

A regular meeting of the Elma Town Board was held on Wednesday, March 15, 2023, at 7:00PM at Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members:

Supervisor	Wayne Clark
Councilman	Leroy Kupczyk
Councilman	Joseph Macaluso
Councilman	Vacant/Daryl Nolan
Councilman	Tracy Petrocy

Also:

Building Inspector	Joseph Colern
Highway Superintendent	Howard Diehl
Plant Manager	Brian Fiden
Town Attorney	Phyllis Todoro-Absent
Sewer Plants	Timothy Walczyk
Town Engineer	James Wyzykiewicz-Absent

Approximately 15 people attended the meeting.

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

Councilman Petrocy made the motion and Councilman Macaluso seconded the motion to approve the minutes from the February 22nd, 2023, meeting. Ayes-4. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the building report for February 2023 with 12 permits issued, fees collected of \$1,333.30 with an estimated value of construction of \$579,564.51.

The Honorable Judge Dean Puleo sworn into office Daryl Nolan as Councilman to fill the vacancy left by Councilman James Malczewski.

Councilman Kupczyk made the motion and Councilman Petrocy seconded the motion to issue a negative declaration on a short form SEQR for Just Pizza at 3131 Transit Rd. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Just Pizza at 3131 Transit Rd for pizzeria. Building Inspector notes sign permits required for advertising. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve a Preliminary Use Permit to the Elma Plaza Addition at 2301 Bowen Rd for additional retail space. Building Inspector notes this is a preliminary use permit, referring to the Planning Board for final Site Plan approval. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Nolan seconded the motion to approve a Preliminary Use Permit to the Buffalo Dance Studio at 2313 Bowen Rd for future 4000 square foot dance studio, and future space of 6,000 square foot. Building Inspector notes this is a preliminary use permit, referring to the Planning Board for final Site Plan approval. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion for the Town of Elma acting as SEQR Lead Agency for the environmental review and coordination of SEQR #179 for the proposed action by MOOG, Inc., for the new construction of the Advanced Integrated Manufacturing building. The project has been planned for implementation in (3) phases with Phase 1 construction consisting of 150,000 square feet of manufacturing space. The project will include new paved parking, infrastructure, loading areas, 3 loading docks, and site/building lighting. No increase in employee passenger vehicles or deliveries is anticipated as this project is replacing an existing manufacturing facility on campus. The project will connect to the Town of Elma water main on Seneca St. within the Elma Water District and existing gas main along Seneca St. The sanitary sewer will connect to an existing wastewater treatment plant on campus. Electric will be provided from existing/new services on campus. Storm water will be managed with on-site detention basins and grassed swales. The Elma Town Board hereby declares a negative declaration regarding the action on the Type 1 SEQR and hereby is approved. Ayes-5. Noes-0. Carried.

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Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to surplus the 1998 Highway Gradall. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve the following resolution in Opposition to the Proposed Ban on Natural Gas Heating and Appliances in New York State: **WHEREAS**, Governor Hochul's state-of-the-state address contained a proposal to "...end the sale of new fossil powered heating equipment by 2030 by calling for construction of – all new construction needs to be zero emission – starting in 2025 for small buildings and 2028 for large buildings,"; and **WHEREAS**, President Biden and the White House have come out against any prohibition of gas stoves; and **WHEREAS**, the State's proposal is intended to help address climate change, but could create a burden for our region's working-class residents; and **WHEREAS**, a ban on natural gas appliances and water heaters is not feasible for Western New York with harsh winter weather and exposed electrical infrastructure. Appliances used to heat water and cook food need to work during power outages especially during times of inclement weather; and **WHEREAS**, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days. Gas appliances, fed by more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food for the days needed to clear the roads and restore electricity. Nearly four dozen people died during this storm, many more would have suffered if they had to rely on our power grid for cooking and emergency heating; and **WHEREAS**, what is more, alternatives to natural gas-powered heating have yet to be proven reliable as a sole-source heating system in cold-weather climates; and **WHEREAS**, electrical appliances have more moving parts and are expensive to maintain and repair, mandating their purchase is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and **WHEREAS**, currently, due to market conditions and technology limitations, most electric appliances are less efficient and absent improvements in electricity efficiencies and the electrical infrastructure grid, would likely cause increases in energy costs; and **WHEREAS**, as we have seen with California's recent push to make everything electric, improperly planned energy transitions can lead to an increased strain on a state's electrical grid, leading to black outs and rationing, which is especially dangerous with the winter weather we experienced; and **WHEREAS**, the costs to transition the state's energy infrastructure grid should go through a more thorough review to understand how this will impact the energy production and distribution system as a whole, as well as the impact on residential energy systems, before any action is taken. **NOW, THEREFORE, BE IT RESOLVED**, that the Town of Elma hereby urges Governor Hochul and the New York State Legislature to pause in their rush and to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them; and, be it further **RESOLVED**, that certified copies of this resolution be forwarded to Governor Hochul's Office, the Western New York Delegation to the New York State Senate and Assembly, and any other party deemed necessary and proper. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Nolan seconded the motion to approve the appointment of Holly Neu to the Library Board replacing Kelly Helbling. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to approve the final Service Award points for Blossom, Elma, and Jamison Volunteer Fire Companies after the 30-day review. Ayes-4. Noes-0. Abstain-1. (Councilman Nolan abstained) Carried.

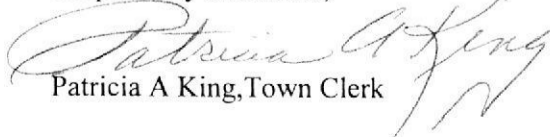
Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve Vouchers/Warrant #3 claim #129 thru #187 as follows: General Fund \$ 49,889.75; Highway Fund \$24,633.09; Water District \$37,876.64; Special District \$3,832.09. Ayes-5. Noes-0. Carried.

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

The next Work Session meeting will be April 12th, 2023, at 6:00PM with the Town Board Meeting on April 19th, 2023 at 7:00PM.

Motion to adjourn the meeting by Councilman Macaluso seconded by Councilman Kupczyk at 7:18PM. All in favor. Carried.

Respectfully submitted,


Patricia A King, Town Clerk