

A regular meeting of the Elma Town Board was held on Wednesday, September 15, 2021, at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

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

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 July 14, 2021, and August 18, 2021, meetings. Ayes-3. Noes-0. Carried.

Plant Manager Brian Fiden noted the replacement of three transformers at the Water Department buildings by NYSEG with the Town hiring an electrician for this project.

Highway Superintendent Howard Diehl noted that the basketball hoops are up at Creek Road Park and the rear shelter has been sealed.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to add an item to the Agenda. Ayes-3. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve Mr. Fiden to bid out the electrical work for the new transformers at the Water Department buildings. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a negative declaration and a short form SEQR for Creative Threads at 5761 Seneca St. Ayes-3. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve a Business Use Permit for Creative Threads at 5761 Seneca St. Building Inspector notes permits required for interior building and permit require for advertising signs. Ayes-3. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the Fill Permit for 6250 Seneca St for a proper driveway and garage with a backyard for Mr. Huber. The neighbor to the west Thom Stone has no issues with Mr. Huber filling the property. Ayes-3. Noes-0. Carried.

Supervisor Clark made the motion and Councilman Malczewski seconded the motion to add an item to the Agenda. Ayes-3. Noes-0. Carried.

Wednesday, September 15th, 2021

Supervisor Clark made the motion and Councilman Malczewski seconded the motion to approve the following resolution to take effect immediately: WHEREAS, the Municipal Home Rule Law of the State of New York provides for the adoption and enactment of local laws, and WHEREAS, a proposed Local Law of the year 2021 has been introduced by Supervisor Clark entitled, "A Local Law to Opt-Out of allowing Cannabis Retail Dispensaries and On-Site Consumption Locales authorized under Cannabis Law 131, and WHEREAS, the proposed Local Law of 2021 shall be in the form attached hereto and made a part hereof, and WHEREAS, pursuant to the Town of Elma Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law. NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Elma that:

1. A public hearing for the proposed Local Law is hereby set for the 13th day of October 2021 at 6:00 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing in accordance with the Municipal Home Rule Law and Open Meetings Law.
3. This resolution is effective immediately.

Ayes-3. Noes-0. Carried.

Supervisor Clark set a public hearing date of October 13, 2021, at 6:00pm for a Local Law to Opt-Out of allowing Cannabis Retail Dispensaries and On-Site Consumption and for the Community Block Development Grant. Supervisor Clark also set a date of October 20, 2021, at 7:00pm for Drainage District # 209 for 6250 Seneca St.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Vouchers/Warrant #9 claim #682 thru #757 as follows: General Funs \$19,529.80; Highway Fund \$13,341.47; Water Fund \$242,209.28; Special Districts \$10,483.35 and Capital Improvements \$9,867.63. Ayes-3. Noes-0. Carried.

The next Work Session will be October 13, 2021, at 6:00pm and the Town Board will be October 20, 2021, at 7:00pm.

As per notes taken by Town Attorney Phyllis Todoro.
Meeting adjourned all in favor.