

A regular meeting of the Elma Town Board was held on Wednesday, September 17, 2014 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

Also: Building Inspector	Joseph Colern
Highway Superintendent	Wayne Clark
Water Superintendent	Eugene Stevenson
Town Attorney	Phyllis Todoro
Town Engineer	James Wyzykiewicz

Approximately 32 people attended the meeting.

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

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the minutes from the September 3, 2014 meeting. Ayes-4. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly reports for August with total of 27 permits issued, fees collected of \$10,259.43 with an estimated value of construction of \$1,538,140. Also the Zoning Map needs updating, Drew Reilly from Wendel will be contacted. Water Superintendent Eugene Stevenson noted the Water Department is clearing all the right of ways over the water mains incase of a leak or maintenance. Also when the bid is awarded the Water Department will begin preparation work for the pumps and electrical updates. Highway Superintendent Wayne Clark noted that the paving at the Creek Road Park is complete and the Northrup Road project will be completed next week.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve a negative declaration on a short form SEQR for Accounting Group of W.N.Y. at 5780 Seneca Street. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the Business Use Permit for Accounting Group of W.N.Y. at 5780 Seneca Street. Building Inspector notes: a sign permit is required for any advertising signs. Ayes-4. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve a Preliminary Business Use Permit for 6890 Seneca Street for indoor storage. Building Inspector notes: refer to Planning Board for site plan review. Ayes-4. Noes-0. Carried.

Supervisor Powers noted that the Preliminary Business Use Permit for Your Image The New You at 3211 Transit Road have been withdrawn by the applicant.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to award to Water Department bid for the generator and electrical upgrades to Frey Electric at the base bid of \$472,000 per the recommendations from Clark Patterson Lee contingent upon final Attorney approval. South Buffalo pulled there bids. Sealed bids were opened at the Work Session on September 10, 2014 as follows:

Company	Lg Natural Gas-Lg Diesel	Sm Gas	Sm Diesel
O'Connell Electric-	\$910,625.11	\$628,661.31	\$602,504.56
CTR Electrical	\$794,900.00	\$581,800.00	\$544,500.00
South Buffalo	\$655,700.00	\$415,000.00	\$433,000.00
Weydman	\$936,400.00	\$664,000.00	\$592,250.00
Frey	\$834,000.00	\$584,000.00	\$472,000.00

Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to authorize Supervisor Powers to sign the Library Construction Grant Application for the Elma Public Library as follows: Whereas the New York State Department of Education, Division of Library Development, under the Public Library Construction Grant Program

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("State Grant") is offering funds up to 50% of approved costs for renovation or rehabilitation of public libraries in New York State, and Whereas the Town of Elma is the owner of the building that houses the Elma Public Library, located at 1860 Bowen Road, in the Town of Elma, and maintains the building under an agreement with the Buffalo and Erie County Public Library System, and Whereas the Elma Public Library is in charge with of its library operations in cooperation with the Buffalo and Erie County Public Library System, and per the guidelines for the State Grant and County Grant, must be the applicant for such grants, and Whereas the Elma Public Library is in dire need of replacement of its window and one door; Whereas the Town of Elma, as owner of the Elma Public Library building and grounds, recognizes its responsibility to maintain the building and, in accordance with its responsibility, hereby commits to pay an amount constituting at least 50% of the total project cost of \$58,514, to be used as local matching funds towards the State Grant, with said funds to be appropriated from its capital budget. Now Therefore Be It Resolved the Town of Elma will be providing all necessary matching funds through its capital budget, less any NYS Public Library Construction Grant proceeds, to complete the window and door replacements, based on the attached project budget, contingent on the award of a Library Construction Grant; And Be It Further Resolved that this Town Board hereby authorizes and directs Town Grants Consultant Connie D. Miner to submit the Public Library Construction Grant for the Elma Public Library and directs the Elma Town Supervisor, Dennis M. Powers and Elma Library Board of Directors to provide all necessary signatures and documents needed for the Grant Consultant related to the aforementioned project and application for grant funding. And Be It Further Resolved that the Elma Town Board agrees and covenants that the Library building at 1860 Bowen Road in the Town of Elma shall be legally available for use as a public library building for at least 10 (ten) years from the anticipated date of the completion of the aforementioned window and door replacement project.
Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to authorize Supervisor Powers to sign the contract with Connie D. Miner Grant Consultant in the amount of \$15,000. Ayes-3. Noes-1. (Councilman Malczewski voted no) Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to issue of negative declaration on a short form SEQR regarding the storage barn at 1600 Bowen Road. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the mobile website update from Aurora Consulting Group at the cost between \$4,675 and \$5,100 depending the hours of work needed to complete the project. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve Warrant #9 claim #1084 thru #1192 as follows: General Fund \$105,476.90; Highway Fund \$123,169.18; Water District \$176,288.00; and Special District \$6530.02. Ayes-4. Noes-0. Carried

Supervisor Powers set a Public Hearing date of October 22nd, 2014 at 7:00PM for the Community Block Development Grant and Drainage District #198 for MS Properties of WNY at 6890 Seneca Street.

Councilman Nolan made a motion and Councilman Malczewski seconded the motion to add an item to the Agenda. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to authorize the Town Attorney to contact the Association of Towns State of New York for information to rescind the original SEQR for the Pines Subdivision on Tracy Drive and report back to the Town Board. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to authorize Supervisor Powers to send a letter to the developer to cease removing any vegetation. The developer(TJW Homes) will be responsible for professional engineering services and the Type I SEQR review process that the Town will hire to over see this project.
Ayes-4. Noes-0. Carried.

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Supervisor Powers noted the Agricultural District Annual Enrollment Period and 8-Year Review of Districts 169(Lancaster-Alden) & 17(Amherst) from September 1, 2014 thru September 30, 2014.

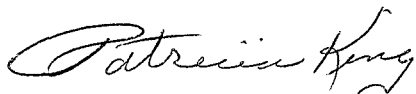
Supervisor Powers noted the next Town Board meeting will be October 1st, 2014 at 7:00PM and the next Work Session is October 8th, 2014 at 6:00PM.

All have received the Planning, Zoning, Conservation Boards, Work Session and Multiple Dwelling Code Committee agenda and minutes that apply.

Supervisor Powers request a moment of silence for Lucille Misechok whom was Assistant Senior Director.

Meeting Adjourned at 7:55pm. All in favor.

Respectfully submitted,



Patricia King,
Town Clerk