

**Town of Elba
Regular Meeting
January 5, 2023**

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
- Superintendent of Highways Yungfleisch

Minutes of December 28, 2022 Year End 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)

RESOLUTION #3-2023:

Councilwoman Marshall, second by Councilman Chamberlain offered the following:

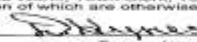

TOWN CLERK'S YEAR END REPORT

WHEREAS, the Town Clerk submitted the 2022 Year End Clerk's Report and is accepted into the minutes.

01/03/2023 Town Clerk Monthly Report January 01, 2022 - December 31, 2022 Page 1

Account#	Account Description	Fee Description	Qty	Local Share
		Return Check Fee	3	60.00
		Water Inspection Fee	12	600.00
		Sub-Total:		\$960.00
A1255	Certified Copies - Death	Certified Copies - Death	50	530.00
	Certified Copies - Marriage	Certified Copies - Marriage	2	20.00
	Land Separation App. Fee	Land Separation App. Fee	7	440.00
	Marriage License Fee	Marriage License Fee	4	70.00
	Variance Application Fee	Variance Application Fee	2	120.00
		Sub-Total:		\$1,290.00
A2530	Racing & Wagering Fees	Sail Jar License	1	10.00
		Raffle License	1	10.00
		Sub-Total:		\$20.00
A2540	Racing & Wagering Fees	Bingo License	41	307.50
		Bingo Proceeds	36	1,078.68
		Sub-Total:		\$1,387.08
A2544	Dog Licensing	Female, Spayed	138	552.00
		Female, Unspayed	18	228.00
		Male, Neutered	89	356.00
		Male, Unneutered	23	276.00
	Dog Seizure Fee	Dog Seizure Fee	4	40.00
		Sub-Total:		\$1,452.00
B2555	Building Permit Applications	Building Permit Applications	32	3,789.00
		Sub-Total:		\$3,789.00
		Total Local Shares Remitted:		\$6,098.09
Amount paid to:	New York State Comptroller's Office			481.25
Amount paid to:	New York State Dept of Health			90.00
Amount paid to:	NYS Ag. & Markets for apay/neuter program			383.00
Total State, County & Local Revenues:				\$9,832.33
		Total Non-Local Revenues:		\$934.25

To the Supervisor: Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Triana Werth, Town Clerk, Town of Elba during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.


1/5/23
Date

1/5/23
Date

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

RESOLUTION NO. 4-2023:

Councilman Chamberlain offered the following:

AGREEMENT FOR THE EXPENDITURES OF HIGHWAY MONEYS

AGREEMENT between the Town Superintendent of the Town of ELBA HIGHWAY DEPT., County of GENESEEE, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$350,000.00 shall be set aside to be expended for primary work and general repairs upon 32.55 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
 2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of town highways:
 - (a) On the road commencing at ALL TOWN ROADS AND PROPERTIES, a distance of miles, there shall be expended not over the sum of \$
- Executed in duplicate this 5th day of January, 2023 .

Supervisor	Councilwoman
Councilman	Councilman
Councilman	Councilman
County Superintendent of Highways	Town Superintendent

NOTE: This Agreement should be sign in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both Copies must be approved by the County Superintendent. One copy must be files in the Town Clerk’s office and once in the County Superintendent’s office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

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

RESOLUTION NO. 5-2022

Councilman Augello offered the following:

RESOLUTION TO CHANGE POLLING LOCATION FROM ELBA FIRE HALL TO ELBA FIREMEN’S RECREATION HALL

WHEREAS, the polling location for District 1 and 2 for Elba, New York is currently located at the Elba Fire Hall, 4 South Main Street, Elba, New York; and

NOW, THEREFORE, BE IT RESOLVED that District 1 and 2 polling location be moved to 7143 Oak Orchard Road, Elba, New York as it is a larger facility, offering handicap accessibility and better parking for our residents; and

AND BE IT FURTHER RESOLVED that this change would become effective with the June 2023 primary election.

