

## **11/17/10 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, November 17, 2010, 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: Town Attorney Phyllis Todoro  
Building Inspector Joseph Colern  
Highway Superintendent Wayne Clark  
Water Superintendent Eugene Stevenson  
Town Engineer James Wyzykiewicz-Absent

Approximately 12 people attended the meeting.

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

Making the legal notice for Local Law #3-2010 Dog Ordinance part of the minutes  
Supervisor Nolan opened the public hearing at 7:00PM no one spoke for or against Local Law #3-2010. Supervisor Nolan closed the public hearing at 7:03PM.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Local Law #3-2010 Dog Ordinance. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the minutes from the November 3, 2010 meeting. Ayes-5. Noes-0. Carried.

### Department Reports

Building Inspector Joseph Colern informed the Town Board on the progress of Online Automotive, Steuben Foods and the Elma Library.

Water Superintendent Eugene Stevenson noted that the Town Parks and all the fire hydrants have been winterized, a hydrant on Porterville has been replaced, markers are being placed on line valves and the flushing program is in progress.

Highway Superintendent Wayne Clark noted the winter parking ban is in effect.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to approve a one lot subdivision on Northrup Road for Connie Ulrich upon the recommendations from the Planning Board. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to rescind the Business Use Permit for SpringBrook Auto Repairs at 6300 Seneca Street. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Petrocy seconded the motion to rescind the Business Use Permit for Karl Riley at 717 Jamison Road Suite #7. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for Best Western Meats, LLC at 717 Jamison Road Suite #7. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit for Best Western Meats, LLC at 717 Jamison Road Suite #7. Building Inspector notes a fire inspection is required within 30 days of occupancy and a permit is required for any advertising signs. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Powers seconded the motion to accept the resignation of Jennifer Ginter as Secretary/Clerk to the Zoning Board of Appeals with regrets. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Puleo seconded the motion to recognize William Robinson, Nicholas Weber and Joseph Kalinka that have achieved Eagle Scout. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Fallon seconded the motion to adopt the Design & Performance Guidelines for Commercial Zoning. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve Warrant #11 as follows: Claim #1371 through #1487  
General Fund \$164,535.64; Highway Fund \$92,471.24; Water District \$69,155.07;  
Special District \$13,395.82 and Capital Projects \$105,514.03.  
Ayes-5. Noes-0. Carried.

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

Supervisor Nolan stated the next Town Board meeting is December 1, 2010 with a joint work session on December 8, 2010 with the Planning, Zoning, Conservation and Town Board.

Meeting adjourned at 7:21PM. All in Favor.

Respectfully submitted,

Patricia King,  
Town Clerk