

October 9, 2019  
Town of Erin Budget Workshop

Supervisor Schmidt called the Budget Workshop of the Erin Town Board to order on this date at 5:47 PM. She then asked the Clerk to call the roll.

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

MEMBERS EXCUSED: Michael Shutts (arrived at 6:39 PM).

PUBLIC PRESENT: Barbara Burlew, Edwin Masin, Gary Ratchford, Terie Huseby, Assessor, Mark Margeson, Laura Kennedy, Harold & Maureen Spencer, Irene & Willie Lind.

Supervisor Schmidt welcomed everyone and the workshop began.

Terie Huseby, Town of Erin Assessor, explained the impact of the tax budget on the Town, the levy and the tax rate. The Town's taxable value went down from the previous budget year due to a mobile home park being reduced in assessment, several exemptions, and a lower amount of permit based items for the year. The budget minus revenue equals the levy. That is the shortfall from the budget that needs to be made up and that is what you use the town taxable value to divide into to determine the tax rate. When you look at increase you always look at levy and that is what the 2% tax cap is based on. She gave examples of three (3) assessments using base models for \$60,000, \$150,000, and \$250,000 homes with of 5%, 61%, and 87% increase in the tax levy. She went on to explain the numbers and calculations used. The rate of inflation is 2.07% and the tax cap is 2%; you have to work with the lesser of the two. This year the max you can increase without doing an override is 2%. The 87% was based on taking zero out of Fund Balance, 61% was based on taking \$100,000.00 out of Fund Balance, etc. Traditionally about \$240,000.00 is taken out of Fund Balance from the two (2) accounts to balance.

The salaries for Town employees will remain the same as last year except for the Highway Department who will receive a 3% increase in wages. There is an increase in the Assessor, Town Clerk, and Street Administration equipment funds to replace computers. Election costs are up due to the Primary next year. Figures are given by the Board of Elections. The Deputy Code Enforcement position was eliminated and the funds added to Personnel Services. There is an increase in the General Fund NYS Retirement and Social Security. There is about a 30% increase in revenues that we need to come up with. The Highway Fund Employee Benefits for hospital and medical insurance was agreed upon to change to the Platinum Plan instead of the Gold Plan to save about \$7,200.00. The employee contribution will remain the same. Real Property Taxes numbers are going to change.

The Public Hearing has been scheduled for November 13, 2019 at 6:00 PM for the Town of Erin 2020 Budget.

October 9, 2019  
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 7:07 PM. She then asked the Clerk to call the roll.

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

PUBLIC PRESENT: Barbara Burlew, Irene & Willie Lind, Chris Moss, Gary Ratchford, Edwin Masin, Harold & Maureen Spencer.

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

Agenda was amended to do the audit of the Highway and General Fund bills at the end of the meeting this month.

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 September 11, 2019 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 Ernie Davis Community Center Gym/EOP on Saturday, October 26, 2019 from 11:00 AM – 1:00 PM.
- Chemung County's fall household hazardous waste collection event is scheduled for Saturday, October 12, 2019. Chemung County residents only, pre-registration is required, no electronics.
- Electronic Recycling Event at the Chemung County Fairgrounds, Gate 2 on Saturday, November 2, 2019 from 8:30 AM – 11:30 AM.
- Town Clerk, Diane M. Wise-Hollenbeck-Thank you to all the volunteers and the Town's support for the Erin Free Rabies Clinic September 12, 2019 from 6:00-8:00 PM. We served 198 animals-two ferrets, 116 dogs and 80 cats.
- The Town Clerk presented the 2020 Tentative Budget to the Town Board for consideration.
- Thank you to Maureen Spencer for hanging the pictures in the Town Hall.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING, OCTOBER 9, 2019;

