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

Supervisor Allan Johnson Planning Board members:

Board members: Milly Auwarter
Charles Schultes Bob Brooks
Holly Mohr Doug Garnar
ElizabethVanderweyde Jackie Centerwall

Roger Connelly Justices Bruce Braman and Bill Lenga
Town Clerk Alison Owens Smithville Day Committee Chair BarbaraAnn Whitmore

There were no additions or deletions.

CORRESPONDENCE

C1: Angelo Cioffi: statement of intent to serve on the Planning Board. Supervisor Johnson contacted the Assoc. of Towns for advice on whether a Town property owner who is not a local resident can serve on the Planning Board. The Assoc. of Towns Att'y says a PB member is an officer who is supposed to be an elector (one who votes at the Town level). Until Mr. Cioffi is a full time resident, registered to vote in the Town of Smithville, he would not be able to serve on the Planning Board. Milly Auwarter will continue to serve through September.

C2. PERMA Compensation letter re: Ray Root received.

NEW BUSINESS

NB1: Tobacco Free Chenango: would like to see Towns declare parks, etc. tobacco free. Board members decided not to pursue this.

OLD BUSINESS (updates since last meeting)

OB1: Playground septic. No new information from the Bottle Playground Committee. Enforcement Officer Neal Root has said Chenango County will need to be involved in the septic application. The matter has been put on hold for the time being.

OB2: Noise Control Local Law: Supervisor Johnson asked the Board what their feeling was with regard to the proposed Noise Control Local Law. He felt something should be put in place and Board members were in agreement. After some discussion it was decided the current proposed law would be used as is. The next step would be a Public Hearing. It was proposed to have the Public Hearing before the next Town Board meeting on July 19th at 5PM, followed by the regular Town Board meeting. This was put to RESOLUTION.

RESOLUTION # 14 (2010): PUBLIC HEARING JULY 19TH 5PM FOR NOISE CONTROL LOCAL LAW

On a motion by Councilman Schultes, 2^{nd} by Councilwoman Vanderweyde, the following RESOLUTION was:

ADOPTED AYES: Schultes, Mohr, Vanderweyde, Connelly, Johnson

NAYES: 0

RESOLVED that the proposed Local Law for Noise Control be put to Public Hearing and that such Public Hearing be advertised in the Chenango American for July 19, 2010 at 5pm, and that the regularly scheduled meeting of the Smithville Town Board will convene at its normal meeting time of 6pm.

OB3: Parking Lot Grant paperwork: The grant is complete and the paperwork needs to stay on file for 3-6 yrs.

OB4: Finalization of Flood Zone maps: effective date for the FIS report and FIRM for the community will become effective Nov. 26, 2010. There needs to be compliance with certain additional requirements in order to be eligible to continue with Flood Insurance, especially the adoption of the floodplain management regulations "that meet the standards of Paragraph 60.3(b) of the NFIP regulations (44CFR 59, etc.)"; Enforcement could be an issue. It is possible the County code enforcement would be the enforcing authority. The Town Board will need to adopt the new maps.

MINUTES: The minutes of the May 17th were reviewed. Changes were noted from "grader" to "gradall", "be' to "being" and added voucher #'s and total of highway warrant. A motion was made by Councilman Connelly, 2nd by Councilwoman Vanderweyde to accept the minutes with the changes. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

REPORTS

R1.) Planning Board: Members of the Planning Board were present to discuss the **Comprehensive Plan**. They are requesting some technical assistance in the form of a hired consultant who will be able to help finish assembling the last parts of the Comprehensive Plan. The individual they are recommending is Ben Andrus, a resident of the Town of Smithville. Ben has a Masters in Public Administration and has a strong background that will enable him to help with the project. \$2,000 was set aside in the 2010 Budget for the hiring of a Consultant.

