

**Town of Elba
Regular Meeting
November 6, 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 Augello
Councilman Chamberlain
Councilman Coughlin
Councilwoman Marshall

Others Present:

Town Clerk Werth
Superintendent of Highways Yungfleisch

Minutes of October 9, 2025 Town Board Meeting

MOTION Councilwoman Marshall, 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. 27-2025:

Councilman Chamberlain offered the following:

ADOPTION OF 2026 TOWN ANNUAL BUDGET

WHEREAS, the Elba Town Board hereby adopts the Town Budget for 2026; 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 #28-2025

Supervisor Hynes 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 6th day of November, 2025.

Supervisor _____

Council Member _____
Council Member _____
Council Member _____
Council Member _____

[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: Councilman Chamberlain

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 29-2025:

Councilman Coughlin offered the following:

**AUTHORIZE DELINQUENT WATER BILL
TO BE RE-LEVIED ON THE 2026 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, 2025; 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 \$490.99, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 7619 Bank Street Rd, Batavia, NY 14020, parcel #12.-1-61;

BE IT FURTHER RESOLVED, the amount of \$453.06, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 4061 Batavia Elba Townline Rd, Oakfield, NY 14125, parcel #10.-1-37.22;

BE IT FURTHER RESOLVED, the amount of \$400.60, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5439 North Byron Road, Elba, NY 14058, parcel #18.-1-53;

BE IT FURTHER RESOLVED, the amount of \$387.69, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5461 Bridge Road, Elba, NY 14058, parcel #9.-1-7.121;

BE IT FURTHER RESOLVED, the amount of \$331.48, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 4439 Batavia Elba Townline Road, Batavia, NY 14020, parcel #11.-1-22;

BE IT FURTHER RESOLVED, the amount of \$328.11, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6009 Batavia-Elba Townline Road, Batavia, NY 14020, parcel #12.-1-61;

BE IT FURTHER RESOLVED, the amount of \$319.66, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6163 Quaker Hill Road, Elba, NY 14058, parcel #14.-1-77;

BE IT FURTHER RESOLVED, the amount of \$311.90, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6416 Quaker Hill Road, Elba, NY 14058, parcel #16.-1-11.2;

BE IT FURTHER RESOLVED, the amount of \$305.44, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 7608 Bank Street Road, Elba, NY 14058, parcel #12.-1-65.1;

BE IT FURTHER RESOLVED, the amount of \$201.63, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5477 Ford Road, Elba, NY 14058, parcel #9.-1-11;

BE IT FURTHER RESOLVED, the amount of \$149.60, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6742 Oak Orchard Road, Elba, NY 14058, parcel #8.-1-7;

BE IT FURTHER RESOLVED, the amount of \$143.59, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5211 Watson Road, Elba, NY 14058, parcel #15.-1-34.12;

BE IT FURTHER RESOLVED, the amount of \$141.39, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6417 Oak Orchard Road, Elba, NY 14058, parcel #17-1-84.11;

BE IT FURTHER RESOLVED, the amount of \$118.94, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 4904 Barrville Road, Elba, NY 14058, parcel #17.-1-26;

BE IT FURTHER RESOLVED, the amount of \$112.03, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6576 Log City Road, Elba, NY 14058, parcel #18.-1-56.2;

BE IT FURTHER RESOLVED, the amount of \$83.13, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 7402 Bank Street Road, Elba, NY 14058, parcel #12.-1-36;

BE IT FURTHER RESOLVED, the amount of \$82.47, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 4494 North Byron Road, Elba, NY 14058, parcel #17.-1-51;

BE IT FURTHER RESOLVED, the amount of \$68.01, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5854 Quaker Hill Road, Elba, NY 14058, parcel #13.-1-33.2;

BE IT FURTHER RESOLVED, the amount of \$60.46, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 4224 West Avenue, Elba, NY 14058, parcel #19.-1-29;

BE IT FURTHER RESOLVED, the amount of \$52.90, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5061 North Byron Road, Elba, NY 14058, parcel #18.-1-63;

BE IT FURTHER RESOLVED, the amount of \$45.34, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6733 Luddington Road, Elba, NY 14058, parcel #8.-1-20.211;

BE IT FURTHER RESOLVED, the amount of \$42.89, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 4911 Edgerton Road, Elba, NY 14058, parcel #11.-1-10;

BE IT FURTHER RESOLVED, the amount of \$35.59, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 3812 Drake Street Road, Oakfield, NY 14125, parcel #10.-1-2.2;

BE IT FURTHER RESOLVED, the amount of \$22.67, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 7232 Transit Road, Elba, NY 14058 parcel #12.-1-22;

BE IT FURTHER RESOLVED, the amount of \$22.67, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 5958 Oak Orchard Road, Elba, NY 14058, parcel #14.-1-30;

BE IT FURTHER RESOLVED, the amount of \$4.81, or may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant at 6566 Miller Road, Elba, NY 14058, parcel #17.-1-36.12;

NOW, THEREFORE, BE IT RESOLVED that the above list is the amount of \$4,717.05 or as may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant.

