

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Monday November 18, 2019 at 7:00 PM at 1255 West Water Street, Elmira, NY, there were present:

Supervisor: David Sullivan
Councilmember: Thomas Milliken
Councilmember: Scott Bush
Councilmember: Ron Allison
Councilmember: Faith Pipher

Others present
Town Clerk- Jo Ann Sherwood
Deputy Clerk- Tammy Stein
Attorney- Scott Moore
Code Enforcement Officer – Eric Crandall
Chief of Police- Thomas Barr
Highway Superintendent- Matthew Mustico
Buildings and Grounds Caretaker- Scott Eschbach
Recreation Director- Patricia Carozza

Eileen Hanrahan and Gerri Wiley from Cornell Cooperative Extension gave a presentation on Community Solar Energy. They stated that residents are getting inundated with solar subscription phone calls and mailings and they were here to give advice on what companies were reputable and which were scams. They advised that the first step a homeowner should do is to have an energy assessment done by NYSEG before you go with a solar energy company. They advised also to never give any prospective solar energy supplier any of your personal information including copies of your bills or your account numbers. All information that was given at the meeting will be available on the town website. Eileen and Gerri also congratulated the town for being a Clean Energy Community.

Resolution #131-19

Minutes

By Mr. Allison

Seconded by Mr. Bush

Motion was made to approve the minutes of regular meeting of October 21, 2019 and workshop meeting of November 7, 2019.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #132-19

Financial Report

By Mr. Allison

Seconded by Mrs. Pipher

Supervisor Sullivan reviewed the Town's Financial position as of October 31, 2019 and stated we are in good financial position. The October 2019 bank statements and year to date Fund Balance reports were provided to the board. Motion was made to accept the Supervisor's report for October 2019.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #133-19

Audit of Bills

By Mr. Allison

Seconded by Mr. Milliken

Resolved that all claims in the total amount of \$83,462.37 were audited and approved for payment when in funds.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Department Reports:

Highway Department Superintendent Matt Mustico reported that his crew was patching and doing leaf pickup. He stated he did a Dam inspection on our two dams with Jimmy Joe as is required. Matt stated the County and City closed their compost facility and requested permission to start closing ours on nights and weekends as it is not monitored during those hours and he has noticed there has been out of district activity with dumping at our compost site.

Code Enforcement Officer Eric Crandall reported that the month of October was pretty steady.

To date this year \$13,500 was collected in permit fees. So far November has been pretty quiet but that is due to the cold weather as far as permits go. The fourth subdivision that was before the Town Planning Board has been completed. Eric stated that the closing on the monastery property will be done soon and then work should start on their construction. Eric reported he attended a meeting regarding the funding of canal money to create a walking path from the Lackawanna trail through to McCann's Memorial Park. Nicolette Wagoner was also in attendance at the meeting and stated they will have numbers for us on how much each town will be asked to contribute. She stated they will need all municipalities to agree to this.

Buildings and Grounds Caretaker Scott Eschbach reported that he has done the final clean up in the park for winterizing the pool and the park bathrooms. He is finishing up the bag leaf pickup of the grounds and will now get the plows prepared for the winter. He reported that the kitchen door at the Community Center needs to be replaced.

Recreation Director Patty Carozza reported that in October she had four rentals along with the West Elmira Recreation sponsored Spook House. For November she has eight rentals including a Thanksgiving Day rental. She reported that she already has seven rentals for December. Patty reported that for the winter season Bone Builders does not meet if there is a school delay or no school. She also reported that Tom Couse's son had originally done a Boy Scout Eagle project for the sign on the Town Community Center. This building sign was in need of repair, so he has repaired it and it looks great again. Patty also stated that the ARC will be redoing the floors this week at the center.

Police Chief Thomas Barr stated that October was a quiet month and he gave an oral report on his written report. He also reported on the incident where a car chase ended in the Town Park.

Discussion:

Adopted Budget for 2020- Supervisor Sullivan advised that the Budget for 2020 was adopted on November 7, 2019 and will be uploaded to the Town Website.

Cyber Insurance- Supervisor Sullivan stated they town will be adding cyber insurance coverage to the Town policy. Increases in "hacking" worldwide make this type of coverage necessary.

Cold War Exemption- Supervisor Sullivan stated that Chemung County approved the Cold War Exemption for veterans of the Cold War and the town will hold a public hearing at their December meeting and adopt a Local Law to approve this exemption for the veterans of the Cold War time period.

Property Conveyance- Attorney Moore stated that Ronald and Christine Panosian wish to purchase town property on Country Club Drive that is adjacent to their property. The town will approve this conveyance subject to a permissive referendum.

Street name change- Attorney Moore stated that per the request of Chemung County Real Property Tax office we need to change the name of Winsor Avenue back to Winsor Terrace to comply with 911 records. The street was originally named Winsor Terrace and during some time in the past it was changed to Winsor Avenue. Since Winsor Ave does not extend uninterrupted into the Town of Elmira it will be designated as two separate streets to comply with 911.

