

October 11, 2023  
Town of Erin Budget Workshop

Supervisor Schmidt called the Budget Workshop of the Erin Town Board to order on this date at 5:30 PM. She then asked the Clerk to call the roll.

MEMBERS PRESENT: William VanRiper, Jr., Alan Hughson, Michael Shutts, Dawn Schmidt.

MEMBERS EXCUSED: Randy Evans.

PUBLIC PRESENT: Maureen Spencer, Joe Frega, Cindy Whiddon.

Supervisor Schmidt welcomed everyone and the workshop began.

The changes in the budget are a 38.5% increase from Board of Elections, quotes for insurance went up 3.3%, health benefit quote is up 11%, 3% raise to the Highway Department and Justice. The Assessor will remain static. This is the last year for the Pilot which means there will be about a \$17,000 hit that will need to be made up next year. Need to start planning for the 2025 budget. The Fire District increased 3.6%. Supervisor Schmidt recommends doing a resolution to override the 2024 tax cap limit just in case it is needed. There will be at least a 2% increase. The Public Hearing has been scheduled for November 8, 2023 at 5:30 PM for the Town of Erin 2024 Budget.

With no further comments Supervisor Schmidt closed this portion of the meeting at 5:50 PM.

October 11, 2023  
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 5:50 PM. She then asked the Clerk to call the roll.

MEMBERS PRESENT: William VanRiper, Jr., Alan Hughson, Michael Shutts, Dawn Schmidt.

MEMBERS EXCUSED: Randy Evans.

PUBLIC PRESENT: Maureen Spencer, Joe Frega, Cindy Whiddon, Mark Margeson.

PUBLIC PRESENT ON ZOOM: Paul Saunders.

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

A motion was made by M. Shutts and seconded by A. Hughson to pay the audited bills as they appear on the General Fund Abstract 11, #154-171, totaling \$56,089.34; and the Highway Fund Abstract 11, #148-161, totaling \$47,843.12.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

A motion was made by W. VanRiper, Jr. and seconded by A. Hughson to dispense with the reading of the minutes from the regular Board Meeting on September 13, 2023 and approve the minutes.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

#### COMMUNICATIONS:

- A reminder that the Public Hearing for the 2024 Budget is set for November 8, 2023 at 5:30 PM with the Board meeting to immediately follow.
- The Clerk will be setting up Sexual Harassment training so check your emails for date and time.
- The Erin Town Hall will have a free rabies clinic tomorrow, Thursday, October 12, 2023 from 6:00 PM– 7:30 PM.
- Two (2) sealed bids were received for the fire truck that were opened. The first one from Jeremy Keller for \$1000.00 and the other from Bob Wood for \$150.00. Steve Tyler will contact Jeremy Keller to fill out required paperwork.

#### AGENDA FOR THE TOWN OF ERIN BOARD MEETING, OCTOBER 11, 2023;

- RESOLUTION 35-2023 TO SET PUBLIC HEARING FOR LOCAL LAW #2 OF 2023 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C
- RESOLUTION 36-2023 TO MOVE THE TENTATIVE 2024 BUDGET
- RESOLUTION 37-2023 TO GRANT A TAX EXEMPTION TO ELIGIBLE VOLUNTEER FIREFIGHTERS AS PROVIDED BY REAL PROPERTY TAX LAW 566-A
- RESOLUTION 38-2023 TO ABANDON A PORTION OF HASKINS ROAD THAT HAS NOT BEEN MAINTAINED IN OVER TWENTY (20) YEARS

#### RESOLUTION 35-2023

RESOLUTION TO SET PUBLIC HEARING FOR LOCAL LAW #2 OF 2023 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

Be it resolved, that the Town of Erin scheduled a Public Hearing on Local Law #2 of 2023 to override the tax levy limit established in General Municipal Law 3-C on November 8, 2023 at 5:30 pm at the Erin Town Hall immediately followed by the November Town Board meeting.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

#### RESOLUTION 36-2023

RESOLUTION TO MOVE THE TENTATIVE 2024 BUDGET TO A PRELIMINARY BUDGET

Resolution By: A. Hughson

Seconded By: M. Shutts

BE IT RESOLVED to move the tentative 2024 Budget to a preliminary budget.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

#### RESOLUTION 37-2023

RESOLUTION TO GRANT A TAX EXEMPTION TO ELIGIBLE VOLUNTEER FIREFIGHTERS AS PROVIDED BY REAL PROPERTY TAX LAW 566-A

Resolution By: W. VanRiper, Jr.

