

June 12, 2019
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: Peter Martin - Hunt Engineers, Irene & Willie Lind, Edwin Masin, Gary Rachford, Mark Margeson, Joan McNamara, John W. Spencer.

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

A motion was made by D. Delorme and seconded by M. Shutts to dispense with the reading of the minutes from the regular Board Meeting on May 8, 2019 and approve the minutes.

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

COMMUNICATIONS

- Lourdes Mammo on the Move Mobile Mammography Van will be at the Town Hall on Wednesday, June 26, 2019 from 9:00 AM-3:00 PM
- Electronic recycling event will be held at the Chemung County Fairgrounds on Saturday, June 29, 2019 from 8:30 AM-11:30 AM. This event is for Chemung County residents only and preregistration is required
- A resident called and suggested giving thank you letters to Town Board members that have served for a number of years

AGENDA FOR THE TOWN OF ERIN BOARD MEETING, JUNE 12, 2019;

1. RESOLUTION 24-2019 FORMAL RESOLUTION FOR NEXAMP SOLAR FARM AT THE ELSTON PROPERTY
2. RESOLUTION 25-2019 RESOLUTION TO HIRE FAGAN ENGINEERS TO ESTABLISH AND IMPLEMENT A PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE ROADS OWNED BY THE TOWN OF ERIN

RESOLUTION 24-2019

RESOLUTION BY: M. Shutts

SECONDED BY: D. Delorme

WHEREAS, Erin Renewables LLC (“Applicant”) is leasing approximately 15 acres of land located at 875 Breesport Road in the Town of Erin, New York, having a Tax ID Number: 51.00-1-31.

WHEREAS, at the April 30, 2019 Planning Board Meeting, the Planning Board voted unanimously to issue a negative declaration on SEQR, and recommend that the Town Board grant a Special Use Permit to Applicant.

WHEREAS, at the May 8, 2019 Town Board Meeting, a motion was made by M. Shutts and seconded by D. Delorme to accept and move forward with the Planning Board’s recommendation and grant a Special Use Permit to the Applicant.

WHEREAS, said motion was carried as follows: Ayes: R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

NOW, THEREFORE, BE IT RESOVLED, as follows:

1. Erin Renewables, LLC shall be permitted to construct a 2.1 MW AC solar generating facility at 875 Breesport Road.
2. The facility may include a Battery Energy Storage System (BESS): 2 MW X 4 hour duration.
3. The Special Use Permit is conditioned on the Applicant receiving a State DOT Permit and entering into a Decommissioning Surety Agreement with the Town.
4. The Applicant must pick up said permit within two years of the effective date of this meeting.

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

RESOLUTION 25-2019

RESOLUTION TO HIRE FAGAN ENGINEERS TO ESTABLISH AND IMPLEMENT A PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE ROADS OWNED BY THE TOWN OF ERIN

Resolution By: D. Cleveland

Seconded By: R. Evans

WHEREAS, Fagan Engineers provided a proposal to the Town of Erin to review and conduct a survey of the roads in the Town of Erin that are owned by the Town of Erin. Therefore, we propose to proceed on a not to exceed time-and-materials basis with a budget of \$10,000 for all scope items.

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

COMMITTEE REPORTS

Town Attorney- Documentation was completed to send in for November and December 2017 Justice paperwork.

Planning Board-Deda Cedar- Did not have a meeting in May due to the holiday. Feedback from the Town Attorney on the local law will be discussed at the next meeting. Have two (2) openings for alternates.

Planning Board Liaison-Dan Cleveland – Nothing additional.

Parks, Recreation and Senior Committee-Deda Cedar- There will be a quarter auction on June 27, 2019 at 6:00 PM at the Horseheads Library, 405 Main Street. It will be a fundraiser for the park. Everything for the auction baskets were donated. Seebreeze is August 13, 2019. Tickets are \$25 and open to everyone. The Great Train Robbery is July 21, 2019. The bus leaves at 8:45 AM from the Town Hall. It is \$16 for seniors and military, \$18 for adults and \$12 for kids ages 2-12. Will try square dancing again in October. The event must make a profit or break even in order to continue. Melody Shutts kept track of Woodfest finances this year. It looks like it is down. Not all the bills are in yet. Food Bank is June 28, 2019 at 10:00 AM. Paul Ostrander volunteered to hold the key. Having an issue with a couple of the volunteers that will be followed up on. The senior trip is going to Hidden Valley Animal Adventure Safari on June 26, 2019. There are seats still available. Supervisor Schmidt requested full sponsorship list for thank you notes from Deda.

