At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Monday May 19, 2025 at 7:00pm at 1255 West Water Street, Elmira, NY, there were present:

Supervisor Ann Gerould

Deputy Supervisor Ron Allison

Councilmember Thomas Milliken

Councilmember: Scott Bush

Councilmember Albert Lucarelli

Others present

Town Clerk- Tammy Stein

Attorney- Scott Moore

Police Chief- Bob Richards

Highway Superintendent- Matt Mustico

Code Enforcement Officer- Eric Crandall

Buildings and Grounds Keeper- Sean Coggins

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

**Resolution #87-25** **Minutes** **By Mr. Allison Seconded by Mr. Bush**

Motion was made to approve the minutes of April 21, 2025 regular, May 12, 2025 workshop

Aye- Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #88-25**

**Audit of Bills**

**By Mr. Allison Seconded by Mr.** **Milliken**

Resolved that all claims in the total amount of $283,900.70 were audited and approved for payment when in funds.

Early Audit

General Fund 9,414.46

General Fund (outside village) 3,958.34

Highway Fund 88.05

Light District 1 5,534.89

Light District 2 56.89

Light District 3 127.89

Light District 4 42.89

Light District 5 15.89

Traffic Fund 9,251.85

Park Fund 3,561.48

32,052.63

Regular Audit

General Fund 16,057.56

General Fund (outside Village) 695.03

Highway Fund 213,430.75

Traffic Fund 1,432.65

Park District 19,789.08

Trust & Agency 443.00

251,848.07

Aye-Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #89-25**

**Financial Report** **By Mr. Bush Seconded by Mr. Milliken**

Supervisor Gerould reviewed the Town’s financial position as of April 30, 2025 and stated we are in a good financial position. The April 2025 bank statements and year-to-date financial reports were provided to the board. Motion was made to accept the Supervisor’s report for April 2025.

Aye-Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Communications**

CC Sheriffs RE: March 2025 statistics

General Code RE: 2025 Municipal Clerks Honor Roll

Supervisor Gerould informed the board that Town Clerk Tammy Stein was nominated and earned a spot on the 2025 Municipal Clerks Honor Roll for General Code.

**Department Reports**

Community Center Director- Patty Carozza was excused from the meeting however turned in a written report to the Town Board discussing the community gardens, summer camps, a Chicken BBQ hosted by the Fire Department and rentals. Patty also expressed her concern regarding the speeding on Grandview Ext. leading into the park. She requested that speed bumps be put in to slow traffic on that road.

Police Chief- Robert Richards read his report regarding the calls, arrests, and other incidents for April 2025. Chief Richards spoke about the speed trailer and its placement. He also discussed the opening day of baseball parade and thanked the Highway department for their use of the cones to help with traffic flow.

Highway Superintendent- Matt Mustico informed the board of illegal dumping at the compost facility and the screen shot of the license plates with the new cameras allowed them to contact the person. He also informed the board that the Town will receive an increase of $15,000.00 on the base CHIPS. They have been working on preparing for paving.

Code Enforcement Officer- Eric Crandall received 19 permits and sent out 10 tall grass violations. Eric has been busy with Planning and Zoning projects as well as administrative duties.

Buildings & Grounds Keeper- Sean Coggins stated that all school lights should be working as all have had their timers replaced. He spoke about the new mower.

**Discussion**

Supervisor Gerould stated that the MS4 report is available on the Town website for viewing. This report is completed annually by Chemung County Soil and Water regarding the Town drainage maintenance.

**Resolution #90-25**

**Set date and time for June workshop**

**By Mr. Lucarelli Seconded by Mr. Bush**

Motion was made to set June 9, 2025 at 7:00pm as a workshop.

Aye- Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #91-25**

**Appoint Head Life Guards for 2025 Season**

**By Mr. Bush Seconded by Mr. Lucarelli**

Motion was made to appoint Christopher Odell and Emma Bachert as head lifeguards for the 2025 season at a rate of $15.75 per hour.

Aye- Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #92-25**

**Appoint Life Guards for 2025 Season**

**By Mr. Milliken Seconded by Mr. Lucarelli**

Motion was made to appoint the following lifeguards for the 2025 season

Preston Harmer $15.50

Andrea Benjamin $15.50

Addison Taft $15.50

Lexie Ervin $15.50

James Lovell $15.50

Lydia Benjamin $15.50

Emma Beach $15.50

Abigail Lambert $15.50

Hannah Lambert $15.50

Cooper Taft $15.50

Mackenzie Baker $15.50

Mia Capilli $15.50

Luca Capilli $15.50

Cecilla Cowen $15.50

Gabby Janeski $15.50

Kaleb Podilak $15.50

Elly Bachert $15.50

Dominic Capilli $15.50

Kaitlyn Carpenter $15.50

Maddy Cavalear $15.50

Bridget Hagan $15.50

Chase Hermer $15.50

Maggie Hartman $15.50

Rebecka Hutcheson $15.50

Ava Klesh $15.50

Ashytn Traught-Knoll $15.50

Catherine Koski $15.50

Catherine Miley $15.50

Wyatt Moss $15.50

Maren Novotny $15.50

Allyson Perry $15.50

Chloe Weed $15.50

Aye- Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #93-25**

**Approve year end transfers for 2024**

**By Mr. Bush Seconded by Mr. Milliken**



Aye- Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #94-25**

**Approve year end amendments for 2024**

**By Mr. Milliken Seconded by Mr. Allison**

Aye- Gerould, Allison, Milliken, Bush, Lucarelli No- None

**Resolution #95-25**

**Authorize subject to permissive referendum the issuance of $250,000 bonds to pay the cost of the reconstruction of and construction of improvements to the salt barn/ garage complex buildings**

**By Mr. Milliken Seconded by Mr. Bush**

WHEREAS, the project described herein has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

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. The reconstruction of and construction of improvements to the salt barn/garage complex buildings in Elmira, New York, in and for the Town of Elmira, Chemung County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements, and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of $250,000.

Section 2. It is hereby determined that the plan of financing of said class of objects or purposes is by the issuance of $250,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 12(a)(3) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, 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 prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Elmira, Chemung County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long‑term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM**. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Albert Lucarelli AYE

Thomas Milliken AYE

Ronald Allison AYE

Scott Bush AYE

Ann Gerould AYE

The resolution was thereupon declared duly adopted.

**Public Comments**

Steve Strong, Whitetail Dr spoke to the Town Board regarding Whitetail drive being a private road. He asked if the road can be turned over to the town and become a town road. Mr. Strong discussed the maintenance of the road and explained that the agreement expired in 2019 between those living on Whitetail Rd.

Motion was made by Councilmember Bush at 7:33pm and seconded by Councilmember Allison to adjourn the regular meeting. All in favor, Motion Carried

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Tammy Stein, Town Clerk