

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Tuesday, February 21, 2023 at 7:00pm at 1255 West Water Street, Elmira, NY, there were present:

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

Others present
Town Clerk- Tammy Stein
Code Enforcement Officer- Eric Crandall
Highway Superintendent- Matt Mustico
Buildings and Grounds keeper- Sean Coggins
Recreation Coordinator- Patty Carozza

Supervisor Sullivan called the regular meeting to order at 7:00pm and lead attendees in the Pledge of Allegiance

Public Hearing

At 7:01 P.M. Town Supervisor Sullivan read proof of publication of notice of February 10, 2023 of notice of public hearing to rescind Local Law 3-2016, opt out of Section 487 of NYS Real Property Tax Law. The hearing was declared open and anyone wishing to present written or oral comments in favor was invited to do so. When no one wished to speak in favor of the amendment, those wishing to speak in opposition were invited to do so. When no one wished to speak in opposition to the amendment, the hearing was declared closed at 7:03 P.M.

Resolution #47-23

Minutes

By Mr. Bush

Seconded by Mr. Allison

Motion was made to approve the minutes of January 17, 2023 regular meeting and February 6, 2023 Workshop.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Supervisor Sullivan informed the Town Board that he would be adding a resolution to this meeting to appoint a member to the Recreation Committee

Resolution #48-23

Audit of Bills

By Mr. Bush

Seconded by Mr. Lucarelli

Resolved that all claims in the total amount of \$1,127,623.75 were audited and approved for payment when in funds.

<u>Early Audit</u>	
General Fund	1500.00
General Fund (outside village)	<u>500.00</u>
	2000.00

<u>December close out Audit</u>	
General Fund	2252.80
Traffic District	<u>150.00</u>
	2402.80

<u>Early Audit</u>	
General Fund	15087.16
General Fund (outside Village)	3314.26
Highway Fund	1558.45
Traffic Fund	10651.92
Park Fund	<u>1043.17</u>
	31654.96

<u>Regular Audit</u>	
General Fund	25,263.04
General Fund (outside Village)	23,951.80
Highway Fund	87,437.50
Fire District #1	829,275.00
Fire District #2	19,560.00
Fire District #3	21,586.00
Fire District #4	15,000.00
Fire District #5	51,916.00
Light District 1	4211.90
Light District 2	42.90
Light District 3	95.90
Light District 4	32.90
Light District 5	12.90
Traffic Fund	11,316.93
Park Fund	1,464.22
Trust & Agency	<u>399.00</u>
	1,091,565.99

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Resolution #49-23

Financial Report

By Mr. Milliken

Seconded by Mr. Lucarelli

Supervisor Sullivan reviewed the Town's financial position as of January 31, 2023 and stated we are in a good financial position. The January 2023 bank statements and year-to-date financial reports were provided to the board. Motion was made to accept the Supervisor's report for January 2023.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Communications

West Hill Fire Department
Sean Coggins

RE: Elected Officials
RE: Thank you card

Department Reports

Police Chief- Robert Richards read his report regarding the calls, arrests and other incidents for January 2023. He informed the board that the speed trailer is out for a warranty repair as the lights malfunctioned. He also stated that he ordered another hand help radar gun so his department can have two officers targeting town areas. The Town Board and Police Chief discussed some recent accidents and speeding on Church and Water Street.

Highway Superintendent- Matt Mustico informed the board that the city helped cut trees on Draht Hill that were close to the road. He discussed that drainage work on Pinnacle was being done. He discussed the pot hole issue in the town as well as NYSEG working on Lovell Ave.

Code Enforcement Officer- Eric Crandall stated that January had nice weather and he issued 10 building permits. Annual code reports were submitted to State agencies.

Recreation Director- Patty Carozza stated that rentals were good in January and February and she has several for the next few months. She discussed the children’s yoga class at the Community Center.

Buildings and Grounds Keeper- Sean Coggins informed the board he has been servicing equipment and has trimmed trees in the park. He is working with contractors to get quotes on a new wheelchair ramp and to repair the steps on the front of the building.

