

## **12/05/12 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, December 5, 2012 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-Absent

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

Approximately 38 people attended the meeting.

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

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the minutes from the November 28, 2012 meeting.  
Ayes-4. Noes-0. Carried.

### Department Reports:

Building Inspector Joseph Colern noted that the 30 days has passed for the SEQR review regarding the NYSEG proposed communication 300" tower on Stolle Road and will be reviewed at the next work session.

Highway Superintendent Wayne Clark noted that the Budget for 2013 is incorrect and needs to be reviewed at the next work session.

Supervisor Powers introduced Erie County Legislator Joseph Lorgio.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve the Time Clock Policy. Ayes-3. Noes-1.  
(Councilman Fallon voted no). Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the resolution for Authorizing Use of Time Clock as follows: WHEREAS, personnel service costs in the form of payroll and benefits make up the majority of Town expenditures, and WHEREAS, the Town wishes to further improve its internal controls over the payroll System, and WHEREAS, the Town wishes to use time clocks and have all Employees punch in and out to provide evidence of the time they serve the Town, NOW THEREFORE, be it RESOLVED, that the Town Board hereby establishes a policy that all employees must utilize the time clocks, punching in upon the start of their daily work period and punching out at the end of such work period, to provide evidence of their service to the Town and substantiation for the pay they shall receive for such service. Such policy shall become effective retroactively to November 2nd, 2012. Ayes-3. Noes-1. (Councilman Fallon voted no). Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to change Local Law #4-2007 which has been amended at a Public Hearing on November 7, 2012 to make it a new Local Law #1-2012 upon the request from the Department of State. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to rescind the Business Use Permit for D'Sazz Cafe at 5952 Seneca

Street which has closed. Ayes-4. Noes-0. Carried.

Supervisor Powers noted the next Town Board work session is December 12th, 2012 at 6:00PM with the next Town Board meeting on December 19, 2012.

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

Marlene Baumgartner read a letter as president of the Elma Historical Society and requested the letter be on record. The letter is on file in the Town Clerk's office and is available upon request.

Supervisor Powers adjourn the meeting with a moment of silence for Kenneth Gliss whom was lost in a tragic accident.

Meeting adjourned at 7:42PM. All in favor.

Respectfully submitted,

Patricia King,  
Town Clerk