

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Monday, May 18, 2020 at 7:00 PM using zoom due to Covid-19 and the social distancing orders set in place by the Governor, there were present:

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

Others present

Town Clerk- Tammy Stein
Attorney- Scott Moore

At 7:02 P.M. Town Attorney Scott Moore read proof of publication of notice of May 7, 2020 of notice of public hearing to consider a Revenue Anticipation Note. The hearing was declared open and anyone wishing to present written or oral comments in favor of the Revenue Anticipation Note was invited to do so. When no one wished to speak in favor those wishing to speak in opposition of the Revenue Anticipation Note were invited to do so. When no one wished to speak in opposition the hearing was declared closed at 7:03 P.M

At 7:03 P.M. Town Attorney Scott Moore read proof of publication of notice of May 7, 2020 of notice of public hearing to consider a Tax Anticipation Note. The hearing was declared open and anyone wishing to present written or oral comments in favor of the Tax Anticipation Note was invited to do so. When no one wished to speak in favor those wishing to speak in opposition of the Tax Anticipation Note were invited to do so. When no one wished to speak in opposition the hearing was declared closed at 7:04 P.M

Resolution #85-20

Minutes

By Mr. Allison

Seconded by Mr. Bush

Motion was made to approve the minutes of the regular meeting of April 20, 2020 and the special meeting of May 7, 2020.

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

No- None

Resolution #86-20

Transfers

By Mr. T. Milliken

Seconded by Mr. Allison

Resolved that the 2019 Year End Transfers were herewith authorized and shall be entered and attached in detail in the minutes of the preceding of the Town Board.

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

No- None

Resolution #87-20

Financial Report

By Mr. Lucarelli

Seconded by Mr. Bush

Supervisor Milliken reviewed the Town's Financial position as of April 30, 2020 and stated we are in good financial position. The April 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 April 2020.

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

No- None

Report by Supervisor Milliken

The financial reports were reviewed and we are within our 2020 budget at this time.

The uncertainty of the pandemic continues to cloud our future. The amount of lost revenue the Town can expect, and the duration of the period of reduced revenue, remains unknown. The most recent monthly sales tax revenue payment from the County was received toward the end of April. From the same period last year, we are somewhat ahead. That's the good news. The fact is that payment is the last expected to be at or near that level for the foreseeable future.

The Board will be looking to consider reductions in expenditures, but this alone may not be sufficient. On our agenda tonight are resolutions that would authorize short term borrowing. Board approval of these resolutions in no way obligates the Town to borrow, but must be approved before we could do so. It gives us an option if we later decide to pursue it.

Hope surrounds local government support now being considered at the Federal level. The resolution this Board passed last month requesting our representatives provide help have been sent to Rep. Reed and Senators Schumer and Gillibrand, and along with many similar pleas sent by our sister towns and villages throughout New York State should garner attention.

A press release I received about two hours ago gives details of the proposed "SMART" (State and Municipal Assistance for Recovery and Transition Fund) legislation which would eliminate the 500,000-population floor as set by the CARES Act, among other things. That seems promising, but likely will still give priority to municipalities with higher populations as well as those with higher rates of infection, two factors that would not work in our favor.

I appreciate the State recognizing the lower infection rates in our region and thank Chemung County officials for their efforts to meet the criteria that has allowed us to move into Phase One reopening. The Town Hall has restored full staff and regular hours, though the Courts still have limitations. Visitors will find proper distances from offices clearly marked, clear barriers at all office entrances and hand sanitizer available for their use. They will not be allowed in the building without a mask, and a limited supply will be available on site if their neglect to bring their own. The Park remains closed to activities that encourage any grouping, though tennis has been allowed to be open by the Governor as of this past Friday, and we have posted safety rules at all entrances to the tennis courts which must be adhered to. The State has recently convened an Outdoor Recreation Committee, which will consider other park facilities and formulate specific safety rules and opening dates for each. I remain in regular contact with the County, and they with this group, so we can open our other park attractions as soon as we are given the green light. We have been planning on opening our pool if at all possible and are expected to follow what should be a county-wide policy for all public swimming. We may have a better idea of the status of the pool within the week. Regarding our summer youth programs, I have asked Patty Carozza and Bob DeMember to formulate a plan, much like those required of businesses before they can reopen. This plan would include what specific programs can be offered safely, disinfection protocols to follow, etc.

