

At the Organization meeting of the Town Board of the Town of Elmira, Chemung County, New York, held on Monday, January 2, 2017 at 11:00 AM at 1255 West Water Street, there were present:

Supervisor- David Sullivan
Councilmember- Thomas Milliken
Councilmember- Ronald Allison
Councilmember- Karen Krusen
Councilmember- Scott W. Bush

Others present:

Town Clerk - Jo Ann Sherwood
Town Attorney- Scott D. Moore

Resolution #1-17

Appoint Town Clerk

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Jo Ann Sherwood be appointed Town Clerk for the period of January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #2-17

Appoint Receiver of Taxes

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Jo Ann Sherwood be appointed Receiver of Taxes for the period of January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #3-17

Appoint Highway Superintendent

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Matt Mustico be appointed Highway Superintendent for the Town of Elmira for the period of January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #4-17

Appoint Town Attorney

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Scott D. Moore be appointed Town Attorney for the Town of Elmira for the period January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #5-17

Appoint Deputy Clerk

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Lori Rupp be appointed Deputy Clerk and Deputy Receiver of Taxes to assume all duties of the Town Clerk and Receiver of Taxes as they arise if the Town Clerk is absent or unable to act for the period of January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #6-17

Appoint Justice Court Clerk

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Elizabeth Lucarelli be appointed Clerk to Town Justices for the period January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Supervisor David Sullivan announced that Scott Deming would continue in the office of Town Historian.

Supervisor Sullivan announced the appointment of Thomas Milliken as Deputy Supervisor of the Town of Elmira for 2017

Resolution #7-17

Appoint Building Inspector/Code Enforcement Officer

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, Chip LeValley be appointed to perform the duties of Building Inspector and Code Enforcement Officer for the Town of Elmira for the period of January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #8-17

Appoint Traffic Officers for Traffic District #1

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, that Peter W. Michalko, Officer #1, Robert Richards, Officer #2, Thomas Barr, Officer #3, Joel Raatz, Officer #4, Mike Marrone Officer #5 and Richard Weed Officer #6, John Macbeth Officer #7 and Gavin Rupp Officer #8 be appointed traffic officers for Traffic District #1 for the period of January 1, 2017 through December 31, 2017 pursuant to collective bargaining agreement.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #9-17

Authorize Hiring School Safety Guards

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, that the supervisor be authorized to hire not more than three (3) School Safety Patrol guards and a substitute when necessary for school crossings. Also resolved, that they be paid bi-weekly.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #10-17

Designate Delegation of Authority- Bingo2

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, that the Town Board hereby does delegate to the town supervisor, the responsibility and authority granted to it, pursuant to the bingo licensing law.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #11-17

Authorize Attendance at Conventions

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, that town officers and officials be authorized to attend conventions, conferences and schools upon approval of the supervisor, pursuant to Section 77b of the General Municipal Law.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #12-17

Designation of official newspaper

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, that the Elmira Star-Gazette and the Sunday Star-Gazette, be designated as the official newspaper of the Town of Elmira for 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #13-17

Designation of Regular Meeting Date

By Mr. Bush

Seconded by Mrs. Krusen

Resolved, that the regular meeting date for the Town Board of the Town of Elmira be designated as the third (3) Monday of each month at 7:00 P.M. except January, February and December with the agenda prepared three (3) business days prior to meeting for town board members and any interested parties.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #14-17

Authorize Representatives and Town Officers to attend Association of Towns Meeting

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the supervisor, town board members and town officers be authorized to attend the annual meeting of the New York State Association of Towns to be held in New York City, February 19-22, 2017. All actual and necessary expenses to be paid upon certification of an official audit by Town Board.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #15-17

Compensation for Personal Cars used for Town Business

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that all town officers and employees who use their personal cars for necessary town business are compensated at the current federal rate per mile traveled.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #16-17

Authorize Supervisor to hire temporary help

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the supervisor be authorized to hire temporary help when necessary at currently reasonable rates of pay to be paid upon certification of the person hired. Payable every two (2) weeks.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #17-17

Authorize Supervisor to pay contractual obligations

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the supervisor be authorized to pay all contractual obligations of the Town of Elmira.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #18-17

