

A regular meeting of the Elma Town Board was held on Wednesday, January 24th, 2018 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
	Water Superintendent	Eugene Stevenson
	Town Attorney	Phyllis Todoro
	Deputy Town Attorney	Dean Puleo-Absent
	Town Engineer	James Wyzykiewicz-Absent

Approximately 14 people attended the meeting.

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

Making the legal notice for the Conservation Easement for the Rupp property on Ostrander Road part of the minutes Supervisor Powers opened the public hearing at 7:01pm. No one spoke against and William Jackson spoke for the Conservation Easement on the 35-acre Rupp property. Supervisor Powers closed the public hearing at 7:02pm.

Councilman Petrocy made the motion and Councilman Fallon seconded the motion to approve the Conservation Easement for the 35-acre Ostrander Road property owned by the Rupp's. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve the minutes from the January 3rd, 2018 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Supervisor Powers noted for Town Engineer James Wyzykiewicz that Caroline Ln is on hold until Spring, same with Woodard and Oaknoll. Building Inspector Joseph Colern presented the 2017 yearly report with 263 permits issued, fees collected of \$87,986.83 with an estimated value of construction of \$36,153,491.72. Water Superintendent Eugene Stevenson noted the Town's backflows are being tested and repaired, also the 1990 backhoe steering is being repaired. The Water Department will be holding two fire hydrant training session for local fire companies on March 14th, 2018. Highway Superintendent Wayne Clark noted they are snow plowing when necessary and are adjusting the water flow in the Briggswood overflow. Disaster Coordinator Michael Nolan noted the ice jam on the Buffalo Creek has cleared.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to rescind the Business Use Permit for Don Juan Mexican Bar & Grill at 7200 Seneca St. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to issue a negative declaration on a short form SEQR for Domador Mexican Bar & Grill at 7200 Seneca St. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Nolan seconded the motion to approve a Business Use Permit for Domador Mexican Bar & Grill at 7200 Seneca St for a full set down Mexican Restaurant. Building Inspector notes sign permits required and fire inspection within 30 days of occupancy. Ayes-5. Noes-0. Carried.

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Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the Preliminary Business Use Permit for Moog at 5990 Seneca St. Building Inspector notes: the Zoning Board gave approval for 10,400 square feet, code maximum 7,000 square feet. Refer to Planning Board for site plan review under chapter 117 of the Elma Code. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve the amended Business Use Permit for Building Solutions at 6091 Seneca St for same business new building. Building Inspector notes amended "use" to new building on same property and refer to Planning Board under section 117 of the Town Code for review. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the resolution amending the 2017 Budget for Personnel changes; WHEREAS, the Town has certain personnel changes, and WHEREAS, while these changes have no effect on the total Highway Fund 2017 adopted budget; however, the changes do make it necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending the 2017 budget as follows: Decrease Appropriations: DA-5110.107--Truck Driver \$49,355.00 and Increase Appropriations: DA-5110.103--Motor Equipment Operator \$49,355.00. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the resolution for authorizing a budget amendment for additional appropriations for the Sewer Districts; WHEREAS, the Town has purchased a vehicle for the Sewer Districts, and WHEREAS, it is the Town Board's intention to use funds from the sale of the current truck and funds within the 2017 budget for payment NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2017 adopted budget to include the appropriations for the Sewer Districts purchase as follows: Increase Appropriations: SS1-8121.409 Purchase of Vehicle--\$1,610.00, SS4-8124.409 Purchase of Vehicle--\$2,530.00, SS5-8125.409 Purchase of Vehicle--\$6,670.00, SS7-8127.409 Purchase of Vehicle--\$5,290.00, SS8-8128.409 Purchase of Vehicle \$6,900.00. Total \$23,000.00. Increase Estimated Revenues: SS1-2665 Sale of Equipment--\$1,610.00, SS4-2665 Sale of Equipment--\$2,530.00, SS5-2665 Sale of Equipment--\$6,670.00, SS7-2665 Sale of Equipment \$5,290.00, SS8-2665 Sale of Equipment--\$6,900.00. Total \$23,000.00. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to authorize Supervisor Powers to sign the agreement with the Town of West Seneca for the shared services with the Assessor in the amount of \$46,523.84 for 2018. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to authorize Supervisor Powers to sign the agreement with the Boys & Girls Club of Elma, Marilla, Wales Inc in the amount of \$60,000 for 2018. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Nolan seconded the motion to authorize Supervisor Powers to sign the agreement with the Veterans of Foreign Wars #5861 in the amount of \$2,500 for 2018. Ayes-5. Noes-0. Carried.

