

MINUTES OF THE SMITHVILLE TOWN BOARD

July 18, 2011

The regular meeting of the Smithville Town Board was called to order at 6:02pm by Supervisor Allan Johnson. Present were the following:

Supervisor Alan Johnson
Board members:
Elizabeth Vanderweyde
Holly Mohr
Roger Connelly
Chuck Schultes arrived 7:10pm

Also:
Bob Whitmore, Genegantslet Fire Chief
Sally, Richard Crow
Alison Owens, Town Clerk
Carol Omalyev
Bruce Kinney, Hwy Sup't

ADDITIONS/DELETIONS: add Correspondence items C12, C13

CORRESPONDENCE

- C1: 6th Judicial Court: re-appointment of Justice Hosford for remainder of 2011.
- C2: NYSAG&M: Municipal Shelter Inspection Report (Norwich facility)
- C3: NYSEG: Helicopter patrols for downed lines
- C4: NYSDEC: appreciation letter to Bruce Kinney for repair of angler parking lot on Art Lake Rd.
- C5: NYSDEC: Clean Air Grants available to improve air quality
- C6: Chenango County: sale of delinquent tax properties; 2 properties sold within the Town of Smithville
- C7: NYSORPS: letter to Keith Klein re: steps necessary to comply with Assessor training
- C8: Senator Charles Schumer: applications available for America's Historical/Cultural Organizations
- C9: JCAP (Justice Grants) applications now available. Justice Hosford did not identify any particular needs for the Town of Smithville.
- C10: Village of Greene: Thank you note to Highway Sup't. for help with the Birdsall St. Creek bank during the June 23rd flood.
- C11: check received from Town of Coventry for swing transmission (Gradall parts)--\$1500.
- C12: Workman's Compensation notice: notice of approval of section 32 agreement, final agreement, amount \$4,650. to be paid from the Town insurance company to legal rep of recipient, a former Town employee.
- C13: bill from NYS Dept. of Labor, division of unemployment. Due to lack of NYS funds in the unemployment accounts, all Municipalities will be required to pay a surcharge of ¼ of 1% of total taxable wages in the most recently completed payroll year. Smithville's portion will be \$84.97, due by August 15th. The bill will be given to Bookkeeper Virginia Smith for payment.

NEW BUSINESS

NB1: Public Comments

Carol Omalyev: Invitation to tour Bradford Co., PA where gas drilling has caused health issues with the residents.

Richard Crow: Concerned what gas drilling and fracking can do to a community and wants to keep tabs on what the Town of Smithville is doing or will do.

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OLD BUSINESS

OB1: Resolution to eliminate 1 Justice position: ad has been posted for 30 days and the Resolution is now binding.

OB2: Consider participation in the no-cost NYS Deferred Compensation Plan (AI has info). Councilwoman Vanderweyde suggested the Highway employees be asked to take a look at it. It was also suggested Bookkeeper Virginia Smith review the material. Highway Sup't Kinney felt the Highway employees would not be interested but he will talk to them about it.

OB3: Smithville Day Committee Chair: 1 application. AI was approached by a member of a tractor pull organization who requested to know if the Town of Smithville would allow more than one tractor pull. Also a letter from Supervisor Johnson was drafted to Barb Whitmore thanking her for her past service as Chairperson of Smithville Day. Board members were in agreement to send it. It was recommended to post the Smithville Day Committee request form in other local places, and to also contact the newspapers in Norwich and Greene.

OB4: Genegantslet Fire Station: Street light has been placed near the new fire station. The new fire pit is in the process of being built.

MINUTES APPROVAL: The minutes of the June 20, 2011 meeting were reviewed. A motion to approve the minutes was made by Councilwoman Mohr, 2nd by Councilman Connelly. All 4 Board members present were in favor, motion carried. Councilman Schultes was absent.

REPORTS

R1.) Planning Board: no information

R2.) Assessor: no report

R3.) Enforcement Officer: report submitted County: report submitted

R4.) Justice: report submitted

R5.) DCO: no report. Supervisor Johnson suggested purchasing a "catch pole" for the DCO. He has found one on the internet. Councilwoman Mohr said equipment could be purchased but it should be only for the Smithville DCO. Councilwoman Vanderweyde is also ok with it.