Authorize Highway Superintendent to purchase small tools

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the Town Highway Superintendent be authorized to purchase small tools, and equipment to a value not in excess of \$2,500 for 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #19-17

Authorize Highway Superintendent to hire equipment

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the Highway Superintendent be authorized to hire equipment for not more than 30 days at a rate not in excess of the rate established by State Comptroller when possible.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #20-17

Authorize Highway Superintendent to employ temporary part time help

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the Highway Superintendent be authorized to hire temporary part time help when necessity demands, in town highways, with pay rate at currently reasonable rates of pay consistent with collective bargaining agreement.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #21-17

Annual Financial Report of Supervisor

By Mr. Milliken

Seconded by Mrs. Krusen

Resolved, that the Supervisor shall submit to the Town Clerk within ninety days after the close of the fiscal year, a copy of the Financial Report to the State Comptroller required by section 30 of the General Municipal Law and the Town Clerk shall cause a notice of such report to be published within ten days after receipt thereof in a form approved by the State Comptroller in the official newspaper.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #22-17**Authorize Supervisor to keep accounts in Chemung Canal Trust Company****By Mrs. Krusen****Seconded by Mr. Bush**

Resolved, that funds of this Corporation may be deposited in the Chemung Canal Trust Company of Elmira, New York and withdrawn upon the check, draft, or note or order of this Corporation, signed by any one of the following officers, to wit; Supervisor or Deputy Supervisor; and the said bank is hereby authorized to pay such checks, drafts, notes, or orders, and also to receive the same for the credit of, or in payment from the payee, or any other holder when so signed without inquiry as to the circumstances of their issue or the disposition of their proceeds, whether drawn to the individual order of, or tendered in payment of individual obligations of, any of the above named, or other officers of this Corporation or otherwise, Resolved, that each of the aforesaid officers is hereby authorized on behalf of the Corporation to so sign or countersign checks, drafts, notes, or orders of this Corporation payable to himself as payee and to endorse checks or other negotiable instruments payable to the Corporation, to themselves or any one of themselves or any other person or Corporation as endorsed, Resolved, that any one of the following officers, to wit; Supervisor or Deputy Supervisor, be and they hereby are authorized on behalf of this Corporation from time to time to borrow money from the Chemung Canal Trust Company of Elmira, New York and to make and deliver notes and other obligations of this Corporation in form required by the Chemung Canal Trust Company for payment of any sum so borrowed; also to pledge any of the bonds, stocks, bills receivable or any other security and/or property of this Corporation as collateral therefore, with full authority to endorse or guarantee the same in the name of the Corporation, to execute and deliver all and to discount or re-discount any bills receivable held by this Corporation at any time rendering the same negotiable by endorsement and the Bank is hereby authorized to charge the same to the account of this Corporation before at or after maturity thereof, Resolved, this Board hereby ratifies and approves all loans discounts and advances heretofore made to this Corporation at the request of any of its officers by the Chemung Canal Trust Company and all checks, drafts or orders in the name of this Corporation signed or endorsed by any of its officers therefore honored by said Bank.

Resolved, that the foregoing powers and authority shall continue until written notice of the revocation thereof has been received by said Bank.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None****Resolution #23-17****Continuance of Supervisor's Petty Cash Fund****By Mrs. Krusen****Seconded by Mr. Bush**

Resolved, that the supervisor be authorized to continue the petty cash fund of \$100.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None****Resolution #24-17****Continuance of Clerk's Petty Cash Fund****By Mrs. Krusen****Seconded by Mr. Bush**

Resolved, that the Town Clerk be authorized to continue the petty cash fund of \$200.00.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None****Resolution #25-17****Designation of Depositories for Supervisor****By Mrs. Krusen****Seconded by Mr. Bush**

Resolved, that the Chemung Canal Trust Company be designated as the depository for the General Fund Cash, Payroll Fund Cash and the Highway Fund Cash for 2016.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None****Resolution #26-17****Designate Depositories for Town Clerk and Receiver of Taxes****By Mrs. Krusen****Seconded by Mr. Bush**

Resolved, that the Chemung Canal Trust Company be designated as depository for all Town Clerks and Receiver of Taxes funds for 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None**

Resolution #27-17

Appoint Purchase Order Clerk

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that Jo Ann Sherwood, Town Clerk, be appointed to perform duties of Purchase Order Clerk for 2017. All purchases orders up to \$1,000 to be signed by Town Clerk and any amount over to be signed by the Supervisor.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #28-17

Fix Pay for Election Officials

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that election officials be paid at the rates set forth by the Chemung County Board of Elections.

