

**Town of Elba
Regular Meeting
June 10, 2021**

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

Those in attendance included:

Supervisor Hynes
Councilman Augello
Councilman Chamberlain
Councilman Coughlin
Councilwoman Marshall

Others Present:

Town Clerk Werth

Absent:

Superintendent of Highways Yungfleisch

Minutes of May 13, 2021 Town Board Meeting

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

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

Minutes of May 26, 2021 Special Town Board Meeting

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

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

RESOLUTION NO. 35-2021

Councilman Coughlin offered the following:

LOCAL AGENCY FUND APPLICATION REVIEW

WHEREAS, on June 3, 2021, Hecate Energy Cider Solar LLC submitted an application for construction and operation of a 500 megawatt solar energy project (the “Project”) to be partially located with the Town of Elba; and

WHEREAS, the approvals for the Project are granted by the New York State Office of Renewable Energy Siting pursuant to Executive Law 94-c (the “94-c Process”) instead of the Town, but the Town is a participant in the 94-c Process; and

WHEREAS, the 94-c Process makes available local agency funds to the Town (“Local Agency Funds”) for the purposes of engaging legal and engineering consultants to assist the Town with its participation in the Project review proceeding; and

WHEREAS, applications for Local Agency Funds (“Application”) are due July 6 and will be prepared on behalf of the Town by Knauf Shaw LLP and LaBella Associates, the Town’s consultants for the Project.

RESOLVED, that the Town Board authorizes the Town Supervisor to review, revise if necessary, and

authorize the submittal of the Application on behalf of the Town.

Second by: Councilman

Ayes: Augello, Coughlin, Chamberlain, Hynes, Marshall

APPROVED by unanimous vote (5-0)

ABSTRACT 6-2021

MOTION, Councilman Coughlin second by Supervisor Hynes approve the following:

General Fund	111-139	\$39,510.80
Highway	64-76	\$6,672.60
BW Solar	1-2	\$4,090.00
ForeFront Solar	3-4	\$6,988.75
Water District 2	16-17	\$5,460.75
	Total	\$62,722.90

Ayes: Augello, Coughlin, Hynes, Marshall

Abstain: Chamberlain

MOTION CARRIED (4-0)

COMMITTEE REPORTS

Building and Grounds

Mr. Yungfleisch was unable to make the meeting.

Zoning Board

Councilman Chamberlain stated the Committee approved a variance at 6679 Oak Orchard Road for a barn.

Planning Board

Councilman Coughlin did not attend the last meeting.

GAM

Councilman Augello stated conversations revolved around water, county jail and meetings in person.

Cemetery

Councilman Chamberlain spoke with Steve Davis, Caretaker regarding a disinterment that he recently did. This procedure is not on the fee schedule or in Mr. Davis' contract. He suggested a charge of \$150.00 for his services as that is the going rate in nearby cemeteries. This may become more prevalent with the newly opened Western New York National Cemetery in Pembroke.

Councilman Coughlin made a **MOTION**, second by Councilman Chamberlain to add a fee of \$150.00 to the fee schedule for the Cemetery Caretaker to perform a disinterment.

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

Publicity

Reminder of the Betterment Committee's Chicken BBQ this Sunday, June 13th.

Deadline for school newsletter is June 16th. Please let Town Clerk Werth know if you have anything you

would like her to add. Councilwoman Marshall suggested having Mr. Flansburg and Mr. Mikolajczyk add a few words regarding the STAR program, increases and fee schedules to the newsletter. Town Clerk Werth will ask them.

DEPARTMENT REPORTS

Highway

Mr. Yungfleisch was unable to make the meeting.

Assessor

Mr. Flansburg's report was recently provided to the Town Board and is also available in the Town Clerk's office.

ZEO/CEO

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

Town Clerk

Town Clerk Werth reported that she took in \$1548.97 and remitted \$1501.47 to the Supervisor for local share, \$25.00 to NYS Ag. & Markets for spay/neuter program and \$22.50 to NYSDOH for a marriage license.

