

February 8, 2023
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 6:33 PM. She then asked the Clerk to call the roll.

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

PUBLIC PRESENT: Harold & Maureen Spencer, Mark Margeson, Robert Romine, Tim Knowles, Gayle & Darrell Ackerman, Gary Ratchford, Wesley Rockwell, Neil Vesek, Marjorie Krejcar.

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

A motion was made by D. Delorme and seconded by W. VanRiper, Jr. to pay the audited bills as they appear on the General Fund Abstract 2, #12-26 totaling \$7,167.81; and the Highway Find Abstract 2, #6-23 totaling \$24,792.15.

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

A motion was made by M. Shutts and seconded by D. Delorme to dispense with the reading of the minutes from the Year End, Organizational and regular Board meeting on January 11, 2023 and approve the minutes.

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

COMMUNICATIONS

- Chemung County's Spring Household Hazardous Waste Collection event will be Saturday, May 20, 2023 for Chemung County residents only (no businesses). Pre-registration is required by calling Cornell Cooperative Extension at 607-734-4453, Wednesday, April 19th – Wednesday, May 17th from 9:00 am to noon and 1:00-4:00 pm. No electronics will be accepted.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING FEBRUARY 8, 2023;

1. RESOLUTION 19-2023 REAPPOINTING A MEMBER TO THE TOWN OF ERIN PLANNING BOARD
2. RESOLUTION 20-2023 REAPPOINTING A MEMBER TO THE TOWN OF ERIN PLANNING BOARD
3. RESOLUTION 21-2023 REAPPOINTING POSITION OF DEPUTY SUPERVISOR
4. RESOLUTION 22-2023 NOTING 2022 JUSTICE RECORDS HAVE BEEN DULY EXAMINED
5. RESOLUTION 23-2023 REAPPOINTING A MEMBER TO THE TOWN OF ERIN BOARD OF ASSESSMENT REVIEW

RESOLUTION 19-2023

RESOLUTION REAPPOINTING A MEMBER TO THE TOWN OF ERIN PLANNING BOARD

Resolution By: W. VanRiper, Jr.

Seconded By: R. Evans

RESOLVED that Oletha Cedar, 1017 Breesport Road, Erin, NY be reappointed to the position of Planning Board Member, for a period of five (5) years with such term commencing January 1, 2023 to December 31, 2027

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

RESOLUTION 20-2023

RESOLUTION REAPPOINTING A MEMBER TO THE TOWN OF ERIN PLANNING BOARD

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that Karen Johnson, 636 Park Hill Road, Erin, NY be reappointed to the position of Planning Board Member, for a period of five (5) years with such term commencing January 1, 2023 to December 31, 2027

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

RESOLUTION 21-2023

RESOLUTION REAPPOINTING POSITION OF DEPUTY SUPERVISOR

Resolution By: M. Shutts

Seconded By: R. Evans

BE IT RESOLVED that the Deputy Supervisor shall preside, when present, at the meetings of the Town Board and shall be vested with all the powers and may perform all of the duties of the Supervisor in the absence of same, and be it further

RESOLVED that the Erin Town Supervisor, do hereby reappoint Daniel E. Delorme as Deputy Supervisor for the Town of Erin with a term expiring December 31, 2023.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, M. Shutts, D. Schmidt. Recused: D. Delorme.

Nays: None.

RESOLUTION 22-2023

RESOLUTION NOTING 2022 JUSTICE RECORDS HAVE BEEN DULY EXAMINED

Resolution By: D. Delorme

Seconded By: M. Shutts

BE IT RESOLVED that the 2022 Justice records have been duly examined and fines collected and turned over to proper Town officials.

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

RESOLUTION 23-2023

RESOLUTION REAPPOINTING A MEMBER TO THE TOWN OF ERIN BOARD OF ASSESSMENT REVIEW

Resolution By: D. Schmidt

Seconded By: D. Delorme

RESOLVED that Sue Nowlan, 36 Palmer Road, Erin, NY 14838 be reappointed 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, 2022 to September 30, 2027.

