

January 9, 2019  
Organizational Meeting  
Town of Erin

Supervisor Schmidt called the Organizational Meeting of the Erin Town Board to order on this date at 7:00 PM. She then asked the Clerk to call the roll.

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

MEMBERS EXCUSED: Randy Evans.

PUBLIC PRESENT: Kenneth E. Elston III, Harold Spencer, Joe Fiori, Edwin Masin, Gary Ratchford, Darrell & Gayle Ackerman, Barb Burlew.

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

RESOLUTION 1-2019

RESOLUTION ESTABLISHING ORDER OF BUSINESS AT TOWN BOARD MEETINGS

Resolution By: D. Delorme

Seconded By: M. Shutts

RESOLVED that the following rules shall be observed at Town Board Meetings during the year of 2019:

- A. The Supervisor or Deputy Supervisor shall preside at all Town Board Meetings.
- B. At the regular meetings, the Supervisor or Deputy Supervisor shall call the meetings to order and the Clerk shall call the roll.

If a quorum be present the Order of Business shall be:

1. Roll Call.
2. Pledge to our Flag.
3. Reading of the Minutes.
4. Presentation of Petitions and Communications.
5. Reading of the Agenda and Additions.
6. Motions and Resolutions.
7. Report of the Town Attorney.
8. Report of the Planning Board.
9. Report of the Planning Board Liaison.
10. Report of the Zoning Board of Appeals.
11. Report of the Parks, Recreation and Senior Committee.
12. Report of the Code Enforcement Officer.
13. Report of the Highway Superintendent.
14. Report of the Buildings & Grounds.
15. Report of the Highway Committee.
16. Report of the County Representatives.
17. Report of the Supervisor.
18. Report of Old Business.

19. Hearing of the Public.
20. Audit of Highway and General Fund Bills.
21. Adjournment of the Meeting.

C. Rules regarding all business:

1. If a quorum is not present, the members present adjourn to a fixed date.
2. The Supervisor or Deputy Supervisor (in the Absence of the Supervisor) shall preserve order, decorum and shall decide all questions of order subject to Roberts Rules of Order.
3. The Public may speak for three minutes only on a subject.
4. The Supervisor, in all cases, has the right to vote and when the vote is equally divided, including his vote, the question is lost.
5. Every member prior to speaking shall address himself/herself to the Supervisor and/or the Deputy Supervisor.
6. No member, prior to speaking, may do so more than once on a question until every member choosing to speak shall have spoken.
7. Persons not members of the Board may, by consent of the Supervisor and/or Deputy Supervisor, speak in regard to matters pending before the Board.
8. When a question is stated from the Supervisor and/or Deputy Supervisor, every member present shall vote thereon unless excused by the Board, or is directly interested in the question in which case he/she may abstain.
9. No Motion, Resolution of Amendment shall be debated or put to vote unless it is seconded.
10. The name of the member offering and seconded Resolutions and Motions shall be extended to the Minutes.
11. The vote, upon all Motions, Resolutions and Amendments, shall be by roll call.
12. All matters to be accepted on the Town Board shall be filed with the Clerk of the Board one week prior to the regular monthly or adjourned meeting of the Town Board but may be added by majority of the Town Board vote. For any other meeting, the subject matter shall be stated in Notice of Special Meeting.
13. The Town Clerk shall prepare a written agenda for all matters to be acted on by members with notice of all Special Meetings. The Town Clerk is not required to make copies of items to be acted on in agenda, but shall abstract subject matter of items for the purpose of agenda.

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

#### RESOLUTION 2-2019

##### RESOLUTION AFFIXING THE TIME AND PLACE OF REGULAR MEETINGS

Resolution By: D. Cleveland

Seconded By: D. Delorme

RESOLVED that the regular monthly meeting of the Erin Town Board shall be held on the second Wednesday of each month beginning at 7 PM ET or EDT, whichever is in effect, and be it further

RESOLVED that the meetings be held at Erin Town Hall, 1138 Breesport Road, Erin, NY unless by designation for holding the next meeting.

