

**MINUTES FOR TOWN OF CHEMUNG TOWN BOARD MEETING  
HELD MAY 13, 2015 AT 7PM in the Town Hall at 48 Rotary Road Ext.  
Chemung NY 14825**

SUPERVISOR RICHTER LED EVERYONE IN THE PLEDGE OF ALLEGIANCE TO SALUTE THE FLAG.

**ROLL:** PRESENT: NAGLE; BIRNEY; RICHTER  
EXCUSED: LOPER  
LATE: BERNATAVITZ

ON A MOTION BY BIRNEY AND SECONDED BY NAGLE THE MINUTES OF THE APRIL 8, 2015 MEETING WERE ACCEPTED.

**CARRIED:** BIRNEY; NAGLE; RICHTER

BERNATAVITZ IS HERE.

**COMMUNICATIONS:**

1. TIME WARNER-CABLE FRANCHISE RENEWAL
2. *NYMIR*-2014 STATEMENT OF ACCOUNT
3. *NYMIR*-RENEWAL WITH INCREASED COVERAGE TO \$500,000.00 DUE TO CONSTRUCTION
4. CHEMUNG CO. EXECUTIVE-LEGISLATION TO CHANGE HEALTH INSURANCE

**GUEST-**DAVE MASTRONTOUNO WITH COLLEEN TALADA DELIVERED SCHOOL DISTRICT INFORMATION AND REVIEW OF THE SCHOOL BUDGET THAT IS UP FOR A VOTE ON TUESDAY, MAY 19, 2015.

**PUBLIC FORUM:**

1. DENNIS BROWN, WILAWANA ROAD-QUESTIONED THE SHARED SERVICES AGREEMENT INVOLVING TOWNS OF ASHLAND AND CHEMUNG.
2. JOE MORRISON, ROBERTS HOLLOW ROAD-TOLD A STORY ABOUT A "MOTHER TREE" A HUGE RED OAK THAT WAS 8 YEARS OLD WHEN GEORGE WASHINGTON WAS BORN.

**BUILDING COMMITTEE:**

MR. JOE DARRYL FROM *TELEDAIR* PROPOSED TWO UPGRADES TO OUR TOWN HALL SECURITY SYSTEMS.

PROPOSAL #1 IS *IP SECURITY/MONITORING CAMERA SYSTEM* USING 7 NEW CAMERAS (ADD NVR WITH 7IP CAMERAS) ALONG WITH THE CURRENT 6 OUTSIDE CAMERAS MOVED TO THE INSIDE; CURRENT DVR TO NEW DW 16 CHANNEL. THE TOTAL COST WITH INSTALLATION AND PAYING PREVAILING WAGE IS: \$9,369.00

PROPOSAL #2 IS A *SECURE ACCESS CONTROL DOOR SYSTEM* WHICH WOULD INCLUDE 4 DOOR CONTROL PANEL; 3-KEYPAD/PROXY READERS; 15-KEYFOBS; ALL INSTALLATION AND EQUIPMENT WITH PREVAILING WAGE TOTALING: \$7,699.00.

**RESOLUTION 2015-052  
UPGRADE TO TELEDAIR SECURITY  
SYSTEM, PROPOSAL #1**

**RESOLUTION BY:** NAGLE  
**SECONDED BY:** BIRNEY

**RESOLVED**, THE CHEMUNG TOWN BOARD AGREES TO ACCEPT AND INSITUTE TELEDAIR PROPOSAL #1 IP SECURITY/MONITORING CAMERA SYSTEM IN THE AMOUNT OF \$9,369.00.

**CARRIED:**                   **AYES:** BERNATAVTZ; NAGLE; BIRNEY; RICHTER  
**NAYS:** NONE

PROPOSAL #2 HAS BEEN TABLED AND TO BE A POSSIBLE 2016 INITATIVE.