RESOLUTION # 15 (2010): HIRE CONSULTANT FOR COMPREHENSIVE PLAN

On a motion by Supervisor Johnson, $2^{\rm nd}$ by Councilwoman Vanderweyde, the following RESOLUTION was

ADOPTED AYES: Schultes, Mohr, Vanderweyde, Connelly, Johnson

NAYES: 0

RESOLVED to authorize Ben Andrus to finalize and produce the Town's Comprehensive Plan under the direction of the Planning Board.

Once the Comprehensive Plan is complete, a Public Hearing will need to take place. The Planning Board will also be reviving and reviewing the Site Plan Review Local Law.

- R2.) Assessor: The **tentative Equalization rate** has been set for 63.58, down from 66.30.
- R3.) Enforcement Officer: report submitted, and the County report has been submitted.

R4.) Justice: quarterly report summary of \$875.00 has been noted.

Both Justice Braman and Lenga were in attendance and asked the Board to consider hiring a Court Clerk to help with the tremendous load of computer/paperwork mandated by NYS. Both Justices are spending a considerable amount of time doing the paperwork supposed to be done by the Clerk. A Clerk is also needed to handle the fines coming in to the Court as the Justices are no longer supposed to handle the monies. Monies will shortly be required to be turned over to the Town Clerk instead of being sent in to NYS.

Both Justices also spoke of the need for a larger office to handle the volume of Court cases, better accessibility for office equipment and to maintain proper "records management" for the Court. Currently, there is too much distance between the Court room, the computer and the copier. The Town Records room is full to overflowing. The Justices recommended an addition to the west side of the current Town Clerk's office which could house a small Court room and the necessary space for Justices offices and a Records room. The addition can have its own entrance and a handicapped restroom. Mandates for separate Court housing may be coming from Albany at some point. JCAP funds have used by other Towns to build Court room additions.

- R5.) DCO: report submitted
- R6.) Attorney: report submitted
- R7.) Smithville Day Committee closing report: the military was pleased and would like to return next year. A full report will not be available until 6/22/2010.
- R8.) Community Center: a 2nd key fob was made for Community Center/Pavilion rental when both units are rented at the same time.
- R9.) Playground Committee: no report
- R10) Town Clerk, Tax Collector: reports submitted. The taxes have been returned to Chenango County. The Tax Collector accounts have been balanced to 0.
- R11) Highway: report submitted: recommended to sell the parts Gradall to Coventry for \$2500. TB said to talk about selling both and suggested putting them both out to bid. This needs additional clarification before making a decision.
- R12) Supervisor's Report: report submitted. A motion to accept the Supervisor's report was made by Councilwoman Mohr, 2nd by Councilwoman Vanderweyde; All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

GENERAL WARRANT

General Warrant #6, Vouchers #87-102, was submitted for payment. After some discussion a motion was made by Councilman Connelly, 2nd by Councilman Schultes to accept and pay these bills. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

HIGHWAY WARRANT

Highway Warrant # 6, Vouchers # 81-100, was submitted for payment. After some discussion a motion was made by Councilman Schultes, 2nd by Councilman Connelly to accept and pay these bills. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

JRC WARRANT

2 Vouchers were submitted for payment through the JRC account:

To: Al Johnson \$ 44.00 postage

To: SPST \$1179.35 printed T-shirts

A motion was made by Councilwoman Vanderweyde, 2nd by Councilman Schultes to accept and pay these bills. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

EXECUTIVE SESSION

A motion was made to go into Executive Session to discuss Union negotiations/contract was made by Councilwoman Mohr, 2^{nd} by Councilwoman Vanderweyde. Into Executive Session at 8:28pm.

A motion was made to come out of Executive Session was made by Councilman Schultes, 2nd by Councilwoman Vanderweyde. Out of Executive Session at 9:02pm.

There was nothing else to come before the Board. Supervisor Johnson declared the meeting adjourned at 9:02pm. The next meeting is July 19th.

Alison B. Owens

Smithville Town Clerk