

## **01/02/08 Town Board Minutes**

A regular meeting of the Elma Town Board was held on Wednesday, January 2, 2008, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan-Absent  
Councilwoman Susan Glowina  
Councilman David Polak  
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

Approximately 53 people attended the meeting.

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

Robert Newton Town Historian and Fred Streif read a Proclamation and presented ceremonial keys to the Time Capsule keepers. The Time Capsule is sealed until 2057.

Making the Legal Notice for the Public Hearing on Local Law #1-2008 creating a Stormwater management Overlay District part of the minutes Deputy Supervisor Puleo opened the Public Hearing at 8:10PM. No one spoke for or against. Deputy Supervisor Puleo closed the Public hearing at 8:11PM.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to approve Local Law #1-2008as follows: TOWN OF ELMA LOCAL LAW NO.1-2008. A LOCAL LAW creating a Stormwater Management Overlay District which encompasses the lands/properties of the Town of Elma, and which does not fall within the Municipal Separate Storm Sewer Systems (MS 4s).  
Be it enacted by the TOWN BOARD of the TOWN OF ELMA.

Section 1. Legislative Intent. The purpose of this local law is to create a Stormwater management Overlay District in the Town of Elma, which shall be used and/or enforced with in conjunction with Local Law No. 3-2007 and Local Law No. 4-2007. Section 2. General Provision. The provisions of/requirements of Chapter 119, Stormwater Management, of the Code of the Town of Elma shall apply to any and all construction activities that take place in the Stormwater Management Overlay District and the requirements and prohibitions set forth in Article XV of Chapter 115, Sewers, of the Code of the Town of Elma, shall apply to property within the Stormwater Management Overlay District and to water entering the Stormwater Management Overlay District. Section 3. Lands/Properties Affected. All the lands/properties of Town of Elma shall be affected by this law. A Stormwater Management Overlay District Map shall be maintained and amended when necessary by the Town of Elma Building Inspector. Section 4. Effective Date. This local law shall be effective on the first day after it shall have been filed with the Office of the New York Secretary of State, in accordance with Section 27 of the New York State Municipal Home Rule Law. Ayes-4. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to approve the minutes from the December 19, 2007 meeting. Ayes-4. Noes-0. Carried. Councilman Polak did not receive Code Review Committee minutes.

#### Department Reports

Building Inspector Joseph Colern presented his monthly report for December 2007 with 12 permits issued, fees collected of \$4,761.24 with an estimated value of construction of \$1,096,058, also presented was the Annual Report with 349 permits issued, fees collected of \$128,313.29 with an estimated value of construction of \$29,718,421.85. Mr. Colern also stated he has received a resignation from Thomas Stynes the Assistant Building Inspector. This will be discussed at the next Work Session.

Water Superintendent Eugene Stevenson noted that winter maintenance is being done and the flushing program will be completed next week.

Highway Superintendent Wayne Clark asked that Xmas trees be taken to the Transfer Station.

Town Attorney Phyllis Todoro noted that the Stormwater Local Laws have been completed and negative declaration projects are almost complete.

Councilwoman Glowina made the motion and Councilman Polak seconded the motion to table the Organizational Agenda until Wednesday, January 9, 2008 at 7:00PM. Ayes-4. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to approve Judge Robert Pierce and his court clerk Donna Dimitroff to attend the Association of Towns Conference in NYS in February, 2008 at the cost of \$891.00 each plus travel and meals which has been budgeted for. Ayes-4. Noes-0. Carried.

Deputy Supervisor Puleo noted that the next Work Session will be on January 9, 2008 at 6:00PM.

All have received the Planning and Zoning Board Agenda and Minutes that apply.

Adjourned at 8:26PM.

Respectfully submitted,

Patricia King  
Town Clerk