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

#### RESOLUTION 3-2019

##### RESOLUTION REGARDING FORM OF MINUTES FOR TOWN BOARD MEETING

Resolution By: D. Schmidt

Seconded By: M. Shutts

RESOLVED that the Town Clerk be and hereby directed to keep minutes of the Town Board in typewritten form on heavy bond paper and furnish to each member of the Town Board, Town Attorney and Internal Budget and Accounting Officer and the Highway Superintendent within fourteen (14) days a copy of each set of minutes, and be it further

RESOLVED a draft copy of the Town Board Minutes shall be made available to the public within fourteen (14) days, and be it further

RESOLVED in the event the minutes are found to be inaccurate, the Town Clerk shall be required to make necessary corrections duly noted by the Town Board, prior to the filing of said minutes. The Town Clerk shall then furnish each member of the Town Board, Town Attorney, Internal Budget and Accounting Officer and the Highway Superintendent with a copy of each set of corrected minutes as filed, to include the signature of the Town Clerk, of facsimile thereof within ten (10) days after said Board Meeting and be it further

RESOLVED, all copies of Town Business will be made available to the public at a cost of \$1.00 (one dollar) per page, and be it further

RESOLVED, statements made by the public will include Name, Address, recommendation and/or concern. Use of abusive or vulgar language will omit statement from being duly recorded.  
Motion Carried: Ayes: D. Cleveland, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

#### RESOLUTION 4-2019

##### RESOLUTION DESIGNATING OFFICIAL NEWSPAPER.

Resolution By: D. Cleveland

Seconded By: D. Delorme

RESOLVED that the Elmira Star-Gazette, 203 Baldwin Street, Elmira, NY, be designated as the Official Newspaper for the Town of Erin.

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

#### RESOLUTION 5-2019

##### RESOLUTION APPROVING PURCHASE OF BONDS 2019

Resolution By: D. Schmidt

Seconded By: D. Cleveland

RESOLVED that the Town of Erin bonds of the Town Officials be written in values of and/or not to exceed (NTE):

- Town Clerk/Tax Collector - \$60,000.00
- Supervisor - \$60,000.00 - NTE\$100,000
- All other Town Officials a blanket bond of \$20,000.00 – NTE \$50,000

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

Nays: None.

#### RESOLUTION 6-2019

##### RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES FOR OFFICIALS

Resolution By: D. Cleveland

Seconded By: M. Shutts

RESOLVED that the Official Depositories of the Town of Erin for 2019 shall be as follows:

Supervisor:      General Fund Account              Any Branch

Trust and Agency  
Highway Fund Account

Chemung Canal Trust Co.  
One Chemung Canal Plaza

Investment Account (CLASS) MBIA Services  
One New York  
New York, NY

Justice, Town Clerk/Tax Collector: Chemung Canal Trust Co.

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

#### RESOLUTION 7-2019

##### RESOLUTION AUTHORIZING SUPERVISOR TO ADVANCE CONFERENCE/TRAINING MONEY

Resolution By: D. Schmidt

Seconded By: D. Cleveland

RESOLVED that the Town Supervisor be authorized to advance monies for expenses incurred at conferences/training for Town Officials, and be it further

RESOLVED that all Town Officials requesting to attend said conference/training are required to submit a resolution to the Town Supervisor in advance requesting authorization to attend such conference/training, and be it further

RESOLVED that any expenses incurred at conferences/training without prior Town Board approval will be the responsibility of said Town Official, and be it further

RESOLVED that Proof of attendance shall be submitted to the Town Board. Example: Literature or written report.

