

A regular meeting of the Elma Town Board was held on Wednesday, September 20, 2023, at 7:05PM at Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members:

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| Supervisor | Wayne Clark |
| Councilman | Leroy Kupczyk |
| Councilman | Joseph Macaluso |
| Councilman | Daryl Nolan |
| Councilman | Tracy Petrocy |

Also:

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| Building Inspector | Joseph Colern |
| Highway Superintendent | Howard Diehl |
| Plant Manager | Brian Fiden |
| Town Attorney | Phyllis Todoro |
| Sewer Plants | Timothy Walczyk |
| Town Engineer | James Wyzykiewicz |

Approximately 10 people attended the meeting.

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

Making the legal notice on the Public Hearing for the Community Block Development Grant (CDBG) part of the minutes, Supervisor Clark opened the public hearing at 7:06pm. No one spoke for or against or offered any suggestions. Supervisor Clark noted to support Rural Transit for the grant. Supervisor Clark closed the public hearing at 7:07pm.

Councilman Kupczyk made the motion and Councilman Nolan seconded the motion to approve the minutes from the August 16th, 2023, meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the building report for August 2023 with 44 permits issued, fees collected of \$15,489.79 with an estimated value of construction of \$22,183,589.56. Mr. Colern noted the Town Hall roof should be completed by this Friday and the new HVAC system will be completed in about a week and a half.

Plant Manager Brian Fiden asked the Town Board if they have reviewed the water tank inspection videos.

Highway Superintendent Howard Diehl noted he will be taking a dump truck and two pickup trucks to auction. Also, Erie County will be closing Pound Road down to one lane near the RT400 bridge for repairs. The new compactor is up and running at the Transfer Station.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to issue a negative declaration on a short form SEQR for Just Holster It at 5831 Seneca St, Elma NY. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve a Special Use Permit for Just Holster It at 5831 Seneca St, Elma NY for an indoor shooting range. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Nolan seconded the motion to issue a negative declaration on a short form SEQR for KGB Aviation Solutions at 7641 Seneca St Elma NY. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for KGB Aviation Solutions at 7641 Seneca St Elma NY for general business, assembly of product. Building Inspector notes permit required for advertising signs and fire inspection required within 30 days. Ayes-5. Noes-0. Carried.

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Councilman Petrocy made the motion and Councilman Nolan seconded the motion to issue a negative declaration on a short form SEQR for Buffalo Dance Center LLC at 5660 Clinton St Elma NY. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve a Business Use Permit for Buffalo Dance Center LLC at 5660 Clinton St Elma NY for dance instruction studio. Building Inspector notes advertising signs, permit required, and fire inspection required within 30 days. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Just Pizza at 2351 Bowen Rd. Ayes-5. Noes-0. Carried

Councilman Nolan made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Just Pizza at 2351 Bowen Rd Elma NY for pizza/wing restaurant. Building Inspector notes advertising sign permit required, and fire inspection required. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Macaluso seconded the motion to approve the agreement with EMW Sports for 2023 as follows: Little League Football \$5000, EMW Lacrosse Inc \$2000, EMW Latimer Hockey \$6000, and EMW Little League Soccer \$5000, all are in the 2023 budget. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Nolan seconded the motion to approve the East Aurora Advertiser as the Town of Elma official newspaper do to the consolidation of the Elma Review. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Macaluso seconded the motion to approve the following resolution for a budget amendment to increase appropriations for the Town Hall roof replacement: WHEREAS, the Town wishes to provide for funding for a new roof for the Town Hall located at 1600 Bowen Road, and WHEREAS, the Town Board wishes to provide funding for such expenses, and WHEREAS, the Town's 2023 adopted budget does not currently include such funding NEW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amendment of budgetary appropriations in the Town's 2023 adopted budget as follows: Increase Appropriations: A1620.400 Building Repairs \$98,000 and Increase Revenue: A4089 Federal Aid-Other \$98,000. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Macaluso seconded the motion to approve the following resolution for a budget amendment to increase appropriations for brush grinding: WHEREAS, the Town wishes to provide for funding for the grinding of brush at the transfer station, and WJEREAS, the Town Board wishes to provide funding for such expenses, and WHEREAS, the Town's 2023 adopted budget does not currently include such finding NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amendment of budgetary appropriations in the Town's 2023 adopted budget as follows: Increase Appropriations: A8160.406 Outside Contractors-Mulch \$50,000 and decrease appropriations: A599 Appropriated Fund Balance \$50,000. Ayes-4. Noes-1. (Councilman Kupczyk voted no) Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve the Water Department to purchase a 2024 pickup truck from the NYS bid list at the cost of \$50,536.64. Ayes-5. Noes-0. Carried.