

A regular meeting of the Elma Town Board was held on Wednesday, November 3rd, 2021, at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Wayne Clark
Councilman	Thomas Fallon
Councilman	James Malczewski
Councilman	Vacant
Councilman	Tracy Petrocy

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

Approximately 9 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 2022 Preliminary Budget part of the minutes Supervisor Clark opened the public hearing at 7:00pm. No one spoke for or against. Supervisor Clark closed the public hearing at 7:01pm.

Councilman Fallon made the motion, no one seconded the motion to approve the 2022 Preliminary Budget.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to table the 2022 Preliminary Budget. Ayes-2. Noes-2. (Councilman Fallon and Supervisor Clark voted no).

Making the legal notice on the Public Hearing for Michael Buyers at 2601 West Blood Rd part of the minutes Supervisor Clark opened the public hearing at 7:11pm. No one spoke for or against some residents had concerns that were answered by Mr. Buyers. Supervisor Clark closed the public hearing at 7:12pm.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the Preliminary Special Use Permit for Michael Buyers at 2601 West Blood Rd for personal use solar panels and refer Mr. Buyers to the Planning Board. Ayes-4. Noes-0. Carried.

Making the legal notice for the Public Hearing for Drainage District #208 7580 Clinton St Annunciation Church part of the minutes Supervisor Clark opened the public hearing at 7:16pm. No one spoke for or against. Supervisor Clark closed the public hearing at 7:17pm.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Drainage District #208 7580 Clinton St Annunciation Church. Ayes-4. Noes-0. Carried.

Making the legal notice for the Public Hearing for Dish Wireless Co-Locate at 6629 Clinton St part of the minutes Supervisor Clark opened the public hearing at 7:18pm. Brett Morgan informed the Town Board regarding the installation of the co-locate. No one spoke for or against. Supervisor Clark closed the public hearing at 7:19pm.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for DISH Wireless co-location at 6629 Clinton St. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the Special Use Permit for DISH Wireless co-location at 6629 Clinton St. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion to table the minutes from the October 20, 2021, meeting. No one seconded the motion.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the minutes from the October 20th, 2021, meeting. Ayes-3. Noes-1. (Councilman Malczewski voted no) Carried.

November 3, 2021

Building Inspector Joseph Colern presented the October 2021 building report with a total of 40 permits issues, fees collected of \$12,073.12 with an estimated value of construction of \$2,690,105.19.

Plant Manager Brian Fiden noted the Town parks have been winterized and the fire hydrant has been installed on Midway. Highway Superintendent Howard Diehl noted the Creek Road Park will be closed after the sport games are done. Bruse pickup is complete.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the bid for the recycling containers to Bucks at the cost of \$52,540. Bid from Rudco Products was also reviewed for \$53,816.03. Ayes-4. Noes-0. Carried.

The next Work Session meeting will be November 10<sup>th</sup>, 2021, at 6:00pm and the next Town Board meeting will be November 17<sup>th</sup>, 2021, 7:00pm

Meeting adjourned at 8:18PM. All in favor.

Respectfully submitted,

*Patricia King*  
 Patricia King,  
 Town Clerk

**TOWN OF ELMA**

**NOTICE OF PUBLIC HEARING PRELIMINARY BUDGET**

Notice is hereby given that the Preliminary Budget of the Town of Elma for the fiscal year beginning January 1, 2022, has been completed and filed in the office of the Town Clerk, Town of Elma, New York, where it is available for inspection by any interested person during regular business hours. Further notice is hereby given that the Town Board of Elma will meet, and review said Preliminary ad valorem budget, Special District budgets and hold a public hearing at the Elma Town Hall, 1600 Bowen Road, Elma, New York at 7:00 p.m. on November 3rd, 2021, and that at such hearing any person may be heard in favor or against any items therein contained. Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town Officials are hereby specified as follows:

Supervisor	\$77,316
Councilman (4)	\$21,058
Town Clerk	\$70,688
Highway Superintendent	\$70,688
Justices (2)	\$39,320

By Order of the Elma Town Board  
 Town Clerk

42-1

**LEGAL NOTICE**

WHEREAS, a public hearing dated November 3rd, 2021, has been duly presented to the Town Board of the Town of Elma, according to the law, requesting that a drainage district #208, as hereinafter described, be established in the Town of Elma; and

WHEREAS, the boundaries of the proposed drainage district #208 are as follows:

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. 26, Township 10, Range 6 of the Buffalo Creek Reservation, described as follows:

BEGINNING at the point of intersection of the center line of Schwartz Road with the center line of Clinton Street (said point of beginning being the southeast corner of said Lot No. 26); thence westerly along the center line of Clinton Street five hundred twenty and sixteen hundredths (520.16) feet; thence northerly parallel with the center line of Schwartz Road four hundred fourteen and fourteen hundredths (414.14) feet; thence easterly parallel with the center line of Clinton Street five hundred twenty and sixteen hundredths (520.16) feet to the center line of Schwartz Road and thence southerly along the center line of Schwartz Road and thence southerly along the center line of Schwartz Road four hundred fourteen and fourteen hundredths (414.14) feet to the place of beginning.

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 3rd day of November 2021 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.

42-1

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, New York will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 3rd of November, 2021, at 7:00PM for the purpose of conducting a Public Hearing to consider a preliminary special use permit and discuss if need be for Michael Buyers, pursuant to Town Code Section 118A-11D, for the proposed installation of a 30.6kw residential ground mounted PV solar energy system and other related equipment, such facility to be at 2601 West Blood Rd, Town of Elma, New York. By Order of the Town Board of the Town of Elma, New York

49-1

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, New York will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 3rd of November, 2021, at 7:00PM for the purpose of conducting a Public Hearing to consider a special use permit and discuss if need be for Dish Wireless, LLC, pursuant to Town Code Section 59A-3A, for the proposed collocation of (3) antennas on an existing telecommunications tower owned by SBA Communications Corp. and other related equipment, such facility to be at 6629 Clinton Street, Town of Elma, New York. By Order of the Town Board of the Town of Elma, New York

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