

## **02/13/08 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, February 13, 2008, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan  
Councilwoman Susan Glowina  
Councilman David Polak  
Councilman Dennis Powers  
Councilman Dean Puleo

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

Approximately 49 people attended the meeting.

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

Supervisor Nolan presented the following proclamations for service to our community and personal achievement as Eagle Scout to Jason Ryan Brehm, Zachary Briggs, Joshua Szarpa, Ryan D Tomala and Andrew Howard Wagner was not present. Also a special proclamation for the founder of the Latimer Hockey Program was presented to Edward M Weisbeck as follows: Whereas, The Latimer hockey program has served many children I the Town of Elma and surrounding areas; and Whereas Ed Weisbeck has a vision and direction in 1968 to provide our youth with a venue to participate in a hockey program; and Whereas, Latimer Hockey is based on providing basic hockey skills, equal playing time to all skaters and most importantly teaches our children great sportsmanship; and Whereas Ed as the founder of Latimer Hockey has provided the foundation from such an outstanding organization continuing through the year 2008. His dedication and passion has propelled the program to the elite status that is enjoyed today, now therefore be it Resolved, That I Supervisor of the Town of Elma, Michael O Nolan and the Town Board do hereby proclaim February 23rd, 2008 as Edward M Weisbeck Day,

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to eliminate New Bullis and South Blossom Roads from the proposed Local Law #2-2008 Weigh Limits on Town Roads.

Ayes-5. Noes-0. Carried.

Making the Legal Notice for Local #2-2008 Weight Limits part of the minutes Supervisor Nolan opened the public hearing at 7:15PM. No one spoke for or against. Supervisor Nolan closed the public hearing at 7:16PM.

Councilman Polak made the motion and Councilman Powers seconded the motion to approve Local Law #2-2008 as follows: LEGISLATIVE INTENT. The purpose of this local law is to maintain weight limits on Town of Elma roads. GENERAL PROVISION. Designation of weight limits of Town roads. Weight limits are hereby established in the amounts and upon the following roads located within the Town of Elma, and said weight limits shall be posted accordingly, allowing for local delivery. LANDS/PROPERTIES AFFECTED. The following list of Town of Elma roads with the Five (5) ton weight limit are BILLINGTON ROAD, CHAIRFACTORY ROAD, HANDY ROAD, KINSLEY ROAD, NORTH STAR ROAD, NORTHRUP ROAD, and WOODARD ROAD. Any person, firm or corporation who or which violates the provisions of this article shall be subject to a fine of not less than \$100 for the first offense and not more than \$500 for each subsequent offense. EFFECTIVE DATE. This local law shall be effective on the first day after it shall have been filed with the Office of the New York Secretary of State, in accordance with Section 27 of the New York State Municipal Home Rule Law. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the February 6, 2008 meeting.

Ayes-5. Noes-0. Carried.

#### Department Reports

Water Superintendent Eugene Stevenson noted the Water Clerk has had surgery and thanked the Town Board for the Bookkeepers assistance when needed.

Councilman Polak made the motion and Councilman Powers seconded the motion to approve a negative declaration on a short form SEQR for Chase Asset Recovery at 41

New Bullis Road.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to issue a Business Use Permit to Chase Assett Recovery at 41 New Bullis Road for a towing, storage, mechanical and body detail work. Restrictions on “use” All cars to be stored in rear of parking lot behind building and business owner to provide a privacy fence on the west property line abutting residential houses. Building Inspector notes: permit required for advertising signs and fire inspection required 30 days after occupancy. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the following resolution to Retain School Resource Office Assignments of New York State Police

Whereas the New York State Police have previously assigned 92 full time officers to various school districts, including the Iroquois Central School District, said Troopers being designated Special Resource Officers, and Whereas the presence of said Special Resource Officers has resulted in creating a safer environment on and around the school premises, and Whereas the Special Resource Officer assigned to the Iroquois Central School District has served as a positive role model to students, bullying issues have virtually diminished and disciplinary referrals have decreased by approximately one half, and Whereas Governor Spitzer in his Executive Budget has recommended the redeployment of these 92 State Troopers from the Special Resource Officer Program to Operation IMPACT communities, and Whereas residents, students, teachers, administrators and public officials, led by the efforts of Sen. Dale Volker desire to retain the presence of the Special Resource Officer in our school in an effort to continue to provide the benefits to our children of this program both with respect to their entitlement to learn in a safe environment and benefit from the human services provided by the Special Resource Officer, NOW, THEREFORE, be it RESOLVED, that the Town Board for the Town of Elma does hereby request that Governor Spitzer continue the assignment of the Special Resource Officers to our schools. AND, FURTHER, be it RESOLVED that a copy of this resolution be sent to N.Y.S. Governor Eliot Spitzer, Senator Dale Volker, Assemblyman Michael Cole, Erie County Executive Chris Collins, all members of the Erie County Legislature and all Towns in Erie County.

Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to approve Warrant #2 claim #85 thru # 188 with noted exception as follows:

General Fund \$84,818.52 Water District \$10,589.70

Highway Fund \$48,896.75 Special District \$ 1,472.16

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to add to the Agenda the Water District #1 RFQ for professional water tank inspection.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to due RFQ's for a professional water tanks inspection using commercial diver or ROV equipment for Water District #1, due to be returned on March 5, 2008 by 8:00PM. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to add to the Agenda to request a speed study for Clinton Street, Annunciation School cross walk zone and on Rice Road for Elma Primary for a cross walk zone. Ayes-5.

Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to request a speed study to lower the speed limit to 30mph on Clinton Street at the cross walk zone in front of Annunciation School. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to request a speed study for a cross walk zone on Rice Road in front of Elma Primary School. Ayes-5. Noes-0. Carried.

Supervisor Nolan noted that the next Work Session will be on March 5, 2008 at 7:00PM with the Town Board meeting to follow at 8:00PM.

Councilman Powers made the motion and Councilwoman Polak seconded the motion to enter Executive Session at 7:33PM for a vote on the pending lawsuit from last weeks Executive Session. Town Board meeting to be adjourned following this session. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to exit Executive Session at 7:43PM. Ayes-5. Noes-0. Carried.

The Town Board returned to adjourn meeting. All in favor.

Adjourned at 7:45PM.

Respectfully submitted,

Patricia King  
Town Clerk