

MINUTES OF THE SMITHVILLE TOWN BOARD
PUBLIC HEARING LOCAL LAW # 1 2009, ROAD USE IN THE TOWN OF SMITHVILLE
February 16, 2009

The regular meeting of the Smithville Town Board was called to order at 6:05PM Monday February 16, 2009 by Supervisor Allan Johnson.

PRESENT:
Supervisor Allan Johnson
Board members:
Kay Borne
Holly Mohr
Roger Connelly

Also Present:
Alison Owens, Town Clerk
Neil Root, Enforcement Officer
Carrie Converse, DCO
Bob Whitmore, FC, Gen. Fire Co.
Bruce Kinney, Hwy Sup't, arrived later

ABSENT: Board member Vince Coletta

ADDITIONS/DELETIONS: There were no additions or deletions to the agenda.

PUBLIC HEARING: Supervisor Johnson declared the Public Hearing for Local Law # 1 open. Town Clerk Owens read the legal ad as it appeared in the Chenango American. The floor was opened for Public Comment. There were no comments. A motion was made by Councilwoman Mohr, 2nd by Councilwoman Borne to close the Public Hearing. All four Board members: Johnson, Borne, Mohr, Connelly were in favor, motion carried. Coletta absent.

CORRESPONDENCE: The following items of correspondence were noted.

- C1: Intent to renew Liquor License from Seeber's Tavern
- C2: NYS Office of Att'y General: Internet Safety
- C3: Request from The Evening Sun for copy of Town Board minutes. The Town does have a partial website. Planning Board chair Tim Hanna has uploaded minutes and other information on the website in the past but no recent minutes have been uploaded. Supervisor Johnson will discuss the situation with Tim Hanna.
- C4: NYSDEC SEQR notice
- C5: Utica Main Railroad Stakeholders meeting 2/26/09 6pm

OLD BUSINESS:

OB1: **Deputy Dog Control Position**—a letter of intent has been received from Laurie Evans for the position of Deputy Dog Control Officer. The person serving in this position is only used if the DCO cannot attend to a particular dog situation. Ms. Evans has helped the current DCO on occasion. Board members made the following resolution.

RESOLUTION #6 (2009): APPOINT LAURIE EVANS DEPUTY DOG CONTROL OFFICER

On a motion by Councilwoman Mohr, 2nd by Councilwoman Borne, the following resolution was:

ADOPTED

AYES: Borne, Mohr, Connelly, Johnson
NAYES: 0 ABSENT: Coletta

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RESOLVED to appoint Laurie Evans as Deputy Dog Control Officer for the Town of Smithville effective immediately and expiring 12/31/2009.

OB2: LOCAL LAW # 1 2009, "Local Road Preservation Law"

Councilwoman Mohr commented the Local Law does not clearly state who is responsible for the permit--the landowner or the contractor. Page 2, 3.2, states the landowner OR the contractor. Since the Town septic application requires both the landowner and the contractor signatures, it was suggested the permit be changed to reflect the requirement of both signatures.

Additional comments asked whether a non refundable fee should be set, and whether a schedule of fees should be done on an annual basis. The Planning Board Chair Tim Hanna was asked last month to work on a schedule of fees. Supervisor Johnson will contact Tim Hanna.

There was also discussion on whether to take action immediately on the Local Law or whether to wait until next month. A motion was made by Councilman Connelly, 2nd by Councilwoman Borne to table a decision on Local Law # 1 2009 until the March 16th meeting. Councilwoman Borne stressed the importance that a decision be made at that meeting. All four Board members: Johnson, Borne, Mohr, Connelly were in favor, motion carried. Coletta absent.

NEW BUSINESS:

NB2: Shared Services Agreement 2009

Board members reviewed a copy of the 2009 Chenango County Shared Services Agreement. New equipment includes: a rubber tired roller, tractor/boom mower, self-propelled broom, tag behind broom, and power washer. A statement in the contract this year indicates the borrower's responsibility to do minor repairs and service. Highway Sup't Kinney has expressed the opinion the Shared Services Agreement works well. Supervisor Johnson suggested the Board authorize signature of the agreement and pay the \$275.00 fee.

RESOLUTION # 7 (2009): SIGN SHARED SERVICES AGREEMENT/PAY FEE

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

ADOPTED

AYES: Borne, Mohr, Connelly, Johnson

NAYES: 0

ABSENT: Coletta

RESOLVED to authorize Supervisor Johnson to sign the 2009 Shared Services Agreement and to pay the \$275.00 required fee.

MINUTES:

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The minutes of the December 15th, Jan. 5th, and January 19th were reviewed. Councilwoman Borne asked to have her name removed from the Addendum, p.5 of the Jan. 19th minutes as she was not contacted by Supervisor Johnson regarding a vote. A motion to make the correction and approve all three sets of minutes was made by Councilwoman Mohr, 2nd by Councilman Connelly. All four Board members: Johnson, Borne, Mohr, Connelly were in favor, motion carried. Coletta absent.