That way, again if and when given the OK by the State, we could have activities to offer so our kids can get out of the house and into the Park once again. Lastly, the pickleball project, though well behind schedule, remains expected to be completed, though as to when depends on the schedules and generosity of the contractors who are donating their time and materials.

Resolution #88-20

Audit of Bills

By Mr. Allison

Seconded by Mrs. T. Milliken

Resolved that all claims in the total amount of \$38,964.43 were audited and approved for payment when in funds.

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

No- None

Communications

Supervisor Milliken stated he received a letter from the New York State Towns Clerks Association congratulating him as the Town of Elmira Town Clerk, Tammy Stein just got awarded the title of Registered Municipal Clerk. Him and the board wanted to congratulate Tammy on a job well done.

Department Reports:

Due to the Covid – 19 and social distancing Supervisor Milliken stated the Department heads were excused from attending the meeting but were asked to submit a report:

Code Enforcement Officer, Eric Crandall turned in his report showing all the permits that were issued in April.

Highway Superintendent, Matt Mustico informed the board that they were really busy after the heavy rain came dropping over two inches. There was a lot of damage on East Hill. They added a drain pipe across Gunderman to prevent water from going into yards. The highway crew cleaned ditches that were full of debris. On May 13 Suit-Kote is doing a portion of Draht Rd. The Coleman Ave. drainage system held up and worked well during the rain we had.

Police Chief, Tom Barr reported on calls, stops, assists and accidents that his department took for April.

Buildings and Grounds Caretaker, Scott Eschbach stated that the Community Center renovation is almost complete. He has surface soil to renovate field 1 but the surface has been to wet to complete. The new soccer fields are getting dirt.

Discussion

Councilmen Bush said that the road guys did a great job on the hill when it was flooded. They were there working hard which was a tough job due to the water flow. The fire department was blocking off flooded roads as well.

MS4 Annual Report- Supervisor Milliken stated that the MS4 report will be on file in the Clerk's office for viewing as well as placed on our Town website.

Drone project- Supervisor Milliken informed the board that Legislature District 7 and 15 contributions were received and will go to the Fire Department towards the drone and training to use it.

Recreation Board- Supervisor Milliken stated the Recreation board is considering placing a 12X24 pad by the pavilion as they've gotten many requests that residents would like something like this to dance on during summer concerts. The funds will come from their programs and the Highway department will help get the area ready to be concreted.

The Coleman Ave project was discussed briefly

Mr. Pottinger on Dublin Dr stated he's lived there for 10-11 years and said about 3 years ago road work was done near White Tail. He'd like to know why it was never finished. He stated that there is still cones there. Supervisor Milliken said he will find out and get back to him.

Resolution #89-20

Approve a Revenue Anticipation Note

By Mr. Bush

Seconded by Mr. Lucarelli

Whereas, a Resolution delegating to the Supervisor of the Town of Elmira, Chemung County, New York the power to authorize the issuance of and sell Revenue Anticipation Notes of said town in anticipation of the receipt of sales tax revenue, state aid, and federal aid.

Be it resolved, by the Town Board of the Town of Elmira, Chemung County, New York, as follows:

Section 1. The power to authorize the issuance of and to sell revenue anticipation notes of the Town of Elmira, Chemung County, New York, including renewals thereof, in anticipation of the receipt of sales tax revenues, state aid and federal aid, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be determined by said Supervisor, pursuant to the provision of the Local Finance Law.

Section 2. The Deputy Supervisor of said Town, is hereby authorized to execute such revenue anticipation notes and the closing documentation related thereto in the place of the chief fiscal officer if the chief fiscal officer shall so designate, or in the absence thereof, from the jurisdiction or inability to serve.

Section 3. This resolution shall take effect immediately.

- Mr. Bush AYE
- Mr. Lucarelli AYE
- Mr. T. Milliken AYE
- Mr. Allison AYE
- Mr. N. Milliken AYE

Resolution #90-20

Approve a Tax Anticipation Note

By Mr. T. Milliken

Seconded by Mr. Allison

Whereas a resolution authorizing the issuance of Tax Anticipation Notes of the Town of Elmira, Chemung County, New York in anticipation of the collection of taxes levied or to be levied for the fiscal year of said town commencing January 1, 2021,

Be it resolved, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Elmira, Chemung County, New York, as follows:

Section 1. Subject to the provisions of the Local Finance Law including, in particular, Section 24.00 (a)(1)(a), the power to authorize the issuance of and to sell tax anticipation notes of the Town of Elmira, Chemung County, New York, including renewals thereof, in anticipation of the collection of taxes levied or to be levied for the fiscal year of said Town commencing January 1, 2021, is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 2. The Deputy Supervisor of said Town, is hereby authorized to execute such tax anticipation notes and the closing documentation related thereto in the place of the chief fiscal officer if the chief fiscal officer shall so designate, or in the absence thereof, from the jurisdiction or inability to serve.