1. RESOLUTION 32-2019 LOCAL LAW TO OVERRIDE THE 2020 TAX CAP LIMIT
2. RESOLUTION 33-2019 TO SET PUBLIC HEARING FOR LOCAL LAW #2 OF 2019 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C
3. RESOLUTION 34-2019 TO MOVE THE TENTATIVE 2020 BUDGET TO A PRELIMINARY BUDGET

RESOLUTION 32-2019 LOCAL LAW TO OVERRIDE THE 2020 TAX CAP LIMIT

Resolution By: D. Cleveland

Seconded By: D. Delorme

WHEREAS, according to New York State's Property Tax Cap legislation, if a town government decides to adopt a budget with a property tax levy that exceeds the level set by the State, the town government must pass a resolution to override that cap, and;

WHEREAS, adopting said resolution is not predictive of the final tax cap but will provide the Erin Town Board flexibility to exceed the Property Tax Cap if it is deemed necessary, and to ensure that any State recalculation of the applicable limit will not make the Town inadvertently out of compliance.

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

RESOLUTION 33-2019 TO SET PUBLIC HEARING FOR LOCAL LAW #2 OF 2019 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

Resolution By: D. Cleveland

Seconded By: M. Shutts

**TOWN OF ERIN LOCAL LAW #2 OF 2019**  
**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C**

Be it enacted by the Town Board of the Town of Erin as follows:

**Section 1. Legislative Intent:** It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Erin pursuant to General Municipal Law 3-C, and to allow the Town of Erin to adopt a budget for the fiscal year beginning January 1, 2020 and ending December 31, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law 3-C.

**Section 2. Authority:** This local law is adopted pursuant to subdivision 5 of General Municipal Law 3-C, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of at least 60% of the Town Board.

**Section 3. Tax Levy Limit Override:** The Town Board of the Town of Erin, County of Chemung, is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law 3-C.

**Section 4. Severability:** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

**Section 5. Effective Date:** This Local Law shall take effect.

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

RESOLUTION 34-2019 TO MOVE THE TENTATIVE 2020 BUDGET TO A PRELIMINARY BUDGET

Resolution By: D. Delorme

Seconded By: D. Cleveland

RESOLVED to move the tentative 2020 Budget to a preliminary budget.

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

COMMITTEE REPORTS

Town Attorney-Waiting on paperwork for the bond for decommissioning for the Nexamp Solar Farm. Letter from Ag & Market states they do not see any issues with it and it will not impede with SEQR process.

Planning Board-Deda Cedar-Working on the Good Neighbor Law. Moving October meeting up a week due to training for Ag & Market on the regular meeting night and all the members would like to attend. Still need two (2) alternates. The Local Law #1 of 2019 did not need to go to the County Planning Board. It is all set for the Board to pass. It will be done at next month’s meeting per Supervisor Schmidt.

Planning Board Liaison-Dan Cleveland-The Planning Board is doing very well, educating themselves and attending extra meetings.

Parks, Recreation and Senior Committee-Deda Cedar-The Halloween party is October 26<sup>th</sup>. The parade starts at 6:00 PM with games and refreshments to follow. The Christmas party is being planned. The Little Library needs to be varnished and stocked. For a \$40.00 fee it can be registered with Littlelibrary.org and enables books to be bought for \$2.00 each. There is also a plaque that can be displayed. The Senior Committee has a Christmas luncheon at the Masonic Temple in Breesport the first Wednesday in December at noon. The Historical Society picnic did fairly well-about 50 people attended. Working on calendars for 2020. The Food Truck served 80 families.

Code Enforcement-John McCracken- One trailer at Crestwood Trailer Park was posted and the park owner contacted that it needs to be removed. John needs access to another trailer in order to post a do not occupy notice. Has not received a response from the owner and has been dealing with the local property manager. The Laurel Hill Trailer Park trailers are all vacant. Everyone was evicted, NYSEG gave them an allotted amount of time to fix the meter panels, problem was not corrected, and NYSEG shut off the power to the park. John has been working with the Attorney to request all trailers be removed from the property. Reached out to the owner with no comment. Meeting with DEC on Thursday in the City and coming to two (2) sites in Erin. Working with the Attorney regarding the Special Use permit. The Town Board needs to discuss the time frame for inspections and set fee for inspection of solar farms. Solar company needs to pay for inspection. Issue an operating permit with a fee attached that will expire annually. Towns have the authority to revoke the operating permit. Will move forward with the recommendation of the Town Attorney.

