

A regular meeting of the Elma Town Board was held on Wednesday, June 20th, 2018 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-Absent
	Town Attorney	Phyllis Todoro
	Deputy Town Attorney	Dean Puleo
	Town Engineer	James Wyzykiewicz

Approximately 27 people attended the meeting.

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

Making the legal notice for the updating of the Master Plan part of the minutes Supervisor Powers opened the public hearing at 7:05pm. Drew Reilly from Wendel gave a brief over view of the update which is on the Town's website. This will be open for public comment for 30 more days. No one spoke for or against the updating of the Master Plan. Supervisor Powers closed the public hearing at 7:20pm.

Making the legal notice for the Annual Stormwater Report part of the minutes Supervisor Powers opened the public hearing at 7:21pm. No one spoke for or against the Annual Stormwater Report. Supervisor Powers closed the public hearing at 7:25pm.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the Annual Stormwater Report.
Ayes-5. Noes-0. Carried.

Making the legal notice for Drainage District #200 for 720 North Star Rd part of the minutes Supervisor Powers opened the public hearing at 7:26pm. No one spoke for or against Drainage District #200 for 720 North Star Rd. Supervisor Powers closed the public hearing at 7:27pm.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve Drainage District #200 for 720 North Star Rd.
Ayes-5. Noes-0. Carried.

Making the legal notice for Drainage District #201 for 7181 Seneca St for Moog Credit Union part of the minutes Supervisor Powers opened the public hearing at 7:28pm. No one spoke for or against Drainage District #201 for 7181 Seneca St. Supervisor Powers closed the public hearing at 7:29pm.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Drainage District #201 for 7181 Seneca St.
Ayes-5. Noes-0. Carried.

Making the legal notice for Drainage District #202 for Finnegan Dr for Forbes Capretto part of the minutes Supervisor Powers opened the public hearing at 7:30pm. No one spoke for or against Drainage District #202 Finnegan Dr/Forbes Capretto. Supervisor Powers closed the public hearing at 7:31pm.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve Drainage District #202 for Finnegan Dr/Forbes Capretto. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the minutes from the May 21st, 2018 meeting.
Ayes-5. Noes-0. Carried.

June 20, 2018

Department Reports:

Town Engineer James Wyzykiewicz noted the work on Caroline Lane was completed today and Briggswood will be completed tomorrow.
 Building Inspector Joseph Colern reported the monthly building report for April (corrected) with 34 permits issued, fees collected of \$10,671.81 with an estimated value of construction of \$1,220,280 and for May with 39 permits issued, fees collected of \$9,258.64 with an estimated value of construction of \$1,868,651.
 Highway Superintendent Wayne Clark noted that the surplus auctioned roller sold for \$4075 and the dump truck for \$3625.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to table amending Business Use Permit for Specialized Tree Service at 1241 Bowen Road. This will be on the next Work Session agenda for July 18th, 2018.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the following resolution for Authorizing a Loan from the General Fund to Drainage District #115 and proceed with Improvements to Drainage: WHEREAS, the Town wishes to proceed with improvements within Drainage District No. 115, and WHEREAS, the Town has estimated the total cost of these improvement to be \$10,160.54, and WHEREAS, the Town does not currently have such improvements budgeted in Drainage District No. 115, but does having funding available through a loan from the General Fund, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2018 adopted budget for Drainage District No. 115 to authorize appropriations of \$10,160.54 for emergency drainage improvements. BE IT FURTHER RESOLVED, that the Town Board authorizes a loan from the General Fund to Drainage District No. 115 in the amount of \$10,160.54, with the loan to be repaid over a four-year period. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the budget amendment to increase appropriations for repairs at Elma Meadow Sewer District as follows: WHEREAS, the Town wishes to provide for funding for the repairs to the collection system at the Sewer District #5, and WHEREAS, the Town Board wishes to provide funding for such expenses, and WHEREAS, the Town's 2018 adopted budget does not currently include such funding NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amendment of budgetary appropriations in the Town's 2018 adopted budget as follows: Increase Appropriations: SS5 8125.405 Reserve for Repairs--\$10,000.00 and Decrease Appropriations: SS5 599 Appropriated Fund Balance--\$10,000.00. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to appoint Tom Pirrung to the Library Board replacing Dave Engberg. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve Christopher Mitchell's position to truck driver at the Water Department effective June 26, 2018. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to refund Todd Huber the building permit extension fee for 6350 Seneca St with a six-month extension. Ayes-2. Noes-3. (Councilman Malczewski, Councilman Petrocy and Supervisor Powers voted no) Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to award the bid for the Senior Center Roof to Building Solution at the cost of \$31,900. Bids from Sturm Roofing at \$38,500 and Zimmer Construction at \$39,900 were reviewed. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Vouchers/Warrant #6 claim #589 thru #735 as follows: General Fund \$50,149.39; Highway Fund \$5,783.06; Water District \$39,722.40; Special District \$48,084.05. Ayes-5. Noes-0. Carried.

Supervisor Powers set a public hearing date of July 18th, 2018 amending the Social Host Liability Law to correct an error.

The Work Session will be July 18th, 2018 at 6:00PM and the next Town Board meeting will be July 18th, 2018 at 7:00PM

June 20, 2018

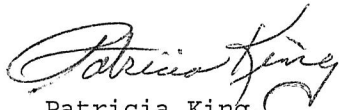
All have received the Planning, Zoning and Conservation Board agenda and minutes that apply.