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #29-17

Fix Pay for Town Officers and Employees

By Mr. Allison

Seconded by Mrs. Krusen

Resolved, that the Town Board does hereby fix the salaries or hourly rate of the following town officers and employees for the year 2017 at the amounts respectively stated and that such salaries shall be payable at the times respectively specified as follows:

David Sullivan	Supervisor	\$ 33,438.66
David Sullivan	Budget Officer	10,000.00
Richard P. Woodhouse	Town Justice	22,232.31
James DeFilippo	Town Justice	22,232.31
Scott Bush	Councilmember	9,201.30
Thomas Milliken	Deputy Supervisor	2,928.00
Karen Krusen	Councilmember	9,201.30
Thomas Milliken	Councilmember	9,201.30
Ronald Allison	Councilmember	9,201.30
Scott D. Moore	Town Attorney	38,288.22
Scott Deming	Town Historian	300.00
Jo Ann Sherwood	Town Clerk	51,187.36
Jo Ann Sherwood	Purchase Order Clerk	1,767.98
Lori Rupp	Deputy Town Clerk	34,911.03
Matthew Mustico	Highway Supt.	67,569.74
Matthew Mustico	Village of Hhds.	10,200.00
Matthew Mustico	Storm Water Coord	4,000.00
Rebecca M. Carpenter	Assessor Clerk	35,000.00
Peter E. Michalko	Traffic Dist. Chief	73,929.14 (June 1) 75,777.37
Robert Richards	Traffic Officer Sgt.	62,783.00 (July 1) 64,038.65
Thomas Barr	Traffic Officer	45,908.00
Joel Raatz	Traffic Officer	45,908.00
Michael Marrone	P/T Traffic Officer	20.00/hr
Richard Weed	P/T Traffic Officer	20.00/hr
John Macbeth	P/T Traffic Officer	18.00/hr
Gavin Rupp	P/T Traffic Officer	16.50/hr
Elizabeth Lucarelli	Clerk to Town Justice	37,163.36
Elizabeth Lucarelli	Night Court Clerk	75.00/night
Joyce Reagan	P/T Clerk to Town Justice	12.38/hr
Fred LeValley	Code Enforcement	55,000.00
Scott Eschbach	Caretaker	41,855.90
Patricia Carozza	P/T Recreation Director	10,600.00
Mark Miles	School Safety Patrol	22.88/day
Ron McConnell	School Safety Patrol	22.88/day
John Luce	School Safety Patrol	22.88/day

Aye- Bush, Milliken, Krusen, Allison, Sullivan

No- None

Resolution #30-17

Fix Pay for Highway Employees

By Mr. Bush

Seconded by Mr. Milliken

Resolved, that the following rate of pay including twelve paid holidays be established for employees of the Highway Department for the year 2017 pursuant to collective bargaining agreement.

Matthew Davis	Working Foreman	30.25/hr
Steven Draht	Mechanic	27.02/hr
Gregg Mann	Operator #1	27.02/hr
Chad McDonald	Operator #1	21.54/hr
Corey Ripley	Operator #1	27.02/hr
James Wagner	Operator #1	27.02/hr
James Watts	Operator #1	27.02/hr

Aye- Bush, Milliken, Krusen, Allison, Sullivan **No- None**

Resolution #31-17

Approval of Public Employees Blanket Bond

By Mr. Bush

Seconded by Mr. Milliken

Resolved, that the Public Employees Blanket Policy under Public Officers Law 11(2) covering all town employees issued by Selective Insurance Company, in the amount of \$50,000 for the Town Clerk and Receiver of Taxes, \$45,000 for Deputy Receiver of Taxes, \$20,000 for the Town Supervisor and Deputy Town Supervisor and \$10,000 for all other employees of the Town of Elmira be approved. Policy #B6010939

