The regular meeting of the Smithville Town Board was called to order at 6:01pm by Supervisor Allan Johnson. Present were the following:

Supervisor Allan Johnson	Town Clerk Alison Owens
Board members:	Bruce Braman, Town Justice
Elizabeth Vanderweyde	Bruce Kinney, Hwy Supt. (arrived at 6:35pm)
Charles Schultes	Enforcement Officer Neal Root
Absent Board members: Holly Mohr Roger Connelly	Also: Bob & Jane Whitmore Janice Fiene BarbaraAnn Whitmore Richard Buckley

ADDITIONS/DELETIONS: C8, NB3 letter to Board from Bookkeeper Virginia Smith

CORRESPONDENCE

C1: additional insurance premium for excavator equipment of \$107.

C2: Final report from Car Cruise organizers @ Smithville Day 2010. Board member Vanderweyde commented the group did not seem receptive to working with the original idea of Smithville Day and appeared to want to turn the event into an extension of the Greene Car Cruise.

C3: Letter from Seebers Tavern to Justice Lenga/Town Board of Smithville

C4: Final Equalization rate of 63.58 established for the Town of Smithville

C5: Town of Barker Resolution re: horizontal fracking. The Town of Barker sent to the Town of Smithville a copy of the Resolution they enacted with regard to horizontal fracking. The Town of Barker is in favor of the horizontal fracking. There was no desire on the part of the Board to take a similar response or action. C6: NYS Retirement payment estimate for 2011: December payment \$23,355. or February 2011 payment \$23,581. If the Town chooses to pay in December, about \$200. will be saved.

C7: Notification of a Level 3 Sex Offender living in the Town of Smithville has been identified.

C8. A letter from the NYS Worker's Comp. Board has notified the Town that a hearing has been scheduled for former employee Martin Nowalk.

NB1: Proposed Local Law for Flood Damage Prevention

The Town must adopt a legally enforcing Local Law for flood plain administration. The Planning Board of Chenango County has provided a template which can be used by the Towns in the County. The Local Law must be in place by November 26, 2010. The Town has already, by Resolution, authorized a County Code Enforcement representative to handle signing off on any building permit requests originating from Smithville. The County draft copy includes a \$25.00 signature fee for the Code Enforcement rep to sign the application indicating the property does not lie within a Flood Zone. Supervisor Johnson recommends the Town of Smithville's Local Law be modeled based on the County's draft. By August 26th each Municipality is supposed to have a draft of this Local Law on file. The following Resolution was brought forth:

RESOLUTION # 17 (2010): ADOPT CHENANGO CO. MODEL OF FLOOD DAMAGE PREVENTION LOCAL LAW

On a motion by Supervisor Johnson, 2nd by Councilwoman Vanderweyde, the following RESOLUTION was:

ADOPTED

AYES: Schultes, Vanderweyde, Johnson NAYES: 0 ABSENT: Mohr, Connelly

RESOLVED that the Town of Smithville will base its Local Law of Flood Damage Prevention on the model provided by Chenango County.

A Public Hearing will need to be set up for this new Local Law. The Town Board has yet to adopt the new flood Zone Maps.

NB2: New changes in Dog Licensing Procedures

New York State is relinquishing responsibility of licensing dogs, sending out renewal licenses, etc. to the various Municipalities. Town Clerk Owens explained what this would mean for the Town and what decisions the Town Board would have to make before adopting a new Local Law. The Town Clerks of Chenango County recently met to discuss the dog options available and also organized a Chenango County Town Clerks Assoc. which is endeavoring to present to the County Board of Supervisors a proposal to standardize the cost of licenses within Chenango County and to also standardize other aspects of dog licensing such as the cost of Purebred licenses, fee for Service Dogs, Discounts for Sr. Citizens, Mandatory enumeration, pro-rating licenses, Common renewal, Local Shelter issues and other inclusions into the new Local Law. Local and regional meetings are being planned for Town Clerks and those Town Clerks using the BAS system. More information is forthcoming. The new licensing changes will go into effect Jan. 1, 2011.

NB3: Request from Bookkeeper Virginia Smith

Bookkeeper Virginia Smith is requesting an additional \$250. for reimbursement for extra work done for the Union Contract. After some discussion, the following Resolution was brought forth.

<u>RESOLUTION # 18 (2010):</u> MAKE ONE TIME PAYMENT TO VIRGINIA SMITH FOR EXTRA WORK DONE

On a motion by Councilwoman Vanderweyde, 2nd by Councilman Schultes, the following Resolution was

ADOPTED AYES: Schultes, Vanderweyde, Johnson NAYES: 0 ABSENT: Mohr, Connelly

RESOLVED to pay Bookkeeper Virginia Smith \$250. for extra work done in preparing paperwork for the Union Contract.

