Village of Elmira Heights

Special Board Meeting

August 29, 2023

Called to order at 10:05 AM

Members present: Mayor Smith, Trustee Patelunas, Trustee Amberg

Others present: Clerk Witkowski, Marty Vanderhoff, Jennifer Vaughn, Christin Griffith

Jennifer Vaughn from LaBella Associates walked the board thru the SEQR thus far. Jennifer explained that the Department of Transportation would like a traffic impact review on a couple of the intersections in the area before moving on with the CAF project. This will not impact the SEQR review, DOT is just asking for more information. The SEQR was also sent to the Department of Conservation, they sent back a letter which is included in the packet that Jennifer gave the board members. The DOC ask that all of the appropriate analysis are completed. They would also like CAF USA to reach out to the Army Core of Engineers to confirm that the improvements to the parking lot does not disrupt the waterways in that area. Trustee Patelunas described the waterways to Jennifer and the piping that is in that waterway. Trustee Patelunas asked that any reviews (ex. traffic impact review) will be on the condition of approval. The DEC also talked about getting a Storm water general permit, which will be done. The permit may be handled by the Chemung County Soil and Water. CAF has stated that they are making improvements in their paint booth for air quality. AS for historic impact, there will be no significant concerns. Environmental Justice and Disadvantaged Communities ask that CAF priorities protecting disadvantaged communities, public notice will be posted under the act for Environmental Justice and Disadvantaged Communities prior to the start of the project. On cite covered landfill concerns – there are no concerns, everything will stay on cite. The study will include Grand Central, McCans Blvd, College Ave, 13th, 14th and I86 ramp. Jennifer will make revisions in the resolution and get it to the Village Attorney before the September 12th board meeting for review. The board thanked Jennifer for keeping them updated and will keep in touch.

The board had a discussion about the intersection of Grand Central and 13th ST. There is concern for pedestrian safety due to the signals. The mayor reminded everyone what Steve Pickering mentioned at an earlier meeting, that the county will not fund the whole project but is willing to front the villages share of monies for our roads out of next year’s budget. Scott Aspell from the city of Elmira reached out to Superintendent Vanderhoff asking that the village get it taken care of as soon as possible as he is concerned that it is a major intersection for not just the village but surrounding communities. Superintendent Vanderhoff would like to see the county help fund the project in some way. He mentioned the biggest thing is the camera and it would be nice if they could help fund that. Superintendent Vanderhoff also got quotes to mark out the intersection, which were $6,500 and $7,100. The total project will cost just under $100,000. Trustee Patelunas suggested that someone reach out to Senator O’Mare’s office to see if they can help with funding. The mayor will reach out to him to set up a meeting. Trustee Patelunas stressed that we have to get this done. He wants supplies ordered and to move forward as soon as possible before someone gets hurt in the intersection, getting the signal lights and crosswalks taken care of now. The camera that is at the intersection will not work with the new system so a new camera will have to be purchased. When the new camera gets done in that intersection, we can save the old camera for a spare. Scott Aspell is willing to help us out with the project. Trustee Patelunas asked Superintendent Vanderhoff if the money could be taken out of CHIPS? Superintendent Vanderhoff stated he did not know for sure but thought it could although it leaves much less in the budget for road repairs which are also desperately needed. Superintendent mentioned that Andy Avery would like to see a green bike corridor at he believes to be that intersection, he is going to reach out to him to verify. Trustee Patelunas asked if the county was paying for it, Superintendent replied that he did not know. Superintendent believes the first set of striping should be on them and the village will maintain it from then-on. The mayor asked, what is the first step to moving forward? The first step would be getting $45,000 to get the pedestrians portion of the project moving, the traffic signal control would come next according to Scott Aspell. Trustee Patelunas stated that the problem with the system that is in place now; the green arrow does not coincide with the pedestrians crossing Gr. Central Ave, pedestrians on the east side of Grand Central cannot see that the cars turning left on to Grand Central have a green arrow. Someone is going to be in a hurry and not pay attention to a pedestrian crossing and hurt someone. Trustee Patelunas is concerned about the timeframe, as the weather gets colder the price of getting things done will go up. Trustee Patelunas would like himself, Mayor Smith and Superintendent Vanderhoff to sit down with Scott Aspell to get more of a confirmed price and go from there. The mayor will try and set up meetings with both Senator O’Mare and Chris Moss to see if there are any funds available to help with the project.

