

07/20/11 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, July 20, 2011 at 7:00 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 Wyzykiewicz

Approximately 17 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 Drainage District #190 for T. Schmidt at Hall and Schwartz Roads part of the minutes, Supervisor Powers opened the public hearing at 7:01PM. No one spoke for or against the Drainage District #190. Supervisor Powers closed the public hearing at 7:02PM.

Councilman Nolan made the motion and Councilman Puleo seconded the motion to approve Drainage District #190 for T. Schmidt at Hall and Schwartz Roads. Ayes-5. Noes-0. Carried.

Making the legal notice for the public hearing on 77-1 Drainage Plan Required part of the minutes, Supervisor Powers opened the public hearing at 7:03PM. No one spoke for or against the 77-1 Drainage Plan Required. Supervisor Powers closed the public hearing at 7:05PM.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to approve 77-1 Drainage Plan Required as follows: Filling of lands within the Town of Elma shall require a stamped engineered drainage plan showing existing and proposed elevations, and drainage waterways, wetlands, and drainage contours in one foot increments. After review of the proposed project and the additional information pertaining to the site. The Building Inspector and Town Engineer may at any time require a drainage district be formed with a public hearing and Town Board approval regarding the site. Permits will only be valid for 6 months. The adopted fee schedule by the Elma Town Board applies for permits. The table below sets forth when a permit and above listed requirements are required for filling of lands in the Town of Elma. 300-400 yards on a 1-2 acre site; 400-600 yards on a 2-3 acre site; 600-800 yards on a 3-4- acre site; 800 yards on a lot greater than 4 acres. Any fill in excess of 800 yards will require Town Board approval and possible site plan approval by the Planning Board. The building inspector at any time may impose a stop work order on filling of lands if there is found to be a violation of the items listed above. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Fallon seconded the motion to approve the minutes from the June 15, 2011 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for June, 2011 with 44 permits issued; fees collected of \$11,560.51 with an estimated value of construction \$1,812,817.79.

Water Superintendent Eugene Stevenson informed the Town Board of the water usage and monies collected for the past 6 months. The Water Department is on an electric demand response program and will be shutting down for 6 hours tomorrow. The Water Depart is working on many projects such as Moog and Transit Commons.

Highway Superintendent Wayne Clark noted that the berm at the Museum and the shelter at the Creek Road Park are completed. They will be paving Colony Court and Golfview.

Town Attorney Phyllis Todoro informed the Town Board of the agreement with Greenauer regarding New Bullis Road and a new proposed site the for Verizon cell tower.

Councilman Puleo made the motion and Councilman Nolan seconded the motion to issue a negative declaration on a short form SEQR to 16 South at 7200 Seneca St. Ayes-5.

Noes-0. Carried.

Councilman Nolan made the motion and Councilman Puleo seconded the motion to issue a Business Use Permit for 16 South at 7200 Seneca St. Building Inspector notes a fire inspection must be completed and grass must be cut prior to opening. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to award the bid for New Bullis Road project to Tom Greenauer Development per the new agreement regarding the previous lawsuit settlement. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to approve Supervisor Powers to sign the Engineering Services of Wm. Schutt & Associates, P.C. for the New Bullis Road project at the cost of \$15,500. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a Type I SEQR for Moog, Inc-Corporate Offices. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the resolution for authorizing a budget amendment for additional appropriations for Sewer District #4 as follows: WHEREAS, the Town has repaired the outfall lines & cleaned the ditches at Sewer District 4, and WHEREAS, the Town's 2011 adopted budget does not currently include the appropriations needed for such repairs NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2011 adopted budget to include the appropriations for the Sewer District 4 repairs as follows: Increase Appropriations: SS4 8124.405 Reserve for Repair--\$8,680.90; Increase Estimated Revenues: SS4 599 Appropriated Fund Balance(\$ 8,680.90). Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the funding for a workshop/training session to be presented by Wendel Duchscherer at the cost of \$500 to be split by the Planning and Zoning Boards budgets. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to approve Warrant #7 as follows: claim #764 thru #884
General Fund \$101,580.91; Highway Fund \$23,692; Water District \$168,548.33;
Special District \$28,038.63. Ayes-5. Noes-0. Carried.

Supervisor Powers set a public hearing date of August 17, 2011 for Local Law #1-2011 Conservation Easements at 7:00PM.

Supervisor Powers stated the next Work Session will be August 17, 2011 at 6:00PM with the Town Board meeting to follow at 7:00PM.

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

Councilman Nolan made the motion and Councilman Fallon seconded the motion to add an item to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the 2010-14 Consolidated Plan as prepared for the Erie County/Town of West Seneca CDBG Consortium. Ayes-5. Noes-0. Carried.

Supervisor Powers noted that Senator Galavin will be at the Town Hall on August 17, 2011 at 10:00AM for any open discussions.

Supervisor Powers stated there will be an Executive Session and the Town Board will adjourn immediately following this session.

Councilman Puleo made the motion and Councilman Nolan seconded the motion to enter into Executive Session at 7:42PM. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to exit Executive Session at 9:15PM. Ayes-5. Noes-0. Carried.

Meeting adjourned at 9:15PM. All in Favor.

Respectfully submitted,

Patricia King,
Town Clerk