

**Town of Elba  
Regular Town Board Meeting  
December 13, 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

**Others Present:**

Town Clerk Werth  
Superintendent of Highways Yungfleisch

**Minutes of November 8, 2018 Town Board Meeting, Public Hearing Local Law #2 of 2018 – Override Tax Levy Limit, Public Hearing 2019 Annual Town Budget, & Public Hearing Lease Agreement Between the Town of Elba and Blue Sky Towers II, LLC:**

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

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

**MOTION Carried**

**RESOLUTION NO. 44-2018:**

Councilman Chamberlain offered the following:

**DENYING REPURCHASE OF CEMETERY PLOT  
NO. 409, BURIAL PLACES 5 AND 6, BY TOWN OF ELBA**

**WHEREAS**, Marsha Flagg has requested that the Town of Elba reacquire cemetery plot no. 409, burial places 5 and 6 from Marsha Flagg, for the sum of \$200.00, and

**WHEREAS**, due deliberation having been had by the Elba Town Board, now therefore be it

**RESOLVED** that the request by Marsha Flagg that the Town of Elba reacquire cemetery plot no. 409, burial places 5 and 6, for the sum of \$200.00 be, and the same hereby is, denied, and be it further

**RESOLVED**, that Marsha Flagg may sell or transfer cemetery plot no. 409, burial places 5 and 6, to another party of her own choosing upon such term as Marcia Flagg deem appropriate upon the condition that Elba Town Clerk be informed of the name of the transferee.

**Second by:** Councilwoman Marshall

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

**APPROVED by unanimous vote (5-0)**

**ABSTRACT 12-2018**

**MOTION** Councilman Coughlin, second Councilwoman Zambito to approve the following:

General Fund	254-287	\$ 14,789.04
Highway	125-135	\$ 9,765.92
Water District #2	31-38	<u>\$431,356.65</u>
	<b>TOTAL</b>	<b>\$455,911.61</b>

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

**MOTION CARRIED by unanimous vote (5-0)**

**COMMITTEE REPORTS**

**Building and Grounds**

Superintendent of Highways Yungfleisch reported the following:

- They insulated the old shop
- Broken cables were replaced on the overhead doors

Councilman Coughlin asked if Mr. Yungfleisch was aware of the sign down at Watson Road and Oak Orchard Road. The County is aware and will take care of it.

**Zoning Board**

Councilman Chamberlain reported:

- John Babcock and Elton Shuknecht attended the 8 hour Regional Government Local workshop and Richard Contant attended the 4 hour workshop.
- ZBA board sent a letter to the Village board regarding the need to rezone the industrial area on South Main Street.

**Planning Board**

Councilman Coughlin reported:

- There will be a State Environmental Quality Review (SEQR) seminar held during the next Planning Board meeting. Members will receive credit if they register.
- A Comprehensive Plan needs to be addressed soon as solar projects are taking place around us.

**GAM**

No report.

**Cemetery**

No report.

**Publicity**

Town Clerk Werth shared a thank you letter from the Richter Foundation for the donation.

**DEPARTMENT REPORTS**

**Highway**

Mr. Yungfleisch reported:

- The crew has been plowing and salting when needed.
- They will be cutting trees on Ridge Road this week.

Councilwoman Marshall asked why the State was so lean on setting up snow fences this year. Mr.

Yungfleisch shared that it has been very muddy and he is still hoping to get out there and add some for the town in a few locations.

**Assessor**

No report.

**ZEO/CEO**

Mr. Mikolajczyk's report was emailed to the 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 \$979.76 and remitted \$933.76 to the Supervisor for local share, \$31.00 to NYS Ag. & Markets for spay/neuter program. We also had a total of 67 conservation customers.

We continue to collect the Water Service Applications for the Town of Batavia. A total of 8 residents applied in November.

**Supervisor**

Supervisor Hynes reported:

- Phase 1 of WD2 is installed and fully in service. Restoration is complete, a few areas will need to be addressed in the Spring.
- Phase 2 of WD2 is well under way and proceeding nicely. Randsco will be working two days the week of the 24<sup>th</sup> and 3 days the week of the 31<sup>st</sup>. They should be near completion by mid January.
- We are waiting on the bonds and insurance documents to arrive for Phase 3, WD2. Once it is here we will sign and pass onto Rural Development for approval. Sergi expects to start mid January.
- Copies of the bills and engineer reports are available to review for the bank property. Discussion ensued. Councilwoman Marshall would like Supervisor Hynes to contact Ned Dale, school Superintendent to discuss the options of renting space at the school.
- We continue to answer questions from the State auditor.
- The County did a Safe Act resolution, they will not support new legislation regarding this.
- Councilwoman Marshall asked that Supervisor Hynes contact the insurance company to get a cost on Cyber and EEOC insurance. Also question what would be included in the Cyber insurance.

**Councilpersons/Miscellaneous**

Councilman Chamberlain stated he attended the School Board meeting Monday evening. The new Superintendent, Ned Dale introduced himself and Mr. Chamberlain felt he had some good ideas. Mr. Dale asked him to continue helping with the Budget Ambassador's committee.

**ADJOURNMENT**

**MOTION** was offered from Councilman Chamberlain second by Councilman Coughlin to adjourn the meeting at 7:39 p.m.

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

**MOTION CARRIED by unanimous vote (5-0)**

Respectfully Submitted,

Trisha Werth  
Town Clerk