

A regular meeting of the Elma Town Board was held on Wednesday, November 20, 2013 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

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

Approximately 63 people attended the meeting.

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

Supervisor Powers presented Certificate of Achievements to the following Eagle Scouts from Troop #238: Patrick M Christie, Jake C Dion was unable to attend, Justin T Krzemien and Richard T Nice. From Troop #290: Joseph Tokasz, Nathan Pieroni, Jacob Adamczak and Richard N Gorkzyca.

Making the legal notice for the NYSEG Public Utility Communication Tower on Stolle Road under Town Code 59A-9B part of the minutes Supervisor Powers opened the public hearing at 7:15PM. No one spoke for or against the communication tower. Supervisor Powers closed the public hearing at 7:18PM.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to table the Special Use Permit for NYSEG Public Utility Communications Tower. Ayes-4. Noes-1. (Supervisor Powers voted no) Carried. After a brief discussion.

Councilman Nolan made the motion and Supervisor Powers seconded the motion to approve the Special Use Permit for NYSEG Public Utility Communications Tower contingent upon local Emergency Service Agencies being able to co-locate on the Stolle Road Communications Tower at no charge to the local Emergency Service Agencies. Ayes-4. Noes-1. (Councilman Petrocy voted no) Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the minutes from the November 6, 2013 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern is requesting to bid a new truck which is on the agenda.

Water Superintendent Eugene Stevenson noted his department is short handed due to an employee's knee surgery. All fire hydrants have been winterized, stakes at the hydrants will be installed and water tapes will be completed as scheduled.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to authorize Supervisor Powers as Supervisor of the Town of Elma is hereby authorized and directed to file an application for an ash tree inventory in an amount of \$12,000, and upon approval of said request to enter into and execute a project agreement with the NYS Department of Environmental Conservation for such financial assistance to the Town of Elma for a Tree Inventory Grant. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to rescind the business use permit for John Anderson Construction at 6300 Seneca Street. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to rescind the business use permit for Automotive Excellence at 6515 Seneca Street. Ayes-5. Noes-0. Carried.

Wednesday, November 20, 2013

Councilman Nolan made the motion to rescind Octane Enterprises Business Use Permit no one seconded the motion due to Supervisor Powers stating after much discussion that Octane Enterprises at 1721 Transit Road will need only to amend there current Business Use Permit.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for Salamio Paint & Paper at 6300 Seneca Street. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Business Use Permit for Salamio Paint & Paper at 6300 Seneca Street. Restrictions on this "Use" No outside storage of any construction equipment or contractors materials. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for JC'S Auto Repair at 6515 Seneca Street. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Business Use Permit for JC'S Auto Repair at 6515 Seneca Street. Building Inspector notes a fire inspection required within 30 days of occupancy and permits required for any advertising signs. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to table the Business Use Permit for NuClean LLC at 1721 Transit Road until the next Town Board meeting so the Building Inspector can inspect the floor drains in the building. Ayes-3. Noes-2. (Councilman Nolan and Councilman Petrocy voted no) Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the purchase of a 2013 Ford F250 (\$23,465) for the Sewer Plant on the condition that if a 2014 model is the same bid as the newly purchased Highway Department truck off the NYS Bid List is available. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the bid specs for a 2014 Ford Escape for the Building Inspector. Bids are to be returned by December 11, 2013 at 3:00PM to be reviewed at the Work Session at 6:00PM and will be awarded at the December 18th, Town Board meeting. Specs are available in the Building Department Ayes-5. Noes-0. Carried.

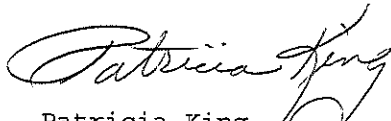
Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Warrant #11 as follows: Claim #1272 thru #1371. Do to an error in the accounting software program trust account payroll checks were given the numbers of 1364 thru 1374 no other explanation! General Fund \$258,785.00; Highway Fund \$129,668.27; Water District \$247,782.39 and Special District \$28,230.39. Ayes-5. Noes-0. Carried.

Supervisor Powers noted the next Town Board meeting will be December 4, 2013 at 7:00PM and the Work Session will be December 11, 2013 at 6:00pm.

All have received the Planning, Zoning Conservation Boards and Multiple Dwelling Code Committees agendas and minutes that apply.

Meeting adjourned at 7:56PM. 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, New York will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 20th of November, 2013, at 7:00 PM for the purpose of conducting a Public Hearing under Town Code 59A-9B to consider and discuss the Public Utility Communication Tower on Stolle Road and that at such hearing any person may be heard in favor or against the Communication Tower. By Order of the Town Board of the Town of Elma, New York.