

## **11/07/12 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, November 7, 2012 at 7:00PM, 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-Absent

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

Approximately 16 people attended the meeting.

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

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve the minutes from the October 24, 2012 meeting.  
Ayes-4. Noes-0. Carried.

Making the Legal Notice for the Public Hearing on the 2013 Preliminary Budget part of the minutes Supervisor Powers opened the hearing at 7:05PM. No one spoke for or against the 2013 Preliminary Budget. Supervisor Powers closed the hearing at 7:10PM.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the 2013 Preliminary Budget making it the 2013 Budget for the Town of Elma. Ayes-4. Noes-0. Carried.

Making the Legal Notice for the Public Hearing on amending Local Law #4-2007 part of the minutes Supervisor Powers opened the hearing at 7:13PM. Diane Rohl questioned the overlay map of the Town. No one else spoke for or against. Supervisor Powers closed the hearing at 7:19PM.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve amending Local Law #4-2007 to remove the language relative to the stormwater management overlay district, so that the law encompasses all of the Town of Elma, not in deeded in the Local Law #1-2008. Ayes-4. Noes-0. Carried.

Supervisor Powers presented Certificates of Appreciation to Albert Gerbig for the historic Bullis Road covered bridge and Charles Trudel for the historic Elma Center train depot wood carvings that they have donated to the Town of Elma to be displayed in the Town Hall for all to appreciate.

#### Department Reports:

Building Inspector Joseph Colern presented the building report for October with 30 permits issued, fees collected of \$10,699.59 with an estimated value of construction of \$1,981,945.

Water Superintendent Eugene Stevenson informed the Board of Auctions International's bid of \$890 for the 2000 Astro Van the bid was accepted and the paper work is in progress for the sale. Winterizing the fire hydrants are 55% complete and the parks have also been winterized.

Also the water break has been repaired on Fernott Drive.

Highway Superintendent Wayne Clark noted that the winter parking ban

will be in effect November 15, 2013 until April 1st, 2013 from 2:00AM through 8:00AM.

Town Attorney Phyllis Todoro noted that the Local Law #4-2007 will include the entire Town not just the overlay district.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to issue a negative declaration on a short form SEQR for NYS Senator Patrick Gallivan at 2721 Transit Road Suite 116.

Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve a Business Use Permit for NYS Senator Patrick Gallivan at 2721 Transit Road Suite 116 for a general office.

Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to accept the resignation of Julie Aroune from the Elma Public Library Board and accept Kim Marie Dixon to fill the unexpired term.

Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the public notice for the 30-day period of inclusion for predominantly viable agricultural lands into existing agricultural districts from the Eire County Environment & Planning, November 1, 2012 through November 30, 2012 information is available in the Town Clerks Office. Ayes-4. Noes-0. Carried.

Supervisor Powers noted the next Work Session will be November 14, 2012 at 6:00PM with the next Town Board meeting on November 28th, 2012 at 7:00PM.

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

Meeting adjourned at 7:38PM. All in favor.

Respectfully submitted,

Patricia King,  
Town Clerk