

03/16/11 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, March 16, 2011, 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
Councilman Dennis Powers
Councilman Dean Puleo

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

Approximately 12 people attended the meeting.

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

Councilman Powers made the motion and Councilman Petrocy seconded the motion to approve the minutes from the March 2, 2011 meeting. Ayes-5. Noes-0. Carried.

Department Reports

Building Inspector Joseph Colern presented the monthly report for February, 2011 with 8 permits issued; fees collected of \$2,888.936 with an estimated value of construction \$702,800.

Water Superintendent Eugene Stevenson informed the Town Board that due to a power surge at the Jamison Road pump station only one pump is working, the control panel has been sent out for repair. NYSEG will be contacted to attend a Work Session regarding numerous power outages.

Highway Superintendent Wayne Clark would like permission to surplus a 1995 John Deere mower. Also rubbish collection will start April 4, with brush pick up on April 18, 2011.

Councilman Puleo made the motion and Councilman Powers seconded the motion to issue a negative declaration on a short form SEQR for Sundry Solutions LLC at 1191 Bowen Rd, Ste #2. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to approve a Business Use Permit for Sundry Solutions LLC at 1191 Bowen Rd, Ste #2. Building Inspector notes a permit for any advertising sign; the fire inspection was completed Feb 18, 2011. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Petrocy seconded the motion to issue a negative declaration on a short form SEQR for MarCare Physician Business Management at 1191 Bowen Rd, Ste 3. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Puleo seconded the motion to approve a Business Use Permit for MarCare Physician Business Management at 1191 Bowen Rd, Ste 3. Building Inspector notes a permit is required for any advertising sign, the fire inspection was completed on Feb 18, 2011. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for Purr-fect Tea & Gift Emporium at 430 Main St. Ayes-4. Noes-0. Abstain-1. (Councilman Puleo abstained) Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit for Purr-fect Tea & Gift Emporium at 430 Main St. Building Inspector notes a permit is required for any advertising sign and a fire inspection within 30 days of occupancy. Ayes-4. Noes-0. Abstain-1. (Councilman Puleo abstained) Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to approve the Proclamation recognizing March 11, 2011 as "World Kidney Day". Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to place a six (6) month moratorium on digital, L.E.D, flashing, scrolling and advertising signs.

This will allow the Town Board to re-visit the new commercial codes and clarify the sign code for commercial business advertisement in the Town of Elma. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to re-appoint Fred Streif to the Erie County Environmental Management Council for a two-year term to expire May 31, 2013. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to approve Supervisor Nolan to sign the Intermunicipal Agreement with Upstate New York Municipal Workers' Compensation Program. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to add three (3) items to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to table the 1995 John Deere mower as surplus. The water department will see if they can use the mower and report back to the Town Board. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to send a letter to NYSEG to attend the next Work Session regarding power outages. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Fallon seconded the motion to approve the resolution for amending the 2010 adopted budget for budget transfers, WHEREAS, as the year has progressed the Town's actual spending has exceeded the 2010 adopted budget in certain line items, and WHEREAS, while these lines have no effect on the total General Fund 2010 adopted budget, it is necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the following transfers within the 2010 budget: Decrease Appropriations: A1110.111 Clerks-Town Justice O/T--\$1,840.00; A1355.111 Assessment Clerk P/T--\$125.00; A1355.410 Assessment-Other Expenses--\$2,000.00; A1410.411 Codification of Ordinance--\$1,000.00; A1410.412 Records Management--\$1,500.00; A1440.415 Engineer-Consulting Services--\$1,000.00; A1620.401 Buildings-Utilities--\$5,500.00; A1691.400 Bookkeeper-Other Expenses--\$225.00; A1920.400 Municipal Association Dues--\$300.00; A3120.401 Expenses--

