

COMPLAINTS-May 2025

25-034: Elmira Correctional Food Service-Per anonymous letter received: Expired and sour milk served, bird feces in the mess hall, including on tables and chairs

Contacted Deputy Sup for Admin Coletta and explained complaint regarding the birds feces in the mess hall. Coletta admitted there was an issue and it has been ongoing for years. He said that the mess hall is cleaned before and after all meal periods. Sent f/u letter to Commissioner of DOCCS, with copy to facility superintendent and Commission of Correction, as advised by NYSDOH Env Health Manual.

25-035: East Side Quick Stop-Complainant states that workers don't check IDs and regularly sell tobacco and vapor products to kids (under 21) and that they sell cannabis products and/or synthetic cannabis products. Per second message from complainant received 5/21/25, they are getting away will selling illegal substances and keep their products hidden all over the store, even up to hiding products at their home or even the drop ceilings of the store

Referred complainant to NYS Office of Cannabis Management complaint website to file complaint regarding the illicit cannabis and synthetic cannabis transactions as ATUPA does not include these products. Referred ATUPA (underage sale) portion of complaint to Chemung County Law Department.

25-036: Quick & Convenient-Selling to minors and nobody is taking action on them. They're all illegal Immigrants and are working at the store. They are gonna get deported so they're just selling to everybody and anyone at any age, cigarettes, tobacco, all kinds of products and they sell weed at their store

Emailed sheriff about any ongoing investigation at facility they may have. No investigation, per sheriff. Referred to CC Law Dept.

25-037: Colony Park Apartments (Clean Indoor Air Act-Complainant)-complainant alleges violation of the Clean Indoor Air Act on behalf of his father who lives in at facility. On the "west side of the building" (facing Church St.) on the parking garage level, there is a room dedicated to smoking. The smell permeates upstairs into the living spaces. Also, on the 2nd floor on the west side of the building, there is a resident who smokes in their apartment. The smell moves into the other apartments.

Investigated the "smoking room" in the garage. All entrances into garage and apartment building were closed and locked. Called complainant to schedule a time with his father to meet for an investigation. Explained to complainant that the CIAA does not apply to private residences,

During investigation, met with complainant's father, who showed the stairwell on the Church St. side of the building that has the smoking problem. We entered the stairwell on the second floor and it smelled very strongly of smoke and got worse downstairs. The smoke seemed to be coming from a locked door across from the parking garage man door. The locked door is not an apartment/private residence. Called and Left a voicemail inquiring about their smoking policy. Jonah from Court Sage Property Management called back. He claims that smoking is not allowed in the building. He was combative and wanted to know who reported the problem and said he wished they just reported it directly. Informed him of investigation and he accused trespassing on the property. Explained it is not trespassing if a tenant invites and discussed that we typically investigate first to determine if there is even a violation of CIAA. He requested to receive a document explaining where the smoking appears to be coming from so he can handle it. Drafted and mailed the CIAA "Smoking Complaint Letter" to the property owner.

Complainant called back to explain the problem was much better, but then, the smell came back into the apartment. He followed the smell back to the same room referenced previously. Advised complainant to call Jonah and report the problem because Jonah was upset previously that no one told him about the issue. If that is unproductive, then we will perform another investigation and potentially move towards enforcement.

25-038: Unpermitted food svc-Complainant reports that operator of 420 Novelties is giving hot dogs and hamburgers out of BudEx truck and at the store location on Penn Ave, believed to be the parking lot, without food service permit.

Called to explain complaint, spoke to Danielle who said that neither Chris or her manager (Stacy) were available at the time, but she wrote down a message for one of them to call CCHD back. Emailed the 420 novelties email (which Chris or Stacy usually operate) asking them to call CCHD regarding a complaint. Sent cease & desist letter to 420 Novelties via USPS and also sent an electronic version via email. Cease and desist letter was returned to CCHD via USPS. Sent copy of cease and desist letter to home address listed for Chris Mickinkle and tried calling 420 Novelties again and spoke to manager (Danielle Wood) since Chris or Stacy were unavailable at the time of the call. She said she would pass along the message to them, but that they had not been selling or giving away food to the public. She said that they had a hot dog cookout in the 420 parking lot for employees. LS relayed that they have to obtain a temporary food service permit or regular food service permit to be able to serve food in any capacity to the public (whether for free or for compensation). Danielle said that they are aware of the rules/regulations and that they are in the process of getting Food & Shirt FSE on Lake Rd. back up and running. She said that a representative from 420 Novelties will contact CCHD when they are ready to re-pen so that a pre-operational inspection can be conducted and a food service permit be obtained. Spoke to Danielle Wood who inquired about re-opening their food service location (Food and Shirt) so that they could start selling food again in a permitted facility. LS emailed Danielle an application and checklist. Danielle will reach back out to CCHD when they are ready to schedule a pre-operational inspection. Danielle acknowledged the cease and desist notice.

25-039: Pioneer Village MHP-Complainant reports MHP is lacking a local responsible and readily available individual, as required by code

LS called Sam Obermeister who is listed as the operator. Office recording stated that the office was closed and is open M-Thurs. from 9:00am-5:30pm and on Friday from 9:00am-3:00pm. LS left a message on Sam's voicemail system asking him to call CCHD.

Also called Dave Wolf who was listed to call regarding park emergencies on the facility's application from 2024. Dave answered right away and said he can still be contacted for emergencies, but that he does live 5 hours away from the park. He also gave another manager's (Megan) contact number. LS explained that CHD received anonymous complaints that no responsible person is available. Dave stated that, that is not true and that the tenants have his number as well as the other managers contact numbers. He believes he knows who complained and that is an individual who used to be the park manager, but is no longer the manager now that the park ownership has changed hands.

Called Megan who also answered right away and said she is also a manager who can respond to emergencies within the park. She lives 2 hours away from the park, but gave the number to the local emergency contact who lives right near the park and manages 2 other parks that are owned by the same company and the individual is at these properties almost every day.

Called Ryan, who did not answer. Left vm message asking him to call CCHD back as soon as he can.