

**Town of Elba  
Regular Meeting  
October 10, 2024**

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 September 12, 2024 Town Board Meeting**

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

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

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

**Minutes of September 25, 2024 Special Town Board Meeting**

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

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

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

**RESOLUTION NO. 19-2024:**

Councilman Chamberlain offered the following:

**ADOPTION OF 2025 TOWN ANNUAL BUDGET**

**WHEREAS**, the Elba Town Board hereby adopts the Town Budget for 2025; and be it further

**NOW, THEREFORE, BE IT RESOLVED**, that the Elba Town Board approves the budget as prepared with a copy attached hereto.

**Second by:** Councilman Coughlin

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

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

**RESOLUTION #20-2024**

Councilman Augello offered the following:

**APPROVAL OF OFFICIAL UNDERTAKING FOR TAX COLLECTION**

[The Official Undertaking/Bond must be filed with the County Clerk and have attached thereto the approval of the Town Board as set forth below.]

**APPROVAL OF THE ELBA TOWN BOARD**

We, the undersigned members of the Town Board of the Town of Elba, County of Genesee, State of New York, do hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency

thereof, and to the sureties names thereon. Said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into her/his hands as such collector.

Witnessed this 10th day of October, 2024.

Supervisor \_\_\_\_\_  
Council Member \_\_\_\_\_  
Council Member \_\_\_\_\_  
Council Member \_\_\_\_\_  
Council Member \_\_\_\_\_

[Approval may also be in the form of a copy of Resolution with corresponding certification of the Town Clerk.]

Pursuant to Sections 25, 35, 36 and 37 of the Town Law of the State of New York

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

**CERTIFICATION**

I, Trisha Werth, Town Clerk of the Town of Elba, County of Genesee and State of New York, DO HEREBY CERTIFY that I have compared the aforementioned resolution duly adopted by the Town Board of the Town of Elba, on the 10h day of October, 2024 with the original now on file in my office, and the same is a correct and true copy of said Resolution and of the whole thereof.

**Dated:** October 10, 2024

\_\_\_\_\_  
**Trisha Werth**  
**Town Clerk**

{SEAL}

**RESOLUTION NO. 21-2024:**  
Councilman Chamberlain offered the following:

**ACCEPT ESTIMATE FROM WESTERN NY LAWN SERVICE INC.**

**WHEREAS,** the Elba Town Board hereby accepts the estimate from Western NY Lawn Service, Inc. to map out the fifth section of the cemetery to prepare lots for sale; and be it further

**RESOLVED,** the Supervisor is hereby authorized to execute the agreement.

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

**ABSTRACT 10-2024**  
**MOTION,** Councilman Coughlin second by Councilman Augello approve the following:

General Fund                      220-244                      \$18,925.76

Highway	95-109	\$317,894.29
	<b>Total</b>	<b>\$336,820.05</b>

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

**COMMITTEE REPORTS**

**Building and Grounds**

No report.

**Zoning Board**

No meeting.

**Planning Board**

Councilman Coughlin stated the Mindy Stempin has resigned. Town Clerk Werth will advertise. Hecate states they will start construction in the Spring.

**GAM**

No meeting.

**Cemetery**

A resident called regarding the black walnut trees at the Edgerton Road Cemetery and wanted to have the Town take these down. The Town will not take trees down.

**DEPARTMENT REPORTS**

**Highway**

Mr. Yungfleisch shared:

- Road work is done
- There is \$9,000.00 left for paving
- Two trucks are set up for winter
- The pick up should be ready sometime in November
- Not sure when other vehicles will be ready
- Discussion took place regarding electric vehicles
- Mr. Yungfleisch and MEO's will be assisting the Village at the Veteran's Park.

**Assessor**

No report.

**ZEO/CEO**

Mr. Morris' monthly report was emailed and is also available in the Town Clerk's office.

**Town Clerk**

Town Clerk Werth reported that she took in \$5,317.63 and remitted \$5,257.13 to the Supervisor for local share, \$38.00 to NYS Ag. & Markets for spay/neuter program and \$22.50 to NYS Department of Health for a marriage license.

**Supervisor**

- Shared that the NY Class can be viewed within the monthly reports
- County wide broadband is now available. Suggested adding to the next school newsletter. There are approximately 35 homes in town without access. Supervisor Hynes will contact County for a list.
- According to Diane Sullivan, Hecate, all the wetlands have been flagged. Will provide the town with a printed version of the drawings for the Cider Solar Project.

### **Councilpersons**

Councilwoman Marshall asked if a letter had been sent to the State DOT regarding the Boards concerns with Cider Solar Project using Lockport Road and State Route 98 as a laydown area. Supervisor Hynes will send a letter to Diane Sullivan at Hecate.

Councilwoman Marshall asked if Greenbacher and Hecate will continue to support the Elba or Oakfield Betterment Committee's. It does not appear that they have in 2024. Supervisor Hynes stated they will be in Town soon and would ask.

Discussion took place regarding the Solar Committee. Mr. Hoover will stay on the Committee as a member and Mr. Mudzynski will now be the Chairman.

Councilwoman Marshall asked if Supervisor Hynes followed up with Tim Yaeger, Genesee County Fire Coordinator regarding fire departments charging for accidents. He did not believe that Albany would not allow the volunteers to charge in New York State. The paid departments may be able to. Supervisor Hynes will continue to discuss this with Mr. Yaeger and Councilwoman Marshall will look back to which out of state fire department she received bill from in the past.

### **ADJOURNMENT**

**MOTION** was offered from Councilman Chamberlain second by Councilman Augello to adjourn the meeting at 7:50 p.m.

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

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

Respectfully Submitted,

Trisha Werth  
Town Clerk