

A regular meeting of the Elma Town Board was held on Wednesday, May 4, 2016 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-Absent
Councilman	Tracy Petrocy

Also: Building Inspector	Joseph Colern
Highway Superintendent	Wayne Clark-Absent
Water Superintendent	Eugene Stevenson
Town Attorney	Phyllis Todoro
Deputy Town Attorney	Dean Puleo-Absent
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 #199 6350 Seneca Street, for Todd Huber part of the minutes Supervisor Powers opened the public hearing at 7:01pm. No one spoke for or against the drainage district. Supervisor Powers closed the public hearing at 7:02pm.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Drainage District #199 at 6350 Seneca Street for Todd Huber. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the minutes from the April 20, 2016 meeting. Ayes-4. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the building report for April 2016 with 20 permits issued, fees collected of \$3,856.54 with an estimated value of construction of \$4,697,860.

Water Superintendent Eugene Stevenson noted the Water Department is in the process of repairing landscapes from over the winter water line repairs and new taps. Also making a material estimate for the new water line to the back of the Creek Road Park.

Town Attorney Phyllis Todoro noted the easement and wetland permits are complete for Spring Water Estates.

Supervisor Powers read a Proclamation for Municipal Clerks Week.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve a Preliminary Business Use Permit for Tom Greenauer Development Inc on South Blossom Road. The only change is to the size of the building. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to rescind the Business Use Permit for MPJ Auto Sales at 6535 Seneca Street. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for SMC Enterprises of Elma at 6535 Seneca Street. Ayes-4. Noes-0. Carried.

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Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the Business Use Permit for SMC Enterprises of Elma at 6535 Seneca Street for used auto sales, also allowing three (3) RV's, three (3) Boats and three (3) Amish sheds for sale. Building Inspector notes permit required for any signs and a fire inspection required within 30 days. Ayes-4. Noes-0. Carried.

The next Work Session meeting will be May 11th, 2016 at 6:00PM

All have received the Planning, Zoning Conservation Boards agendas and minutes that apply.

Meeting adjourned at 7:45PM. All in favor.

Respectfully submitted,

Patricia King,
Town Clerk

LEGAL NOTICE

WHEREAS a petition dated April 20, 2016 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 #199 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. 31 Township 10 Range 6 of the Buffalo Creek Reservation bounded and described as follows:

BEGINNING at a point in the center of the Buffalo-Aurora State Road distant 170 feet west of its intersection with the center of Davis Road so called thence north 45° west along the center of the Buffalo-Aurora State Road 130 feet to a point opposite iron pipe in the southwest side of said road and 33 feet distant there from at the northeast corner of land conveyed to Ellen W. Grace by deed recorded in Liber 776 of Deeds at page 134 thence south 55° 15' west 330 feet to a point at an angle in said Ellen Grace's land thence south 54° 45' east 130 feet thence north on a straight line 330 feet to point in the center of the Buffalo-Aurora Road distant 170 feet west of the center of Davis Road at the point of beginning Parcel B

Also 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. 31 Township 10 Range 6 of the Buffalo Creek Reservation bounded and described as follows: Beginning at the intersection of the centerline of Seneca Street with the centerline of North Davis Road thence north westerly along the centerline of Seneca Street 170.00 feet to the northeast corner of lands conveyed to Todd R. Huber by deed recorded in Liber 1276 of Deeds at page 83 on February 24, 2015 thence south westerly along Huber's southeast line 92.00 feet thence southeasterly parallel with Seneca Street 169.80 feet to the centerline of North Davis Road at a point 92.00 feet southwest of the point of beginning thence northeasterly along the centerline 92.00 feet to the point 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 4th day of May 2016 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.