

January 18, 2024  
Town of Erin Organizational Meeting

Supervisor Schmidt called the Organizational meeting of the Erin Town Board to order on this date at 5:46 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: Katherine & Jeff Welsh.

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

AGENDA FOR THE TOWN OF ERIN ORGANIZATIONAL MEETING, JANUARY 18, 2024;

1. RESOLUTION 2-17-2024 see attached

RESOLUTION 2-2024

RESOLUTION ESTABLISHING ORDER OF BUSINESS AT TOWN BOARD MEETINGS

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the following rules shall be observed at Town Board Meetings during the year of 2024;

- A. The Supervisor or Deputy Supervisor shall preside at all Town Board Meetings.
- B. At the regular meetings, the Supervisor or Deputy Supervisor shall call the meetings to order and the Clerk shall call the roll.

If a quorum be present the Order of Business shall be:

1. Roll Call.
2. Pledge to our Flag.
3. Audit of Highway and General Fund Bills.
4. Reading of the Minutes.
5. Presentation of Petitions and Communications.
6. Reading of the Agenda and Additions.
7. Motions and Resolutions.
8. Report of the Town Attorney.
9. Report of the Planning Board.
10. Report of the Planning Board Liaison.
11. Report of the Zoning Board of Appeals.
12. Report of the Parks, Recreation and Senior Committee.
13. Report of the Code Enforcement Officer.
14. Report of the Highway Superintendent.
15. Report of the Buildings & Grounds.
16. Report of the Highway Committee.
17. Report of the County Representatives.
18. Report of the Supervisor.

19. Report of Old Business.
20. Hearing of the Public.
21. Adjournment of the Meeting.

C. Rules regarding all business:

1. If a quorum is not present, the members present adjourn to a fixed date.
2. The Supervisor or Deputy Supervisor (in the Absence of the Supervisor) shall preserve order, decorum and shall decide all questions of order subject to Roberts Rules of Order.
3. The Public may speak for three minutes only on a subject.
4. The Supervisor, in all cases, has the right to vote and when the vote is equally divided, including his vote, the question is lost.
5. Every member prior to speaking shall address himself/herself to the Supervisor and/or the Deputy Supervisor.
6. No member, prior to speaking, may do so more than once on a question until every member choosing to speak shall have spoken.
7. Persons not members of the Board may, by consent of the Supervisor and/or Deputy Supervisor, speak in regard to matters pending before the Board.
8. When a question is stated from the Supervisor and/or Deputy Supervisor, every member present shall vote thereon unless excused by the Board, or is directly interested in the question in which case he/she may abstain.
9. No Motion, Resolution of Amendment shall be debated or put to vote unless it is seconded.
10. The name of the member offering and seconded Resolutions and Motions shall be extended to the Minutes.
11. The vote, upon all Motions, Resolutions and Amendments, shall be by roll call.
12. All matters to be accepted on the Town Board shall be filed with the Clerk of the Board one week prior to the regular monthly or adjourned meeting of the Town Board but may be added by majority of the Town Board vote. For any other meeting, the subject matter shall be stated in Notice of Special Meeting.
13. The Town Clerk shall prepare a written agenda for all matters to be acted on by members with notice of all Special Meetings. The Town Clerk is not required to make copies of items to be acted on in agenda, but shall abstract subject matter of items for the purpose of agenda.

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

RESOLUTION 3-2024

RESOLUTION AFFIXING THE TIME AND PLACE OF REGULAR MEETINGS

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the regular monthly meeting of the Erin Town Board shall be held on the second Wednesday of each month beginning at 6:30 PM ET or EDT, whichever is in effect, and be it further

RESOLVED that the meetings be held at Erin Town Hall, 1138 Breesport Road, Erin, NY unless by designation for holding the next meeting.

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

RESOLUTION 4-2024

RESOLUTION REGARDING FORM OF MINUTES FOR TOWN BOARD MEETING

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the Town Clerk be and hereby directed to keep minutes of the Town Board in typewritten form on heavy bond paper and furnish to each member of the Town Board, Town Attorney and Internal Budget and Accounting Officer and the Highway Superintendent within fourteen (14) days a copy of each set of minutes, and be it further

RESOLVED a draft copy of the Town Board Minutes shall be made available to the public within fourteen (14) days, and be it further

RESOLVED in the event the minutes are found to be inaccurate, the Town Clerk shall be required to make necessary corrections duly noted by the Town Board, prior to the filing of said minutes. The Town Clerk shall then furnish each member of the Town Board, Town Attorney, Internal Budget and Accounting Officer and the Highway Superintendent with a copy of each set of corrected minutes as filed, to include the signature of the Town Clerk, of facsimile thereof within ten (10) days after said Board Meeting and be it further

RESOLVED, all copies of Town Business will be made available to the public at a cost of \$1.00 (one dollar) per page, and be it further

RESOLVED, statements made by the public will include Name, Address, recommendation and/or concern. Use of abusive or vulgar language will omit statement from being duly recorded.

