

**Town of Elba
Regular Town Board Meeting
April 12, 2018**

Supervisor Hynes called the meeting to order at 7:00 p.m.

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
ZEO/CEO Mikolajczyk
Pauli Miano, Elba Betterment Committee
Ken Moore, Resident

Minutes of March 8, 2018 Town Board Meeting:

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

Ayes: Chamberlain, Coughlin, Hynes, Marshall

MOTION Carried

RESOLUTION NO. 14-2018 BRIDGE NY GRANT APPLICATIONS

Supervisor Hynes offered the following:

WHEREAS, the New York State Department of Transportation is soliciting applications for the Bridge-NY Program which provides 100% state funding for up to 1 bridge replacement and 3 culvert replacements for municipality per year.

WHEREAS, Genesee County maintains all bridges and culverts over 5 feet in diameter for each municipality in the County.

WHEREAS, the New York State Department of Transportation allows municipalities to sponsor applications to the Bridge-NY program for all bridges and culverts within their community regardless of ownership.

WHEREAS, Genesee County is looking to maximize the use of state aid to help alleviate its backlog of bridge and culvert replacements.

WHEREAS, Genesee County will prepare Bridge-NY applications, provide interim funding and administer the program at no cost to the Town.

WHEREAS, Towns are required to authorize Bridge-NY applications as the sponsor of the project.

RESOLVED, the Town Board does hereby authorize the Highway Superintendent to submit the applications for the Bridge-NY Program as recommended by Genesee County.

Second by: Councilman Chamberlain
Ayes: Chamberlain, Coughlin, Hynes, Marshall
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 15-2018 ACKNOWLEDGING COMPLETION OF INTERNAL AUDIT:

Councilman Chamberlain offered the following:

WHEREAS, on April 2 and 3, 2018 the Town Board of the Town of Elba conducted an internal audit of the records, accounts and finances for the Justice Court, Town Clerk, Tax Collector and Town Supervisor, and

WHEREAS, the Town Board of the Town of Elba reviewed the records, accounts and finances of the above offices in accordance with the requirements and checklists provided by the office of the New York State Comptroller, and

WHEREAS, the Town Board of the Town of Elba found no irregularities, discrepancies or identified any issues of concern in the records, accounts and finances of the Justice Court, Town Clerk, Tax Collector and Town Supervisor.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Elba, New York, that is acknowledges the annual internal audit was conducted as required and,

BE IT FURTHER RESOLVED the Town Board of the Town of Elba, New York, is satisfied with the level of accountability and controls in place with regard to the records, accounts and finances for the Justice Court, Town Clerk, Tax Collector and Town Supervisor.

Second by: Councilman Coughlin
Ayes: Chamberlain, Coughlin, Hynes, Marshall
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 16-2018 BID AWARD – WATER DISTRICT NO. 2, PHASE 1

Councilman Chamberlain questioned why there was an alternate bid listed on the bid award. It was explained that this was for the County towards their improvement.

Councilman Coughlin offered the following:

WHEREAS, the Town of Elba received bids March 28, 2018 at 10:00 A.M. for the installation of approximately 51,000 linear feet of 8 inch and 12-inch water main, valves, hydrants and water services for Phase 1 of the Town of Elba Water District No. 2, Phase 1 and an alternate bid for upsizing the pipe along Norton Road from 8” to 12” diameter; and

WHEREAS, Randsco Pipeline, Inc. from Macedon, New York was the lowest responsible bidder with a total bid amount of Two Million Four Hundred Eighty-Nine Thousand Five Hundred Seventy-Five Dollars and Zero cents (\$2,489,575.00) (recommendation and bid summary attached).

NOW THEREFORE BE IT RESOLVED, the Elba Town Board hereby awards the Bid to Randsco Pipeline, Inc., at a cost Two Million Four Hundred Eighty Nine Thousand Five Hundred Seventy Five Dollars and Zero cents (\$2,489,575.00) the installation of approximately 51,000 linear feet of 8 inch and 12 inch water main, valves, hydrants and water services for Phase 1 of the Town of Elba Water District No. 2, Phase 1, contingent on all USDA Rural Development approvals and upon all required insurance and bonding being in place as approved by the Town Attorney; and

BE IT FURTHER RESOLVED, the Elba Town Board hereby authorizes the Supervisor to execute Agreements and issue the Notice to Proceed once the aforementioned conditions are met.

