

May 13, 2026
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 6:31 pm. She then asked the Clerk to call the roll.

MEMBERS PRESENT: William VanRiper, Jr., Ryan Buzzetti, Michael Shutts, Dawn Schmidt.

MEMBERS EXCUSED: Alan Hughson.

PUBLIC PRESENT: Joe & Cindy Frega, Anthony & Ellen Coolbaugh.

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

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 5, #59-81, totaling \$13,488.31; and the Highway Fund Abstract 5, #47-63 (#52 is not used), totaling \$21,638.66; and the Street Lighting Fund Abstract 5, #77, totaling \$47.19.

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

Audited bills as they appear on the General Fund Abstract 4, #40-58, totaling \$43,854.94; and the Highway Fund Abstract 4, #33-45, totaling \$75,454.97; and the Street Lighting Fund Abstract 4, #54, totaling \$174.60 were signed by the Board on the off-meeting month.

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts to dispense with the reading of the minutes from the Board Meeting on March 11, 2026 and approve the minutes.

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

COMMUNICATIONS

- There was a rabies clinic on April 27th from 5:30-7:00; 38 cats, 117 dogs, and 3 ferrets were vaccinated.
- A copy of a resolution passed by the Town of Van Etten was received encouraging coordination action among affected municipalities served by NYSEG.
- Received a quote from B & B Custom Construction, LLC for the court entrances in the amount of \$7,265.98.

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts to accept the quote from B & B Custom Construction, LLC and move forward with the court entrances project. Council Member VanRiper, Jr. will contact them.

Motion Carried: W. VanRiper, Jr., R. Buzzetti, M. Shutts, D. Schmidt. Nays: None.

- An email was received from Brad Zehr in regards to the town's website to do a security upgrade and refine and enhance the site. The cost would be between \$200-\$500. The Board agreed to proceed.
- The Town Clerk asked for an Adobe upgrade to the computer. Council Member Shutts will help with that process.

- Guthrie's Maternity Oasis Mobile (MOM) Unit was at the Town Hall 9:30-3:00 on May 12th and will be returning June 15th, July 20th, and August 18th to provide services.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING MAY 13, 2026;

1. RESOLUTION 22-2026 SPECIAL PERMIT FOR SUBDIVISION FOR HOWARD AND KIMBERLY VANSKIVER ZONING DISTRICT AR-1 DISTRICT (AGRICULTURAL-RESIDENTIAL)
2. RESOLUTION 23-2026 ESTABLISHES THE STANDARD WORK DAY FOR EMPLOYEES FOR NYS RETIREMENT SYSTEM
3. RESOLUTION 24-2026 ESTABLISHES THE STANDARD WORK DAY FOR EMPLOYEES FOR ELECTED AND APPOINTED OFFICIALS FOR NYS RETIREMENT SYSTEM
4. RESOLUTION 25-2026 TO ADOPT INTERMUNICIPAL AGREEMENT BETWEEN TOWN OF ERIN AND CITY OF ELMIRA FOR SHARED CODE ENFORCEMENT SERVICES
5. RESOLUTION 26-2026 APPOINT IAN HOLLENBECK TO THE TOWN OF ERIN BOARD OF ASSESSMENT REVIEW AS A SUBSTITUTE MEMBER

RESOLUTION 22-2026

RESOLUTION FOR SPECIAL PERMIT FOR SUBDIVISION FOR HOWARD AND KIMBERLY VANSKIVER ZONING DISTRICT AR-1 DISTRICT (AGRICULTURAL-RESIDENTIAL)

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

WHEREAS, the Town of Erin received an application from Howard and Kimberly Van Skiver, of 498 Thayer Road, Erin NY 14838 for a special permit to subdivide on behalf of Rodger, Paul, and Timothy Matejka to subdivide a 15.95-acre Tax Map Parcel Number 62.00-1-21.152 of vacant farmland into 3 lots, located in the AR-1 District (Agricultural-Residential). As defined by Local Law No 10-1992 each lot would be a little more than 5 acres each. and

WHEREAS, this special permit application was referred to the Town of Erin Planning Board May 13, 2026 to make a recommendation on and to hold a preliminary The State Environmental Quality Review; and

WHEREAS: The Town of Erin Planning Board after a public hearing and The State Environmental Quality Review on February 23, 2026 finds the following:

1. Will need a driveway permit from the Chemung County Highway Department.
2. Is a Type 2 action and will not require further SEQR action.
3. The application was submitted to the Chemung County Planning Board pursuant to General Municipal Law § 239-m. And
4. A subdivision survey provided to The Town; before a permit is granted.

BE IT RESOLVED THE ERIN TOWN BOARD; does accept the findings of The Town of Erin Planning Board and does grant / deny the subdivision request of Howard and Kimberly Van Skiver, with the following conditions per the March 26, 2026, the Chemung County Planning Board review; see attached recommendations.

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

RESOLUTION 23-2026

ESTABLISHES THE STANDARD WORK DAY FOR EMPLOYEES FOR NYS RETIREMENT SYSTEM

Resolution By: W. VanRiper, Jr.

