

01/05/11 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, January 5, 2011, at 7:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan
Councilman Thomas Fallon
Councilman Tracy Petrocy
Councilman Dennis Powers
Councilman Dean Puleo

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

Approximately 10 people attended the meeting.

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

Councilman Powers made the motion and Councilman Petrocy seconded the motion to approve the minutes from the December 15, 2010 meeting. Ayes-5. Noes-0. Carried.

Department Reports

Building Inspector Joseph Colern will submit this annual 2010 report at the next meeting. Water Superintendent Eugene Stevenson noted that the flushing of fire hydrants will be completed on Friday. The Water Department is in the process of upgrading the pumps with new valves and necessary maintenance.

Highway Superintendent Wayne Clark needs the agreement to expend Highway moneys approved.

Councilman Powers made the motion and Councilman Puleo seconded the motion to add the expenditures to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve the agreement for the expenditure of Highway money as follows: General repairs \$280,000, permanent improvements Colony Ct \$57,000; Meadow Ln \$38,000 and Golfview \$35,000. Ayes-5. Noes-0. Carried.

Supervisor Nolan read the 2011 Organizational Agenda into the minutes:

The following rules of procedure for the year 2011 shall be adopted:

1. Call to order by the Supervisor.
2. Pledge of Allegiance.
3. Minutes of the last meeting approved.
4. Public Hearings.
5. Reports from Department Heads.
6. All persons wishing to be heard in favor or against any item or items on the Agenda shall be heard as they appear on the Agenda.
7. Recess. This is to give the Committee a chance to meet and formulate reports.
8. Reports from Committees.
9. Action on Committee reports.
10. Appointment of new committees to fill vacancies.
11. Reading of Communications. Only communications filed with the Clerk prior to 12:00 p.m. (noon) of the day prior to a meeting shall receive consideration at the meeting and any filed later than that may be considered only upon the unanimous consent of the Board members present.
12. Actions shall be taken on Communications.
13. Approval of Warrant.
14. Privilege of the floor.
15. Adjournment.

Any official elected, who attends the sessions at the Association of Towns meeting in New York City in February 2011 will be allowed the necessary expenses incurred in attending this meeting.

Dennis Powers shall be the delegate to the Association of Towns.

Bank Depositories: J.P. Morgan Chase for the Town Clerk, Receiver of Taxes, Justices, General Fund, Highway Fund, Special District Fund, Water District Fund, Trust and Agency Fund & Capital Reserve Fund. In addition funds may also be deposited in HSBC, M & T Trust, Bank of Alden, Bank of America and Citizens Bank.

The Investment Policy adopted February 1, 1995 shall be followed.

Town Hall hours shall be 8:00AM to 4:00PM year round.

The Official Newspaper shall be the Elma Review.

The Auditor shall be Drescher and Malecki LLP.

The first and third Wednesday of each month shall be official regular meeting dates for the Town Board to be held at the Town Hall at 7:00 p.m. E.S. or D.S. time. Work Session of the Town Board will be the second Wednesday, times to be announced in advance.

These meetings are Official Meetings open to the Public. Regular meetings may be omitted or dates changed where a conflict of such regular meeting exists with Holidays or other official business or at the call of the Supervisor. All other meetings shall be at the call of the Supervisor, the time and place to be made known by him upon notice of such meeting. Town Board will only meet on the third Wednesday for June, July and August.

All Department Heads, both Elected and Appointed may purchase equipment and goods from the New York State or Erie County bid list providing they comply with the adopted Purchasing Policy of the Town.

All Town Department Heads and Elected Officials are required to pay 10% of the cost of health care insurance provided by the Town. Non Union employees are to contribute 10% of health insurance cost.

The following shall be the yearly salaries of the Town Official payable bi-weekly:

Supervisor \$63,695

Justices (each) \$32,176

Councilmember's (each) \$13,561

Town Clerk \$56,913

Assessor \$53,383

Highway Superintendent \$56,407

Officials shall be allowed \$.51 per mile for the use of their cars for official Town business upon presentation of a mileage log to the Town. Mileage rate is according to the IRS guidelines and will be adjusted during the year if warranted.

The Supervisor appoints Councilmen Dean Puleo as Deputy Town Supervisor.

The Supervisor announced the re-appointment of Robert Newton as Town Historian for 2011.

The Highway and Water Department wages are set as per the collective bargaining agreement.

Full time employees with 1 year service shall receive one week vacation with pay; 3 years service two weeks with pay; 5 years service three weeks with pay. Employees with over ten year's service receive four weeks vacation with pay. Also twelve days sick leave

allowed each year. The twelve days sick leave may be accumulated up to 220 days. Personal leave of 3 days shall be allowed each year.

The salary of the Building Inspector and Zoning Officer shall be set at \$57,260 for 2011. He shall submit monthly reports of all building permits issued.

The Water Superintendent's salary shall be set at \$57,003 for the year 2011.

The Court Clerk to Town Justice Sakowski will receive \$15.81 per hour for 2011. The Court Clerk to Town Justice Pierce will receive \$14.50 per hour. The appointment of Donna Dimitroff as Court Clerk for Judge Pierce is confirmed. The appointment of Deborah Sanfilippo as Court Clerk for Judge Sakowski is confirmed.