Supervisor Johnson will continue to check the prices. Town Clerk Owens again referred to the list of delinquent dogs from 9/2010-2/2011 sent to the DCO after last months meeting. Nothing has been done about these dogs. Supervisor Johnson will speak to the DCO.

R6.) Attorney: no report

R7.) Smithville Day: previously discussed

R8.) Community Center: no report

R9.) Playground Committee: no report. It was noted the new swing set is partially up, the picnic tables have been painted, and the gardens have been weeded.

Councilman Schultes arrived @ 7:20pm.

R10) Town Clerk: report submitted.

R11) Highway: report submitted

* Buckley Hollow slightly damaged in June flood. Kingsmann, Collyer Rds. were damaged in the April flood. FEMA money is "drying up" and will not be there or be there only on a limited basis. Suggested setting up a fund for emergency basis to repair roads and other problems associated with weather.

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* Stone and oil on Engaarrrd will be next week.

* JD grader has had repairs.

R12) The Supervisor's Report for the month of June was reviewed. A motion to accept the Supervisor's report was made by Councilwoman Mohr, 2nd by Councilwoman Vanderweyde. All five Board members, Johnson, Mohr, Vanderweyde, Connelly and Schultes were in favor. Motion carried.

WARRANTS

General Warrant # 7: Board members questioned Voucher # 101 to Keith Sabin. At last month's meeting Board members asked that Keith Sabin be contacted to see if he would be willing to mow the abandoned cemeteries in the Town as the Highway employees were not able to fulfill that obligation this year. Mr. Sabin was willing to do the cemeteries and enlisted Matthew Owens to help. The account # used by Town Clerk Owens on the voucher for cemetery maintenance was A8810.4. Some Board members felt the funds should come from the Highway side, DA5110.4 summer contractual since in the past the Highway workers had used this account for Cemetery maintenance. A8810.4 is used by the Smithville Flats Cemetery Association for maintenance of the Town's 2 "association" cemeteries. The Town can make changes to the budget for next year to allow for an increase in the A8810.4 line item. After some additional discussion, the following Resolution was proposed:

RESOLUTION # 27 (2011): Fund cemetery maintenance to Keith Sabin from DA5110.4

On a motion by Councilman Connelly, 2nd by Councilwoman Mohr, the following Resolution was ADOPTED.

AYES: Johnson, Vanderweyde, Connelly, Mohr, Schultes

NAYES: 0

RESOLVED to authorize payment to Keith Sabin \$174.25 for maintenance work in the cemeteries, and to change the account # from A8810.4 to DA5110.4 (from General to Highway).

Town Clerk Owens asked if Matthew Owens could be paid for his efforts in helping Mr. Sabin. Board members requested Mr. Sabin to ask for payment for Matthew.

General Warrant # 7, vouchers # 90-101 (#101 to be adjusted) in the amount of \$1,840.54 was submitted for payment. A motion to pay these bills, allowing for the adjustment of Voucher # 101 to Keith Sabin, was made by Councilwoman Mohr, 2nd by Councilwoman Vanderweyde. All five Board members, Johnson, Mohr, Vanderweyde, Connelly and Schultes were in favor. Motion carried.

Highway Warrant # 7, vouchers # 83-96 and adding # 97 to Keith Sabin was reviewed. Mr. Sabin is assigned Voucher # 97 in the amount of \$174.25 for mowing cemeteries, and will be paid from DA5110.4. A motion to accept and pay these bills totaling \$32,699.61, with the addition of Voucher #97 was made by Councilman Connelly, 2nd by Councilman Schultes All

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five Board members, Johnson, Mohr, Vanderweyde, Connelly and Schultes were in favor.
Motion carried.

No JRC vouchers

FYI items: 1.) Commerce Chenango Memo
2.) Coordinating the home rule movement

There was no other business to come before the Board. Supervisor Johnson declared the meeting adjourned at 8:10pm. The next meeting will be August 15, 2011.

[Addendum 8/15/11: Per request of Councilwoman Mohr, the following statement was added to these minutes.

At the beginning of the meeting, Councilwoman Mohr requested an Executive Session to discuss Personnel. The situation was resolved during the meeting and the Executive session was not needed.]

Alison B. Owens

Smithville Town Clerk