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

#### RESOLUTION 5-2024

##### RESOLUTION DESIGNATING OFFICIAL NEWSPAPER.

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the Elmira Star-Gazette, 203 Baldwin Street, Elmira, NY, be designated as the Official Newspaper for the Town of Erin.

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

#### RESOLUTION 6-2024

##### RESOLUTION APPROVING PURCHASE OF BONDS 2024

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the Town of Erin bonds of the Town Officials be written in values of and/or not to exceed (NTE):

- Town Clerk/Tax Collector - \$60,000.00
- Supervisor - \$60,000.00 - NTE\$100,000
- All other Town Officials a blanket bond of \$20,000 – NTE \$50,000

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

#### RESOLUTION 7-2024

##### RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES FOR OFFICIALS

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the Official Depositories of the Town of Erin for 2024 shall be as follows:

|             |                      |                         |
|-------------|----------------------|-------------------------|
| Supervisor: | General Fund Account | Any Branch              |
|             | Trust and Agency     | Chemung Canal Trust Co. |
|             | Highway Fund Account | One Chemung Canal Plaza |

Investment Account (CLASS) MBIA Services  
One New York

New York, NY

Justice, Town Clerk/Tax Collector: Chemung Canal Trust Co.

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

#### RESOLUTION 8-2024

##### RESOLUTION AUTHORIZING SUPERVISOR TO ADVANCE CONFERENCE/TRAINING MONEY

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the Town Supervisor be authorized to advance monies for expenses incurred at conferences/training for Town Officials, and be it further

RESOLVED that all Town Officials requesting to attend said conference/training are required to submit a resolution to the Town Supervisor in advance requesting authorization to attend such conference/training, and be it further

RESOLVED that any expenses incurred at conferences/training without prior Town Board approval will be the responsibility of said Town Official, and be it further

RESOLVED that Proof of attendance shall be submitted to the Town Board. Example: Literature or written report.

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

#### RESOLUTION 9-2024

##### RESOLUTION APPROVING MEMBERSHIP IN ASSOCIATION OF TOWNS

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED the Town of Erin be a member of the Association of Towns for the year 2024, and note there is money put aside in the budget for this purpose and be it further

RESOLVED that the Supervisor or Deputy Supervisor shall act as the delegate to the Association meeting in New York City, February 2024, in attendance and be it further

RESOLVED a Councilperson may serve as a delegate if neither the Supervisor nor the Deputy Supervisor is in attendance, and said delegate is approved by the Town Board.

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

#### RESOLUTION 10-2024

##### APPROVING MILEAGE ALLOWANCE

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the mileage allowance for conducting Town Business shall be that in effect from the Internal Revenue Service (IRS) per mile, subject to Town Board audit, and be it further

RESOLVED that mileage will not be paid for normal travel to perform position duties and from the Town Hall, and that mileage shall be recorded from destination A to destination B on mileage form designated by the Town Board, and be it further

RESOLVED that the Erin Town Board shall not authorize payment of mileage unless said mileage form is submitted for reimbursement.

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

#### RESOLUTION 11-2024

##### RESOLUTION TO AUTHORIZE ELECTRONIC PRE-PAYMENT OF UTILITY AND INSURANCE BILLS

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that authorization supervisor or deputy supervisor is made for the following bills to be classified electronic pre-payments: NYSEG, Verizon, Verizon Wireless, AT&T, and all insurance bills, so as to avoid paying penalties and/or cancellation.

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

#### RESOLUTION 12-2024

##### RESOLUTION PERTAINING TO HEALTH INSURANCE

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that those employees working a minimum of forty (40) hours per week be covered by health insurance and be required to pay \$40.00 per month towards their premium, and be it further

RESOLVED that any other Elected or Appointed Official be afforded the opportunity to purchase insurance at the rates established by the Insurance Company and be it further

RESOLVED that all retirees be afforded the right to continue health coverage under the guidelines established for COBRA, and be it further

RESOLVED that the Town of Erin furnishes no health insurance for its retirees or any form of payment schedule toward retiree premiums.

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

#### RESOLUTION 13-2024

##### RESOLUTION ALL PAYROLLS BE DONE DIRECT DEPOSIT

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that all Payrolls will be done by Direct Deposit by Budget Clerk with authorization from Supervisor or Deputy Supervisor.

