

Minutes of the Smithville Town Board  
September 19, 2011

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	Hwy Sup't Bruce Kinney
Councilman Roger Connelly	Town Clerk Alison Owens
Councilman Charles Schultes	Assessor Keith Klein
Councilwoman Elizabeth Vanderweyde	Fire Chief Robert Whitmore
Councilwoman Holly Mohr (arrived at 6:10pm)	various Townspersons and guests

ADDITIONS/DELETIONS: C8 and NB3 were added to the agenda

CORRESPONDENCE

C1: NYS: DEC bill created for permits to cover large withdrawals of surface/ground water

C2: FOIL request from Stan Emert re: Town Park. The request was handled by Town Clerk Owens to Mr. Emert's satisfaction.

C3: letter written from Town (by Councilwoman Vanderweyde) to Presbyterian Church with respect to last month's request for Town Board support for new Church building.

C4: letter from Gary Huttleston re: general complaints about the Highway Sup't and Highway workers. Councilman Connelly asked if a response should be made to Gary Huttleston. The issue seems to be a neighbor problem. Supervisor Johnson had spoken with the Chenango County Hwy Sup't and has not found any reason of wrongdoing or for Town Board action. Highway Sup't Kinney responded that filling in driveways is maintenance legally done within 25' from the center of any Town Rd. After discussion, it was decided not to respond to Mr. Huttleston's communication officially.

C5: FOIL request from FEMA rep: given to Bookkeeper. Neither the Town Clerk nor the Supervisor have heard anything from the Bookkeeper.

C6: NYSORPS: congratulatory letter to Keith Klein, State Certified Assessor.

C7: FEMA: National Flood Insurance Program Interim Guidance on Drilling in SFHA's. Smithville has A zone's.

C8: Deputy Clerk Beverly Giles submitted a dog complaint from Renee LaPorte. The Supervisor will make sure the DCO receives a copy.

NEW BUSINESS

NB1: consider suggestion by Custodian to add Community Life Ministries to Group annual rental rate (Sept. 1st to Aug 31<sup>st</sup>) The group has rented the facility for a year and has had no problem. Board members felt that if the Group would like to ask for this consideration, they should appear and ask the Town Board at the October meeting.

NB2: NYS Unified Court System: re Justice audit. This is an annual request. Councilwomen Vanderweyde and Mohr will contact the Town Justice and make arrangements for the audit.

NB3: DEC division of water re: Cincinnatus Lake dam observation. A letter also went to Roger Hatfield. Our responsibility is not the ownership but the maintenance. Hwy Sup't Kinney has been asked to help with some of the maintenance issues.

Minutes of the Smithville Town Board  
September 19, 2011

OLD BUSINESS

OB1: Consider participation in the no-cost NYS Deferred Compensation Plan. Hwy Sup't Kinney responded the Highway Employees are not interested in the Plan at this time.

Bookkeeper Virginia Smith still has copies of documents.

OB2: **Smithville Day Committee Chair:** There have been only 2 respondents for the Smithville Day Committee: Karen Wood and Tim Hanna. After a short discussion, it was decided to ask Karen and Tim if they would be willing to be co-chair's for the 2012 event. Al will talk to them about it. No Resolution was brought forth but all Board members were in favor of asking them to serve in this capacity.

OB3: The Chenango County Delinquent Tax Dept has notified the Town of Smithville that **delinquent taxes (previous year) are due on the new Town parcel.** The IRS had given the Town information that all previous liens were removed. The Assessor will speak with the IRS agent and the Chenango County Att'y. It was asked if the Town Att'y should be advised of the status up to this point. Board members felt contacting the Town Att'y should be done. Total due through 8/31/11 was \$946.67.

MINUTES APPROVAL: The minutes of the August 15, 2011 meeting were reviewed. A motion to accept the minutes was made by Councilwoman Vanderweyde, 2<sup>nd</sup> by Councilman Connelly. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

REPORTS

R1.) Planning Board: newly created subdivision on S. Tyner Rd.

