

**TOWN OF BALDWIN
TOWN BOARD MEETING
JUNE 12, 2019**

THIS REGULAR MEETING of the Town of Baldwin was called to order at approximately 6:00 p.m. by Supervisor Purvis. Those present were Councilman Sherwood, Councilman Steiner, Councilwoman Purvis and Councilman Collins.

Also present were Faith Marmor, Paul Tillotson, Ana Pirro, Robin Rosekrans, Terie Huseby, Marty Jerzak and Bryan Hyland.

PUBLIC COMMENTS

No public comments were made.

COUNTY LEGISLATURE

Bryan Hyland stated that he has been approached by a number of people as to trash being dumped on roads, everything from refrigerators to televisions, etc., and he polling each town as to how big of an issue it is. He is trying to work on solutions for same. He knows that Casella charges a pretty hefty fee for dumping and now you cannot just go over there and offload a pick up truck, you have to have a dump trailer or a dump truck. Not everyone has access to that kind of equipment and so they drive it down the road and dump it off. Any sites like this, he would like to be made aware of so that he can come out and take a picture of the site. He is trying to size the problem and see what kind of resources they can bring to it. Paul Tillotson stated a lot of tires are being dumped and he has seen a few televisions. Councilman Sherwood stated a few couches are being dumped. Councilman Collins stated that the prices Casella charges really push the issue to people that dump along the roads, if they do not have the access and cannot easily get rid of it - if Casella is going to charge \$50.00 for every couch someone is going to go on a back road and dump a couch. This has to be some issue with Casella. Mr. Hyland has a meeting on 06/18/2019 with the Legislature and himself. He mentioned a clean up day for residents and Casella reducing dump fees and lifting that restriction of offloading by hand. There should be some consideration for county residents. Councilman Collins stated that REACT by the Arnot Mall will take flat screen televisions, printers, computers, computer wires, etc., and this is free. Mr. Hyland will put together a list of potential/possible things that could be done to offset this dumping problem.

Mr. Hyland stated that the State is looking to legalize marijuana. If the State legalizes it, you can possess it and use it anywhere in the State. The counties have no control over it. What the counties can control is the production and agricultural aspect, distribution and sale. Therefore, it would be illegal to sell and grow marijuana in Chemung County. If the town opts out of those three items, they do not get any of the sales tax revenue but still have the costs of enforcing DWI's, etc. If they do get the sales tax revenue, no one has determined yet how much it is going to be. Albany has their hand on it. He has heard

everything from 2% to 50/50. He asked the Board to jot down their thoughts on this issue and send him an email.

MINUTES

A Motion was made to accept the May 8, 2019 Public Hearing Minutes by Councilman Steiner, seconded by Councilman Sherwood, All Ayes.

A Motion was made to accept the May 8, 2019 Town Board Meeting Minutes by Councilwoman Purvis, seconded by Councilman Sherwood, All Ayes.

SUPERVISOR REPORT

Supervisor Purvis stated that they received a letter from the Office of Public Information concerning their holding a Shared Services meeting on Thursday, June 20, 2019 at 3:00 p.m. at the Hazlett Building, 5th Floor Committee Room.

New York State Department of Taxation and Finance, Office of Real Property Tax Services has established an equalization rate for the Town of Baldwin of 1.50, it was 1.63 last year.

TOWN CLERK REPORT

Faith Marmor stated that she will be out of town and on vacation the week of July 22, 2019.

The Budget for 2020 will be added to the August 2019 Town Board Meeting Agenda.

TOWN OF BALDWIN
INCOME AND EXPENDITURES

MAY 2019

INCOME:

GENERAL FUND	\$ 26,127.22
HIGHWAY FUND	<u>\$ 1.00</u>
TOTAL	\$ 26,128.22

EXPENDITURES:

GENERAL FUND	\$ 12,362.79
HIGHWAY FUND	\$ 14,731.54
TRUST AND AGENCY	<u>\$ 1,292.32</u>
TOTAL	\$ 28,386.65

TOWN CLERK'S MONTHLY REPORT

TOWN OF BALDWIN, NEW YORK

MAY, 2019

TO THE SUPERVISOR:

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Pursuant to Section 27, Subd 1 of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the month stated above, excepting only such fees and moneys the application and payment of which are otherwise provided for by Law:

A2544	<u>7</u>	DOG LICENSES	<u>96.00</u>	
		TOTAL A2544		96.00
A2555	<u>2</u>	BUILDING PERMITS	<u>61.00</u>	
		TOTAL A2555		61.00
				\$ 157.00

HIGHWAY REPORT

Paul Tillotson reported that the Highway Department has been grading when weather permits. Joe Green Road, Chapman Road, Reniff Road, Lockwood Run Road, Porter Hill Road, Braybrook Road, Perry Lane and Mathews Road have been ditched and graded. They will be getting some dust control next week.