Second by: Councilman Coughlin

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

ABSTRACT 1-2023

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

General Fund	1-13	\$11,702.66
Highway	1	\$2,069.61
WD2	1	\$162.00
	Total	\$13,934.27

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

COMMITTEE REPORTS

Building and Grounds

Mr. Yungfleisch reported that the office building was without power for 16 hours during the Blizzard Elliott. The water line was broke in three places and ruined the RPZ valve. This has been fixed, the walls in the utility room have now been insulated and wrapped the pipes again. Some of the ceiling tiles were wet from the snow blowing up in the overhang. The heater is broken in the back shop, it was inspected and they believe it is something electrical. Jeff Boyce will be in to look at it this week.

Zoning Board

The meeting will take place January 9, 2023.

Planning Board

Councilman Coughlin reported that Chuck Hoover will remain the Chair of the Planning Board, Brad Mudzynski as Secretary and Bryan Gubb will continue as Vice Chair. They will continue to use the Batavia Daily News as their public notification and the meeting dates will remain the third Thursday of the month at 7:00 p.m. Discussion took place regarding the number of members on the Planning Board since combining with the Village years ago. There was also discussion on why the Village does not pay for the Village Planning Board member(s).

GAM

Supervisor Hynes stated there was not a quorum for the meeting.

Cemetery

Supervisor Hynes stated we need to get the Surveyor in for the new section. Mr. Yungfleisch said in the Spring.

DEPARTMENT REPORTS

Highway

Taking care of trees.

Assessor

Mr. Flansburg shared that he is working on the update and waiting for numbers from NYS. Please let him know if you have any questions.

ZEO/CEO

Mr. Morris monthly and yearend reports were emailed and are also available in the Town Clerk's office.

Town Clerk

Town Clerk Werth reported that she took in \$476.31 and remitted \$448.31 to the Supervisor for local share, \$28.00 to NYS Ag. & Markets for spay/neuter program. Tax collections have started and are going well.

Joanne Soules would like to share that the Elba Betterment Committee is in the beginning stages of starting a food pantry. They have a meeting scheduled for Wednesday, January 18th at 6 p.m. at the Catholic Church if anyone is interested in helping get this started.

Supervisor

Supervisor Hynes spoke with Dwight Kanyuck concerning solar. He has been working with the Hecate attorneys regarding language on language and final engineering that should be completed by LaBella. He said they are about 90% closer to getting things signed, possibly by February. They are reviewing PIOT terms as there was a question about dates that need to be addressed. No definitive start dates. They may start clearing some trees this winter.

Supervisor Hynes has not heard anything on the grant for the Comprehensive Plan. She suggested having the Zoning Board put together their thoughts on what changes need to be made if we do not secure the funds for the grant. Councilman Chamberlain stated the Zoning Board had started reviewing them but he will encourage them to continue. Councilwoman Marshall suggested they compile a group of possible changes and have Mike Morris come in to offer his guidance.

Supervisor Hynes received an email from Erin Pence, GIS Analyst, Genesee County Department of Planning, regarding the water hook up request on Norton Road. Their committee's decision was to allow one conditional hook up on that parcel once the parcel is removed from the agricultural district or a hardship exception is granted by NYS Ag and Markets. The first opportunity for the parcel to be removed will occur in 2025. Discussion ensued regarding future water hook ups in the Town of Elba.

COUNCILPERSONS

Councilwoman Marshall would like Mr. Flansburg to attend the next meeting to get more information on the assessments of properties around solar, when the payments will start, and what penalties will be. Discussion ensued regarding solar. Councilman Augello would like to see a map with the houses effected by this solar project. Supervisor Hynes will ask Hecate to provide a copy from a plotter printer.

ADJOURNMENT

MOTION was offered from Councilman Chamberlain second by Councilman Augello 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