Joseph Colern, Gary Haas, Ronald Olson, Gary Cervi, Henry Winkler, Matthew Kalinowski and Richard Ruzewski shall be re-appointed as Special Police. Ray Balcerzak and Robert Johnston shall be appointed as Special Police.

Robert Waver is re-appointed to a 7-year term on the Planning Board.

Thomas Reid is designated Chairman of the Planning Board.

Gregory Kalinowski shall be alternate for the Planning and Zoning Boards.

Bryant Zilke is designated Chairman of the Conservation Board.

Bill Jackson is appointed to a 7-year term on the Conservation Board.

Kerry Galuski is re-appointed Conservation Board Secretary.

Donald Trzepacz is re-appointed to a one month term on the Zoning Board of Appeals.

Al Harrington is designated Chairman of the Zoning Board of Appeals.

John Simme is re-appointed to the Assessment Board of Review with term ending in 2014.

Claudia Stradtman is appointed as Chairman of the Assessment Board of Review.

Grievance day for the Assessment Board of Review will be set for June 7, 2011.

Zoning, Planning & Conservation Board members and alternate shall be paid \$45.00 per meeting attended. The Chairmen shall be paid \$50.00 per meeting attended.

Arthur Aigner shall be re-appointed to a 5 year term to the Library Board ending in 2014.

Ed Sauer is re-appointed as Disaster Coordinator.

Mark Kowalski is re-appointed as Assistant Disaster Coordinator.

Robert Johnston shall be appointed as Dog Control Officer for the year 2011 at a salary of \$5,517.

Supervisor Nolan re-appointed Kerry Galuski as Bookkeeper full time at an hourly rate of \$16.23 per hour.

Victoria Defoe is re-appointed as Recreation Supervisor, Senior Citizens PT at the rate of \$13.53 per hour.

Doreen Schafer is re-appointed as Deputy Receiver of Taxes and Assessments at the rate

of \$16.16 per hour.

Daniel Clark is re-appointed as Caretaker of the Water Department.

Betsy Previty is re-appointed as Caretaker of the Senior Center.

Kerry Galuski shall be appointed as Secretary, Zoning Board.

Diane Rohl shall be re-appointed as Secretary of the Planning Board.

Patricia King is re-appointed as Records Management Officer at no additional salary: also reappointed as Registrar of Vital Statistics at a salary of \$1,000.00 for 2011. Jennifer Ginter is reappointed as Deputy Registrar of Vital Statistics at a salary of \$500.00 for 2011. All fees collected will be payable to the Town.

The Town Clerk re-appoints Jennifer Ginter as Deputy Town Clerk at \$16.16 per hour and Tara Grambo as second Deputy Town Clerk at \$12.50 per hour.

Jennifer Ginter is also re-appointed by the Town Clerk as Records Management Clerk at no additional salary.

Brenda Barry is appointed as part time Clerk to the Building Dept. at \$11.00 per hour.

Dawn Stover is appointed as part time Clerk to the Court Clerks at \$11.00 per hour.

The Supervisor announced the following committees for 2011.

The first name shall be Chairman:

Sanitation Fallon - Powers

Street Lighting Fallon - Petrocy

Planning & Zoning Puleo - Powers

Subdivision & Highways Powers - Fallon

Board and Clerk Petrocy - Puleo

Assessment Puleo - Petrocy

Finance & Audit Powers - Puleo

Cap Imp & Parks Fallon - Petrocy

Laws, Leg & Signs Puleo - Powers

Youth Recreation Powers - Fallon

Main, Grounds & Equip Fallon - Petrocy

Personnel Puleo - Powers

Business Petrocy - Puleo

Senior Rec, Water, Cable Petrocy - Fallon

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Organizational Agenda 2011 as read. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to approve the job title changes for Gary Wielgosz to water maintenance worker 2 step 5 and Danny Thompson water maintenance worker 1 step 1 at the water department. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Fallon seconded the motion to table the Cell Phone Policy for further review. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the contract extension agreement with one year remaining for the disposal of mixed Municipal solid waste, trash and bulky items with Waste Management. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Powers seconded the motion to deny the 280-A for Leon Berner on Knabb Road. Ayes-3. Noes-2. (Councilman Fallon and Councilman Puleo voted no.) Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to rescind nine (9) Business Use Permits that are out dated as follows:
Clean-Corners/1071 Bullis Rd moved to 5861 Seneca St, Chip-N-Nails/5045 Clinton St moved to 3391 Transit Rd, Dave's Express Delivery/5660 Clinton St moved out of Town, Primerica Financial/5660 Clinton St moved out of Town, Special Lady/5660 Clinton St closed, The Learning Experience Inc/5660 Clinton St closed, Cynthia's School of Dance/5660 Clinton St closed, Auto Zone/5660 Clinton St moved to 3421 Transit Rd and Klarkberg Inc/Clinton & Townline moved out of Town.
Ayes-5. Noes-0. Carried.

Supervisor Nolan stated the next Work Session will be January 12, 2011 at 6PM.

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

Meeting adjourned at 7:23PM. All in Favor.

Respectfully submitted,

Patricia King,
Town Clerk