

Minutes of the Smithville Town Board
March 18, 2013

OPENING by Supervisor Heisler 6:30PM

ROLL CALL: In attendance

Supervisor Fred Heisler Jr.
Councilmen Bob Whitmore
Karl Ludwig
John Cammarata
Councilwoman Vanderweyde absent

Also Present:

Alison Owens, Town Clerk
Bruce Kinney, Highway Sup't.
Lynne & Donald Conklin, Grange members
Mindy Eldred, Playground Committee
Joan Barker, Historical Society
Roger Connelly, Resident of Tarbell Rd.

LATE ADDITIONS/DELETIONS/REMARKS –C4

PRESENTATION BY DAVID CRAINE OF MANG INSURANCE 6:40pm

David Craine of Mang Insurance was present to explain to the Board the synopsis of insurance renewal for the year 2013/2014. Selective Insurance was providing the quote which includes a blanket insurance limit of \$767,889. with a \$500. deductible. Scheduled equipment 5 yrs old or newer are covered with replacement cost only. Public Officials liability will be \$1 million as well as the commercial umbrella. Mr. Craine asked if there was a reason 2 NYSDOT hazard permits were needed; if not, it will be decreased to 1 permit. A quote was requested from NYMIR again this year but NYMIR does not write “downstream liability coverage” (for the Cincinnatus Lake Dam) until/unless the Town develops a DEC approved Emergency Action Plan for the dam.

The new premium is projected to be **\$20,161.46, an increase of about 6% from last year.** Included in the updated price is event insurance for Smithville Day, where there is extra risk for contact events. It was questioned whether this coverage would include the parade, to which the response was yes. Also questioned was whether a special event policy for the Harvest Celebration in October would need to be applied for. Mr. Craine indicated no, that event (Harvest Celebration) does not have the extra contact events as Smithville Day does.

CORRESPONDENCE 7:00PM

C1: Ambit Energy re: annual savings report for Community Center
C2: Chenango County Treasurer’s Office: list of tax foreclosure properties
C3: Local Gov’t Training Workshop on Open Meetings/FOIL—Apr. 3rd
C4: Invitation to Grange Covered Dish dinner April 12, 2013

NEW BUSINESS 7:00PM

NB1: Grange request: question on insurance for Harvest Festival in October was previously answered.

OLD BUSINESS 7:00PM

OB1: further discussion of **Road Name changes:** Resident Roger Connelly was present to continue discussion on the impact of renaming the road in front of his house and those of his neighbors. Even with the change implemented in the Residents favor at last month’s meeting, the # for his house would still change. Supervisor Heisler explained that house #'s go south to north and west to east, with the exception of a dead end road (Tarbell Rd.) where the numbering starts with the dead end and continues to the beginning. Supervisor Heisler explained that another change would not be made and that Tarbell road would remain as the road name modified in the February Resolution. Pearl St. would also remain the same as in the February Resolution, starting from Round Pond Rd. and running east, but stopping at the intersection of the new Tarbell Rd. by the bridge.

OB2: further discussion of **Justice quarters:** At a Town Board Work Session March 7th, (no minutes of the meeting) it was proposed to create an addition to the current Town offices for a Justice Court and also to

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create a temporary office for the Justice upstairs. Justice Lilley has made a written request (see letter OB2) for a private office and a separate phone to have confidentiality for the Court. Supervisor Heisler recommended the addition of 2 walls on the 2nd floor of the Community Center at the top of the back stairs for an office for the Judge. Wiring will be temporary and can be moved; an air conditioner could be added in place of the small window upstairs.

Members of the Grange and Historical Society were present and presented a drawing for an option for the Town Offices done several years ago. This was reviewed but no decision was made at this time.

JCAP grant money will not be available for a new Justice court, so ways to obtain funds will need to be explored. There is \$ in the Town Barn fund but the Board, at the recent Work Session, decided against adding a Justice Court to a new Town Barn. The Town Court was inspected by the NYS Court Justice system and found to be negligent in the Justice office situation.

OB3: copier information: Town Clerk Owens and Town Board member John Cammarata presented a proposal from Toshiba for a new or leased copier which has all the requirements needed to fulfill the various offices in the Community Center. It is an e-studio 306. To purchase the copier is \$3200.; to lease it is \$61.00 per month for 63 months with an additional \$20.00 per month for service and supplies and \$7.00 per month for wireless. The Town Clerk also received a brochure from HP where a comparable copier—LaserJet MFP m575c is available to purchase for \$3199. Discussed was the cost of ink cartridges as compared to toner, and leasing vs. buying outright. Since the Toshiba rep was the only one to respond to Councilman Cammarata's initial request, it was decided to ask the Toshiba rep to come to the April meeting. Town Clerk Owens will figure the cost for money spent on ink cartridges in the last year.

