

Minutes of the Smithville Town Board
August 20, 2012

OPENING BY SUPERVISOR FRED HEISLER JR 6:30PM

ATTENDANCE:

Supervisor Fred Heisler Jr.
Elizabeth Vanderweyde
Bob Whitmore
Karl Ludwig
John Cammarata

Highway Sup't Bruce Kinney
Town Clerk Owens
Planning Board Chair Jackie Centerwall
Playground Committee Mindy Eldred,
Smithville Day Chair Jenn Pratt,
About 45 Townspersons

LATE ADDITION TO AGENDA: letter to John Cammarata from James Steadman re: condition of Town Barn

PRESENTATION by Brian Brock, retired Geologist 6:32PM
PRESENTATION by Neal Giles, owner of Vestal Asphalt 7:28PM

CORRESPONDENCE 7:58PM

- C1. email from Enerpath with regard to Small Business Energy Efficiency Program
- C2. letter from Karen Levene, property owner at Echo Lake requesting the Town NOT adopt Resolution supporting Marcellus Shale gas extraction
 - email from Jeanette and Clarence Lamb, property owners at Echo Lake opposing fracking in the Town of Smithville
 - email and attached letter from Mary Kelly, property owner at Echo Lake asking that the Town of Smithville adopt no Resolutions or Public Policies at this time in support of Marcellus Shale gas extraction
 - email from Carolyn Heaton, property owner at Echo Lake asking that the Town not make any public policies or write an affirmative statement for fracking.
 - Email from David Rotherforth requesting NO FRACKING in the Town of Smithville
- C3: email from Kim Michels with petitions of those living in the Town of Smithville who are asking the Town to protect its constituents from gas drilling and fracking.
- C4: email from Kim Michels with attachments
- C5. Amicus Brief: update on appeals
- C6: A petition of names requesting the Town Board of Smithville to allow the NYSDEC as the official agency to handle all aspects of natural gas development was presented to the Town Board and entered into the records of the Town.

REPORTS 8:20PM

- R1.) Planning Board: researching noise and road use local laws; working on the site plan review law. A letter from James Steadman to Councilman Cammarata was received concerning condition of Town Barn, and was given to the Planning Board. Hwy Sup't Kinney was asked to bring a list of requirements for a new Town Barn to the next Planning Board meeting. Size considerations for a Court building and a Hwy satellite building were also discussed.
- R2.) Assessor: no report submitted
- R3.) Enforcement Officer: no report submitted County: no report submitted
- R4.) Justice: no report

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R5.) DCO: no report submitted

R6.) Attorney: report submitted

R7.) Smithville Day: Chairperson Jenn Pratt was available for a verbal report. The Smithville Day Committee met Aug. 7th with 7 people in attendance. A mission statement for 2013 was read to the Board. Also discussed were a logo, sub committees, fund raisers, activity ideas for 2013, ideas for signs. The next meeting will be Sept. 18th.

R8.) Community Center: no report

R9.) Playground Committee: Verbal report by Mindy Eldred. No meeting in August. Community Service projects will be done Aug. 21st. Bathrooms are still being worked on by John Cammarata. It was questioned whether a firewall between the restrooms and storage area where the equipment and fuel products are stored should be installed. The response was yes.

Groundskeeper Keith Sabin has had trouble with things inside the locked storage room missing. Youthful offenders from the local area have been caught but the current penalties of Community Service have not worked. There was discussion with regard to calling the local authorities and what their response has been. The Town has not pressed charges in the past but the Board felt a change in this policy might deter future vandalism. Therefore **the New Policy is that the Town will press charges for any mischief/vandalism done to or on Town property.** Public Notice signs will be posted in the Town Park indicating violators will be prosecuted. Councilman Cammarata will purchase these signs for the Town.

Councilman Cammarata will also check on different locks. Locks for the electric boxes were suggested. A surveillance camera was suggested and is available at Walmart for about \$279.

Mrs. Eldred also questioned whether there would be an insurance issue for the Harvest Festival on Oct. 13th: Supervisor Heisler said his understanding from Mang Insurance is if there is not a contact sport or parade, then the municipal insurance should cover the event. Grange insurance would still be in place.

R10) Town Clerk: report submitted.

R11) Highway: report submitted.