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

#### RESOLUTION 14-2024

##### RESOLUTION SETTING PAY AND POLICIES FOR THE HIGHWAY CREW

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the pay rates for the following classifications are to be paid to the Highway Crew for 2024:

|            |                                   |         |
|------------|-----------------------------------|---------|
| 2024 Rates | Part Time Employees               | \$14.02 |
|            | New Full Time Employees           | \$17.36 |
|            | End of One Year                   | \$19.10 |
|            | After Two Years at Regular Status | \$23.46 |

And be it further

RESOLVED that the pay period shall be bi-weekly and pay shall be the following Thursday, and be it further

RESOLVED that at the discretion of the Highway Superintendent, new employees, who are qualified, may start at a higher rate of pay with final approval by the Town Board, and be it further

RESOLVED that all new employees are hired on a six (6) month probationary period, and be it further

RESOLVED that those employees hired after January 1990, shall be paid up to and including ten (10) days accumulated unused sick leave upon death or retirement, and be it further

RESOLVED that the following days are paid holidays for full time regular employees: New Year's Day, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day, Birthday and Two (2) personal Days, which cannot be accrued, and be it further

RESOLVED that the following list represents years of service required for paid vacation: One Year of Service – One Week, Two Years of Service – Two Weeks, Three Years of Service – Three Weeks and Ten Years of Service – Four Weeks. On an employee hired after 1990 accumulation of up to five (5) days to be paid back to full time employees if vacation days are not taken by anniversary date of employee; the employee may be paid for his/her time (if employee has earned three (3) weeks and received pay for one (1) week, and be it further

RESOLVED that all new full-time employees have an examination by a recommended physician prior to employment and expenses accrued will be paid by the Town of Erin. He / She must be willing to obtain a Chauffeurs License (appropriate CDL) and must work thirty (30) days before being eligible for Health Insurance. There will be no advances on pay, and be it further

RESOLVED that the Town Supervisor shall have the exclusive right to change hours of work of the Town's Employees to maintain an efficient operation and to control the use of overtime. The Town will determine the method and means by which such operations and overtime are to be administered, and take whatever action is necessary to carry out its mission, and be it further

RESOLVED that this Notice be Posted in the Highway Garage.

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

#### RESOLUTION 15-2024

##### RESOLUTION REQUIRING APPROVAL OF OVERTIME

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the Highway Superintendent (Deputy in absence of the Superintendent) obtain approval from the Town Supervisor or Highway Liaison before administering overtime.

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

#### RESOLUTION 16-2024

##### RESOLUTION AFFIXING SALARIES OF THE FOLLOWING TOWN OFFICIALS

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

RESOLVED that the salaries of the following Town Officials and Employees are hereby affixed for the 2021 fiscal year, and are payable in the amount set forth opposite each name, and shall be made payable by direct deposit at the time indicated:

| <b>OFFICE</b>        | <b>OFFICIAL</b>       | <b>PAYABLE</b> | <b>ANNUAL SALARY</b> |
|----------------------|-----------------------|----------------|----------------------|
| Supervisor           | Dawn Schmidt          | Monthly        | \$8,009.00           |
| Deputy Supervisor    | Vacant                | Monthly        | \$1,639.00           |
| Town Clerk/Tax Coll. | Diane Wise-Hollenbeck | Monthly        | \$20,379.00          |
| Deputy Town Clerk    | Elizabeth Heppner     | Per Diem       | \$15.45/hour         |
| Justice              | Kyle Wieder           | Monthly        | \$5,402.00           |
| Council              | William VanRiper, Jr. | Monthly        | \$1,499.00           |
| Council              | Randy Evans           | Monthly        | \$1,499.00           |

|                                      |                       |           |                      |
|--------------------------------------|-----------------------|-----------|----------------------|
| Council                              | Alan Hughson          | Monthly   | \$1,499.00           |
| Council                              | Michael Shutts        | Monthly   | <u>\$1,499.00</u>    |
| Highway Superintendent               | Steven Tyler          | Bi-Weekly | \$58,600.0060,358.00 |
| Motor Machine Operator               | Harold Spencer        | Hourly    | \$23.73/hour         |
| Machine Operator                     | Roland VanSkiver, Jr. | Hourly    | \$23.46/hour         |
| Machine Operator                     | Anthony Coolbaugh     | Hourly    | \$23.46/hour         |
| Laborer PT                           | Charles Kennedy       | Hourly    | \$14.02/hour         |
| Building/Code Enf.                   | John McCracken II     | Monthly   | \$7,551.00           |
| Assessor                             | Terie Huseby          | Monthly   | \$11,330.00          |
| Board of Assessment Review-Secretary |                       | Monthly   | \$25.00/meeting      |
| Zoning Board Chair                   | Vacant                | Yearly    | \$241.00             |
| Zoning Board Sec.                    | Vacant                | Per Diem  | \$25.00/meeting      |
| Planning Board Chair                 | Oletha J. Cedar       | Yearly    | \$723.00             |
| Planning Board Sec.                  | Vacant                | Yearly    | \$494.00             |

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

RESOLUTION 17-2024

RESOLUTION TO APPOINT A MEMBER TO THE ERIN PLANNING BOARD

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

BE IT RESOLVED that Michael Dipetta, 23 Langdon Hill Road, Erin, NY 14838 be appointed to serve as a member of the Erin Planning Board, for a period of five (5) years with such term commencing January 1, 2024 to December 31, 2028.

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

A motion was made by Supervisor Schmidt to adjourn the meeting at 5:50 PM.