

At the regular meeting of the Town Board of the Town of Elmira, Chemung County, New York held Monday, June 18, 2018 at 7:00 PM at 1255 West Water Street, Elmira, NY, there were present:

Supervisor: David Sullivan
Councilmember: Scott Bush
Councilmember: Thomas Milliken
Councilmember: Ronald Allison
Councilmember: Karen Krusen

Others present:
Town Clerk- JoAnn Sherwood
Attorney- Scott Moore
Code Enforcement Officer- Chip LeValley
Chief of Police- Peter Michalko
Highway Superintendent- Matthew Mustico
Buildings and Grounds Caretaker- Scott Eschbach

Resolution #77-18

Minutes

By Mr. Allison

Seconded by Mrs. Krusen

Motion was made to approve the minutes of May 21, 2018.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Presentation of Awards:

Police Chief Peter Michalko presented awards of appreciation to Steve Cardamone, Eugene Shumway and Christopher Ripley, employees of the Chemung County Sewer District for their assistance in recovering thumb drives from the underground sewer line that was used as evidence for a police case that resulted in a person arrested and sent to prison for child pornography.

Resolution #78-18

Financial Report

By Mr. Bush

Seconded by Mrs. Krusen

Supervisor Sullivan reviewed the Town's financial position as of May 31, 2018 and stated the revenues and expenses are per budget plan. He stated the town finances are in good shape for the first five months and the staff is doing a good job. The May 2018 YTD bank statements and fund balance reports were provided to the board. The Fund Balance total through May 31, 2018 was \$1,369,371.00, which includes the Town/Townwide General Funds, Highway Fund, Traffic Fund, and Park District Fund. Motion was made to accept the Supervisor's report for the month of May 2018.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #79-18

Audit of Bills

By Mr. Bush

Seconded by Mrs. Krusen

Resolved that claims in the total amount of \$157,448.21 were audited and approved for payment when in funds.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Department Reports:

Code Enforcement Officer Chip LeValley reported he has received house plans for a new home on Romen Road on East Hill. He is still working with the business partners for a site plan application for Our Lady of Lourdes School, for a fitness and daycare business. Chip stated he is still receiving inquires on the monastery property that is still for sale. Councilmember Allison informed Chip that the properties at 77 and 78 Carrollton Avenue have weeds growing and the yards need mowing.

Highway Superintendent Matt Mustico reported that his crews completed Bowlby Road patching and they drag boxed three hundred and fifteen ton of blacktop that was put down. Matt stated he would oil and stone the road at the end of summer. He stated they also striped the road as he received a good price for that project. During the past month, his crews have helped the villages

of Elmira Heights and Horseheads with milling work. Matt stated that the mowing has been done on the dams and retention areas. He reported that a state inspection on the west end garage was done today and it went really well.

Buildings and Grounds Caretaker Scott Eschbach stated that with the hot weather today, summer is finally here. He has spent much of the last month getting the pool ready for the season. He did a complete draining and scrubbing of the pool and the pool house. Most of the stair treads have been replaced this on the pool ladders. Scott stated they did a major rebuild of the main pool filter and it should be good for another ten years. He reported he is trying to keep up with the grass and weeds with the wet spring. He stated that repair work has been done on some of the garden boxes and he has started work on placing a rabbit and groundhog fence around the perimeter of the garden area.

Police Chief Peter Michalko stated it was an honor and privilege to recognize the employees of the Chemung County Sewer District for their assistance with the police case. He reported that calls for service were up and that there have been more night property thefts. He submitted his written monthly report and gave a review of this report.

Resolution #80-18

Approve Streambank Protection Agreement with Chemung County

By Mr. Bush

Seconded by Mrs. Krusen

Whereas the property known as “Whirt’s Creek” drainage ditch is privately owned by adjoining property owners, and

Whereas “Whirt’s Creek” is referred to as “Drainage Ditch” with easements providing rights to the Town of Elmira for the purpose of maintaining a drainage ditch including the right to deepen and widen the bed of said drainage ditch, remove dirt, gravel, and other impediments therefrom, as filed in the Chemung County Clerk’s Office Fiche 397 Page 005-d, Fiche 397 Page 048-d, and Liber 817 Page 140, and

Whereas Chemung County intends to undertake drainage improvements on CR61 – Coleman Avenue in 2019 affecting the inlet structure of Whirt’s Creek, and

Whereas the County of Chemung and the Town of Elmira agree to participate in a stream-bank stabilization project on Whirt’s Creek east of the CR61 Inlet Structure on a one-time basis without obligation, past, present, or future by the County of Chemung, and

Whereas the channel improvements are expected to be made from the existing inlet with the CR61 Highway Boundary to a point upstream 150-ft of the inlet with the maximum extent of proposed work no more than 350-ft upstream of the inlet, and

Whereas a new pedestrian bridge to adjoin a private property will be constructed and installed to fit the new stream width,

Whereas it is anticipated the proposed improvements will increase the capacity of the channel from a 2-year storm event to an expected 10-year storm event, and

Whereas it is understood that in completing the project, the Chemung County Soil and Water Conservation District and County accepts no responsibility for future maintenance or guarantee or makes any representation or warranties that this project will prevent future flooding or property damage,

Whereas upon installation of the new pedestrian bridge, all ownership and maintenance responsibilities will be that of the property owner(s), and neither the County, Town, nor Chemung County Soil and Water Conservation District will have any vested interest, ownership, liability or responsibility for said bridge,

Whereas the County will be responsible for making any needed agreements with property owners for the project outside of the said Town easement,

Therefore be it resolved that the Town of Elmira agrees to split the cost of materials with the County of Chemung, not to exceed a share of \$20,000, for the streambed improvements, with all streambed and bridge abutment and installation work to be performed by the Chemung County Soil and Water Conservation District, and the bridge prefabrication work performed by the Chemung County Department of Public Works.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #81-18

Authorize Police Chief to apply for USDA Grant for new car

By Mr. Milliken

Seconded by Mrs. Krusen

Whereas the Town of Elmira Police Department desires to apply for financial assistance through the 2018 Community Facilities grant under the USDA Community Facilities Grant Program and Whereas the application proposes funding to assist the Police Department to apply for funding for a new police vehicle, and

Whereas the proposed funding will contribute to ongoing emergency services efforts to be able to continue patrol in the Town of Elmira to ensure the safety and security of the residents living in the Town of Elmira District 1 limits, and

Whereas the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located,

Now Therefore, Be It Resolved, that the Town Board of the Town of Elmira approves and endorses the 2018 Community Facilities Grant for assistance, to be prepared and submitted by the West Elmira Police Chief.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #82-18

Set date for Town Board Workshop

By Mr. Milliken

Seconded by Mrs. Krusen

Motion was made to set the date of June 25th at 5:00 PM for a Town Board Workshop.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

Resolution #83-18

Set date for Town Board Workshop

By Mrs. Krusen

Seconded by Mr. Bush

Motion was made to set the date of July 23rd at 5:00 PM for a Budget Town Board Workshop.

Aye- Bush, Milliken, Allison, Krusen, Sullivan

No- None

On a motion by Mr. Bush and seconded by Mrs. Krusen the meeting was adjourned at 7:29 PM.

JoAnn Sherwood, Town Clerk