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

#### RESOLUTION 8-2019

##### RESOLUTION APPROVING MEMBERSHIP IN ASSOCIATION OF TOWNS

Resolution By: D. Cleveland

Seconded By: D. Delorme

RESOLVED the Town of Erin be a member of the Association of Towns for the year 2019, and note there is money put aside in the budget for this purpose and be it further

RESOLVED that the Supervisor or Deputy Supervisor shall act as the delegate to the Association meeting in New York City, February 2019, in attendance and be it further

RESOLVED a Councilperson may serve as a delegate if neither the Supervisor nor the Deputy Supervisor is in attendance, and said delegate is approved by the Town Board.

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

#### RESOLUTION 9-2019

##### APPROVING MILEAGE ALLOWANCE

Resolution By: M. Shutts

Seconded By: D. Cleveland

RESOLVED that the mileage allowance for conducting Town Business shall be that in effect from the Internal Revenue Service (IRS) per mile, subject to Town Board audit, and be it further

RESOLVED that mileage will not be paid for normal travel to perform position duties and from the Town Hall, and that mileage shall be recorded from destination A to destination B on mileage form designated by the Town Board, and be it further

RESOLVED that the Erin Town Board shall not authorize payment of mileage unless said mileage form is submitted for reimbursement.

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

#### RESOLUTION 10-2019

##### RESOLUTION TO AUTHORIZE ELECTRONIC PRE-PAYMENT OF UTILITY AND INSURANCE BILLS

Resolution By: D. Schmidt

Seconded By: D. Cleveland

RESOLVED that authorization supervisor or deputy supervisor is made for the following bills to be classified electronic pre-payments: NYSEG, Verizon, Verizon Wireless, AT&T, and all insurance bills, so as to avoid paying penalties and/or cancellation.

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

#### RESOLUTION 11-2019

##### RESOLUTION PERTAINING TO HEALTH INSURANCE

Resolution By: D. Delorme

Seconded By: M. Shutts

RESOLVED that those employees working a minimum of forty (40) hours per week be covered by health insurance and be required to pay \$40.00 per month towards their premium, and be it further

RESOLVED that any other Elected or Appointed Official be afforded the opportunity to purchase insurance at the rates established by the Insurance Company and be it further

RESOLVED that all retirees be afforded the right to continue health coverage under the guidelines established for COBRA, and be it further

RESOLVED that the Town of Erin furnishes no health insurance for its retirees or any form of payment schedule toward retiree premiums.

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

#### RESOLUTION 12-2019

##### RESOLUTION ALL PAYROLLS BE DONE DIRECT DEPOSIT

Resolution By: D. Schmidt

Seconded By: D. Cleveland

RESOLVED that all Payrolls will be done by Direct Deposit by Budget Clerk with authorization from supervisor or deputy supervisor.

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

RESOLUTION 13-2019

RESOLUTION SETTING PAY AND POLICIES FOR THE HIGHWAY CREW

Resolution By: D. Cleveland

Seconded By: M. Shutts

RESOLVED that the pay rates for the following classifications are to be paid to the Highway Crew for 2019:

2019 Rates	Part Time Employees	\$12.09
	New Full Time Employees	\$14.97
	End of One Year	\$16.48
	After Two Years at Regular Status	\$20.24

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 4<sup>th</sup>, 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, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 14-2019

RESOLUTION REQUIRING APPROVAL OF OVERTIME

Resolution By: D. Delorme

Seconded By: M. Shutts

RESOLVED that the Highway Superintendent (Deputy in absence of the Superintendent) obtain approval from the Town Supervisor or Highway Liaison before administering overtime.

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

RESOLUTION 15-2019

RESOLUTION APPOINTING BUILDING/CODE ENFORCEMENT OFFICER

Resolution By: M. Shutts

Seconded By: D. Delorme

RESOLVED that John D. McCracken II, 15 Shamrock Drive, Erin, NY, 14838 be appointed to serve as Building/Code Enforcement Officer for the Town of Erin for a period of two (2) years with such term commencing on January 1, 2019 to December 31, 2020.

