

**TOWN OF BALDWIN
TOWN BOARD MEETING
JANUARY 11, 2023**

THIS REGULAR MEETING of the Town of Baldwin was held at the Town of Baldwin Town Hall and called to order at approximately 6:15 p.m. by Supervisor Purvis. Those present were Councilwoman Purvis, Councilman Conklin, Councilman Collins and Councilman Smith.

Also present were Paul Tillotson, Anna Pirro, Paul Steiner, Robin Rosekrans, Faith Marmor, Doug Grantier, Patty Smith, Jackie Peaslee and Rory Wilkins.

PUBLIC COMMENTS

Robin Rosekrans - Ms. Rosekrans stated that she sees that the Board did give the Highway employees the 15% increase. Supervisor Purvis stated that the Board gave them the raise. She suggested that maybe we start looking at the County and what the County is doing for each year for percentage of raises. Next year they are supposed to get a 3% raise but they are also increasing the amount that they pay towards their healthcare premium to 12%. If they want to be in the realm of the other government agencies, we should really be looking at what the County and State are giving their employees for raises. Supervisor Purvis stated that they have it capped at 4% for the raise, basing it on the Federal increases. She stated that the Town was well above that this year. Supervisor Purvis stated that we have it written in and this is the way it will be from now on. She suggested and asked that they seriously think about this, that they look at the County to see what they are going to do for the next year, next year is 3% and 12% towards health insurance.

Doug Grantier - Mr. Grantier asked what is going to be done with this issue on Norway Road. Supervisor Purvis stated that Code is working on this right now. The Code Enforcement Officer was going to be at tonight's meeting but he had a meeting already planned for Nichols. He has been over there trying to make contact with them. He is pursuing it. Mr. Grantier stated that what they want to know is how far is he going to go as they have broken every law in the book from hauling all this debris in from outside of town and dumping it there. He showed photos to the Board of the day of the fire and today. Every night they leave after dark and they haul three, four loads in after dark. This goes on every night. They do not have room to park a vehicle in their driveway right now, it is sitting on the ditch line. You have them hauling in all this debris, they build chicken coops/sheds after dark. Another issue, which is a safety issue, is they have totally got his father blocked in with no access to him. He is almost blind, handicapped. Basically he is going to burn up in that trailer because there is no way in there. He is violating every code that is in the book. If anyone does not know what is in the code book, they better read it. Supervisor Purvis stated that this is something we need to have the Health Department in then. Mr. Grantier stated that everyone around there has rats now because of all the garbage. The place should be condemned until it is totally cleaned up, back to code. There should not be a building within 50 or 75 feet from the road and he has all these buildings that were built after dark, no permit, rubber

tires and rubber roofing. This is what is on it for a roof.

Patty Smith - Ms. Smith has contacted Adult Protected Services and inquired about this situation. Basically if Mr. Walter Minier is in the house, we have to verify that he was either mentally or physically impaired and disabled, have to prove that his needs were not being met for housing, medication and food, and that there was no family member who would be able to step up to take care of him. The son, is supposedly watching over him and taking care of him, there is a structure, there is a house, and she knows from Mr. Grantier saying that he is probably disabled. Adult Protective Services cannot do anything unless this situation can be proved. They did suggest that we cite them for the conditions in the property, which it has been a year since she read the zoning codes, but she knows that they are restrictive. We should cite him, this is what Adult Protective Agency said, and give him a certain amount of time to clean up the property. If he does not, we go in and clean it up and add it to his tax bill and get him out of there. Supervisor Purvis stated that he talked to the Code guy last night. The Code Enforcement Officer said he was going to cite him and bring him in before the Judge. Ms. Smith stated that she has to step back in time because before the son was the problem, the father was the problem. It literally has been 20 years that they as neighbors tried to clean up this property and have always heard "well we are working on it". We bring in Mr. Walter Minier, he may be cited, he might do a little bit, he would be hit with a \$25.00 fine and nothing changed - it just went back down hill and it went nowhere. And so this is a 20 year problem and the reason they are here, especially why she is here, is she wants to know is the Board going to pursue this, is the Board going to enforce the code. They are not asking for a mansion to be built there but there is a certain amount of mess there that has become nothing but a dump and she knows this does not match the codes. There is definitely a rat problem in the lower part of Chemung by the highway and that is all going to come up to this garbage dump too. We had DEC out there when they were burning tires so we have an ignition problem with fire, this was a fire that just happened a few weeks ago, and just the health issues. These are her gripes about it. These people are doing these things in the middle of the night. They are now coming up to her house and they are either turning around with their wagons/trailers in her driveway or her barn driveway. This is 1:00, 2:00 in the morning and how does she feel about this with people coming to her property. She has always lived in this community and felt quite safe and such, but she does not lock her barn property up, what is to say that doesn't then become their new mercantile they are trying to make. This is just her real concern, is there actually going to be movement towards correcting this problem and consistent, not every month we are delaying etc. Supervisor Purvis stated that the Code guy is made aware of it, he said he is going to cite him, so he will go before the Judge. Mr. Grantier asked Supervisor Purvis if he was going to back his Code Officer and enforce the codes as before they did not back him, they said cover it up with a tarp - nobody will see it. Supervisor Purvis said he is going to do whatever he needs to do.