Aye- Bush, Milliken, Krusen, Allison, Sullivan **No- None**

Resolution #32-17

Authorize Pay of Planning Board, Zoning Board Members and Clerks

By Mr. Bush

Seconded by Mr. Milliken

Resolved, that the Town of Elmira Planning Board and Zoning Board members are to receive \$50 per meeting attended, with the chairmen to receive an extra \$400 per year. Clerks to receive \$25 per meeting attended if meeting is held outside of normal working hours. Payable at the end of a calendar year.

Aye- Bush, Milliken, Krusen, Allison, Sullivan **No- None**

Resolution #33-17

Authorize Pay of Assessment Board of Review Members

By Mr. Bush

Seconded by Mr. Milliken

Resolved, that the Town of Elmira Assessment Board of Review members are to receive \$50 per meeting attended, with the chairperson to receive an extra \$25. Any necessary expenses to be a town charge.

Aye- Bush, Milliken, Krusen, Allison, Sullivan **No- None**

Resolution #34-17

Authorize the Supervisor to invest surplus funds

By Mr. Bush

Seconded by Mr. Milliken

Motion was made to authorize the Supervisor to invest General Surplus Funds and Special District Surplus Funds when available as authorized by statute.

Aye- Bush, Milliken, Krusen, Allison, Sullivan **No- None**

Resolution #35-17

Authorize Supervisor to Pay Utility Bills preceding the audit

By Mr. Bush

Seconded by Mr. Milliken

Resolved, that the Supervisor of the Town of Elmira be authorized to pay utility bills preceding the audit.

Aye- Bush, Milliken, Krusen, Allison, Sullivan **No- None**

Resolution #36-17**Authorize Advance Monies for Conferences****By Mrs. Krusen****Seconded by Mr. Allison**

Resolved, that any person duly authorized to attend a conference may be given an advance of up to \$500 for estimated expenditures for registration fees, travel, meals, lodging and tuition fees, provided itemized vouchers showing actual expenditures are submitted after such attendance and monies advanced in excess of such expenditures are refunded to the Town of Elmira or expenditures in excess of the advance are audited and paid by the Town of Elmira.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None****Resolution #37-17****Appoint Stormwater Coordinator****By Mrs. Krusen****Seconded by Mr. Allison**

Resolved that Matthew Mustico be appointed Stormwater Coordinator for the period of January 1, 2017 through December 31, 2017.

Aye- Bush, Milliken, Krusen, Allison, Sullivan**No- None****Resolution #38-17****Appoint Chemung County Treasurer to perform Bookkeeping Services****By Mrs. Krusen****Seconded by Mr. Allison**

Motion was made to appoint Joseph Sartori and the Chemung County Treasurer's office to perform bookkeeping and accounting services for the town pursuant to Shared Services Agreement.

Aye- Bush, Milliken, Allison, Krusen, Sullivan**No- None****Resolution #39-17****Clarifying the Health Insurance Benefits Provided to the Town's Employees, Elected Officials and Retirees****By Mrs. Krusen****Seconded by Mr. Allison**

WHEREAS, the Town has provided its employees and retirees health insurance benefits, and WHEREAS, the Town Board has by Resolution No. 38-16 agreed to provide health insurance benefits for its employees and retirees through Excellus Blue Cross /Blue Shield through Perry and Carroll Insurance, and

WHEREAS, the Town has provided for the terms of the health insurance benefits provided to its employees, elected officials and retirees, and

WHEREAS, the Town wishes to clarify the terms of the health insurance benefits that it is providing to its employees, elected officials and retirees.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Elmira does hereby agree to provide to its eligible full time employees as of 12/31/16 and their immediate families health insurance benefits through Excellus Blue Cross/Blue Shield, and dental/vision benefits through LBS RMSCO (Lifetime Benefit Solutions) with the Town paying 86% of the premium of such insurance and the employee paying 14% of the premium of such insurance and it is further