Section 3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mr. Bush	AYE
Mr. Lucarelli	AYE
Mr. T. Milliken	AYE
Mr. Allison	AYE
Mr. N. Milliken	AYE

Resolution #91-20

Set date for June Workshop

By Mr. Bush

Seconded by Mr. T. Milliken

Motion was made to set the date of June 8, 2020 at 7pm for a Workshop meeting.

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

No- None

Motion was made by Mr. Allison and seconded by Mr. Lucarelli to enter into an executive session to discuss a personnel matter at 7:33 pm

The Town Board exited executive session at 8:37 pm and on a motion by Mr. T. Milliken and seconded by Mr. Lucarelli the meeting was adjourned at 8:38 pm

Tammy Stein, Town Clerk

TOWN OF ELMIRA
Budget Transfer Request

Revised 05/05/2020

Department Requesting Transfer: Town Clerk A-General Fund

Date: 5-3-20

	<u>Fund</u>	<u>Department</u>	<u>Account</u>	<u>Sub Account</u>	<u>Account Name</u>	<u>Amount</u>
From	A	1010	5430		misc exp	380
From	A	1110	5400		Contractual Exp	4,232
From	A	1220	5100		payroll	1,768
From	A	1220	5100		payroll	39
From	A	1220	5100		payroll	3,000
From	A	1220	5400		Contractual Exp	6,866
From	A	1620	5300		Cap Outlay	3,903
From	A	1345	5400		Contractual Exp	265
From	A	1620	5300		Cap Outlay	1,553
From	A	1620	5300		Cap Outlay	13,259
From	A	1620	5300		Cap Outlay	245
From	A	1620	5300		Cap Outlay	1,004
From	A	1620	5300		Cap Outlay	980
From	A	1440	5400		Contractual Exp	157
From	A	1440	5400		Contractual Exp	1,043
From	A	1990	5400		Contractual -Contingency	1,756
From	A	1620	5420		utilities	1,200
From	A	1620	5420		utilities	1,256
From	A	1990	5400		contr-contingency	1,060
From	A	1990	5400		contr-contingency	13,487
From	A	1990	5400		contr-contingency	629
From	A	1990	5400		contr-contingency	9,590
From	A	9040	5820		workers comp	2,943
From	A	8510	5400		contractual	4,520
From	A	7989	5400		contractual	1,500
From	A	3510	5410		General Exp	2,117

From	A	1620	5420		utilities	1,063
From	A	1345	5400		contractual	1,400
From	A	1110	5100		payroll	823
From	A	1010	5430		misc exp	1,480
From	A	1420	5100		payroll	326
From	A	9050	5830		unemployment	200
From	A	1010	5410		General Exp	74
From	A	1010	5420		utilities	300
From	A	9060	5860		Medical-Retirees	254
From	A	9060	5860		Medical-Retirees	594
From	A	9030	5810		social security	2,929
From	A	9030	5810		social security	6,423
From	A	9030	5810		social security	2,311
From	A	9030	5810		social security	720
From	A	9030	5810		social security	137
From	A	9030	5810		social security	2,946
From	A	9030	5810		social security	7,483
From	A	9030	5810		social security	3,105
From	A	9030	5810		social security	256
From	A	9060	5860		Medical-Retirees	1,435
From	A	7510	5100		payroll	23
From	A				Total	113,035

Revised 05/05/2020

To	A	1010	5100		Payroll	380
To	A	1320	5410		General Expense	4,232
To	A	1320	5410		General Expense	1,768
To	A	1345	5100		Payroll	39
To	A	1345	5200		equipment	3,000
To	A	1345	5200		equipment	6,866
To	A	1345	5200		equipment	3,903
To	A	1355	5100		Payroll	265
To	A	1355	5420		utilities	1,553
To	A	1410	5100		Payroll	13,259
To	A	1410	5400		contractual.	245

