

Minutes of the Smithville Town Board
October 17, 2011

The regular meeting of the Smithville Town Board was called to order at 6:03pm by Supervisor Allan Johnson. Present were the following:

Supervisor Allan Johnson

Councilpersons

Elizabeth Vanderweyde

Charles Schultes

Holly Mohr

Absent: Councilman Roger Connelly

Also: Bruce Kinney, Highway Sup't

Alison Owens, Town Clerk

Keith Keith, Assessor

Bob Whitmore, Genegantslet Fire Chief

about 6 or 7 Townspersons

ADDITIONS/DELETIONS: add JRC warrant

CORRESPONDENCE

C1: NYS ACH payment of \$7,321.00 has been received. The projection for the 2011 Budget was \$7500.

C2: Chenango County payment of \$514.97 for Assessor laptop

C3: Brisben Fire District 2012 Budget (full budget copy at Board meeting)/Public Hearing notice. The amount to be billed to the Town of Smithville for 2012 will be \$940.84.

C4: FOIL request from Att'y Fertig's office re: Sulphur Springs Rd and Town Clerk response. Hwy Sup't Kinney explained that an entrance to this property using the old road been has been utilized since it was purchased by Mr. O'Connell.

C5: Update on Tax Cap Compliance Info: model Local Law to override the 2% cap. A local law would have to be passed to do this. The Town of Smithville would probably not be affected.

C6: Letter from Jim Reeves: complaint about new Town property not being mowed. Hwy Sup't Kinney said he had planned to brush hog the property, but the property has been wet. He will get to it when he can. Councilwoman Mohr asked if it was expected to look like the park lawn. Councilwoman Vanderweyde suggested just brush hogging the property and leaving it at that. A letter will be written to Mr. Reeves.

C7: Service Education, Inc: invoice for next year (an increase of \$150.) for Justice Court software.

C8: Vestal Town Clerk/NYS Liquor Authority: renewal notification of liquor licenses no longer needed to all areas of NYS, outside of the 5 boroughs of NYC.

C9: Letter from John & Nancy Alesi re: water washing out driveway on 122 Whittling Rd. Hwy Sup't Kinney has changed the pipe and re-dug the ditch but a telephone line in ditch prevents the spot from being dug any deeper. The ditch will only take so much water before it starts running down their driveway. It was suggested to put in another pipe further up the road to help take the excess water. The house is built below grade level which doesn't help. Supervisor Johnson asked the Highway Dept. to have the ditch re-dug.

C10: Letter from County Treasurer: NYS made math errors in sales tax calculations. The next checks to Towns will be reduced about 50% in order to correct the error.

NEW BUSINESS

NB1: consider personal request by Community Life Ministries to be added to Group annual rental rate (Sept. 1st to Aug 31st). Board will table the request since they were not present.

NB2: consider request by Lynn Brooks for addition of plaque at flag pole. The Board asked TC Owens to find some documentation that Bob Brooks donated the flag pole.

OLD BUSINESS

OB1: Report on Justice audit: Councilwomen Vanderweyde and Mohr were not able to conduct the audit before the Board meeting tonight, but it will be done shortly.

OB2: further Smithville Day Committee discussion; new applicant is Kerry Rogers. Supervisor Johnson asked Tim Hanna about co-chairing the event but he is not interested. Supervisor Johnson asked for

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suggestions. Board members suggested asking Karen Wood, the other applicant, to chair the Smithville Day event. Supervisor Johnson will contact her.

OB3: Chenango County Delinquent Tax Dept: delinquent taxes of \$940.84 by Oct. 31st are due on new Town parcel. Assessor Keith Klein explained there will be no more tax bills as the status has been changed to a fully exempt parcel. Att'y Monaco has reviewed the paperwork and has counseled that in the end we will have to pay the bill. Councilwoman Mohr asked to have it stated in the minutes that any future purchases by the Town would require back real estate taxes to be paid. Supervisor Johnson said the amount could be taken from Contingency A1990.4 and asked for a Resolution authorizing payment. The following was brought forth:

RESOLUTION # 31: AUTHORIZE PAYMENT OF LATE TAX ON TOWN PARCEL

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

AYES: Vanderweyde, Schultes, Mohr, Johnson

NAYES: 0

ABSENT: Connelly

RESOLVED to pay the Chenango County taxes and late fees for the newly acquired parcel of Town land (tax map # 202.-1-18.341) in the amount of \$940.84. Payment to come from Contingency A1990.4 and to be paid by Oct. 31st.

OB4: further action on lamp posts and TC rear door. There was no further action on the TC rear door. Town Clerk Owens will ask the SHS at their meeting on Saturday about a replacement for the wooden light post at the Community Center downed by wind this summer.

