

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Monday, August 15, 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
Councilmember: Karen Krusen

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

Resolution #104-16

Minutes

By Mr. Bush

Seconded by Mrs. Krusen

Motion was made to approve the minutes of the regular meeting of July 18, 2016.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #105-16

Transfers

By Mr. Allison

Seconded by Mr. Milliken

Resolved that the following budget amendments were herewith authorized:

From Line Item	To Line Item	Amount
A1355.5100	B1355.5100	16,830.00
A1355.5410	B1355.5410	9,000.00
A1355.5420	B1355.5420	300.00
A1410.5100	B1410.5100	43,455.00
A1410.5400	B1410.5400	750.00
A1420.5100	B1420.5100	20,644.00
A1420.5410	B1420.5410	1,000.00
A1420.5420	B1420.5420	500.00
B1010.5100	A1010.5100	20,952.00
B1010.5410	A1010.5410	3,000.00
B1010.5420	A1010.5420	250.00
B1010.5430	A1010.5430	1,000.00
B1110.5100	A1110.5100	50,233.00
B1110.5400	A1110.5400	3,500.00
B1220.5100	A1220.5100	18,534.00
B1220.5400	A1220.5400	750.00
B1320.5410	A1320.5410	8,000.00
B1340.5100	A1340.5100	5,000.00
B1345.5100	A1345.5100	902.00
B1345.5200	A1345.5200	8,000.00
B1345.5400	A1345.5400	7,500.00
B1440.5400	A1440.5400	600.00
B1450.5400	A1450.5400	9,188.00
B1620.5100	A1620.5100	10,649.00
B1620.5300	A1620.5300	1,250.00
B1620.5410	A1620.5410	4,250.00
B1620.5420	A1620.5420	5,500.00
B1620.5430	A1620.5430	2,950.00
B1910.5420	A1910.5420	33,163.00
B1920.5400	A1920.5400	550.00

From Line Item	To Line Item	Amount	
B0000.1120	DB0000.1120	24,277.00	
Aye- Bush, Milliken, Allison, Krusen, Sullivan			No- None

Resolution #106-16

Financial Report

By Mr. Allison

Seconded by Mr. Bush

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

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

Board was given the following updates on Fund Balances and Bank Balances for the month ending July 31, 2016:

Bank Balances	July 31, 2015	July 31, 2016	Change
Money Market	1,842,969.00	1,500,576.00	(342,392.00)
Highway Checking	28,993.00	38,288.00	9,295.00
General Checking	30,930.00	96,515.00	65,585.00
Payroll Checking	20,528.00	8,345.00	(11,913.00)
Tax Checking	42.00	32.00	(10.00)
Bail II Checking	26,618.00	1,650.00	(24,968.00)
Fines Checking	9,010.00	5,948.00	(3,062.00)
Bail Checking	1,400.00	10,350.00	8,950.00
License Checking	891.00	567.00	(324.00)
Fines II Checking	8,826.00	10,335.00	1,510.00
	1,969,936.00	1,672,607.00	(297,330.00)

Town of Elmira Fund Balances at 7/31/16, Cross Fund Report

A Fund	General Fund (Town Wide)	(38,960.85)
B Fund	General Fund (Town Outside Village)	1,343,114.51
DB Fund	Highway	(47,181.57)
SD	Drainage District	1,013.94
SF2	Fire District 2	690.00
SL1	Lighting District 1	38,012.69
SL2	Lighting District 2	503.18
SL3	Lighting District 3	792.41
SL4	Lighting District 4	280.08
SL5	Lighting District 5	135.83
SM	Traffic District	278,536.19
SP	Park District	87,198.50
T	Trust & Agency	1,203.95
Grand Totals		\$1,665,338.86

Resolution #107-16

Audit of Bills

By Mr. Allison

Seconded by Mr. Milliken

Resolved that claims in the total amount of \$125,651.70 were audited and approved for payment when in funds.

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

Communications:

Mark Watts, Dist. Mgr., Chemung County Soil and Water, Re: Thank you to the Highway Dept.
 Carl Siglin, Dawn Adams, Re: Thank you to Highway Department for work done with sidewalks

Discussion-

Moratorium on Solar Farming- Supervisor Sullivan stated that some towns are either opting out of allowing solar farming, choosing to do nothing or are setting a moratorium to research this further. Most of the property at issue regarding solar farming is on East Hill. The assessed value of property could go up but we would not receive any additional taxes from this increase in assessment. Councilman Bush recommended that the town either do nothing or opt out. He didn’t recommend that the town do a moratorium as some people are interested and that would

delay their work. Chemung County has opted out of it. The governor’s new proposals for solar energy have made this a more focal issue. Attorney Moore stated the town needs to hold a public hearing if they choose to opt out. The Board consensus was to opt out. Councilman Milliken is interested in a Payment in lieu of taxes as a possibility.

