# MINUTES OF THE SMITHVILLE TOWN BOARD December 15, 2008

The regular meeting of the Smithville Town Board was called to order at 6:04PM by Supervisor Allan Johnson. The following persons were in attendance:

Supervisor: Allan JohnsonTown Clerk Alison OwensCouncilpersons:Planning Board Chair Tim HannaHolly MohrEnforcement Officer Neal Root

Kay Borne Roger Connelly

Vince Coletta, absent

Added to the agenda under Old Business (OB3) was the approval of the Highway Guidelines Package. Some correspondence items were renumbered.

### **CORRESPONDENCE**

C1: Susquehanna River Basin Commission – water use

C2: Regulating Water Withdrawals and Consumptive uses

C3: Tax Sale Properties

C4: Tax Sale 2009 – Town Report

C5: Check for sand loading for County

**C6: NYSEG Solutions** 

C7: Notice of Technical Conference

C8: Justice Quarterly Statement, reviewed by the Board

C9: Letter of Resignation from DCO Ann Olmstead effective December 31, 2008.

### RESOLUTION # 51 (2008): ADVERTISE DCO POSITION IN CHENANGO AMERICAN

On a motion by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Borne, the following resolution was:

ADOPTED AYES: Mohr, Borne, Connelly, Johnson

NAYES: 0

**ABSENT: Coletta** 

RESOLVED to advertise the position of Dog Control Officer in the Chenango American for two weeks.

C10: NYS Dept. of Public Service request for email correspondence

C11: letter from NYSDEC with regard to Local Law # 1

C12: CHIPS check (\$45,900.00) to be deposited to Town bank account

C13: Excellus BC/BS rate increases for 2009

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### **NEW BUSINESS:**

**NB1:** In addition to the DCO position, there are 3 other openings available: 1 5 yr. Planning Board term, Planning Board Clerk, and a Board of Assessment Review Clerk. These will need to be advertised in the Chenango American. The following resolution was brought forth;

# RESOLUTION # 52 (2008): ADVERTISE POSITIONS IN CHENANGO AMERICAN

On a motion by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Borne, the following resolution was:

ADOPTED AYES: Borne, Mohr, Connelly, Johnson

NAYES: 0 ABSENT: Coletta

RESOLVED to advertise the following positions in the Chenango American for 2 weeks: 1 Planning Board member for a 5 year term, 1 Planning Board Clerk, and 1 BAR Clerk.

### **OLD BUSINESS:**

# OB1: Local Law # 1 (2008) Road Restriction & Use

There is no new information to discuss. Att'y Monaco has not yet returned comments on the similar Town of Berkshire Local Law. The letter sent by DEC Supervising Forester Robert Slavicek (C11) offered DEC assistance with the Local Law. Al will contact the Supervising Forester Slavicek to see what he would advise.

### **OB2: Cincinnatus Lake Watershed**

Supervisor Johnson was not able to get anyone to commit to the December Town Board meeting. He has tentatively arranged with Loren Johnson for the 1<sup>st</sup> regular Town Board meeting in January. If there is a commitment from Mr. Johnson, then others in the Cincinnatus Lake Watershed district area will be invited to attend the meeting as well.

# **OB3: Highway Guidelines Package 2009**

The Highway Guidelines Package for 2009 has been revised and is ready for Board review, approval and signature. After reviewing the document, the following resolution was given.

# RESOLUTION # 53 (2008): ADOPTION OF 2009 EMPLOYEE GUIDELINES PACKAGE

On a motion by Councilwoman Mohr,  $2^{\text{nd}}$  by Councilwoman Borne, the following resolution was

ADOPTED AYES: Borne, Mohr, Connelly, Johnson

NAYES: 0

**ABSENT: Coletta** 

RESOLVED to approve and sign the 2009 Town Highway Guideline Package.

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### **MINUTES**

The minutes of the November 17, 2008 meeting were reviewed and approved in a motion by Councilwoman Borne, 2<sup>nd</sup> by Councilwoman Mohr. All four Board members present, Borne, Mohr, Connelly and Johnson were in favor, motion carried.

### **REPORTS**

R1.) Planning Board: Tim Hanna, Chairperson for the Planning Board reported the Comprehensive plan is still being worked on. A Planning Board clerk is needed. Currently one of the Planning Board members is taking the minutes.

A minor Subdivision was done in late November with a Public Hearing Nov. 26<sup>th</sup>. The subdivision property is located on Pollard Rd.. The Planning Board Chair also reminded the Town Board there are no fees for subdivisions listed in the Local Law. Currently the Planning Board is charging \$100. for a minor subdivision and \$250. for a major subdivision. A fee schedule for all fees within the Town was recommended. Supervisor Johnson suggested the Planning Board Chair write a proposed fee schedule.