Highway Superintendent-Steve Tyler-Since our last meeting we have been trimming trees and cutting brush along roads making sure to get around signs for greater visibility. We have finished our summer grading and will be starting to check for bad spots that need regrading before winter. With the help of the Town of Horseheads and the Town of Big Flats, we have hauled in 900 tons of anti-skid. We still have more to haul to get what we will need for winter. We have been working on equipment getting it ready for winter. All of the CHIPS projects are done for the year. The breakdown for CHIPS projects is as follows:

Rumsey Hill Road	\$ 3,658.97
Kronus	\$ 6,166.48
N. Greenbush Lower	\$ 10,085.60
N. Greenbush Upper	\$ 3,897.96
Rodbourn Ext.	\$ 3,754.23
Becky Lane	\$ 6,711.58
Church Road	\$ 2,439.31
Church Street	\$ 9,012.15
Langdon Hill	\$ 43,025.61
Red Chalk Road	\$ 97,331.18

Reimb. Request Totals: \$186,083.05

Chemung County Executive-Chris Moss-Between him and the Deputy they try to get to at least one Town Board, Village Board, City Council meeting per year to listen to concerns. At the County level it is budget season as well. There is a 14% increase in employee health insurance. They have a sewer system that is outdated and an \$80 million project that DEC wants updated by 2025. He ran on the basis of an open government. They are working on revamping shared services. Trying an ala cart approach this year. Big sheriff race this coming election. Please reach out with any questions or concerns and he will try and help out when he can. Councilman Cleveland commended Executive Moss for coming to Town Board meeting. Doesn't remember a County Executive ever attending a meeting in the past. Councilman Delorme brought up the issue of rural broadband not being forthcoming. Executive Moss said \$80,000 went in front of the budget committee last Monday and then in front of general legislature next Monday to do a study with a company named Magellan. They will tell them exactly what is needed throughout the County along with a price tag. Due to competition, Empire and Spectrum won't show the maps of what is next. Magellan should be done with study by the spring. Once the actual cost is known, it will go out for bid. It is a priority.

Supervisor-Dawn Schmidt-Meeting with City of Elmira regarding shared services for Code Enforcement to service the Town better. Still researching tire recycling pickup day. Reached out to Steuben County. They collected 20,000 tires on one Saturday from 8:00 AM – 4:00 PM. They charged \$1/tire and had to turn people away. She also reached out to the organization and they recommended a four (4) hour block of time. Must have proof they are a resident of Erin. Feels we should continue to look into. Emergency Services sent a request for our 2020 budget for \$500.00. It was included in our budget.

#### OLD BUSINESS

Michael Shutts touched base with two (2) more people, but has heard nothing back in regards to work on the Town Hall.

#### HEARING OF THE PUBLIC

Harold Spencer-1620 Breesport Road- Do you have to dress up for the Halloween party?

Gary Ratchford-1614 Breesport Road-Are there any road signs to put up near his house for "Old Fart Crossing? Ed (Masin) almost got hit by a car tonight.

With no further comments from the public Supervisor Schmidt closed this 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 10, #198-210, totaling \$5,892.44; and the Street Lighting Fund Abstract 10, #208-209, totaling \$172.20; and the Highway Fund Abstract 10, #139-154, totaling \$13,129.40; and the Trust & Agency Fund Abstract 10, #10, totaling \$6,763.55.

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 R. Evans to adjourn the meeting at 7:48 PM.

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