RESOLVED, that the Town will provide to full-time Town Employees who are or were hired after 1/1/17 and their immediate family member's health insurance benefits through Excellus Blue Cross/Blue Shield and dental/vision benefits through LBS RMSCO (Lifetime Benefit Solutions) with the Town paying 70% of the premium and the employee paying 30% of the premium of such insurance, and it is further

RESOLVED, that the Town agrees to provide to its former employees who have retired prior to January 1, 2017 from the Town, and who are under the age of 65, and who are also eligible for New York State retirement benefits at the time of their separation from the Town and their immediate families health, dental and vision insurance benefits through Excellus Blue Cross/Blue Shield, and Lifetime Benefits Solution with the Town paying 75% of the premium of such insurance and the retiree paying 25% of the premium of such insurance, for retired employees over the age of Sixty-Five (65) the Town paying a fixed cost of \$3,300 for the employee and \$3,300 for the employee spouse, of the premium of a Medicare PPO plan and the retiree paying the balance of the premium, and it is further

RESOLVED, that the Town agrees to provide to its former employees who have retired after January 1, 2017 from the Town, and who are also eligible for New York State retirement benefits at the time of their separation from the Town and their immediate families health insurance benefits only through Excellus Blue Cross/Blue Shield, with the Town paying 75% of the premium of such insurance and the retiree paying 25% of the premium of such insurance for

retired employees under the age of Sixty-Five (65); and, with the Town paying a fixed cost of \$3,300 for the employee and \$3,300 for the employee spouse, of the premium of such insurance and the retiree paying the balance of the premium of such insurance for retired employees over the age of Sixty-Five (65) and it is further

RESOLVED, that the Town agrees to provide to the spouses of its former employees who have retired from the Town, and who were also eligible for New York State retirement benefits at the time of their separation from the Town and who are now deceased, health insurance benefits only through Excellus Blue Cross/Blue Shield, for a period of five years, with the spouse of such former employee under the age of 65 paying 50% of the premium of such insurance, and spouses age 65 and over enrolled in a Medicare PPO plan or its equivalent and paying the balance of the policy cost above the Town's annual fixed contribution of \$3,300 per enrollee, and it is further

RESOLVED, that the Town agrees to provide to elected Town Board Members, appointed Town Attorney and elected Town Justices with health insurance benefits in the form of either an individual, two-person or family coverage through Excellus Blue Cross/Blue Shield and dental/vision benefits through LBS RMSCO (Lifetime Benefit Solutions) with (1) the part-time elected and appointed official paying 14% of the premium of such insurance, (2) that said part-time elected or appointed official and Town Justices shall be entitled to buyout of the health insurance, and it is further

RESOLVED, that the Town will provide insurance to retired part-time Elected Officials and Town Attorneys, with ten consecutive years of elected or appointed service and who qualify for retirement benefits in the New York State Retirement System, with retirees and spouse under the age of 65 paying 25% of the premium, and with retirees age 65 and over enrolled in a Medicare PPO plan or its equivalent and paying the balance above the Town's annual fixed contribution of \$3,300 per enrollee, for a period not to exceed five years from the date of retirement, and it is further

RESOLVED, that the Town will provide an HRA Plan that will cover out-of-pocket deductibles and co-insurance expenses of eligible current active Town employees and elected officials and appointed Town Attorneys. The reimbursement for eligible qualified out-of-pocket expenses will have a limit of \$1,300.00 for an individual plan and \$2,600.00 for a family plan effective January 1, 2017, and it is further

RESOLVED, that the Town will offer a medical insurance buy-out to eligible employees who opt-out of coverage in the amount of \$2,500 for opting out of all insurance products and \$2,000 for opting out of medical coverage only and it is further

RESOLVED, that should a retired employee marry or remarry after the date of his or her retirement then the new spouse will not be eligible for any insurance coverage and/or a Health Reimbursement Account.

RESOLVED, that the Town Board reserves the right to interpret, change, modify, or eliminate any provision contained in this resolution.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

On a motion by Mr. Milliken and seconded by Mr. Allison the meeting was adjourned at 11:45 A.M.

Jo Ann Sherwood, Town Clerk