

A regular meeting of the Elma Town Board was held on Wednesday, November 18, 2020 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Wayne Clark
Councilman	Thomas Fallon-Absent
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy

Also:	Building Inspector	Joseph Colern
	Highway Superintendent	Howard Diehl
	Plant Manager	Brian Fiden
	Town Attorney	Phyllis Todoro
	Town Engineer	James Wzykiewicz-Absent

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

Approximately 17 people attended the meeting.

Making the legal notice for the Public Hearing on Niagara Produce at 3131 Transit Road part of the minutes Supervisor Clark opened the public hearing at 7:00pm. Jacob Metzger from Metzger Civil Engineering spoke on behalf of Niagara Produce. Jackie Kuntz of Seneca St spoke in favor of this project. No one spoke against this project. Supervisor Clark closed the public hearing at 7:04pm.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve a Special Use Permit for Niagara Produce at 3131 Transit Road. Building Inspector notes a referral to the Planning Board for Site Plan Approval under Section 117, a Public Hearing required by Town Board for Special Use Permit 144-86.8 and a Drainage District required. Ayes-4. Noes- 0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve a Preliminary Business Use Permit for Niagara Produce at 3131 Transit Rd. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion that the Town of Elma Town Board take Lead Agency on the SEQR for Niagara Produce at 3131 Transit Rd. Ayes-4. Noes-0. Carried.

Making the legal notice for the Public Hearing on the 2021 Town of Elma Preliminary Budget part of the minutes Supervisor Clark opened the public hearing at 7:06 pm. No one spoke in favor or against the 2021 Town of Elma Preliminary Budget. Supervisor Clark closed the public hearing at 7:07pm.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the 2021 Town of Elma Budget as submitted by the Supervisor and the Elma Town Board. Ayes-3. Noes-1. Carried. (Councilman Malczewski voted no).

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the minutes from the October 21st, 2020 meeting. Ayes-4. Noes-0. Carried.

#### Department Reports:

Building Inspector Joseph Colern presented the monthly report for October 2020 with 24 permits issued, fees collected of \$7,716.53 with an estimated value of construction of \$6,960,248.81.

Highway Superintendent Howard Diehl mentioned the Shared Services Agreement that is due to expire between the New York State DOT and the Town of Elma. The agreement can be for 2 or 4 years.

Plant Manager Brian Fiden noted that he just received a phone call before the meeting about a Water main break happening right now on Finnegan Dr and Bowen Rd with approximately 14 homes affected. Letters were sent to MOOG and Steuben Foods regarding Grant Underwriters. There is an issue with the generator on Transit Rd not working properly. There were issues with System 2 on Chairfactory Rd. Engineering Services for funding for pump 2 on Transit Rd was also mentioned. Town Attorney Phyllis Todoro had nothing to report.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve a Special Use Permit for Crown Castle at 7331 Seneca St for a co-location and ground equipment cabinet inside existing shelter. Building Inspector notes building permit required for co-location of new antenna & ancillary equipment. Ayes-4. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve the renewal of the NYS Shared Services Agreement between the NYSDOT and the Town of Elma for four (4) years. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the 2021 Auditor's Agreement with Drescher & Malecki for 1 year with the 2021 rates to remain fixed at the 2020 rates. Ayes- 3. Noes-1. Carried. (Councilman Malczewski voted no).

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve Supervisor Clark to set a public hearing date of December 16<sup>th</sup>, 2020 for the 2021 thru 2023 Fire Company Agreements. Ayes-4. Noes-0. Carried.

Councilman Nolan wanted to update the Board that an Agreement was made between AMR and the Town of Elma for supplemental EMT/ambulance services to begin Monday, November 23, 2020.

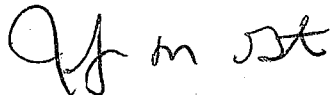
Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve Vouchers/Warrant #11 claim #922 thru #1017 General Fund \$161,259.82; Highway Fund \$117,183.12; Water District \$83,574.56; Special District \$279,577.37 and Capital Improvements \$484.17. Ayes-4. Noes-0. Carried.

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

Due to issues with the Coronavirus Pandemic the next Work Session will be December 16<sup>th</sup>, 2020 at 6:00pm followed by Town Board meeting on December 16<sup>th</sup>, 2020 at 7:00pm.

Meeting adjourned at 7:23PM. All in favor.

Respectfully submitted,



Jennifer M Ginter,  
Deputy Town Clerk

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma will meet at the Town Hall, 1600 Bowen Road, Elma, New York to conduct a public hearing on the 18th day of November 2020 at 7:00PM for the proposal of Niagara Produce to be located at 3131 Transit Road, Elma NY, 14059. For a proposed construction of approximately 77,250 square feet of buildings and associated infrastructure under Elma Town Code Section 144-86.9 at which time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same. By Order of the Town Board of The Town of Elma, New York.

Patricia A. King  
Elma Town Clerk

44-1

#### TOWN OF ELMA

##### Notice of Public Hearing Preliminary Budget

Notice is hereby given that the Preliminary Budget of the Town of Elma for the fiscal year beginning January 1, 2021 has been completed and filed in the office of the Town Clerk, town of Elma, New York where it is available for inspection by any interested person during regular business hours. Further notice is hereby given that the Town Board of Elma will meet and review said Preliminary, ad valorem budget, Special District budgets and hold a public hearing at the Elma Town Hall, 1600 Bowen Road, Elma, New York at 7:00pm on November 18th, 2020 and that at such hearing any person may be heard in favor or against any items therein contained. Pursuant to Section 13 of the Town Law, the proposed salaries of the following Town Officials are hereby specified as follows:

Supervisor	\$74,404
Councilman (4)	\$19,498
Town Clerk	\$67,776
Highway Superintendent	\$67,476
Justices (2)	\$38,280

By Order of the Elma Town Board  
Town Clerk

45-1