loss at the Highway garage, and WHEREAS, the Town's 2010 adopted budget does not currently include the appropriations for the insurance loss of the materials and supplies NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2010 adopted budget to include the appropriations for the materials and supplies as follows: Increase Appropriations: DA 5132.402 Material & Supplies-Insurance Loss \$15,000. Increase Estimated Revenues: DA 2680 Insurance Recoveries (\$15,000.00). Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the resolution for amending the 2010 adopted budget for budget transfers as follows: WHEREAS, as the year has progressed the Town's actual spending has exceeded the 2010 adopted budget in certain line items, and WHEREAS, while these lines have no effect on the total General Fund 2010 adopted budget, it is necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the following transfers within the 2010 budget: Decrease Appropriations: A1910.400 Unallocated Insurance \$11,000; A1990.400 Contingency \$19,410.57; A3120.401 Crossing Guard-Expenses \$300.00; A5132.400 Garage Repairs \$350.00; A7510.410 Historical Building \$250.00; A7550.403 Celebrations-Elma Night Out \$450.00; A7620.411 Van Expenses \$4,500.00; A8160.402 Refuse Hauling \$7,500.00; DA5142.100 Snow Removal Compensation \$25,116.29; DA5148.100 Compensation \$58,402.82; DA5110.403 Liability Insurance \$4,500.00; DA5110.400 Material & Supplies \$10,500.00. Total \$142,279.68 Increase Appropriations: A1010.410 Town Board-Other Expenses \$50.00; A1690.100 Secretary to Supervisor \$52.57; A1690.400 Secretary-Other Expenses \$58.00; A3120.101 School Crossing Guard P/T \$300.00; A5010.410 Supt of Highways-Other Expenses \$350.00; A7510.400 Historian-Other Expenses \$250.00; A7550.402 Celebrations-Pumpkin Festival \$450.00; A7620.101 Van Driver \$4,500.00; A8160.103 Laborer F/T \$5,000.00; A8160.104 Laborer P/T \$2,500.00; A9010.801 State Retirement \$30,000.00; A9055.804 Disability Insurance \$250.00; DA5110.100 Highway-Compensation \$83,519.11; DA5130.400 Machinery-Materials/Supplies \$15,000.00. Total \$142,279.68. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve Warrant #12 claim #1518 through #1653 as follows: General Fund \$81,909.74;

Highway Fund \$78,489.41; Water District \$107,303.36; Special District \$134,913.37; Capital Projects \$161,958.63. Ayes-5. Noes-0. Carried.

All have received the Planning, Zoning and Conservation Board minutes that apply.

Meeting adjourned at 7:50PM. All in Favor.

Respectfully submitted,

Patricia King,  
Town Clerk