Second by: Councilman Augello

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 30-2025:

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 6, 2024 commencing at 7:00 p.m. and the following members were:

Present: Supervisor Hynes
Council Member Augello
Council Member Chamberlain
Council Member Coughlin
Council Member Marshall

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; and

WHEREAS, said agreement calls for a debt service charge of \$711.97 for the year 2025 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 Council Member Chamberlain, which has been duly seconded by Council Member Coughlin, 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 2025, 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.

Ayes: Supervisor Hynes
Council Member Augello
Council Member Chamberlain
Council Member Coughlin
Council Member Marshall

Nays: None Abstained: None

Quorum Present: 5 Yes _____ No Carried: _____ Yes _____ No

Dated: November 6, 2025

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 6, 2025 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 6th day of November, 2025.

Trisha Werth, *Town Clerk*

RESOLUTION #31-2025:
Supervisor Hynes 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.

Second by: Councilman Chamberlain

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

APPROVED by unanimous vote (5-0)

ABSTRACT 11-2025

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

| | | |
|--------------|--------------|---------------------|
| General Fund | 232-261 | \$14,148.06 |
| Highway | 123-136 | \$118,089.02 |
| | Total | \$132,237.08 |

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

COMMITTEE REPORTS

Building and Grounds

Mr. Yungfleisch reported the doorbell on the office door needs to be addressed. Supervisor Hynes is looking into this. Also, Jeff Boyce will be in next week to wire the new lights at the shop.

Zoning Board

No meeting.

Planning Board

Mr. Coughlin shared there was a land separation, they are waiting for paperwork before approving. There will also be a Solar meeting on November 11th at 7 p.m.

GAM

The next meeting is November 20th at 7 p.m.

Cemetery

Mr. Yungfleisch reported they picked up the garbage bins for the winter around the cemetery.

DEPARTMENT REPORTS

Highway

Mr. Yungfleisch is hoping to have the new truck within the month and plans to haul stone with it straight away. Getting trucks ready for winter. Lines were added to the Town roads for safety measures.

Mr. Yungfleisch wanted to ensure Cider Solar stops spreading water on roads in the Town. He is afraid this will freeze one night and cause an accident. Supervisor Hynes will speak with Denton Murphy and remind him to review the Road Use agreement due to winter conditions coming.

Assessor

No report.

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 \$1,263.28 and remitted \$1,209.78 to the Supervisor for local share, \$31.00 to NYS Ag. & Markets for spay/neuter program and \$22.50 to NYS Department of Health for two marriage licenses.

Just a reminder, send TC Werth a copy of your completed sexual harassment/workplace violence training.

Jennie Hawkins, with Office for the Aging, reached out and is looking for a space to meet with our residents. She oversees the NY Connects program and they provide free information and assistance regarding long-term care supports and services to anyone in need. Their team is exploring ways to expand their outreach and better

connect with the rural communities across the county. They are hoping to set up at local municipalities, such as our office, for a partial day each quarter. The Town would like to help support this program.

Supervisor

Supervisor Hynes shared a thank you letter she received from the Richters for the donation to the Dolly Parton Imagination Library.

The year end meeting will take place December 30th at 3:00 p.m. and the organizational and monthly meeting will take place January 2nd at 3:00 p.m.

Councilpersons

Councilwoman Marshall investigated the grant with Rochester Foundation. She let them know the Town would be interested in applying if they were to offer it again. Councilwoman Marshall would like to see the Smart Growth plan discussed at the GAM meeting. She will speak to Legislator Yunker and suggest the Legislature not approve this plan in the future. It would be helpful if Towns were able to make recommendations.

Councilman Coughlin spoke with Shawn Grasby, he is looking for his payment. The contract stated they could start billing as of July 1, 2025. Councilman Coughlin would like to pay Shawn's invoice only.

Councilman Coughlin made a **MOTION** to pay Mr. Grasby's invoice number 456 in the amount of \$10,065.00.

Second by: Councilwoman Marshall

Ayes: Augello, Coughlin, Marshall

Nays: Chamberlain, Hynes

APPROVED vote (3-2)

ADJOURNMENT

MOTION was offered from Councilman Chamberlain second by Councilman Augello to adjourn the meeting at 7:43 p.m.

Ayes: Augello, Chamberlain, Coughlin, Hynes, Marshall

MOTION CARRIED by unanimous vote (5-0)

Respectfully Submitted,

Trisha Werth
Town Clerk