

A regular meeting of the Elma Town Board was held on Wednesday, January 19, 2022 at 7:00PM at Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Wayne Clark
Councilman	Leroy Kupczyk
Councilman	Joseph Macaluso
Councilman	James Malczewski
Councilman	Tracy Petrocy

Also:

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

Approximately 50 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 Rezoning of 2921 Transit Rd for Mayer Brothers from Residential C to C-3 Zone part of the minutes, Supervisor Clark opened the Public hearing at 7:02PM. Residents from Streif Rd, Bullis Rd, Clinton St, and employees of Mayer Brothers spoke in favor of the Rezoning. Several residents from Blossom and E Center Rd spoke against the Rezoning. Supervisor Clark closed the Public Hearing at 7:53PM.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to table the Rezoning of 2921 Transit Rd for Mayer Brothers from Residential C to C-3 Zone for further information to find a resolution for Mayer Brothers and the residents concerns. Ayes – 5. Noes – 0. Carried.

Councilman Malczewski made the motion and Councilman Kupczyk seconded the motion to approve the minutes from the January 5, 2022 meeting with the exception that the errors on the minutes having been corrected. Ayes - 5. Noes - 0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the annual report with 365 permits issued for 2021, \$132,290.54 fees collected and the estimated value of construction \$47,153,895.00. There were 20 new houses in 2021.

Plant Manager Brian Fiden noted the 2 new hydrants at Girdle and Rice Rds were installed and working. Also, received was the new pump and motor for the Transit Rd Station. They are in the process of working on it and putting it all together.

Highway Superintendent Howard Diehl noted the Highway 284 Agreements needs approval.

Town Attorney Phyllis Todoro had nothing to report.

Councilman Kupczyk made the motion and Councilman Petrocy seconded the motion to approve the Special Use Permit for Macaluso's Garage Inc at 5710 Seneca St, Elma for the sale of vehicles, campers, cars, trucks, trailers. Building Inspector notes a Site Plan Review by the Planning Board was completed on 12/21/21. Ayes – 4. Noes – 0. Abstain – 1. Carried. Councilman Macaluso abstained.

Councilman Malczewski made the motion and Councilman Kupczyk seconded the motion to issue a negative declaration on a short form SEQR for Alembic Adult Health NP PLLC at 2731 Transit Rd, Suite 106, Elma, New York. Ayes -5. Noes -0. Carried.

Councilman Malczewski made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Alembic Adult Health NP PLLC at 2731 Transit Rd, Suite 106, Elma, New York for medical office. Building Inspector notes sign permits required for advertising and Building permit required for Interior Build-out. Ayes -5. Noes -0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve the purchase of a Gradall for the Elma Highway Department for \$352,956.48. Supervisor Clark stated there is money in the reserve account for this purchase. This purchase is through contract and does not need to be bid out. Ayes – 4. Noes -1. Carried. Councilman Malczewski voted no.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Water Rate Increase of 7% for the Town of Elma. The Erie County Water Authority is raising the Town of Elma's rate 6.43%. Ayes - 4. Noes - 0. Abstain- 1. Carried. Councilman Petrocy abstained.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve Vouchers/Warrant #13 claim #1109 thru #1194 General Fund \$45,407.15; Highway Fund \$273,480.67; Water District \$28,359.72; Special District \$7,405.18. Warrant #1 claim #1 thru #34 General Fund \$89,816.48; Highway Fund \$77,835.23; Water District \$50,376.63; Special District \$50,567.29. Ayes - 5. Noes - 0. Carried.

Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to add an item to the Agenda. Ayes - 5. Noes - 0. Carried.

Councilman Petrocy made the motion and Councilman Petrocy seconded the motion to approve the Section 284 Agreement to spend Highway Funds for 2022 for road improvements. Ayes - 5. Noes - 0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to add an item to the Agenda. Ayes - 5. Noes - 0. Carried.

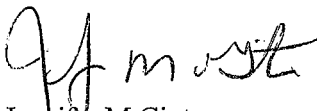
Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve the service award points for Blossom, Elma and Jamison Road Fire Companies for 30 day review. Ayes - 5. Noes - 0. Carried.

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

The next Work Session meeting will be February 9th, 2022 at 6:00PM and the next Town Board Meeting will be February 23rd, 2022.

Meeting adjourned at 8:46PM. All in favor.

Respectfully submitted,



Jennifer M Ginter
Deputy Town Clerk

**NOTICE OF ADOPTION OF
AMENDMENT TO ZONING ORDINANCE**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, New York at a regular meeting thereof, held at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 19th day of January 2022 duly adopted a resolution as follows:

THE TOWN BOARD HAVING conducted a public hearing on the 19th day of January 2022 and HAVING given this matter due consideration, HEREBY amends the Zoning Map of the Town of Elma by changing the zoning from Residential C to C-3 Zone of the following described property:

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 Number one-hundred-four and one-hundred-five (104 and 105), Township ten (10), Range six (6) of Buffalo Creek Reservation and according to a map of the Ebenezer Lands filed in the Erie County Clerk's Office under Cover No. 58 is known and distinguished as Lot No. three-hundred-eighty-four (384), being situate at the intersection of the westerly line of Blossom (formerly Lancaster) Road with the northerly line of East Center (formerly Central) Road and being 8 chains front along Blossom Road and 18.61 chains in depth along East Center Road as shown on said map.

EXCEPTING that part of the above-described premises was conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 2121 of Deed at Page 170 on May 13, 1930.

ALSO EXCEPTING from the above-described premises a parcel at the northeast corner of Transit Road and Schultz Road, and more particularly bounded and described as follows:

BEGINNING at an iron pipe placed at the northeasterly intersection of Transit and Schultz Roads and running thence northerly along the easterly line of Transit Road, a distance of three hundred (300) feet to a point; thence in an easterly direction at right angles to Transit Road and parallel with the northerly line of Schultz Road a distance of eight-hundred-fifty-three (853) feet to a point; thence in a southerly direction and parallel with easterly line of Transit Road, a distance of three hundred (300) feet to a point on the northerly line of Schultz; thence in a westerly direction along the northerly line of Schultz Road; thence in a westerly direction along the northerly line of Schultz Road, a distance of two hundred-fifty-three (253) feet to the point or place of beginning.

PREMISES COMMONLY KNOWN AS: 2921 Transit Road, Elma, NY 14059