

A regular meeting of the Elma Town Board was held on Wednesday, August 16th, 2017 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-Absent
Water Superintendent	Eugene Stevenson
Town Attorney	Phyllis Todoro
Deputy Town Attorney	Dean Puleo
Town Engineer	James Wyzykiewicz

Approximately 12 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 July 19th, 2017 meeting. Ayes-4. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the monthly report for July with 19 permits issued, fees collected of \$5,628.37 with an estimated value of construction \$949,333. Also Mr. Colern is asking permission to proceed with violations for two properties; Gaylord and Jamison Road.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to add an item to the agenda. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to direct Mr. Colern to proceed with court notices per Town Law for violation concerns on Gaylord Ct and Jamison Rd. Ayes-4. Noes-0. Carried.

Water Superintendent Eugene Stevenson noted the water main replacement on Treehaven Lane is completed and in service. Blacktopping and landscaping needs to be completed. Also, the crew chief is out on medical and DJ Thompson will fill the position at no change in salary.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Preliminary Business Use Permit for JC'S Auto Repair at 6515 Seneca Street. Building Inspector notes refer to Planning Board under chapter 60 of the Elma Town Code. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to issue a negative declaration on a short form SEQR for Dr. D Novelli at 2731 Transit Road. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Business Use Permit for Dr. D Novelli at 2731 Transit Road for a medical office. Building Inspector notes permit required for interior build out and permit for any advertising signs. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to issue a negative declaration on a short form SEQR for National Coatings & Supplies Inc at 2811 Transit Road. Ayes-4. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a Business Use Permit for National Coatings & Supplies Inc at 2811 Transit Road for a retail/wholesale of auto paint & supplies. Building Inspector notes fire inspection within 30 days of occupancy and sign permits required for advertising. Ayes-4. Noes-0. Carried.

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Councilman Nolan made the motion and Councilman Fallon seconded the motion to award the bid for the Briggswood detention area tree removal to Building Solution at the cost of \$17,300. A bid from Professional Tree Care Inc was also received for \$22,600. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve Supervisor Powers to sign the agreement with On-Site Employee Testing with no change in cost or services. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to authorize Supervisor Powers to sign the agreement with EMW Lacrosse in the amount of \$2,000 for 2017. Ayes-4. Noes-0. Carried

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve Supervisor Powers to sign the agreement with Connie D. Miner & Co Grant Consultants in the amount of \$15,000 at no additional cost. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the certified resolution of support-A6505/S4630-relates to prohibiting the collocation of certain children's facilities with adult facilities in Erie County as follows: WHEREAS: The Western New York Children's Psychiatric Center opened in West Seneca in 1970. The center takes seriously emotionally disturbed children between the ages of 4 to 18 years old from 19 Western New York counties. The 19 different counties in New York State include: Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Herkimer, Livingston, Monroe, Niagara, Ontario, Orange, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming and Yates; and WHEREAS: Despite the significant volume from these 19 counties the Western New York Children's Psychiatric Center has the lowest 30 day and 90day reinstatement or re-institutionalization rate of any facility in New York State. The costs of long term hospitalization and institutionalization are drastically reduced and eliminated when the readmission rates are low; and WHEREAS: Governor Cuomo in his 2017 Budget proposed that the West Seneca Children's Psychiatric Center be moved to the Buffalo Psychiatric Center, an adult facility and campus. Moving these children into an adult setting would not be therapeutically beneficial and may in fact be detrimental to the psyches of many of these children; and WHEREAS: The medicinal and therapeutic benefits of treating and counseling children with mental illnesses in both rural and school settings have been documented in many medical journals and academic papers. The Governor's proposal to place these children in a lock down facility with adults runs counter to science, logic and common sense; and WHEREAS: The New York State Assembly and Senate unanimously passed A6505 / S4630 which prohibit the collocation of certain children's facilities with adult facilities in Erie County; and REAS: Governor Cuomo needs to sign this bill and save WNY Children's Psychiatric Center in West Seneca. NOW THEREFORE BE IT RESOLVED: The Town of Elma legislative body supports the passage of the above bills in the New York State Legislature and also strongly encourages Governor Cuomo to immediately sign this necessary legislation into law. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the following resolution for the Library Construction Grant application for the Elma Public Library: Whereas the New York State Department of Education, Division of Library Development, under the Public Library Construction Grant Program ("State Grant") is offering funds up to 50% of approved costs for renovation or rehabilitation of public libraries in New York State, and Whereas the Town of Elma is the owner of the building that houses the Elma Public Library, located at 1860 Bowen Road, in the Town of Elma, and maintains the building under an agreement with the Buffalo and Erie County Public Library System, and Whereas the Elma Public Library is in charge with of its library operations in cooperation with the Buffalo and Erie County Public Library System, and per the guidelines for the State Grant and County Grant, must be the applicant for such grants, and Whereas the Elma Public Library is in dire need of roof replacement on the original library building, and replacement of the septic system, along with any associated repairs resulting from the disturbance of library's interior to repair the septic system main lines at an estimated cost of \$74,400;

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Whereas the Town of Elma, as owner of the Elma Public Library building and grounds, recognizes its responsibility to maintain the building and, in accordance with its responsibility, hereby commits to paying the entire project cost less any grant funds awarded, as the local match, towards the State Grant. Now Therefore Be It Resolved the Town of Elma will be providing all necessary matching funds through its capital budget, less any NYS Public Library Construction Grant proceeds, to complete the roof and septic system replacement, along with any necessary associated repairs, based on the attached project budget, contingent on the award of a Library Construction Grant; And Be It Further Resolved that this Town Board hereby authorizes and directs Town Grants Consultant Connie D. Miner to submit the Public Library Construction Grant for the Elma Public Library and directs the Elma Town Supervisor, Dennis M. Powers and Elma Library Board of Directors to provide all necessary signatures and documents needed for the Grant Consultant related to the aforementioned project and application for grant funding. And Be It Further Resolved that the Elma Town Board agrees and covenants that the Library building at 1860 Bowen Road in the Town of Elma shall be legally available for use as a public library building for at least 10 (ten) years from the anticipated date of the completion of the aforementioned roof and septic system replacement project. Ayes-4. Noes-0. Carried.


Councilman Malczewski made the motion and Councilman Nolan seconded the motion to approve Vouchers/Warrant #874 claim thru #1003 as follows: General Fund \$60,617.66; Highway Fund \$62,288.98; Water District \$19,943.27; Special District \$4,942.00. Ayes-4. Noes-0. Carried.

The next the Town Board meeting is September 6th, 2017 at 7:00pm and the next Work Session meeting will be September 13th, 2017 at 6:00pm.

All have received the Planning, Zoning, Conservation Boards and Subdivision Code Review Committee agenda and minutes that apply.

Meeting adjourned at 7:35PM. All in favor.

Respectfully submitted,


Patricia King,
Town Clerk