

A regular meeting of the Elma Town Board was held on Wednesday, November 17, 2021, at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

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

Also:

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

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

Supervisor Clark swore in Leroy Kupczyk as Town Councilman to fill the vacancy of Councilman Michael Nolan until the end of his term.

Approximately 15 people attended the meeting.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the minutes from the November 3rd, 2021 meeting.
Ayes- 4. Noes- 0. Carried.

Department Reports:

Building Inspector Joseph Colern received the SEQR today from the Engineer Representative for 2921 Transit Rd. Joe hopes to send out the SEQR early next week. Highway Superintendent Howard Diehl had nothing to report at this time.

Councilman Petrocy made the motion and Councilman Kupczyk second the motion to approve the Preliminary Special Use Permit to Macaluso's Garage Inc for Jay Macaluso at 5710 Seneca St for the sale of vehicles, campers, cars, trucks and trailers. The property was previously owned by John Anticola. Only 10 spaces will be used. Building Inspector notes a Referral to the Planning Board under Chapter 60 for Site Plan Review per code. Ayes - 4. Noes - 0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to issue a negative declaration on a short form SEQR for Kelly's Fitness Corner at 2351 Bowen Rd. Ayes- 4. Noes- 0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve a Business Use Permit for Kelly's Fitness Corner at 2351 Bowen Rd for Fitness classes and personal training. Building Inspector notes sign permits required for advertising and inspection required within 30 days. Ayes- 4. Noes- 0. Carried.

Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to issue a negative declaration on a short form SEQR for Therapeutic Solutions Group, PLLC at 2340 Bowen Rd. Ayes- 4. Noes- 0. Carried.

Councilman Petrocy made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Therapeutic Solutions Group, PLLC at 2340 Bowen Rd for outpatient mental health counseling. Building Inspector notes sign permits required for advertising and inspection required prior to occupancy. Ayes- 4. Noes- 0. Carried.

Councilman Malczewski made the motion and Councilman Kupczyk seconded the motion to issue a negative declaration on a short form SEQR for Paramount Windows & Doors LLC at 1061 Bullis Rd. Ayes- 4. Noes- 0. Carried.

Councilman Malczewski made the motion and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Paramount Windows & Doors LLC at 1061 Bullis Rd for office space to organize documents and warehouse used to store materials. Building Inspector notes sign permits required for advertising and NO outdoor storage. Ayes- 4. Noes- 0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve the Resolution for a Budget Amendment to Increase Appropriations for Repairs at Briggswood Sewer District #4 as follows: WHEREAS, the Town wishes to provide for funding for the electrical work in the new building at Sewer District #4, and WHEREAS, the Town Board wishes to provide funding for such expenses, and WHEREAS, the Town's 2021 adopted budget does not currently include such funding, NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the amendment of budgetary appropriations in the Town's 2021 adopted budget as follows:

Increase Appropriations:

SS4 8124.405 Reserve for Repairs \$10,000.00

Decrease Appropriations:

SS4 599 Appropriated Fund Balance \$10,000.00

Ayes- 4. Noes- 0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve JR's Electric Construction Inc to install the electric at Briggswood Sewer Plant #4 at the cost of \$6670. Quote from Delmar Electric Construction Corp at the cost of \$14,340 was reviewed.

Ayes- 4. Noes- 0. Carried.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve a RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO APPLY FOR AND ACCEPT, IF AWARDED, GRANT FUNDING FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT PROGRAM FOR IMPROVEMENT AT THE TRANSIT PUMP STATION AT AN ESTIMATED PROJECT COST OF \$250,000 as follows: WHEREAS, the Environmental Facilities Corporation's Water Infrastructure Improvement Act Grant Program ("WIIA") offers grant funding for the planning, engineering, and construction costs for the Transit Pump Station improvements consisting of up to 60% grant funding; and WHEREAS, the estimated total cost of the Project is \$250,000.00 and acceptance into the Water Grant Program provides a potential Project savings to the Town of 60% of the total project cost or approximately \$150,000.00; and WHEREAS, this Board has determined that applying for and accepting the grant funding, if awarded, is in the best interests of the Town of Elma; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Elma, New York that it authorizes the undertaking of the project and obligates the necessary match fund of \$100,000.00 if the grant funding is awarded; and BE IT FURTHER RESOLVED, by the Town Board of the Town of Elma, New York that the Supervisor is hereby authorized to apply for and accept if awarded a grant from the New York State Environmental Facilities Corporation Water Infrastructure Improvement Act Grant Program in an estimated Project cost \$250,000.00, and upon the award of such funding to enter into and execute all documents and contracts with the New York State Environmental Facilities Corporation for said purposes and further, to carry out and comply with the terms of such project agreement(s). Ayes- 4. Noes- 0. Carried.

Councilman Malczewski made the motion and Councilman Kupczyk seconded the motion to approve a Resolution for the SEQR for the Elma Water Department at 5730 Seneca St as follows: WHEREAS, the Town Board of the Town of Elma, New York (the "Board") has considered the impacts to the environment to replace a pump at the Transit Pump Station and upgrade the electrical infrastructure; and WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR Part 617.5 (c), NOW, THEREFORE; IT BE RESOLVED, by the Town Board of the Town of Elma as follows:

1. The Proposed Action does not exceed thresholds established under 6 NYCRR Part 617, of the State Environmental Quality Review Act, (SEQRA).
2. The Board hereby determines the Proposed Action is a Type II action in accordance with the SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

Ayes- 4. Noes- 0. Carried.

Councilman Kupczyk made the motion and Supervisor Clerk seconded the motion to approve the 2022 Preliminary Budget as presented making it the 2022 Adopted Budget Ayes- 2. Noes- 2. Carried. (Councilman Malczewski and Councilman Petrocy voted No).

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve Vouchers/Warrant #11 claim #885 thru #983 General Fund \$39,159.32; Highway Fund \$32,649.82; Water District \$20,059.34; Special District \$131,679.58. Ayes- 4. Noes- 0. Carried.

Councilman Petrocy made the motion and Councilman Malczewski seconded the motion to approve the Town as Lead Agency for SEQR #178 for 2921 Transit Rd for Mayer Brothers/McNamara. Ayes- 4. Noes- 0. Carried.

Supervisor Clark amended the public hearing date of December 15, 2021, for rezoning of 2921 Transit Rd for the McNamara property to January 19, 2022 at 7:00pm.

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

The next Work Session will be December 15th, 2021, at 6:00pm followed by the Town Board meeting at 7:00pm.

Supervisor Clark mentioned at his last Supervisors Meeting several Towns discussed filing for State of Emergency due to the increase in covid cases which would allow the chance for requesting help later easier to get as per FEMA and the Town of Elma may go back to wearing masks in all Town Buildings and Town Offices possibly as early as Monday, November 22, 2022.

Meeting adjourned at 7:40PM. All in favor.

Respectfully submitted,
As per notes taken by Town Attorney Phyllis Todoro