They have hauled milling in from West Elmira and crush Item 4 in from Stermers.

They did get over and fix Mr. Vargo's ditch on Porter Hill Road.

Paul Tillotson reported that they are still working on the Grover Road bridge project. They are going to install a deck, replace half of the deck. They are looking to save roughly \$30,000.00 by doing the deck installment. The pipe was \$75,000.00. Brian from Chemung Supply contacted him tonight and he is going to send Paul all the pricing. They are looking at approximately \$36,000.00 for material. Rock is about \$1,200.00 a load and he is looking around \$40,000.00 for doing the Grover Road Project this year from Chips.

They had to put a new window in the grader (it was on the other side of town at the Fire Station) as someone threw a rock at it or tried to break in to the grader. Their deductible is \$250.00 and the cost of the widow replacement was \$244.00. For windshields, the deductible is \$500.00 and windshields are not more than \$375.00. The Town is paying for glass coverage and not getting any benefit. He or someone should call the insurance company to see about their policy and deductibles, possibly 100% coverage like a personal vehicle, with total glass coverage. Councilman Collins stated that he thought there was no deductible in NYS for glass coverage, that it was a law in New York State, but possibly commercial is different.

PUBLIC WELFARE AND SAFETY COMMITTEE REPORT

Councilman Steiner stated that the smoke detector program is ongoing if anyone needs them.

COMMUNITY APPRECIATION AND DEVELOPMENT REPORT

Councilman Sherwood stated that the (bronze) plaque for the donors is just needing to be mounted and then the park project is complete.

CITIZEN APPRECIATION REPORT

This report will be taken off the Agenda.

DOG CONTROL REPORT

No report was given.

CODE ENFORCEMENT REPORT

Marty Jerzak stated that he issued one permit for the month of May and he followed up on a couple of complaints.

Mr. Jerzak stated that he spoke with Ashur Terwilliger regarding subdivision and that there is no subdivision in the Town of Baldwin. Marty Jerzak would like to see a law on subdivision in the Town of Baldwin to keep the Town a country setting, be able to divide it twice and then everything else has to go in front of the Planning Board. Councilman Sherwood asked if this was merely dividing a parcel or dividing a parcel for the purpose of putting in housing units? Marty Jerzak answered that it is for housing units. Councilman Steiner asked if Ashur Terwilliger had any input under the old Local Law that there was something about subdivision, did he have any information on that? Mr. Jerzak answered no. Marty Jerzak stated that if the Town wants to keep a small community a rural community, there should be a decision on subdivision. There is nothing on the books currently that can be found. Marty Jerzak will talk to Ashur Terwilliger for Planning Board purposes on this matter.

As to permit fees, Mr. Jerzak stated that Ashur Terwilliger would like the Board to approve the Permit Fee Amendment as presented, with the exception of the logging section not being approved at this time.

Assessor Report

Date: 06/12/2019

Formal Grievance Results

Formal Grievance was held on: 06/06/2019 4:00pm – 8:00pm

Board of Assessment Review Members Present: Ms. Sherrill Collins and Ms. Kimberly Elliott
Town of Baldwin Assessor Present: Ms. Terie W. Huseby, IAO, CCD

Formal Grievance started at 4:00pm and ended at 8:00pm. We had 5 property owners submit Formal grievances. We had 1 property owner submit 3 grievances.

Total Formal Grievances submitted were 7.
All had reductions.

Total reduction in Assessments was: \$ 2,266
Full Market Value based on 1.50% equalization rate: \$ 151,067 reduction

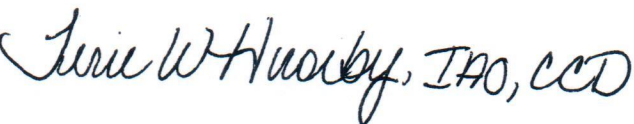
Please refer to attached spreadsheet with results.

