

A regular meeting of the Elma Town Board was held on Wednesday, August 20, 2025, 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              |
| Councilman             | Tracy Petrocy-Absent     |
| Also:                  |                          |
| Building Inspector     | Joseph Colern            |
| Highway Superintendent | Howard Diehl             |
| Crew Chief             | Brian Nolan Jr           |
| Town Attorney          | Phyllis Todoro           |
| Sewer Plants           | Timothy Walczyk-Absent   |
| Town Engineer          | James Wyzykiewicz-Absent |

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

Making the legal notice on the Public Hearing for Drainage District Extension #129, Great Lakes Building Systems at 3031 Transit Rd, Elma, NY part of the minutes Supervisor Clark opened the public hearing at 7:00pm. No one spoke for or against the drainage district #129 extension. Supervisor Clark closed the public hearing at 7:06pm.

Councilman Macaluso made the motion, and Councilman Nolan seconded the motion to close the public hearing at 7:06pm. Ayes-4. Noes-0. Carried.

Making the legal notice on the Public Hearing for Local Law #1-2025 Firefighters Exemption part of the minutes. Supervisor Clark opened the public hearing at 7:07pm. Speaking for the Local Law #1-2025, Donald Trzepacz Jr., no one spoke against the Local Law #1-2025. Supervisor Clark closed the public hearing at 7:12pm.

Councilman Macaluso made the motion, and Councilman Kupczyk seconded the motion to close the public hearing at 7:12pm. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to approve the minutes from the July 16th, 2025, meeting. Ayes-4. Noes-0. Carried.

#### Department Reports:

Building Inspector Joseph Colern presented the monthly report for July 2025 with 53 permits issued, \$7,729.10 fees collected and the estimated value of construction \$2,517,870.06.

Crew Chief Brian Nolan Jr noted the leak on Bullis Rd has been repaired. The pump at the Jamison Road pump house has been mounted for installation and the Transit Road pump is just about completed for operation. Fire hydrant at Transit and Seneca will be repaired.

Highway Superintendent Howard Diehl noted road projects are almost complete, and the sweeper should be delivered next week.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to approve a negative declaration of a short form SEQR for El Amigo Bar and Restaurant LLC at 5781 Seneca St, Elma NY. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve a Business Use Permit for El Amigo Bar and Restaurant LLC at 5781 Seneca St, Elma NY for restaurant and catering. The Building Inspector notes sign permit required and fire inspection required prior to opening. Ayes-4. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to request a traffic study on Bowen Road to lower the speed limit to 35mph, 128 signatures were submitted by Wayne Day. This will be sent to Erie County Highway for review. Ayes-4. Noes-0. Carried.

Councilman Macaluso made the motion, and Councilman Nolan seconded the motion to approve the 2025 agreement with EMW Latimer Hockey in the amount of \$6,000 which has been budgeted for. Ayes-4. Noes-0. Carried.

August 20, 2025

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve the following resolution for amending the 2025 adopted budget for repairs at the Town Library. WHEREAS, the Town has to make repairs to the parking lot and building, and WHEREAS, while these repairs have no effect on the total 2025 adopted budget, the changes do make it necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, the Town Board hereby authorizes the amending of the 2025 budget as follows: Decrease Appropriations: A1990.400 Contingency \$5,000.00. Increase Appropriations: A7410.400 Library Repairs \$5,000.00. Ayes-4. Noes-0. Carried.

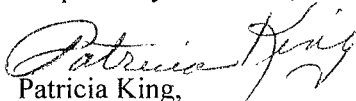
Councilman Kupczyk made the motion, and Councilman Macaluso seconded the motion to approve Vouchers/Warrant #8 claim #554 thru #667 as follows: General Fund \$45,286.13; Highway Fund \$206,662.43; Water District \$355,058.89; Special District \$ 14,538.67. Ayes-4. Noes-0. Carried.

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

The next Work Session will be on September 10th, 2025, at 6:00PM with the Town Board meeting on September 17th, 2025, at 7:00PM.

Councilman Macaluso made the motion, and Councilman Nolan seconded the motion to adjourn the meeting at 7:25pm with all Board members in favor.

Respectfully submitted,

  
Patricia King,  
Town Clerk

WHEREAS, a petition dated July 16, 2025, has been duly presented to the Town Board of the Town of Elma, according to the law, requesting to extend drainage district #129, as hereinafter described, be established in the Town of Elma, and WHEREAS, the boundaries of the proposed drainage district #129-A extension are 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 Number one hundred four (104), Township ten (10), Range six (6) of the Buffalo Creek Reservation and of Lot# three hundred eighty-six (386) of the Ebenezer Lands, so called, as shown on map file in Erie County Clerk's Office under Cover Number 58, bounded and described as follows: BEGINNING at a point of the east line of Transit Road at the point of intersection of the east line of Transit Road with the north line of Lot Number three hundred eighty-six (386); thence easterly on and along the north line of Lot Number three hundred eighty-six (386) five hundred ninety (590) feet; thence southerly and parallel with the east line of Transit Road, one hundred twenty-nine and seventy-five hundredths (129.75) feet; thence westerly and parallel with the north line of Lot Number three hundred eighty-six (386) five hundred ninety (590) feet to the east line of Transit Road; thence northerly on and along the east line of Transit Road one hundred twenty-nine and seventy-five hundredths (129.75) feet to the point or place of beginning. WHEREAS, the improvements proposed in said district consist of none, it is ORDERED, that the Town Board of the Town of Elma, shall meet at the Town Hall, 1600 Bowen Road, Elma, New York on the 20th day of August 2025 at 7:00 o'clock p.m. to consider such petition and hear all people interested in the subject thereof, and it is further 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 East Aurora Advertiser 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 IS HEREBY GIVEN that the Town Board of the Town of Elma, County of Erie, will be holding a public hearing at the Elma Town Hall, 1600 Bowen Rd., Elma NY on the 20th day of August 2025, at 7:00p.m. for the purpose of hearing Local Law #1-2025 for providing real property tax exemption for volunteer firefighters and volunteer ambulance workers pursuant to NYS Real Property Tax Law 466-a. All persons interested may be heard at this time.