Supervisor Powers asked for a moment of silence in remembrance of Robert Nowicki past Commander of #5861.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the service award points for Blossom, Elma and Jamison Road Fire Companies for the 30-day review. Ayes-5. Noes-0. Carried.

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Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Vouchers/Warrant #13 claim #1610 thru #1700 as follows: General Fund \$52,719.86; Highway Fund \$17,790.59; Water District \$26,786.09; Special District \$2,874.80. Vouchers/Warrant #1 Claim #1 thru #85 as follows: General Fund \$155,230.57; Highway Fund \$119,473.19; Water District \$161,739.21; Special District \$58,560.51. Ayes-5. Noes-0. Carried.

The next Town Board meeting will be February 7th, and the 28th, 2018 at 7:00PM and the Work Session will be February 14th, 2018 at 6:00PM.

Supervisor Powers set a Public Hearing date of February 14th, 2018 at 7:00PM for Local Law #1-2018 Cold Water Veterans amendment.

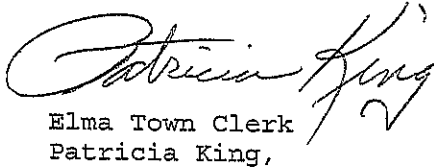
All have received the Planning, Zoning and Conservation Board agenda and minutes that apply.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to enter Executive Session at 7:40PM to discuss personnel matters and will adjourn immediately following this session, no motions will be taken. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to exit Executive session at 9:15PM. Ayes-5. Noes-0. Carried.

Meeting Adjourned at 9:15PM. All in favor.

Respectfully submitted,


Elma Town Clerk
Patricia King,

LEGAL NOTICE
Town of Elma
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, County of Erie will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 24th day of January, 2018, at 7:00PM for conducting a public hearing to consider and discuss and then to be acted upon the proposed Open Space Protection and Land Conservation Easement for the Rupp property on Griffin Lane as follows:
ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Elma, County of Erie and State of New York, being Lot No. 23, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows:
BEGINNING at a point in the south line of land conveyed to Domiano LaPlaca and Mary his wife by Andrew Marks Jr. and Susan R. Marks, his wife, as recorded in Erie County Clerk's Office in Liber 2127 of Deeds at page 566 and which point of beginning is said land nine hundred ten and nine tenths (910.9) feet easterly from the west line of said Lot Number twenty-three (23) and the center line of Giraffe Road as now paved, and which said south line of said premises makes an included angle of 90° 02' with the west line of said lot and said point of beginning also being further designated and located in line seven hundred eighty-four (784) feet more or less, south of the north line of said

Lot Number twenty-three (23) and which said line is parallel to the west line of said lot, thence easterly along the south line of lands so conveyed to Domiano LaPlaca and Mary his wife and making an included angle with the westerly line of the premises herein described, of 90° 02' sixteen hundred fifty-two and one tenth (1652.1) feet to the east line of said Lot Number twenty-three (23) and the center line of Ostrander Road as now located, and seven hundred eighty-seven and sixty-eight hundredths (787.68) feet south of the northeast corner of said lot, thence north along the east line of said lot and the center line of Ostrander Road as now located, seven hundred eighty-seven and sixty-eight hundredths (787.68) feet to the northeast corner of said Lot Number twenty-three (23), thence westerly along the north line of said Lot Number twenty-three (23), sixteen hundred seventy-three and one tenth (1673.1) feet to a point seven hundred eighty-four (784) feet more or less north of the place of beginning, thence south parallel to the west line of said Lot Number twenty-three (23) and the center line of Giraffe Road as now paved, seven hundred eighty-four (784) feet more or less, to the place of beginning, containing thirty (30) acres of land be the same more or less.
By order of the Town Board of the Town of Elma, Erie County, New York