Seconded By: M. Shutts

WHEREAS, 4661a of the Real Property Tax Law authorizes the Fire District after a public hearing to grant a tax exemption to enrolled volunteer members of the Erin Fire Department; and

WHEREAS the Fire District has conducted the public hearing required by the Statute and elicited public comment on said topic; and

WHEREAS the Board of Fire Commissioners has determined that the granting of the tax exemption will enhance recruitment and retention of volunteer firefighters in the Fire Department; and

NOW THEREFORE BE IT RESOLVED that an exemption be granted at 10% of the assessed value of the real property owned by an enrolled volunteer firefighter who meets eligibility requirements established in this Resolution; and

BE IT FURTHER RESOLVED that the enrolled member of the Erin Fire Department must meet the following requirements to be eligible for the tax exemption:

1. The enrolled member must reside in the territory served by the Fire District
2. The property must be the primary residence of the enrolled member
3. The property is used exclusively for residential purposes, provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section
4. The enrolled member has been certified by the Chief of the Fire Department to have served at least two (2) years of active service and such certification has been approved by the Board of Fire Commissioners

BE IT FURTHER RESOLVED that an enrolled member of the Erin Fire Department, who accrues more than twenty years of active service after the adoption of the resolution, and as certified by the Chief of the Fire Department shall be granted the ten (10) percent exemption as authorized by this resolution for the remainder of his or her life as long as the property for which the exemption is sought under this resolution is the primary residence of the enrolled member; and

BE IT FURTHER RESOLVED that the exemption granted under this Resolution shall continue for the un-remarried spouse of an enrolled member of the Fire Department who is killed in the line of duty upon the following conditions:

1. The un-remarried spouse is certified by the Chief of the Fire Department as the un-remarried spouse of the volunteer firefighter killed in the line of duty; and
2. The deceased volunteer firefighter had been an enrolled member for at least five years; and

3. The deceased volunteer firefighter had been receiving the exemption prior to his or her death.

BE IT FURTHER RESOLVED that the exemption granted under this RESOLUTION shall continue for the un-remarried spouse of a deceased member of the Erin Fire Department under the following conditions:

1. The un-remarried spouse is certified by the Chief of the Fire Department as the un-remarried spouse of the deceased enrolled member of the Erin Fire Department
2. The deceased volunteer firefighter has been an enrolled member for at least twenty years.
3. The deceased volunteer firefighter has been receiving the exemption prior to his or her death.

BE IT FURTHER RESOLVED that any exemption granted under this Resolution shall be filed with the Town of Erin on the forms designated by the Town; and

BE IT FURTHER RESOLVED that the Secretary of the Fire District is directed to provide the Town of Erin with a copy of this Resolution; and

BE IT FURTHER RESOLVED that this resolution shall be governed by and applied in accordance with Real Property Tax Law 466-a

BE IT FURTHER RESOLVED THIS RESOLUTION shall be effective as of the date of its adoption.

Motion Carried: Ayes: W. VanRiper, Jr., M. Shutts, D. Schmidt. Nays: A. Hughson.

#### RESOLUTION 38-2023

RESOLUTION TO ABANDON A PORTION OF HASKINS ROAD THAT HAS NOT BEEN MAINTAINED IN OVER TWENTY (20) YEARS

Resolution By: D. Schmidt

Seconded By: W. VanRiper, Jr.

WHEREAS, the Town of Erin Town Board is in receipt of a letter from the Town of Erin Highway Superintendent dated October 11, 2023 requesting consent from the Town Board to provide written consent to abandon a portion of Haskins Road in the Town of Erin which has not been maintained or used as a public highway for more than 20 years; and

NOW THEREFORE BE IT RESOLVED that Town Board of the Town of Erin, County of Chemung, State of New York acknowledges receipt of a letter from the Town of Erin Highway Superintendent dated October 11, 2023 verifying that the portion of Haskins Road beginning at the Hollenbeck Cemetery traveling in south easterly direction for approximately Three Thousand One Hundred Forty (3,140) feet until the beginning of Hollenbeck Road which begins immediately west of the parcel with tax map no. 42.00-1-52, currently owned by Alan Tobey and also depicted on the attached Town Map and such portion of Haskins Road has not been maintained as a highway nor used as a highway by the public for more than twenty (20) years; and

BE IT FURTHER RESOLVED that in accordance with New York Town Highway Law section 205(1), the Town Board hereby consents to hereby abandon the portion of Haskins Road as described herein and directs the Town Supervisor to execute any and all necessary documents related to this declaration of abandonment and to file and record any such documents with the Town Clerk's office.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

#### COMMITTEE REPORTS

Town Attorney-In regards to the snowmobile path, first we had to abandon the road, John McCracken has maps that he will work with, a Public Hearing has to be done before a Local Law can be passed because of authorizing people to use the path and not be liable. There is more work that needs to be done before the Public Hearing is set-noise, time, use, violations (tickets, penalties).

