

February 14, 2018
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 7:03 PM. She then asked the Clerk to call the roll.

MEMBERS PRESENT: Daniel Cleveland, Randy Evans, Daniel Delorme, Michael Shutts, Dawn Schmidt.

PUBLIC PRESENT: Steve Wilber-County IT, Barbara Burlew, Joan McNamara, Neva Mott, Irene & Willie Lind, Edwin Masin, John W. Spencer, Judith Spacher, Dave & Camrin DePrimo, Marjorie Krejcar, Gary Ratchford, Harold Spencer, Liz Magistro, Brian Hyland-Chemung County Legislator, Mike Krusen-Deputy County Executive

Supervisor Schmidt welcomed everyone and the Pledge of Allegiance was recited.

Dan Delorme said a special Thank You to Mike Krusen, Deputy County Executive and Brian Hyland, Chemung County Legislator who put the resources of the county at our disposal with the passing of Richard Woolever and Kenneth Austin's resignation. He thanked them for their help and guidance during the transition period in January. A Special Meeting was held in January with the Board Members with a discussion and a vote to have Dawn Schmidt appointed as Town Supervisor. There will be a Special Election in November to determine who will fill the remaining three year as Town Supervisor.

The Clerk read Kenneth Austin's resignation letter.

Mike Krusen gave his condolences to the Woolever family. Said Dan Delorme did a great job, made the right connections, was very thorough, and the Town had proper representation. He thanked Dawn for helping the Town out and said the Town should be very happy because the Board did everything the right way.

Steve Wilber, County IT gave an update on the Broadband Surveys-No one has worked as hard on this campaign as Dan Delorme. When we seek funding the surveys are the results that will be shared with whoever we are seeking funding from. Flyers are going home with St. Mary Our Mother, Horseheads K-Intermediate, and Twin Tier Baptist Schools.

Dan Delorme-It seems slow, but there has been a lot of work being done. The campaign ends April 7, 2018. Still trying to get the word out and surveys filled out.

A motion was made by D. Cleveland and seconded by R. Evans to dispense with the reading of the minutes from the Organizational Meeting on January 3, 2018 (no quorum), the regular Board Meeting on January 10, 2018, and the Organizational Meeting on January 10, 2018, and the Special Meeting on January 17, 2018 and approve the minutes.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

COMMUNICATIONS

- Free rabies clinic at the Big Flats American Legion on Saturday, March 3, 2018 11:00 am-1:00 pm
- Clerk asks permission to attend New York State Town Clerks Annual Conference held in Albany on April 22nd to 25th, 2018 for training. The registration fee is \$125.00 and the room fee is \$679.00. Also asks for reimbursement for meals not covered. No reimbursement for mileage is needed as arrangements have been made to ride with other clerks.

Motion was made D. Cleveland and seconded by R. Evans to allow the Clerk to attend the New York State Town Clerks Annual Conference and to be reimbursed for meals not covered.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

AGENDA FOR TOWN OF ERIN BOARD MEETING, FEBRUARY 14, 2018;

1. RESOLUTION 18-2018 RESOLUTION APPOINTING TOWN ATTORNEY
2. RESOLUTION 19-2018 RESOLUTION SETTING PAY AND POLICIES FOR THE HIGHWAY CREW
3. RESOLUTION 20-2018 RESOLUTION AFFIXING SALARIES OF THE FOLLOWING TOWN OFFICIALS
4. RESOLUTION 21-2018 NOTING 2017 JUSTICE RECORDS HAVE BEEN DULY EXAMINED AND FINES COLLECTED AND TURNED OVER TO PROPER TOWN OFFICIALS

RESOLUTION 18-2018

RESOLUTION APPOINTING TOWN ATTORNEY

Resolution By: D. Delorme

Seconded By: R. Evans

RESOLVED that Timothy J. Bocek, 315 Lake Street, Elmira, NY 14901 be appointed to serve as the Town Attorney for a period of one (1) year with such term commencing on February 14, 2018-December 31, 2018.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 19-2018

RESOLUTION SETTING PAY AND POLICIES FOR THE HIGHWAY CREW

Resolution By: R. Evans

Seconded By: D. Cleveland

RESOLVED that the pay rates for the following classifications are to be paid to the Highway Crew for 2018.

