

**TOWN OF BALDWIN
TOWN BOARD MEETING
JULY 10, 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, Councilwoman Purvis and Councilman Collins. Councilman Steiner was absent.

Also present were Faith Marmor, Paul Tillotson, Ana Pirro and Robin Rosekrans.

PUBLIC COMMENTS

Robin Rosekrans expressed her concern with Section 174 No. 7 of the Fire District Officers Law being taken off the Agenda. She stated that she is flabbergasted and feels that Councilman Sherwood should be embarrassed by stating the fact that it should be the people who have a concern over this, he has not gone to law school and does not know how to interpret the law, only an attorney should be able to do that. By trying to take this off of the Agenda, it is like a slap in the face to every single member of this community because it may affect every single member of this community who wants to be the Fire Chief and be on the Town Board. Councilman Collins asked if she felt it was a slap in the face to go against the people who serve both that want to serve the people. He asked that how come when the past Supervisor was here, he was not only a member of the Fire Department but he was also an elected Town Official in the Fire District, and Ms. Rosekrans did not have an issue with it then. She stated that this was never brought to her attention. This Section 174 No. 7 was brought to her attention by two members of this community whom everyone knows very well and they did not feel comfortable coming to the Board, and Ms. Rosekrans now sees the picture, she sees how it is being treated - if it does not affect the Board or they do not want it to affect the Board, it is swept off the table. Councilman Sherwood stated that taking this matter off of the Agenda is not sweeping it under the rug, it has been on the Agenda for at least six months or longer. Ms. Rosekrans stated that the Haefele matter has been on the Agenda longer than this issue has, but the Board did not want to take that off of the Agenda. Councilman Collins stated that it (Haefele) is not on the Agenda. Councilman Sherwood stated that if anyone has a concern, the Board will be happy to address it at any given point, but it comes to a certain point where the Town payers, the tax payers, should not be on the hook for people's axes they want to grind. The Board has not been able to get an answer through two attorneys at least, if they or Ms. Rosekrans are that interested in it, why should every other tax payer in the town foot the bill to find out if Ms. Rosekrans or whomever has a grudge against somebody that they wanted proven right. Ms. Rosekrans stated that she does not have a grudge against Mr. Steiner, she does not know him personally. This can affect anyone now or anyone in the future in this community who wants to be the Fire Chief and be on the Board. Mr. Sherwood stated that until an attorney tells them yes this can happen or no this cannot happen, the Board is not going to keep going over this every month. Just because this matter is off the Agenda does not mean it is actually dropped from concern. Supervisor Purvis stated that the lawyer had a hearing to be at tonight and he would not be able to make it to tonight's meeting. Mr. Purvis was

hoping that he would be able to make it so this would all be cleared up. The attorney has all the information they need, it is just that he could not skip the hearing to be at the Town Meeting tonight. Supervisor Purvis stated that we will get an answer and as far as the expense goes the attorney has a couple of other questions that need to be answered, and hopefully there will be no conflict with his schedule so that he can address these questions at the next Board Meeting. Councilman Collins stated that he was personally offended that Ms. Rosekrans keeps "bashing" the people on these Boards. Supervisor Purvis ended this discussion stating that hopefully they would have the answer at the next meeting.

Robin Rosekrans asked why the Board did not take the Franchise Fee concerning Haefele TV and the Town of Baldwin, as the Town may benefit from a Franchise Fee. Councilman Collins stated that if they charge a franchise fee, it is put on the taxpayers bill. They felt they did not want to burden the taxpayers with any more cost than what was necessary. Ms. Rosekrans stated that this money could have been a help to the community. Councilman Collins stated that a Franchise Agreement has to stay within the franchise, it is not like you get \$25.00 and you buy a parking sign with it, that is not how that works.