REPORTS

8:08PM

R1.) Planning Board: no report submitted. The March meeting was cancelled.

R2.) Assessor: no report submitted

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

R4.) Justice: no report submitted. It was recommended to keep Paul O'Connor as Court Clerk for the month of April. The following Resolution was brought forth:

RESOLUTION # 17 (2013): APPROVE PAUL O'CONNOR AS COURT CLERK THROUGH APRIL 2013

On a motion by Councilman Whitmore, 2nd by Councilman Cammarata, the following Resolution was ADOPTED

AYES: Whitmore, Ludwig, Cammarata and Heisler

NAYES: 0

ABSENT: Vanderweyde

RESOLVED to approve Paul O'Connor as the Smithville Court Clerk for the month of April 2013.

The sign for Town Court was taken down by Deb Lilley. It will be updated and rehung temporarily on the other light post in the front yard. Two new light posts are still needed.

R5.) DCO: late report submitted. Supervisor Heisler said dog appearance tickets can be printed at BOCES and mailed certified mail to delinquent dog owners. Unlicensed dogs can be considered a health hazard since it is unknown if a dog has had a rabies shot. The DCO in her report suggested putting a news item in

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paper indicating dogs should be licensed, and if not licensed, owners were subject to an appearance ticket. Board members felt the suggestion was good and the following Resolution was approved:

RESOLUTION # 18 (2013): PUT NEWS ITEM IN CHENANGO AMERICAN AND PENNYSAVER REGARDING LICENSING OF DOGS

On a motion by Councilman Ludwig, 2nd by Councilman Cammarata, the following Resolution was ADOPTED.

AYES: Whitmore, Ludwig, Cammarata and Heisler
NAYES: 0
ABSENT: Vanderweyde

Resolved to submit article to the Chenango American and the Norwich Pennysaver reminding Town of Smithville dog owners that all dogs 4 months of age and older need to be licensed, and that a rabies certificate is needed to license the dog. Resolved also to establish a June 1st deadline for licensing dogs and that owners of any dogs unlicensed after that time may be subject to a Court appearance ticket.

Supervisor Heisler will contact DCO Christine Stark.

R6.) Attorney: no report submitted

R7.) Smithville Day: no report submitted. A recent indoor yard sale was held which made \$175. for the event. A Friday night dance is also being considered.

R8.) Community Center: After speaking with the Chenango County Code Enforcement, the fire alarm connection at the Community Center will probably need to be made to the Fire dept. The Town will check to see what it would take to make the fire alarm operational. Perhaps the alarm could function only with warning buzzers, the loud alarm and the lights flashing. Other CC Inspection report items discussion: Need new lock for front door as it can only be locked from outside

R9.) Playground Committee: There was no written report but Committee member Mindy Eldred asked for a port-a-john rental from April to the end of October. After some discussion, the following Resolution was ADOPTED.

RESOLUTION # 19 (2013): AUTHORIZE 1 PORT-A-JOHN FOR APRIL-OCTOBER 2013.

On a motion by Councilman Cammarata, 2nd by Councilman Ludwig, the following Resolution was ADOPTED.

AYES: Whitmore, Ludwig, Cammarata and Heisler
NAYES: 0
ABSENT: Vanderweyde

RESOLVED TO order 1 Rent-a-John for early April to the end of October 2013, spending up to \$75.00 per month.

It was also suggested to review the applications for the Community Center/Playground and questioned also on whether to keep the restrooms open only for rentals. There was a lot of vandalism done at the park last year, and keeping the rest rooms open will allow the opportunity for additional vandalism. The Playground Committee should meet to discuss restroom situation.

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R10) Town Clerk: report submitted. Town Clerk Owens suggested the Town take advantage of updating the Town Barn phone service to include unlimited long distance and internet for \$69.00 per month. The current cost without unlimited long distance/internet is approx. \$56.00 per month. Town Board members agreed with this and to include a Justice phone connection, and update the features/reduce the cost for the 2 lines in the Town Offices in the following Resolution:

RESOLUTION # 20 (2013): AUTHORIZE 1 ADDITIONAL PHONE LINE FOR THE JUSTICE AND TO UPDATE THE TOWN BARN PHONE AND TOWN OFFICE PHONE LINES.

