

04/21/10 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, April 21, 2010, 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-Absent
Councilman Dennis Powers
Councilman Dean Puleo

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

Approximately 13 people attended the meeting.

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

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve the minutes from the March 17, 2010 meeting. Ayes-4. Noes-0. Carried.

Department Reports

Building Inspector Joseph Colern presented the March 2010 building report with 16 permits issued, \$1,468 in fees collected with an estimated value of construction of \$340,235. Also to add Octane Auto Sales to the Agenda.

Water Superintendent Eugene Stevenson presented the 2009 annual report for the Water Department.

Highway Superintendent Wayne Clark noted that brush pick up is half done and the

Highway Department will be replacing the culver pipe on Jackman Lane. Also the Elma Village Green has been vandalized again.

Councilman Fallon made the motion and Councilman Powers seconded the motion to add Octane Auto Sales to the Agenda. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to issues a negative declaration on a short form SEQR for Octane Auto Sales at 6535 Seneca Street. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to approve a Business Use Permit to Christopher Glinsky for Octane Auto Sales at 6535 Seneca Street. Building Inspection notes Planning Board approval on 2/23/2010 and a fire inspection within 30 days of occupancy and a sign permit is required for any advertising. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to issues a negative declaration on a short form SEQR for Russ Barber Shop at 6438 Seneca Street. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve a Business Use Permit to Russell Alvino for Russ Barber Shop at 6438 Seneca Street. Building Inspection notes a fire inspection within 30 days of occupancy and a sign permit is required for any advertising. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the contract with Skylighters of Western New York for the fireworks display on July 4th, 2010, rain date July 5th, 2010. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to approve the resolution for authorizing a budget amendment for additional appropriations for road improvements, WHEREAS, the Town wishes to repair and improve its road infrastructure, and WHEREAS, the Town wishes to allocate additional sales tax revenue to fund such road improvements, and WHEREAS, the Town wishes to proceed with the road repair and improvements NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the Town's 2010 adopted budget to recognize the additional sales tax to be received by the Highway Fund and to authorize additional appropriations to provide for cost of road improvements, as follows Increase Estimated Revenues: DA1120--Non-Property Tax Distribution by County--\$157,371.08.Increase Appropriations: DA5110.400--Materials and Supplies--\$157,371.08. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to approve the following Proclamation: 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 Paterson, 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, 2010 as "Motorcycle Safety and Awareness Month" in our municipality; and FURTHERMORE, we take note of Saturday, May 1st, 2010 at Chestnut Ridge County Park the 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-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the following Proclamation: WHEREAS, in 1935, a group of safety minded individuals in Western New York joined together to discuss the importance of safety education to both workers and management and, after several meetings, these crusaders

organized the Western New York Safety Conference; and WHEREAS, it was their aim to supply information, techniques and basic administrative assistance to front-line supervision through an annual conference and exhibit in an effort to reduce the number of injuries in plants; and WHEREAS, the safety group conducted their first conference and exhibit in the spring of 1936 and are continuing to hold conferences and exhibits annually; and WHEREAS, this conference is attended by some 500 delegates each year and is the largest gathering of safety-oriented and interested people in the Eastern United States; and WHEREAS, the Western New York Safety Conference, Inc., which is celebrating its 74th Anniversary in 2010, is an independent, non-profit organization dedicated to the conservation of human lives and the safety and health of the individual through the prevention of accidents and occupational diseases; and WHEREAS, the 74th Annual Safety Conference and Trades Exhibit will be held at the Grand Island Holiday Inn on May 10, 11, 12 & 13, 2010, NOW, THEREFORE, the Elma Town Board, does hereby proclaim the period of May 10-13, 2010 as, "SAFETY WEEK" in the Town of Elma, and urge all my fellow citizens to support the conference's many safety objectives during these special days and throughout the year.

Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to approve the following Proclamation for Municipal Clerk's Week April 19 through April 23, 2010. WHEREAS: the Office of the Municipal Clerk, a time honored and vital part of the local government exists throughout the world, and WHEREAS: the Office of the 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 their neutrality and impartiality, rendering equal service to all, and WHEREAS: the Municipal Clerk is the information center on functions of local government and the 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 and county professional organizations, and WHEREAS: it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk. NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Elma, does hereby recognize the week of April 19 through April 23, 2010 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Patricia King, her

knowledgeable and professional staff and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to award the Billington Water Tank painting project to Amstar of WNY Inc at the cost of \$431,000. Bids from Spensieri Diversifield LLC \$855,827, JPI Painting Inc \$764,000 and Phoenix D & C \$756,600 were reviewed. Ayes-4. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the agreement with the Town of West Seneca to share the duties of the Assessor alternating days of the work week. Also the Town of West Seneca will be paying half of the salary. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to request a speed study on Bullis Road at Pound and Winspear Roads. Residents are concerned due to many accidents at the intersection. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to appoint James Malczewski to the Conservation Board to fill the term of Marc Schneckenberger. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve Warrant #4 as follows: claim #305 thru #426
General Fund \$73,314.82; Water District \$111,156.05; Highway Fund \$13,846.14;
Special District \$3,820.81 and Capital Project \$2,026.25.
Ayes-4. Noes-0. Carried.

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

Meeting adjourned at 7:30PM. All in Favor.

Respectfully submitted,

Patricia King
Town Clerk