

A regular meeting of the Elma Town Board was held on Wednesday, February 28th, 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-Absent
	Water Superintendent	Eugene Stevenson-Absent
	Town Attorney	Phyllis Todoro
	Deputy Town Attorney	Dean Puleo
	Town Engineer	James Wyzykiewicz

Approximately 14 people attended the meeting.

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

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the minutes from the February 7th, 2018 meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Deputy Town Attorney Dean Puleo noted Barb Jones Conservation Easement has been filed.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to issue a negative declaration on a short form SEQR for A.W. Miller Technical Sale Inc at 7661 Seneca St. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Business Use Permit for A.W. Miller Technical Sale Inc at 7661 Seneca St to set up and configure machines used to CNC parts. Building Inspector noted all inspections complete, this is a new building. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Nolan seconded the motion to appoint Brenda Barry as Court Clerk to Judge Sakowski upon his recommendation at a salary of \$14.25 per hour. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to appoint Kim O'Rourke to the Erie County Environmental Management Council (ECEMC) at no salary. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the appointment of Susan Czech to the Library Board replacing Susan Sudlik. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to table the SEQR, Bond Resolution, Bond Council and Financing of the New Highway Garage. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to authorize Supervisor Powers to sign the pre-Entitlement Age Total & Permanent Disability Benefit for Charles P Hardy. Ayes-5. Noes-0. Carried.

Wednesday, February 28th, 2018

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the following resolution for the Association of Towns delegate: WHEREAS, Planning Board Member James Millard attended the Association of Towns ("AOT") Annual Meeting and Training Session in New York City on February 18-21, 2018, and WHEREAS the Town of Elma benefits from having a delegate vote on the election of AOT officers, AOT's legislative platform and operating bylaws, and WHEREAS the New York State Comptroller's Office and courts in New York State have stated that a town board may ratify an action nunc pro tunc after the fact so long as they had the authority to do so in the first instance, and WHEREAS the Town of Elma has the authority to designate a delegate for the Association of Towns Annual Meeting; Now THEREFORE, BE IT RESOLVED that James Millard be designated nunc pro tunc as a delegate for the Town of Elma, and BE IT RESOLVED, that in the absence of Dennis M. Powers, James Millard be designated as the delegate for the Town of Elma. Ayes-5. Noes-0. Carried.

Supervisor Powers set a public hearing to amend Local Law#1-2017 Bio Solids, only to remove the wording "Right to Farm Act (Chapter 534) and making this Local Law #2-2018 Bio Solids for March 21st, 2018 at 7:00pm.

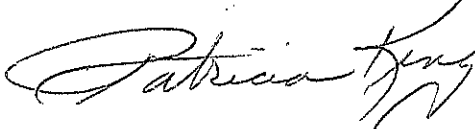
Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Vouchers/Warrant #2 claim #86 thru #238 as follows: General Fund \$33,579.99; Highway Fund \$52,424.83; Water District \$159,329.58; Special District \$721,737.97. Capital Project \$143,953. Ayes-5. Noes-0. Carried.

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

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

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

Respectfully submitted,



Patricia King,
Elma Town Clerk