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

COMMITTEE REPORTS

Planning Board-Deda Cedar- Deda asks permission for all Planning Board members that wish to attend the 26th Annual Regional Leadership Conference at Corning Community College on April 6, 2023 be reimbursed for mileage and the cost for registration which is \$75.00. She received a call from someone putting in a special use permit application. It will be dropped off to the Town Clerk. It is for a development of 200 acres on South Greenbush Road to subdivide into 5-7 lots.

Motion was made by D. Delorme and seconded by W. VanRiper, Jr. to allow the Planning Board members to attend the Leadership Conference and be reimbursed for mileage and registration.

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

Parks, Recreation and Senior Committee-Deda Cedar- There was a meeting last night. Would like to move the sewing class to the 3rd Saturday of the month in the morning. There has been an interest in a CPR class and looking into options. Asked about an AED at the Town Hall and if it is something that should be acquired for the Town Hall. The grant was received for the silo project for \$4290.00 that will be paid through the Town. It is a little short of what is needed so there will be fund raising involved. Looking for someone that has a lift and is willing to donate its use for the project. The yoga class has been averaging about 17 people per class. There is a meeting on Wood Fest tomorrow night at 7:30. The Easter Egg hunt will be 4/1 and looking into having it at Park Station but need to get permission from County Executive. That is the first day of fishing season so other options should be considered. Cathy Broom asked about hosting a NY Citizens Preparedness Event. They hand out backpacks that contain flashlights, water, blankets, etc. if there are 50 participants. They explain how to shut off gas/electric at the house in case of a natural disaster, what to do in a medical emergency, etc. It will be held at the Fire Station. The Senior group had 21 people at the February meeting. The new treasurer is Tammy Nichols, Janice is the President, Lisa is the Secretary, and Tina Reynolds is heading up the trip committee. They are getting more organized. The meetings are the 1st Wednesday of the month. The Food Truck had 150 clients. It is the 3rd Friday of the month. More volunteers are needed. Supervisor Schmidt will ask about AED training and liability.

Code Enforcement-John McCracken- Part 1203 is complete and was sent to the Attorney for review. The new software is in and transferring data now. The old software crashed on Monday and there is no bringing it back. He can hold off on a new computer because he can use the iPad and print from the vehicle. Someone reached out to him with 1,000 acres that they are subdividing into 10 parcels. There are remodels and additions going on around town.

Highway Superintendent-Steve Tyler- They have been plowing and cindering as needed, repairing equipment, trimming trees, and cleaning ditches. They have also been hauling anti-skid. Truck #6, the 550, has something wrong with the hydraulic system and is at Wilbri's where they are trying to figure out what is wrong with it. Steve is asking the Board's permission to bid on a couple of metal work benches with 20 drawers in them to replace the wooden ones that are currently in the shop. It would be less of a fire hazard when cutting and welding with torches. They have two (2) used 19.5 x 24 tires to put up for surplus at the auction worth about \$800.00 apiece.

A motion was made by D. Delorme and seconded by W. VanRiper, Jr. to give Steve permission to bid on two (2) metal benches for the shop not to exceed \$2000.00.

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

County Representatives-Mark Margeson- There are new lines of communication with County Executive. He has been involved in some of the department head meetings. The budgets are being taken care of and ARP money is being spent. There is an IDA meeting tomorrow with a new Board. There is money available for broadband and has been discussed. A number of people that have their taxes in escrow received the tax bill instead of the escrow companies. BOCES handles the production of the notes. If the escrow companies do not receive the bill, the taxes do not get paid by them. The problem has been taken care of. There are a lot of committees that are being reappointed. There was a tour done by Dave Sheehan of the Chemung County Nursing Facility with a number of legislators. There is ARP funding available to conduct a study on what to do for the nursing facility. The nursing facility loses about \$5.5 million each year and the County makes up the difference. The challenge is that it went from 200 beds down to about 110 beds. Once the study is complete, it needs to have a committee sit down and follow through with a plan. There are about 45-50 positions that are available to be filled but it is difficult to find people to fill these openings. There has been a recent study done on nonunion employees to bring them up to where the average is out in the industry. It is close to being finalized.

