

April 10, 2024
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., Alan Hughson, Michael Shutts, Dawn Schmidt.

MEMBERS EXCUSED: Randy Evans.

PUBLIC PRESENT: Barbara Martin, Harold Spencer, Gary Ratchford, Jack Cook (STC), Jennifer Bates, Cindy Whiddon, Joseph Frega.

PUBLIC PRESENT ON ZOOM: Paul Saunders.

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

The meeting was adjourned at 6:32 with a motion by A. Hughson and seconded by M. Shutts in order to do the Public Hearing portion of the meeting.

The meeting was reopened at 6:35.

Supervisor Schmidt signed the Full Environmental Assessment Form Part 3 that was presented by Jack Cook.

Jack Cook went through the questions on the Full Environmental Assessment Form Part 2-Identification of Potential Project Impacts.

RESOLUTION 24-2024

RESOLUTION TO BE LEAD AGENCY FOR SEQR FOR COMPREHENSIVE PLAN

Resolution By: A. Hughson

Seconded By: M. Shutts

WHEREAS, the Town of Erin Town Board has engaged in the process of establishing a comprehensive plan; and

WHEREAS, the Town Board is required prior to adopting such plan to engage in the proper review in accordance to the State Environmental Quality Act; and

NOW THEREFORE, BE IT RESOLVED that the Town of Erin Town Board, County of Chemung, State of New York wishes to adopt a comprehensive plan; therefore, pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR, Part 617.6, declares this action to be a Type I action and designates itself as lead agency for review as required in accordance to SEQRA prior to the adoption of the comprehensive plan.

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

Town Attorney, Kimberlee Middaugh, spoke in regards to the proposed solar law. She needs input from the Board on setbacks, heights, restrictions, needs to know how simplified yet at the same time how

detailed they want the law to be. She talked about the different tiers for solar energy systems. She has questions on lot coverage, screening, visibility, decommissioning, what percentage of lot can be used, restriction on how many trees can be removed. Suggested the Board consider reimbursement for consulting/reviewing, SEQR review which is very important throughout the process. The Town can have specifics on special use permits. If the project is large enough, it can bypass the Town and go through the State for a permit.

Supervisor Schmidt recommends the Board get comments of the proposed solar law back to the Town Clerk and to set up a public workshop for the Board to discuss questions the Town Attorney had on the proposed solar law.

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 4, #50-61, totaling \$4,015.95; and the Street Lighting Fund Abstract 4, #56, totaling \$335.64; and the Highway Find Abstract 4, #50-69, totaling \$63,290.49. Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

A motion was made by A. Hughson and seconded by W. VanRiper, Jr. to dispense with the reading of the minutes from the regular Board meeting on March 13, 2024 and approve the minutes. Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. Nays: None.

COMMUNICATIONS

- The Town of Erin will hold a tire collection and e-cycling day on April 20th from 9:00 am -11:00 am. Tires are \$3.00 each without rims.
- The Clerk reported that taxes are done being collected and is now waiting for the County to send the file in order to balance.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING APRIL 10, 2024;

1. RESOLUTION 24-2024 ADOPTING THE 2024 COMPREHENSIVE PLAN

CHANGE TO THE AGENDA

1. RESOLUTION 25-2024 APPROVING SEQR PART 2 OF THE COMPREHENSIVE PLAN
2. RESOLUTION 26-2024 ADOPTING THE 2024 COMPREHENSIVE PLAN

Jack Cook went through the 18 questions on the Full Environmental Assessment Form Part 2- Identification of Potential Project Impacts and the answers to all questions were NO.

RESOLUTION 25-2024

RESOLUTION APPROVING SEQR PART 2 OF THE COMPREHENSIVE PLAN

Resolution By: M. Shutts

Seconded By: A. Hughson

WHEREAS, the Town of Erin has engaged in the process for establishing a comprehensive plan for the Town of Erin with the assistance of Southern Tier Central; and

WHEREAS, the process involved the formation of a committee consisting of Town residents, Town Board members and a Planning Board member who assisted in leading the process; and

WHEREAS, the Town held public meetings and public hearing to receive public input in the process; and

WHEREAS, the Town Board of the Town of Erin wishes to adopt the proposed comprehensive plan to promote the health, safety, and welfare of the residents and to address the needs of the residents with future planning; and

WHEREAS, the Chemung County Planning Board reviewed and approved the Town's proposed comprehensive plan in accordance to General Municipal Law Section 239-m; and

WHEREAS, the Town Planning Board reviewed and approved the proposed Comprehensive Plan; and