Hearings went very smoothly and I made copies for property owner when needed. We had a quorum, but we do need to proceed on finding a 3rd member. Both BAR members terms are ending next year, but they both indicated they are willing to serve.

I have now finalized my 2019 Assessment roll and will now start working in my 2020 assessment roll.

Thank you,

Terie W. Huseby, IAO, CCD
Town of Baldwin Assessor



OLD BUSINESS

SECTION 174, NO. 7 OF THE FIRE DISTRICT OFFICERS LAW - Councilman Sherwood stated that he feels this matter has been on the Agenda long enough and has cost the Town enough money, and if the individual with the question regarding this matter wants an answer that they should pursue the matter themselves and incur the cost themselves. The Board determined that this matter will be answered when the Town Attorney gets back to the Town Board on this issue, however this matter will be taken off of any future Agenda.

AMENDMENT TO RESOLUTION NO. 24-1994 - PERMIT FEES - Councilman Collins stated that the longer they hold this matter up, it is holding up construction and permits. Supervisor Purvis stated that he is fine with raising fees for people that hire someone to do the work for them, however he is against raising fees for people that do the work themselves. A Motion was made in the form of a **Resolution No. 35-2019 (6R-2019)** to adopt the Amended Permit Fee Schedule, Amendment to Resolution No. 24-1994, effective July 5, 2019, by Councilman Sherwood, seconded by Councilman Collins, Councilwoman Purvis Aye, Councilman Steiner Aye, Supervisor Purvis Nay as to being not in favor of charging homeowners to do work themselves.

INDEPENDENT AUDIT - *This matter was tabled to the July 2019 Town Board Meeting.*

BAR MEMBER POSITION - A Motion was made in the form of a **Resolution No. 36-2019 (6R2-2019)** to appoint Betty Jo Ziemer as Board of Assessment Review Member to fill the unexpired term of former BAR Member Nancy Purvis, by Councilman Sherwood, seconded by Councilwoman Purvis, All Ayes.

TOWN WEBSITE - Faith Marmor spoke to the Board concerning emails she has gotten from Brad Zehr and the link in the emails to the Town Home Website Page, for review by the Board. The Board would like to see upcoming events on the website, as well as Town Laws, Minutes, a Permit application, dog licensing information, etc. Personal phone numbers are ok to be on the Town Website. Marty Jerzak requested his own email for the Town. Faith Marmor will contact Brad Zehr to update him on this information requested to be on the Town's Website, as well as individual emails for departments, i.e. code, assessor, board, etc.

TOWN JUSTICE/COURT CONSOLIDATION - Supervisor Purvis stated that there is a fair amount of savings with consolidation. He asked that the Board approve him to pursue and/or look into this issue of the Town of Baldwin consolidating their Court and Town Justice by referendum, the people's vote. Councilman Sherwood stated he would like to see particulars in writing as far as process timelines, election law, etc. Supervisor Purvis stated this could take years to accomplish and he is just asking to pursue this knowing that the final decision is the voters. Everything would go before the Board for their review. A Motion was made in the form of a **Resolution No. 37-2019 (6R3-2019)** to allow Supervisor Purvis to pursue, through the Unified Court System, the process and information concerning the Town of Baldwin consolidating their Town Justice/Court, by Councilman Collins, seconded by Councilwoman Purvis, All Ayes.

ASSESSOR CELL PHONE VOUCHER - Terie Huseby withdrew her voucher for cell phone payment.

HAEFELE TV - Supervisor Purvis asked that Faith Marmor obtain paperwork for him concerning the Public Hearing and Town Board Meeting on the Haeefe Contract and a copy of the Resolution approving the Contract between Haeefe TV and the Town of Baldwin, for his meeting with Lee Haeefe regarding the same.

NEW BUSINESS

PAYMENT OF BILLS - A Motion was made to pay the bills by Councilman Sherwood, seconded by Councilman Steiner, All Ayes.

EXECUTIVE SESSION

The Board did not go into Executive Session.

ADJOURNMENT

A Motion was made to adjourn the meeting by Councilman Collins, seconded by Councilman Sherwood, All Ayes.

THE NEXT MONTHLY BOARD MEETING WILL BE HELD ON JULY 10, 2019 AT 6:00 P.M.

Respectfully Submitted,



Faith B. Marmor, Town Clerk