

**Town of Elba
Regular Meeting
November 9, 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

Others Present:

Town Clerk Werth
Superintendent of Highways Yungfleisch
Kennedy Augello, Student
Adison Norton, Student
Rachel Walls, Student

Absent:

Councilwoman Marshall

Supervisor Hynes welcomed students from the Class of 2024 from Elba Central School. They were in attendance as they are working on the requirements to receive their Seal of Civic Readiness when they graduate next June.

Minutes of October 12, 2023 Town Board Meeting

MOTION Councilman Chamberlain second by Councilman Augello to approve the minutes as written.

Ayes: Augello, Chamberlain, Coughlin, Hynes

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 16-2023:

Councilman Coughlin offered the following:

ADOPTION OF 2024 TOWN ANNUAL BUDGET

WHEREAS, the Elba Town Board hereby adopts the Town Budget for 2024; 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: Supervisor Hynes

Ayes: Augello, Chamberlain, Coughlin, Hynes

APPROVED by unanimous vote (4-0)

RESOLUTION #17-2023:

Councilman Chamberlain 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 9th day of November, 2023.

Supervisor Hynes
Council Member Augello
Council Member Chamberlain
Council Member Coughlin

[Approval may also be in the form of a copy of the Resolution with the 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: Supervisor Hynes
Ayes: Augello, Chamberlain, Coughlin, Hynes
APPROVED by unanimous vote (4-0)

RESOLUTION #18-2023:

Councilman Chamberlain offered the following:

**AUTHORIZE DELINQUENT WATER BILL
TO BE RE-LEVIED ON THE 2024 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 31, 2023; 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 \$805.16, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 4764 Bridge Road, Elba, NY 14058, parcel #8.-1-30.113;

BE IT FURTHER RESOLVED, the amount of \$473.34, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6009 Batavia Elba Townline Road, Batavia, NY 14020, parcel #12.-1-61;

BE IT FURTHER RESOLVED, the amount of \$381.35, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 4061 Batavia Elba Townline Road, Oakfield, NY 14125, parcel #10.-1-37.22;

BE IT FURTHER RESOLVED, the amount of \$293.88, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6616 Snyder Road, Oakfield, NY 14125, parcel #16.-1-31.2;

BE IT FURTHER RESOLVED, the amount of \$244.07, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 4796 Ford Road, Elba, NY 14058, parcel #8.-1-43.2;

BE IT FURTHER RESOLVED, the amount of \$198.30, or may be amended before final submission to the

Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 4090 Maltby Road, Oakfield, NY 14125, parcel #19.-1-65.12;

BE IT FURTHER RESOLVED, the amount of \$195.67, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 4011 Lockport Road, mailing address 3701 Regent Blvd Suite 200, Irving, TX 75063, parcel #16.-1-27.2;

BE IT FURTHER RESOLVED, the amount of \$165.53, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6737 Oak Orchard Road, Elba, NY 14058, parcel #8.-1-8.111;

BE IT FURTHER RESOLVED, the amount of \$137.18, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6274 Oak Orchard Road, Elba, NY 14058, parcel #17.-1-2;

BE IT FURTHER RESOLVED, the amount of \$105.64, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6576 Log City Road, Elba, NY 14058, parcel #18.-1-56.2;

BE IT FURTHER RESOLVED, the amount of \$105.08, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 3834 Drake Street Road, Oakfield, NY 14125, parcel #10.-1-3;

BE IT FURTHER RESOLVED, the amount of \$91.53, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 4494 North Byron Road, Elba, NY 14058, parcel #17.-1-51;

BE IT FURTHER RESOLVED, the amount of \$68.64, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6742 Oak Orchard Road, Elba, NY 14058, parcel #8.-1-7;

BE IT FURTHER RESOLVED, the amount of \$68.27, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6830 Transit Road, Elba, NY 14058, parcel #9.-1-9;

BE IT FURTHER RESOLVED, the amount of \$38.13, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6539 Miller Road, Elba, NY 14058, parcel #17.-1-18.2;

BE IT FURTHER RESOLVED, the amount of \$5.68, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2024 tax warrant at 6508 Oak Orchard Road, Elba, NY 14058, parcel #17.-1-71;

Second by: Councilman Augello

Ayes: Augello, Chamberlain, Coughlin, Hynes

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 19-2023:

**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 9, 2023 commencing at 7:00 p.m. and the following members were:

State of New York)
County of Genesee) ss.:

I, Trisha Werth, Town Clerk of the Town of Elba, NY, hereby certify that the foregoing resolution was duly adopted at a meeting of the Town Board held on November 9, 2023 by the required necessary vote of the members to approve this resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Elba, NY this 9th day of November, 2023.

Trisha Werth, *Town Clerk*

ABSTRACT 11-2023

MOTION, Councilman Chamberlain second by Councilman Augello to approve the following:

General Fund	232-253	\$40,997.54
Highway	109-122	\$140,608.17
Water District 2	9-11	\$30,864.74
	Total	\$212,470.45

Ayes: Augello, Chamberlain, Coughlin, Hynes
MOTION CARRIED by unanimous vote (4-0)

COMMITTEE REPORTS

Building and Grounds

Mr. Yungfleisch shared that work continues at the Town Hall. The large window was replaced in the conference room, waiting on paint, wind breaker/door and siding.

Zoning Board

Councilman Chamberlain stated the Zoning Board briefly discussed the Big O project.

Planning Board

Councilman Coughlin reported they had a public hearing for BW Solar’s special use permit.

GAM

Councilman Augello said the next meeting is November 16th.

Cemetery

Supervisor Hynes spoke with Mr. Davis, his surgery is scheduled for the end of January. Will need to have a discussion on what next year looks like.

DEPARTMENT REPORTS

Highway

Mr. Yungfleisch shared that they paved Ridge Road and getting trucks ready for winter.

Assessor

No report. Please feel free to reach out to Mr. Flansburg at anytime with questions.

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 \$352.94 and remitted \$297.44 to the Town Supervisor, \$22.50 NYSDOH for a marriage license and \$33.00 to NYS Ag. & Markets for spay/neuter program. We received a

thank you letter from the Richter Family Foundation for the donation to the Dolly Parton Imagination Library.

Supervisor

Supervisor Hynes reported:

- Receiving an additional \$27k from County for a larger than expected growth in sales tax this year
- Need to discuss what the Town will be doing with the cemetery. Possibly consider using this money towards equipment to care for the cemetery.
- WD2, Rural Development – purchased a generator/welder on a trailer for \$20,608.58. It is for the water tower in case the power goes out. Will be kept on Town property. We will also pay for the audit and Municipal Solutions fees from this account. Still need to install and purchase a manual transfer switch.
- There is no news on solar. Spoke to Steve Hyde, they are going back and forth on highway use agreement. Discussion ensued.
- The Town was not able to use the \$5k grant money from the County towards the salt shed. However, a grant opened up to secure money for a 10 wheeler and we currently have one on order. The Town will use the grant towards this purchase.
- Waiting on audit for WD2.

ADJOURNMENT

MOTION was offered from Councilman Chamberlain second by Councilman Coughlin to adjourn the meeting at 7:18 p.m.

Ayes: Augello, Chamberlain, Coughlin, Hynes

MOTION CARRIED by unanimous vote (4-0)

Respectfully Submitted,

Trisha Werth
Town Clerk