WHEREAS, a public hearing having been duly held on April 10, 2024, before the Town of Erin Town Board upon public notice as provided by law, and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the State Environmental Review Act (SEQR) that the adoption of the Erin Comprehensive Plan is a Type I Action and the Town of Erin Town Board, County of Chemung, State of New York prepared a full environmental assessment form as required by SEQR and as lead agency the Town of Erin Town Board hereby determines that the proposed action will not have a significant impact on the environment; and

BE IT FURTHER RESOLVED, that the Town of Erin Town Board hereby adopts the proposed Town of Erin Comprehensive Plan in accordance with Town Law Section 272-a and the Town will provide periodic review of such plan at least every ten (10) years; and

BE IT FURTHER RESOLVED, that the comprehensive plan will be filed in the office of the Town Clerk and copy shall also be filed with the County Planning Board as required by law.

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

RESOLUTION 26-2024

RESOLUTION ADOPTING THE 2024 COMPREHENSIVE PLAN

Resolution By: A. Hughson

Seconded BY: M. Shutts

WHEREAS, Section 272-a of the New York State Town Law recognizes the importance of preparing a comprehensive plan to facilitate the protection, enhancement, growth and development of the town and to promote the health, safety and general welfare of its citizens; and

WHEREAS, the Town's existing 2010 Land Use Plan has not been updated in fourteen years and the full Comprehensive Plan; and

WHEREAS, the Town Board recognizes that the Comprehensive Plan provides an essential foundation for guiding future development and has demonstrated a commitment to maintaining a current Comprehensive Plan document to effectively guide development in the Town of Erin; and

WHEREAS, by motion at the Town Board Meeting on February 8, 2023, the Town Board authorized creation to hire Southern Tier Central to work with a Comprehensive Plan Steering Committee (CPSC) as a special board under Section 272-a of the NYS Town Law to prepare a proposed comprehensive plan and appointed members to join the CPSC; and

WHEREAS, the CPSC prepared a Comprehensive Plan that involved the consideration of public engagement including an online community survey, two public open houses, stakeholder group meetings, and two public hearings, as required under Town Law Section 272-a; and

WHEREAS, at its meeting on January 11, 2024 the CPSC, by formal resolution duly adopted by the CPSC recommended the Comprehensive Plan to the Town Board for its consideration and potential adoption in accordance with Town Law Section 272-a; and

WHEREAS, at its meeting on December 16, 2020, by Resolution 251-2020, the Town Board duly accepted the Comprehensive Plan recommended by the CPSC; and

WHEREAS, on July 11, 2023 the Town Planning Board and CPSC held a Public Hearing to solicit public comment on the Comprehensive Plan as required by New York State Town Law § 272a; and

WHEREAS, Southern Tier Central modified the Comprehensive Plan to reflect comments received from the Town Board on March 13, 2024; and

WHEREAS, Southern Tier Central referred the Comprehensive Plan to the Chemung County Planning Board for review as required by §239-m of the General Municipal Law; and

WHEREAS, pursuant to Town Law § 272-a(9), the Town has taken into consideration any applicable county agricultural and farmland protection plans as created under article twenty-five-AAA of the NYS Agriculture and Markets Law; and

WHEREAS, the SEQR done by Southern Tier Central Planning, was accepted by the Erin Town Board; therefore, be it

RESOLVED, that the Town Board of the Town of Erin hereby adopts the proposed Comprehensive Plan; and be it further

RESOLVED, that the Town Board directs that the Plan be periodically reviewed as per Town Law § 272-a(10) at least every 5 years, with any changes to be implemented not less than every 10 years; and be it further

RESOLVED, that the Plan shall be filed in the office of the Town Clerk and a copy thereof filed with the Chemung County Planning Board as required by Town Law § 272-s(12).

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

COMMITTEE REPORTS

Town Attorney- Reported earlier. Supervisor Schmidt would like to set up a public workshop to discuss the proposed solar law. Recommended the Town Clerk emailing Board to have them send back available dates at 5:30 pm.

Planning Board-Deda Cedar- They will be working on Article 5, section 500 needs to be removed. That is the old Comprehensive Plan. The next thing they will be working on is districts to ensure everything fits in with the Comp Plan. That will be reviewed and public input is needed.

