

At the Organization meeting of the Town Board of the Town of Elmira, Chemung County, New York, held on Thursday, January 2, 2020 at 8:00 am at 1255 West Water Street, there were present:

Supervisor- Neil Milliken
Councilmember- Thomas Milliken
Councilmember- Ronald Allison
Councilmember- Albert Lucarelli
Councilmember- Scott W. Bush

Others present:

Town Clerk – Tammy Stein
Deputy Town Clerk- Joann Sherwood
Highway Supervisor- Matt Mustico

Resolution #1-20

Appoint Town Clerk and Records Management Officer (RMO)

By Mr. Allison **Seconded by** Mr. Lucarelli
Resolved, that Tammy Stein be appointed Town Clerk and the (RMO) Records Management Officer for the period of January 1, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #2-20

Appoint Receiver of Taxes

By Mr. Allison **Seconded by** Mr. Lucarelli
Resolved, that Tammy Stein be appointed Receiver of Taxes for the period of January 1, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #3-20

Appoint Highway Superintendent

By Mr. Allison **Seconded by** Mr. Lucarelli
Resolved, that Matt Mustico be appointed Highway Superintendent for the Town of Elmira, pursuant to shared service agreement with the County of Chemung for the period of January 1, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #4-20

Appoint Town Attorney

By Mr. Allison **Seconded by** Mr. Lucarelli
Resolved, that Scott D. Moore be appointed Town Attorney for the Town of Elmira for the period January 1, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #5-20

Appoint Deputy Clerk

By Mr. Allison **Seconded by** Mr. Lucarelli
Resolved, that JoAnn Sherwood be appointed Part Time Deputy Clerk and Part Time 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, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #6-20

Appoint Justice Court Clerk

By Mr. Allison **Seconded by** Mr. Lucarelli
Resolved, that Elizabeth Lucarelli and Courtney Burnham be appointed part-time Clerks to Town Justices for the period January 1, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Supervisor Neil Milliken announced that Scott Deming would continue in the office of Town Historian.

Supervisor Milliken announced the appointment of Ron Allison as Deputy Supervisor of the Town of Elmira for 2020.

Resolution #7-20

Appoint Building Inspector/Code Enforcement Officer

By Mr. Milliken

Seconded by Mr. Bush

Resolved, Eric Crandall be appointed to perform the duties of Building Inspector and Code Enforcement Officer for the Town of Elmira for the period of January 1, 2020 through December 31, 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #8-20

Appoint Traffic Officers for Traffic District #1

By Mr. Milliken

Seconded by Mr. Bush

Resolved, that Thomas Barr ,Officer #1, Robert Richards, Officer #2, John Macbeth, Officer #3, Mike Marrone, Officer #4, Richard Weed, Officer #5,William Michalko, Officer #6, Joe Marrone, Officer #7, Leo Dacey, Officer #8 , Jacob Marrone, Officer #9 and Aaric Ross, Officer #10 be appointed traffic officers for Traffic District #1 for the period of January 1, 2020 through December 31, 2020 pursuant to collective bargaining agreement.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #9-20

Authorize Hiring School Safety Guards

By Mr. Milliken

Seconded by Mr. Bush

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #10-20

Designate Delegation of Authority- Bingo

By Mr. Milliken

Seconded by Mr. Bush

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #11-20

Authorize Attendance at Conventions

By Mr. Milliken

Seconded by Mr. Bush

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #12-20

Designation of official newspaper

By Mr. Milliken

Seconded by Mr. Bush

Resolved, that the Elmira Star-Gazette and the Sunday Star-Gazette, be designated as the official newspaper of the Town of Elmira for 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #13-20

Designation of Regular Meeting Date

By Mr. Milliken

Seconded by Mr. Bush

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 and February with the agenda prepared three (3) business days prior to meeting for town board members and any interested parties.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #14-20

Authorize Representatives and Town Officers to attend Association of Towns Meeting

By Mr. Allison

Seconded by Mr. Lucarelli

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 17-20, 2020. All actual and necessary expenses to be paid upon certification of an official audit by Town Board.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #15-20