Resolution #50-23

Set a date and time for a March workshop

By Mr. Bush

Seconded by Mr. Lucarelli

Resolved that Wednesday March 15, 2023 at 7pm be set as the date and time for the March workshop.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Resolution #51-23

Approve 2023 Pool Fees

By Mr. Allison

Seconded by Mr. Milliken

Motion was made to approve the 2023 Pool Fees.

Park District #1 Residents:

Park District #1 Child:	\$3.00 Per Day Swim - Paid at the Pool
Park District #1 Adult:	\$4.00 Per Day Swim - Paid at the Pool
Park District #1 Season Patch:	\$45.00 Per Person - Paid at Town Hall

Senior Citizens 65+:

Park District #1	\$15.00
Non-District Residents:	\$20.00

Non-District Residents:

Non-District Child:	\$7.00 Per Day Swim – Paid at the Pool (No Patch)
Non-District Adult:	\$8.00 Per Day Swim – Paid at the Pool (No Patch)
Non-District Season Patch:	\$65.00 Per Person – Paid at Town Hall

Swim Lessons \$55.00 per person
Water Aerobics \$25.00 per person

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Resolution #52-23

Approve four way stop at the intersection of Wall Street and Fassett Road

By Mr. Bush

Seconded by Mr. Lucarelli

Motion was made to approve a four way stop at the intersection of Wall Street and Fassett Road.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Resolution #53-23

Rescind Local Law 3-2016, opt out of Section 487

By Mr. Bush

Seconded by Mr. Lucarelli

Whereas a resolution was duly adopted by the Town Board of the Town of Elmira for a public hearing to be held by said Board on February 21, 2023 at 7:00 P.M. at 1255 West Water Street, Elmira, NY to hear all interested parties on rescinding Local Law 3-2016 to opt out of Section 487 of the NYS Real Property Tax Law; and

Whereas a notice of said public hearing was duly advertised in the Star Gazette, the official newspaper of the Town of Elmira on February 10, 2023; and

Whereas said public hearing was duly held on February 21, 2023 at 7:00 P.M. at 1255 West Water Street, Elmira, NY and all parties in attendance were permitted an opportunity to speak on behalf or in opposition of said rescinding of the Local Law, or any part thereof; and

Whereas no one wished to speak in favor or opposition of said rescindment; and

Whereas the Town Board of the Town of Elmira after due deliberation finds it in the best interest of the Town to rescind the adoption of the said Local Law;

Now Therefore Be It Resolved, that the Town Board of the Town of Elmira hereby rescinds the adoption of Local Law 3-2016 opt out of Section 487 of the NYS Real Property Tax Law; and

Be It Further Resolved, that the Town Clerk be and is hereby directed to enter said rescinded

Local Law in the minutes of this meeting and in the Local Law Book of the Town of Elmira and to give due notice of the rescind of said Local Law to the Secretary of the State of New York, the President of the NYS Energy and Research Authority (NYSERDA) and the Commissioner of the NYS Taxation and Finance.

Aye- Bush, Milliken, Allison, Lucarelli, Sullivan

No- None

Resolution #54-23

Approve Kevin Lauper to be added to the Town's approved Certified Electrical inspector list

By Mr. Milliken

Seconded by Mr. Bush

Motion was made to approve Kevin Lauper to be added to the Town's approved Certified Electrical inspector list.

Aye- Bush, Milliken, Allison, Sullivan

No- Lucarelli

Resolution #55-23

Approve year end 2022 Budget Transfers/Amendments

By Mr. Lucarelli

Seconded by Mr. Allison

Resolved that the following transfers/Amendments were herewith authorized:

Budget Amendment

SP.0000.2025	Pool Charges	to Revenue \$200.00
SP.7110.5410	Park- General Expense	to Expense \$200.00
SP.0000.2770	Misc. Income	to Revenue \$894.00
SP.7110.5410	Parks- General Expense	to Expense \$894.00