- Stone for creek work has been delivered; stone for stone and oil projects will be coming tomorrow.
- Chesapeake Energy has sent a Road Use Agreement which was copied for Board members.
- New Loader had not shown up on the Town insurance policy but is now coming through.
- Road sign changes: Whittling to Wittling, Smith-Kingsman to Smith-Kinsmann; possibly McBerney to McBirney.
- Tractor pictures for hopeful purchase from the Town of Southport to replace the rake tractor were reviewed. They will sell it to the Town of Smithville for \$6500. Hwy Sup't Kinney would like to take it out of highway savings and move to equipment savings DA5130.2. The old Town equipment will be sold possibly at the Lansing Town auction.
- Uses dust oil as a stabilizer. Would like to make a dust pad with oil, then chip to build up a layer in front of a house. This will prevent using dust oil on an annual basis. Supervisor Heisler suggested developing a five year comprehensive road plan.
- CHIPS budget will be about \$100,000; the Town is entitled to \$163,000. next year because it rolls over. The Highway Sup't always budgets less than needed.

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RESOLUTION # 30: TRANSFER FUNDS TO PURCHASE TRACTOR

On a motion by Councilman Ludwig, 2nd by Councilwoman Vanderweyde, the following RESOLUTION was ADOPTED.

AYES Vanderweyde, Whitmore, Ludwig, Cammarata, Heisler
NAYES 0

RESOLVED to transfer \$6500. from Highway Savings to Highway Equipment savings DA5130.2 to purchase used tractor from the Town of Southport.

R12) Supervisor's Report: report submitted and reviewed. Approval of the report was made in a motion by Councilwoman Vanderweyde, 2nd by Councilman Cammarata. All five Board members: Vanderweyde, Whitmore, Ludwig, Cammarata and Heisler were in favor, motion carried.

NEW BUSINESS 9:25PM

NB1: The NYSLRS (Retirement System) Resolution establishing a standard work day was reviewed. This has to be done each new term according to new law structure put in place in Aug. 2009. Since there were questions with regard to Town personnel affected, Supervisor Heisler will make some contacts to see what needs to be done.

OLD BUSINESS 9:28PM

OB1: Info from John Cammarata with regard to an **extra flood light on a NYSEG pole** to shine into the parking lot was reviewed. This will be a 400 watt, 28000 lumens light with an installation fee of \$60. plus \$13.80 monthly cost. The order for the one pole is 4-6 weeks lead time and it would be considered a street light. What would the Board like to do? After discussion the Board decided to replace the bulb on the southeast pole in the parking lot to see if that would be enough light coverage for the parking lot. The Board will revisit the proposed extra street light next month.

OB2: JCAP grant information: no information. Justice Kehl has moved from the area and did not communicate his efforts to anyone before he left. Supervisor Heisler and Councilman Cammarata were invited to tour Plymouth's new building.

MINUTES APPROVAL FOR July 16th, August 13th 9:48PM

The minutes for July 16th and August 13th were reviewed. A motion to approve both sets of minutes was made by Councilman Whitmore, 2nd by Councilwoman Vanderweyde. All five Board members: Vanderweyde, Whitmore, Ludwig, Cammarata and Heisler were in favor, motion carried.

WARRANTS 9:50PM

General Warrant # 8, Vouchers # 100-117 in the amount of \$2407.50 were submitted for review and approval. A motion was made by Councilman Ludwig, 2nd by Councilman Cammarata to approve the General Warrant vouchers. All five Board members: Vanderweyde, Whitmore, Ludwig, Cammarata and Heisler were in favor, motion carried.

Highway Warrant # 8, Vouchers # 98-112 in the amount of \$45,688.99 were submitted for review and approval. A motion was made by Councilman Cammarata, 2nd by Councilwoman Vanderweyde to approve the Highway Warrant vouchers. All five Board members: Vanderweyde, Whitmore, Ludwig, Cammarata and Heisler were in favor, motion carried.

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Additional: The Highway crew will help out with Cemeteries. Hwy Sup't will contact Groundskeeper Keith Sabin to work out a schedule.

There was nothing else to come before the Board. The next meeting will be Sept. 17th. The Public Hearing for the Comprehensive Plan will be Sept. 11th. A motion to adjourn was made by Councilman Cammarata, 2nd by Councilwoman Vanderweyde. All five Board members: Vanderweyde, Whitmore, Ludwig, Cammarata and Heisler were in favor, motion carried. Meeting adjourned at 10:07pm.

Smithville Town Clerk

Alison B. Owens

FYI Items: numerous gas drilling emails

DRAFT