

A regular meeting of the Elma Town Board was held on Wednesday, June 15, 2011 at 7:03 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

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

Approximately 30 people attended the meeting.

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

Making the legal notice for the public hearing on Sewer District #7 the PondBrook extension part of the minutes, Supervisor Powers opened the public hearing at 7:05PM. Speaking for J Synor, speaking against or questions D. Filipski and V. Filipski. Supervisor Powers closed the public hearing at 7:11PM.

Councilman Nolan made the motion and Councilman Puleo seconded the motion to approve the extension of Sewer District #7 Pond Brook Waste Water Treatment Plant for Sylvia's Place per agreement signed by Bryan Young, Young Development, Inc with the total initial cost of \$42,200 to be paid by Mr. Young. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Petrocy seconded the motion to approve the minutes from the June 1, 2011 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for May, 2011 with 38 permits issued; fees collected of \$11,192.51 with an estimated value of construction \$7,300,949.

Water Superintendent Eugene Stevenson informed the Town Board that the annual water report is completed and mailed to all residents. Repairs to lawns previously dig up are being fixed and the NYS mandated water sampling is in progress.

Supervisor Powers presented a proclamation to the Relay for Life which will be held on June 17, 2011.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to issue a negative declaration on a short form SEQR to Online Auto Connection Inc at 2989 Transit Road. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Puleo seconded the motion to issue a Business Use Permit for Online Auto Connection Inc at 2989 Transit Road upon the recommendations from the Planning Board. Building Inspector notes Online Auto Connection Inc must return to the Planning Board prior to September 30th, 2011 for approval on the 2nd floor elevation appearance. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the amendment to the Special Use Permit and SEQR for Sylvia's Place at 2460 Bowen Road due to a clerical error, correct square footage is 47,088. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to approve the renewal Assessor Agreement with the Town of West Seneca. Ayes-5. Noes-0. Carried.

Wednesday, June 15, 2011

Councilman Puleo made the motion and Councilman Fallon seconded the motion to award the bid for the New Bullis Road project to Tom Greenauer Development Inc in the amount of \$436,300 upon clarification that the \$40,000 of in kind service will be deducted from the bid to settle the lawsuit making the total payment \$396,300. Tom Greenauer Development Inc will be given seven (7) days to accept this offer. Tentative Town Board meeting is set for June 22, 2011 at 7:00PM to award this project to the next lowest bidder if rejected by Tom Greenauer Development Inc. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve Supervisor Powers to sign the 2010-2011 STOP-DWI memorandum of understanding with Erie County. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Puleo seconded the motion to approve Supervisor Powers to sign the SMEC 2011-2012 Electric Commodity Hedge Election. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to approve the following committee changes and new fire police committee appointments as follows: Sanitation--Fallon-Nolan; Planning & Zoning--Puleo-Nolan; Subdivision & Highways--Nolan-Fallon; Finance & Audit--Nolan-Puleo; Laws, Leg & Signs--Puleo-Nolan; Youth Recreation--Nolan-Fallon; Personnel--Puleo-Nolan; Fire Police--Nolan-Petrocy. Ayes-5. Noes-0. Carried.

Supervisor Powers set a public hearing date of July 20, 2011 for Drainage District #190 for T. Schmidt at Hall and Schwartz Roads and a public hearing to amend the Placing of Fill code at 7:00PM.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to approve Warrant #6 as follows: claim #619 thru #723
General Fund \$65,030.92; Highway Fund \$15,373.44; Water District \$7,962.67;
Special District \$22,218.13. Ayes-5. Noes-0. Carried.

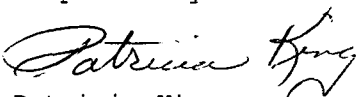
Supervisor Powers stated that a tentative Town Board meeting is set for June 22, 2011 at 7:00PM if Tom Greenauer Development Inc does not accept the contract for New Bullis Road.

Supervisor Powers stated the next Work Session will be July 20, 2011 at 6:00PM with the Town Board meeting to follow at 7:00PM. Also August 17, 2011 will be one meeting date with work sessions at 6:00PM and Town Board meeting at 7:00PM.

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

Meeting adjourned at 7:40PM. All in Favor.

Respectfully submitted,



Patricia King,
Town Clerk

**NOTICE OF PUBLIC
HEARING.**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, County of Erie, will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 15th day of June, 2011, at 7:00 pm, for the purpose of conducting a public hearing to consider and discuss the extension of Sewer District #7 to accommodate the 47 units senior housing development at Sylvia's Place at 2460 Bowen Road. The Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same.

By order of the Town Board of the Town of Elma, Erie County, New York. Anyone needing accommodations to assist their attendance to the Public meeting pursuant to the Americans with Disabilities Act should contact the Town Clerk 48 hours prior to the meeting at 652-3260. The meeting room is wheelchair accessible.