

## **01/04/12 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, January 04, 2012, 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 James Malczewski  
Councilman Michael Nolan  
Councilman Tracy Petrocy-Absent

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

Approximately 18 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 the Elma Fire Protection District (Blossom Volunteer Fire Co, Elma Volunteer Fire Co and Jamison Road Volunteer Fire Co) part of the minutes Supervisor Powers opened the public hearing at 7:07 PM. No one spoke for or against the Fire Company Agreement. Supervisor Powers closed the public hearing at 7:08PM.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the Elma Fire Protection District for services specified and provided for the Town of Elma with ambulance service included for the next three (3) years are as follows: Blossom Volunteer Fire Co 2012 \$171,100; 2013 \$176,100 and 2014 \$181,100.; Elma Volunteer Fire Co 2012 \$241,100, 2013 \$246,100 and 2014 \$251,100. and Jamison Road Volunteer Fire Co 2012 \$221,100, 2013 \$226,100 and 2014 \$231,100. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to approve the minutes from the December 21, 2011 meeting. Councilman Malczewski is newly elected and not present for the meeting. Ayes-3. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for December with 13 permits issued, fees collected of \$6,828.20 with an estimated value of construction of \$1,000,100.

Water Superintendent Eugene Stevenson noted the flushing program is just about complete, water lines for Transit Commons is complete and Sylvia's Place will be done soon. Also the yearly report for the water department was presented.

Highway Superintendent Wayne Clark presented his agreement to spend Town Highway Funds for 2012.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to add an item to the agenda. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the agreement to spend Town Highway Fund as follows: The sum of \$280,000 for general repairs upon 41.13 miles of town highways; at this time E. Center Rd starting at Transit Rd and ending at Blossom Rd a distance of .23 miles not to exceed \$29,000. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to enter Executive Session regarding a personnel matter at 7:20PM. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to exit Executive Session at 7:35PM. Ayes-4. Noes-0. Carried.

The Town Clerk read the 2012 Organizational Agenda as follows:

The following rules of procedure for the year 2012 shall be adopted:

- Call to order by the Supervisor.
- Pledge of Allegiance.

- Minutes of the last meeting approved.
- Public Hearings.
- Reports from Department Heads.
- All persons wishing to be heard in favor or against any item or items on the Agenda shall be heard as they appear on the Agenda.
- Recess. This is to give the Committee a chance to meet and formulate reports.
- Reports from Committees.
- Action on Committee reports.
- Appointment of new committees to fill vacancies.
- 11. Reading of Communications. Only communications filed with the Clerk prior to 12:00 p.m.(noon) of the day prior to a meeting shall receive consideration at the meeting and any filed later than that may be considered only upon the unanimous consent of the Board members present.
- Actions shall be taken on Communications.
- Approval of Warrant.
- Privilege of the floor.
- Adjournment.

Any elected official, who attends the sessions at the Association of Towns meeting in New York City in February 2012, will be allowed the necessary expenses incurred in attending this meeting.

Dennis Powers shall be the delegate to the Association of Towns.

Bank Depositories: J.P. Morgan Chase for the Town Clerk, Justices, General Fund, Highway Fund, Special District Fund, Water District Fund, Trust and Agency Fund & Capital Reserve Fund. In addition funds may also be deposited in HSBC, M & T Trust, Bank of Alden, Bank of America and Citizens Bank.

The Investment Policy adopted February 1, 1995 shall be followed.

Town Hall hours shall be 8:00AM to 4:00PM year round.

The Official Newspaper shall be the Elma Review.

The Auditor shall be Drescher and Malecki LLP.

The agreement between the Town of Elma and Cy's Pharmacy from 2009 is still valid.

The first and third Wednesday of each month shall be official regular meeting dates for the Town Board to be held at the Town Hall at 7:00 p.m. E.S. or D.S. time. Work Session of the Town Board will be the second Wednesday, times to be announced in advance.

These meetings are Official Meetings open to the Public. Regular meetings may be omitted or dates changed where a conflict of such regular meeting exists with Holidays or

other official business or at the call of the Supervisor. All other meetings shall be at the call of the Supervisor, the time and place to be made known by him upon notice of such meeting. Town Board will only meet on the third Wednesday for June, July and August. All Department Heads, both Elected and Appointed may purchase equipment and goods from the New York State or Erie County bid list providing they comply with the adopted Purchasing Policy of the Town.

All Town Department Heads and Elected Officials are required to pay 10% of the cost of health care insurance provided by the Town. Non Union employees are to contribute 10% of health insurance cost.

The following shall be the yearly salaries of the Town Official payable bi-weekly:

Supervisor \$64,735; Justices(each) \$33,142; Councilmember's(each)\$13,967;

Town Clerk \$57,953; Assessor \$54,423 and Highway Superintendent \$57,447.

Officials shall be allowed \$ .555 per mile for the use of their cars for official

Town business upon presentation of a mileage log to the Town. Mileage rate is according to the IRS guidelines and will be adjusted during the year if warranted.

The Supervisor appoints Councilmen Tracy Petrocy as Deputy Town Supervisor.

Phyllis Todoro is re-appointed as Town Attorney for 2012.

Dean Puleo is appointed as Deputy Town Attorney for 2012.

James Wyzykiewicz is re-appointed as Town Engineer for 2012.

Robert Newton is re-appointment as Town Historian for 2012.

The Highway and Water Department wages and benefits are set as per the collective bargaining agreement.

