

## **7/21/04 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, July 21, 2004, at 8:00 PM at the Elma Town Hall, 1910 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan  
Councilman Bill Cirocco  
Councilwoman Susan Glownia  
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 15 people attended the meeting.

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

Making the Legal Notice for the Public Hearing for Drainage District #168, Fischione Construction at 2125 Transit Road part of the minutes, Supervisor Nolan opened the Public Hearing at 8:01PM.

No one spoke for or against.

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

Councilman Powers made the motion and Councilman Cirocco seconded the motion to approve Drainage District #168 for Fischione Construction at 2125 Transit Road. Ayes-5. Noes-0. Carried.

Making the Legal Notice for the Public Hearing on the rezoning for Fischione Construction at 2125 Transit Road part of the minutes, Supervisor Nolan opened the Public Hearing at 8:03PM.

No one spoke for or against.

Supervisor Nolan closed the Public Hearing at 8:04PM.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the rezoning for Fischione Construction at 2125 Transit Road from Residential C/Agriculture to Commercial.

Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Cirocco seconded the motion to approve a negative declaration on a short form SEQR for Fischione Construction at 2125 Transit Road regarding the rezone.

Ayes-5. Noes-0. Carried.

Making the Legal Notice for the Public Hearing for Drainage District #169, The Farmhouse Restaurant at 1230 Maple Road part of the minutes, Supervisor Nolan opened the Public Hearing at 8:08PM.

No one spoke for or against.

Supervisor Nolan closed the Public Hearing at 8:09PM.

Councilman Cirocco made the motion and Councilman Powers seconded the motion to approve Drainage District #169 for The Farmhouse Restaurant at 1230 Maple Road.

Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve the minutes from July 7, 2004 meeting.

Ayes-5. Noes-0. Carried.

#### Department Reports

Water Superintendent Eugene Stevenson informed the Town Board that the Jamison Road water tank project is 40% complete. The Town owned property with a vacant garage on Hilltop Drive has been removed with the help of the Highway Department. Also the septic area at the New Town Hall is being graded with the help from the Highway Department.

Building Inspector Joseph Colern presented his monthly report for June with 37 permits issued, \$4589.14 in fees collected and an estimated value of construction of \$1,007,959. Mr. Colern praised the Mader Corporation for the job of moving the Mural from the Town Board meeting room to the New Town Hall and installing it. A job well done.

Highway Superintendent Wayne Clark reported that August 2nd is the next trash pick-up, no brush picked up. The Highway Department has been helping the Water Department on projects and will be paving a section of Stolle Road next week.

Town Engineer James Wyzykiewicz informed the Town Board that the South Blossom Road detention pond is complete and Milhurst Construction will be submitting a Maintenance Bond for one (1) year.

Councilman Cirocco made the motion and Councilwoman Glownia seconded the motion to approve the Business Use Permit for Penske Truck Rental at 2811 Transit Road with a negative declaration on a short form SEQR. This is contingent upon the Planning Board approval of the parking area under code 60-3, no more than five (5) vehicles for display at one time, permit is required for advertising signs and a fire inspection is required within 30 days. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the Business Use Permit for Amigone, Sanchez, Mattrey and Marshall Law Office at 2901 Bowen Road with a negative declaration on a short form SEQR. Building Inspector notes a permit is required for any advertising sign and a fire inspection within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Supervisor Nolan announced a Invitation to Bid for Cleaning Services-1 year period for the New Town Hall at 1600 Bowen Road, a return date of August 4, 2004 at 4PM to be opened August 18, 2004 Town Board meeting.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve rolling over of the Bond Anticipation Note in the amount of \$20,000 for Sewer District #5 at 2.10%. Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve an extra \$45,000 for Amstar Of Western New York to complete the Jamison Road water tank project due to unforeseen rust pitting inside the tank . Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to approve Supervisor Nolan signing the State Police Contract for the New Town Hall. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve Frederick M Streif Chairman of the Planning Board and Donald Trzepacz Chairman of the Zoning Board to attend a Planning and Zoning Conference September 19-22, 2004 in Lake Placid, New York. Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Puleo seconded the motion to approve Wendel Duchscherer Architects & Engineers to due a GIS needs assessment and implementation plan under the New York State Records Management Grant at the cost of \$13,600. Ayes-5. Noes-0. Carried.

Supervisor Nolan also noted that the Town Clerk has received a \$31,138 NYS Records Management Grant for an inactive records storage room at the New Town Hall.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve Warrant #7 as follows: claim #760 thru #904  
General Fund \$ 47,434.55 Water District \$126,386.44  
Highway Fund \$ 5,875.33 Special District \$ 10,137.34  
New Town Hall \$271,243.37  
Ayes-5. Noes-0, Carried.

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

Next Work Session will be Wednesday, July 28, 2004 at 4:00PM.

Privilege of the Floor

Mr. Pruski from Beech Road is concerned about a photo in the Elma Review of a boy on a tub in the Buffalo Creek, not good for the Town.

Mr. Edward from Homeward Place spoke regarding the property next to him owned by the Town which he wants to purchase. Residents on Homeward Place will be notified regarding this matter and will be invited to attend the next Work Session on this matter.

Mr. Sluberski from Bullis Road is concerned about the Town selling Town owner property that might be opened up to allow traffic from adjoining Towns.

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

Respectfully submitted,

Patricia A. King  
Town Clerk