Second by: Councilwoman Marshall
Ayes: Chamberlain, Coughlin, Hynes, Marshall
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 17-2018 CLOSING OF ROADS FOR ARC OF GENESEE ORLEANS FRIENDS & FAMILY 5K

Councilman Coughlin offered the following:

WHEREAS, the ARC of Genesee Orleans Friends & Family 5K, has scheduled a 5K race to take place on Saturday, September 15, 2018, 9:50 A.M.-10:50 A.M. in Elba, New York.

WHEREAS, the proposed race will start on Barrville Road, Elba, New York and includes portions of Bridge Road and Luddington Road and ends at the Genesee ARC facility on Barrville Road,

WHEREAS, the Town Board of the Town of Elba has determined that it is necessary to close portions of Barrville Road, Bridge Road and Luddington Road in the Town of Elba, New York as described herein in order to adequately protect the health, safety and welfare of the participants in the race and spectators along said route, and

BE IT FURTHER RESOLVED AND ORDERED that the Town Clerk of the Town of Elba, New York shall post a copy of this Resolution and Order on the signboard maintained at her office on or before August 1, 2018, and shall remain posted until Monday, September 17, 2018.

**BY ORDER OF THE TOWN BOARD
TOWN OF ELBA**

Trisha Werth
Town Clerk

RESOLVED: That the Town Board of the Town of Elba does hereby adopt this resolution in support of closing roads within the Town of Elba for the ARC of Genesee Orleans as part of the “2018 Friends & Family 5K” race, this 12th day of April, 2018.

CC: Sandy Konfederath, Community Relations Coordinator, Arc of Genesee Orleans
Mike Heale, Elba Fire Chief
Mark Yungfleisch, Town of Elba, Superintendent of Highways

State of New York)
County of Genesee)
Town of Elba) ss.

I, Trisha Werth, Town Clerk of the Town of Elba in the County of Genesee, State of New York, hereby certify that the foregoing Resolution was duly adopted at a meeting of the Town Board on the Town of Elba held on the 12th day of April, 2018, by the required necessary votes of the members to approve this Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Elba, Genesee County, New York this 12th day of April, 2018.

Second by: Councilman Chamberlain
Ayes: Chamberlain, Coughlin, Hynes, Marshall
APPROVED by unanimous vote (4-0)

ABSTRACT 4-2018

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

General Fund	61-83	\$ 9,172.36
Highway	31-47	\$44,591.26
Water District 2	3-5	\$ 257.80
	TOTAL	\$54,021.42

Ayes: Chamberlain, Coughlin, Hynes, Marshall
MOTION CARRIED by unanimous vote (4-0)

COMMITTEE REPORTS

Building and Grounds

No report.

Zoning Board

Councilman Chamberlain did not attend the meeting.

Planning Board

Councilman Coughlin discussed the informational public hearing that was held during the last Planning Board meeting regarding a potential land separation by the Genesee County Tax Department, represented

by Kevin Andrews. The piece of land on Chapel Street and the County would like to apply for a land separation and have a public auction. The Board discussed that the property is landlocked and only neighboring land owners would be eligible to purchase. Highway Superintendent Yungfleisch said that the land is not landlocked, it can be reached from Oak Orchard Road (Old 98). Councilman Coughlin will speak with Kevin Andrews.

Elba was listed as one of the towns to receive a grant for broadband access. However, Supervisor Hynes advised the Board that this would only be available for 20 residents.

The Planning Board also discussed Town of Batavia's solar resolution. They are looking to modify it so that it fits Elba. ZEO/CEO Mikolajczyk said he would share Oakfield's plan as well.

GAM

Councilwoman Zambito did not attend the GAM meeting.

Cemetery

Councilman Chamberlain reported that he and Supervisor Hynes met with Steve Davis and straightened out his contract which is for three years. There is an extra fee for holidays and Sunday's of \$150 that is paid by the family to the funeral home.

