

A regular meeting of the Elma Town Board was held on Wednesday, April 19th, 2015 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-Absent
Councilman	Tracy Petrocy

Also:	Building Inspector	Joseph Colern
	Highway Superintendent	Wayne Clark
	Water Superintendent	Eugene Stevenson
	Town Attorney	Phyllis Todoro
	Deputy Town Attorney	Dean Puleo
	Town Engineer	James Wyzykiewicz

Approximately 12 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 Local Law #2-2017 (amending) Sex Offenders Residency Prohibition Law part of the minutes Supervisor Powers opened the public hearing at 7:01pm. Speaking for N. Capozzi no one spoke against amending the Sex Offenders law. Supervisor Powers closed the public hearing at 7:02pm.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Local Law #2-2017 Sex Offender Residency Prohibition Law. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the minutes from the April 5th, 2017 meeting. Ayes-4. Noes-0. Carried.

#### Department Reports:

Water Superintendent Eugene Stevenson noted that the water is on at the Town Parks, they are doing lawn restoration from the winter months. Highway Superintendent Wayne Clark noted that Town properties have been cleaned up and lawns rolled, ball diamonds are ready and brush pick up is in progress.

Councilman Petrocy made the motion and Councilman Fallon seconded the motion to approve a negative declaration on a short form SEQR for JPR Grinding at 1061 Bullis Rd. Ayes-4. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Fallon seconded the motion to approve the Business Use Permit for JPR Grinding at 1061 Bullis Rd for machine shop. Building Inspector notes sign permits required and fire inspection required within 30 days after occupancy. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to authorize Supervisor Powers to sign the agreement with Troy Banks for a utility review. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the following resolution: Whereas, the Elma Town Code contains and specifies the local laws, and ordinances of the Town of Elma; and Whereas, the Elma Town Board has evaluated these regulations as they relate to Subdivisions, determined that the laws to not properly reflect the needs of the Town and are outdated, issued a Moratorium on Subdivisions and formed a Subdivision Code Review Committee, and

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Whereas, the Subdivision Code Review Committee has reviewed these regulations, met over the last year, worked with a consultant, drafted amendments to the Subdivision of Land Law and has now recommended them to the Town Board, and Whereas, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law as follows: Be it enacted by the Town Board of the Town of Elma, New York, that the Elma Town Board amends the Elma Town Code as follows: Amend Chapter 123 Subdivision of Land, Articles I, II, III, IV and VI, by amending, deleting and adding to certain sections as shown in the attached full copy of the amendments, and Whereas, the Town Board would like to start the process of considering these zoning revisions by referring these proposed code revisions to Erie County in accordance with General Municipal Law section 239-m, and setting a public hearing on these proposed revisions. Whereas, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, the Elma Town Board would like to establish itself as SEQR Lead Agency and conduct a coordinated environmental review of these Subdivision Code revisions. Now, Therefore, Be It Resolved, that the Elma Town Board authorizes a coordinated SEQR process, the referral of these amendments to Erie County, and sets a Public Hearing on these proposed amendments at the Elma Town Hall, 1600 Bowen Road, Elma, NY at 7:00 pm on May 3, 2017. Ayes-4. Noes-0. Carried.

Supervisor Powers set a public hearing for LL#3-2017 Subdivision of Land for May 3, 2017 at 7:00pm.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve Vouchers/Warrant #4 claim #353 thru #459 as follows: General Fund \$53,334.28; Highway Fund \$25,872.44; Water District \$19,093.76; Special District \$22,027.39. Ayes-4. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to add an item to the Agenda. Ayes-4. Noes-0. Carried.

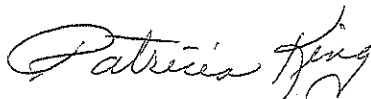
Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to award the RFP for the updating engineering services of a new 2-million gallon water storage tank to Clark Patterson Lee at the cost of \$500. Two other bids were received but did not comply with the RFP was Nussbaumer & Clarke Inc \$347,000 and GPI Greenman-Pedersen Inc \$292,079. Ayes-4. Noes-0. Carried.

The next Town Board meeting will be May 3rd, 2017 at 7:00PM and the Work Session will be May 10th, 2017 at 6:00PM.

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

Meeting Adjourned at 7:25PM. All in favor.

Respectfully submitted,



Patricia King,  
Elma Town Clerk

**LEGAL NOTICE**  
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 19th day of April, 2017, at 7:00 p.m. for the purpose of conducting a public hearing to consider and discuss and if needed be act upon amending the Local Law #1-2006 Sex Offender Residency Prohibition Law, to amend section 4 on mandatory relocation period and section 5 on penalties which will become Local Law #2-2017 Amended Sex Offender Residency Prohibition Law. By order of the Town Board of the Town of Elma, Erie County, New York.