Crossing Guard--\$375.00; A3510.410 Control of Dogs--Other Expenses \$35.00; A3620.102 Building & Zoning Clerk--\$2,375.00; A5132.400 Garage--Repairs--\$175.00; A1990.400 Contingency--\$600.00; A7110.200 Park Equipment--\$9,600.00; A7110.400 Park Development--\$19,175.00; A7510.401 Historian--Utilities--\$75.00; A7620.200 Senior Center--Equipment--\$1,500.00; A7620.401 Senior Center--Utilities--\$1,675.00; A8160.102 MEO/CDL--\$1,475.00; A9040.803 Workers Compensation--\$150.00; A1930.400 Judgments & Claims--\$21,000.00; DA5110.400 Materials & Supplies--\$14,100.00; DA5132.402 Materials & Supplies Insurance--\$900.00; DA5130.200 Machinery--Purchase of Equipment--\$63,475.00; SW9040.803 Workers Compensation--\$2,400.00; SW490 Contingency--\$8,000.00. Totals--\$160,575.00

Increase Appropriations: A1110.110 Clerks--Town Justice--\$350.00; A1110.410 Town Justice--Other Expenses--\$975.00; A1110.411 Town Justice--Court Reporters--\$415.00; A1110.412 Court Security--Officer--\$100.00; A1355.100 Assessor Salary--\$2,000.00; A1355.110 Deputy Receiver of Taxes & Assessment--\$125.00; A1410.101 Deputy Town Clerk--\$2,500.00; A1440.410 Engineer--Other Expenses--\$1,000.00; A1620.402 Buildings--Supplies & Contracts--\$5,500.00; A1691.100 Bookkeeper--\$225.00; A1910.400 Unallocated Insurance--\$300.00; A3120.101 School Crossing Guard--\$375.00; A3510.100 Dog Control Officer P/T--\$35.00; A3620.100 Code Enforcement Officer--\$500.00; A3620.101 Asst. Code Enforcement Officer--\$175.00; A3620.410 Code Enforcement--Other Expenses--\$1,700.00; A5010.410 Supt of Highways--Other Expenses--\$175.00; A6410.400 Publicity--\$600.00; A7110.402 Park Repairs--\$9,600.00; A7310.100 Compensation--TriTown--\$2,000.00; A7310.110 Compensation--TTAC--\$6,300.00; A7310.400 Other Expenses--TriTown--\$8,200.00; A7310.800 Fringe Benefits--TriTown--\$2,600.00; A7310.810 Fringe Benefits--TTAC--\$75.00; A7510.400 Historian--Other Expenses--\$75.00; A7620.410 Senior Center--Other Expenses--\$1,125.00; A7620.411 Van Expenses--\$1,250.00; A7620.413 Senior Activity Expenses--\$800.00; A8160.101 Motor Equipment Operator--\$1,200.00; A8160.103 Laborer F/T--\$275.00; A9055.804 Disability Insurance--\$150.00; A9060.805 Hospital & Medical Insurance--\$21,000.00; DA5130.400 Machinery--Materials & Supplies--\$14,100.00; DA5140.400 Brush--Materials & Supplies--\$900.00; DA5142.100 Snow Removal--Compensation--\$16,175.00; DA5142.400 Snow Removal--Materials & Supplies--\$28,000.00; DA9010.801 State Retirement--\$6,300.00; DA9060.805 Hospital & Medical Insurance--\$13,000.00; SW9010.801 State Retirement--\$2,400.00; SW9060.805 Hospital & Medical Insurance--\$8,000.00. Totals \$160,575.00

Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to approve Warrant #3 claim #195 thru #303 as follows: General Fund \$40,683.01; Highway Fund \$50,504.99; Water District \$19,691.67; Special District \$74,700.47 and Capital Project \$4,460. Ayes-5. Noes-0. Carried.

Supervisor Nolan stated the next Work Session will be March 30, 2011 at 6PM.
A moment of silence in the memory and Honor of John Maciever.
Meeting adjourned at 7:30PM. All in Favor.

Respectfully submitted,
Patricia King, Town Clerk