

05/20/09 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, May 20, 2009, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan
Councilwoman Susan Glownia
Councilman David Polak
Councilman Dennis Powers
Councilman Dean Puleo

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

Approximately 25 people attended the meeting.

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

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the minutes from the May 6, 2009 meeting. Ayes-4. Noes-0.
(Councilman Polak arrived late) Carried.

Supervisor Nolan presented Matthew Stoklsa and Christopher Wendel with Certificates of Achievement on becoming Eagle Scouts.

Department Reports

Town Engineer James Wyzykiewicz informed the Town Board that a culver pipe in Briggswood has been unearthed and is in need of repair. Mr. Clark and Mr. Wyzykiewicz will see if the Highway Department will be able to repair the culver pipe instead of hiring an outside contractor.

Water Superintendent Eugene Stevenson stated that the 2008 Water Department annual report has been mailed and the ACH debit accounts are increasing daily. The Water

Department will be updating the Emergency Plan and an Operations/ Maintenance manual.

Highway Superintendent Wayne Clark informed the Town Board of a culver pipe on Billington Road that has been repaired. Also there has been a graffiti problem on Northrup and S Blossom Roads. Erie County will be oiling Pound, Stolle and Creeks Roads.

Town Attorney Phyllis Todoro has drafted the Local Law #1-2009 and the Creek Road Park Grants have been filed.

Supervisor Nolan opened the bids for the Library Roof as follows:

Ramsey Renovations \$18,900, Carolina Home Improvement, Inc \$17,500 and Building Solutions \$20,700. To be reviewed by the Building Inspector.

Councilman Puleo made the motion and Councilman Powers seconded the motion to issue a negative declaration on a short form SEQR for Bubble Salon at 6438 Seneca Street. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to issue a Business Use Permit for the Bubble Salon at 6438 Seneca Street. Building Inspector notes a fire inspection 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 Puleo seconded the motion to issue a Music Permit to the Blue Lantern Lounge at 6120 Seneca Street. This is for live music indoors, adult contemporary music. Permit expired May 31st, 2010, music to be performed not to create a nuisance to neighboring properties. Same restrictions as previous terms according to Town code chapter 73. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to issue a positive declaration on the SEQR for Arthur Court, due to concerns and complaints. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the quote for refinishing the tennis and basketball court at the Creek Road Park to Courts & More at the cost of \$16,600 with the additional crack repair work at the cost

of \$3300. Northeast Paving has withdrawn their bid. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to award the bid for the 1988 International Dump Truck to R. Conley Inc at the cost of \$5000. Mr. Gross has withdrawn his bid. Due to the increased bid from R. Conley the truck will not be rebid. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the following: Resolution for Authorizing a Loan from the General Fund to Drainage District #1 and Proceed with the Tree Removal to Drainage. WHEREAS, the Town wishes to proceed with the tree removal within Drainage District No. 1, and WHEREAS, the Town has estimated the total cost of this improvement to be \$600, and WHEREAS, the Town does not currently have such an improvement budgeted in Drainage District No. 1, but does have funding available through a loan from the General Fund, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2009 adopted budget for Drainage District No. 1 to authorize appropriations of \$600 for various drainage improvements. BE IT FURTHER RESOLVED that the Town Board authorizes a loan from the General Fund to Drainage District No. 1 in the amount of \$600, with the loan to be repaid over a one year period. Loan Repayment Year 2010, Principal \$600, Total \$600, Balance \$600, Units 108, Cost per unit \$5.556.
Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to set a Public Hearing date of June 3, 2009 for Local Law #1-2009, Moratorium on 280-A and Sub divisions. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #5 with noted exemption as follows #2075 thru #2186
General Fund \$99,410.81, Water District \$16,491.47, Highway Fund \$ 8,611.93, Special District \$11,391.35, Capital Project \$42,215.02.
Ayes-5. Noes-0. Carried.

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

Supervisor Nolan stated the next Work Session will be on May 27, 2009 at 6:00PM.

Meeting adjourned at 8:35PM.

Respectfully submitted,

Patricia King
Town Clerk