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

RESOLUTION 16-2019

RESOLUTION APPOINTING A DEPUTY BUILDING/CODE ENFORCEMENT OFFICER

Resolution By: D. Delorme

Seconded By: D. Schmidt

RESOLVED that Martin Jerzak, 157 Cowan Road, Elmira, NY, 14901 be appointed to serve as Deputy Building/Code Enforcement Officer for the Town of Erin for a period of two (2) years with such term commencing on January 1, 2019 to December 31, 2020.

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

RESOLUTION 17-2019

RESOLUTION APPOINTING ANIMAL CONTROL SERVICES

Resolution By: D. Cleveland

Seconded By: D. Delorme

RESOLVED that THE City of Elmira will provide Animal Control Services for a period of one (1) year with such term commencing on January 1, 2019 to December 31, 2019.

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

RESOLUTION 18-2019

RESOLUTION APPOINTING A TOWN HISTORIAN

Resolution By: D. Cleveland

Seconded By: M. Shutts

RESOLVED that Patricia Wainwright, 1285 Breesport Road, Erin, NY 14838 be appointed to serve as Historian for the Town of Erin for a period of two (2) year with such term commencing on January 1, 2019 to December 31, 2020.

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

RESOLUTION 19-2019

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 2017 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:

<b>OFFICE</b>	<b>OFFICIAL</b>	<b>PAYABLE</b>	<b>ANNUAL SALARY</b>
Supervisor	Dawn Schmidt	Monthly	\$7,776.00
Deputy Supervisor	Daniel Delorme	Monthly	\$1,545.00
Town Clerk/Tax Coll.	Diane Wise-Hollenbeck	Monthly	\$19,209.00
Deputy Town Clerk	Elizabeth Heppner	Per Diem	\$15.00/hour
Justice	Kyle Wieder	Monthly	\$5,092.32
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	Minling Li	Monthly	\$10,746.00
Highway Superintendent	Steven Tyler	Bi-Weekly	\$52,065.00
Motor Machine Operator	Harold Spencer	Hourly	\$20.49
Machine Operator	Steve Rosekrans	Hourly	\$20.24
Highway Worker	Gerald Smith	Hourly	\$20.24
Laborer PT	Charles Kennedy	Hourly	\$12.09
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
Board of Assessment Review-Secretary		Monthly	\$25.00/meeting
Zoning Board Chair	Vacant	Yearly	\$241.00
Zoning Board Sec.		Per Diem	\$25.00/meeting
Planning Board Chair	Oletha J. Cedar	Yearly	\$723.00
Planning Board Sec.		Yearly	\$494.00



Planning Board Members		Monthly	\$20.00/meeting
Historian	Patricia Wainwright	Yearly	\$117.00
Cleaning of Town Hall	Maureen Spencer	Per Diem	\$15.00/hour

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

#### RESOLUTION 20-2019

#### RESOLUTION APPOINTING A MEMBER TO THE TOWN OF ERIN BOARD OF ASSESSMENT REVIEW

Resolution By: M. Shutts

Seconded By: D. Delorme

RESOLVED that Carol Earl, 16 S. Greenbush Road, Erin, NY, 14838 be appointed to serve as a member of the Erin Board of Assessment Review, for a period of five (5) years with such term commencing October 1, 2018 to September 30, 2023.

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

The following are appointed to the respective Committee:

- Highway Committee/Liaison: Mike Shutts
- Planning Board Liaison: Dan Cleveland
- Buildings and Grounds: Vacant

Parks, Recreation/Senior Committee

- Vacant (Chairperson)
- Oletha Cedar

Highway Advisory Committee:

- Vacant (Chairperson)
- Steven Tyler
- Daryl Ackerman

Safety Committee:

- Steven Tyler
- Harold Spencer

A motion was made by D. Delorme and seconded by M. Shutts to adjourn the meeting at 7:10 PM.

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

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Erin Town Clerk