**OLD BUSINESS:**

1. HIGHWAY BUILDING REPAIRS-SEE ABOVE SECURITY SYSTEM UPGRADE
2. CHEMUNG-ASHLAND HIGHWAY INIATIVE-HAS BEEN DELAYED BY THE COUNTY LEGISLATURE DUE TO A PROBLEM WITH SETTING A PRESEDENT WITH THE COUNTY PAYING FOR THE RETIREES HEALTHCARE. BRIAN HYLAND, 6<sup>TH</sup> DISTRICT REP, EXPLAINED THE PROBLEM AND SAID THE COUNTY WOULD BE TAKING UP THE ISSUE, AGAIN, IN THEIR JUNE 2015 MEETING.

**NEW BUSINESS:**

1. SIDEWALK PROJECT-PUBLIC MEETING ON PRELIMINARY DESIGN WILL BE ON TUESDAY, JUNE 2, 2015 AT THE CHEMUNG ELEMENTARY SCHOOL AT 7PM.
2. HIGHWAY SUPERINTENDENT SALARY-RICHTER SPOKE ON THE 26% INCREASE IN DOANES SALARY. IT IS A \$17, 500.00 PER YEAR INCREASE WHICH WORKS OUT TO \$675.00 PER PAY PERIOD. THE TOWN WOULD STILL BE MAKING \$30,000.00 PLUS OVER AND ABOVE ALL COSTS IN THE DEAL WITH TOWN OF ASHLAND.
3. DOT 1.9 ACRE PARCEL OF TOWN OF CHEMUNG GRAVEL PIT.

**RESOLUTION 2015-0053**

**RESOLUTION – TOWN BOARD  
TOWN OF CHEMUNG, NEW YORK**

**TITLE:**                   **AUTHORIZING THE TOWN TO PURCHASE FROM THE STATE OF NEW YORK THROUGH ITS DEPARTMENT OF TRANSPORTATION A 1.9 +/- ACRE PARCEL OF LAND IN THE TOWN OF CHEMUNG FOR PURPOSES OF EXTRACTING GRAVEL FOR USE ON TOWN ROADS**

WHEREAS, the Town of Chemung (Town) would like to acquire a 1.9 +/- acre parcel of ~~land~~ (the "Parcel") located in the Town between I-86 and a gravel pit now owned by the Town (former Calvin Cole, Inc. pit) in order to extract gravel for use in maintaining, repairing and/or reconstructing Town roads; and

WHEREAS, the State of New York (State) is the fee owner of the Parcel which is under the jurisdiction of the New York State Department of Transportation (NYSDOT) who has previously designated the subject parcel as Surplus Property Case No. 06-III-251; and

WHEREAS, the NYSDOT is willing to process the conveyance of the subject parcel to the Town on a Dollar Payment Waived basis for the purpose of mining gravel for use on Town highways.

## NOW THEREFORE, BE IT

RESOLVED, that the Town of Chemung, New York agrees to purchase and accept title from the State of New York a 1.9 +/- acre parcel of land under the jurisdiction of the New York State Department of Transportation previously designated by the NYSDOT as Surplus Property Case No. 06-III-251. Said parcel is located in the Town of Chemung between I-86 and the former Calvin Cole, Inc. gravel pit now owned by the Town for purposes of extracting gravel to maintain, repair and/or reconstruct Town roads, and it is further

RESOLVED, that the purchase price shall be a Dollar Payment Waived (\$1PW) with the understanding that the conveyance of the subject property shall be restricted to the use set forth herein and shall be further subject to the provisions of New York Highway Law section 145, and it is further

RESOLVED, that the Town acknowledges and understands that the processing of the Town's request to purchase the subject parcel by the NYSDOT should not be relied on by the Town that title to the parcel will be transferred to the Town. The Town further acknowledges and understands that the NYSDOT, has not made and does not make, any representation, express or implied, written or oral, that title to the parcel will be transferred to the Town, and it is further

