

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Monday, May 17, 2021 at 7:00 PM at 1255 West Water Street, Elmira, NY, there were present:

Supervisor: David Sullivan  
Councilmember: Thomas Milliken  
Councilmember: Scott Bush  
Councilmember: Albert Lucarelli  
Deputy Supervisor Ron Allison

Others present  
Town Clerk- Tammy Stein  
Attorney- Scott Moore  
Police Chief- Robert Richards  
Code Enforcement Officer- Eric Crandall  
Highway Superintendent- Matt Mustico  
Recreation Coordinator- Patty Carozza

Supervisor Sullivan called the Town Board meeting to order at 7pm and asked others to stand for the Pledge of Allegiance

**Resolution #95-21**

**Minutes**

**By Mr. Allison**

**Seconded by Mr. Bush**

Motion was made to approve the minutes of the regular meeting of April 19, 2021 and a workshop on March 3, 2021.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #96-21**

**Audit of Bills**

**By Mr. Allison**

**Seconded by Mr. Milliken**

Resolved that all claims in the total amount of \$100,250.05 were audited and approved for payment when in funds.

Aye-Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #97-21**

**Financial Report**

**By Mr. Milliken**

**Seconded by Mr. Lucarelli**

Supervisor Sullivan reviewed the Town's Financial position as of April 30, 2021 and stated we are in a good financial position. The April 2021 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 2021.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Supervisor Sullivan presented a power point updating the board on the American Rescue Plan aid. He stated we are still waiting to hear more details. He was pleased to announce that the town

has entered into a replacement agreement with NYSEG regarding the street lighting for all 5 districts. The Town will pay \$16,139 to cover the unexpired life of the bulbs but there should be a payback investment within 4 months. This will help save on the lighting budget once it is all complete. Supervisor Sullivan also explained the shared service agreement with the Village of Horseheads pertaining to the Highway Superintendent and the Mechanic.

### **Discussion**

Councilmember Bush stated him and Councilmember Lucarelli met with Matt Mustico and Matt Davis on May 4th. They discussed the Highway equipment list stating it will be updated. He said the road work is on schedule. They discussed the International truck surplus and will look into using those funds to buy a one-ton dump truck with a plow. They will meet again on June 1 at 7am.

Supervisor Sullivan discussed the NYS Smart Comprehensive Planning Grant. This grant will help prepare a new or updated Comprehensive Plan which will shape community growth and character. If the grant is successful, it will cover the cost of hiring a firm to take us through the comp plan process.

Supervisor Sullivan informed the board he is receiving quotes on sprucing up the pool house. He is hoping to have it done by opening day. He also discussed the Pool fees for the 2021 year.

### **Department Reports**

Highway Superintendent- Matt Mustico stated he got good news from the State regarding CHIPS program. The 2021 Chips payback is \$224,919.00 and is the best they've ever got. This is the annual chips amount which was increased plus the 20% payback from last year. He also was very pleased with the low bid of \$62.70 per ton for the 2021 road work. They will need approximately 2000 tons to complete their list and this is the lowest it's been in a long time. He received 6 calls about the sidewalk program and is going to work with 3-4 others. Some have already made plans on their own. The road work is all set they are waiting on the contractor to contact them to get a start date. Brush and limbs were cut back on Clinton Street to help with visibility.

Code Enforcement Officer- Eric Crandall stated April was a busy month. He supplied 19 permits. He also gave out 3 violations. Eric informed the board that the Bower Rd address has been released from the owner's estate, so it is being cleaned up and will be put up for sale. He sent 8 high grass notices out and everyone complied and took care of their lawns. He also discussed the Energy Audit. Eric met with NYSEG and LIME Energy to get a quote on replacing the lights at the East Hill garage. The cost is \$4,824 and has been submitted to NYSEDA for reimbursement when approved.

Police Chief- Robert Richards stated that they've had an increase in calls from last month. He reported on the speed issue's that have been brought to his attention. His department has implemented targeted patrols. The patrols on Coleman Ave. resulted in 10 citations. He updated the board regarding the staffing in his department. He stated that several agencies are struggling with staff. There is an upcoming exam for Traffic Officer, and the Chief and Sgt. MacBeth will go observe the PT training the following week. He's secured two spots for the academy hoping to get officers after their PT training.

Recreation Coordinator- Patty Carozza on behalf of the Emmanuel family wanted to thank Chief

Richards for his compassion during their time of need. The family was very appreciative of it. Patty said rentals are slow right now due to the guidelines by the CDC and State. She is very pleased with the new cleaner. He is doing a great job. She stated that the summer camps look good this year and they are working on the finalization of things. Patty also said that the gardens are almost full and the gardeners are very pleased with the additional fence that was put up to keep the critters out.

**Public Comments**

Fred Loomis, Roricks Glen Parkway said he is thrilled about Chief Richards report regarding the speed enforcement. He informed the board of his concern regarding the speeding on Roricks Glen. He stated that Fedex and UPS drive very fast on that road along with others. The neighbors got together and put up “Slow down” signs and it seems to help but they will not be up long. He inquired about changing the speed limit. Chief Richards explained his understanding is that 30 MPH is the lowest residential speed that the State will post. Supervisor Sullivan said they will discuss this further and look into options.