To	A	1420	5410		General Expense	1,004
To	A	1420	5420		utilities	980
To	A	1450	5400		Contractual-electric	157
To	A	1620	5100		Payroll	1,043
To	A	1620	5100		Payroll	1,756
To	A	1620	5410		General Expense	1,200
To	A	1620	5410		General Expense	1,256
To	A	1910	5420		utilities	1,060
To	A	9010	5800		St Retirement	13,487
To	A	9050	5840		NYS Disability	629
To	A	9060	5850		Hospital, Medicall...	9,590
To	A	9060	5850		Hospital, Medicall...	2,943
To	A	9060	5850		Hospital, Medicall...	4,520
To	A	9060	5850		Hospital, Medicall...	1,500
To	A	9060	5850		Hospital, Medicall...	2,117
To	A	9060	5850		Hospital, Medicall...	1,063
To	A	9060	5850		Hospital, Medicall...	1,400
To	A	9060	5850		Hospital, Medicall...	823
To	A	9060	5850		Hospital, Medicall...	1,480
To	A	9060	5850		Hospital, Medicall...	326
To	A	9060	5850		Hospital, Medicall...	200
To	A	9060	5850		Hospital, Medicall...	74
To	A	9060	5850		Hospital, Medicall...	300
To	A	9060	5850		Hospital, Medicall...	254
To	A	9060	5870		HRA	594
To	A	1010	5810		social security	2,929
To	A	1110	5810		social security	6,423
To	A	1220	5810		social security	2,311
To	A	1340	5810		social security	720
To	A	1345	5810		social security	137
To	A	1355	5810		social security	2,946
To	A	1410	5810		social security	7,483
To	A	1420	5810		social security	3,105
To	A	1620	5810		social security	256
To	A	1620	5810		social security	1,435

To	A	7510	5810		social security	23
To	A				Total	113,035
						Revised 05/05/2020

New Account: Yes _____ No X

on for Transfer: Under Appropriated and budgeted interfund transfer plus additional funds to creat 10% FB in General Fund per OSC guidelines.

Signature of Department Head: _____ *Jann Sherwood*

Action Taken:

Request Approved

Transfer Forwarded To Budget, Date _____

Request Forwarded For Board Resolution

Further Clarification Required

Request Not Approved

Supervisor: _____

Date: 5-18-20 Board Approval: _____

Date: 5-18-20

TOWN OF ELMIRA
Budget Transfer Request

Revised 05/05/2020

Department Requesting Transfer: Town Clerk B-Town Outside Village _____

Date: 5-4-20

	<u>Fund</u>	<u>Department</u>	<u>Account</u>	<u>Sub Account</u>	<u>Account Name</u>	<u>Amount</u>
From	B	3620	5100		Payroll	500
From	B	3620	5100		Payroll	106
From	B	5010	5420		utilities	1,879
From	B	8020	5420		utilities	900
From	B	1990	5400		Contingency - Contr	3,439
From	B	3620	5100		Payroll	5,597
From	B	8745	5410		General Expenses	106
From	B	3620	5100		Payroll	7,266
From	B	9060	5850		Hospital, Medical...	1,027
From	B	9030	5810		social security	46
From	B	9030	5810		social security	2,933
From	B	9030	5810		social security	642
					Total	24,440
To	B	5010	5100		Payroll	500
To	B	5010	5120		overtime	106
To	B	5010	5410		General Expense	1,879
To	B	8020	5410		General Expense	900
To	B	8745	5400		Contractual	3,439
To	B	8745	5400		Contractual	5,597
To	B	8745	5420		Utilities	106
To	B	9010	5800		state retirement	7,266
To	B	9040	5820		Workers' Comp	1,027
To	B	5010	5810		social security	46
To	B	3620	5810		social security	2,933
To	B	3120	5810		social security	642
					Total	24,440

New Account: Yes _____ No x

Reason for Transfer: X- Under Appropriated

Signature of Department Head: _____

J. Ann Shewell

Action Taken:

- Request Approved
- Transfer Forwarded To Budget, Date _____
- Request Forwarded For Board Resolution
- Further Clarification Required
- Request Not Approved

[Handwritten Signature]