Full time employees with 1 year service shall receive one week vacation with pay; 3 years service two weeks with pay; 5 years service three weeks with pay. Employees with over ten year's service receive four weeks vacation with pay. Also twelve days sick leave allowed each year. The twelve days sick leave may be accumulated up to 165 days for non-bargaining employees. Personal leave of 3 days shall be allowed each year.

Joseph Colern is appointed as the Affirmative Action Officer.

The salary of the Building Inspector and Zoning Officer shall be set at \$58,300 for 2012.

He shall submit monthly reports of all building permits issued.

The Water Superintendent's salary shall be set at \$58,043 for the year 2012.

The Court Clerk to Town Justice Sakowski will receive \$16.29 per hour for 2012. The

Court Clerk to Town Justice Pierce will receive \$14.94 per hour. The appointment of

Donna Dimitroff as Court Clerk for Judge Pierce is confirmed. The appointment of

Deborah Sanfilippo as Court Clerk for Judge Sakowski is confirmed.

Joseph Colern, Ronald Olson, Gary Cervi, Ray Balcerzak, Robert Johnston, Howard Winkler and Richard Ruzewski shall be re-appointed as Special Police.

Fred Strief is re-appointed to the Erie County Environmental Management Council for a two year term ending on 5/31/13.

Michael Cleary is appointed to a 7-year term on the Planning Board.

Thomas Reid is designated Chairman of the Planning Board.

Charles Putzbach shall be the alternate for the Planning Board.

Diane Rohl is re-appointed Planning Board Secretary.

Bryant Zilke is designated Chairman of the Conservation Board.

Michael Sobczak is re-appointed to a 7-year term on the Conservation Board.

Eric Weaver is appointed to fill the unexpired term of James Malczewski ending in 2016.

Kerry Galuski is re-appointed Conservation Board Secretary.

Greg Kalinowski is appointed to a 5-year term on the Zoning Board of Appeals.

Robert Schafer is designated Chairman of the Zoning Board of Appeals.

Harry Kwiek shall be the alternate for the Zoning Board of Appeals.

Kerry Galuski shall be re-appointed as Secretary of the Zoning Board.

Michael Lischer is re-appointed to a 5-year term on the Assessment Board of Review.

Claudia Stradtman is re-appointed as Chairman of the Assessment Board of Review.

Grievance day for the Assessment Board of Review will be set for June 5, 2012.

Zoning, Planning & Conservation Board members and alternate shall be paid \$45.00 per meeting attended. The Chairman shall be paid \$50.00 per meeting attended.

Julie Aroune shall be re-appointed to a 6-year term to the Library Board ending in 2017.

Dave Enberg shall be re-appointed to a 7-year term to the Library Board ending in 2018.

Ed Sauer is re-appointed as Disaster Coordinator.

Mark Kowalski is re-appointed as Assistant Disaster Coordinator.

Robert Johnston shall be appointed as Dog Control Officer for the year 2012 at a salary of \$5,682.

Supervisor Powers re-appoints Kerry Galuski as Bookkeeper full time at an hourly rate of \$16.72 per hour.

Victoria Defoe is re-appointed as Recreation Supervisor, Senior Citizens PT at an hourly rate of \$13.93 per hour.

Doreen Schafer is re-appointed as Deputy Receiver of Taxes and Assessments at an hourly rate of \$16.65 per hour.

Daniel Clark is re-appointed as Caretaker of the Water Department.

Betsy Goinski is re-appointed as Caretaker of the Senior Center.

Patricia King is re-appointed as Records Management Officer at no additional salary.

Patricia King is reappointed as Registrar of Vital Statistics at a salary of \$1,000.00 for 2012. Jennifer Ginter is reappointed as Deputy Registrar of Vital Statistics at a salary of \$500.00 for 2012. All fees collected will be payable to the Town.

The Town Clerk re-appoints Jennifer Ginter as Deputy Town Clerk at \$16.65 per hour and Tara Grambo as second Deputy Town Clerk at \$12.88 per hour.

Jennifer Ginter is also re-appointed by the Town Clerk as Records Management Clerk at no additional salary.

Brenda Barry is appointed as part time Clerk to the Building Dept. at \$11.33 per hour.

Rosanne Matthews is appointed as part time Clerk to the Court Clerks at \$11.33 per hour.

The Supervisor announced the following committees for 2012.

The first name shall be Chairman:

Sanitation Fallon - Nolan

Street Lighting Fallon - Malczewski

Planning & Zoning Malczewski - Nolan

Subdivision & Highways Nolan - Fallon

Board and Clerk Petrocy - Malczewski

Assessment Malczewski - Petrocy

Finance & Audit Nolan - Malczewski

Cap Imp & Parks Fallon - Petrocy

Laws, Leg & Signs Malczewski - Nolan

Youth Recreation Nolan - Fallon

Main, Grounds & Equip Fallon - Petrocy

Personnel Nolan - Petrocy

Business Petrocy - Malczewski

Senior Rec, Water, Cable Petrocy – Fallon

Fire & Police Nolan – Petrocy

Councilman Nolan added to the agenda that the Town Board members, Supervisor and Town Clerk be appointed as Marriage Officers.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to approve the Organizational Agenda with the correction of Highway Superintendent salary

as \$57,447.

Ayes-4. Noes-0. Carried.

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

Supervisor Powers noted the next Town Board Work Session will be January 11, 2012 at 6:00PM.

Meeting adjourned at 8:04PM. All in Favor.

Respectfully submitted,

Patricia King, Town Clerk