Councilmember VanRiper, Jr. will ask Josh Blauvelt what other town policies are.

Planning Board-Deda Cedar- The permit for Brandon McIlwain's auto body shop was approved by the Planning Board and the County had zero issues.

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts to accept and approve the permit for Brandon McIlwain's auto body shop and approve the preliminary SEQR form that has a negative declaration.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

The Farm East Public Hearing will be at the Town Hall October 19<sup>th</sup> @ 6:00 PM with the Planning Board meeting immediately following. The greenhouse on Fairview Road application is not complete yet. The seasonal campsite special use permit is not complete yet either. Both have been informed. The Comprehensive Plan meetings have been productive. The survey is closing on November 2<sup>nd</sup>. Please complete if you have not done so.

Parks, Recreation and Senior Committee-Deda Cedar- Councilmember Shutts did not receive Judd Parrott's phone number; Deda will resend email. Ruth Widrig is interested in teaching yoga classes again with possible morning classes. There will be a craft fair November 11<sup>th</sup>. The senior lunch had 15-16 people attend. The November Senior meeting will have the Office of the Aging attending to inform people of the programs that are offered. The food truck served 175 clients. They had a young couple show up 15 minutes late that did not speak English. Supervisor Schmidt recommended asking if they are being sent by another location. They get one time and then they need to go back to their home base. Meals on Wheels is offering a Thanksgiving dinner on November 18<sup>th</sup>.

Code Enforcement-John McCracken- He has been working on the snowmobile trail with the Town Attorney. Working on longitude and latitude along with maps that he will scan and email. He has been obtaining data for the Comprehensive Plan and continues to do inspections.

Highway Superintendent-Steve Tyler- Since the last meeting they have been grading roads, putting down dust control, trimming trees and cleaning ditches. They have replaced several street signs, corner signs and yield signs on different roads. Truck #16 blew a hydraulic line and had a small fire on the exhaust. It has been repaired. Town of Hornellsville has a 2019 truck for sale and Steve feels it is in the best interest of the Town to purchase it with Chips money. Truck #2 is a 1999 and needs a lot of suspension work. Truck #16 is a 2003 and cannot be used to plow and cider. Truck #12 is a 2007 and is one of the main trucks. By purchasing the 2019 truck from Hornellsville with only 40,000 miles on it, would upgrade the fleet and save money. They would then get rid of the 1999 and the two (2) single axels that are 1985's.

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts to move forward with the purchase of the 2019 truck from Hornellsville with Supervisor Schmidt looking into gap financing for 90-120 days.

Motion Carried: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

Buildings and Grounds- Councilman VanRiper, Jr.- The HVAC project is underway and moving along. He received a quote to fix the blocks around the front door of the Town Hall. He is waiting on three (3) more quotes.

County Representative-Mark Margeson- The Legislators are involved in the County budget process for the first time. A letter was sent regarding additional funding for towns and villages based on road miles. Sales tax revenue is down significantly. Report from Casella-they will be putting together a pipeline system to move the gas coming off the hill and it will be pumped towards Binghamton along the highway. There will be a deal with the County and they could end up with a minimum of \$75,000 and could go up to \$300,000-\$400,000 depending on the gas. When the Casella deal comes up, it could be reworked for an additional 5-10 years and offer additional funding. The County purchased the bank building and has been consolidating offices and county departments. Supervisor Schmidt asked if he followed up with Casella regarding the cost associated with dropping off larger items. Need to figure out the process of making it more affordable for people to dispose of unwanted items so they are not dumped in the town. Mark will also follow up with Casella leaving their trash bins in the right of way and why they no longer sort the recycling. Communicate to people so they know what is happening and it will help.

Supervisor-Dawn Schmidt- Asked Deda if she was in touch with the silo painter due to the picture not being where it was supposed to be. Deda said that Donna Vergason spoke with her and they decided they would apply for another grant and another artist. Supervisor Schmidt said that was abusing the grant system. To have it fixed will cost for another lift rental for a week (about \$800.00). Suggested to get it in writing that it will be fixed once the weather breaks.

#### HEARING OF THE PUBLIC

Joe Frega-6 Church St- They live behind what was the old post office and they are putting a general store sign on a storage shed and other nostalgic signs to give it an old store front look. Thanked the Town for getting the street lights fixed and also for cleaning out Baker Creek. Supervisor Schmidt let them know that paperwork was submitted to upgrade the lights in the Hamlet. Information was provided and we are waiting to hear back from the Clean Energy Communities Coordinator.

With no further comment 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 6:52 PM. Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.