

**Town of Elba  
Regular Town Board Meeting  
July 10, 2018**

Supervisor Hynes called the meeting to order at 2:05 pm.

Those in attendance included:

Supervisor Hynes  
Councilman Chamberlain  
Councilman Coughlin  
Councilwoman Marshall

Councilwoman Zambito was absent.

**Others Present:**

Town Clerk Werth  
Superintendent of Highways Yungfleisch  
Assessor Flansburg  
ZEO/CEO Mikolajczyk  
Dave Schubel, Webster, Schubel & Meier, LLP  
John Babcock, ZBA Chairman

**Minutes of June 14, 2018 Town Board Meeting:**

**MOTION** Supervisor Hynes, second by Councilman Coughlin to approve the minutes as written.

**Ayes:** Chamberlain, Coughlin, Hynes, Marshall

**MOTION Carried**

**RESOLUTION NO. 24-2018 TO ADOPT LOCAL LAW No. 1 OF 2018 – ESTABLISHING THE WATER CODE OF THE TOWN OF ELBA**

Councilman Coughlin offered the following:

WHEREAS, proposed Local Law No. 1 of 2018 of the Town of Elba entitled “Establishing the Water Code of the Town of Elba, Genesee County, New York” which proposed Local Law in its final form was presented to the Town Board at the meeting held June 14, 2018, and a copy thereof was kept with the Town Clerk and copies provided to Town Board Members at said meeting; and

WHEREAS, a public hearing on the advisability of enacting said proposed Local Law was held on July 10, 2018, before this Town Board, pursuant to public notice duly published in The Daily News according to law, at which time all interested persons were heard; and

WHEREAS, the Town Board of the Town of Elba, New York is of the opinion that adoption of said proposed Local Law No. 1 of 2018 is in the best interest of the Town of Elba, New York.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Elba, New York that said proposed Local Law No. 1 of 2018 entitled “Establishing the Water Code of the Town of Elba, Genesee County, New York” be and the same hereby is adopted; and

BE IT FURTHER RESOLVED, that a certified copy of said Local Law No 1 of 2018 be filed with the New York State Secretary of State in accordance with the Law

**Second by:** Councilman Chamberlain

**Ayes:** Chamberlain, Coughlin, Hynes, Marshall

**APPROVED by unanimous vote (4-0)**

### **ABSTRACT 7-2018**

**MOTION** Supervisor Hynes, second Councilman Chamberlain to approve the following:

General Fund	139-165	\$ 10,149.75
Highway	76-84	\$ 75,277.32
Water District 2	11-14	\$ 5,807.06
	<b>TOTAL</b>	<b>\$ 91,234.13</b>

**Ayes:** Chamberlain, Coughlin, Hynes, Marshall

**MOTION CARRIED by unanimous vote (4-0)**

### **COMMITTEE REPORTS**

#### **Building and Grounds**

Superintendent of Highway Yungfleisch reported that he is still waiting for a quote on the repair needed on the truck bay.

#### **Zoning Board**

Councilman Chamberlain reported that ZEO/CEO Mikolajczyk joined the ZBA meeting Monday evening. He explained the differences between farm and domestic animals. The ZBA determined that chickens will be considered farm animals. ZEO/CEO Mikolajczyk will provide the owners of 29 North Main Street with a special use variance that they will need to submit to the County.

The ZBA also discussed the dog leash law in the village. Dogs must be on a leash at all times with the exception of private property. However, they must stay on their property.

#### **Planning Board**

Councilman Coughlin stated that the Planning Board is working on a solar plan to give to the Town Board.

#### **GAM**

Councilwoman Marshall was able to attend the meeting and reported the following:

- Proposal to do a four-year legislature term versus a two-year term.
- Ongoing problems with the County HR new electronic civil service reporting system, County is addressing the issues.
- Possibilities to explore with County wide assessment. Assessor Flansburg explained the State is creating a web-based program that will be based in Albany. This program should go live by 2020.
- The solar tax credit was tabled by the County.

