

TOWN OF ELBA
TOWN BOARD MEETING
Thursday, November 14, 2024 –7:00 PM

Call Meeting to Order

- Pledge to the Flag

Approval of Minutes

- October 10, 2024 Public Hearing
- October 10, 2024 Town Board Meeting

Resolutions

- 22-2024 Authorize Delinquent Water Bill to be Re-Levied on the 2025 Warrant
- 23-2024 Resolution to Approve Authorizing the Relevy of Outstanding Water Debt Service Charge on Town/County Real Property Taxes
- 24-2024 Agreement for Fuel Dispensing Station
- 25-2024 Elba Youth Programs

Abstract 11-2024

Committee Reports

- | | |
|--------------------|---------------------------|
| Building & Grounds | Highway Supt. Yungfleisch |
| Zoning Board | Councilman Chamberlain |
| Planning Board | Councilman Coughlin |
| GAM | Councilman Augello |
| Cemetery | Councilman Chamberlain |

Department Reports

- Highway Superintendent
- Assessor
- ZEO/CEO
- Town Clerk
- Supervisor
- Councilpersons

Adjournment

UPCOMING MEETINGS...

RESOLUTION NO. 22-2024:

AUTHORIZE DELINQUENT WATER BILL
TO BE RE-LEVIED ON THE 2025 WARRANT

WHEREAS, the Town Clerk has received a list of all property owners who owe for water rents in Water Districts #1 and #2, to the Town of Batavia as of October 23, 2024; and

WHEREAS, Section 229-15 (c) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

NOW, THEREFORE, BE IT RESOLVED, the amount of \$712.87, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 5439 North Byron Road, Elba, NY 14058, parcel #18.-1-53;

BE IT FURTHER RESOLVED, the amount of \$619.10, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 4061 Batavia Elba Townline Road, Oakfield, NY 14125, parcel #10.-1-37.22;

BE IT FURTHER RESOLVED, the amount of \$484.30 and \$431.58, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 7619 Bank Street Road, Batavia, NY 14020 and 6009 Batavia Elba Townline Road, Batavia NY 14020, parcel #12.-1-61;

BE IT FURTHER RESOLVED, the amount of \$370.73, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 5461 Bridge Road, Elba, NY 14058, parcel #9.-1-7.121;

BE IT FURTHER RESOLVED, the amount of \$339.84, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 6616 Snyder Road, Oakfield, NY 14125, parcel #16.-1-31.2;

BE IT FURTHER RESOLVED, the amount of \$259.07, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 4090 Maltby Road, Oakfield, NY 14125, parcel #19.-1-65.12;

BE IT FURTHER RESOLVED, the amount of \$193.14, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 6576 Log City Road, Elba, NY 14058, parcel #18.-1-56.2;

BE IT FURTHER RESOLVED, the amount of \$180.56, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 7608 Bank Street Road, Elba, NY 14058, parcel #12.-1-65.1;

BE IT FURTHER RESOLVED, the amount of \$164.87, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 4233 West Avenue Road, Elba, NY 14058, parcel #19.-1-27.12;

BE IT FURTHER RESOLVED, the amount of \$109.91, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 6722 Oak Orchard Road, Elba, NY 14058, parcel #8.-1-4;

BE IT FURTHER RESOLVED, the amount of \$109.91, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 6742 Oak Orchard Road, Elba, NY 14058, parcel #8.-1-7;

BE IT FURTHER RESOLVED, the amount of \$102.06, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 5477 Ford Road, Elba, NY 14058, parcel #9.-1-11;

BE IT FURTHER RESOLVED, the amount of \$100.69, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 4904 Barrville Road, Elba, NY 14058, parcel #17-1-26;

BE IT FURTHER RESOLVED, the amount of \$92.19, or may be amended before final submission to the

Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 6830 Transit Road, Elba, NY 14058, parcel #9.-1-9;

BE IT FURTHER RESOLVED, the amount of \$62.81, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 5854 Quaker Hill Road, Elba, NY 14058, parcel #13.-1-33.2;

BE IT FURTHER RESOLVED, the amount of \$51.38, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 3812 Drake Street Road, Oakfield, NY 14125, parcel #10.-1-2.2;

BE IT FURTHER RESOLVED, the amount of \$30.97, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 4355 Lockport Road, Elba, NY 14058, parcel #16.-1-12.1;

BE IT FURTHER RESOLVED, the amount of \$23.55, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 3861 Ridge Road, Elba, NY, mailing address 8229 Bank Street Road, Batavia, NY 14020 parcel #13.-1-72;