Supervisor: _____

Date: 5/18/20 Board Approval: _____

Date: 5/18/20

TOWN OF ELMHRA
Budget Transfer Request

Department Requesting Transfer: Town Clerk DB-Highway Town Only

Date: 5-4-20

Fund	Department	Account	Sub Account	Account Name	Amount
From DB	1990	5400		Contingency-Contractual	9,465
From DB	5110	5100		Payroll	3,706
From DB	9030	5810		Social Security	24,000
From DB	5140	5400		Bush, Weeds Contractual	3,233
From DB	5112	5400		Contractual	65,762
From DB	5130	5200		Equipment	4,205
From DB	9010	5800		state retirement	3,182
From DB	9060	5850		Hospital, Medical	6,201
From DB	9010	5800		state retirement	4,165
From DB	5110	5120		Overtime	922
From DB	5110	5410		general expenses	884
From DB	5110	5100		Payroll	106
From DB	5140	5400		Bush, Weeds Contractual	421
From DB	9040	5820		Workers Comp	901
From DB	9055	5840		NYS Disability	354
From DB	Not sure what	accounting entry	to use.	Fund Balance	22,177
From DB				Fund Balance	26,282
Total					175,968

Reason for Transfer: Under Appropriated New Account: Yes No

Signature of Department Head: [Signature]

Action Taken: Request Approved
 Transfer Forwarded To Budget, Date _____
 Request Forwarded For Board Resolution
 Further Clarification Required
 Request Not Approved

Supervisor: [Signature] Date: 5/18/20 Board Approval: [Signature] Date: 5/18/20

**TOWN OF ELMIRA
Budget Transfer Request**

Revised 05/05/2020

Town Clerk

Department Requesting Transfer: SM-Traffic District

Date: 5-3-20

	<u>Fund</u>	<u>Department</u>	<u>Account</u>	<u>Sub Account</u>	<u>Account Name</u>	<u>Amount</u>
From	SM	1990	5400		Contractual	3,062
From	SM	3120	5120		overtime	9,166
From	SM	3120	5450		Contractual-TR	1,892
From	SM	3120	5450		Contractual-TR	62
From	SM	3120	5450		Contractual-TR	1,040
From	SM	9030	5810		social security	24,000
From	SM	9060	5860		Hospital, Medical...	1,171
From	SM				Total	40,394
To	SM	3120	5100		payroll	3,062
To	SM	3120	5100		payroll	9,166
To	SM	3120	5460		uniforms	1,892
To	SM	3120	5470		ammunition	62
To	SM	3120	5810		social security	1,040
To	SM	3120	5810		social security	24,000
To	SM	3120	5870		HRA	1,171
SM					Total	40,394

New Account: Yes _____ No X

Reason for Transfer: X Under Appropriated

Signature of Department Head: *Jo Ann Sheppard*

Action Taken:

- Request Approved
- Transfer Forwarded To Budget, Date _____
- Request Forwarded For Board Resolution
- Further Clarification Required
- Request Not Approved

Supervisor: *[Signature]*

Date: 5/18/20 Board Approval: _____

Date: 5/18/20

TOWN OF ELMIRA
Budget Transfer Request

Date: 5-4-20

Department Requesting Transfer: SP-Park

Lowr Clout

Fund Department Account Sub Account Account Name Amount

From	SP	7110	5200	Equipment	6,008	
From	SP	9030	5810	social security	2,894	
From	SP	9030	5810	social security	754	
From	SP	9030	5810	social security	3,479	
From	SP	7180	5100	Payroll	1,266	
From	SP	7180	5100	Payroll	800	
From	SP	7180	5100	Payroll	707	
From	SP	7180	5100	Payroll	3,821	
From	SP	9060	5850	Hospital, Medical...	1,236	
From	SP	9060	5850	Hospital, Medical...	168	
From	Total					21,133

To	SP	7110	5100	payroll	6,008	
To	SP	7110	5810	social security	2,894	
To	SP	7140	5810	social security	754	
To	SP	7140	5810	social security	3,479	
To	SP	7180	5410	General Expense	1,266	
To	SP	7180	5420	utilities	800	
To	SP	9010	5800	State Retirement	707	
To	SP	9040	5820	Workers Comp	3,821	
To	SP	9060	5860	Hospital, Medical/Retirees	1,236	
To	SP	9055	5840	NYS Disability	168	
To	Total					21,133

New Account: Yes No

Reason for Transfer: Under Appropriated or Per Budget Plan (FB Allocation)

Signature of Department Head: *John Stewart*

Action Taken:

- Request Approved
- Transfer Forwarded To Budget, Date
- Request Forwarded For Board Resolution
- Further Clarification Required
- Request Not Approved

[Handwritten Signature]

Supervisor: _____

Date: 5/18/20

Board Approval: _____

Date: 5/18/20