OB5: Further discussion on Genegantslet Fire Co. proposal to assume responsibility of the Smithville Center Fire District from the Village of Greene. No response has yet been received from Marcia Miller, Mayor of Greene. Councilwoman Mohr and Councilman Schultes are in favor of it, but the Public should be made aware of the proposal. It was suggested to hold a Public Hearing.

Genegantslet Fire Chief Bob Whitmore indicated the insurance rating will be the same (for homeowners insurance policies), the equipment is the same as Greene and so is the manpower.

RESOLUTION # 32 (2011): CALL FOR PUBLIC HEARING FOR PUBLIC INPUT ON CHANGING SMITHVILLE CENTER FIRE DISTRICT COVERAGE FROM VILLAGE OF GREENE TO GENEGANTSLET FIRE CO. ; ALSO PUBLIC HEARINGS FOR THE GENEGANTSLET FIRE CONTRACT AND THE 2012 TOWN OF SMITHVILLE BUDGET

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

AYES: Vanderweyde, Schultes, Mohr, Johnson

NAYES: 0

ABSENT: Connelly

RESOLVED to hold a Public Hearing on Thurs. Nov. 10, 2011 @ 6pm for the purpose of Public input on changing fire coverage of the Smithville Center Fire District from the Village of Greene to the Genegantslet Fire Co. of Smithville Flats. Additionally RESOLVED to call for a Public Hearing for the Genegantslet Fire Contract @ 6:30pm and for a Public Hearing on the 2012 Town of Smithville

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Preliminary Budget @ 6:40pm. Such Public Hearings to be advertised in the Chenango American for 2 weeks prior to November 10th.

MINUTES APPROVAL: The minutes of the Sept 19, 2011 were reviewed. Moved to approval by Councilwoman Mohr, 2nd by Councilwoman Vanderweyde. All four Board members Vanderweyde, Schultes, Mohr and Johnson were in favor, motion carried. Connelly absent.

REPORTS

R1.) Planning Board-no report

R2.) Assessor: present at meeting, no further comment

R3.) Enforcement Officer: report submitted. No County report.

R4.) Justice: report submitted

R5.) DCO: no report

R6.) Attorney: report submitted

R7.) Smithville Day: previously submitted

R8.) Community Center: no report

R9.) Playground Committee: no report

R10) Town Clerk: report submitted. The Town Clerk will replace one of the printers with a wide format printer capable of printing pages from the vital records books and pages from a tax map. This is a back-up in case the old Canon printer becomes non-functioning. The new printer will also have compatible ink with the newer HP machine in the office.

R11) Highway:

- Paperwork filed for FEMA work; is working with FEMA rep on damages
- Sand has been put up for the winter
- Covering sluices up and making repairs
- Working on trucks and plow equipment; grad-all and excavator have broken down. Grad-all has been repaired
- Sulfur Springs Rd. is still maintained as a driveway
- Possible permits to clean out the creeks from the overflow during the floods
- Possible upgrade of pipe at Buckley Hollow and also at Windham Rd.

R12) Supervisor's Report: reviewed. A motion to accept the Supervisor's report was made by Councilwoman Mohr, 2nd by Councilwoman Vanderweyde. All 4 Board members: Vanderweyde, Schultes, Mohr and Johnson were in favor, Connelly absent, motion passed.

WARRANTS

General Warrant # 10 in the amount of \$2752.80, with Vouchers # 133-144, was presented for payment. A motion was made by Councilman Schultes, 2nd by Councilwoman Mohr to pay all vouchers in the warrant. All 4 Board members: Vanderweyde, Schultes, Mohr and Johnson were in favor, Connelly absent, motion passed.

Highway Warrant # 10 in the amount of \$18,616.58, with Vouchers # 122-129, was submitted for payment. A motion was made by Councilwoman Mohr, 2nd by Councilwoman Vanderweyde to pay these vouchers in the warrant. All 4 Board members: Vanderweyde, Schultes, Mohr and Johnson were in favor, Connelly absent, motion passed.

JRC Warrant: 2 Vouchers submitted, 1.) Chris Rice for line paint, sponsor signs \$143.71; 2.)McMahon Associates for 219 t-shirts, \$1182. Total \$1326.31. A motion was made by Councilwoman Mohr, 2nd by

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Councilwoman Vanderweyde to pay these bills. All 4 Board members: Vanderweyde, Schultes, Mohr and Johnson were in favor, Connelly absent, motion passed.

JRC administration may be given to the Town of Greene for 2012.

Genegantslet Fire Co. Chief Bob Whitmore discussed the 2012 Budget amount for the Genegantslet Fire Dept.

The Board discussed the 2012 Preliminary Budget. No changes were made from the previous Tentative Budget. The Board has set the Public Hearing for the 2012 Preliminary Budget for Nov. 10, 2011.

There was no other business to come before the Board. Supervisor Johnson declared the meeting adjourned at 8:18pm. The next regular Town Board meeting will be Nov. 21, 2011.

Alison B. Owens

Smithville Town Clerk