There was a discussion about the Code Enforcement position, there was one person who replied to the advertisement of the position. The mayor and Trustee Southard interviewed that person last week, they felt confident with the candidate as he is already a code enforcement officer elsewhere. The gentleman said he would discuss it with family and get back with the mayor this week, he did reach out on Monday and let the deputy clerk know that he was going to turn down the position. The mayor tried reaching out to the candidate, she left a message for him and is waiting for him to respond. Josh Baker has reached back out to the mayor about the position. He would like to get back into the code classes as he has only finished the first one. The mayor will reach back out to Josh and set up another interview. In the meantime, we will stay with what we have going with the City of Elmira. She also stated that Branden is doing a good job and getting things done. Trustee Patelunas asked if he will be doing dangerous and unsafe buildings, the mayor stated that the village will have to go back and discuss it with Elmira. The mayor inquired about the Flower Cart building and if it was on the court calendar for this month, Judge Pelchar said it will be on September 27th at 5:30 pm.

Forester Bob Moore walked the village property on the top of 17th st to see what could be logged, he seems to think there is roughly $15,000 in lumber that can be logged. Kristen Griffith, the Emergency Management planner for Chemung County will be going over the process for bids and designs for the detention pond, with that being said, the trees on the embankment will have to be clearcut. Kristen will facilitate a meeting between us and FEMA to go over the grant process, what we can do and how we will proceed. Bob Moore did mention that if the board let him bid the logging, that he can only do it when there is a frost in the road. Bob would draw up a contract with the village and would be the inspector and make sure no other trees are damaged during the harvest.

Moving forward there was a discussion about Wenzel’s on Lynwood Ave. Trustee Patelunas says he didn’t understand how the village is a MS4 community and being an MS4 community you can not track mud out into rode ways, and he would like to know why they have not been sited for tracking the mud. Both he and Superintendent Vanderhoff have pictures of the mud that is tracked onto the road. Trustee Patelunas has had people from that area complain to him about the dust and dirt that is created from the Lynwood site. Four or five years ago a woman brought in a large piece of concrete that fell off of one of their trucks into the road in front of her house before they got the signage up and started enforcing the truck routes. He mentioned the number of hours and wear and tear on our street sweeper. Trustee Patelunas stated that the tax payers should not have to pay to clean up after Wenzel’s, that they should be responsible for that. He would like to know why between code enforcement, the police department and Storm water there isn’t a way to stop it? Trustee Amberg mentioned that is only a minor problem of what is going on at that property, they are crushing concrete which is creating loud noise and dust and from what he could research the sifting, sorting of dirt and concrete is considered mining which you need a special permit for, which is not a permanent permit, and when the time on that permit is up you have to put in for another permit. Trustee Patelunas believes that you can’t manufacture in that zone. Superintendent Vanderhoff did speak with them about a month ago about getting the road cleaned up which they did do. He also believes that they should be the ones to replace the dry wells in that area since they have created the problem. Trustee Patelunas believes if someone sets up a meeting with Wenzel’s to resolve the problem, that they would be cooperative. Trustee Amberg mentioned that as far as the mining, the EPA of DEC may be interested in that. He has talked to many people in the area that have swimming pools, or wash their cars or can’t even sit on their deck because there is so much dust, not to mention the noise from Wenzel’s. two years ago, Trustee Amberg was at the Softball field for a tournament and saw unsupervised children playing on the 30ft piles with concrete and rebar at Wenzel’s and he is concerned for their safety. The board will talk to the mayor and village attorney to see what he recommends and what can be done, possibly write down a list of concerns and sit with Wenzel and discuss them.

Moving ahead, Superintendent Vanderhoff stated that he has spoken with Jack Thompson of Norfolk Southern about getting the railroad tracks on McCanns Blvd. taken care of. The street department did take the yield signs down and were asked by Jack Thompson to have them put back up due to the fact that the trains were not allowed to cross that area unless there was someone standing at that cross area to direct vehicles to caution, unless the yield signs are there. The street department did put the signs back up. The Superintendent did ask that the wording be changed for the traffic coming on McCanns. Trustee Patelunas said the tractor trailers are now starting to park on McCanns Blvd. waiting to get into Anchor Glass. At this point Superintendent Vanderhoff is waiting for a phone call back from Jack Thompson to see what they plan on doing about the railroad tracks there on McCanns. Last week Superintendent Vanderhoff and Trustee Patelunas did meet with them and they agreed that something has to be done with it, as a temporary fix they will black top it. There was also a discussion about putting “no parking” signs in that area of McCanns Blvd.

The discussion on the building improvements included the oil separator, paving and concrete. Trustee Patelunas has called Wenzel’s about coming over to do the work but they have not gotten back to him. He also talked to someone at Edger’s, a time to meet with Edger’s needs to be set up with the mayor so she can show them what is needed for blacktop in the back parking lot. Trustee Patelunas will go to the sewer plant to get tracing die to be sure that it is the pipe in the manhole that is the problem. They also discussed what can the village get to seal the concrete under the bus port. Trustee Amberg stated that he dealt with a company, “Starcrete”out of Binghamton, that coated some steps and sidewalk with a material that has held up very well, it has fiber in it that is like a bonding agent, and would be much cheaper than replacing it all. At this point the mayor stated that they are just getting prices.