Jackie Peaslee - Ms. Peaslee stated that there are safety issues. They park right in the middle of the road. There is so much junk, they cannot pull in their driveway. She has come home several nights and there are two, three trucks and she can barely get around them. It is disgusting and something needs to be done. Supervisor Purvis reiterated that the Code guy is going to do whatever he needs to do.

Paul Steiner - Mr. Steiner stated that the Fire Department personnel have been warned that if they get a call for that address, medical or fire, they are not going unless the police go with them as it has gotten that bad since the fire on Christmas Day, he has petitioned off the whole thing. It is a danger and

someone is going to die. The only thing he can say is that the Code guy has to go through and process with the Judge, but the other things that can be pushed are Adult Protective Services - to say they cannot go in and investigate, they are not doing their job; the DEC not going in there and stopping it - they are not doing their job. Maybe the town needs to, if the Code guy cannot get any teeth into it from that end, the Board should maybe get the lawyer involved and see if the lawyer can issue a thing to the DEC and to the Adult Protective Services because that is a bogus thing that they cannot go in there. These people or someone else should have to inspect that old man. If he is in there and it is unsafe, they have had other places where the Health Department has gone in and taken people out and banned it from people living there. This place is the worst place he has seen in 40 years, it is a danger to the environment and a danger to Mr. Minier. He used to be a problem but now he is an old guy that is sick and he is sitting in there breathing that burnt stuff too, and the neighbors, and you have seen the pictures, the next door neighbors are on their last leg and dying of cancer and they are going to have to breath this stuff. Supervisor Purvis stated that he is personally going to call the Health Department tomorrow and see if he can get somebody out there to at least look at the place. Ms. Smith did start an Intake Report and she is going to call the representative back again tomorrow. Mr. Steiner stated good, that you need to pressure them. Mr. Steiner continued that they should call the cops when they are doing things that are illegal. Supervisor Purvis stated that if they are parked in the road, call the Sheriff. Anything like that, that can be a law enforcement ticket thing, call them. Mr. Steiner stated that they could barely get in there at the fire, there is just a little pathway. Since then, they have partitioned it off where they cannot get in there. There are not going in that place without cops, it has gotten to be dangerous. It is dangerous to the Firemen. The primary residence is covered up, there are electrical lines all over the place, he has it tarped off, it is a dangerous place. Ms. Smith asked if the night of the fire, if there were any guns in the trailer that were exploding in the fire. Councilman Collins stated that there were all kinds of stuff exploding in that fire. The one thing they have run into before, if there were animals/dogs on that property, you would have people there tomorrow. They will move a lot faster for animals.

Rory Wilkins - Ms. Wilkins showed photos to the Board of two days after the fire, still smoke on the property and onto neighboring properties. Her parents are on 24-hour oxygen and cannot even open their windows/doors, cannot go outside on the porch without smelling garbage. She does not live here anymore but when she does come home she hates to see her parents live in a retired area that they cannot even enjoy. Supervisor Purvis asked for extra copies of the photos as he will go down to the Health Department tomorrow with the pictures. Seems like the Health Department should respond with the smoke being a health hazard. His biggest concern is the health of the person in the trailer and the neighbors. Councilman Smith stated that pretty much every single month someone has come here to complain about Codes, and every month he hears I talked to Marty, I did this, oh call the Health Department, call this department, and it seems everything is being pushed away, it does not seem like he is doing his job, he has heard it for two years. The Code Officer should do his job or the Board should get someone else that will do the job, because nothing is happening. Marty has not been to a Town Board Meeting since he has been on this Board. He is supposed to be here Monday nights, he drives by and his truck is not here when it is supposed to be here unless he has his own special hours that are not posted. Councilman Collins stated that he made a comment last month that he would like to see his reports a little more thorough. Councilman Smith stated that he called Marty and he does not call him back. Councilman Collins stated that he has called Marty over the blue house and he gets nothing out of him. Councilman Smith stated that he is not doing his job, we are paying him to not do anything. Mr. Steiner stated that he has talked to Marty three times since the fire and he called him right back, but he

just said that it looks like the next thing for him is to go to the Judge, bring Mr. Minier in officially. Supervisor Purvis stated that this issue is his number one priority. He will get a hold of DEC and the Health Department tomorrow.

