

**Town of Elba
Regular Meeting
October 9, 2025**

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 Chamberlain, entered at 7:13 p.m.

Councilman Coughlin

Councilwoman Marshall

Others Present:

Town Clerk Werth

Superintendent of Highways Yungfleisch

Barry Flansburg, Assessor

Mike Heale, EFD Fire Chief, entered at 7:34 p.m., left at 7:47 p.m.

Absent:

Councilman Augello

Minutes of September 11, 2025 Town Board Meeting

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

Ayes: Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (3-0)

RESOLUTION NO. #22-2025:

Councilman Coughlin offered the following:

PRELIMINARY 2026 TOWN BUDGET

RESOLVED, the Elba Town Board accepts the Preliminary Town Budget for 2026; and be it further

RESOLVED, that the 2026 Preliminary Town Budget hereby be filed in the Office of the Elba Town Clerk.

Second by: Supervisor Hynes

Ayes: Coughlin, Hynes, Marshall

APPROVED by unanimous vote (3-0)

RESOLUTION NO. 23-2025:

Councilman Coughlin offered the following:

CALLING FOR PUBLIC HEARING ON THE 2026 TOWN BUDGET

RESOLVED, the Elba Town Board hereby authorizes and orders that a Public Hearing on the Preliminary Town Budget for 2026 be conducted at the Elba Town Hall, 7133 Oak Orchard, Elba, New York, beginning at 6:45 p.m. on Thursday, November 6, 2025 at which time and place all interested persons will be heard; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to publish such public notice of the subject Public Hearing as required by law.

**NOTICE OF PUBLIC HEARING
ON THE 2026 TOWN BUDGET**

PUBLIC NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Elba for fiscal year 2026 has been completed and filed in the Office of the Town Clerk of the Town of Elba, where it is available for public inspection during regular business hours.

Notice is also given that the Town Board of the Town of Elba will hold a Public Hearing on the Preliminary Budget at the Elba Town Hall, 7133 Oak Orchard Road, Elba, New York beginning at 6:45 p.m. on Thursday, November 6, 2025 at which time and place any person will be heard in favor of or in opposition to any item or items contained therein.

Public Official Salaries are as follows:

Supervisor	\$13,000.00
Councilperson (4)	\$2,100.00
Town Clerk	\$38,731.00
Highway Superintendent	\$73,141.00
Town Justice (2)	\$9,980.50

By Order of the Elba Town Board
Trisha Werth, Town Clerk

Second by: Supervisor Hynes

Ayes: Coughlin, Marshall, Hynes

APPROVED by unanimous vote (3-0)

RESOLUTION NO. #24-2025:

Councilman Coughlin offered the following:

RESOLUTION OPPOSING LARGE-SCALE SOLAR PROJECTS THAT OVERRIDE LOCAL LAND USE AUTHORITY AND IMPACT AGRICULTURAL LAND IN GENESEE COUNTY

WHEREAS, current and planned large-scale solar energy projects are significantly altering land use patterns and the rural character of Genesee and surrounding Counties; and

WHEREAS, Genesee County, as New York State's fourth largest agricultural producer, has experienced the conversion of a substantial portion of its farmland to industrial-scale solar energy infrastructure; and

WHEREAS, this accelerating trend results in the permanent loss of prime agricultural land, placing long-term food production capacity, rural economic stability, and environmental stewardship at increasing risk; and

WHEREAS, developers of large-scale solar projects frequently seek waivers from the State of New York in order to bypass County, City, Town, and Village comprehensive plans, zoning laws, and other locally enacted land use regulations, including those adopted in accordance with New York State Town Law and other applicable statutes, meaning such projects often cannot proceed without overriding or circumventing local legal authority; and

WHEREAS, these projects are consistently sited on highly productive farmland that has historically supported the local economy, food security, and the rural heritage of the region; and

WHEREAS, the conversion of such land to industrial energy production represents an irreversible loss of valuable agricultural resources; and

WHEREAS, the use of state level siting mechanisms to override or circumvent local laws and planning documents, including comprehensive and agricultural protection plans, effectively strips municipalities and residents of their right to self-determination in land use matters; and

WHEREAS, such actions undermine the authority of local governments and erode the principle of "home rule," threatening democratic participation and the ability of communities to plan for their own futures; and

WHEREAS, Article XIV, Section 4 of the New York State Constitution declares that it is a State policy to conserve, protect, and encourage agricultural lands, mandating the legislature create adequate protections for agricultural lands, and

WHEREAS, the Town of Elba has an interest in application of Article 25-AA of the New York State Agriculture and Markets Law, which states:

Declaration of legislative findings and intent . . . the declared policy of the state [is] to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products. It is also the declared policy of the state to conserve and protect agricultural lands as valued natural and ecological resources which provide needed open spaces for clean air sheds, as well as for aesthetic purposes.

