

05/03/06 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, May 3, 2006, 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 Robert Pierce
Building Inspector Joseph Colern
Highway Superintendent Wayne Clark
Water Superintendent Eugene Stevenson
Town Engineer James Wyzykiewicz

Approximately 19 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 Local Law #1-2006 Sex Offenders Residency Prohibition Law part of the minutes. Supervisor Nolan opened the public hearing at 8:01PM.

No one spoke for or against the Sex Offenders Law.

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

Councilman Polak made the motion and Councilman Powers seconded the motion to approve Local Law #1-2006 Sex Offenders Residency Prohibition Law. Ayes-5. Noes-0. Carried.

Department Reports:

Town Engineer James Wyzykiewicz stated that the beaver baffle is in place with the help of the NYS DOT and Highway Department.

Building Inspector Joseph Colern presented the monthly report for April with 38 permits issued, \$33,678.78 in fees collected and an estimated value of construction of \$4,370,620.58. Mr. Colern also noted that Ferguson Electric will be installing the light at Bowen and Rice Roads in July.

Water Superintendent Eugene Stevenson stated that the next phase of the water line is installed at SpringBrook Shores and Stoneridge Estates water lines are being installed. Landscaping jobs from water line repairs and at Town Hall have been completed. And the Water Departments Annual Report is at the printers and will be mailed to the residents.

Highway Superintendent Wayne Clark mentioned the installation of the beaver baffle. All the grass has been mowed at the Town Hall, drainage work is in progress and next week patching of roads will be started. Mr. Clark will have the specs for the dump body and plow.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the minutes from the April 19, 2006 meeting. Ayes-4. Noes-0. Abstain-1. (Councilman Polak abstained) Carried.

Bid opening on the snowplow truck for the Highway Department is as follows:
Bison Truck Center Inc. \$106,614
Regional International \$93,788
Bids will be reviewed at the next Work Session.

Councilman Puleo made the motion and Councilman Powers seconded the motion to issue a negative declaration on a short form SEQR for Automotive Excellence at 6513 Seneca Street. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to issue a Business Use permit to Automotive Excellence at 6513 Seneca Street. Building Inspector notes that the number of vehicles is restricted to 18 total outside. No unlicensed vehicles or junk auto parts to be stored outside. Also a permit for any advertising signs is required and a fire inspection within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to

approve Spring Brook Fire District No.1 to install a repeater system on the water tower located at the corner of Seneca Street and Jamison Road. This will improve the radio system from 46.00 Low Band to 400.00 UHF Band at no cost to the Town, also in the future the Blossom, Elma and Jamison Road Fire Companies will be able to convert to the system at a minimal expense.

Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve the improvement project for the Drainage District on the Terrace Lane subdivision at an approximate cost of \$1600. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the following resolution on Home Rule Legislation:

WHEREAS The Erie County Legislature unanimously approved a request for Home Rule Legislation from New York State that allows municipalities to accept partial payments in any amount for payment of property taxes; and

WHEREAS The NYS Legislature is reviewing the request and formulating the necessary bills to be

returned to the County of Erie form Home Rule approval; and

WHEREAS This legislation is vital to all residents and taxpayers of Erie County and the Town of Elma,

particularly the Senior Citizens and Impoverished; and

WHEREAS The Town Board of the Town of Elma deems it imperative that this legislation is acted upon as

soon as possible to maximize benefits to the affected parties. THEREFORE BE IT

RESOLVED The Town

Board of the Town of Elma hereby requests that the Erie County Legislature acts on said Home Rule as

soon as bill numbers are available, even is special session is required, to ensure that partial payments may

be accepted during this tax cycle. BE IT FURTHER RESOLVED The Town Board of the Town of Elma

hereby authorizes acceptance of partial payments in any amount pursuant to the aforementioned legislation.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve the following resolution on Motorcycle Safety Month:

WHEREAS, motorcycle safety awareness is of critical importance to both riders and other potential victims; and

WHEREAS, in the past year, Erie County has experienced more than a dozen mishaps involving motorcycles, more than half ending in fatalities; and

WHEREAS, no single cause is to blame; and

WHEREAS, motorcycle safety awareness has been identified by Governor George Pataki, as well as other government officials, as a priority in traffic safety;

NOW, THEREFORE WE the members of the Town Board of the Town of Elma, declare the month of May, 2006 as Motorcycle Safety and Awareness Month in our municipality; and FURTHERMORE, we take note of the Saturday, May 6th assembly of area bikers sponsored by the Buffalo-Erie County Chapter, American Bikers Aimed Toward Education (ABATE) in the month of May; and

FINALLY, WE RESOLVE that a copy of this proclamation be sent to Frank Martorana, Coordinator of ABATE, as well as to all Mayors and Supervisors who are members of the Association of Erie County Governments.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilman Powers seconded the motion to approve the following proclamation for Municipal Clerks Week:

WHEREAS, the office of the Municipal Clerk, a time honored and vital part of the local government, exists through the world, and

WHEREAS, the Office of Municipal Clerk is the oldest among public servants, and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of neutrality and impartiality, rendering equal service to all, and

WHEREAS, the Municipal is the information center on functions of local government and community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations, and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk

NOW THEREFORE We, the Elma Town Board, do recognize the week of April 30th through May 6th, 2006 as Municipal Clerk's Week and further extend appreciation to our Municipal Clerk, Patricia King, and to all Municipal Clerks for the vital services they perform, and their exemplary dedication to the community they represent.

Ayes-5. Noes-0. Carried.

All have received the Zoning Board Agenda.

Supervisor Nolan stated that the next work session will be May 10, 2006 at 4:00PM.

Also the Memorial Day Parade will be Monday, May 29, 2006 at 9:00AM from the Baptist property to the Town Hall.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to add the bid for the dump body and snowplow specs to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the bid specs for the dump body and snowplow. Sealed bids to be opened at the May 17, 2006 Town Board meeting at 8:00PM. Ayes-5. Noes-0. Carried.

Councilwoman Glownia thanked Eagle Scout Christopher Wirth from Troop 325 for transplanting the American Chestnut trees at the Senior Center and Town Hall.

Councilman Powers noted the funding raising dinner on May 18, 2006 for the Sesquicentennial of the Town next year.

Meeting adjourned at 8:45PM. All in favor.

Respectfully submitted,

Patricia A King
Town Clerk