Compensation for Personal Cars used for Town Business

By Mr. Allison

Seconded by Mr. Lucarelli

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #16-20

Authorize Supervisor to hire temporary help

By Mr. Allison

Seconded by Mr. Lucarelli

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #17-20

Authorize Supervisor to pay contractual obligations

By Mr. Allison

Seconded by Mr. Lucarelli

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

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #18-20

Authorize Highway Superintendent to purchase small tools

By Mr. Allison

Seconded by Mr. Lucarelli

Resolved, that the Town Highway Superintendent be authorized to purchase small tools, and equipment to a value not in excess of \$2,500 for 2020.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #19-20

Authorize Highway Superintendent to hire equipment

By Mr. Allison

Seconded by Mr. Lucarelli

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #20-20

Authorize Highway Superintendent to employ temporary part time help

By Mr. Allison

Seconded by Mr. Lucarelli

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #21-20

Annual Financial Report of Supervisor

By Mr. Allison

Seconded by Mr. Lucarelli

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- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #27-20

Appoint Purchase Order Clerk

By Mr. Allison

Seconded by Mr. Milliken

Resolved, that Tammy Stein, Town Clerk, be appointed to perform duties of Purchase Order Clerk for 2020. All purchase orders up to \$1,000 to be signed by Town Clerk and any amount over to be signed by the Supervisor.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #28-20

Fix Pay for Election Officials

By Mr. Allison

Seconded by Mr. Milliken

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

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #29-20

Fix Pay for Town Officers and Employees

By Mr. Allison

Seconded by Mr. Milliken

Resolved, that the Town Board does hereby fix the salaries or hourly rate of the following town officers and employees for the year 2020 at the amounts respectively stated and that such salaries shall be payable at the times respectively specified as follows:

Neil Milliken	Supervisor	\$ 34,107.43
Neil Milliken	Budget Officer	10,000.00
Kimberly Middaugh	Town Justice	22,676.96
James DeFilippo	Town Justice	22,676.96
Scott Bush	Councilmember	9,385.32
Ronald Allison	Deputy Supervisor	2,958.00
Albert Lucarelli	Councilmember	9,385.32
Thomas Milliken	Councilmember	9,385.32
Ronald Allison	Councilmember	9,385.32
Scott D. Moore	Town Attorney	39,053.76
Scott Deming	Town Historian	300.00
Tammy L. Stein	Town Clerk	51,500.00
JoAnn Sherwood	P/T Deputy Town Clerk	25.00/hr
Matthew Davis	Deputy Highway Supt.	32.05/hr
Rebecca M. Carpenter	Assessor Aide	40,000.00
Robert Richards	Traffic Officer Sgt.	70,620.00
Thomas Barr	Traffic District Chief	66,300.00
John Macbeth	Traffic Officer	46,823.00
Michael Marrone	P/T Traffic Officer	21.93/hr
Richard Weed	P/T Traffic Officer	21.93/hr
William Michalko	P/T Traffic Officer	21.93/hr
Joseph Marrone	P/T Traffic Officer	20.00/hr
Leo T. Dacey	P/T Traffic Officer	20.00/hr
Elizabeth Lucarelli	P/T Clerk to Town Justice	25.00/hr
Courtney Burnham	Night Court Clerk	75.00/night
Courtney Burnham	P/T Clerk to Town Justice	13.00/hr
Eric Crandall	Code Enforcement	40,000.00
Fred LeValley	P/T Safety Officer	20.00/hr
Scott Eschbach	Caretaker	44,420.00
Patricia Carozza	P/T Recreation Director	10,600.00
Mark Miles	School Safety Patrol	23.81/day
Ron McConnell	School Safety Patrol	23.81/day
Beth Smith	School Safety Patrol	23.81/day
Marty Winiecki	School Safety Patrol	23.81/day

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

Resolution #30-20

Fix Pay for Highway Employees

By Mr. Bush

Seconded by Mr. Allison

Resolved, that the following rate of pay including twelve paid holidays be established for employees of the Highway Department for the year 2020 pursuant to collective bargaining agreement.