Seconded By: D. Schmidt

Be it resolved, that the Town of Erin hereby establishes standard work days for its employees and will report days worked to the New York State and Local Employees Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the bookkeeper of the Town of Erin.

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

RESOLUTION 24-2026

ESTABLISHES THE STANDARD WORK DAY FOR EMPLOYEES FOR ELECTED AND APPOINTED OFFICIALS FOR NYS RETIREMENT SYSTEM

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

Be it resolved, that the Town of Erin hereby establishes standard work days for elected and appointed officials to the New York State and Local Employees Retirement System.

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

RESOLUTION 25-2026

RESOLUTION TO ADOPT INTERMUNICIPAL AGREEMENT BETWEEN TOWN OF ERIN AND CITY OF ELMIRA FOR SHARED CODE ENFORCEMENT SERVICES

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made this ____ day of _____, 2025 by and between:

CITY OF ELMIRA, NEW YORK, a municipal corporation with offices at 317 East Church Street, Elmira, NY 14901 (hereinafter "***City***")

and

TOWN OF ERIN, NEW YORK, a municipal corporation with offices at 1138 Breesport Road, Erin, NY 14838 (hereinafter "***Town***")

WHEREAS, the State Legislature and the Governor of the State of New York have authorized initiatives "to improve the efficiency of local government" by means of municipal shared services agreements; and

WHEREAS, the Town's Assistant Code Enforcement Officer position was eliminated as

of January 31, 2019; and

WHEREAS, the City and the Town desire to enter into an Intermunicipal Agreement setting forth each party's rights and responsibilities regarding the agreed upon services; and

WHEREAS, New York State General Municipal Law section 119-o authorizes municipal corporations to enter into an agreement pertaining to shared services;

NOW, THEREFORE, the City and Town mutually agree as follows:

SECTION I TERM

This Agreement shall become effective from May 1, 2025 and shall expire on September 1, 2025 unless sooner terminated or extended.

SECTION II DESCRIPTION OF INTERMUNICIPAL SERVICES

The City, by its Assistant Code Enforcement Officer, shall conduct property maintenance/junk and debris inspections ("Services") for six (6) hours each week for the time period specified: May 1, 2025 to September 1, 2025.

In addition to the above described Services and without any additional consideration, the City and Town agree that, on a need basis as determined by the City's Director of Code Enforcement, the City may periodically provide additional code Services. To effect these Services, by this Agreement, the Town empowers, authorizes, and grants City Code Enforcement Officers all rights, responsibilities, and duties of the code enforcement officers within the territorial jurisdiction of the Town.

SECTION III CONSIDERATION

For the City providing these Services, the Town shall pay to the City the amount of Two Thousand Four Hundred and No/100 Dollars (\$2,400.00), which the Town shall pay within thirty

(30) days of the acceptance of this Agreement.

SECTION IV EMPLOYMENT

At all times during the term of this Agreement, the City's Assistant Code Enforcement Officer or his replacement, shall remain an employee of the City, and the City shall procure and keep in effect all necessary insurances (liability, workers' compensation and any other insurances provided by the City). City Code Enforcement Officers at all times when rendering Services pursuant to this Agreement shall remain employees of the City and shall be entitled to the insurance coverages and employment benefits provided by or through the City.

SECTION V INDEMNIFICATION

The City hereby indemnifies and holds harmless the Town, its officers and employees, from any and all claims, causes of action, judgments, costs and expenses (including reasonable attorneys' fees) for property damage or bodily injury, including death, and/or personal injury and damage arising as a result of the negligence or intentional conduct of the City, its officers and employees, in performing and rendering the Services pursuant to this Agreement.

SECTION VI RECORDS RETENTION AND ACCESS

The City and the Town agree to retain all books, records and other documents pertinent to the Services rendered in accordance with federal and state law. At all times during the term of this Agreement, each party shall have access to any and all records pertaining to the Services rendered and, upon request, each party promptly shall provide copies of records and materials to the requesting party.

SECTION VII COOPERATION

The City and Town recognize that in the performance of this Agreement, the greatest benefits will be derived by promoting the interest of both parties, and each of the parties does, therefore, enter into this Agreement with the intention of loyally cooperating with the other in carrying out the terms of this Agreement, and each party agrees to interpret its provisions insofar as it may legally do so, in such manner as will permit the interest of both and render the highest service to the public and in accordance with the provisions of this Agreement.

***SECTION VIII
GENERAL PROVISIONS***

This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated by reference are to be attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or define any of the parties hereto.

***SECTION IX
TERMINATION***

Either party may terminate this Agreement upon thirty (30) days prior written notice to the other.

***SECTION X
NOTICES***

All notices under this Agreement, including any notice pursuant to section IX hereinabove, shall be in writing and shall be either personally served upon or mailed by certified mail, return receipt to:

For the City:
City Manager
317 East Church Street
Elmira, NY 14901

For the Town:
Town Supervisor

1138 Breesport Road
Erin, NY 14839

**SECTION XI
HEADINGS**

The headings in this Agreement are inserted for convenience and reference only and shall not be used in any way to interpret this Agreement.

