

A regular meeting of the Elma Town Board was held on Wednesday, March 20th, 2018 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Dennis Powers
Councilman	Thomas Fallon-Absent
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy-Absent

Also: Building Inspector	Joseph Colern
Highway Superintendent	Wayne Clark-Absent
Plant Manager	Brian Fiden
Town Attorney	Phyllis Todoro
Deputy Town Attorney	Dean Puleo
Town Engineer	James Wyzykiewicz

Approximately 15 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 #204 at 5880 & 5920 Seneca St part of the minutes Supervisor Powers opened the public hearing at 7:00pm. No one spoke for or against Drainage District #204. Supervisor Powers closed the public hearing at 7:02pm.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve Drainage District #204 for 5880 & 5920 Seneca St. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve the minutes from the February 27th, 2019 meeting. Ayes-3. Noes-0. Carried.

Building Inspector Joseph Colern presented the monthly report for February with 20 permits issued, fees collected of \$69,988.5886 with an estimated value of construction of \$1,106,308. Also, the Flood Plain Management law is in draft.

Water Department Plant Manager Brain Fiden noted the annual water report is in progress and quotes to upgrade the pumps at Seneca and Jamison are being solicited.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Preliminary Use Permit for J. Macaluso at 101 Jamison Rd (B). Restrictions on the "Use" Zoned C-2 "uses permitted" 144.84. Building Inspector notes refer to Planning Board under chapter 117 for site plan approval. Ayes-3. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Preliminary Use Permit for J. Macaluso at 101 Jamison Rd (C). Restrictions on the "Use" Zoned C-2 "uses permitted" 144.84. Building Inspector notes refer to Planning Board under chapter 117 for site plan approval. Ayes-3. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to rescind the Business Use Permit for Chuck's Classic Auto at 1131 Bullis Rd. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to rescind the Business Use Permit for Integrated Auto Associates LLC at 6890 Seneca St. Ayes-3. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to issue a negative declaration on a short form SEQR for A&M Automotive at 1131 Bullis Rd for automotive repair, collision and restoration work. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve a Business Use Permit for A&M Automotive at 1131 Bullis Rd. Restrictions on the "Use" no junk autos, parts or trailers to be stored or left on site. Building Inspector notes exterior of property cleaned up and inspected on 3/5/2019. Sign permits required, fire inspection required within 30 days. Ayes-3. Noes-0. Carried.

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Councilman Malczewski made the motion and Councilman Nolan seconded the motion to issue a negative declaration on a short form SEQR for Expert Auto Glass at 6890 Seneca St (B) for installation of auto glass and stock glass. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve a Business Use Permit for Expert Auto Glass at 6890 Seneca St (B). Building Inspector notes sign permits required, fire inspection required within 30 days after occupancy. Ayes-3. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to accept lead agency on the SEQR the Solar Energy Law. Ayes-3. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to authorize Supervisor Powers to sign final 2018 Service Award points for Blossom, Elma and Jamison Road Volunteer Fire Companies after the 30-day review. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to re-appoint Kim O'Rourke to the Erie County Environmental Management Council (ECEMC) at no salary until May 31, 2021. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to authorize Supervisor Powers to sign the Skylighters Fireworks agreement for the July 4th, 2019 fireworks at the Elma Fire Company property on Girdle Road at the cost of \$10,000. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve Vouchers/Warrant #3 claim #214 thru #302 as follows: General Fund \$107,260.67; Highway Fund \$30,711.45; Water District \$20,551.29; Special District \$6,740.12 and Capital Improvements \$94,607.40. Ayes-3. Noes-0. Carried.

Supervisor Powers set a public hearing date of April 17th, 2019 for Local Law #1-2019 Flood Plain Management.


Councilman Nolan made the motion and Councilman Malczewski seconded the motion to add an item to the agenda for discussion regarding Poket's Pits preliminary business use permit conforming to the zoning code. Ayes-3. Noes-0. Carried.

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

The next Town Board meeting will be April 3rd, 2019 at 7:00pm and the next Work Session will be April 10th, 2018 at 6:00pm with the next Town Board meeting for April 17th, 2019 at 7:00pm.

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

Respectfully submitted,


Patricia King,
Town Clerk

LEGAL NOTICE

WHEREAS, a petition dated February 27, 2019 has been duly presented to the Town Board of the Town of Elma, according to the law, requesting that a drainage district #204, as hereinafter described, be established in the Town of Elma; and WHEREAS, the boundaries of the proposed drainage district #204 are as follows: Schedule A ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie and State of New York, being part of the middle third of Lot No. 91, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING in the center of the Aurora and Buffalo Road, 7 chains and 31 links, southeastward from the northwest corner of said lot; thence along said road south 72° 15' east, 4 chains and 25 links to a stone in the road; thence south 53° 3/4 east, 4 chains and 23 links; thence south 2° west, 23 chains 5 links to a stake in the north line of part of said lot conveyed to Baker and Northrup by Joseph fellows; thence on the line of said Baker and Northrup's land, south 72° 24' west, 7 chains, 98 links to the southeast corner of the west Subdivision of said Lot; thence north 2° easterly, 29 chains and 25 links to the place of beginning. EXCEPTING THEREFROM those lands conveyed to William J. Hamp Jr. by deed recorded in Erie County Clerk's Office in Liber 3165 of Deeds at page 409, those lands conveyed to Irene G. Kaczmarek by deeds recorded in said Clerk's Office in Liber 6686 of Deeds at page 289 and Liber 6734 of Deeds at page 537; those lands conveyed to Randall Rojek by deed recorded in said Clerk's Office in Liber 10868 of Deeds at page 5831 and those lands conveyed to Robert Planter and Janice Planter by deed recorded in said Clerk's Office in Liber 10868 of Deeds at page 5837. 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 20th day of March 2019 at 7:00 o'clock to consider such petition and hear all persons 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