

A regular meeting of the Elma Town Board was held on Wednesday, October 9, 2019 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Dennis Powers
Councilman	Thomas Fallon
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy
Also:	
Building Inspector	Joseph Colern
Highway Superintendent	Wayne Clark
Plant Manager	Brian Fiden
Town Attorney	Phyllis Todoro
Deputy Town Attorney	Dean Puleo-Absent
Town Engineer	James Wyzykiewicz

Approximately 7 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 Drainage District #205 for 8350 Clinton Street part of the minutes Supervisor Powers opened the public hearing at 7:01pm. No one spoke for or against the drainage district #205. Supervisor Powers closed the public hearing at 7:02pm.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve Drainage District #205 at 8350 Clinton Street. Ayes-5. Noes-0. Carried.

Making the legal notice for the Public Hearing for the Community Block Development Grant part of the minutes Supervisor Powers opened the public hearing at 7:03pm. The Board discussed options for the grant. Rural Transit, South Blossom water lines, Geyer and New Bullis. Information to be gathered and will be voted on at the October 23rd, 2019 Town Board meeting. Supervisor Powers closed the public hearing at 7:05pm.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the minutes from the September 18th, 2019 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for September with 50 permits issues, fees collected of \$9,355.38 with an estimated value of construction of \$1,560,565.92. Mr. Colern is also working on installing the extra generator for the Town Hall.

Plant Manager Brian Fiden noted that pump #3 at Seneca has been repaired and the pump at Jamison has been checked and aligned. Also, the #3 pump at Jamison needs to be repaired. Mr. Fiden will obtain the cost and inform the Town Board.

Highway Superintendent Wayne Clark noted that rubbish pick up is half done and they will be milling and repaving Terrace Lane.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to decline the one bid for the Highland/Sigman drainage bid. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to rebid the Highland/Sigman drainage project. Specifications will be available by next Friday. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to re-appoint Jonathan Bierl to the Assessment Board of Review with new term expiring in 2024. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve Supervisor Powers to sign the agreement with EMW Latimer Hockey in the amount of \$6000 for 2019. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve Supervisor Powers to sign the agreement with EMW Little League Soccer in the amount of \$5000 for 2019. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to authorize Supervisor Powers to sign the Onsite Employee Testing Agreement for 2019/2020. Ayes-5. Noes-0. Carried.

Wednesday, October 9th, 2019

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the resolution for authorizing a loan from the General Fund to Drainage District #28 and proceed with the improvements to the drainage district as follows: Whereas, the Town wishes to proceed with improvements within Drainage District No. 28, and Whereas, the Town has estimated the cost of the project to be \$10,600.00, and Whereas, the Town does not currently have such improvements budgeted in Drainage District No. 28, but does have funding available through a loan from the General Fund, NOW, THEREFORE, be it Resolved, that the Town Board hereby authorizes the amending of the 2019 adopted budget for Drainage District No. 28 to authorize appropriations of \$10,600.00 for engineering services for the drainage improvements already performed. BE IT FURTHER RESOLVED, that the Town Board authorizes a loan from the General Fund to Drainage District No. 28 in the amount of \$10,600.00, with the loan to be repaid over a five-year period. Starting 2020 with seven (7) units the cost per unit will be \$302.86 a year. Ayes-5. Noes-0. Carried.

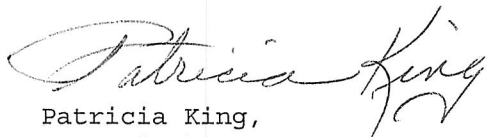
Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the following Justice Court Assistance Program (JCAP): WHEREAS: The Justice Court Assistance Program (JCAP) was established by the New York State Legislator as an ongoing vehicle by which the State can assist Towns and Villages in the automation and operation of their Justice Courts; WHEREAS: The maximum JCAP grant is \$30,000; WHEREAS: The grant may be used for a variety of purposes, including but not limited to the acquisition of audio and computer equipment, office equipment, furniture and security measures for the Justice Court and Court office; WHEREAS: The State of New York Unified Court System is entertaining applications for the Justice Court Assistance Program with an October 10, 2019 deadline; WHEREAS: The Elma Justice Court is in need of the following items, listed in order of priority: 1. Adjustable Cherry Height Desk 2. Cameras; NOW BE IT RESOLVED that the Town of Elma Town Board does hereby authorize the Elma Town Court to apply for a Justice Court Assistance Program Grant for the 2019-2020 cycle, and if awarded, to be the official representative in connection with the application, providing any additional information, if required, and to fully copy with the execution of the contract. Ayes-5. Noes-0. Carried.