On a motion by Councilman Ludwig, 2nd by Councilman Whitmore, the following Resolution was ADOPTED.

AYES: Whitmore, Ludwig, Cammarata and Heisler
NAYES: 0
ABSENT: Vanderweyde

RESOLVED TO order an additional telephone line for the Town Justice at the Town Office building for \$69.99 per month, to order an update to the phone service at the same rate for the Town Barn, and to reconfigure and update the 2 additional lines at the Town Offices to reduce the cost.

R11) Highway

4b: A new shared equipment contract has been received, Hwy Sup't Kinney suggested not participating because the equipment the Town uses is not included in the contract this year. The new contract is \$300. Town Board members were ok with the recommendation.

6b. Hwy Sup't is collecting information for new trucks

4h: The Town of Afton is putting up a new Town Barn. A tour to see that facility might be a good idea. Supervisor Heisler showed a sketch of his design. Highway Sup't Kinney also had a drawing done formatted by Structures Inc. Highway Sup't Kinney recommended an addition sooner than later due to the probability of an OSHA inspection. Much of the additional equipment is kept outside because there is no room. A new truck is also needed this year.

4i: No answer has been received from Hanson Aggregates on the offer for payment. Hwy Sup't has received a new bill. Supervisor Heisler will make another call to find out where the decision stands.

4k: discussed at work session—what to do with extra money in the three accounts mentioned in the Hwy. Sup't report; There is \$5,000 from option 1 previously FEMA \$ which Sup't Kinney would like to use to finish the creek bed.

8e: Time Clock policy—still working on it. Chain of Grievances and the corrective action were discussed.

R12) Supervisor's Report: report submitted. Town Board members should be thinking about the highway savings to allocate to another account. Other items mentioned in the Supervisor's list included:

- Sheriff's Dept. has work crew for specific jobs
- Drawings for the Town Barn
- Speed limit signs can be put in when the ground softens up

A motion to accept the Supervisor's report was made by Councilman Ludwig, 2nd by Councilman Whitmore. All four Board members: Whitmore, Ludwig, Cammarata, Heisler were in favor, motion carried. Councilwoman Vanderweyde was absent.

MINUTES APPROVAL FOR Feb. 18th

9:30PM

The minutes of the February 18th meeting were reviewed. A motion to approve these minutes was made by Councilman Ludwig, 2nd by Councilman Cammarata. All four Board members: Whitmore, Ludwig, Cammarata, Heisler were in favor, motion carried. Councilwoman Vanderweyde was absent.

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WARRANTS

9:35PM

General Warrant # 3, with Vouchers #32-43, in the amount of \$3,441,71 submitted for payment, was approved in a motion by Councilman Whitmore, 2nd by Councilwoman Ludwig. All four Board members: Whitmore, Ludwig, Cammarata, Heisler were in favor, motion carried. Councilwoman Vanderweyde was absent.

Highway Warrant # 3, with Vouchers # 26-38, in the amount of \$11,650.67 submitted for payment, was approved in a motion by Councilman Cammarata, 2nd by Councilman Ludwig. All four Board members: Whitmore, Ludwig, Cammarata, Heisler were in favor, motion carried. Councilwoman Vanderweyde was absent.

OTHER: additional discussion on revising Town Office for Justice space or an addition. 9:50PM
After this discussion, the following Resolution was motioned/2nd.

RESOLUTION # 21 (2013): PLAN FOR AN ADDITION TO THE EAST END OF THE TOWN OFFICES FOR TOWN COURT

On a motion by Councilman Ludwig, 2nd by Councilman Cammarata, the following Resolution was ADOPTED.

AYES: Whitmore, Ludwig, Cammarata and Heisler
NAYES: 0
ABSENT: Vanderweyde

RESOLVED to plan for an addition to the eastern end of the current Town Office building for the purpose of a Town Court and Justice Office.

A motion to adjourn until April 15th was made by Councilman Cammarata, 2nd by Councilman Ludwig. All four Board members: Whitmore, Ludwig, Cammarata, Heisler were in favor, motion carried. Councilwoman Vanderweyde was absent. Meeting adjourned at 10:05pm.

Alison B. Owens

Smithville Town Clerk

FYI: information on cost sharing limits for Health Care Plans