

04/05/06 Town Board Minutes

A regular meeting of the Elma Town Board was held on Wednesday, April 5, 2006, 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 Robert Pierce
Building Inspector Joseph Colern
Highway Superintendent Wayne Clark
Water Superintendent Eugene Stevenson
Town Engineer James Wyzykiewicz

Approximately 30 people attended the meeting.

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

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to approve the minutes from the March 15, 2006 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Town Engineer James Wyzykiewicz has been working with the County to do repair work on Stolle Road where the bank and road bed is falling in. Also beaver baffles are to be installed the beginning of May in the West Blood Road area to alleviate the flooding do to the beavers.

Building Inspector Joseph Colern presented the March building inspectors report with 26 permits issued, fees of \$18,567.59 collected with an estimated value of construction of \$3,277,350.

Water Superintendent Eugene Stevenson presented the 2005 Annual Report on the Elma

Water Department, for the 5th consecutive year the Erie County Health Department found no violations or deficiencies with the departments annual inspection. The report also included a listing all projects completed, water consumption, billing and all other work through the year.

Highway Superintendent Wayne Clark noted the gazebo at the Elma Village Green has been repaired due to vandals, restoration work on the mill race has been completed, the water and gas lines at the Creek Road Park have been moved and will be paved soon. Mr. Clark is asking permission to attend the Highway Superintendent School in June and has obtained the specs for a new snowplow truck. Also the Transfer Station will be opened on Good Friday.

Councilman Puleo made the motion and Councilwoman Glowonia seconded the motion to add Robert Barry to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowonia seconded the motion to approve Robert Barry taking a special trip in early spring which is longer than two weeks stated in Town policy. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to accept the resignation of Town Attorney Robert Pierce with regrets. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to sign a contract with Robert Pierce to be retained as Attorney for Town to complete unfinished business for a six months at the same rate of pay set in the budget. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilwoman Glowonia seconded the motion to add Highway Superintendent attending school to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve Highway Superintendent Wayne Clark to attend the 2006 Highway Superintendent School in Ithaca NY, June 5th to 7th. Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Powers seconded the motion to add bid specs for the new snowplow truck to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to approve the bid specs for the new snowplow truck. Sealed bids to be opened May 3, 2006 at 8:00PM, Town Board meeting. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to table the fill permit for K & R Day Trucking/Bradley Day at 840 Bullis Road. The property is located on Pound Road raising existing grade within property limits until the next Town Board meeting so this matter can be discussed at the next Work Session, May 12, 2006 at 4:00PM. Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glownia seconded the motion to table the topsoil removal permit for Fischione Construction/Heritage Heights, Northrup between Kinsley and Transit Road. Removing the last 3500yards from the stock pile will be discussed at the next Work Session on May 12,2006 at 4:00PM. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to grant final approval for Stoneridge Estates/Rice Road on the recommendations from the Planning Board. Ayes-4.Noes-1. Councilman Polak voted no. Carried.

Councilman Powers made the motion and Councilwoman Glownia seconded the motion to accept lead agency on the SEQR for Countyside Subdivision/Bullis and Girdle Roads. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to approve the amendment to SwartzG+s Auto Repair at 2331 Girdle Rd business use permit will limit eight(8) cars for repair and three(3) for personal use with a total of eleven(11) cars. Also the permit is restricted to six(6) months and business owner agreed to paint or side the front of building. Ayes-5. Noes-0. Carried.

Councilwoman Glownia made the motion and Councilman Polak seconded the motion

issue a preliminary Business Use permit to Gunner Construction at 6091 Seneca Street. Property owner Todd Huber is referred to the Planning Board for a site plan review. Building Inspector notes no stockpiling of any materials outside and all storage to be inside the building.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowonia seconded the motion issue a preliminary Business Use permit to Buffalo Embroidery Co at 6091 Seneca Street. Property owner Todd Huber is referred to the Planning Board for a site plan review.

Ayes-5. Noes-0. Carried.

Councilman Polak made the motion and Councilwoman Glowonia seconded the motion issue a preliminary Business Use permit to Pines Lawn & Garden Inc at 6091 Seneca Street.

Property owner Todd Huber is referred to the Planning Board for a site plan review.

Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the Volunteer Firefighter Service Award Program lists for all the active Volunteer Firefighter of Blossom, Elma and Jamison Road Fire Companies to post in respective Fire Companies for 30 days. Ayes-5. Noes-0. Carried.

Councilman Puleo made the motion and Councilman Powers seconded the motion to add the removal of the toll booth resolution to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Powers made the motion and Councilman Puleo seconded the motion to approve the following resolution:

WHEREAS, the Buffalo area is the only metropolitan region in upstate New York that has tolls in its commuting area; and

WHEREAS, the New York State Thruway Authority collects tolls in two locations within the Buffalo city limits and also at Lackawanna, Blasdell, Hamburg, Angola, Grand Island, Williamsville and Depew; and

WHEREAS, the 40 year bonds let for building the Thruway were paid in 1996; and

WHEREAS, the New York State Thruway Authority raises \$500 million annually and utilizes \$300 million for maintenance of the Thruway; and

WHEREAS, a study examining the feasibility and impacts of removing the tolls was

begun in 1999 by the Greater Buffalo-Niagara Regional Transportation Council and the New York State Thruway Authority; now therefore

BE IT RESOLVED, that the Town Board of the Town of Elma hereby lends its unqualified support to the efforts for removal of tolls and urges all citizens to sign petitions and join in the effort; and

BE IT FURTHER RESOLVED, that this same Town Board call upon both the New York State Thruway Authority and the Greater Buffalo-Niagara Regional Transportation Council to release the study begun in 1999 examining the impacts of removing the tolls.

Ayes-5. Noes-0. Carried.

All have received the Planning & Zoning Board Agendas and Minutes.

Councilman Powers made the motion and Councilman Puleo seconded the motion to add Sex Offender Local Law #1 to the Agenda. Ayes-5. Noes-0. Carried.

Supervisor Nolan set a Public Hearing date of May 3, 2006 for the Sex Offender Local Law #1.

Councilman Puleo made the motion and Councilwoman Glownia seconded the motion to change the time for the Town Board Work Session from 6:00PM to 4:00PM from April until September.

Ayes-5. Noes-0. Carried.

Supervisor Nolan stated that the next work session will be April 12, 2006 at 4:00PM.

Meeting adjourned at 9:05PM. All in favor.

Respectfully submitted,

Patricia A King
Town Clerk