The next Town Board meeting will be October 23rd, 2019 at 7:00pm

All have received the Planning, Zoning and Conservation Boards agenda and minutes that apply.

Meeting adjourned at 7:30PM. All in favor.

Respectfully submitted,


Patricia King,
Town Clerk

LEGAL NOTICE

WHEREAS, a petition dated September 18, 2019 has been duly presented to the Town Board of the Town of Elma, according to the law, requesting that a drainage district #205, as hereinafter described, be established in the Town of Elma, and

WHEREAS, the boundaries of the proposed drainage district #205 are as follows:

Parcel 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie and State of New York, being part of Lot No. 2, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the intersection of the center line of Clinton Street and Town Line Road, which is also the northeast corner of Lot No. 2, thence southerly along the east line of Lot No. 2 a distance of 333.06 feet, thence westerly at an interior angle of 91° 05', parallel with the north line of Lot No. 2 a distance of 200.00 feet, thence northerly parallel with the east line of Lot No. 2 a distance of 333.06 feet to the north line of Lot No. 2, thence easterly along line of Lot No. 2 a distance of 200.00 feet to the point of beginning, containing 1.529 acres of land more or less.

SUBJECT to the rights of the public and others in and to that portion of the above described premises lying with the bounds of the public highway as Town Line Road.

Parcel 2

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie and State of New York, being part of Lot No. 2, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the east line of Lot No. 2, also being the center line of Town Line Road, distant 333.06 feet south of the northeast corner of Lot No. 2, thence southerly along the east line of Lot No. 2 a distance of 166.94 feet, thence westerly at an interior angle of 91° 05', parallel with the north line of Lot No. 2 a distance of 383.16 feet to the easterly line of lands deeded to James F. and Diane C. Wheeler by deed recorded in the Erie County Clerk's Office in Liber 8452 of Deeds at page 589 and the westerly line of lands deeded to Franklin N. Lein and Edward A. Lein by deed recorded in the Erie County Clerk's Office in Liber 8400 of Deeds at page 281, thence northwesterly at an interior angle of 107° 04' 06" along said east line of Wheeler and said west line of Lein a distance of 104.59 feet, thence easterly parallel with the north line of Lot No. 2 a distance of 215.75 feet, thence northerly parallel with the east line of Lot No. 2 a distance of 66.94 feet, thence easterly parallel with the north line of Lot No. 2 a distance of 200.00 feet to the point of beginning, containing 1.224 acres of land more or less.

WHEREAS, the improvements proposed in said district consist of none.

ORDERED, that the Town Board of the Town of Elma, shall meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 9th day of October 2019 at 7:00 o'clock to consider such petition and hear all person interested in the subject thereof, and it is further

ORDERED, that the Town Clerk of the Town of Elma is hereby authorized and directed to publish a certified copy of this order in the Elma Review and to post a copy of the same on the signboard of the Town of Elma in the time and manner required by law.

NOTICE OF PUBLIC HEARING

Notice to the Citizens of the Town of Elma

A Public Hearing will be held on Wednesday, October 9th, 2019 at 7:00PM at the Elma Town Hall, 1600 Bowen Road, Elma, New York regarding the use of Federal Community Development Block funds in the Town of Elma.

The Town of Elma is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended. The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate-income persons, seniors and handicapped persons in the Town of Elma. Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Elma's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program. The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible.