

11/05/08 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, November 5, 2008, at 8:00 PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor Michael Nolan
Councilwoman Susan Glownia
Councilman David Polak
Councilman Dennis Powers
Councilman Dean Puleo

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

Approximately 24 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 the 2009 Preliminary Budget part of the minutes Supervisor Nolan opened the public hearing at 8:01PM. No one spoke for or against.

Supervisor Nolan closed the public hearing at 8:02PM.

Councilman Powers made the motion and Councilman Polak seconded the motion to approve the 2009 Preliminary Budget making this the 2009 Adopted Budget. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the minutes from the October 15, 2008 meeting. Ayes-5. Noes-0. Carried.

Department Reports

Building Inspector Joseph Colern informed the Town Board of the Moog and Steuben

additions.

Water Superintendent Eugene Stevenson noted that all fire hydrants are winterized and the new hydrants on Hall and Creek Roads have been installed.

Supervisor Nolan for Highway Superintendent Wayne Clark that the rubbish pick up is done.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to rescind the Business Use Permit for Puppy Meets Baby LLC at 3211 Transit Road.

Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve a Preliminary Business Use Permit and refer to the Planning Board for a site plan review of parking/dealer in vehicles Chapter 60, Brunetto Automotive at 3211 Transit Road.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve a negative declaration on a short form SEQR to Pumpernick N Pastery at 2361 Bowen Road.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to approve a Business Use Permit for Pumpernick N Pastery at 2361 Bowen Road. Building Inspector notes a permit required for interior alterations and a permit for any advertising signs.

Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Polak seconded the motion to approve the amendment to the Business Use Permit for Springbrook Golf at 6831 Seneca St. Restrictions in "Use" Restaurant/Pub is limited to 99 people until sprinkler system is complete. Building Inspector notes a permit required for any advertising sign and a fire inspection required within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the two alternative sites for the new Development Disabilities Service Office on Girdle Road.

Ayes-5. Noes-0. Councilman Polak approves the DDSO but rejects the alternative sites. Carried.

Councilman Powers made the motion and Councilwoman Glowina seconded the motion to approve the additional parking spaces for the New York State Police and the Erie County Sheriffs in the back of the Town Hall by Occhino Corp at the cost of \$9750. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowina seconded the motion to approve the resolution for amending the 2008 water fund budget for the purchase of a fire line water meter as follows: Whereas, the Town requires that businesses have a separate water meter for fire protection purposes, and Whereas, the Town has purchased such water meter and will then resell the meter to recover the cost, and Whereas, the Town's 2008 adopted budget does not contain appropriations with which to purchase the water meter, nor does it contain estimated revenues for the sale of such meter to the appropriate business, Now, Therefore, be it Resolved, that the Town Board hereby authorizes the amending of the Town's 2008 Water Fund adopted budget to authorize additional appropriations and estimate additional revenue to be received, as follows :Increase Estimated Revenues: SW2770 Miscellaneous Income–Water Meter Sale \$8,083.00 Increase Appropriations: SW8310.203 Equipment–Water Meters \$8,083.00. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the resolution for authorizing a loan from the General Fund to Drainage District #115 and proceed with improvements to the district as follows: Whereas, the Town wishes to proceed with improvements within Drainage District No. 115, and Whereas, the Town has estimated the total cost of these improvement to be \$9,900, and Whereas, the Town does not currently have such improvements budgeted in Drainage District No. 115, but does having funding available through a loan from the General Fund, Now, Therefore, be it Resolved, that the Town Board hereby authorizes the amending of the 2008 adopted budget for Drainage District No. 115 to authorize appropriations of \$9,900 for various drainage improvements. Be it Further Resolved that the Town Board authorizes a loan from the General Fund to Drainage District No. 115 in the amount of \$9,900, with the loan to be repaid over a five year period. Ayes-5. Noes-0. Carried.

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

Supervisor Nolan stated a Work Session will be held on November 12, 2008 at 6PM. Also Veterans Ceremony will be November 11, 2008 at 11:00AM.

Meeting adjourned at 8:20PM.

Respectfully submitted,

Patricia King
Town Clerk