Joe Coletta, Hendy Ave referenced the November zoom meeting and asked about the 5 full time officers that were supposed to be in the Police department. His concern is we get them, train them and they leave. Chief Richards reiterated that all agencies are having a difficult time keeping officers. Mr. Coletta also stressed concerns regarding the speeding on Hendy Ave. and asked about the radar trailer. Chief Richards said it was not working at this time and him and Supervisor Sullivan have been working on quotes.

Frank Messina, Larchmont Rd. inquired about the potholes on Church and Morningside. He stated they are bad. Matt Mustico informed him Church St. is a State road and it’s their responsibility. Mr. Messina also expressed his concern about the Police department and their staff.

Lynn Pirozzolo, W. Church St. shared that she is happy to see the police present at the basketball courts. She stated that her and Dave go down some evenings as well. She feels the issues that were happening have calmed down and hopes it continues as she’d hate to see us not have the courts.

**Resolution #98 -21**

**Set a date for June Workshop**

**By Mr. Allison**

**Seconded by Mr. Lucarelli**

Motion was made to set a workshop for June 7, 2021 at 7:00PM.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #99-21**

**Reappoint Joseph Sullivan to the Zoning Board**

**By Mr. Bush**

**Seconded by Mr. Lucarelli**

Motion was made to reappoint Joseph Sullivan to the Zoning Board of Appeals for a term to expire 5/31/2026.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #100-21**

**Reappoint Tom Kump to the Planning Board**

**By Mr. Lucarelli**

**Seconded by Mr. Allison**

Motion was made to reappoint Tom Kump to the Planning Board for a term to expire 4/30/2026.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #101-21**

**Approve the Annual Financial Report Update Document (AUD)**

**By Mr. Milliken**

**Seconded by Mr. Allison**

Motion was made to approve the AUD for the Fiscal year ending 12/31/2020.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #102-21**

**Rescind Resolution 87-21 to set a Public Hearing for parcel 98.15-1-34**

**By Mr. Bush**

**Seconded by Mr. Allison**

Motion was made to rescind resolution 87-21 to set a Public Hearing for the conveyance of Town Parcel 98.15-1-34.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #103-21**

**Approve the sale of parcel 98.15-1-34 owned by the Town of Elmira to Kamala Keeley**

**By Mr. Allison**

**Seconded by Mr. Lucarelli**

Motion is made that the Town Board of the Town of Elmira, Chemung County, New York at a Town Board meeting held on May 17, 2021 duly adopted, subject to a permissive referendum, a Resolution a copy of which is as follows:

WHEREAS the Town of Elmira hereby authorizes conveyance of real property located on Morningside Drive, Elmira, NY being a parcel designated Tax Map # 98.15-1-34, to Kamala A. Keeley, subject to permissive referendum and;

WHEREAS, the Town of Elmira is the owner in fee of real property designated Tax Map # 98.15-1-34 which premises are vacant land; and

WHEREAS, the Town of Elmira has determined that the said real property is not necessary for any Town use or purpose; and

WHEREAS, the said premises have remained vacant for at least fifty years; and

WHEREAS, the Town of Elmira has received an offer to purchase a portion of the said tax parcel originally identified as lots 36, 38 and 40 in the Starr Plot from Kamala A. Keeley for the sum of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00);

NOW THEREFORE, BE IT RESOLVED, that, subject to permissive referendum, David P. Sullivan, Supervisor of the Town of Elmira, for and on its behalf, be and hereby is authorized to sell the premises described above to Kamala A. Keeley for the sum of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00) in accordance with the law in such cases made and provided, and

BE IT FURTHER RESOLVED, David P. Sullivan, Supervisor of the Town of Elmira, is hereby authorized to execute all documents that may be required to execute the sale, and transfer of all rights, title and interest of the Town of Elmira, in said property.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #104-21**

**Appoint Gabriella Cloke as Part Time Court Clerk**

**By Mr. Bush**

**Seconded by Mr. Milliken**

Motion was made to appoint Gabriella Cloke as Part Time Court Clerk at a rate of \$15.00 per hour for 20-25 hours per week plus Court nights at a rate of \$75.00 per night effective 6/1/2021.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #105-21**

**Appoint Stacey Walburn as Full Time Deputy Clerk/ Bookkeeper**

**By Mr. Allison**

**Seconded by Mr. Lucarelli**

Motion was made to appoint Stacey Walburn as Full Time Deputy Clerk/ Bookkeeper at a rate of \$37,000 plus benefits per year effective 6/7/2021.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

**Resolution #106-21**

**Amend Shared Service Agreement with Village of Horseheads**

**By Mr. Milliken**

**Seconded by Mr. Allison**

Motion was made to amend the Shared Service Agreement with the Village of Horseheads regarding payment of the Mechanic and Highway Superintendent as follows:

Mechanic, 2021-2022 \$15,815.00, 2022-2023 \$16,162.00.

Highway Superintendent, 2021-2021 \$25,634.00, 2022-2023 \$28,839.00

These payments will be made to the Town in 2 equal installments in November and April of each year.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Motion was made by Councilmember Bush at 7:50pm and seconded by Councilmember Allison to adjourn the Town Board workshop. All in favor, Motion Carried

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Tammy Stein, Town Clerk