

December 14, 2022
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 6:34 PM. She then asked the Clerk to call the roll.

MEMBERS PRESENT: William VanRiper, Jr., Randy Evans, Dan Delorme, Michael Shutts, Dawn Schmidt.

PUBLIC PRESENT: Wesley Rockwell, Maureen Spencer, Neil Vesek, Jennifer Bates, Robert Romine.

PRESENT ON ZOOM: Karin Patzke.

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

Senator O'Mara, Assemblyman Palmesano and Assemblyman Friend presented the Town of Erin a State of New York Legislative Resolution commemorating the 200th anniversary of the Town of Erin. The Resolution was passed by both the Senate and the Assembly.

Pictures were taken to document the event for the Erin Historical Society.

A motion was made by M. Shutts and seconded by W. VanRiper, Jr. to pay the audited bills as they appear on the General Fund Abstract 12, #187-204, totaling \$11,342.20; and the Highway Fund Abstract 12, #170-187, totaling \$18,215.67; and the Street Lighting Fund Abstract 12, #199, totaling \$265.12. Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

A motion was made by D. Delorme and seconded by M. Shutts to dispense with the reading of the minutes from the Public Hearing and regular Board Meeting on November 9, 2022 and the Special Meeting on November 15, 2022 and approve the minutes.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING NOVEMBER 14, 2022;

1. RESOLUTION 35-2022 APPOINTING TOWN ATTORNEY
2. RESOLUTION 36-2022 APPOINTING HIGHWAY SUPERINTENDENT
3. RESOLUTION 37-2022 APPOINTING DEPUTY HIGHWAY SUPERINTENDENT
4. RESOLUTION 38-2022 APPOINTING BUILDING/CODE ENFORCEMENT OFFICER
5. RESOLUTION 39-2022 APPROVE SHARED SERVICES AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION
6. RESOLUTION 40-2022 APPOINTING ANIMAL CONTROL SERVICES
7. RESOLUTION 41-2022 TO SET TIME FOR 2022 YEAR-END & ORGANIZATIONAL MEETING

RESOLUTION 35-2022

RESOLUTION APPOINTING TOWN ATTORNEY

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

RESOLVED that Kimberlee Balok Middaugh of Sayles and Evans, 1 West Church Street, Elmira, NY 14901 be appointed to serve as the Town Attorney for a period of one (1) year with such term commencing on January 1, 2023 to December 31, 2023.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 36-2022

RESOLUTION APPOINTING HIGHWAY SUPERINTENDENT

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

RESOLVED that Steve Tyler, 1905 Railroad Street, Pine Valley, NY 14872 be appointed to the position of Highway Superintendent for the Town of Erin for a period of two (2) years with such term commencing on January 1, 2023 to December 31, 2024.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 37-2022

RESOLUTION APPOINTING DEPUTY HIGHWAY SUPERINTENDENT

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

RESOLVED that Harold Spencer, 1320 Breesport Road, Erin, NY 14838 be appointed to the position of Deputy Highway Superintendent for the Town of Erin for a period of two (2) years with such term commencing on January 1, 2023 to December 31, 2024.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 38-2022

RESOLUTION APPOINTING BUILDING/CODE ENFORCEMENT OFFICER

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

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, 2023 to December 31, 2024.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 39-2022

RESOLUTION TO APPROVE SHARED SERVICES AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

RESOLVED to approve the shared service agreement with New York State Department of Transportation for use in the event the Town of Erin resources become exhausted at any point in a future emergency.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 40-2022

RESOLUTION APPOINTING ANIMAL CONTROL SERVICES

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

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, 2023 to December 31, 2023.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

RESOLUTION 41-2022

RESOLUTION TO SET TIME FOR 2022 YEAR-END MEETING & ORGANIZATIONAL MEETING

Resolution By: R. Evans

Seconded By: W. VanRiper, Jr.

RESOLVED THAT the Erin Town Board will hold the Year End Meeting, Organizational Meeting and regular Board Meeting on January 11, 2023 at 6:00 PM at the Erin Town Hall. The regular Board meeting will immediately follow.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

COMMITTEE REPORTS

Town Attorney- No report.

Planning Board-Deda Cedar- There was no quorum last month. Deda went to training. The ZBA can be lowered to a three (3) member board, or there can be a member of the Planning Board on that Board but they cannot make any decisions, or can combine with another town with shared services, or can try running ads or public service announcements to find additional members.

Parks, Recreation, and Senior Committee-Deda Cedar- The Christmas party had low attendance. Donna Vergason was able to have books donated and the kids got to take some home. The Senior Committee had 29 at their luncheon at the fire station. It was catered by JD's and the food was very good. The next meeting will be the 1st Wednesday in January.

Code Enforcement-John McCracken- He is out sick.

Deputy Highway Superintendent-Harold Spencer-They have been cutting brush, hauling anti-skid, and filling potholes. The ditching bucket is in for the backhoe. Supervisor Schmidt thanked the highway department for putting up the holiday flags and thanked Harold Spencer for putting the wreaths on the cemetery. Randy Parker donated the smaller wreaths that are on the fence at the cemetery. The larger ones were purchase by Harold. A thank you note was sent to Randy Parker from the Town Board.

Chemung County Representative-Mark Margeson- He had another commitment tonight. He was elected Legislature Chair and Chair of the IDA last night. Dan Delorme turned in both requests for \$6200.00 for payment for the park and the phone system. Mark told him that the Town should get reimbursed for all of that. Dan is going to see if there is any extra money for repairs to the parking lot in front of the Town Hall.

Supervisor-Dawn Schmidt- The Stormwater Coalition increased their budget from \$300,000.00 to \$400,000.00. The Town of Erin's membership fees increased from \$1218.00 to \$3750.00. A decision needs to be made on what the Board feels is an acceptable amount to pay. The increase will come out of the Town's reserve.

A motion was made by D. Delorme and seconded by W. VanRiper, Jr. to pay \$2000.00 to Chemung County Stormwater Coalition for the 2023 membership fees.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

John McCracken received a quote for \$2500.00 to update the software for the code system. There is money in the contractual that can be used to help pay for the upgrade. Supervisor Schmidt recommends the upgrade.

A motion was made by R. Evans and seconded by M. Shutts to accept the quote for \$2500.00 to upgrade the Code Enforcement software.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.

There is no report from the Sheriff Department this month. They have a new system and are having difficulty pulling the information for specific areas.

A decision needs to be made at the next meeting regarding solar, whether to adopt a local law or put a moratorium in place. There is a local law from the attorney that can be reviewed that was taken from other towns. The Supervisor will provide the Town Clerk with a copy of the local law from the attorney to send out to the Board members and asked for their comments back by early January. She would like to have it on the January agenda so the residents know ahead of time. Nothing can be voted on until a Public Hearing is held for a local law or a moratorium. The Planning Board has done their piece, the Attorney has done the legal side, the Board needs to review and send back comments.

OLD BUSINESS

Councilman VanRiper, Jr. is talking with Bob Murray on the heating system for the Town Hall. He would like to see the plans revamped and not have it outside. LaBella is project lead on the project. Councilman VanRiper, Jr. would like to contact the lead at LaBella. He will be meeting with Bob Murray next week to discuss the project further.

HEARING OF THE PUBLIC

Jennifer Bates- The calendars for the Erin Historical Society are in. She picked up 100 today.

A reminder from Supervisor Schmidt that the next meeting will be Wednesday, January 11, 2023 starting at 6:00 PM with the Organizational Meeting with the regular Board meeting to immediately follow.

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 W. VanRiper, Jr. to adjourn the meeting at 7:23 PM. Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.