

TOWN OF ELBA
TOWN BOARD MEETING
December 11, 2025

Call Meeting to Order

- Pledge to the Flag

Approval of Minutes

- November 6, 2025 Annual Town Budget Meeting
- November 6, 2025 Town Board Meeting

Resolutions

- 32-2025 Approve Municipal Solutions, Inc. Two Year Contract
- 33-2025 Approve Janitorial Contract with Arc GLOW
- 34-2025 Agreement for Town Prosecutor Services – Traffic Matters
- 35-2025 Appoint Planning Board Member
- 36-2025 Authorization for Town Supervisor to Consent to Cider Solar Tax Equity Transaction
- 37-2025 Authorize Budget Transfers for 2025

Abstract 12-2025

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

****MEETING NOTICES****

****Year End Meeting - December 30, 2025 – 3:00 PM****

****Organizational/Monthly Town Board – January 2, 2026 – 3:00 PM****

February 12, 2026 – 7:00 PM

RESOLUTION NO. 32-2025

APPROVE MUNICIPAL SOLUTIONS, INC. TWO YEAR CONTRACT

RESOLVED, that the Elba Town Board hereby approves Municipal Solutions, Inc. proposed two year contract renewal in connection with the Town's general financial services, and be it further

RESOLVED, the Supervisor is hereby authorized to execute the two year agreement.

RESOLUTION NO. 33-2025:

APPROVE JANITORIAL CONTRACT WITH ARC GLOW

RESOLVED, that the Town of Elba enter into a month to month Janitorial Contract with Arc GLOW, 18 Main Street, Mt. Morris, NY for the provision of custodial services at the Town Hall at a rate of \$221.00 per month effective January 1, 2026.

RESOLVED, the Supervisor is hereby authorized to execute this one year agreement.

RESOLUTION NO. 34-2025:

AGREEMENT FOR TOWN PROSECUTOR SERVICES – TRAFFIC MATTERS

RESOLVED, that the Elba Town Board hereby approves the proposed Agreement for Town Prosecutor Services – Traffic Matters between Genesee Traffic Prosecutors, Robert R. Zickl and the Town of Elba, at a cost of \$350.00/month, and be it further

RESOLVED, the Supervisor is hereby authorized to execute the two year agreement.

RESOLUTION #35-2025:

APPOINT PLANNING BOARD MEMBER

RESOLVED, that Kim Ball be appointed to the Elba Joint Village/Town Planning Board effective January 1, 2026, term ending December 31, 2030.

RESOLUTION NO. 36-2025

**AUTHORIZATION FOR TOWN SUPERVISOR TO
CONSENT TO CIDER SOLAR TAX EQUITY TRANSACTION**

WHEREAS, the Town of Elba ("Town") and Hecate Energy Cider Solar LLC ("Cider Solar") entered into a Host Community Benefit Agreement, effective June 1, 2024 (the "HCBA"), to provide the Town with certain host community benefits related to the siting, construction, and operation of a 500-megawatt solar energy facility to be located in the Towns of Elba and Oakfield (the "Project"); and

WHEREAS, Section 2.2 of the HCBA provides that Cider Solar may not undergo a change in control without the prior written consent of the Town. Relevant to Section 2.2 of the HCBA, a "change in control" includes the acquisition or transfer of fifty percent or more of the capital, profits, or beneficial interest in Cider Solar; and

WHEREAS, Section 2.2 of the HCBA further provides that the Town's consent to a change in control of Cider Solar may not be unreasonably withheld; and

WHEREAS, Section 2.2 of the HCBA provided for the Town's consent to the assignment or change in control of Cider Solar by Greenbacker Renewable Energy Corporation or its affiliates ("Greenbacker"); and

WHEREAS, Greenbacker now indirectly owns Cider Solar; and

WHEREAS, Greenbacker is entering into a tax equity financing transaction (the "Tax Equity Transaction") to

provide funding for the construction and operation of the Project; and

WHEREAS, the Tax Equity Transaction is a financing mechanism for Cider Solar whereby tax equity investors would obtain greater than fifty percent of the beneficial interests in Cider Solar, which could be deemed a “change in control” under the terms of the HCBA, as further set forth in the form of the Consent to Transfer of Interest letter annexed hereto as Exhibit A (the “Tax Equity Consent Agreement”); and

WHEREAS, the voting rights and the right to control Cider Solar, however, will remain with Greenbacker following consummation of the Tax Equity Transaction so that Greenbacker will ultimately retain corporate voting and decisional control over Cider Solar and remain responsible for construction and operation of the Project.