RESOLVED, that the Town acknowledges and understands that the processing of the Town's request to purchase the subject parcel by the NYSDOT will involve various expenses that must be paid by the Town without contribution by the NYSDOT. The Town further

acknowledges and understands that any and all expenses paid by the Town in connection with this matter are not reimbursable by the NYSDOT even if the Town does not take title to the subject parcel, and it is further

RESOLVED, that the Town acknowledges and understands that in the event that the Town takes title to the subject parcel the current right-of-way fence now located between the I-86 Right-of-Way and the Town's gravel pit must be relocated, at the Town's sole expense, to the new border between said I-86 and Town gravel pit. In addition, the Town acknowledges and understands that the existing fence may not, in the sole discretion of the NYSDOT, be re-usable and must be replaced, which the Town agrees to do at the Town's sole expense, and it is further

RESOLVED, that the Town acknowledges and understands that a permit is needed from the New York State Department of Environmental Conservation (DEC) before commencing mining operations on the subject parcel, which the Town agrees to obtain, at the Town's sole expense, before extracting gravel from the subject parcel, and it is further

RESOLVED, that the Town agrees to restore the subject property at the conclusion of mining operations for use as recreational and/or open green space at the Town's sole expense, and it is further

RESOLVED, that the Town Supervisor and/or Town Highway Superintendent shall have the authority to sign all documents required in connection with this transaction, and it is further

RESOLVED, that the Town acknowledges and understands that a map prepared to NYSDOT standards is required in connection with the transfer of title of the subject property which is the responsibility of the Town to obtain, and it is further

RESOLVED, that the Town of Chemung shall pay all fees and expenses, if any, arising out of the transaction herein contemplated, without contribution from the State and/or NYSDOT.

**RESOLUTION BY:** NAGLE

**SECONDED BY:** BIRNEY

**CARRIED:** **AYES:** NAGLE; BIRNEY; BERNATAVITZ; RICHTER  
**NAYES:** NONE

**RESOLUTION 2015-054  
ACCEPT MONTHLY REPORTS**

**RESOLUTION BY:** BIRNEY

**SECONDED BY:** NAGLE

**RESOLVED,** THE CHEMUNG TOWN BOARD AGREES TO ACCEPT THE MONTHLY REPORTS FROM ALL DEPARTMENTS FOR THE MONTH OF MAY 2015.

**CARRIED:** **AYES:** BIRNEY; BERNATAVITZ; NAGLE; RICHTER  
**NAYS:** NONE

**RESOLUTION 2015-055  
NYMIR RENEWAL**

**RESOLUTION BY:** NAGLE

**SECONDED BY:** BIRNEY

**RESOLVED,** THE CHEMUNG TOWN BOARD AGREES TO RENEW THE *NYMIR* COVERAGE AND INCREASE THE COVERAGE AMOUNT TO \$500,000.00.

**CARRIED:** **AYES:** BERNATAVITZ; NAGLE, BIRNEY; RICHTER  
**NAYES:** NONE

**RESOLUTION 2015-056  
PAY MONTHLY BILLS**

**RESOLUTION BY:** NAGLE

**SECONDED BY:** BERNATAVITZ

**RESOLVED,** THE CHEMUNG TOWN BOARD AGREES TO PAY THE MONTHLY BILLS IN THE FOLLOWING ACCOUNTS: GENERAL ABSTRACT #5 IN THE AMOUNT OF \$66,774.39 AND HIGHWAY ABSTRACT 5 IN THE AMOUNT OF \$51,394.67 FOR MAY 2015.

**CARRIED:** **AYES:** LOPER; NAGLE; BIRNEY; BERNATAVITZ; RICHTER  
**NAYS:** NONE

ON A MOTION BY BIRNEY AND SECONDED BY NAGLE THE MEETING WAS ADJOURNED AT 8:52 PM UNTIL JUNE 10, 2015

**CARRIED:** **AYES:** BIRNEY; BERNATAVITZ; NAGLE; RICHTER  
**NAYS:** NONE

RESPECTFULLY SUBMITTED:

MARY ELLEN STERMER,  
CHEMUNG TOWN CLERK