R2.) Assessor: report submitted

R3.) Enforcement Officer: report submitted. The Enforcement Officer has a concern about answering complaints on building complaints/problems in the Town of Smithville. He does not have the responsibility to do any more than call the Code Enforcement Office for Chenango County in Norwich.

R4.) Justice: no report. Nothing has been heard about the grant for Justice software.

R5.) DCO: is selling her dog runs if the Town is interested.

R6.) Attorney: no report R7.) Mitigation: no report

R8.) Community Center: There are 3 heaters in the Center needing to be re-lit. Supervisor Johnson will contact the Custodian or Hwy Sup't. Supervisor Johnson has also been in touch with Alron Corporation who is willing to make 2 identical railings for the same price for the front stairs of the Community Center. Alison will contact Beverly Eaton who requested to purchase the railings.

R9.) Playground: no report

R10) Town Clerk: report submitted. Town Clerk Owens called attention to the portrait/picture of John S. Tarbell, son of Eli Tarbell, which Gerald Flanagan donated to the Town. The Tarbell's were instrumental in the early days of the Town and were also influential in building and establishing the Universalist Church, which is now the Community Center. The Town Clerk would like to see the picture hung in the Community Center, but there have been issues of theft in the past. Town Board members suggested she discuss the idea with members of the Historical Society and see what their thoughts are.

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- R11) Highway: report submitted. The Highway Supt. was not available for comments. Board members commented on the following from the Highway Sup't report:
- 4D: "logger wants seasonal roads plowed and sanded, claiming he may be entitled to this service because logging falls under Agriculture business." Attorney Monaco should be asked to comment on this statement.
- 4G: The new hire (hire date Dec. 10<sup>th</sup>) was paid \$9.50 p/h for his 1<sup>st</sup> paycheck. Can he be paid the different wage of the new contract? The new employee is Harold Schultes, a previous Town of Smithville highway employee, hired to replace Chuck Schultes who has retired. Board members discussed this and decided to do the following per resolution

# RESOLUTON # 54 (2008): ALLOW NEW HIRE NEW PAY RATE AND HOLIDAY PAY

On a motion by Councilman Connelly, 2<sup>nd</sup> by Councilwoman Borne, the following resolution was:

ADOPTED AYES: Borne, Mohr, Connelly, Johnson

NAYES: 0 ABSENT: Coletta

RESOLVED to pay new hire \$11.46 p/h from hire date of December 10<sup>th</sup> to the end of December, 2008 and to also pay for Christmas holiday because of previous employment with the Town.

- 4I: The Town Board considers the Highway Sup't an Elected Official. He can receive NYS Retirement and health benefits, but is not subject to the Highway Employment Policy.
- 4J: The Board wondered if there were any damages done last week in the Town of Smithville due to the ice storm.
  - 6A: The Board had questions on the '08 Equipment plan.
  - 8D: The Board set the last day to pay 2008 bills in the following resolution:

# RESOLUTION # 55 (2008): LAST DAY TO PAY 2008 BILLS IS DEC. $30^{TH}$

On a motion by Councilman Connelly,  $2^{nd}$  by Councilwoman Borne, the following resolution was:

ADOPTED AYES: Borne, Mohr, Connelly, Johnson

NAYES: 0 ABSENT: Coletta

RESOLVED to pay years end 2008 bills on December 30, 2008.

R12) Supervisor's Report: The Supervisor's report was reviewed and accepted in a motion by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Borne. All four Board members, Borne, Mohr, Connelly and Johnson were in favor, motion carried.

# **GENERAL WARRANT:**

General Warrant # 12, Vouchers # 192-198, & #210-223, in the amount of \$14050.73 were submitted for payment. Voucher # 199-209 were previously used. Board members approved the payment of the General Warrant in a motion by Councilwoman Mohr, 2<sup>nd</sup> by

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Councilwoman Borne. All four Board members, Borne, Mohr, Connelly and Johnson were in favor, motion carried.

### **HIGHWAY WARRANT:**

Highway Warrant # 12, Vouchers # 185-198, in the amount of \$6751.79, was submitted for payment. Board members approved the payment of the Highway Warrant in a motion by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Connelly. All four Board members, Borne, Mohr, Connelly and Johnson were in favor, motion carried.

### **JRC WARRANT:**

The JRC Warrant for the month of December consisted of payments to 4 officiators for soccer games in the amount of \$315.00. A motion was made by Councilwoman Borne, 2<sup>nd</sup> by Councilwoman Mohr. All four Board members, Borne, Mohr, Connelly and Johnson were in favor, motion carried.

The Organizational meeting for 2009 will be held Monday Jan. 5<sup>th</sup> 2009 at **5PM**.

There was no other business to come before the Board. Supervisor Al Johnson declared the meeting adjourned at 8:20PM.

Alison B. Owens

Smithville Town Clerk