

05/16/12 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, May 16, 2012 at 7:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Dennis Powers
Councilman Thomas Fallon
Councilman James Malczewski
Councilman Michael Nolan
Councilman Tracy Petrocy

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

Approximately 21 people attended the meeting.

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

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the minutes from the May 2, 2012 meeting.
Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for April 2012 with 24 permits issued, fees collected of \$6,954.84 with an estimated value of construction of \$938,887.

Town Attorney Phyllis Todoro noted that the Planning Board approved the final site plan for Sylvia's Place. Also the issue of Old Woodard Road will be on a future Work Session.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for Seasonal Nursery at 41 New Bullis

Road. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve a Temporary Business Use permit for Seasonal Nursery at 41 New Bullis Road for one (1) year only and to include a \$150,000 Maintenance Bond to cover any road damage. Building Inspector notes restrictions on this "Use": Temporary "Use" permit for a period of one (1) year beginning June 1st, 2012, expiring June 1st, 2013. A permit is required for advertising signs. A back flow inspection is also required by the Water Department. Ayes-3. Noes-2. (Councilman Malczewski and Councilman Petrocy voted no) Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for Seasonal Nursery at 90 New Bullis Road. Ayes-4. Noes-1. (Councilman Petrocy voted no) Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Temporary Business Use Permits for Seasonal Nursery at 90 New Bullis Road (vacant land) for one (1) year only and to include a \$150,000 Maintenance Bond to cover any road damage. Building Inspector notes restrictions on this "Use": Temporary "Use" permit for a period of one (1) year beginning June 1st, 2012, expiring June 1st, 2013. A permit is required for advertising signs. Ayes-4. Noes-1. (Councilman Petrocy voted no) Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for Corinne's Cookies at 2352 Bowen Road. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to issue a Business Use Permit for Corinne's Cookies at 2352 Bowen Road. Building Inspector notes semi trailers and deliveries are not to use Finnegan Drive. A permit is required for any advertising signs. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the purchase of a 2012 Pickup truck for the Highway Department at the cost of \$18,872 and one for the Water Department at the cost of \$24,536.72 both from DeLacy Ford Inc which was the only bidder for the pickup trucks. Bids for the Transfer Station

Roll Off Body w/Tarping System were submitted from Valley Fab & Equipment Inc \$40,926.00 and Cyncon Equipment Inc \$37,369.00. Bid awarded to Valley Fab & Equipment. Bids for the Transfer Station Tandem Axle Truck Chassis were submitted from Fleet Maintenance Inc \$115,986.00; Hunter Buffalo Peterbilt \$122,775.00 and Regional Truck & Trailer \$126,786.68. Bid awarded to Fleet Maintenance Inc. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the Western New York Land Conservancy to use the Transfer Station to dispose of garlic mustard plants; this is an invasive plant and this is the best way to disposed of the plant. A temporary pass will be issued. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the Annual Stormwater MS4 Compliance Report. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve Warrant #5 as follows: #540 thru #631
General Fund \$70,273.73; Highway Fund \$10,378.41; Water District \$114,057.98; Special District \$5,983.10 and Capital Projects \$10,777.52. Ayes-5. Noes-0. Carried.

All have received the Planning, Zoning, Conservation Boards agenda and minutes that apply.

There will be a joint meeting of the Town Board, Zoning Board, Planning Board and Conservation Board on May 30, 2012 at 7:00PM in the Elma Town Hall.

Supervisor Powers noted that Work Sessions will be at 6:00PM with the Town Board meetings at 7:00PM as follows: June 20th. July 18th and August 15th, 2012. Also noted Memorial Day Parade is May 28th, 2012, Relay for Life is June 15th, 2012, NYSEG is trimming trees in the Town and the Elma Veterans will hold a re-enactment service on May 23rd, 2012 at 7:00PM in the Elma Senior Center.

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

Respectfully submitted,

Patricia King,
Town Clerk