Parks, Recreation and Senior Committee-Deda Cedar- The Easter egg hunt had about 20-25 kids. There were no complaints. They are planning an Under the Stars movie night on June 14th, weather permitting, at the fire station. The Little Library needs some maintenance on the doors. Looking for a

volunteer. Wood Fest is coming along. Starting to hear from vendors and most of the carvers are returning plus a few new ones. Joe Frega is doing some fundraising. There will be a craft fair in October. Gary Ratchford-The Seniors are planning a picnic at Park Station in August with the Van Etten Senior group. This months Historical Society meeting has been moved to the fire station due to the flooring being installed at the Town Hall. The Seniors have a trip planned for July 20th to the Pow Wow. The new telephone poles that are being installed in town have a bigger diameter than the old ones and he cannot get brackets wide enough for the Hometown Hero Banners. The least expensive he has found is \$250.00 for a box of 10 brackets. They talked about screwing into the new poles once construction is complete. They will ask about that option. There is an interest in about five new banners.

Code Enforcement-John McCracken- He found a company that does property clean ups. If it is kept below \$1,500.00 it does not need to go out to bid. It is a partnership with two cops that work on their days off to cleanup properties. The Town of Veteran uses them and they have a good working relationship with the troopers. The Town Board likes that idea. City of Elmira renewed the shared service agreement with the Town of Erin. John will be having someone new going around Town to issue violations.

Highway Superintendent-Steve Tyler- Since our last meeting they have been cleaning up limbs and trees from the storms, cleaning ditches and trimming trees and installing new driveway pipes. They have been checking over the summer equipment; changing oil, filters, etc. The last two weeks they have been cleaning the roads with the rental broom. Steve is asking the Board's permission to purchase a 2024 Chevy Silverado 2500 HD. They will give them \$7,800.00 for their current truck as a trade in. They will also receive a \$3,200.00 municipal discount. The total price will be \$52,309.43. They will be keeping the plow off the old truck to put on the new truck as the trade in value was the same with or without it. This will save \$6,000.00 for not having to buy a new plow. Clay Ridge Trucking will bring the trailer for the tires on Monday and come back for them after the event. Normally he gets \$3.25/tire, but found out the Town of Erin is charging \$3.00/tire so he will also reduce his price. The electronics will be piled on pallets because React E-Cycling cannot be here on Saturday. Depending on how many the Town receives, Steve will take them down or React will pick them up. They are very satisfied with the work NYSEG is doing on Austin Hill with removing some of the trees. The money for the new truck will come out of Chips. It is on state bid.

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts for Steve to move forward purchasing a new truck as stated above.

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

Buildings & Grounds- Council Member VanRiper, Jr-The flooring for the Town Hall will be delivered on Friday and the project will start on Monday. He is also going to have someone look at the heating to make sure it is adjusted correctly. He is still working on quotes for the front door.

County Representatives-Mark Margeson- Not at the meeting.

Supervisor-Dawn Schmidt- Reminded everyone of the recycling day on April 20th 9:00-11:00 am. The Sheriff Department sent reports for February and March. For February there were 29 incident reports, 2 uniform traffic tickets, 2, traffic stops, 1 traffic accident, and 2 misdemeanor arrests. For March there were 29 incident reports, 13 uniform traffic tickets, 8 traffic stops, 1 traffic accident, 2 misdemeanor arrests, and 1 DWI arrest. The Poker Run is April 21st. Council Member VanRiper, Jr. was in contact with someone within the group that was going to attend tonight's meeting to discuss the route, but he is not present. He will touch base with him again.

HEARING OF THE PUBLIC

Joe Frega-6 Church St- They are doing a clean up of ditches, roadways, streams. Asked who cleans trees, etc. out of the creeks. DEC use to clean the creeks out, but they do not any longer. Also questioned where to dispose of the furniture that has been left along the road. There is a cost that is incurred with furniture. He also asked when the snowmen flags will be coming down. Steve said they will come down when the Hometown Hero flags go up. Thanked the Highway Crew for doing a nice job on the road.

Jennifer Bates-399 N. Greenbush- The Historical Society is planning a Community Days on July 13th and would like permission to block off Rodburn. There will be vendors setting up between 8:00-9:00 am.

A motion was made by A. Hughson and seconded by M. Shutts to close Rodburn Place 8:00 am – 6:00 pm on July 13th for Community Days put on by the Historical Society.

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

On 5/4 there will be a meeting at the Town Hall in regards to Community Days at 10:00. They need ideas and volunteers.

Diane Wise-Hollenbeck-Suggests everyone meet at the Erin Church at 8:00 am for breakfast prior to the tire and electronic recycling day. She will send out an email to remind everyone.

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 7:39 PM.

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