

**Town of Elba
Regular Meeting
August 13, 2020**

Supervisor Hynes called the meeting to order at 7:00 p.m.; followed by the Pledge to the Flag.

Supervisor Hynes
Councilman Augello
Councilman Chamberlain
Councilman Coughlin
Councilwoman Marshall

Others Present:

Town Clerk Werth
Highway Superintendent Yungfleisch

Minutes of July 9, 2020 Town Board Meeting

MOTION Councilman Coughlin, second by Councilman Chamberlain to approve the minutes as written.

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

RESOLUTION NO. 25-2020

Councilman Chamberlain offered the following:

Municipal Cooperation Resolution

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Town of Elba wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS, the Town of Elba wishes to assure the safety and liquidity needs of their funds;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

That Donna Hynes, Town Supervisor of the Town of Elba is hereby authorized to Execute and deliver the NYCLASS Municipal Agreement Amended and Restated as of March 28, 2019 in the name of and on behalf of the Town of Elba.

Key Contact Signature

Title

Printed Name

Date

*The key contact on an account is the main point of contact for an entity. They receive voting credentials for Governing Board elections and all other important communications.

Second by: Councilwoman Marshall

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 26-2020

Councilwoman Marshall offered the following:

**INTERMUNICIPAL AGREEMENT FOR DOCUWARE SHARING POLICY
FOR THE TOWN OF OAKFIELD AND TOWN OF ELBA**

This agreement, made the 1st day of September, 2020, by and among the Town of Oakfield, a Municipal Corporation of the State of New York, 3219 Drake Street, Oakfield, New York 14125 and the Town of Elba, a Municipal Corporation of the State of New York, 7 Maple Avenue. P.O.Box 295, Elba, New York 14058.

Witnesseth:

Whereas, the Town of Oakfield and the Town of Elba share the services of Docuware on the Town of Oakfield server and

Whereas, the Town of Oakfield pays the entire bill for each year and

Whereas, the Town of Elba agrees to pay yearly their share of the total cost of the system based on how many user accounts they desire and the initial amount of user accounts for the Town of Elba will be two (2) and can be amended at any time and

Whereas, the yearly payment for each user account will be \$670.00 payable to the Town of Oakfield by January 31st of each year to cover the calendar of the payment and a bill will be sent to the Town of Elba every December and

Whereas, if the Town of Elba increases the amount of user accounts or amount of cloud storage, the fee will change with the next yearly payment and the user account fee could change each year based on the rate charged by Docuware and

IN WITNESS WHEREOF the parties have last signed this Agreement the day and year first written above.
TOWN OF OAKFIELD

Matthew Martin, Supervisor
TOWN OF ELBA

Donna Hynes, Supervisor

State of New York}
County of Genesee}ss.

On this _____ day of _____, 2020, before me, the undersigned, personally appeared Matthew Martin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York }
County of Genesee } ss.

On this _____ day of _____, 2020, before me, the undersigned, personally appeared Donna Hynes, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Second by: Councilman Augello

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

APPROVED by unanimous vote (5-0)

Abstract 8-2020

MOTION, Councilman Chamberlain second by Councilman Coughlin to approve the following:

General Fund	155-180	\$9,698.00
Highway	91-103	\$8,025.73
Water District 1	6	\$2,539.73
Water District 2	38-41	\$605,834.62
	Total	\$626,098.08

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

COMMITTEE REPORTS

Building and Grounds

Mr. Yungfleisch shared that they rented a lift to fix the section of the barn that was hit last year. Village employee, Denis Rohan helped to repair this. They also added insulation in the attic area of the barn while they had the lift.

Zoning Board

Mr. Chamberlain reported:

- Reviewed the March meeting minutes
- Reviewed the variance for Mudzynski’s at 6982 Norton Road.
- Rick Sanfratello and Max Torrey attended the meeting after submitting letters of interest to join

the Zoning Board. The ZBA would like to appoint one and list one as an alternate. Supervisor Hynes reminded Mr. Chamberlain that we have not received a resignation letter from Mike Welch. Mr. Chamberlain will follow up with Mr. Welch. We will need this before moving forward. Mr. Sanfratello would also be interested in a seat on the Board of Assessment.

Planning Board

Mr. Coughlin reported:

- Tom Williams presented a land separation for Eric Shuknecht. The proposal was for the separation of a parcel containing a barn from a parcel owned by Eric's parents and merged with a parcel purchased from Big O Realty, LLC. They reviewed the NYS Environmental Assessment Form and determining no environmental impact would be made.

GAM

There was no meeting in August.

Cemetery

Steve Davis called Mr. Chamberlain regarding the new area in the cemetery. He has had residents ask about purchasing lots back there. Mr. Yungfleisch stated this area will not be ready until sometime next year. There are approximately 50 lots left and the Board would like to see those lots filled first. Mr. Yungfleisch also stated he will not be adding a driveway around the new section.

Publicity

None.

DEPARTMENT REPORTS

Highway

Mr. Yungfleisch shared the following:

- Culvert pipe replacement taking place
- Maintenance has taken place on the sanders
- Need to order more salt
- CHIPS documents have been submitted and it sounds as other towns have received 100% of the funds requested
- Will start mowing roadsides next week
- MEO John Pahuta has returned to work.

Assessor

No report.

ZEO/CEO

Mr. Mikolajczyk's report was emailed to members of the Town Board and is also available in the Town Clerk's office.

Town Clerk

Town Clerk Werth reported that she took in \$1,375.00 and remitted \$1,228.50 to the Supervisor for local share, \$79.00 to NYS Ag. & Markets for spay/neuter program and \$67.50 to NYSDOH for marriage licenses.

Supervisor

Supervisor Hynes reported the following:

- WD2 – Phase 4 – The paint has been completed. There is electrical work that needs to be done and a drop ceiling installed. After sterilization is complete it will be filled, hoping for mid September depending on weather.
- Spectrum is in the area and putting up poles and lines. Not everyone will be getting the service. Supervisor Hynes signed a non-disclosure for the list of possible addresses she received. Mr. Augello stated Spectrum reached out to the school asking for a list of students needing it.
- The auditor for Teamster Health insurance was here and reviewed documents. We should hear from him soon.
- Supervisor Hynes asked Tom Graham to provide our employees and Board members with the sexual harassment training for this year. He will provide a date soon. Those who can take the training elsewhere should provide the Town with the certificate of attendance.
- Lee Walters, Auditor reviewed the Rural Development documents for 2019. He asked for policies and procedures handbook. While we have one, it needs to continue to be updated. NYMIR has provided one and Supervisor Hynes suggests that this be reviewed and adopted at the Organizational meeting in January.

Councilpersons

Councilwoman Marshall stated she a call from a solar company. She would like to see this company present to the Board as a whole. Supervisor Hynes will reach out to this company and ask them to attend our next meeting to speak with the Board.

Councilwoman Marshall also asked about the budget process. Supervisor Hynes stated she will meet with Baldwin first to learn the numbers first, then a budget workshop will be set up.

Councilman Coughlin shared that the Norton's have tapped into the water system and very happy to have it.

Councilman Augello has spoken with several people who are very happy with the water.

Councilman Chamberlain asked Councilman Augello about the school reopening. Discussion ensued.

ADJOURNMENT

MOTION was offered from Councilman Chamberlain second by Councilwoman Marshall to adjourn the meeting at 7:44 p.m.

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

Respectfully Submitted,

Trisha Werth
Town Clerk