Ms. Rosekrans asked how the Board is going to look into seeing how they are going to get internet service for those who are not being allowed hookup? Councilman Sherwood stated that this is not up to the Board, but up to the State. They have covered this in multiple meetings. He stated he has talked to people at the Public Service Commission and it is actually up to the State, they draw the census blocks that these companies bid on - it is not up to the Board nor the company. Ms. Rosekrans stated that she talked with Mr. Haefele and he said that there is added cost but he could get it so that the line came down. Councilman Sherwood stated that this would be a cost for her and not the Town. Supervisor Purvis stated that this is in the contract, the formula for figuring the cost to those that are not in the areas that have enough population to run the line too. Ms. Rosekrans asked why they could not utilize the solar project money for this purpose? Councilman Sherwood said that she or other town's people could get an idea for what it would cost to hook up the extra people and if the Town has the money from the solar and can actually appropriate that money for it, that is something that the Board can explore. Councilman Collins stated that once internet is here and established they have a little more pull to push on the State and the County, they do not have any push right now as it is not even established. Councilman Sherwood stated that unfortunately when the project was first proposed throughout the State, it was the State that said this chunk is broken up into so many blocks, these are the houses that fall in the blocks.

There were no further public comments.

COUNTY LEGISLATURE

No report was given.

MINUTES

A Motion was made to accept the June 12, 2019 Town Board Meeting Minutes by Councilman Sherwood, seconded by Councilman Collins, All Ayes.

SUPERVISOR REPORT

Supervisor Purvis stated that the Franchise Agreement with Haeefe TV has been signed and notarized. He gave an original to Faith Marmor for filing at the Town Hall.

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 as well as the Assessor position.

Local Law No. 1 of 2019 (Solar Amendment) has been signed by the Attorney and the Town Clerk, and submitted to the State. Local Law No. 2 of 2019 (Permit Fees) still has to be reviewed by the Town Attorney before submission to the State.

TOWN OF BALDWIN
INCOME AND EXPENDITURES

JUNE 2019

INCOME:

GENERAL FUND	\$ 3,555.42
HIGHWAY FUND	<u>\$ 11,819.78</u>
TOTAL	\$ 15,375.20

EXPENDITURES:

GENERAL FUND	\$ 21,732.37
HIGHWAY FUND	\$ 15,763.53
TRUST AND AGENCY	<u>\$ 915.05</u>
TOTAL	\$ 38,410.95

TOWN CLERK'S MONTHLY REPORT

TOWN OF BALDWIN, NEW YORK

JUNE, 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:

A1255	<u>1</u>	CERTIFIED COPIES	<u>10.00</u>	
		TOTAL TOWN CLERK FEES		10.00
A2544	<u>17</u>	DOG LICENSES	<u>141.00</u>	
		TOTAL A2544		141.00
A2555	<u>3</u>	BUILDING PERMITS	<u>160.00</u>	
		TOTAL A2555		160.00

\$ 311.00

HIGHWAY REPORT

Paul Tillotson reported that they finished grading roads and will be starting dust control on Monday.

The Highway Department helped West Elmira do some milling on some of their roads.

The Bridge project is going, some things are coming in for this project. Paul Tillotson would like to start this project the week of the 29th of July.

Debbie Hoffman on Joe Green Road said that someone dumped some siding off on her land. The Highway Department picked up that siding, about a one ton load.

We did get the EWR money (Emergency Winter Recovery), an additional \$17,680.91. Once the bridge project is completed and seeing where sitting on money, they can start putting in some bigger pipes that they want to do like Elston Hollow.

They had a flat tire on the loader. This is fixed, patched through Parmenter. They will have to watch this. If the tire goes and Paul Tillotson has to buy a tire, he cannot buy one, he has to buy two because they have to be equal.

Paul Tillotson asked the Board's permission to purchase another 300 tons of Item 4, for the amount of \$2,700.00, from Stermers. A Motion was made in the form of a **Resolution No. 38-2019 (7R-2019)** to allow Paul Tillotson to purchase 300 tons of Item 4 through Stermers in the amount of \$2,700.00, by Councilman Sherwood, seconded by Councilman Collins, All Ayes.