From Line Item	To Line Item	Amount	Reason
A.0000.1689	A.0000.1170	\$225.00	Over/Under Appropriated
A.0000.2770	A.0000.1170	\$945.00	
A.9040.5820		\$1,952.00	
	A.1010.5100	\$2.00	
	A.1110.5810	\$321.00	
	A.1355.5100	\$602.00	
	A.1355.5810	\$83.00	
	A.1410.5810	\$798.00	
	A.1355.5410	\$1.00	
	A.1620.5100	\$94.00	
	A.1620.5810	\$23.00	
	A.9055.5840	\$28.00	
A.9060.5850	A.9060.5860	\$979.00	
B.0000.1081	B.0000.2110	\$31.00	
B.0000.2401	B.0000.2110	\$100.00	
B.9010.5800		\$6638.00	
	B.3620.5100	\$24.00	
	B.5010.5100	\$19.00	
	B.5010.5810	\$279.00	
	B.5010.5420	\$628.00	
	B.5010.5440	\$5,134.00	
	B.9060.5860	\$554.00	
DB.0000.2770		\$15,440.00	
	DB.0000.2389	\$560.00	
	DB.0000.1689	\$659.00	
	DB.0000.1120	\$14,221.00	
DB.0000.3501	DB.0000.1120	\$25.00	
DB.0000.2401	DB.0000.1120	\$100.00	
DB.5110.5100	DB.5112.5400	\$7,000.00	
DB.5110.5120	DB.5112.5400	\$5,000.00	
DB.5110.5400	DB.5112.5400	\$6,000.00	

DB.5110.5810	DB.5112.5400	\$3,300.00
DB.5130.5400	DB.5112.5400	\$5,115.00
DB.9010.5800	DB.5112.5400	\$9,680.00
DB.9055.5840	DB.5112.5400	\$587.00
SM.9055.5840	SM.9010.5800	\$24.00
SM.3120.5470	SM.9010.5800	\$186.00
SM.3120.5460	SM.9010.5800	\$183.00
SM.3120.5430	SM.9010.5800	\$265.00
SM.3120.5200	SM.3120.5410	\$1,751.00
SM.3120.5430	SM.3120.5410	\$1,299.00
SM.3120.5450	SM.3120.5410	\$2,700.00
SM.3120.5100	SM.3120.5410	\$654.00
SM.3120.5100	SM.3120.5810	\$850.00
SP.0000.2026	SP.0000.2770	\$505.00
SP.7110.5100		\$2,153.00
	SP.7110.5120	\$705.00
	SP.7110.5410	\$1,393.00
	SP.7110.5810	\$55.00
SP.7140.5420		\$1,869.00
	SP.7110.5200	\$1,410.00
	SP.7110.5410	\$459.00
SP.7180.5100	SP.7110.5420	\$1,116.00
SP.7180.5100	SP.7110.5410	\$1,468.00
SP.7180.5430		\$339.00
	SP.7180.5120	\$330.00
	SP.9010.5800	\$9.00
SP.7180.5100	SP.7180.5120	\$210.00
SP.7180.5810	SP.7180.5120	\$211.00
SP.9050.5830		\$100.00
	SP.9055.5840	\$32.00
	SP.9010.5800	\$68.00

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Resolution #56-23

Appoint Matt Keefe as a Recreation Board member

By Mr. Bush

Seconded by Mr. Milliken

Motion was made to appoint Matt Keefe as a Recreation Board Member with a term ending April 2028.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

Public Comments

Joe Coletta, Hendy Avenue spoke in regards to speeding in the Town. He stated his concerns with the recent accidents and asked if the Board can look at other options to help with the speeding.

Frank Messina, Larchmont Road spoke in regards to the speeding on Water and Church Street. He stated his concerns and asked the board to look into options to help with this issue. Judy Gooding, Larchmont Road spoke in regards to solicitors in the Town. Supervisor Sullivan asked Town Clerk Stein to explain the process of receiving a solicitor permit.

Motion was made by Councilmember Bush at 7:29pm and seconded by Councilmember Lucarelli to adjourn the regular meeting. All in favor, Motion Carried

Tammy Stein, Town Clerk