

A regular meeting of the Elma Town Board was held on Wednesday, January 22, 2020 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Wayne Clarks
Councilman	Thomas Fallon
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 Wyzykiewicz

Approximately 4 people attended the meeting.

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 the January 8th, 2020 meeting.  
Ayes-5. Noes-0. Carried.

Department Reports:

Town Engineer James Wyzykiewicz is recommending the approval of Edward Hulme, Inc for the drainage project on Highland-Sigman for drainage district #28.

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

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to award the bid for Drainage District #28 Highland- Sigman to Edward Hulme, Inc at the cost of \$32,045 with no performance bond and signed contract. The cost of this project will be billed to the drainage district #28. Bids from Meyer Septic \$44,700; Kandy Company \$44,750; E&R General Construction \$61,400 and Legend Excavating \$72,500 were also reviewed. Ayes-5. Noes-0. Carried.

Building Inspector Joseph Colern presented the 2019 yearly report with 383 permits issues, fees collected of \$135,500.34 with an estimated value of construction of \$32,197,146.43 and 17 new residential homes built. Plant Manager Brian Fiden noted the repairs to the #2 pump at Transit. Mr. Fiden is looking into a new company that is local to help with the Scada System and he also is looking into purchasing two new vehicles. Highway Superintendent Howard Diehl would like approval to spend Town Highway Funds for 2020.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to add and item to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Malczewski seconded the motion to approve the Section284 Agreement to Spend Highway Funds for 2020 in the amount of \$307,000 for 41.15 road miles. Ayes-5. Noes-0. Carried.

Town Attorney Phyllis Todoro noted the Clinton Street Betterment Agreement needs to be signed.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to approve the following resolution by Town of Elma relative to Comptroller's Contract #D040039 (NYS DOT Administered Project) Resolution Number: 1-2020. Authorizing the implementation and funding of a State "Marchiselli" Program-aid eligible transportation federal-aid project, to fully fund the local share of federal- and state-aid eligible and ineligible project costs and appropriating funds therefore. WHEREAS, a Project for the Elma Waterline Betterment, P.I.N. 5038.17 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and WHEREAS, the Town of Elma desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of waterline work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYS DOT") pursuant to Agreement; and it is further NOW, THEREFORE, the Town Board, duly convened does hereby

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RESOLVE, that the Town Board hereby approves the Project; and it is hereby further RESOLVED, that the Town Board hereby authorizes the Town of Elma to pay in the first instance the full non-federal share of the cost of \$326,970.30 work for the Project or portions thereof; and it is further RESOLVED, that the sum of \$326,970.30 is hereby appropriated from the Water Fund and made available to cover the cost of participation in the above phase of the Project; and it is further RESOLVED, that in the event the non-federal share of the costs of the project exceed the amount appropriated above, the Town of Elma shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Supervisor thereof, and it is further RESOLVED, that the Supervisor of the Town of Elma is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Elma with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further RESOLVED, this Resolution shall take effect immediately. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the Betterment Project Agreement with the NYSDOT for the water line replacement at Transit and Clinton. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the agreement with the Boys and Girls Club of Elma, Marilla, Wales Inc. at the sum of \$62,500 for 2020. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve the agreement for the Veterans of Foreign Wars #5861 at the sum of \$2,500 for 2020. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the Investment Authorization Agreement for three+one. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to authorize Supervisor Clark to sign the Sky lighters Fireworks agreement for the July 4<sup>th</sup>, 2020 fireworks at the Elma Fire Company property on Girdle Road at the cost of \$10,000. Ayes-5. Noes-0. Carried.

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

Councilman Nolan made the motion and Councilman Fallon seconded the motion to rescind the old business use permits as follows: Poket's Pits at 2210 Bowen, Shelley's Big Scoop at 2331 Bowen, Nocchino Pizzeria at 2510 Bowen, Witt Preparations 1061 Bullis, JJS Real Estate, 7 Gens, LLC, Northern Stock Millwork and Aurora all at 717 Jamison, Deb's Salon 430 Main, Maple Express at 950 Maple and Aurora Technology at 1101 Maple. Ayes-5. Noes-0. Carried.

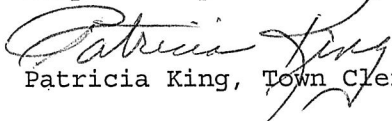
Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Vouchers/Warrant #13 claim #1531 thru #1610 as follows: General Fund \$27,739.78; Highway Fund \$58,450.82; Water District \$53,641.16; Special District \$36,212.21 and Capital Improvements \$4,811.25 and Vouchers/Warrant #1 claim #1 thru #52 as follows: General Fund \$149,684.66; Highway Fund \$63,760.06; Water District \$377,906.53; Special District \$43,986.51. Ayes-5. Noes-0. Carried.

The next Work Session will be February 12th, 2020 at 6:00pm and the Town Board meeting will be February 26th, 2020 at 7:00pm

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

Meeting adjourned at 7:30PM. All in favor.

Respectfully submitted,

  
Patricia King, Town Clerk