

A regular meeting of the Elma Town Board was held on Wednesday, January 6, 2021 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Wayne Clerk
Councilman	Thomas Fallon-Absent
Councilman	James Malczewski
Councilman	Michael Nolan-Absent
Councilman	Tracy Petrocy

Also: Building Inspector	Joseph Colern
Highway Superintendent	Howard Diehl
Plant Manager	Brian Fiden-Absent
Town Attorney	Phyllis Todoro-Absent
Town Engineer	James Wzykiewicz-Absent

Approximately 5 people attended the meeting.

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

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the minutes from the December 16th, 2019 meeting. Ayes-3. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the building report for December 2020 with 23 permits issues, fees collected of \$10,282.19 with an estimated value of construction of \$1,790,586.75. Building annual report of 350 permits issued, estimated value of construction of \$29,686,709.83 and fees collected of \$95,160.95. Certificates of Occupancy issued 28 and 15 residential homes built.

Judge Puleo performed the swearing in of Howard Diehl as the new Highway Superintendent.

Highway Superintendent Howard Diehl noted the hiring of Kyle Kupczyk starting January 1, 2021.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to issue a negative declaration on a short form SEQR for Glass America at 41 New Bullis Road. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit to Glass America at 41 New Bullis Rd for warehouse. Building Inspector notes permit required for advertising signs and fire inspection required within 30 days of occupancy. Ayes-3. Noes-0. Carried.

The Town Clerk read the 2021 Organizational Agenda into the minutes.

The following rules of procedure for the year 2020 shall be adopted:

1. Call to order by the Supervisor. Proceed under "Robert's Rules of Order."
2. Pledge of Allegiance.
3. Minutes of the last meeting approved.
4. Public Hearings.
5. Reports from Department Heads.
6. All persons wishing to be heard in favor or against any item or items on the Agenda shall be heard as they appear on the Agenda.
7. Recess. This is to give the Committee a chance to meet and formulate reports.
8. Reports from Committees.
9. Action on Committee reports.
10. Appointment of new committees to fill vacancies.
11. Reading of Communications. Only communications filed with the Clerk prior to 12:00 p.m. (noon) of the day prior to a meeting shall receive consideration at the meeting and any filed later than that may be considered only upon the unanimous consent of the Board members present.
12. Actions shall be taken on Communications.
13. Approval of Warrant.
14. Privilege of the floor.
15. Adjournment.

Any elected official, who attends the sessions at the Association of Towns meeting in New York City in February 2021 will be allowed the necessary expenses incurred in attending this meeting. Michael Nolan shall be the delegate to the Association of Towns.

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Bank Depositories: J.P. Morgan Chase for the Town Clerk, General Fund, Highway Fund, Special District Fund, Water District Fund, Trust and Agency Fund & Capital Reserve Fund and Bank of Holland for the Justices. In addition, funds may also be deposited in First Niagara, M&T Trust, Bank of Alden and Five Star Bank.

The Investment Policy adopted February 1, 1995 shall be followed.

Town Hall hours shall be Monday through Friday from 8:00AM to 4:00PM year-round.

The Official Newspaper shall be the Elma Review.

The Auditor shall be Drescher and Malecki LLP.

Hodgson Russ LLP may be retained for Labor Employment matters.

The agreement between the Town of Elma and Cy's Pharmacy from 2009 is still valid.

The third Wednesday of each month shall be official regular meeting date for the Town Board to be held at the Town Hall at 7:00 p.m. E.S. or D.S. time: Work Session of the Town Board will be the second Wednesday, times to be announced in advance. These meetings are Official Meetings open to the Public. Regular meetings may be omitted, or dates changed where a conflict of such regular meeting exists with Holidays or other official business or at the call of the Supervisor. All other meetings shall be at the call of the Supervisor, the time and place to be made known by him upon notice of such meeting.

All Department Heads, both Elected and Appointed may purchase equipment and goods from the New York State or Erie County bid list providing they comply with the adopted Purchasing Policy of the Town.

All Town Department Heads and Elected Officials are required to pay 10% of the cost of health care insurance provided by the Town. Non-Union employees are to contribute 10% of health insurance cost. Union employees are to contribute 10% of health insurance cost per the Union Contract.

The following shall be the yearly salaries of the Town Official payable bi-weekly: Supervisor \$74,404; Justices (each) \$38,280; Councilmember's (each) \$19,498; Town Clerk \$67,776; and Highway Superintendent \$67,776.