There are about 300 employees in the County that this would apply to. It would be a more competitive market in order to get more people to work. That should be discussed at the next meeting. There could be businesses coming into the community but if the workforce isn't there to accommodate them they will not come.

Town Attorney-Kim Middaugh- She was here to speak on solar initiative, law, no law, and a moratorium with an open discussion with likes, dislikes, what is acceptable, ask questions, get some direction. It is usually six (6) months to one (1) year that you can have a moratorium. The Town is considering updating the comprehensive plan. The zoning is based upon the comprehensive plan so that will justify a moratorium. The zoning can decide where different types of solar farms can be placed. Can also go ahead with the law with some changes made. With a law there would be some control over where the solar farms go, what they need to do, site plans, maintenance, decommissioning plans, etc. Suggested an engineer give a projected future cost of decommissioning with an escalation rate in place. The lease will be between the landowner and the solar company. The lease goes with the land and cannot be terminated because it is a private land deal. Real Property tax law has an exemption for wind and solar that is automatic. The Town can pass a local law an opt out of that option. Needs to be done prior to solar companies establishing themselves.

Rob Romine from Clear Path asked to add a provision into the moratorium that would allow the Town to review their projects in parallel. They would like to continue to move forward with these projects.

Kim Middaugh-The moratorium needs to have a provision in there that allows people to apply for a hardship through a process. You can gather information but cannot act on it during the moratorium.

Supervisor Schmidt- It will cost \$20,000-\$30,000 to bring the comprehensive plan up to 2022. It is not a quick process and the Town will have to get in the queue with STC (Southern Tier Central). The next phase would be to set up a public hearing for a solar moratorium and taking funds from the reserve to get the comprehensive plan up to date. The attorney has a draft of a six-month moratorium that will have the updating of the comp plan added.

A motion was made by D. Delorme and seconded by W. VanRiper, Jr. to schedule a public hearing with the purpose of reviewing Local Law No. 1 of 2023 for a six (6) month moratorium for solar energy systems on February 27, 2023 at 6:00 pm at the Erin Town Hall.

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

A motion was made by R. Evans and seconded by W. VanRiper, Jr. to work with STC to update the comprehensive plan.

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

Buildings & Grounds- Supervisor Schmidt suggested to keep working with Bob, the project manager, about the plan. Councilman VanRiper, Jr. will reach out to him tomorrow.

Supervisor- Dawn Schmidt- The state passed a law that paperwork can no longer say councilmen; it has to say councilman and councilwoman, it cannot say councilperson. She will follow up with the attorney. Soil and Water maintenance agreement for Countywide Stream Management Program is \$2500.00. Eleven (11) towns are in on this and is done by per capita. The agreement goes for another five (5) years.

Motion was made by R. Evans and seconded by M. Shutts to sign the intermunicipal agreement for the Countywide Stream Management Program from January 1, 2023 to December 31, 2027.

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

In regards to the Snowmobile Club, the attorney came back with a bunch of questions because it goes on private property and back onto Town property. We just have to figure out how to do it. It is not as easy as just signing the paperwork. It causes a different liability due to being on Town property and not personal property. Still working with the attorney.

OLD BUSINESS

Councilman Delorme asked about the response from Stormwater Team regarding the membership dues that were \$3750.00 and the Board agreed to pay \$2000.00. Supervisor Schmidt has heard no response from them. Mark Margeson said there has been challenges going on with Stormwater and Soil and Water. Mark Watts left Soil and Water and is now involved in Stormwater.

With no 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 7:53 PM. Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.