Public Comments:

Paul Di Pietro, Durland Ave. asked about the fall tree planting schedule. He was advised that the trees have been planted. He also asked where the tree plantings were for this year. Mr. DiPietro also recommended that the texturized pool siding be updated and stained and suggested that this would be a good Eagle Scout Project. He also stated he has correspondence regarding grant money through the Urban Tree Council that the town could apply for. Mr. Sullivan will have Nichola contact him regarding this.

Al Lucarelli, Durland Ave. stated he spoke to Sheriff Bill Schrom about a new law that could be signed in January by New York State Governor Cuomo regarding the No Bail Reform Law. He stated that local municipalities need to have our state lawmakers appeal this law and asked for the Town's support of this appeal.

Resolution #134-19

Set date for December Town Board Meeting

By Mr. Bush

Seconded by Mr. Milliken

Motion was made to set the date of December 16, 2019 at 7:00 P.M. for the regular December Town Board meeting.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #135-19

Re-appoint Bruce Stanko as Town Assessor

By Mr. Allison

Seconded by Mr. Bush

Motion was made to reappoint Bruce Stanko as Town Assessor per the shared municipal agreement with the City of Elmira for a term to expire on September 30, 2025.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #136-19

Accept 2018 Audit Financials

By Mr. Allison

Seconded by Mr. Bush

Motion was made to accept the 2018 Audit Financials prepared by EFPR.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #137-19

Set date for 2020 Organization Meeting

By Mr. Milliken

Seconded by Mr. Bush

Motion was made to set the date of January 2, 2020 at 8:00 A.M. for the Town Board Organizational Meeting.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #138-19

Set date for Public hearing for Local Law 2-2019 Cold War Exemption

By Mr. Milliken

Seconded by Mr. Bush

Whereas the Town Board of the Town of Elmira seeks public comment with regard to Local Law 2-2019 Cold War Exemption and

Whereas the Board desires to hold a public information meeting with respect to the consideration of Local Law 2-2019,

Now Therefore Be It Resolved that a public information meeting will be held by this Board with respect to the above described matter at 7:00 P.M. on Monday, December 16, 2019 at the Town Hall, 1255 W. Water Street, Elmira, New York and

It Is Further Resolved, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #139-19

Change name of Winsor Avenue to Winsor Terrace

By Mr. Bush

Seconded by Mr. Milliken

WHEREAS, the Town Board met at a regularly scheduled meeting on Monday, November 18, 2019 and discussed a discrepancy that existed with the name of a street known as both Winsor Avenue and Winsor Terrace; and

WHEREAS, Winsor Avenue is a street located in the City of Elmira and parallel with West Water Street between Gould Street and Grove Street; and

WHEREAS, Winsor Avenue does not extend uninterrupted into the Town of Elmira, but an extension of Winsor Avenue would extend into the Town of Elmira and be located at the northerly end of Winsor Circle and extending westerly to the northerly end of Decker Parkway West; and

WHEREAS, this portion of Winsor Avenue may have once been named Winsor Terrace to distinguish it from the Winsor Avenue in the City of Elmira; and

WHEREAS, at some unknown time most likely when addresses were changed to accommodate the emergency management transition to 911, Winsor Terrace, located in the Town of Elmira, was renamed to Winsor Avenue; and

WHEREAS, to clarify the name of the street, the Town has determined that is in the best interest of the residents to officially designate Winsor Avenue to Winsor Terrace.

NOW, THEREFORE, pursuant to Town Law § 64(9), the official name of Winsor Avenue shall be Winsor Terrace, the town clerk shall within ten days notify the assessors and the planning board, if any, of said town, the county clerk and county engineer of the county in which said town is located, and the post-office department of the United States thereof.

Aye- Bush, Milliken, Allison, Pipher, Sullivan

No- None

Resolution #140-19

Authorize Conveyance of Parcel to Ronald and Christine Panosian

By Mr. Allison

Seconded by Mr. Milliken

Resolved that the Town of Elmira hereby authorizes conveyance of real property located on County Club Drive, Elmira, NY being a parcel designated Tax Map # 98.11-4-55.1, to Ronald and Christine Panosian, subject to permissive referendum and;

WHEREAS, the Town of Elmira is the owner in fee of real property designated Tax Map # 98.11-4-55.1 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 18-20 on Map of Starrdale filed in the Chemung County Clerk's Office June 7th, 1945 as Case Map 928 from Ronald and Christine Panosian for the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00);

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 Ronald and Christine Panosian for the sum of One Thousand Seven Hundred Fifty Dollars and 00/100 (\$1,750.00) 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, Allison, Pipher, Sullivan

No- None

On a motion by Mr. Bush and seconded by Mr. Milliken the meeting was adjourned at 8:02 P.M.

Jo Ann Sherwood, Town Clerk