#### **Cemetery**

No report.

## **Publicity**

Memo received from Town of Batavia regarding a proposed local law to amend the zoning map of the Town of Batavia to change the classification of a part of parcels of land consisting of approximately 75 acres, located in the Town of Batavia. The revision to the zoning map is to change the classification of two parcels of land from Industrial District to Commercial District. Letter will be filed with minutes.

## **DEPARTMENT REPORTS**

### **Highway**

Superintendent of Highways Yungfleisch reported the following:

- A used Gradall was recently purchased from a company in Norwich, NY. This will help Mr. Yungfleisch clear ditches easier.
- Road work has been completed on Graham and Snyder Road. Strouts and a part of Watson Road were also paved with the help of the County.
- The County should have the bridge on Watson Road open in the next few weeks.
- Shared services are in effect with the MEO's.
- Mowing will start again next week.
- Randsco is doing a great job on WD#2, Phase 1. Everyone is working well together.

### **Assessor**

Assessor Flansburg elaborated on the new procedure the State will have on Star. He will notify the residents in October when it is officially released from the State.

### **ZEO/CEO**

Mr. Mikolajczyk handed out his report, it is also available in the Town Clerk's office. He noted that he has handed out quite a few pool violations. Mr. Mikolajczyk also spoke with Jim Goff, they are not sure what they will do with the property yet. The family will be in meetings during the week to discuss their options.

### **Town Clerk**

Town Clerk Werth reported that she took in \$1,417.53 and remitted \$1,377.89 to the Supervisor for local share and \$46.00 to NYS Ag. & Markets for spay/neuter program. A total of six new dogs were licensed and 32 licenses were renewed. We also supplied seven fishing licenses.

We started collecting the inspection fee for Water District 2, Phase 1 residents. Ashley with Baldwin will create a separate line item for this shared service that will be paid to the Town of Batavia once a year. We received \$450.00 from six residents in June.

### **Supervisor**

Water Updates:

- Byron residents are interested in tapping into Elba's water project off of Bank/Transit Road. Supervisor Hynes and Jason Foote, CPL met with Town of Byron Supervisor Rouse to discuss. Town of Byron will have a meeting with their residents to see if there is interest.
- The Skye property is all set. Dave Schubel has the documents.
- The advertise for bid for Phase 2 of Water District 2 was in the Daily News this week. Opening bids will be held on August 2, 2018.
- Discussions taking place on possibly extending Phase 3.
- Advertisement for bids on the tower will go out soon. It will take 4-5 months to get it put together. They can install it in the winter and then add water to it in the spring.

- Met with Town of Batavia to have them explain the application process. Town Clerk Werth will accept water applications and payment. She will then submit them to Town of Batavia daily. All questions regarding installation and inspection should be answered by the Town of Batavia.

Councilwoman Marshall asked Supervisor Hynes to extend an invite to the Town Board for all meetings taking place for the water project.

### **NEW BUSINESS**

The phone system is no longer working. Front Runner came to inspect it this morning and found that the main processor and the power supply were defective. The charge to replace the main processor is approximately \$600.00 and he estimated it taking four hours for labor (\$100.00 per hour). After a long discussion it was decided to have Supervisor Hynes call Verizon and Millennium for estimates.

### **OLD BUSINESS**

The website is just about ready to go live. There are a few more updates that need to take place first.

### **Councilpersons/Miscellaneous**

Councilwoman Marshall said there is a glitch in the Village Water billing program.

### **ADJOURNMENT**

**MOTION** was offered from Councilwoman Marshall second by Councilman Coughlin to adjourn the meeting at 3:05 P.M.

**Ayes:** Chamberlain, Coughlin, Hynes, Marshall

**MOTION CARRIED by unanimous vote (4-0)**

Respectfully Submitted,

Trisha Werth  
Town Clerk