Publicity

The ARC sent an invitation for their annual dinner and meeting. Let Trisha know if you would like to attend. Also shared was the letter from the Village of Elba regarding the Water System Improvements (Phase 2) for the Village.

DEPARTMENT REPORTS

Highway

Highway Superintendent Yungfleisch reported that he spoke with Dan Stahly and he has not heard back from the State regarding the intersection of State Highway 98 and Lockport Road. Discussion ensued on how dangerous that intersection continues to be. There was another accident there within the last week.

Highway Superintendent Yungfleisch said they are stocked up on salt. They are waiting for the weather to break so they can start doing road work.

Assessor

No report.

ZEO/CEO

ZEO/CEO Mikolajczyk brought the Board up to date on Jason Ambrewster's property on Log City Road. He has emailed Dave Schubel regarding the house on Lockport Road. Supervisor Hynes will follow up with Mr. Schubel to see where we are with that.

Town Clerk

Town Clerk Werth reported that she took in \$1,033.88 and remitted \$565.58 to the Supervisor for local share. Deputy Clerk Itjen settled the taxes with the County and returned 44 unpaid taxes. The 2018 Settlement of the town and county tax roll is attached.

Supervisor

Supervisor Hynes attended the village meeting with Dave Schubel. Requested the Village Board prepare a resolution giving Mayor Itjen permission to sign the deed over to the Town. Mr. Schubel will make an appointment with Mayor Itjen to have him sign.

Mr. Schubel needs to make a couple of changes to the Blue Sky contract. Once she received the contract from Mr. Schubel she will share with the Board. This needs to be completed as soon as possible.

The survey was completed for the Skye property. Mr. Schubel will forward to the Skye's attorney and bank for release.

The deed was completed for the Starowitz property for the tank.

Highway Superintendent Yungfleisch met with surveyor at the Starowitz farm. This land will be turned over to them soon.

Supervisor Hynes and Highway Superintendent Yungfleisch have spoke with Jason Foote, CPL in regard to moving the location of a handful of hydrants that were placed in difficult areas on the map.

Discussion ensued on the Water Code. The Town of Alabama has recently completed this code and it aligns with what we are looking to do in the Town of Elba. Councilwoman Marshall added that she would like to add a few points that were discussed since last July.

- Require a binder from homeowner's insurance company if they choose to install the line on their own
- Homeowners cannot open hydrant on their own, must seek approval from Water Superintendent
- Refer to water service detail sheet from the Town of Batavia

Jason Foote, CPL is sending three IMA's to Mr. Schubel for review. We may need a special meeting in a couple of weeks to implement.

Councilpersons/Miscellaneous

Councilwoman Marshall stated that she met with Keith Palmer, School Superintendent, regarding the gas pump. The school was trying to be proactive in suggesting to update the tank readers because of surrounding schools having issues. The readers we have are in good shape, Councilwoman Marshall said she would provide alcohol slides to help keep them clean.

Councilman Chamberlain asked if each homeowner would receive a copy of the private well separation and water service detail information sheets. He believes this will help in guiding our community on how to properly proceed with installation. After discussion ensued it was decided to add the information sheets to our website and have them available in the Town Clerk's office. Also, each homeowner will need to fill out a permit to have the meter pits installed. We will include an email and phone number section to create a master list of our residents.

At this time, Mr. Moore explained that he had an existing pump that he was hoping to keep for his

garden. Councilman Coughlin explained that a physical disconnect, complete separation would need to be completed and then inspected to keep an existing pump. Mr. Moore was grateful for the explanation.

Mrs. Miano asked to receive a copy of the monthly minutes. She is tasked with reporting back to the Betterment Committee on Town Board business. She also said the Memorial Day celebration is scheduled to take place. The Betterment Committee is also on target with this year's Pig Roast, she will bring a sign-up sheet next month for those interested in helping.

OLD BUSINESS

The DEC has been in contact with Supervisor Hynes. They are waiting for the snow to melt before coming out to inspect the landfill.

ADJOURNMENT

MOTION was offered from Councilman Chamberlain, second by Councilman Coughlin to adjourn the meeting at 8:05 P.M.

Ayes: Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (4-0)

Respectfully Submitted,

Trisha Werth
Town Clerk