

A regular meeting of the Elma Town Board was held on Wednesday, December 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
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy-Absent

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

Approximately 20 people attended the meeting.

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

Making the legal notice for the Public Hearing on Drainage District #198 MS Properties of WNY at 6890 Seneca Street part of the minutes Supervisor Powers opened the public hearing at 7:01pm. No one spoke for or against drainage district #198. Supervisor Powers closed the public hearing at 7:02pm.

Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve Drainage District #198 MS Properties of WNY at 6890 Seneca Street. Ayes-4. Noes-0. Carried.

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

Department Reports:

Building Inspector Joseph Colern would like permission to proceed with legal action regarding property violations at 1131 Bullis Road.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to authorize Building Inspector Joseph Colern to proceed with legal action regarding violations at 1131 Bullis Road. Ayes-4. Noes-0. Carried.

Water Superintendent Eugene Stevenson noted a leak was repaired at Winspear and Clinton St, the meeting with ISO went very well, the project of installing the new generators and pumps is moving along and due to design alterations there will be a savings of \$20,000 on the project. The flushing program is in progress and Erie County Water has installed new water meters at Transit Road.

Supervisor Powers asked Highway Superintendent Wayne Clark if the brush could be picked from the list of callers made to the Town Hall. Mr. Clark agreed, the Highway Department is hand chipping the brush.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a water rate increase of \$.08 for all water rates on the net charge. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to rescind the following Business Use Permits; REROB, LLC -- Express Mart at 661 Jamison Rd and Petr-All Corp-- Express Mart at 6640 Clinton St. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a negative declaration on a short form SEQR for REROB, LLC (Sunoco) Express Mart at 661 Jamison Road. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the Business Use Permit for REROB, LLC (Sunoco) Express Mart at 661 Jamison Road. Building Inspector notes a permit required for advertising sign replacement. Ayes-4. Noes-0. Carried.

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Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a negative declaration on a short form SEQR for REROB, LLC (Sunoco) Express Mart at 6640 Clinton Street. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the Business Use Permit for REROB, LLC (Sunoco) Express Mart at 6640 Clinton Street. Building Inspector notes a permit required for advertising sign replacement. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a negative declaration on a short form SEQR for Gaco Western at 2701 Transit Rd Suite 131. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the Business Use Permit for Gaco Western at 2701 Transit Rd Suite 131 for general office work. Building Inspector notes a sign permit required and fire inspection required after occupancy. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for Tim Horton's at 2137 Transit Road. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the Business Use Permit for Tim Horton's at 2137 Transit Road. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to accept lead agency for the Brookside Patio Home a proposed subdivision on Bowen Road. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve Warrant #12 claim #1671 thru #1789 as follows: General Fund \$94,590.86; Highway Fund \$30,767.73; Water District \$157,015.11; and Special District \$91,669.77. Ayes-4. Noes-0. Carried.

Supervisor Powers set a public hearing date of January 21st, 2014 for the Conservation Easement on the Post property at 371 Jamison Road.

Supervisor Powers noted the next Town Board meeting will be the Organizational Agenda on January 7th, 2015 at 7:00PM and the next Work Session is January 14th, 2015 at 6:00PM.

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

Meeting Adjourned at 7:34pm. All in favor.

Respectfully submitted,



Patricia King,
Town Clerk

LEGAL NOTICE

WHEREAS, a petition dated December 3, 2014, has been duly presented to the Town Board of the Town of Elma, according to the law, requesting that a drainage district, as hereinafter described, be established in the Town of Elma, and WHEREAS, the boundaries of the proposed drainage district #198 are as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Elma, County of Erie and State of New York, being part of Lot No. 77, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at a point of intersection of the center line of Seneca Street (formerly known as Buffalo-Aurora Road) with the center line of Conley Road; running thence northwesterly along said center line of Seneca Street (formerly known as Buffalo-Aurora Road), 141.25 feet, thence southwesterly at right angles to said center line of Seneca Street (formerly known

as Buffalo-Aurora Road) 333 feet, thence southeasterly parallel with said center line of Seneca Street (formerly known as Buffalo-Aurora Road), 141.25 feet to said center line of Conley Road; thence northeasterly along said center line of Conley Road, 333 feet to its intersection with said center line of Seneca Street (formerly known as Buffalo-Aurora Road) at the point or place of beginning.

ORDERED, that the Town Board of the Town of Elma, shall meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 17th day of December, 2014 at 7:00 o'clock p.m. to consider such petition and hear all persons interested in the subject thereof, and it is further 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 the same on the signboard of the Town of Elma in the time and manner required by law.