**SECTION XII
VALIDITY**

If any term or provision of this Agreement shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement shall not be affected.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on the date herein written.

CITY OF ELMIRA, NEW YORK

By: _____
Daniel J. Mandell, Jr./Mayor
Resolution No. 2025 - 116

TOWN OF ERIN, NEW YORK

By: _____
Dawn Schmidt/Supervisor
Resolution No. 2025 - _____

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

RESOLUTION 26-2026
APPOINT IAN HOLLENBECK TO THE TOWN OF ERIN BOARD OF ASSESSMENT REVIEW AS A SUBSTITUTE MEMBER
Resolution By: D. Schmidt
Seconded By: M. Shutts

WHEREAS, if a BAR member is not able to be at grievance; and

WHEREAS, Town of Erin resident Ian Hollenbeck has shown an interest in this position; therefore, be it

RESOLVED, that on this day, May 13, 2026, the Town Board of the Town of Erin appoints Town of Erin resident Ian Hollenbeck to fill in as a Town of Erin Board of Assessment Review member effective immediately.

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

COMMITTEE REPORTS

Town Attorney- No report.

Planning Board- Deda Cedar- Has not heard back from the Town Attorney regarding the first chapter that needed review; she will check back with her. The Planning Board is going to look into data centers. Dryden has done a lot of work and suggests the town follow their lead. The Planning Board will get a document together for review by the attorney for the data center moratorium. There was no meeting in April due to not having a quorum. There are openings for alternates. Four (4) members are going to training in June.

Parks, Recreation and Senior Committee-Deda Cedar- The Office of the Aging was at the May meeting to discuss their services and give out tote bags. There is a trip planned to the Attica rodeo in August. Looking into getting a debit card. There were 12 people at the May meeting. Park members are considering purchasing tether ball for the Park. The cost is \$166.00 for the pole, \$30.37 for the ball, and \$45.15 for shipping. There was a discussion on theft, mowing, and placement. There will be a town wide picnic on July 12th. Park Commission will supply hotdogs and hamburgers. It will be a potluck.

Joe Frega- Wood Fest- Approached the Fire Commissioner with an idea of signage – Erin Town Park, Home of Wood Fest on a mock up sawblade. The \$15,000 grant was approved. There are 11 carvers registered and over 20 vendors; Erin residents have free spots. There are three (3) radio stations for advertising, social media is being utilized. There is overflow parking available if needed. Looking for volunteers. Roadway improvements are needed in two (2) areas. The Board is okay with providing fill for the low spots. It was suggested to wait until closer to the date to fix. Discussed planting a tree in Steve Shutts memory. Randy Parker has offered to donate a Bradford pear. Would like to plant the tree after the auction on Sunday. A location has not yet been determined.

Code Enforcement-John McCracken- He is citing trash. NYS signed legislation that anything in a zone X flood plane is now considered 100 year. By law, everything being built has to be designed by an engineer. It went into effect January 1st. He has a special permit from William Thomas to subdivide his property into two (2) parcels. The property is on North Greenbush Road and would like to divide off a little over three (3) acres. The paperwork was given to Deda.

Highway Superintendent-Harold Spencer- They have been putting driveway pipes in, ditching, and cutting brush. Asked Board's permission to take trailer to Wood Fest and leave it for the carvers to put stuff in. Board is okay with that. He has not heard back from the auctioneer regarding truck #22 that was put up for surplus. There are two (2) big tires from the broom, they are brand new, but they have no use for them. Council Member VanRiper, Jr. suggested to contact Sean. He is having a hard time finding a battery for the Case tractor.

Buildings and Grounds- Council Member VanRiper, Jr.- Deciding on what else needs to be worked on for expenditures ie gates, building. Will be working on getting Court entrance project started.

County Representative- Mark Margeson- Not at meeting.

Supervisor-Dawn Schmidt- Suggested Board members get together to map out grounds for a possible gate for Highway Dept. The approval was done for the purchasing of the truck. Chemung Canal finally came back with 5.8% & 6.0% to bond and Greene came in at 2.8% & 3.0%. Would like to put ½

down in cash and bond for the other ½. Does not want to pay cash for the entire truck. The Board agreed to go with Greene with 3.0% for ½ bonding. The March police report was received and there were 36 incident reports, 4 uniform traffic tickets, and 20 traffic stops. The April police report had 28 incident reports, 5 traffic stops, and 1 violation arrest.

Harold Spencer- Dust oil has increased in price to almost \$3.00/gallon. The Board suggested to do as much of the roads as possible. Roads are the biggest expense.

OLD BUSINESS

Joe Frega – 6 Church St- Asked about the damage on Church St/Church Rd. Harold will get it flushed off and swept and the state will be back to look at it.

HEARING OF THE PUBLIC

Joe Frega- 6 Church St- There will be a Memorial Day parade float in the Horseheads parade. They will be meeting at the Horseheads High School at 1:00 pm for anyone interested.

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

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts to adjourn the meeting at 7:22 pm. Motion Carried: Ayes: W. VanRiper, Jr., R. Buzzetti, M. Shutts, D. Schmidt. Nays: None.