

**Town of Elba  
Regular Meeting  
September 10, 2020**

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  
Highway Superintendent Yungfleisch  
Harrison Luna, Hecate Energy joined via teleconference at 7:02 p.m.

**Minutes of August 13, 2020 Town Board Meeting**

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

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

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

**PUBLIC PARTICIPATION**

Mr. Harrison Luna who represents Hecate Energy joined the meeting via teleconference. Mr. Luna provided a quick overview of the project:

- 500-megawatt photovoltaic solar facility that is planned for approximately 3,000 acres in the Towns of Elba and East Oakfield
- Section 94-c of the Executive Law, is a major renewable energy development program. This is different and quicker than the Article 10 process, this allows the section to consolidate the environmental review and permits of major renewable energy facilities
- They are through the first study now and entering class year towards the end of 2020
- Currently surveying is taking place, title work, geo technical work, etc.
- There are host and community benefits that are required with the county, town and school, tax benefits, American solar grazing to keep land under panels in an agricultural nature, etc.
- Life of panels is 20-30 year for these Tier 1 panels by Bluebird
- Contracts typically last 15 years
- Hecate Energy has smaller projects in Greene and Columbia County but none of this caliber
- Weekly zoom meeting regarding the project, link can be found on the project website [www.cidersolarfarm.com](http://www.cidersolarfarm.com)
- They are looking to plan an open house sometime in October.

With no further discussion Mr. Luna exited the meeting at 7:15 p.m.

**RESOLUTION NO. 27-2020**

Councilwoman Marshall offered the following:

**RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1)**

**RESOLVED**, By the Elba Town Board of Elba, New York that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-1:

- (a) Only those records will be disposed of that are described in Retention and Distribution Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**Second by:** Councilman Coughlin  
**Ayes:** Augello, Chamberlain, Coughlin, Hynes, Marshall  
**APPROVED by unanimous vote (5-0)**

**Abstract 9-2020**

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

General Fund	181-203	\$8,343.59
Highway	104-115	\$8,206.29
Water District 2	42-45	\$496,044.77
	<b>Total</b>	<b>\$512,442.74</b>

**Ayes:** Augello, Chamberlain, Coughlin, Hynes, Marshall  
**MOTION CARRIED by unanimous vote (5-0)**

**COMMITTEE REPORTS**

**Building and Grounds**

Mr. Yungfleisch shared that the crew has seeded and fitted the new section in the cemetery.

**Zoning Board**

Mr. Chamberlain reported:

- The resignation from Mike Welch was received. We are now able to proceed with nominating Maxwell Torrey for the ZBA.

**RESOLUTION NO. 28-2020:**

Councilman Chamberlain offered the following:

**APPOINT ZONING BOARD OF APPEALS MEMBER**

**RESOLVED**, that Maxwell Torrey be appointed to the Elba Joint Village/Town Zoning Board of Appeals effective September 10, 2020 to fill an unexpired term, ending December 31, 2022.

**Second by:** Supervisor Hynes

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

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

- The ZBA hopes that Mr. Rick Sanfratello will continue to attend the meetings this year and take Mr. Richard Contant's seat when he resigns at the end of the year. Councilwoman Marshall reminded Board Members that Mr. Sanfratello is also interested in a seat on the Board of Assessment.

### **Planning Board**

Mr. Coughlin reported:

- Mr. Earl Roth is interested in applying for a land separation at 7563 Bank Street. He would like to separate a barn off an existing parcel and add it to an adjoining parcel with a different owner. The Committee asked Mr. Roth to submit a separation form that includes parcels as square as possible as well as the appropriate setbacks.
- Mr. Hoover reported on potential PILOT agreements for neighboring towns. The Committee suggested that Elba follow these projects closely as they may provide ideas for potential PILOT's if/when solar projects are proposed in Elba.

### **GAM**

No meeting.