Code Enforcement Officer-John McCracken- Dealing with issues on Jackson Creek Road, Breesport North Chemung Road and Laurel Hill Road. Suggested implementing a nuisance ordinance. Complaints from Park Station on noise from dirt bikes. John is meeting with DEC next week regarding concerns. Discussion ensued regarding private property, restrictions on length of activities and hours of day, tracking and documenting complaints to determine nuisance, noise ordinance vs. nuisance ordinance. Can refer to other town models. Council member recommended code of conduct to pass out to residents in an attempt to alleviate some concerns. Supervisor Schmidt and Dan Delorme will research options. Feels word of mouth is best.

Highway Deputy Superintendent-Harold Spencer- We have oil and stone in town done, finished grading Red Chalk today and getting it ready for oil and stone, cutting brush and filling pot holes when we can. Graded Hollenbeck Road on Monday. Have pictures to show that road was not unpassable. Dust control will be done once grading is finished.

County Representatives- Mark Margeson- Still have not heard anything on the sales tax. Rural communities have become a repository for furniture, tires, and appliances. Asking Casella what options are available. Would require specifics on how to set things up. He will follow up with Casella. Supervisor Schmidt encouraged everyone to attend Casella's open house on Tuesday, June 18, 2019 on County Route 60 11:00 AM-2:00 PM to ask questions and voice opinions and concerns. Supervisor Schmidt would like to get something set up for July/August and then have a fall program to provide an avenue for residents to dispose of unwanted items. Mark will follow up with the 911 address change. Supervisor Schmidt has a meeting June 20, 2019 on shared services agreement. Dan Delorme asked about IT shared services agreement. Mark explained the cost associated with the back and forth shared services. The rate charged will be specifically written out.

Supervisor-Dawn Schmidt- In regards to cameras in the court room-John McCracken- cameras are installed, IT hooked them up, the door has a panic button and alarm. CPE suggested putting spring hinges on door for self-closure. John will follow up with IT about the camera outside the clerk door that is not online. Supervisor Schmidt asked County about RFP for broadband-per Mark Margeson-a company was picked but there were questions regarding scope of work. Mark will follow up. FEMA paperwork is back at the review stage after additional paperwork was submitted. John McCracken will follow up with the Town Attorney in regards to the town licensing fee issue.

OLD BUSINESS

Dan Delorme will meet with John McCracken to see what needs to be updated for smoke detectors, fire extinguishers, and carbon monoxide detectors to be in compliance with the law.

Dan Cleveland inquired about the intended detour on Marsh Road once it is closed for culvert work. Harold Spencer will check with the county regarding detour and local town roads.

HEARING OF THE PUBLIC

Dave Wood – 212 Sandbank Rd- Inquired about a letter he sent to the Town Board a few months back regarding a small car lot on 223. John McCracken explained he needs to fill out an application, get a site plan established, present it to the Town Board, the Town Board will refer it to the Planning Board, the Planning Board will review it and refer it back to the Town Board and will need to go in front of the County Planning Board. Also discussed use variance. An application can be obtained on Monday night.

Joan McNamara – Shamrock Drive-Concerned about the diversion ditch on top of Shamrock Drive and the flooding problems. It will be totally redone once the solar farm goes in per John McCracken.

Mark Margeson will give Kenny Elston, Sr. a call regarding the issue on his private property. It is now leased by the solar company. It is on private property not on public property. Deda Cedar suggested contacting Mark Watts with Soil and Water.

Gary Ratchford- The Historical Society set up at Woodfest and made about \$1200.00 on two (2) raffles and shirt sales. The museum is open every Sunday from 2:00 PM – 4:00 PM. The church breakfast is the 3rd Saturday of the month and a luncheon is provided following the Food Bank on the 4th Friday of the month. Also, be aware of suspicious vehicles. Locks are being cut and sheds emptied out. Watch out for your neighbors.

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

A motion was made by M. Shutts and seconded by D. Cleveland to pay the audited bills as they appear on the General Fund Abstract 6, #106-143, totaling \$18,191.27; and the Highway Fund Abstract 6, #71-91, totaling \$101,096.86; and the Street Lighting Fund Abstract 6, #136-137, totaling \$173.95; and the Trust & Agency Fund Abstract 6, #6, totaling \$6,763.55.

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

A motion was made by R. Evans and seconded by D. Delorme to adjourn the meeting at 8:23 PM.

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