Option to exceed tax cap for 2017 budget- Mr. Sullivan stated that the tax cap for the town is .68. He stated that last year it was .73 and we have no carry-over available this year either. The possibility exists that we will need to pass a tax cap law to override the tax cap.

Farm animal ordinance- The Planning Board has made recommendations to the Town Board. These recommendations allow chickens but not roosters. Also it does not allow bees. A public hearing will be set on this issue.

Department Reports-

Code Enforcement Officer Chip LeValley stated it has been a very slow month. There have been some problems with a tractor trailer truck parking on Wall St. He reported that he has issued a logging permit for a property on East Hill.

Highway Superintendent Matt Mustico stated the sewer main connection from Forrest Hill Drive to the Highway Department garage should be ready by Thursday. When preparing for this the crews did run into an unmarked, unserviced gas and water line. Matt reported that two weeks ago a bad storm caused a needed cleanup of tree limbs. Right now his crews are doing some sidewalk removals. They have also been busy grinding tree stumps.

Police Chief Peter Michalko submitted his written monthly report and reported that calls were up from last year. Peter stated that patrol car 502 is down with a broken fuel pump and he hopes to have that repaired soon. The two new part time hires have started the police academy today.

Peter reported the town has collected over 20 lbs. of drugs within the last three weeks as part of a program sponsored by CVS. A drug collection bin is located in the Town Hall Lobby. Peter also stated that August vacations will put a strain on the part time budget. Peter reported he is attending a Meth Labs and Contaminated Crime Scenes workshop on Wednesday in Hamburg, NY.

Buildings and Grounds Caretaker Scott Eschbach stated that the pool has kept him busy with some issues but that it is now running fine. The final weeks of the season are now coming up. The recent rains have helped the baseball and soccer fields recover. The soccer field may need some more seeding for fill in. Handicap signs on parking spaces have been painted in and Scott stated he installed a new gate at the south end of park at entrance to park. Hopefully this will deter cars from driving through the park. Scott stated he still doesn’t have a date for when they will be coating and repairing the tennis courts. It will probably be by the first or second week of September.

Public Comments:

Rich Schornstheimer, Country Club Drive, questioned where the town stood on the farm animal resolution and he recommended that the board take into consideration the size of the lot. He was given a copy of the proposed ordinance. His neighbors have moved the coop farther away from his home and closer to their own which has helped some.

Resolution #108-16

Set public hearing regarding Real Property Tax Law Solar Energy Systems

By Mr. Bush

Seconded by Mrs. Krusen

Whereas the Town Board of the Town of Elmira seeks public comment with regard to Real Property Tax Law on Solar Energy Systems and

Whereas the Board desires to hold a public information meeting with respect to the consideration of opting out of this;

Now Therefore Be It Resolved that a public information meeting will be held by this Board with respect to the above described matters at 7:00 P.M. on Monday, September 19, 2016 at the Town Hall, 1255 W. Water Street, Elmira, New York and

It Is Further Resolved, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #109-16

Set date for workshop meeting

By Mr. Allison

Seconded by Mrs. Krusen

Motion was made to set the date of August 22, 2016 at 6:00 P.M. for a Town Board Budget Workshop meeting.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #110-16

Set Public Hearing to adopt Local Law 2-2016 to override the tax levy for 2017

By Mr. Milliken

Seconded by Mrs. Krusen

Whereas the Town Board of the Town of Elmira seeks public comment with regard to Local Law 2-2016 to override the tax levy for 2017 and

Whereas the Board desires to hold a public information meeting with respect to the consideration of Local Law 2-2016,

Now Therefore Be It Resolved that a public information meeting will be held by this Board with respect to the above described matters at 7:05 P.M. on Monday, September 19, 2016 at the Town Hall, 1255 W. Water Street, Elmira, New York and

It Is Further Resolved, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #111-16

Set Public Hearing regarding Local Law 1-2016 to amend Code of the Town

By Mr. Milliken

Seconded by Mrs. Krusen

Whereas the Town Board of the Town of Elmira seeks public comment with regard to Local Law 2-2016 to amend the Code of the Town of Elmira by amending Article 1, Section 61.1 Keeping of Unauthorized Animals and

Whereas the Board desires to hold a public information meeting with respect to the consideration of Local Law 1-2016,

Now Therefore Be It Resolved that a public information meeting will be held by this Board with respect to the above described matters at 7:10 P.M. on Monday, September 19, 2016 at the Town Hall, 1255 W. Water Street, Elmira, New York and

It Is Further Resolved, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

On a motion by Mr. Bush and seconded by Mr. Allison the meeting was adjourned at 7:35 P.M.

JoAnn Sherwood, Town Clerk