R2.) Assessor: The Town's total assessment was down \$335,785.00 from last year. A number of taxpayers have had reason to grieve their assessments downward, appraisers are valuing properties at less than the current assessment, and a taxpayer on Collyer Rd. took last years grievance result to Small Claims Court and won. Additionally, some properties have been removed from taxable status. All of this will have an effect on the tax rate for Smithville.

The Assessor has also taken advantage of a grant through the County to buy a new laptop to be used with the RP4 program. It will be more compatible with the County system. The old laptop was at the Assessor's home when the recent flood hit. The power supply was damaged but it will be replaced by the Assessor.

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

R4.) Justice: report submitted

R5.) DCO: no report

R6.) Attorney: report submitted

R7.) Smithville Day: no report

R8.) Community Center: no report. Town Clerk reported the light pole blew over in storm last month, the other is also rotted. Is it the Town's responsibility to replace or the Historical Society? Board members recommended the Town ask the Historical Society if they would like to make a recommendation about replacement.

The back door in Town Clerk's office leaked water during the last storm. Councilman Connelly will take a look at the door and make a recommendation.

Minutes of the Smithville Town Board  
September 19, 2011

R9.) Playground Committee: no report

R10) Town Clerk: report submitted

R11) Highway

- Flood damage wide-spread through whole town, damage to lower Winner to Buckley Hollow; Art Lake and Whittling on the seasonal part; Buckley Hollow to Oxford Town line is closed--the County bridge needs repair; Kinsmann/Fry had shoulder damage as did S. Tyner where the stone house is; some on Collyer Rd.
- FEMA worker has been in the Town going over damaged areas. Hwy Supt Kinney still recommends Towns begin putting away \$ to pay for future road damage as FEMA \$ will probably not be there in a few years.
- Also will check Pond Creek for continued work there. The large stone/boulders recently put around the creek's curve at Stan Emert's house had trouble holding all of the water during this last flood. Mr. Emert, who was present at the meeting, asked to have it reported in the minutes the creek was ready to break through onto his property again. Hwy Sup't Kinney will continue to work with the situation.

R12) Supervisor's Report: The August Supervisor's report was reviewed. A motion to accept the report was made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Vanderweyde. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

### **WARRANTS**

General Warrant # 9, vouchers # 119-132, in the amount of \$10,949.85 was submitted for payment. A motion was made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Vanderweyde to accept and pay these bills. All 5 Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

Highway Warrant # 9, Vouchers # 112-121, in the amount of \$17,795.21 was submitted for payment. A motion was made by Councilman Schultes, 2<sup>nd</sup> by Councilman Connelly to accept and pay these bills. All 5 Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

JRC: 2 bills were submitted for payment

- 1.) \$44.91 Christine Rice for a Code of Ethics
  - 2.) \$546.00 Sports Shop in Vestal for soccer equipment
- Total \$590.91

A motion was made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Vanderweyde to accept and pay these 2 JRC bills. All 5 Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

### **FYI items:**

**Request to forward:** 1.) Seminar: "How to Craft and Adopt Local Laws to Protect Land and..."

Minutes of the Smithville Town Board  
September 19, 2011

- 2.) "How contamination of water has been handled in Texas"
- 3.) updated list of Communities with hydro-fracking Resolutions

**Add'l FYI** 1.) NYS Comptroller announces 2013 Employer Contrib. rates for NYS & Local Retire

Other: **Fire Chief Bob Whitmore is recommending the Genegantslet Fire Company take over the Smithville Center Fire District from the Village of Greene.** Expenses are up because of the new fire station but the Fire Chief feels the Budget can stay the same for Greene @ \$10,000.

Board members discussed this briefly and were in favor of asking what steps would need to be taken for that to happen. Supervisor Johnson will make some contacts in the Village of Greene and will report back to the Board.

Tentative 2012 Budget worksheets were distributed to Board members.

There was no other business to come before the Board. Supervisor Johnson declared the meeting adjourned at 7:51pm.

Alison B. Owens

Smithville Town Clerk