PUBLIC WELFARE AND SAFETY COMMITTEE REPORT

Councilman Collins stated that there was a fire in the Town (the old Patchen's place). The guys did a really good job even though short handed - they kept the fire out of the main part of the house. Councilman Collins has been working with Josh (he is in the Fire Department). They met with the insurance investigators and Marty Jerzak to see what the game plan is going to be - if they are going to be able to rebuild or if they will tear down and start over.

COMMUNITY APPRECIATION AND DEVELOPMENT REPORT

Councilman Sherwood stated that he has not yet hung the plaque as he wanted to do weed control first. He was going to use round up, however asked Paul Tillotson if they have anything that he can use to knock the weeds down behind the fence, to which Paul Tillotson stated that legally he can not. Supervisor Purvis asked Councilman Sherwood if he checked into the study with the roundup as this certain amount would cause cancer of an extended period of time in mice, an equivalent amount in humans would be the equivalent of nine million gallons.

He also stated that as to Haele, pole permits are in for the upper ends through Van Etten. The entire line is going to need tree trimming. This will probably add 60 days to the project. Haele could not give an exact timeline.

TOWN OF BALDWIN
CODE ENFORCEMENT OFFICE
622 BRESSPORT, N CHEMUNG RD.
LOWMAN, N.Y. 14861
MONTHLY REPORT FOR June 2019

PERMITS ISSUED: 2

PERMITS DENIED:0

FEEES RECEIVED: \$ 140.00

COMPLAINTS: 0

FOLLOW UP ON COMPLANTS : 0

VIOLATIONS ISSUED: 0

TICKETS ISSUED: 0

CERTIFICATION OF OCCUPANCY / COMPLETION : 0

INSPECTIONS : 1

911 ADDRESSES ISSUED : 1

CODE ENFORCEMENT OFFICER
Martin Jerzak

DOG CONTROL OFFICER INSPECTION REPORT - DL-89

Rating: **Satisfactory365**

Purpose: **Inspection**

DATE/TOA: **6/17/19 11:45 am**

**ELMIRA ANIMAL CONTROL AND SHELTER
C/O DEPT OF PUBLIC WORKS BLDG
840 LINDEN PLACE
ELMIRA NY 14901**

Inspector: **Caitlyn Hanlon**

Inspector #: **070**

Inspector: **Paulina Renggli**

Inspector #: **71**

These are the findings of an inspection of your facility on the date(s) indicated above:

- | | |
|---|-----|
| 1. Equipment is available for proper capture and holding | Yes |
| 2. Dogs are held and transported safely | Yes |
| 3. Equipment maintained in clean and sanitary condition | Yes |
| 4. Veterinary care is provided when necessary | Yes |
| 5. Dogs are euthanized humanely | Yes |
| 6. Complete seizure and disposition records are maintained for all seized dogs | Yes |
| 7. Dogs transferred for purposes of adoption in compliance with Article 7 | Yes |
| 8. Redemption period is observed before adoption, euthanasia or transfer | Yes |
| 9. Owners of identified dogs are properly notified | Yes |
| 10. Redeemed dogs are licensed before release | Yes |
| 11. Proper impoundment fees paid before dogs are released | Yes |

Town - City - Village Information for Inspection:

TCV CODE TCV NAME

0701	Town of Ashland
0702	Town of Baldwin
0704	Town of Catlin
0705	Town of Chemung
0706	Town of Elmira
0707	Town of Erin
0708	Town of Horseheads
0709	Town of Southport
0712	City of Elmira

Additional Information for Inspection:

Number of Dogs Seized:

Number of dogs seized since previous inspection: 553

Associated Municipal Shelter(s):

Name of Shelter(s): Elmira Animal Shelter

Holding Facility:

