

A regular meeting of the Elma Town Board was held on Wednesday, June 21, 2023, at 7:00PM at Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members:

Supervisor	Wayne Clark
Councilman	Leroy Kupczyk
Councilman	Joseph Macaluso
Councilman	Daryl Nolan-Absent
Councilman	Tracy Petrocy-Absent
Also:	
Building Inspector	Joseph Colern
Highway Superintendent	Howard Diehl
Plant Manager	Brian Fiden-Absent
Town Attorney	Phyllis Todoro
Sewer Plants	Timothy Walczyk
Town Engineer	James Wyzykiewicz

Approximately 8 people attended the meeting.

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

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve the minutes from the May 17th, 2023, meeting. Ayes-3. Noes-0. Carried.

#### Department Reports:

Building Inspector Joseph Colern presented the building report for May 2023 with 38 permits issued, fees collected of \$2,747.00 with an estimated value of construction of \$834,901.32. Highway Superintendent Howard Diehl noted an error in the quote for the new compactor at the Transfer Station and will need new approval for the increase in price.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve the increase of \$1243.02 for the new compactor at the Transfer Station for a total cost of \$24,281.40. Ayes-3. Noes-0. Carried.

Making the legal notice for the public hearing on Great Lakes Building System at 3021 Transit Rd, Elma NY to rezone the rear property consisting of 129.75 feet by 290 feet from residential C to C3 part of the minutes Supervisor Clark opened the hearing at 7:06pm. No one spoke against the rezone and Mr. Wojdan property owner spoke for the rezone. Supervisor Clark closed the hearing at 7:08pm.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve a negative declaration on the short for SEQR for Great Lakes Building Systems at 3021 Transit Rd Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve the rezoning of Great Lakes Building System at 3021 Transit Rd Elma NY to rezone the rear property of 129.75 feet by 290 feet from residential C to C3. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for American Off Road at 1221 Maple Rd Elma NY. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Fetch The Vet at 1231 Maple Rd Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to add and approve a Preliminary Business Use Permit for Fetch The Vet at 1241 Maple Rd Elma NY. They will be constructing a new building for their business. Building Inspector notes to refer to the Planning Board for a Site Plan Review under section 117 Elma Town Code. This is a C-3 zone. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Moog Inc at 5970 Seneca St (30A) Elma NY. Ayes-3. Noes-0. Carried.

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Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Moog Inc at 5970 Seneca St (30A) Elma NY for storage of materials (nonhazardous), cardboard, plastics and janitorial supplies. Building Inspector notes Storage of nonhazardous materials per application and permits required for advertising signs. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Moog Inc at 5980 Seneca (30B) Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Moog Inc at 5980 Seneca St (30B) Elma NY for office space/storage electric supplies and components. Building Inspector notes office space and storage (electric supplies) and permits required for advertising signs. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Moog Inc at 5990 Seneca St (30C) Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Moog Inc at 5990 Inc Seneca St (30C) Elma NY for office operations and storage of materials. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Moog Inc at 6040 Seneca St (30F) Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Moog Inc at 6040 Seneca St (30F) Elma NY for storage of autonomous equipment/testing. Building Inspector notes indoor storage of autonomous equipment/testing and permit required for advertising signs. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Buffalo Energy Inc at 5800 Seneca St Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Buffalo Energy Inc at 6800 Seneca St Elma NY for office and warehouse. Building Inspector notes office and storage (inside warehouse only) and sign permit required. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to issue a negative declaration on a short form SEQR for Southtowns Kids Consignment at 7510 Seneca St Elma NY. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Southtowns Kids Consignment at 7510 Seneca St Elma NY for kids' consignment store. Building Inspector notes permits required for advertising signs. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to issue a Preliminary Business Use Permit to Creative Land Development at 6000 Seneca St Elma NY. Building Inspector notes refer to the Planning Board for a site plan review under chapter 117 Elma Town Code. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve the 2023 Fireworks Agreement with Skylighters Fireworks for the July 4<sup>th</sup> event at the cost of \$13,900. Ayes-3. Noes-0. Carried.

Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve the Fuel Agreement with Iroquois Central School District for two years from July 1, 2023, ending June 30, 2025. Ayes-3. Noes-0. Carried.

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Councilman Kupczyk made the motion and Councilman Macaluso seconded the motion to approve Vouchers/Warrant #6 claim #333 thru #403 as follows: General Fund \$45,579.62; Highway Fund \$1,131.59; Water District \$276,521.00; Special District \$6,028.80. Ayes-3. Noes-0. Carried.

Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to add and item to the agenda. Ayes-3. Noes-0. Carried.

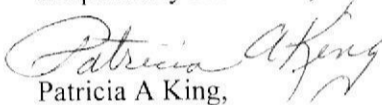
Councilman Macaluso made the motion and Councilman Kupczyk seconded the motion to approve EDR Engineering for the Elma Meadows (Iroquois Central School District) Sewer Plant Project. Ayes-3. Noes-0. Carried.

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

The next Work Session meeting will be July 19, 2023, at 6:00PM with the Town Board Meeting to follow at 7:00PM.

Motion to adjourn the meeting at 7:28 PM. All in favor. Carried.

Respectfully submitted,

  
Patricia A King,

#### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Elma, Erie County, New York, will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 21st day of June, 2023, at 7:00 p.m. for the purpose of conducting a public hearing upon a proposal to rezone the rear property consisting of 129.75 feet by 290 feet from residential C to C3 at 3021 Transit Road as herein described at which time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same. The description of the boundaries of the proposed area to be rezoned is 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. 386 of the Ebenezer Lands, so called, as shown on a Map filed in the Erie County Clerk's Office under Cover No. 58, bounded and described as follows: COMMENCING at a point in the east line of Transit Road distant 259.5 feet southerly from the intersection of the north line of Lot 386 with the east line of Transit Road; thence easterly along a line parallel with the south line of Lot 386 a distance of 300.0 feet to the point of beginning; thence continuing easterly along said line parallel with the south line of Lot 386 a distance of 290.0 feet; thence southerly along a line parallel with the east line of Transit Road a distance of 259.5 feet; thence westerly parallel with the south line of Lot 386 a distance of 290.0 feet; thence northerly parallel with the east line of Transit Road a distance of 259.5 feet to the point of beginning. 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 sign board of the Town of Elma in the time and manner required by law.

#### NOTICE OF ADOPTION OF AMENDMENT TO ZONING ORDINANCE

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Elma, Erie County, New York, has meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York on the 21st day of June, 2023, at 7:00 p.m. for the purpose of conducting a public hearing upon a proposal to rezone the rear property consisting of 129.75 feet by 290 feet from residential C to C3 at 3021 Transit Road as herein described at which time and place said Town Board has considered such proposal and has heard all persons interested in the subject thereof concerning the same. The description of the boundaries of the proposed area to be rezoned is 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. 386 of the Ebenezer Lands, so called, as shown on a Map filed in the Erie County Clerk's Office under Cover No. 58, bounded and described as follows: COMMENCING at a point in the east line of Transit Road distant 259.5 feet southerly from the intersection of the north line of Lot 386 with the east line of Transit Road; thence easterly along a line parallel with the south line of Lot 386 a distance of 300.0 feet to the point of beginning; thence continuing easterly along said line parallel with the south line of Lot 386 a distance of 290.0 feet; thence southerly along a line parallel with the east line of Transit Road a distance of 259.5 feet; thence westerly parallel with the south line of Lot 386 a distance of 290.0 feet; thence northerly parallel with the east line of Transit Road a distance of 259.5 feet to the point of beginning. 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 sign board of the Town of Elma in the time and manner required by law.