

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Thursday, February 22, 2018 at 7:00 PM at 1255 West Water Street, Elmira, NY, there were present:

Supervisor: David Sullivan  
Councilmember: Scott Bush  
Councilmember: Thomas Milliken  
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

### **Resolution #52-18**

#### **Minutes**

**By Mr. Bush**

**Seconded by Mrs. Krusen**

Motion was made to approve the minutes of the 2018 Annual Meeting and the regular meeting of January 16, 2018.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

### **Resolution #53-18**

#### **Financial Report**

**By Mr. Milliken**

**Seconded by Mrs. Krusen**

Supervisor Sullivan reviewed the Town's financial position as of January 31, 2018. Revenue and Expenses are on target per budget plan. The January 2018 YTD bank statements and Fund Balance Report were provided to the Board. The Supervisor stated that all bank balances as of January 31, 2018 totaled \$4,533,547 which includes tax payments that will be transferred to the County.

Motion was made to accept the Supervisor's report for January 2018.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

### **Resolution #54-18**

#### **Audit of Bills**

**By Mr. Bush**

**Seconded by Mr. Milliken**

Resolved that claims in the total amount of \$951,856.38 were audited and approved for payment when in funds.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

### **Communications:**

Peter Buzzetti III, Chemung County Health Dept. Re: NYS Law prohibiting use of e-cigarettes  
Mark Watts, Chemung County Soil & Water Re: request to extend Stormwater Contract for five years

### **Department Reports:**

Code Enforcement Officer Chip LeValley stated it has been a quiet normal month in the code office. She stated he and Atty. Moore were in court last night with Richard Schneck of Lovell Ave. and a tentative agreement was reached in regards to the charges to clean up his property. Chip stated that five conditions were set up for him and these all must be met in a timely matter. The first milestone is for the end of March and the last condition must be met by the 15<sup>th</sup> of June. If all conditions are met then all charges will be dropped. Chip also reported that he was advised by Chemung Canal Trust Co that New Day Ministries is no longer capable of taking care of their building on West Water Street. The bank holds financial interest in the building and they are repairing the damage that was done to the heating system. The building will then be put on the market. They also own 1710 W. Water Street and are getting that property ready for a sale as well. This is all consistent with the zombie law where landlords and financial institutions are responsible for the buildings they own or have a financial interest in.

Highway Superintendent Matt Mustico stated that after 5 years of digging NYSEG has found where the leak was on Lovell Avenue. It was finally located near 325 Lovell Ave. and they are repairing that. Matt stated they borrowed the City of Elmira bucket truck and trimmed town trees. The town saved \$8,000 by doing this trimming ourselves. Matt reported that he hired Mike McDonald to clear up the compost pile and have it ready for the spring. Matt stated that because of the warm weather last week the crews did some coal patching. He also reported that he is putting together his road program for the summer.

Chief Peter Michalko submitted his written report and gave a brief oral report on it. He stated that calls for service were up from last year along with traffic stops. He reported that they confiscated various drugs from a car on Evergreen Ave. These were sent to the New York State police lab for analysis.

Buildings and Grounds Caretaker Scott Eschbach stated he has inspected the playground equipment and found numerous swing seats that need to be replaced along with their chains. An order was placed to upgrade all of this equipment. Scott stated that three roofing companies made an onsite inspection of the town hall roof for the bid opening which is February 28. Scott has also been working together with the West Elmira Recreation group for completing the fencing on the ball fields.

**Resolution #55-18**

**Declare surplus highway equipment**

**By Mr. Milliken**

**Seconded by Mrs. Krusen**

Whereas Highway Superintendent Matthew Mustico has advised the Town Board that the 2003 ESAB Mig Welder is no longer operational by the Highway Department and can be declared surplus;

Now Therefore Be It Resolved, that the Town Board of the Town of Elmira does hereby declare the 2003 ESAB Mig Welder surplus with the disposition to be handled by the Highway Superintendent and

Be It Further Resolved, that all proceeds shall be remitted to the Town Supervisor.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #56-18**

**Appoint James Carozza to Board of Assessment of Review**

**By Mrs. Krusen**

**Second Mr. Milliken**

Motion was made to appoint James Carozza to the Board of Assessment Review for a five-year term to expire September 30, 2022.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

**Resolution #57-18**

**Approve request to extend the Stormwater Contract with Chemung County Soil and Water**

**By Mr. Bush**

**Seconded by Mrs. Krusen**

Resolved that the extension of an Intermunicipal Agreement regarding services to be provided related to stormwater management, erosion, and sediment control among the municipalities within Chemung County, the City, the County, and the Chemung County Soil & Water Conservation District be approved with extension of said Intermunicipal Agreement to June 30, 2023.

Aye- Bush, Milliken, Krusen, Sullivan

No- None

On a motion by Mr. Milliken and seconded by Mrs. Krusen the board went into an executive session at 7:17 PM to discuss matters of personnel.

On a motion by Mr. Bush and seconded by Mr. Milliken the board went out of executive session at 8:25 PM.

On a motion by Mrs. Krusen and seconded by Mr. Bush the meeting was adjourned at 8:26 PM.