2018 Rates	Part Time Employees	\$11.40
	New Full Time Employees	\$14.11
	End of One Year	\$15.53
	After Two Years at Regular Status	\$19.08

And be it further

RESOLVED that the pay period shall be bi-weekly and pay shall be the following Thursday, and be it further

RESOLVED that at the discretion of the Highway Superintendent, new employees, who are qualified, may start at a higher rate of pay with final approval by the Town Board, and be it further

RESOLVED that all new employees are hired on a six (6) month probationary period, and be it further

RESOLVED that those employees hired after January 1990, shall be paid up to and including five (5) days accumulated unused sick leave upon death or retirement, and be it further

RESOLVED that the following days are paid holidays for full time regular employees: New Year's Day, Good Friday, Memorial Day, July 4th, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day, Birthday and Two (2) Personal Days, which cannot be accrued, and be it further

RESOLVED that the following list represents years of service required for paid vacation: One Year of Service – One Week, Two Years of Service – Two Weeks, Three Years of Service – Three Weeks and Ten Years of Service – Four Weeks. On an employee hired after 1990 accumulation of up to five (5) days to be paid back to full time employees if vacation days are not taken by anniversary date of employee;

the employee may be paid for his/her time (if employee has earned three (3) weeks and received pay for one (1) week, and be it further

RESOLVED that all new full time employees have an examination by a recommended physician prior to employment and expenses accrued will be paid by the Town of Erin. He/She must be willing to obtain a Chauffeurs License (appropriate CDL) and must work thirty (30) days before being eligible for Health Insurance. There will be no advances on pay, and be it further

RESOLVED that the Town Supervisor shall have the exclusive right to change hours of work of the Town's Employees to maintain an efficient operation and to control the use of overtime. The Town will determine the method and means by which such operations and overtime are to be administered, and take whatever action is necessary to carry out its mission, and be it further

RESOLVED that this Notice be Posted in the Highway Garage.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 20-2018

RESOLUTION AFFIXING SALARIES OF THE FOLLOWING TOWN OFFICIALS

Resolution By: D. Cleveland

Seconded By: D. Delorme

RESOLVED that the salaries of the following Town Officials and Employees are hereby affixed for the 2018 fiscal year, and are payable in the amount set forth opposite each name, and shall be made payable by direct deposit at the time indicated:

OFFICE	OFFICIAL	PAYABLE	ANNUAL SALARY
Supervisor	Dawn Schmidt	Monthly	\$7,550.00
Town Clerk/Tax Coll.	Diane Wise-Hollenbeck	Monthly	\$19,209.00
Deputy Town Clerk	Elizabeth Heppner	Per Diem	\$12.00p/hour
Justice	Kyle Wieder	Monthly	\$4,944.00
Council	Daniel Cleveland	Monthly	\$1,455.00
Council	Randy Evans	Monthly	\$1,455.00
Council	Daniel Delorme	Monthly	\$1,455.00
Council	Michael Shutts	Monthly	\$1,455.00
Budget/Accounting	Angie Li	Monthly	\$10,433.00
Highway Superintendent	Steven Tyler	Bi-Weekly	\$50,548.00
Building/Code Enf.	John McCracken II	Monthly	\$7,117.00
Dept. Bldg/Code Enf.	Martin Jerzak	Monthly	\$1,112.00
Assessor	Terie Huseby	Monthly	\$11,000.00
Zoning Board Chair	Vacant		
Zoning Board Sec.			

Planning Board Chair	Oletha J. Cedar	Yearly	\$723.00
Historian	Patricia Wainwright	Yearly	\$117.00

Janitorial Services for Town Hall

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 21-2018

NOTING 2017 JUSTICE RECORDS HAVE BEEN DULY EXAMINED AND FINES COLLECTED AND TURNED OVER TO PROPER TOWN OFFICIALS

Resolution By: R. Evans

Seconded By: M. Shutts

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt

COMMITTEE REPORTS

Town Attorney-Supervisor Schmidt is working with the Town Attorney on an insurance issue with an employee that quit and did not sign up for COBRA in the appropriate amount of time. Will be working through that with Attorney.

Planning Board-Deda Cedar-We are working on revisions and gave John some things to review. Still down two members and looking for two members.

Planning Board Liason-Dan Cleveland-Nothing additional.

Zoning Board of Appeals-Does not have a Chair.

Parks, Recreation, and Senior Committee-Deda Cedar-Working on Wood Fest. Have two carvers hopefully coming from Ontario, one from Indiana. Still looking for sponsors. Put in for an Arbor Day Grant that will give communities up to \$1000.00 for trees – Bartlett pear, plum, cherry trees. The grant application needs to be filled out and mailed by February 28, 2018. Need to pass a Resolution only if grant is received. There was no January meeting because of the Organizational Meeting and were snowed out of meeting in February. Only 8 people for the spaghetti dinner due to the cold weather.

Senior Committee-Marge Krejcar-They did not have a January meeting due to the weather. They have no President and she is the only officer left as the Treasurer. Getting tour put together for trips, money is there and will report on that after their next meeting when things get started.

Code Enforcement Officer-John McCracken-A solar company approached the town regarding a 15 acre solar farm project. Marty, Deputy Code Enforcer, is going to handle all the paperwork. Asks Town Board to ask Town Attorney if there is a time limit for Special Permits for the first solar farm. Haven't heard from them since they were approved. Supervisor Schmidt recommends John call Town Attorney to see where we are with that.