Steven Draht	Mechanic	28.68/hr
Gregg Mann	Operator #1	28.68/hr
Chad McDonald	Operator #1	24.36/hr
Corey Ripley	Operator #1	28.68/hr
James Wagner	Operator #1	28.68/hr
James Watts	Operator #1	28.68/hr

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #31-20

Approval of Public Employees Blanket Bond

By Mr. Bush

Seconded by Mr. Allison

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- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #32-20

Authorize Pay of Planning Board, Zoning Board Members and Clerks

By Mr. Bush

Seconded by Mr. Allison

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- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #33-20

Authorize Pay of Assessment Board of Review Members

By Mr. Bush

Seconded by Mr. Allison

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- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #34-20

Authorize the Supervisor to invest surplus funds

By Mr. Bush

Seconded by Mr. Allison

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

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #35-20

Authorize Supervisor to Pay Utility Bills preceding the audit

By Mr. Bush

Seconded by Mr. Allison

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

Aye- Allison, Bush, Milliken, Lucarelli, Milliken **No-** none

Resolution #36-20**Authorize Advance Monies for Conferences**

By Mr. Milliken

Seconded by Mr. Bush

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- Allison, Bush, Milliken, Lucarelli, Milliken**No-** none**Resolution #37-20****Appoint Stormwater Coordinator**

By Mr. Milliken

Seconded by Mr. Bush

Resolved that Matthew Mustico be appointed Stormwater Coordinator for the period of January 1, 2020 through December 31, 2020, pursuant to shared services agreement with the County of Chemung.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken**No-** none**Resolution #38-20****Appoint Chemung County Treasurer to perform Bookkeeping Services**

By Mr. Milliken

Seconded by Mr. Bush

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

Aye- Allison, Bush, Milliken, Lucarelli, Milliken**No-** none**Resolution #39-20****Clarifying the Health Insurance Benefits Provided to the Town's Employees, Elected Officials and Retirees**

By Mr. Milliken

Seconded by Mr. Bush

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 12/31/17 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 84% of the premium of such insurance and the employee paying 16% 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 1/1/18 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 80% of the premium and the employee paying 20% 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, 2018 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 the fixed amount of \$4,000 towards a Single Policy and the retiree paying the balance, and the fixed amount of \$8,000 towards an Individual/Spouse Policy and the retiree paying the balance; 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, 2018 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, paying the fixed amount of \$4,000 towards a Single Policy and the retiree paying the balance, and the fixed amount of \$8,000 towards an Individual/Spouse Policy and the retiree paying the balance 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 16% 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 the Town paying the fixed amount of \$4,000 towards a Single Policy and the retiree paying the balance, and the fixed amount of \$8,000 towards an Individual/Spouse Policy and the retiree paying the balance for retirees under age 65; 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 HSA Plan to offset 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 \$1,400.00 for an individual plan and \$2,800.00 for a family plan effective January 1, 2020 and it is further

RESOLVED, that Town offered a Sick Leave Retirement Incentive in 2018 and 2019, and, that four employees, Fred LeValley, Elizabeth Lucarelli, Peter Michalko and JoAnn Sherwood, accepted the Incentive, each choosing Option 1 of the Incentive outlined as follows: Employees that elect to retire during any month listed below shall be eligible to have their sick leave converted to escrow with the Town and used to pay for continued health insurance with the Town as long as the monies last. Employees who retire during this period of time shall receive one hundred twenty five percent (125%) of unused sick leave accrued by retirement date, but, with no one employee accumulating more than two hundred (200) days.

Option 1: Following the retirement of the employee, the health insurance bank for each employee shall be reduced by the value of 12.5% of the retiree's insurance premium for that year, and considered payment in full toward the premium cost.

Retirement Incentive Time period- Employees must have submitted written notice of intention to retiree between July 1, 2018-September 30, 2018, or; between July 1, 2019-September 30, 2019. Effective date of retirement can be no later than December 31, 2018, or no later than December 31, 2019.

To be eligible of the Retirement Incentive Program an employee must:

1. Be an active member of the NYS and Local Retirement System
2. Be eligible to participate in the Town health insurance program upon retirement- employees must have fifteen (15) years of service with the Town and be on the Town's plan in the year prior to retirement.
3. Be the minimum eligible retirement age (55) with NYS ERS, or otherwise qualify for a NYS Pension by the dates listed under Retirement Incentive Time Period.

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, or received amount outlined in collective bargaining agreement, 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 Savings Account.

RESOLVED, that the Town Board reserves the right to interpret, change, modify, or eliminate any provision contained in this resolution, with the exception of the Sick Leave Retirement Incentive of 2018-19.

Aye- Allison, Bush, Milliken, Lucarelli, Milliken

No- none

On a motion by Mr. Bush and seconded by Mr. Allison the meeting was adjourned at 8:20am

Tammy Stein, Town Clerk