

Town Board Meeting

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Thursday, February 20, 2020 at 7:00 PM at 1255 West Water Street, Elmira, NY, there were

Supervisor: Neil Milliken
 Councilmember: Thomas Milliken
 Councilmember: Scott Bush
 Councilmember: Albert Lucarelli
 Councilmember: Ron Allison

Others present

Town Clerk- Tammy Stein
 Attorney- Scott Moore
 Chief of Police- Thomas Barr
 Highway Superintendent- Matthew Mustico
 Recreation Director- Patty Carozza

Public Hearing- At 7:05 P.M. Town Attorney Scott Moore read proof of publication of notice from February 4, 2020 of public hearing to approve the Charter Communication for telecommunications service agreement. The hearing was declared open and anyone wishing to present written or oral comments in favor of the proposed agreement, regarding Charter Communication was invited to do so. When no one wished to speak in favor those wishing to speak in opposition of the proposed agreement, regarding Charter Communication were invited to do so. When no one wished to speak in opposition the hearing was declared closed at 7:07pm

Resolution #56-20**Minutes****By Mr. Bush****Seconded by Mr. T. Milliken**

Motion was made to approve the minutes of the regular meeting of January 21, 2020.

Aye- Bush, T. Milliken, Lucarelli, N. Milliken, Allison

No- None

Additions to Agenda**By Mr. Allison****Seconded by Mr. Lucarelli**

Supervisor N. Milliken stated that he is removing the resolution to set a public hearing for Senior Tax Exemption modification until a later date.

Aye- Bush, T. Milliken, Lucarelli, N. Milliken, Allison

No- None

Resolution #57-20**Financial Report****By Mr. Mr. Allison****Seconded by Mr. Bush**

Supervisor Milliken reviewed the Town's Financial position as of January 31, 2020 and stated we are in a good financial position. The January 2020 bank statements and year to date Fund Balance reports were provided to the board. Motion was made to accept the Supervisor's report for January 2020.

Aye- Bush, T. Milliken, Lucarelli, N. Milliken, Allison

No- None

Supervisor Neil Milliken read the report below

I have reviewed the bank balances for the end of January and we are in line with the adopted budget.

One area we are keeping monitoring closely is with the Highway Department. As Matt reminds me these frequent smaller storms require the same attention as the bigger ones.

Since last meeting, the Board has met in public workshop February 10th lasting about 2 hours, discussing several items, some at length. These include the Charter/Spectrum franchise agreement which has been moved ahead as evidenced by tonight's prior Public Hearing. Other discussion items moved ahead are adjusting the Town's sliding scale senior property exemption to match that of the County, and appointments to fill vacancies on both the Town Planning Board and Zoning Board of Appeals. These items will all have resolutions on tonight's agenda.

It is important to note that the Board has concern over the lack of broadband coverage for our residents on East Hill. Charter/Spectrum is indeed extending service to residents there to a degree, but too slow and not enough. The County has initiated an effort springing from a broadband study that was commissioned in 2018 which we hope might ultimately be more fruitful. Board member Lucarelli has agreed to serve as our representative on this group.

Other matters were also discussed, some for further study and later consideration:

One is allowing residents the use of credit cards to pay their Town taxes and fees. One important Board criteria is to find a system that does not charge the Town a fee, and Tammy Stein, Town Clerk, continues doing research and is helping to narrow the options.

By way of a shared service agreement, the County provides us accounting services. I met with the County Treasurer and a staff member to discuss the preparation of New York State mandated reporting documents and also asked them to provide me secure entry into to their online database so I might directly, from my own computer, access reports and other information.

Through the operating agreement with Casella Waste Systems, the County receives monies they are putting into a pool that can be distributed to municipalities that have applied for it in a way that coincides with criteria they have set. The County has just established an application and process, and the Board has submitted a request that, if approved, would allow for the acquisition of technology to enhance public safety in the Town.

Through the work of Chief Barr and his department, we have identified a total of 61 non-functioning streetlights in the Town. That comprises over 10% of all streetlights in West Elmira. We have informed NYSEG of the situation and the hope for a speedy resolution. Along those same lines, Eric is pursuing more information about programs that might allow for LED replacement of our streetlights as a longer-term project.

I attended the scheduled Rec Board meeting on January 28th, found a number of very enthusiastic members preparing for another season of baseball, softball and music in the Park. I hope to get a better understanding of the workings of this group, along with the distinction between the Rec Board and "West Elmira Recreation Corporation" to whom the TOE contracts.

The Town is in need of a new police vehicle. Chief Barr and I have been having conversations about this and he is investigating vehicle specifics, while I have been pursuing possible grant opportunities through

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Congressman Reed's office and others. Unless shown to be prohibitively expensive or otherwise inadvisable, we have discussed the possibility of an electric vehicle, which would work out nicely with our charging station just steps from the Department.

Lastly, as you are likely aware, 2020 is a census year. I have reached out to the local contact of what is called the "Complete Count Committee" for more information, and to see what role the Town might play. I meet with our local census rep in early March.