Dogs held before transport to shelter? (Yes/No): No

Location(s): N/A

REMARKS:REPRESENTATIVE PRESENT FOR INSPECTION: **Craig Spencer**
TITLE: **Director**REVIEWED BY: **Emily Cacchione**
REVIEWED DATE: **06/26/2019**

MUNICIPAL SHELTER INSPECTION REPORT - DL-90

Rating: **Satisfactory365**Purpose: **Inspection**DATE/TOA: **6/17/19 11:45 am**

**ELMIRA ANIMAL CONTROL AND SHELTER
 C/O DEPT OF PUBLIC WORKS BLDG
 840 LINDEN PLACE
 ELMIRA NY 14901**

Inspector: **Caitlyn Hanlon**Inspector #: **070**

These are the findings of an inspection of your facility on the date(s) indicated above:

- | | |
|---|-----|
| 1. Shelter is structurally sound | Yes |
| 2. Housing area and equipment is sanitized regularly | Yes |
| 3. Repairs are done when necessary | Yes |
| 4. Dogs are handled safely | Yes |
| 5. Adequate space is available for all dogs | Yes |
| 6. Light is sufficient for observation | Yes |
| 7. Ventilation is adequate | Yes |
| 8. Drainage is adequate | Yes |
| 9. Temperature extremes are avoided | Yes |
| 10. Clean food and water is available and in ample amount | Yes |
| 11. Veterinary care is provided when necessary | Yes |
| 12. Dogs are euthanized humanely, by authorized personnel | Yes |
| 13. Complete intake and disposition records are maintained for all seized dogs | Yes |
| 14. Dogs transferred for purposes of adoption in compliance with Article 7 | Yes |
| 15. Redemption period is observed before adoption, euthanasia or transfer | Yes |
| 16. Owners of identified dogs are properly notified | Yes |
| 17. Redeemed dogs are licensed before release | Yes |
| 18. Proper impoundment fees paid before dogs are released | Yes |
| 19. Written contract or lease with municipality | Yes |

Town - City - Village Information for Inspection:

TCV CODE	TCV NAME
0701	Town of Ashland
0702	Town of Baldwin
0704	Town of Catlin
0705	Town of Chemung
0706	Town of Elmira
0707	Town of Erin
0708	Town of Horseheads
0709	Town of Southport
0712	City of Elmira

REMARKS:

REPRESENTATIVE PRESENT FOR INSPECTION: **Craig Spencer**
TITLE: **Director**

REVIEWED BY: **Emily Cacchione**
REVIEWED DATE: **06/26/2019**

Assessor Report

Date: 07/10/2019

Currently processing sales transfers.

Waiting on the 2020 roll to be available from the Chemung County Real Property Office

2019 Final Roll has been submitted to Baldwin Town Clerk

2019 Final Roll has been posted on the new Baldwin website

Sincerely yours,

Terie Huseby, IAO, CCD
Baldwin Assessor

OLD BUSINESS

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

TOWN WEBSITE - Faith Marmor spoke to the Board concerning the town website status. She stated that Brad Zehr would like only those necessary to have emails, as there is a concern with security with the more emails that are added. The Board decided to only have emails for the Assessor and Code. Brad Zehr felt that Minutes going forward should be added to the website, however Faith Marmor thought that the town should go back to the first of the year, to which the Board agreed. As to publicizing the website, Faith Marmor will get a hold of Chris Sherwood and Councilman Sherwood will get a hold of the person responsible for the Facebook page for the town.

TOWN JUSTICE/COURT CONSOLIDATION - Supervisor Purvis stated that Josh Shapiro is working on checking with towns as to which towns are interested in consolidating.

This matter was tabled to the August 2019 Town Board Meeting for any further developments.

NEW BUSINESS

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

EXECUTIVE SESSION

The Board did not go into Executive Session.

ADJOURNMENT

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

THE NEXT MONTHLY BOARD MEETING WILL BE HELD ON AUGUST 14, 2019 AT 6:00 P.M.

Respectfully Submitted,


Faith B. Marmor, Town Clerk