REPORTS: The following reports were reviewed/discussed:

R1: Planning Board—no report

R2: Assessor—no report, but the Assessor has signed up to take a couple of mandatory classes at the end of February/ beginning of March, sponsored by the Professional Career Center. The total cost of the 2 classes is \$575.00, with the cost to be reimbursed by NYS minus a fee. A voucher has been made for the February warrant.

R3: Enforcement Officer—no report; a County building report was reviewed.

R4: Justice—no report

R5: DCO—Carrie Converse, DCO, was introduced to members of the Town Board. She gave information on the dog abuse case she had handled in the Town of Smithville. She also asked if the Town Board would authorize ½ payment on a monthly basis of the “dogs only” phone line she had had installed in her home in McDonough, where she is also DCO. This would replace charging for calling cards. If she becomes the DCO for Oxford, she would reduce that to 1/3 payment. Board members discussed this and agreed to do so in the following Resolution:

RESOLUTION # 8 (2009): AUTHORIZE ½ PAYMENT OF “DOGS ONLY” PHONE LINE FOR DCO

On a motion by Supervisor Johnson, 2nd by Councilman Connelly, the following resolution was:

ADOPTED

AYES: Borne, Mohr, Connelly, Johnson

NAYES: 0

ABSENT: Coletta

WHEREAS, the Town of Smithville’s DCO resides in McDonough, and WHEREAS the DCO has a separate phone line in her home for dog only related phone calls, and WHEREAS the Town of McDonough, where she is also DCO, currently pays for the full monthly cost, BE IT THEREFORE RESOLVED to pay ½ of the DCO’s monthly cost for her “dogs only” telephone line thereby reducing the Town of McDonough’s cost share to ½.

R6: Attorney—report submitted to Supervisor Johnson; 3.3 hours used to date in '09.

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R7: Mitigation—no report

R8: Community Center—Town Clerk Owens commented on stress cracks and windows in the new addition. It will cost approx. \$250. to re-key the lock in the Community Center. Town Clerk Owens also had information on keypad locks. Carded locks were mentioned. Discussed also were deposits on keys to the Community Center. The Town Board will consider the options.

R9: Playground—no report

R10: Town Clerk: monthly Town Clerk and Tax Collector reports submitted. The Assessor has new filing cabinets. Records to be disposed of have been created; 3 boxes are ready for signatures. Additional records to be disposed of have been removed from the records room and will be readied for signatures and destruction.

R11: Highway Report—submitted. Additional discussion centered on the 2004 Ford F550 which has recently had injectors replaced at a cost of \$2700. Highway Sup't Kinney estimates they will need to be replaced again in 2 years. The truck has 50,000 miles on it. An extended warranty can be purchased for it but the warranty will only be good for 2 years. Board members recommended the purchase of the extended warranty if the Highway Dept. was going to keep the truck.

R12: Supervisor's report—submitted. A motion to accept the Supervisor's report was made by Councilwoman Mohr, 2nd by Councilwoman Borne. All four Board members: Johnson, Borne, Mohr, Connelly were in favor, motion carried. Coletta absent.

OTHER: Genegantslet Fire Company—a State law written in 2005 requires all fire truck drivers to have a CDL w/tank endorsement. The new law was written to receive Federal monies but has a lot of restrictions. While there are efforts underway to change the law back, it has affected the number of eligible truck drivers within the Fire Company.

WARRANTS

GENERAL WARRANT # 2, Vouchers #21-37, in the amount of \$6156.89 was submitted for payment. After considerations, a motion was made by Councilwoman Mohr, 2nd by Councilman Connelly to accept and pay these bills. All four Board members: Johnson, Borne, Mohr, Connelly were in favor, motion carried. Coletta absent.

HIGHWAY WARRANT # 2, Vouchers # 22-37, in the amount of \$10,954.49 was submitted for payment. Voucher # 22 to Cintas Corporation for uniforms was questioned. This was a 60 day contract and will end at that time. A motion to accept and pay these bills was made by Councilman Connelly, 2nd by Councilwoman Borne. All four Board members: Johnson, Borne, Mohr, Connelly were in favor, motion carried. Coletta absent.

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EXECUTIVE SESSION

A motion to go into Executive Session to discuss a personnel item was made by Councilwoman Borne, 2nd by Councilwoman Mohr. All five Board members in favor, motion carried. Into Executive Session at 8:01PM.

A motion to come out of Executive Session was made by made by Councilwoman Mohr, 2nd by Councilwoman Borne. All five Board members in favor, motion carried. Out of Executive Session at 8:10PM.

No action was taken.

There was no other business to come before the Board. Supervisor Johnson declared the meeting adjourned at 8:11PM. The next meeting will be March 16th.

Alison B. Owens

Smithville Town Clerk