MINUTES

A Motion was made to accept the December 14, 2022 Town Board Meeting Minutes by Councilwoman Purvis, seconded by Councilman Conklin, All Ayes.

SUPERVISOR

Haefele gave a list and estimate of homes not covered yet, in addition to the homes that are going to be covered with the COVID funds, to give to the County for funds that might be able to be allocated for this portion.

There is not a Sheriff report again this month as they have gotten new computers and have been having problems.

A notice was received by the Town Attorney with his new rates for 2023, increased hourly rate to \$215.00.

A notice from the Office of the New York State Comptroller was received regarding various webinars for any employees/officials of local governments.

The Association of Towns Annual Meeting would like to seek input on concealed carry permitting laws from any towns. If anyone is interested in saying anything on this matter, please contact the Association of Towns.

TOWN CLERK

A directory of town officials has been compiled with phone numbers and emails. This information will be given to all officials and is to be used for town officials only and not for the public.

The Association of Towns Letter was received and read aloud to all in attendance. This will be emailed to officials.

HIGHWAY

The Highway Department had some snow and ice storms last month that they dealt with.

They had a call from the Fire Department to come out and sand the road, Norway Road, after the house fire.

They had some break downs, hoses on the six wheeler that had to be changed out, they took some leaks out on the spreader chain on the 2017 Volvo and on the 2006 Volvo had to replace the rear spring which Paul Tillotson called Councilman Conklin, Councilman Collins and Councilwoman Purvis regarding to get

the ok.

Paul Tillotson also called on the park for the increase on the fence, Councilman Conklin, Councilwoman Purvis and Councilman Collins. That is looking like to be started in February weather permitting. Paul Tillotson asked the Board to approve the moving of \$5,000.00 from Account No. 5110.4 to Account 5130.4 for fuel purposes. A Motion was made in the form of a **Resolution No. 14-2023 (1R-2023)** to allow the transferring of \$5,000.00 from Account No. 5110.4 (Summer) to Account No. 5130.4 (Machinery) for fuel purposes, by Councilman Collins, seconded by Councilman Conklin, All Ayes.

PUBLIC WELFARE AND SAFETY COMMITTEE

Nothing to report at this time.

HELP YOUR NEIGHBOR COMMITTEE

Nothing to report at this time.

ANIMAL CONTROL

No report was given.

ASSESSOR

No report was given.

SHERIFF

No report was given.

TOWN OF BALDWIN
INCOME AND EXPENITURES
DECEMBER 2022

INCOME:

GENERAL FUND	\$ 5.32
HIGHWAY FUND	<u>\$ 3.16</u>
TOTAL	<u>\$ 8.48</u>

EXPENDITURES:

GENERAL FUND	\$ 11,617.53
HIGHWAY FUND	\$ 24,376.36
TRUST AND AGENCY	<u>\$ 1,050.78</u>
TOTAL	<u>\$ 37,044.67</u>

TOWN CLERK'S MONTHLY REPORT

TOWN OF BALDWIN, NEW YORK

DECEMBER, 2022

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

5 DOG LICENSES

45.00

TOTAL A2544

45.00

TOWN OF BALDWIN
CODE ENFORCEMENT OFFICE
622 BRESSPORT, N CHEMUNG RD.
LOWMAN, N.Y. 14861
MONTHLY REPORT FOR JANUARY 2023

PERMITS ISSUED: 0

PERMITS DENIED:0

FEES RECEIVED:

COMPLAINTS: 01

FOLLOW UP ON COMPLANTS : 1

WARNING VIOLATIONS ISSUED: 0

TICKETS ISSUED: 0

CERTIFICATION OF OCCUPANCY / COMPLETION :

INSPECTIONS : 2

911 ADDRESSES ISSUED : 0

CODE ENFORCEMENT OFFICER

Martin Jerzak



OLD BUSINESS

IMPLEMENTING OF A TOWN LAW RE: ACCESSING OF TOWN ROADS TO ATVS/UTVS - The lawyer is working on this matter. We have not yet received anything from him.

NEW BUSINESS

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

EXECUTIVE SESSION

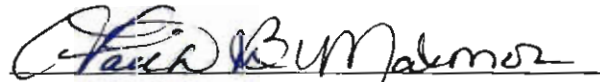
A Motion was made to go into Executive Session by Councilman Collins, seconded by Councilman Conklin, All Ayes.

ADJOURNMENT

A Motion was made to adjourn the meeting by Councilman Conklin, seconded by Councilman Smith, All Ayes.

THE NEXT MONTHLY BOARD MEETING WILL BE HELD AT THE TOWN OF BALDWIN TOWN HALL ON FEBRUARY 8, 2023 BEGINNING AT 6:00 P.M.

Respectfully Submitted,


Faith B. Marmor, Town Clerk