

05/07/08 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, May 7, 2008, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

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

Approximately 18 people attended the meeting.

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

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the April 16, 2008 meeting.

Ayes- 4. Noes-0. Carried.

Public Comment on the Stormwater Management Program. Town Engineer Jim Wyzykiewicz commented outfalls will be monitored for violations. The Elma Conservation Board will be involved with the program. The annual report will be put out on public display for public comment. Supervisor Nolan stated the Town is compliant with the Storm Water Phase II mandate from the State and asked if the public have any comments at this time. No one from the public commented.

Department Reports

Building Inspector Joseph Colern presented his monthly report for April 2008 with 37 permits issued, \$13,111.24 fees collected with an estimated value of construction

\$1,943,135. Councilman Polak questioned the BUP for the Gelatto stand on Clinton St. Mr. Colern said Mrs. Scaccia filled out the paperwork the next morning.

Water Superintendent Eugene Stevenson presented the 2007 Water Department Report. The lawn was repaired at the Town Hall that was damaged from snow plowing over the winter. The 2007 Water Quality Report is complete and will be mailed out to residents. Repairs are being done at both Town Parks.

Highway Superintendent Wayne Clark reported on April 22, 2008 weight limit signs were posted on the roads in Town approved by the Board, the brush pickup is halfway completed and Mr. Clark hopes to begin road work soon. Supervisor Nolan stated a letter went out to the County regarding the concerns with North Davis Rd.

A presentation was given by Supreme Court Judge M. William Boller on a JCap program thru the State. The Town of Elma has purchased a new metal detector, camera surveillance equipment for the Courts and new computers for the Courts with a Grant. Elma Town Justice Robert Pierce spoke of the cooperative relationship between the Courts and the Town Board.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve a Special Use Permit for Live Music to The Blue Lantern at 6120 Seneca St. Building Inspector notes same restrictions as previous years according to Town Code Chapter 73. The permit is for indoor music only. The permit expires May 31, 2009. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to table the Special Use Permit for The Blue Lantern for Live Music Outdoors for further discussion at the next Work Session on Wednesday, May 14, 2008. Ayes- 4. Noes- 0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to table the Special Use Permit for Live Music Outdoors for a 1 Day 2nd Anniversary Party for further discussion at the next Work Session on Wednesday, May 14, 2008. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Polak seconded the motion to award the bid for the video surveillance system for the Courts to the lowest bidder Direct Security Systems with a \$400.00 upgrade for \$6800.00. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilman Puleo seconded the motion to table the bid award for the booking area video system until the next Town Board meeting for further discussion on funding. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Resolution for Amending the 2008 Adopted Budget for Personnel Changes That Have Been Implemented as follows: Whereas, the Town has implemented certain personnel changes, and Whereas, while these changes have no effect on the total General Fund 2008 adopted budget, the changes do make it necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending the 2008 budget as follows:

General Fund-to provide funding for the Bookkeeper to the Supervisor as a full time position (previously part time) and adjust the Secretary to the Supervisor from a full time position to a part-time position:

Decrease Appropriations: A1690.100 Secretary to the Supervisor-Personal Services \$12,548.00 and Increase Appropriations: A1691.100 Bookkeeper-Personal Services \$12,548.00. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the Resolution for Amending the 2008 Adopted Budget for Building Changes for DMV Office as follows: Whereas, the County of Eire wishes to locate a DMV satellite office within Town Hall, and Whereas, the Town does have available space for such office and wishes to assist in making these services available for the convenience of area residents, and Whereas, in order to provide such service some minor building alterations are necessary, and WHEREAS, it is necessary to transfer appropriations within the 2008 budget to fund the building alterations, NOW, THEREFORE, be it RESOLVED that the Town Board hereby authorizes the transfer of appropriations within the Town adopted 2008 budget as follows: Decrease Appropriations: A1990 Contingency \$3,000.00 Increase Appropriations: A1620.414 Building-Remodeling and Alterations \$3,000.00. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to authorize Supervisor Nolan to sign the 2008 Summer Concert Series contracts. Ayes-4. Noes-0. Carried.

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

Supervisor Nolan noted that the next Work Session will be on May 14, 2008 at 6:00PM.

Supervisor Nolan noted Erie County will be holding a Household Hazardous Waste Drop-Off Day at E.C.C. North Campus-Williamsville on Saturday, May 10, 2008 from 9:00AM-2:00PM.

The Town of Elma will be holding its annual Fireworks Celebration on July 4, 2008 at the EMW Boys and Girls Club on Girdle Road.

Councilman Polak made the motion and Councilman Puleo seconded the motion to enter Executive Session at 8:38 PM to discuss the South Blossom Ventures lawsuit and the Town Board will adjourn immediately following this session. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to exit Executive Session at 9:10PM. Ayes-4. Noes-0. Carried

Adjourned at 9:10PM.

Respectfully submitted as per notes from Town Attorney Phyllis Todoro,

Jennifer M. Ginter
Deputy Town Clerk