

A regular meeting of the Elma Town Board was held on Wednesday, June 19, 2013 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Dennis Powers
Councilman	Thomas Fallon
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy

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

Approximately 28 people attended the meeting.

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

Supervisor Powers stated that the Public Hearing for Drainage District #193/90 New Bullis Road will be rescheduled for July 17, 2013.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the minutes from the May 15, 2013 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for May with 34 permits issued, fees collected of \$18,773.33 with an estimated value of construction of \$2,683,077.09. Mr. Colern also requests that the Fill Code be on the next Work Session Agenda.

Water Superintendent Eugene Stevenson noted that Conrady Consultant Services could not inspect the water tanks last month due to the weather, they will be inspecting the three water tanks starting tomorrow. Repairs have been completed at Seneca and Jamison; Sigman and Schultz. Mr. Stevenson presented his concerns for life and safety issues at the Triton Valley Mobile Park regarding non compliance of a backflow which is required by Town Code Cross Connection Control Ordinance. Also Mr. Stevenson would like the Town Boards permission to purchase AMR water meters with the interest from the meter deposit account to replace the older water meters.

Supervisor Powers made the motion and Councilman Fallon seconded the motion to send a certified letter (from the Supervisors Office) of intent to Triton Valley Mobile Home Park to shut off the water to the trailer park if a plan for completion of the backflow is not submitted to the Water Superintendent within 30 days. Ayes-4. Noes-0. Carried.

Councilman Nolan left the meeting.

Councilman Petrocy made the motion and Councilman Fallon seconded the motion to approve Mr. Stevenson to purchase 100 AMR water meters to replace the older water meters from the water meter deposit account. Ayes-4. Noes-0. Carried.

Highway Superintendent Wayne Clark noted that the Creek Road ball diamonds are back in service from the recent rain storm. Town Attorney Phyllis Todoro noted the Planning Board will set a public hearing date of July 16, 2013 for NYSEG on Stolle Road.

Jen Swan from the Arts Services Initiative of Western New York presented Supervisor Powers with a check for \$973.00 for the Town of Elma Summer Concerts.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for American Technologies Inc at 611 Jamison Road. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve a Business Use Permit for American Technologies Inc at 611 Jamison Road. Building Inspector notes a fire inspection is required after occupancy. Ayes-4. Noes-0. Carried.

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Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve a negative declaration on a short form SEQR for John Anderson Construction at 6300 Seneca Street. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit for John Anderson Construction at 6300 Seneca Street. Building Inspector notes no outside storage of any materials. Ayes-4. Noes-0. Carried.

Councilman Nolan returned to the meeting.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the proclamation for the American Cancer Society's Relay for Life presented on June 14th, 2013. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the resolution commemorating the 100th Anniversary of the Spring Brook Fire Company Inc presented on June 8th, 2013. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve and send the resolution for Sheldon Silver to resign as Speaker of the NYS Assembly. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the annual MS4 Stormwater report ending March, 2013. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the Music Permit for Matty's at 1271 Bowen Road. Restrictions on this "Use" permit limited to June 29th, 2013 from 2:00PM until 7:00PM for a charity event. If no parking issues arise from this event the Music Permit can be amended to a one year permit at no additional fee. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the Music Permit for The Cove at 4701 Transit Road. Permit expires May 31st, 2014. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve Warrant #6 Claim #571 thru #661 as follows: General Fund \$68,168.88; Highway Fund \$3,962.46; Water District \$16,597.84; Special District \$5,965.42. Ayes-5. Noes-0. Carried.

Supervisor Powers set a Public Hearing date of July 17, 2013 at 7:00PM for Drainage District #193/New Bullis Rd, Drainage District #194/Maple Road and Local Law #2-2013 Historic Preservation.

Supervisor Powers noted the next Work Session will be July 17, 2013 at 6:00PM with the Town Board meeting to follow at 7:00PM.


Todd Huber from Building Solutions presented a petition of 37 property owners on Seneca Street to rezone the Seneca Street area from Rice to Northrup from C1 to C2. This will be on the next Work Session.

All have received the Planning, Zoning, Conservation Boards, Work Session and Multiple Dwelling Code Committee agenda and minutes that apply.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to adjourn the meeting in the memory of Lois Tharnish who was secretary to the Planning and Zoning Boards for 12 years. Ayes-5. Noes-0. Carried.

Meeting adjourned at 8:14PM. All in favor.

Respectfully submitted,


Patricia King,
Town Clerk