### **Cemetery**

Councilman Chamberlain spoke with Steve Davis regarding Mr. Martino's request to sell back his plots to the Town of Elba. He and his wife are choosing to be laid to rest at the new National Cemetery in Pembroke. Mr. Martino's letter was read to the Town Board asking for consideration to buy back these two plots. The request has been denied and Town Clerk Werth will discuss other options with Mr. Martino.

### **RESOLUTION NO. 29-2020:**

Councilman Coughlin offered the following:

#### **DENYING REPURCHASE OF CEMETERY PLOT NO. 425, BURIAL PLACES 3 AND 4, BY TOWN OF ELBA**

**WHEREAS**, Joseph Martino has requested that the Town of Elba reacquire cemetery plot no. 425, burial places 3 and 4 from Joseph Martino, for the sum of \$950.00, and

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

**RESOLVED** that the request by Joseph Martino that the Town of Elba reacquire cemetery plot no. 425, burial places 3 and 4, for the sum of \$950.00 be, and the same hereby is, denied, and be it further

**RESOLVED**, that Joseph Martino may sell or transfer cemetery plot no. 425, burial places 3 and 4, to another party of his own choosing upon such term as Joseph Martino deem appropriate upon the condition that Elba Town Clerk be informed of the name of the transferee.

**Second by:** Councilwoman Marshall

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

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

**Publicity**

None.

**DEPARTMENT REPORTS**

**Highway**

Mr. Yungfleisch shared the following:

- The last of the salt has arrived and will need to last until 12/31/2020
- The MEO's have been cutting ash trees and disposing of them
- There are a few roads that need to be finished
- Trucks are being prepared for the winter
- CHIPS will be cut 20% - waiting to hear if the request sent 3-4 weeks ago was approved.

**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 \$865.00 and remitted \$819.00 to the Supervisor for local share, \$46.00 to NYS Ag. & Markets for spay/neuter program.

We received the Docuware scanner and have started training on the system. We hope to start working with the scanner within the next few weeks.

**Supervisor**

Supervisor Hynes reported the following:

- The Town of Barre Supervisor, Sean Pogue stopped by to introduce himself. He discussed water for residents in Barre that live on White City Road and Oak Orchard Road as Barre will not be going that far South with their project. Supervisor Hynes recommended that he find out which of the residents are interested, they would then need to form a water district as well as determine costs for this.
- WD2, Phase 4 – They watered up the main coming into the tank. It was chlorinated and ready to fill. They were unable to move forward with filling the tank because the grout that is at the base of the cone crumbled away. Caldwell came to replace it and it still failed to meet the engineering requirements. Therefore, Nichols Long and Moore have agreed to replace the group one more time. This process should be approved by the middle of next week. Once completed they will start filling the tank. Once the new tank gets to a certain level they will shut off the main to the Village tank.
- Supervisor Hynes distributed the budget report. She has scheduled a meeting with Justin from Baldwin for September 28<sup>th</sup> at 4:00 p.m. This will be placed in the paper as a Special Town Board meeting.

- Supervisor Hynes will email the Board Members the information from the CPL architect regarding the new Town Hall. There is a asbestos investigation scheduled. Looking to add a commercial dehumidifier for the basement to help with moisture. The shrubs will need to be removed for the gas meter. Mr. Yungfleisch will have the MEO's remove.

### **Councilpersons**

Councilwoman Marshall mentioned the Fire District was have a public vote on September 15<sup>th</sup> for the purpose of bond to purchase a brush truck. Discussion ensued; Supervisor Hynes will recommend to the Fire District that they post the vote in several locations throughout the Town/Village.

Councilman Chamberlain stated he will finally have internet in a few weeks from Spectrum.

### **ADJOURNMENT**

**MOTION** was offered from Supervisor Hynes second by Councilwoman Marshall to adjourn the meeting at 7:57 p.m.

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

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

Respectfully Submitted,

Trisha Werth  
Town Clerk