

01/17/07 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, January 17, 2007, 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 Clark
Water Superintendent Eugene Stevenson-Absent
Town Engineer James Wzykiewicz

Approximately 38 people attended the meeting.

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

Making the Legal Notice for the Volunteer Fire Company Agreement part of the minutes, Supervisor Nolan opened the Public Hearing at 8:01PM.

No one spoke for or against the Volunteer Fire Company Agreement.

Supervisor Nolan closed the Public hearing at 8:02PM.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the Volunteer Fire Company Agreement as follows Blossom Volunteer Fire Company \$145,400., Elma Volunteer Fire Company \$215,400 and Jamison Road Volunteer Fire Company \$195,400 with ambulance service included. Ayes-5. Noes-0. Carried.

Public Hearing cancelled for the rezone of 5121 Clinton Street, Smolarek property due to a misprint in the legal notice and deed description. Public Hearing date of February 7, 2007 is set.

Making the Legal Notice for 750 Jamison Road rezoning part of the minutes, Supervisor Nolan opened the Public Hearing at 8:04PM.

No one spoke for or against the rezoning.

Supervisor Nolan closed the Public hearing at 8:05PM.

Councilman Puleo made the motion and Councilman Polak seconded the motion to approve the rezoning of 750 Jamison Road from Industrial to Residential C for the Becker property.

Ayes-5. Noes-0. Carried.

Department Reports:

Town Engineer James Wyzykiewicz noted that Phase II of the Stormwater Coalition recently had an article in the Buffalo News that was very informative.

Building Inspector Joseph Colern noted that he has been in contact with the Bank Attorney regarding demolition of 900 Aurora Street.

Highway Superintendent Wayne Clark noted that the new dump truck is now in service. Stop light at Bowen and Rice Roads should be installed by the end of the month.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to approve the following resolution: pursuant to section 117 of the Elma Town Code and section 617 of the New York State Department of Environment and Conservation SEQR Law. Any and all professional fees and services required by the Elma Town Board, the Elma Planning Board or the Elma Zoning Board shall be charged to the applicant, Rite Aid. Said costs shall be added to the final site plan review fees prior to a final site plan determination. BE IT Resolved that in accordance with the resolution the Town accepts the Type I SEQR application for Rite Aid, and Now Therefore be it resolved that the Town of Elma shall seek professional services immediately. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowonia seconded the motion to issue a negative declaration on a short form SEQR for Ceier Chiropractic at 2430 Bowen Road. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to approve a Business Use Permit for Ceier Chiropractic at 2430 Bowen Road. Building Inspector notes a permit is required for any advertising sign and fire inspection after

occupancy. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Puleo seconded the motion to approve the Music Permit for MiaÆs Restaurant at 7200 Seneca Street which expires on May 31, 2007. Building Inspector notes all live music to be performed indoors and shall not create a nuisance to the adjoining neighbors. Bands shall not carry out music onto patio during spring, summer, or fall months.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve the 2007 Emergency Disaster Plan and Hazardous Material Response Plan.

Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Polak seconded the motion to approve increasing the hourly rate from \$20 to \$25 for security officers during court sessions. This will not increase the budget lines. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve that all Elected Officials pay 10% into their health insurance, including buy out participants.

Ayes-3. Noes-2. Councilwoman Glownia and Councilman Polak voted no. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #13 and Warrant #1as follows with noted exceptions: Warrant 13 claim #1511 thru #1581

General Fund \$41,600.93 Water District \$17,696.47

Highway Fund \$32,344.90 Special District \$ 7,099.12

Warrant #1 as follows: claim #1 thru #68

General Fund \$70,191.43 Water District \$12,461.11

Highway Fund \$ 953.46 Special District \$ 47.92

Ayes-4. Noes-0. Abstain-1. Councilwoman Glownia abstained. Carried.

All have received the Zoning, Planning and Conservation Board Agenda and Minutes.

Supervisor Nolan stated no Work Session for Wednesday, January 24, 2007.

Meeting Adjourned at 8:45PM.

Respectfully submitted,

Patricia King
Town Clerk