

A regular meeting of the Elma Town Board was held on Wednesday, December 3, 2014 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-Absent |
|       | Town Engineer          | James Wyzykiewicz     |

Approximately 16 people attended the meeting.

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

Making the legal notice part of the minutes for the "Elma Fire Protection District" Agreement; Supervisor Powers opened the Public Hearing at 7:01pm. Speaking for Craig Zatho no one spoke against. Supervisor Powers closed the Public Hearing at 7:02pm.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the "Elma Fire Protection District" Agreement as follows: Blossom Fire Company 2015 \$184,100; 2016 \$189,100 and 2017 \$194,100. Elma Fire Company 2015 \$254,100; 2016 \$259,100 and 2017 \$264,100. Jamison Road 2015 \$234,100; 2016 \$239,100 and 2017 \$244,100 with ambulance service included. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve the minutes from the November 5, 2014 meeting. Ayes-5. Noes-0. Carried.

#### Department Reports:

Building Inspector Joseph Colern's presented the monthly report for November as follows: 11 permits issued; fees collected of \$1,724.00 with an estimated value of construction of \$275,379. Also due to the November storm there were a total of 46 structures in Town damaged due to the storm.

Water Superintendent Eugene Stevenson noted water break on West Blood and Maple neither was storm related. Also Erie County Water Authority will be raising water rates; this will be discussed at the next Work Session.

Highway Superintendent Wayne Clark thanked all who help during the winter storm. The highway garage also had structure damage due to the storm; much time was lost to travel to the Iroquois School to fuel the trucks during the storm and about 70 mailboxes have been replaced. Mr. Clark would like the Town Board to consider having diesel at the highway garage and to have the Water Department due the plowing at the Town Hall; these items will be discussed at a Work Session. Mr. Clark would like to add the purchase of a 2016 dump truck off the State bid list with the Town of Lancaster added to the Agenda.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a negative declaration on a short form SEQR for the Elma Liquor at 2350 Bowen Road. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the amendment to the Business Use Permit for Elma Liquor at 2350 Bowen Road for retail sales liquor and wine store. Building Inspector notes fire inspection required within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to rescind the following old Business Use Permits as follows: North Star Tavern Inc, 7340 Seneca St, 2121 Sales and Service Center 5950 Seneca St and Corinne's Cookies at 2352 Seneca St. Ayes-5. Noes-0. Carried.

Wednesday, December 3, 2014

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to appoint Brian Bader for the Water Department at a salary of \$16.40 per hour effective November 3<sup>rd</sup>, 2014. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Andrea Lischer to attend the Association of Towns in New York City in February 2015. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve Warrant #11 claim #1539 thru #1651 as follows: General Fund \$337,731.65; Highway Fund \$98,963.78; Water District \$247,949.11; and Special District \$34,868.04. Ayes-5. Noes-0. Carried.

Supervisor Powers has presented the 2015 pay rates to the Town Clerk.

Supervisor Powers set a Public Hearing date of December 17th, 2014 for the Drainage District #198 for MS Properties at 6890 Seneca Street.

All have received the Planning, Zoning, Conservation Board and Multiply Dwelling Code Committee agenda and minutes that apply.

The next Work Session will be December 10, 2014 at 6:00PM and Town Board meeting will be December 17th, 2014 at 7:00PM.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to add an item to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the purchase of a 2016 Freightliner M2-106 Truck Cab & Chassis at the cost of \$67,713 with the Town of Lancaster bid award. Ayes-5. Noes-0. Carried.

Meeting Adjourned at 8:04PM. All in favor.

Respectfully submitted,

Patricia King,  
Town Clerk

**LEGAL NOTICE  
PUBLIC HEARING**

Notice is hereby given that the Town Board of the Town of Elma shall meet at the Town Hall 1600 Bowen Road, Elma, New York on the 3rd day of December, 2014 at 7:00PM for the purpose of considering a contract proposed by said Town Board to be entered into with the Blossom Volunteer Fire Co., Elma Volunteer Fire Co. and Jamison Road Volunteer Fire Co. Inc. for the furnishing of the fire protection in Elma Fire Protection District, excepting Spring Brook Fire District boundaries of said Town, at which time and place said Town Board will consider such proposed contract and hear all persons interested in same.

In general terms the proposed contract call for shall provide fire protection and ambulance service for the Town and in return shall receive the following amounts: Blossom 2015- \$184,100.00, 2016-\$189,100.00 and 2017-\$194,100.00; Elma 2015-\$254,100.00, 2016-\$259,100.00 and 2017-\$264,100.00; Jamison Road 2015-\$234,100.00, 2016-\$239,100.00 and 2017-\$244,100.00 with ambulance service included.

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 same on the signboard of the Town of Elma in the time and manner required by law.

By Order of the Town Board of the Town of Elma, New York  
Patricia King, Town Clerk of Elma