BE IT FURTHER RESOLVED, the amount of \$23.55, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 4265 Maltby Road, Elba, NY 14058, parcel #19.-1-13;

BE IT FURTHER RESOLVED, the amount of \$5.71, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2025 tax warrant at 7224 Pekin Road, Oakfield, NY 14125, parcel #10.-1-51.12;

RESOLUTION NO. 23-2024:

RESOLUTION TO APPROVE AUTHORIZING THE RELEVY OF OUTSTANDING WATER DEBT SERVICE CHARGE ON TOWN/COUNTY REAL PROPERTY TAXES

The Town Board of the Town of Elba (hereafter the "Town Board") met at a regular board meeting at the Elba Town Hall located at 7133 Oak Orchard Rd., Elba, NY 14058 in the Town of Elba, NY on November 14, 2024 commencing at 7:00 p.m. and the following members were:

WHEREAS, all Town Board Members having received due notice of said meeting; and

WHEREAS, pursuant to the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place of the meeting was given as required by law; and

WHEREAS, the Town has in place certain Water Customer Agreements whereby the Town provides water to certain out-of-district customers; and

WHEREAS, the Town has one such Water Customer Agreement in place with A. Elizabeth Prinzi, residing at 7069 Transit Rd., Elba, NY 14058, for service to property located at 7069 Transit Rd., Town of Byron, County of Genesee, and State of New York by and through the Town of Elba Water District No. 2;

WHEREAS, said agreement calls for a debt service charge of \$713.15 for the year 2024 with payment to be made within forty-five (45) days after receipt of the statement showing such charge; and

WHEREAS, the Town duly provided a statement to the customer for payment of the debt service charge at the time of signing the agreement; and

WHEREAS, forty-five (45) days have elapsed since the customer's receipt of said statement; and

WHEREAS, pursuant to N.Y. Town Law § 198(3)(a), if a property owner fails to pay the uniform service charge, a statement showing the name of the property owner and the amount unpaid and containing a brief description of the real property shall be transmitted to the board of supervisors of the county and such amount shall be levied and collected as an assessment against the real property;

NOW, ON MOTION OF Councilman _____, which has been duly seconded by Councilman _____, be it therefore

RESOLVED, that the Town Board hereby acknowledges and declares that the above-referenced customer has not paid their debt service fee for the year 2024, and the debt service fee owed has been outstanding for a period greater than forty-five (45) days; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to transmit to the Genesee County Board of Supervisors a statement showing the name of the property owner and the amount of debt service charges left unpaid along with a brief description of the real property and a request that said outstanding amount be levied and collected as an assessment against the real property.

RESOLUTION #24-2024:

AGREEMENT FOR FUEL DISPENSING STATION

THIS AGREEMENT, made the 4th day of November, 2024 by and among the **TOWN OF ELBA**, with offices located at 7133 Oak Orchard Road, Elba, New York 14058, (hereinafter referred to as the “Town”), and the **VILLAGE OF ELBA**, with offices located at 4 South Main Street, Elba, New York 14058 (hereinafter referred to as the “Village”), and the **ELBA FIRE DEPARTMENT**, with offices located at 4 South Main Street, Elba, NY 14058 (hereinafter referred to as the “Fire Department”), and the **ELBA CENTRAL SCHOOL DISTRICT**, with offices located at 57 South Main Street, Elba, New York 14058, (hereinafter referred to as the “District”).

WHEREAS, the parties cooperatively use a common fuel dispensing station located on Town property adjacent to the Town Hall, currently consisting of two above ground storage tanks, and the appurtenances, one of which contains diesel fuel and once of which contains gasoline, and

WHEREAS, since approximately 1995 the parties have been jointly using and operating this station, and

WHEREAS, the parties have not found a written Agreement signed by all four parties, and

WHEREAS, the parties desire to place the terms and conditions for the future use and operation of this station in writing, as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. Each party shall be jointly and equally responsible for any and all costs and expenses of any kind or nature related to the operation and maintenance of this system.

RESOLUTION NO. 25-2024:

ELBA YOUTH PROGRAMS

WHEREAS, the Elba Town Board has not been involved with the Elba Recreation program at the Veteran’s Park for several years, this is a service the Village has provided;

NOW, THEREFORE, BE IT RESOLVED, that the Elba Town Board will continue to show support to the children of Elba, NY by helping to financially support the Elba Youth Basketball Program and the Richter Foundation.