Officials shall be allowed \$.56 per mile for the use of their cars for official Town business upon presentation of a mileage log to the Town. Mileage rate is according to the IRS guidelines and will be adjusted during the year if warranted.

The Supervisor is the Police Commissioner.

The Supervisor appoints Councilman Michael Nolan as Deputy Town Supervisor.

The Supervisor, Councilmen & Town Attorney are re-appointed as Marriage Officers.

The Supervisor announced the re-appointment of Frank Maciejewski as Town Historian for 2021.

The Highway, Water and Sewer Department wages and benefits are set as per the collective bargaining agreement.

Full time employees with 1-year service shall receive one-week vacation with pay; 3 years' service two weeks with pay; 5 years' service three weeks with pay. Employees with over ten years' service receive four weeks' vacation with pay. Also, twelve days sick leave allowed each year. The twelve days sick leave may be accumulated up to 220 days for non-bargaining employees. Personal leave of 3 days shall be allowed each year.

Joseph Colern is re-appointed as the Affirmative Action Officer, ADA Officer and MS4 Officer.

The salary of Joseph Colern the Building Inspector and Zoning Officer shall be set at \$67,776 for 2021. He shall submit monthly reports of all building permits issued.

Raymond Balcerzak is re-appointed as Assistant Building Inspector and Zoning Officer at \$27.88 per hour.

Barbara Blair is appointed as part time Clerk to the Building Dept. at \$14.90 per hour.

Howard Diehl shall be Superintendent of Parks with a salary of \$15,575.

Howard Diehl shall be Superintendent of Transfer Station with a salary of \$7,136.

Ariel Carlino is re-appointed as Water Clerk at \$17.00 per hour for the year 2021.

Diane Petrocy is re-appointed as P/T Clerk Typist at the Water Dept. at \$15.90 per hour.

The Court Clerk Brenda Barry for Town Justice Puleo will receive \$17.00 per hour.

The Court Clerk Andrea Lischer for Town Justice Pierce will receive \$19.75 per hour.

The Court Security Officers are re-appointed at a rate of \$31.92 per hour

Supervisor Clark re-appoints Kerry Galuski as Bookkeeper full time at an hourly rate of \$32.58 per hour.

Andrea Derkovitz is appointed as P/T Clerk at an hourly rate of \$14.90 per hour.

Patricia King is re-appointed as Records Management Officer at no additional salary. Patricia King is re-appointed as Registrar of Vital Statistics at a salary of \$1,000.00 for 2021. Jennifer Ginter is re-appointed as Deputy Registrar of Vital Statistics at a salary of \$500.00 for 2021. All fees collected will be payable to the Town.

The Town Clerk re-appoints Jennifer Ginter as Deputy Town Clerk at \$21.55 per hour and Tara Grambo as second Deputy Town Clerk at \$19.57 per hour.

Doreen Schafer is re-appointed as Deputy Receiver of Taxes and Assessments at an hourly rate of \$21.55 per hour.

Betsy Goinski is re-appointed as Recreation Supervisor, Senior Citizens PT at an hourly rate of \$17.15 per hour.

Sharon Winkler is re-appointed as P/T Asst. Director of Senior Center at an hourly rate of \$14.90 per hour.

Sharon Foersch shall be appointed as Dog Control Officer for the year 2021 at a salary of \$5,390

Joseph Colern, Gary Cervi, Ray Blacerzak, Sharon Foersch and Peter Natalzia shall be re-appointed as Special Police.