Town Clerk Werth met with Sue Dart regarding the open Deputy Clerk position. She is available 10-15 hours a week. After reviewing the budget there is enough to finish out the year with Sue working 14 hours a week. We will need to make adjustments with the next budget though.

Supervisor

Supervisor Hynes reported:

- If there is a resident looking for Spectrum services please let Supervisor Hynes know.
- Shared the response from John Whiting, Town Attorney with Councilpersons. The only question he answered of Mayor Itjen's was regarding the location of the Village Hall.
- Signed IMA's with Town of Byron and dropped off to Steve Mountain for approval and signatures for Town of Batavia. He will share a draft of the letter before sending to Transit Road residents.
- Discussion ensued regarding the Water Customer Agreement.

Councilwoman Marshall made a **MOTION**, second by Councilman Coughlin to accept the Water Customer Agreement dated May of 2020.

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

Councilpersons

Councilman Chamberlain inquired about cyber hacking. He was ensured that Millennium Computers backs up our systems.

Councilwoman Marshall asked where we were at with the gas pumps. She believes the transmission is the issue, stating the phones system at the school was changed a few years ago and the same situation happened. She stated instead of transmitting down the telephone line like it does now, there should be a line that runs in to the Highway office to a stand alone monitor or computer and print it off. This way it will not be

transmitted and Councilwoman Marshall would show someone how it works. Councilman Augello asked if moving it here would change the billing process. Councilwoman Marshall stated a routine would need to be established, sorting by card which identifies the organization and the type of fuel they are pumping. It will then be submitted. There is the ability to do a tank inventory so you always know what is in the tank. She stated the new Windows system they are pushing is down more than the old DOS system. A new terminal would need to be set up with a printer. Councilman Augello said he would see what the school uses and Councilwoman Marshall said that it could come here. The report could then be emailed and sent off to all entities using the fuel. Councilman Augello asked who will run this report, Councilwoman Marshall stated it is a five minute job and they can designate someone to run it. She suggested one of the MEO's would be capable of doing it. Councilwoman Marshall mentioned that estimate would not be the end of this, that was for a new system not for the transmission, a new program will have the same problem with a telephone dial up. Most other towns use a wire for transmitting versus a phone line. She stated the farm has looked for a remote as they would like to have other locations to run over the internet. The school currently bills quarterly. Councilman Augello will touch base with Mr. Dale at the school.

Councilwoman Marshall shared that all the towns are looking at what the town employees share of healthcare is. It appears everyone is taking a look at healthcare and the costs. The County healthcare program is also being looked at regarding their expensive program.

Councilwoman Marshall asked how it is working out with the bookkeeper and if we are getting the reports to us. Supervisor Hynes shared that we do have this months reports and she went through a few changes they made to read the reports better. Town Clerk Werth shared that she now scans and emails vouchers, abstracts and prepays to Sam. Typically, she receives the pdf of the check within 24 hours and prints them off on the check stock that we now keep at the office. It has definitely helped in streamlining the process and it is cheaper by not sending vouchers and checks back and forth. There is no need to rely on the postal system now.

Councilwoman Marshall asked about the bill from Mr. Schubel regarding Albert Pinsky and Clarence Strobele. Town Clerk Werth shared the background that Mr. Pinsky had been paying the tax bills for quite some time. Mr. Strobele passed away quite some time ago and Mr. Pinsky recently passed away. The lawyer for the Pinsky estate sent a letter in March stating they no longer intend to pay the taxes and they would like a refund of any and all taxes paid since his death. Mr. Schubel continues to investigate this.

ADJOURNMENT

MOTION was offered from Councilman Chamberlain second by Councilman Coughlin to adjourn the meeting at 7:42 p.m.

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

Respectfully Submitted,

Trisha Werth
Town Clerk