The constitution of the state of New York directs the legislature to provide for the protection of agricultural lands. It is the purpose of this article to provide a locally initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Elba formally opposes any and all large-scale solar projects that override or disregard local land use policies, zoning regulations, and comprehensive plans;

BE IT FURTHER RESOLVED, that this opposition is based on the projects' clear and irreversible harm to agricultural lands, their circumvention of local laws, and the broader threat they pose to the integrity and autonomy of municipal planning authority in Genesee County;

BE IT FURTHER RESOLVED , that the Town of Elba **supports legislative efforts to restrict the development of large scale solar projects on prime soils and soils of Statewide significance, and demands that the Farmland Protection Working Group created by the Renewable citing law be immediately convened to address the issue of the loss of a critical mass of farmland in Genesee County,**

BE IT FINALLY RESOLVED, that the Town of Elba joins with Genesee County in demanding that all current and future solar energy projects comply fully with all applicable local laws, zoning ordinances, and adopted land use plans; and further urges the State of New York to uphold the principles of home rule as guaranteed by Article IX of the New York State Constitution, affirming the right of local governments to control land use and development within their jurisdictions.

Adopted the 9th day of October, 2025 by the Town of Elba.

Second by: Councilwoman Marshall

Ayes: Coughlin, Marshall, Hynes

APPROVED by unanimous vote (3-0)

RESOLUTION NO. 25-2025

Supervisor Hynes offered the following:

WATER HOOKUP REQUEST

BE IT RESOLVED, that the Town Board of the Town of Elba have no objections to providing water service to 4106 Maltby Road, Elba NY, 19.-1-65.11.

RESOLVED, that the Town Supervisor is hereby authorized to respond in writing with the Town's recommendation to the "Genesee County Water System Hookup Administrative Review Committee".

Second by: Councilman Coughlin

Ayes: Coughlin, Marshall, Hynes

APPROVED by unanimous vote (3-0)

RESOLUTION #26-2025:

Supervisor Hynes, second by Councilman Coughlin offered the following:

NYSLRS STANDARD WORKDAY AND REPORTING RESOLUTION

BE IT RESOLVED, The Town of Elba accepts the Standard Workday and Reporting Resolution for Elected and Appointed Officials and will hereby forward the proper reporting paperwork to the New York State Comptroller.

Ayes: Coughlin, Marshall, Hynes

APPROVED by unanimous vote (3-0)

ABSTRACT 10-2025

MOTION, Councilwoman Marshall second by Councilman Coughlin approve the following:

General Fund	211-231	\$46,696.10
Highway	104-122	\$67,809.72
Total		\$114,505.82

Ayes: Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (3-0)

COMMITTEE REPORTS

Building and Grounds

Mr. Yungfleisch ordered lights from National Grid and Mr. Boyce will assist with wiring at the shop.

Zoning Board

No report.

Planning Board

Mr. Coughlin shared they approved one land separation and discussed solar.

GAM

No meeting.

Cemetery

The new signs to designate the sections will be in soon.

DEPARTMENT REPORTS

Highway

Mr. Yungfleisch reported he ordered 500 ton of salt and has had it mixed. Will do a bit more paving on the far end of Edgerton Road. They are helping with paving in other towns and getting trucks ready for winter. Working with Master Minds to line most of the town roads. Remaining roads will be completed next year.

Assessor

Mr. Flansburg was in attendance to answer questions on solar and other topics. He also provided a handout of total values over the last five years.

ZEO/CEO

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

Town Clerk

Town Clerk Werth reported that she took in \$436.16 and remitted \$370.16 to the Supervisor for local share, \$21.00 to NYS Ag. & Markets for spay/neuter program and \$45.00 to NYS Department of Health for two marriage licenses.

New Business

Mike Heale, EFD Fire Chief gave an update on the new fire hall on Oak Orchard Road. They have a meeting coming up with Clark Patterson and they are currently in a design phase with them. Discussion ensued on the fire budget. Councilwoman Marshall discussed requesting the State to add solar lights at the new four way stop

of Lockport Road and State Route 98. Chief Heale does see the value in asking the State to investigate this, drivers do need to get used to the new stop signs. He said training is going well and they have new members taking part. There have been 166 calls so far this year.

Supervisor

Supervisor Hynes stated she sent Mr. Grasby's email to the Town Board earlier that morning after she received it. He had submitted vouchers for Mr. Mikolajczyk and himself. Discussion ensued on dates of tasks being completed before the contract was signed. Councilwoman Marshall suggested meeting with Oakfield Town Board to discuss this issue. Supervisor Hynes will reach out to Mr. Martin.

The next meeting will take place November 6, 2025, public hearing starting at 6:45 p.m. with monthly meeting to follow at 7:00 p.m.

Councilpersons

Councilman Coughlin stated he took part in the Comprehensive Plan zoom call on October 8th. He also took part in a Solar Committee meeting on September 30th. They are reviewing the solar law and hoping to set stronger restrictions.

ADJOURNMENT

MOTION was offered from Councilman Chamberlain second by Councilwoman Marshall to adjourn the meeting at 8:12 p.m.

Ayes: Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (4-0)

Respectfully Submitted,

Trisha Werth
Town Clerk