Jeremy Keller is applying for a Special Permit for 1371 Breesport Road to have a physical address for the State. Wants to put towing office in the building, put up a fence, states he will not have crashed vehicles. Wants to store trucks due to difficulty getting trucks off the hill. Mr. Keller did not want to be held up another month due to conflict of not being at tonight's Board Meeting. DEC inspects Mr. Keller's other property once/year with no problems, has NYS Salvage License regarding junk cars. Would like to start an actual tow company. Town can limit number of cars and signage restrictions with Special Permits. Can also reevaluate every year.

Motion was made by D. Cleveland and seconded by M. Shutts for Town Board to recommend Jeremy Keller's special request to the Planning Board.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

John also spoke of a resident who had a contractor dumping materials off for him to burn in his woodstove. DEC is involved and is going after the contractor regarding illegal dumping. Please contact John if you can donate anything.

Highway Superintendent-Steve Tyler-Since our last meeting we have been plowing and cindering as needed. We have hauled in more anti-skid. We've also been repairing equipment as needed. We went to Conrail and asked if they would give us railroad ties for our wings, they gave us six pieces. The road signs for Red Chalk Road have come in and will be installed as soon as the ground thaws. Daniel Cleveland praised the Highway Crew for their snow removal efforts and told them their work is appreciated.

County Representative-Brian Hyland-Spoke of the events of January regarding Richard Woolever and Kenneth Austin and advised to contact them with further questions.

Supervisor-Dawn Schmidt-Asked Steve if the swings were ordered. They have been ordered but have not received them yet.

Received a request from Justice Kyle Wieder regarding if a third door was required for Courtroom. John looked into it and replied back. John replied that because of the limited occupant load of the Town Courtroom its classification would be Type B (Business) Occupancy per the ICC Building Code. With that being said for that type of Occupancy with an occupant load up to 49 one (1) Exit is required. The existing Courtroom has two (2) Exits so it's beyond what the ICC requires at this time.

John has reached out to the NYS Unified Court System and to the Association of Towns to speak with them and when he receives more information he will contact all parties involved.

OLD BUSINESS

Daniel Cleveland ask for a moment of silence for Rick Woolever.

A resident brought up to Dan about dedicating the Courtroom to the memory of Richard Woolever and to the time he spent doing good things for our Town.

HEARING OF THE PUBLIC

Harold Spencer-1620 Breesport Road-John, if you need firewood, come to my house and I will get a load of wood out of my barn.

Gary Ratchford-1614 Breesport Road-On behalf of Erin Historical, I would like to thank Mike, Brian and Dawn for what you did for us. It was just awesome. 16th Annual St. Patrick's Day Event on Saturday, March 10th at noon. Traditional ham and cabbage dinner or scalloped potatoes and ham. Bagpipers will be there for the first half hour-45 minutes, Elmira's are going to come in and play for about an hour and then have dinner and play some more. We have raffles, 50/50, vendors. Quite a few things have been donated so far. We have tickets on sale 6 for \$5.00 or \$1.00 apiece.

Bob Wood-233 Laurel Hill-As far as the county is concerned they are stealing all our tax money. We don't have the proper money to take care of our roads I think it's time you make a referendum and give the county everything on the east side of 223. Just turn it right over to them. Let them take care of it. If you don't have the tax money to take care of them properly, turn it right over to them. They did the same thing with Elmira, took their tax money right on down the line and did the same thing. All you have to do is make a referendum to the tax payers to turn the roads over to them by a certain date and it's their problem and we don't have to pay for them. As long as they are taking your tax money to do this, it's the way to go. You work on it.

Liz Magistro-225 Wheaton Road-I wondered if we were ever going to get any kind of report or understanding what's going on with Dog Control. I still get calls from people and I still have to give the number, which I don't mind doing, but we are paying him over \$4000.00/year and we have no idea what

service he is providing us besides the fact we are being told this is what he is doing. It's been a year and we still don't know what services he's actually doing; how many dogs he's picking up, how many tickets he's written. Would like a written report or something just so we know that what the tax payers are paying we are getting something-some kind of feedback. Also, our Governor has decided to give every inmate in the state of New York in the prison system a tablet. With that service they can get emails from their families, eBooks online and they can get college courses online. They are not paying for them. Supposedly this company is and the families are setting up accounts so they can use these. All prisoners in the state of New York will have a tablet which most of the students don't even have. As a state employee, I find it appalling and our union is fighting tooth and nail to try and change this. Give these products to the students not the inmates that are supposed to be punished.

With no further comments Supervisor Schmidt closed the public portion of the meeting.

A motion was made by R. Evans and seconded by D. Delorme to pay the audited bills as they appear on the General Fund Abstract 2, #14-36, totaling \$7,648.80; and the Street Lighting Fund Abstract 2, #25, totaling \$163.86; and the Highway Fund Abstract 2, #12-35, totaling \$31,825.78.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

A motion was made by D. Cleveland and seconded by M. Shutts to adjourn the meeting at 7:49 PM.

Motion Carried: Ayes: D. Cleveland, R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

Town Clerk