OLD BUSINESS

NB1: Adopting of Standard workday

The draft Resolution establishing a standard workday for the Town's 3 Employees who participate in the NYS & Local Retirement System has been reviewed by Board members. Without additional comment or discussion Board members were in agreement to bring this to full Resolution by the following motion by Supervisor Johnson, 2nd by Councilman Schultes:

<u>RESOLUTION # 19 (2010):</u> AUTHORIZING STANDARD WORKDAY FOR TOWN EMPLOYEES IN NYS RETIREMENT SYSTEM

ADOPTED, the full copy of the RESOLUTION inserted as page 3A in the minutes of August 16, 2010

MINUTES

The minutes of the July 19th meeting and the Public Hearing for Noise Control were reviewed by the Board. A motion to accept the minutes of both meetings was made by Councilwoman Vanderweyde, 2nd by Councilman Schultes. All three Board members present, Vanderweyde, Schultes, Johnson were in favor, motion carried. Board members Connelly and Mohr were absent.

REPORTS

- R1 Planning Board: no report
- R2 Assessor: no report
- R3 Enforcement Officer: no report until next month
- R4 Justice: no report. Town Clerk Owens mentioned the JCAP grant applications should be available soon. An air conditioner might be considered for the Court Room.
- R5 DCO: 2 reports submitted, one for June and one for July
- R6 Attorney: report submitted
- R7 Smithville Day Committee: report submitted
- R8 Community Center: no report

R9 Playground Committee: the **old lawn tractor has been re-conditioned and is ready for sale**. Councilman Schultes and Highway Sup't Kinney have said it could probably be sold for \$400. Supervisor Johnson will ask Groundskeeper Keith Sabin if a potential buyer would want to pay that much for it.

R10 Town Clerk: report submitted. Town Clerk Owens referred to her report for issues with the up and coming dog license changes. She has also asked to be reimbursed for mileage to attend 3 immediate meetings with regard to dogs. One has taken place in Norwich with other Chenango County Town Clerks, another is a BAS meeting Aug. 23rd in Vestal, and the third is another meeting of the Chenango County Clerks Aug. 26th. The following Resolution was brought forth:

RESOLUTION # 20: REIMBURSE TOWN CLERK OWENS FOR MILEAGE TO ATTEND MEETINGS

On a motion by Councilwoman Vanderdeyde, 2nd by Councilman Schultes, the following Resolution was

ADOPTED AYES: Schultes, Vanderweyde, Johnson NAYES: 0 ABSENT: Mohr, Connelly

RESOLVED to reimburse Town Clerk Owens for mileage for attendance at 3 Town Clerk meetings in regard to dogs.

Town Clerk Owens has been notified of a sale on Hammermill CopyPlus paper @ \$30. per case at Quill.com. This is a savings of approx. \$12.00 per case. The sale is only good for 48 hours but the bill would come due before the next meeting. Town Clerk Owens is requesting to pay the bill when it comes to avoid a finance charge by paying it late, after the next Board meeting. Two cases will be ordered. The following Resolution was brought forth.

RESOLUTION # 21: PURCHASE AND PAY FOR COPY PAPER FROM QUILL.COM

On a motion by Supervisor Johnson, 2nd by Councilwoman Vanderweyde, the following Resolution was

ADOPTED AYES: Schultes, Vanderweyde, Johnson NAYES: 0 ABSENT: Mohr, Connelly

RESOLVED to purchase 2 cases of copy paper for \$30. ea from Quill.com and to pay for the same by the due date of the bill to avoid a finance charge.

R11 Highway Report: submitted. Enggaard Rd. will be black topped with hot mix; S. Tyner Rd. will have graveling/rebuilding done.

R12 Supervisor's Report: submitted. A motion to accept the Supervisor's report was made by Councilman Schultes, 2nd by Councilwoman Vanderweyde. All three Board members present, Vanderweyde, Schultes, Johnson were in favor, motion carried. Board members Connelly and Mohr were absent.

Other: Supervisor Johnson informed the Board that at the County Board of Supervisors meeting in August, all old voting machines, including the 2 belonging to the Town of Smithville, have been officially declared surplus equipment.

WARRANTS

General Warrant # 8, Vouchers # 120-132 in the amount of \$1643.36 was submitted for payment. Board members questioned # 123 to the SPCA for euthanizing 2 stray dogs and asked to reserve payment until the bill could be investigated further. A motion was made by Supervisor Johnson, 2nd by Councilwoman Vanderweyde to pay bills # 120-122, 124-132, reserving # 123 for investigation. All three Board members present, Vanderweyde, Schultes, Johnson were in favor, motion carried. Board members Connelly and Mohr were absent.

Highway Warrant # 8, Vouchers #109-125, in the amount of \$36,557.70 was submitted for payment. A motion to accept and pay these bills was made by Councilman Schultes, 2nd by Councilwoman Vanderweyde. All three Board members present, Vanderweyde, Schultes, Johnson were in favor, motion carried. Board members Connelly and Mohr were absent.

JRC Warrant

There was 1 JRC claim to Al & Sherry's Sport Shop for \$699.for replacement equipment for soccer playing. A motion to accept and pay this bill was made by Councilman Schultes, 2nd by Councilwoman Vanderweyde. All three Board members present, Vanderweyde, Schultes, Johnson were in favor, motion carried. Board members Connelly and Mohr were absent.

There was no other business to come before the Board. Supervisor Johnson declared the meeting adjourned at 8:02pm.

Alison B. Owens

Smithville Town Clerk