Moving on, the conversation led to the loading and unloading of vehicles on Prescott Ave. The mayor started with the sandwich board that the vehicle company uses, she asked if it was a police situation or code enforcement? Trustee Patelunas stated it is a code enforcement issue, the mayor said she will talk to Brandon to see if he will address the situation, along with some other signs in the village. Trustee Patelunas also mentioned they have a sign nailed to the telephone pole that needs to be addressed. He also stated there are people nailing signs, along with 2x4’s all over the poles in the village, and he is again concerned about safety of children. Trustee Patelunas also stated that the village attorney needs to make an ordinance about the signage for the village so the code enforcement can enforce it. He is concerned about restricting the parking for the businesses and residents around that area. The mayor asked if we could have signs that just referred to loading and unloading, Superintendent Vanderhoff says yes but didn’t know how they would work with the law. Superintendent Vanderhoff asked if any has sent them a letter telling them there is no loading or unloading on the road, Trustee Patelunas said the letter would be sent to the property owner. Trustee Patelunas suggest that we get the village attorneys co worker to sit down with Superintendent Vanderhoff and someone else to draw up a letter to send to the property owner and give him 15 or 20 days to correct the problem. Trustee Amberg mentioned taking the sandwich sign since it is in the village right of way, Trustee Patelunas said that can’t be done without prior notification of the problem. Trustee Amberg believes either former CEO Sweet or CEO Roby have discussed it with them and there may be a paper trail in the CEO office.

Superintendent Vanderhoff stated that Monday, Ben noticed that every time he turned the pump on at the pumphouse on McCanns Blvd, it trips the breaker. Superintendent called Micknich, the electrician, and he came and looked at it and says the pump is “shot”. Superintendent did call Moody’s, where the pump was purchased, he is going to give us a price on a new one. Micknich is checking to see if we can just replace the head. For now, we are running on one pump. The superintendent said we need to decide what to do about that.

Trustee Patelunas made a motion to add to the agenda Christin Griffith the Emergency Planner from Chemung County to give us the process for bidding the 17th St. water impoundment.

Seconded by Trustee Amberg

Roll call vote: Trustee Patelunas Aye

Trustee Amberg Aye

Trustee Southard Absent

Trustee Aiosa Absent

Mayor Smith Aye

Motion moved.

Trustee Patelunas made a motion to have Christin Griffith the Emergency Planner from Chemung County give the process for bidding the 17th St water impoundment.

Seconded by Trustee Amberg

Roll call vote: Trustee Patelunas Aye

Trustee Amberg Aye

Trustee Southard Absent

Trustee Aiosa Absent

Mayor Smith Aye

Motion moved

Christin Griffith went thru the entire process of bidding out the work for the impoundment on 17th St. She had given everyone packets of information and walked the board through the process step by step. Christin also walked the board through the application that was submitted for the village, the total amount applied for was $4500, the village share of the project will be 10%. Jimmy Joe was able to put the timeline and budget together for the application. The management cost will be funded 100% and will be paid at the end of the grant cycle. There is a quarterly report that is due, and a report is due when reimbursement is requested. She also went through the claim process, and the “in kind” time used. The federal government will reimburse $40,950 if we get the grant. DHSES will be contacting us to set up a “kick off meeting”, to go over everything that Christin is going over with the board. Christin then went over the description of the project and scope of work. Trustee Amberg then left for an appointment. Christin then explained the cost benefits process and how you have to show that the benefits out way the cost of the project, which will not be difficult as there are many residents downstream. Trustee Patelunas asked if the village could use the time that himself, Jimmy Joe and Mark Watts used to walk the property and inspect it as in kind, the answer was yes. She also mentioned to keep a running tab of any time spent discussing, researching, etc. on the project to use as in kind. Bidding was discussed and how the village should proceed with that, Christine will work with us the entire project to assure our reporting is done correctly and in a timely manner, she will also make sure we claim everything on the report that should be claimed. FEMA will send the electronic blanks of the excel form we will be using for our report. Christin will keep in close contact as things move forward and she will reach out to DHSES to have them set up the “kick off meeting” and we will go from there.

Motion by Trustee Patelunas to adjourn the August 29, 2023 special board meeting at 12:49 PM.

Seconded by Trustee Amberg

Roll call vote: Trustee Patelunas Aye

Trustee Amberg Absent

Trustee Southard Absent

Trustee Aiosa Aye

Mayor Smith Aye

Motion moved.

Respectfully submitted by

Robin Witkowski Village Clerk