

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Tuesday, December 27, 2016 at 7:00 PM at 1255 West Water Street, Elmira, NY, there were present:

Supervisor: David Sullivan  
Councilmember: Scott Bush  
Councilmember: Thomas Milliken  
Councilmember: Ronald Allison-absent  
Councilmember: Karen Krusen

**Others present**

Town Clerk- Jo Ann Sherwood  
Attorney- Scott Moore  
Code Enforcement Officer - Chip LeValley  
Chief of Police- Peter Michalko  
Buildings and Grounds Caretaker- Scott Eschbach  
Recreation Director- Patty Carozza

**Oath of Office-**

Gavin Rupp was sworn in as Traffic Officer #8 for the Town.

**Resolution #138-16**

**Minutes**

**By Mr. Bush**

**Seconded by Mrs. Krusen**

Motion was made to approve the minutes of the regular meeting of November 21, 2016.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #139-16**

**Financial Report**

**By Mr. Milliken**

**Seconded by Mrs. Krusen**

Motion was made to accept and approve the Supervisor's report for the month of November 2016.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #140-16**

**Audit of Bills**

**By Mr. Milliken**

**Seconded by Mr. Bush**

Resolved that claims in the total amount of \$318,620.45 were audited and approved for payment when in funds.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Department Reports**

Chief Peter Michalko submitted his written report and reported on it. He stated calls for service were up and accidents were up from last year. There were two unattended deaths in November. We hired one part time police officer as the student we put through the police academy was hired full time by the Elmira Heights Police. Peter stated that there is another police officer interested in the part time position. He is a former county police officer so he is already trained and willing to work part time weekends. This would be a lateral transfer. He will need to get a medical physical. Peter stated the plan is to have full time workers work 8 hour shifts Monday through Friday. No overtime would be created by vacations as part time officers would cover these. The part timer officers would cover the 48 hour weekends. This plan eliminates overtime for vacation coverage. Personnel committee will review his packet.

Recreation Director Patty Carozza reported that rentals are doing well at the TCC. The Bridge groups love the building. Girls on the Run will be back next year along with the health workshops. Patty stated that people love the building and it is a great facility. Garden Club rented the TCC in early November they donated \$100 to the Town. The kitchen plans are coming along and they will work on them during the winter. Town will book the TCC for their holiday party next year.

Buildings and Grounds Caretaker Scott Eschbach reported that a 10 x 16 storage shed was installed at the new baseball field with water and electric available.

Scott stated he has a new snow pushing attachment for the tractor which works much better than the bucket. The main garage has been cleaned out of old highway equipment that was left when they moved. Scott stated that the plans for the TCC are for installation of new countertops, a range, microwave, sink and new faucets for the restrooms.

**Discussion:**

Association of Towns Conference in February- Registration must be done for this conference shortly. Those attending will need to get their forms in soon. Attorney Moore and Councilmen Milliken and Allison are confirmed.

Easements for Hillcrest Road- Attorney Moore is still working on these. A box culvert and debris basin will be installed on Hillcrest Road by the Chemung County Soil and Water Dist. Cable Contract- Attorney Moore is still working on this trying to get meetings scheduled  
Concession Bid- Update Board will send out bids with a minimum of \$2,500 plus utilities per season.

Worker’s Comp- The Town insurance broker is recommending a new carrier for Worker’s Compensation Insurance. The NYS Public Entities Safety Group 497 is a more attractive option since it offers a cash dividend program to its members. Annually, since 1989, premium dividends averaged 25%. This feature, even at a 5% return, would bring the net cost of the insurance under the rates offered by PERMA.