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Phyllis Todoro is re-appointed as Town Attorney for 2021 at the salary of \$71,132.
 Rosemary Bapst is appointed as Deputy Town Attorney for 2021 at the per diem of \$300 a night.
 James Wyzykiewicz is re-appointed as Town Engineer at the salary of \$24,931 and MS4 Compliance Officer for 2021.
 David Baker is re-appointed to a 7-year term on the Planning Board.
 Michael Cirocco is designated Chairman of the Planning Board.
 Thomas Reid is re-appointed as an alternate on the Planning Board.
 Barbara Blair is appointed Planning Board Secretary.
 Harry Kwiek is designated Chairman of the Zoning Board of Appeals.
 Shawn Pralow is appointed to a 5-year term on the Zoning Board of Appeals.
 Robert C. Schafer is appointed as alternate on the Zoning Board of Appeals.
 Kerry Galuski shall be re-appointed Zoning Board Secretary.
 Bryant Zilke is designated Chairman of the Conservation Board.
 Dave Appleby is re-appointed to a 7-year term on the Conservation Board.
 Kerry Galuski is re-appointed Conservation Board Secretary.
 Zoning, Planning & Conservation Board members and alternate shall be paid \$45.00 per meeting attended. The Chairman shall be paid \$50.00 per meeting attended.
 Claudia Stradtman is re-appointed as Chairman of the Assessment Board of Review.
 Rosa McCabe is appointed to a 5-year term on the Assessment Board of Review.
 John Fragale is appointed to fill the term of Michael Lischer on the Assessment Board of Review.
 Grievance day for the Assessment Board of Review will be set for June 2, 2021.
 Kelly Helbling shall be appointed to a 3-year term to the Library Board.
 Michael Nolan is appointed as Disaster Coordinator with no extra pay.
 Tracy Petrocy is appointed as Assistant Disaster Coordinator with no extra pay.
 Wayne Clark is appointed the representative for the Worker's Compensation Group. Michael Nolan is the alternate to the Worker's Compensation Group and Howard Diehl is the safety representative for the Workers Compensation Group.
 Town of Elma Disaster Plan for 2021 accepted as is with no changes.
 The Supervisor announced the following committees for 2021.

The first name shall be Chairman:
 Sanitation Fallon – Nolan,
 Street Lighting Fallon- Malczewski,
 Planning & Zoning Malczewski – Nolan,
 Subdivision & Highways Nolan – Fallon,
 Board & Clerk Petrocy – Malczewski,
 Assessment Malczewski – Petrocy,
 Finance & Audit Petrocy – Malczewski,
 Cap Imp & Parks Fallon – Petrocy,
 Laws, Leg & Signs Malczewski – Nolan,
 Youth Recreation Malczewski – Petrocy,
 Main, Grounds & Equip Fallon – Petrocy,
 Personnel Nolan – Fallon,
 Business Petrocy – Malczewski,
 Senior Rec, Water, Cable Nolan – Fallon,
 Fire & Police Nolan - Petrocy

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve the 2021 Organizational Agenda as read.
 Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the Assessor Tax Exemption resolution as follows:
 WHEREAS, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and WHEREAS, on December 18, 2020, the Governor issued Executive Order 202.83, a portion of which includes a local option pertaining to Senior Citizens' and Persons with Disabilities' partial property tax exemption, Subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law (Partial Tax Exemption for Persons with Disabilities), and Subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law (Partial Tax Exemption for Low Income Senior Citizens), to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received either of those exemption on the 2020 assessment roll, unless there has been a change in status that would no longer qualify the homeowner, dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

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WHEREAS, the Town is desirous to adopt such resolution while also allowing the assessor to require a renewal application to be filed when the assessor has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed primary residence, added another owner to the deed, transferred the property to a new owner, or died; NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Elma directs the Town Assessor, pursuant to the NYS Governor's Executive Order 202.83 Continuing Temporary Suspension and Modification of Laws relating to the pandemic disaster emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459c of the Real Property Tax Law, to grant exemptions on the 2021 Assessment Roll to all property owners who received that exemption on the 2020 Assessment Roll, except in the case that there is a change of status that would no longer qualify the homeowner, thereby dispensing with the need for renewal applications from such persons and further dispensing with the requirement for assessors to mail renewal applications to such persons. Ayes-3. Noes-0. Carried.

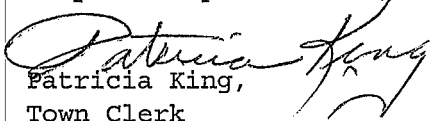
The next Work Session will be January 13, 2021 at 6:00PM and Town Board meeting will be January 20, 2021 at 7:00PM.

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

Supervisor Clark asked for a moment of silence in honor of the passing of our past Water Superintendent Eugene Stevenson who started working for the Water Department in 1973; in 1999 becoming the Water Superintendent to retiring in 2018. Also, Richard Willard a lifelong Elma Firemen for 54 years. A page in the minutes book will be left blank in their honor.

Meeting adjourned at 7:25PM. All in favor.

Respectfully submitted,


Patricia King,
Town Clerk