NOW THEREFORE BE IT RESOLVED, that the Board agrees to consent to the Tax Equity Transaction as described in the Tax Equity Consent Agreement; and

IT IS FURTHER RESOLVED, that the Board authorizes the Town Supervisor execute the Tax Equity Consent Agreement substantially in the form presented in Exhibit A, with such changes therein as the Town Supervisor shall approve, the execution thereof by the Town Supervisor to constitute conclusive evidence of such approval.

IT IS FURTHER RESOLVED, that the Town Supervisor is authorized to make, execute and deliver, or cause to be made, executed and delivered, all other such agreements, documents, regulatory filings, certificates, instruments and other papers, and to do or cause to be done all such acts or things, in the name and on behalf of the Town, as may be deemed necessary or appropriate to effectuate or carry out the purposes and intent of the foregoing resolution.

RESOLUTION NO. 37-2025:

AUTHORIZE BUDGET TRANSFERS FOR 2025

RESOLVED, that the Elba Town Board hereby authorizes the following Budget Transfers:

GENERAL FUND-TOWNWIDE

Transfer From:

A1990.4	Contingency	\$	10,000.00
A9060.8	Health & Medical	\$	5,000.00
A9050.8	Unemployment Ins	\$	2,500.00
A8010.4	Zoning Contr.	\$	1,500.00
A5132.4	Garage Contr.	\$	4,000.00
A3620.1A	Solar Insp. Serv.	\$	3,000.00
A1450.4	Elections	\$	1,684.00
	TOTAL:	<u>\$</u>	<u>27,684.00</u>

Transfer To:

A1110.1AD	Deputy Court Clerk	\$	3,500.00
A1460.4	Records Management, Contr.	\$	282.00
A1670.4	Central Printing	\$	1,500.00
A1910.4	Unallocated Ins	\$	1,826.00
A1950.4	Taxes & Assess	\$	439.00
A3989.4	Misc. Public Safety Contr.	\$	12,836.00
A6989.4	Other Eco. & Dev. Contr.	\$	3,250.00
A8810.1	Cemetery Pers. Serv.	\$	3,600.00
A8810.4	Cemetery Contr.	\$	281.00
A8810.4A	Cemetery Supplies	\$	170.00
	TOTAL:	<u>\$</u>	<u>27,684.00</u>

HIGHWAY FUND - TOWNWIDE

Transfer From:

DAUBR	Equipment Reserve	\$	38,000.00
DA9950.9A	Equipment Reserve, Transfer	\$	85,000.00
DA5142.1	Snow Removal Pers. Serv.	\$	13,000.00
DAUB	Unexp. Balance	\$	112,569.00
TOTAL:		<u>\$</u>	<u>210,569.00</u>

Transfer To:

DA5130.2	Machinery, Equip	\$	134,047.00
DA5130.4	Machinery, Contr.	\$	22,657.00
DA5142.4	Snow Removal, Contr.	\$	52,881.00
DA9010.8	Retirement	\$	984.00
TOTAL:		<u>\$</u>	<u>210,569.00</u>

HIGHWAY FUND - OUTSIDE VILLAGE

Transfer From:

DB9060.8	Hosp./Med.	\$	983.00
TOTAL:		<u>\$</u>	<u>983.00</u>

Transfer To:

DB9010.8	State Retirement	\$	983.00
TOTAL:		<u>\$</u>	<u>983.00</u>