Supervisor Powers made the motion and Councilman Malczewski seconded the motion to enter Executive Session at 7:55pm regarding a personnel matter and will adjourn immediately following this session with no motions taken. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to exit Executive Session at 8:35pm. Ayes-5. Noes-0. Carried.

Meeting Adjourned at 8:35PM. All in favor.

Respectfully submitted,



Patricia King,
Elma Town Clerk

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, County of Erie, will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 20th day of June 2018, at 7:00 p.m. for the purpose of accepting the Updated Comprehensive Plan. By order of the TOWN BOARD of the TOWN OF ELMA, Erie County, New York.

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, Erie County, will meet at the Town Hall, 1600 Bowen Road, Elma, New York on June 20th, 2018 at 7:00pm, for the purpose of conducting a public hearing to review the Annual Stormwater Report, at which time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same. Rescheduled: original notice was May 23rd, 2018 at 7:00pm. By Order of the Town Board of the Town of Elma, New York
Patricia A King
Town Clerk of Elma

LEGAL NOTICE
WHEREAS, a petition dated 21st, day of May 2018, 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 #202 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. 60, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at the intersection of the southerly boundary line of Finnegan Drive (50.00 feet wide) with the westerly line of lands conveyed to Patricia D. Bartnik further described in a deed recorded in the Erie County Clerk's Office in Liber 11298 of Deeds at Page 9526; THENCE, southerly along the westerly boundary line of Patricia D. Bartnik having an interior angle of 90°-53'-00", a distance of 385.99 feet to a point; THENCE, easterly along the southerly line of said Patricia D. Bartnik lands and the southerly line of Robert Tharnish further described in a deed recorded in the Erie County Clerk's Office in Liber 9319 of Deeds at Page 291, having an exterior angle of 90°-53'-00", a distance of 426.77 feet to a point; THENCE, southerly along the westerly boundary of John Simme further described in a deed recorded in the Erie County Clerk's Office in Liber 9319 of Deeds at page 51, having an interior angle of 85°-05'-47", a distance of 236.06 feet to a point; THENCE, southerly along the west line of Chester F. Damohn, further described in a deed recorded in the Erie County Clerk's Office in Liber 4388 of Deeds at page 229, also known as the westerly boundary line of Arthur Salisbury, further described in a deed recorded in the Erie County Clerk's Office in Liber 9818 of Deeds at Page 498, having an interior angle of 184°-55'-03", a distance of 242.10 feet to a point; THENCE, westerly along the southerly line of lands conveyed to Michael J. Ryan further described in a deed recorded in the Erie County Clerk's Office in Liber 8138 of Deeds at page 289, having an interior angle of 90°-00'-00", a distance of 230.00 feet to a point; THENCE, through said Michael J. Ryan lands the following three (3) courses and distances: 1.) Northerly having an interior angle of 90°-00'-00", a distance of 172.16 feet to a point; 2.) Westerly having an exterior angle of 90°-00'-50", a distance of 567.40 feet to a point; 3.) Northerly having an interior angle of 90°-53'-00", a distance of 691.23 feet to the southerly boundary line of Finnegan Drive; THENCE, easterly along the southerly boundary line of Finnegan Drive, having an interior angle of 89°-07'-00", a distance of 396.00 feet to the POINT OF BEGINNING containing 10.07 acres be the same more or less.
ORDERED, that the Town Board of the Town of Elma, shall meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 20th day of June, 2018 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.

LEGAL NOTICE
WHEREAS, a petition dated 21st, day of May 2018, 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 #200 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. 30 (thirty), Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at a point in the center line of North Star Road, also being the north line of Lot Number thirty (30), distant two hundred fifty-one (251) feet westerly from the northeast corner of Lot Number thirty (30); thence southerly at an interior angle of 89°-23'-six hundred eleven (611) feet, thence westerly at an interior angle of 90°-37'-one hundred twelve (112) feet to the east line of map filed in the Erie County Clerk's Office under Cover Number 1955; thence northerly at an interior angle of 89°-23' and along the east line of Cover Number 1955, six hundred eleven (611) feet to the center line of North Star Road, being the north line of Lot Number thirty (30); thence easterly at an interior angle of 90°-37' and along the center line of North Star Road one hundred twelve (112) feet to the 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 20th day of June, 2018 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. Rescheduled: original notice was 23rd day of May, 2018 at 7:00pm.

LEGAL NOTICE
WHEREAS, a petition dated 21st, day of May 2018, 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 #201 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. 64, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows: BEGINNING at a point in the center line of Seneca Street, distant one hundred ninety-five and twenty-five hundredths (195.25) feet southeasterly from its intersection with the north line of Lot Number sixty-four (64), running thence easterly and parallel with the north line of Lot Number sixty-four (64), five hundred eighty-three and forty-six hundredths (583.46) feet to a point, running thence southerly at right angles, one hundred fifty (150) feet to a point on the south line of lands conveyed to Moog, Inc. by deed recorded in the Erie County Clerk's Office in Liber 7237 of Deeds at page 331, running thence westerly at right angles and along the south line of lands conveyed to Moog, Inc. by deed aforesaid, five hundred twenty-five (525) feet to the center line of Seneca Street, running thence northwesterly along the center line of Seneca Street, one hundred sixty and ninety-nine hundredths (160.99) feet to 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 20th day of May, 2018 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. Rescheduled: original notice was 23rd day of May, 2018 at 7:00pm.