**Resolution #141-16**

**Set date for 2017 Organization Meeting**

**By Mr. Milliken**

**Seconded by Mr. Bush**

Motion was made to set the date of January 3, 2017 at 11:00 A.M. for the Organization Meeting for 2017.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #142-16**

**Set date for January 2017 Board Meeting**

**By Mr. Bush**

**Seconded by Mr. Milliken**

Motion was made to set the date of January 17, 2017 at 7:00 P.M. for the regular town Board Meeting.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #143-16**

**Appoint Gavin T. Rupp as part time traffic officer**

**By Mr. Milliken**

**Seconded by Mrs. Krusen**

Motion was made to appoint Gavin T. Rupp as Part Time Traffic Officer #8 effective December 19, 2016 at the rate of \$16.50 per hour.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #144-16**

**Accept Town roads for maintenance by town**

**By Mrs. Krusen**

**Seconded by Mr. Milliken**

**Be it Hereby Resolved** by the Town of Elmira is confirming the acceptance of the below listed roads as Town roads and acknowledges that the Town of Elmira maintains the roads including all repairs and capital maintenance, that the Town of Elmira accepts all legal responsibility for the roads which includes liability in case of lawsuits and that the roadway is fully open to the public at all times (exception construction and short term weather-related issues).

Dublin Drive from Holley Road to the end of road for a total length of .13 Miles (new road)

Fern Dell Drive from Larchmont Rd. to Larchmont Rd. including spur for a total length of .27 miles (add .02 miles)

Stannard Road from Jerusalem Hill to the end of road for a total length of .12 miles (not private)

**Now Therefore Be It Resolved** the Town of Elmira Board members hereby resolve as follows:

The following vote was taken and recorded in the public or open session of said meeting:

**David Sullivan, Supervisor-Voting Aye Karen Krusen, Councilmember-Voting Aye**

**Ronald Allison, Councilmember Absent Thomas Milliken, Councilmember-Voting Aye**

**Scott W. Bush, Councilmember-Voting Aye**

**Motion: Approved**

**Resolution #145-16**

**Approve Workday Schedule for New York State Retirement**

**By Mr. Milliken**

**Seconded by Mr. Bush**

Be it resolved that the Town of Elmira hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	SS#	Reg. Number	Standard Work Day	Term	Time System	Days/Month
Elected Officials							
Supervisor	Sullivan David	xxx	xxx	6	1/1/16-12/31/19	N	20
Councilperson	Milliken, Thomas	xxx	xxx	6	1/1/16-12/31/19	N	3.5
Councilperson	Krusen, Karen	xxx	xxx	6	1/1/16-12/31/19	N	3.28
Town Justice	Woodhouse, Richard	xx	xxx	6	1/1/16-12/31/19	N	1.27
Councilperson	Scott W. Bush	xxx	xxx	6	1/1/14-12/31/17	N	1.25
Appointed Official							
Town Attorney	Scott Moore	xxx	xxx	6	1/1/16-12/31/16	N	4.06
Aye- Bush, Milliken, Krusen, Sullivan					No- None		

**Resolution #146-16**

**Approve Dog Agreement for 2017 with the City of Elmira**

**By Mr. Bush**

**Seconded by Mrs. Krusen**

Motion was made to approve the agreement between the Town and the City of Elmira for Dog Control for 2017 in the amount of \$22,440.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #147-16**

**Approve Shared Service Agreement with the City of Elmira for Assessor and aide**

**By Mr. Milliken**

**Seconded by Mrs. Krusen**

Motion was made to approve the Shared Services Agreement between the Town and The City of Elmira for Assessor and Assessor aide services.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #148-16**

**Approve Worker's Compensation Quote for 2017**

**By Mr. Milliken**

**Seconded by Mr. Bush**

Motion was made to approve the quote by NYS Public Entities Safety Group 497 for 2017 Worker's Compensation Insurance not to exceed \$79,705.00.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

On a motion by Mrs. Krusen and seconded by Mr. Milliken the board went into an executive session at 7:48 P.M. to discuss bargaining agreements.

On a motion by Mr. Milliken and seconded by Mrs. Krusen the board went out of executive session at 8:46 P.M.

**Resolution #149-16**

**Approve collective bargaining agreement**

**By Mr. Bush**

**Seconded by Mrs. Krusen**

Motion was made to approve the collective bargaining agreement with Teamster's Local #529 from January 1, 2017 through December 31, 2019.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

On a motion by Mr. Bush and seconded by Mrs. Krusen the meeting was adjourned at 8:50 PM.

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Jo Ann Sherwood  
Town Clerk