Resolution #58-20**Audit of Bills****By Mr. Bush****Seconded by Mr. Lucarelli**

Resolved that all claims in the total amount of \$975,055.76 were audited and approved for payment when in funds.

Aye-Bush, T. Milliken, Lucarelli, Allison, N. Milliken

No- None

Department Reports:

Supervisor N. Milliken informed the Board that Eric Crandall, Code Enforcement Officer is absent due to illness. He also stated Scott Eschbach, Buildings and Grounds is absent due to illness.

Highway Superintendent, Matt Mustico informed that NYSEG and the Elmira Water board are planning a project on Albermarle Ave., Arcadia Ave. and W. First St. to replace the mains and services. They will be cutting trees and working on drainage in that area.

The highway department has moved fill for Scott to help with the soccer fields. They have cut trees along the road on East Hill. They have helped the Village of Horseheads with snow removal along with the County by hauling sand. The 2010 truck box was rusty so they had it removed and fixed to expand its life. Mr. Mustico will meet with the Assemblymen as a premeeting regarding the Highway CHIPS fund then he will attend a meeting in Albany in March. He also discussed LED lighting options for the street lights.

Police Chief, Tom Barr informed the board of the number of arrests, tickets, calls and stops his department has done for January. He stated that the evidence/property room is finished and they are working on getting things ready to move. He also informed the board that the surveillance cameras are starting to be put up. There are some in the Town Hall and more will be placed outside the building, at the park and at the TCC building. It was discussed that signs may be put up stating the rules of the park.

Recreation Director, Patty Carozza said that January was a slower month but it is picking up in February and March. The rental fees went up as of January 1st. She talked about the regular groups that rent the building. ARC stripped and waxed the floors and is coming in to touch them up again. Patty is happy that there is now a dumpster at the facility, she'd like a sign as someone left stuff there and it's not for public dumping. She let the board know Scott is increasing storage for weekly renters.

Resolution #59-20**Set date for March Workshop****By Mr. Allison****Seconded by Mr. Bush**

Motion was made to set the date of March 9, 2020 at 7pm for a Workshop meeting.

Aye- Bush, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

Resolution #60-20**Approve Charter Communication agreement for telecommunication services****By Mr. T. Milliken****Seconded by Mr. Allison**

Motion was made to approve the agreement with Charter Communication for telecommunication services from a term of 10 years.

Aye- Bush, T. Milliken, Allison, N. Milliken

No- Lucarelli

Councilmen Lucarelli stated that most of East Hill will not qualify with the guidelines stated in this agreement. He'd like to see it go from 25 residents per linear mile closer to 10 residents per linear mile.

Attorney Moore stated that the statute that governs states they have to do 35 residents per linear mile. That was part of the negotiation and they were willing to lower it to 25 residents.

Resolution #61-20**Re-Appoint John Garvin as Board of Assessment Review member****By Mr. Bush****Seconded by Mr. Allison**

Resolved that John Garvin be appointed as Board of Assessment Review Member with a term ending September 30, 2024

Aye- Bush, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

Resolution #62-20**Appoint Rick Emanuel to fill an unexpired term as a Zoning Board of Appeals Member****By Mr. Allison****Seconded by Mr. Lucarelli**

Resolved that Rick Emanuel be appointed as a Zoning Board of Appeals Member with a term ending May 31, 2021 to fill the vacant seat of Albert Lucarelli.

Aye- Bush, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

Resolution #63-20**Appoint Tom Kump to fill an unexpired term as a Planning Board Member****By Mr. T. Milliken****Seconded by Mr. Allison**

Resolved that Tom Kump be appointed as a Planning Board Member with a term ending April 30, 2021 to fill the vacant seat of Jimmy Carozza.

Aye- Bush, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

Resolution #64-20**Refund to Jennifer Rubinetti****By: Mr. Bush****Seconded by: Mr. T. Milliken**

Resolved that a check be issued to Jennifer Rubinetti in the amount of \$150.82 as the Receiver of Taxes received a letter from the Chemung County Real Property Tax Office stating that Mrs. Rubinetti was charged an unpaid sewer usage fee on her 2020 Tax Bill. The letter states this property is not hooked up to the sewer and there should not be a charge to this property.

Aye- Bush, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

Resolution #65-20**Amendment to the ARC agreement for use of Community Center****By Mr. Allison****Seconded by Mr. Lucarelli**

Motion was made to approve the agreement with ARC for the use of the Community Center for 2020 at the January 21, 2020 meeting and said agreement was amended to have a termination

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clause added.

Aye- Bush, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

Resolution #66- 20

Declare Highway equipment surplus

By Mr. Bush

Seconded by Mr. Allison

Whereas Highway Superintendent Matthew Mustico has advised the Town Board that the Forney Stick Welder/Buzz Box and the Miller stick/mig welder are 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 surplus the Forney Stick Welder/Buzz Box and the Miller stick/mig welder 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, T. Milliken, Allison, Lucarelli, N. Milliken

No- None

On a motion by Mr. Bush and seconded by Mr. Allison the meeting was adjourned at 7:51 pm

Tammy Stein, Town Clerk