A regular meeting of the Elma Town Board was held on Wednesday, September 16, 2026, at 7:00AM at Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Wayne Clark
Councilman	Leroy Kupczyk
Councilman	Joseph Macaluso
Councilman	James Malczewski
Councilman	Daryl Nolan

Also:

Building Inspector	Joseph Colern
Highway Superintendent	Howard Diehl
Water Superintendent	Brian Fiden Jr
Town Attorney	Phyllis Todoro
Sewer Plants	Timothy Walczyk
Town Engineer	James Wyzykiewicz

The meeting was opened with the Pledge of Allegiance.

Making the legal notice for the Public Hearing to rezone 850 Bullis Rd for K & D Day Trucking Supervisor Clark opened the public hearing at 7:02pm. Mr. Day spoke for the rezoning, and no one spoke against the rezoning. Supervisor Clark closed the public hearing at 7:05pm.

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

Councilman Nolan made the motion, and Councilman Malczewski seconded the motion to set a public hearing on October 21st, 2026 to amend Local Law #2-2007 Residency Requirements.
Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion, and Councilman Nolan seconded the motion to approve the minutes from the August 12, 2026, meeting. Ayes-5. Noes-0. Carried.

Department Reports:
Building Inspector Joseph Colern presented the monthly building report for August 2026 with 45 permits issued, fees collected of $6,788.73 with an estimated value of construction of $2,540,987.
Water Superintendent Brian Nolan Jr noted there were several water breaks last week, which have been repaired.

Councilman Kupczyk made the motion, and Councilman Malczewski seconded the motion to approve a negative declaration on a short form SEQR for K & D Day Trucking at 850 Bullis Rd.
Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion, and Councilman Malczewski seconded the motion to approve the rezoning for 850 Bullis Rd. Elma NY for K & D Day Trucking. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve a negative declaration of a short form SEQR for Heimar Builders at 2901 Bowen Rd, Elma NY.
Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to approve a Business Use Permit for Heimar Builders at 2901 Bowen Rd, Elma NY for office space. Restrictions on this “Use” office only/no construction equipment to be stored on premises. The Building Inspector notes sign permit required for advertising and fire inspection within 30 days of occupancy.
Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion, and Councilman Nolan seconded the motion to approve a negative declaration of a short form SEQR for One Hour Heating and Air Conditioning at 2701 Transit Rd, Elma NY. Ayes-5. Noes-0. Carried.

Councilman Malczewski made the motion, and Councilman Kupczyk seconded the motion to approve a Business Use Permit for One Hour Heating and Air Conditioning at 2701 Transit Rd, Elma NY for HVAC company office space. The Building Inspector notes office only. Sign permit required and fire inspection within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion, and Councilman Kupczyk seconded the motion to accept bids for the Community Block Development Grant (CDBG) for painting the Senior Center.
Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Malczewski seconded the motion to approve Supervisor Clark to sign the SPCA Agreement for 10/1/2026 thru 9/30/2027. Ayes-5. Noes-0. Carried.

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Councilman Macaluso made the motion, and Councilman Nolan seconded the motion to approve Supervisor Clark to sign the 2026 Agreement with EMW Soccer for $5000 which has been budgeted for. Ayes-5. Noes-0. Carried.
Date

Councilman Macaluso made the motion, and Councilman Malczewski seconded the motion to approve the following resolution for the JCAP Grant: **WHEREAS:** The Justice Court Assistance Program (JCAP) was established by the New York State Legislator as an ongoing vehicle by which the State can assist Towns and Villages in the automation and operation of their Justice Courts; **WHEREAS:** The maximum JCAP grant is $30,000; **WHEREAS:** The grant may be used for a variety of purposes, including but not limited to the acquisition of audio and computer equipment, office equipment, furniture and security measures for the Justice Court and Court office; **WHEREAS: The** State of New York Unified Court System is entertaining applications for the Justice Court Assistance Program with a September 22,2026 deadline; **WHEREAS: The** Elma Justice Court needs the following items, listed in order of priority: 1. All Mesh Task Chair. 2. Aurora Commercial Grade 400-Sheet Auto feed Heavy Duty Shredder. 3. Microphone System for Court room. **NOW BE IT RESOLVED** that the Town of Elma Town Board does hereby authorize the Elma Town Court to apply for a Justice Court Assistance Program Grant for the 2026-2027 cycle, and if awarded, to be the official representative in connection with the application, providing any additional information, if required, and to fully copy with the execution of the contract.
Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion, and Councilman Nolan seconded the motion to approve a resolution to amend the 2026 adopted budget for personnel changes that have been implemented as follows: WHEREAS, the Town has implemented certain personnel changes, and WHEREAS, while these changes have no effect on the total 2026 adopted budget, the changes do make it necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2026 budget as follows: Decrease Appropriations: A 1990.400 Contingencies $ 5,500.00. Increase Appropriations: A 7620.104 Kitchen Help P/T $ 5,500.00. Ayes-5. Noes-0. Carried.

Supervisor Clark set a public hearing date of October 21st, 2026, on a Special Use Permit for Tractor Supply at 1000 W Maple Ct and the Community Block Development Grant (CDBG).

Councilman Malczewski made the motion, and Councilman Macaluso seconded the motion to approve Vouchers/Warrant #9; claim #647 thru #740 as follows: General Fund $68,322.49; Highway Fund $10,515.67; Water District $8,024.96; Special District $109,669.95. Ayes–5. Noes-0. Carried.

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

Supervisor Clark asked for a moment of silence on the sudden passing of the Town of Marilla Supervisor Earl Gingerich.

Councilman Kupczyk made the motion, and Councilman Nolan seconded the motion to enter Executive Session regarding a personnel matter at 7:30pm and will adjourn immediately following this session with no motions taken. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion, and Councilman Nolan seconded the motion to exit Executive Session at 8:15pm. All in favor.

Respectfully submitted,

Patricia King,
Town Clerk