

Minutes of the Smithville Town Board
September 15, 2014

OPENING

Supervisor Fred Heisler Jr.

6:31PM

Board members:

Fred Heisler Jr.
Karl Ludwig
Bob Whitmore
Tom Pollard
John Cammarata

Also Present:

Hwy Sup't Harry Schultes
Alison Owens, Town Clerk
Jackie Centerwall, Shane Butler, PB
Christine Stark, DCO
Jim Kozak, Enforcement Officer
Ken Whitmore, Hwy Dept.

CORRESPONDENCE

6:35PM

C1) NYS Office of Historic Preservation: Loomis Farm is on National Register of Historic Places

NEW BUSINESS

6:40PM

NB1) Potential Eagle Scout Scott Lord was present to ask the Board for approval of his proposed Eagle project. Scott is proposing to clean up the grounds of the Cowles Cemetery (1.5 acres), to mow the overgrowth, remove some of the saplings, placing a bench in or near the cemetery and perhaps a fence around the cemetery. There was some discussion concerning a previous email received by Town Clerk Owens from a family who has relatives buried in the cemetery asking about clean-up of the area. It was recommended that Scout Scott Lord work with the family to see what additional/optional details they might like to see incorporated into the Eagle project.

RESOLUTION # 31(2014): ACCEPT SCOTT LORD'S EAGLE SCOUT PROJECT

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

Ayes: Ludwig, Cammarata, Pollard, Whitmore, Heisler

Nays: 0

RESOLVED to accept Scott Lord's Eagle Scout project proposal of cleaning up Cowles Cemetery: mowing, cutting saplings, placing a bench at the cemetery and perhaps fencing. Resolved also to ask Scott Lord to work with the family who has relatives buried in the cemetery as to their wishes or details for work to be done.

OLD BUSINESS

6:55PM

OB1) Time Warner Cable contract: a map was received by Town Clerk Owens showing the boundaries of the current service within Greene, but it did not show Smithville's service or proposed service. Supervisor Heisler felt there were 3 questions still unanswered and needing further discussion.

- Franchise fee: This fee is optional. Councilman Whitmore felt no fee should be in the contract, Councilman Pollard felt there should be a franchise fee. A suggestion was made that perhaps a trade-off could be arranged—no franchise fee in the contract but the Town would have free phone and internet. Councilman Ludwig was in favor of a trade-off.
- Term of the contract: most Board members felt 15 yrs was too long for a contract; Pollard suggested 5 yrs, but 8 yrs is the lowest term TW will accept.
- Likelihood of extending the lines: the Board would like to see the boundary lines extended with additional service being provided to other areas of Smithville. Heisler will ask Mr. to come back next month to address some of these questions.

OB2) Tax Cap Override Local Law (see next page)

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OB3) Town entrance signs on State Hwy 4. Still awaiting input from the Historical Society. Town Clerk Owens asked if the signs would be limited to just entry into Smithville Flats or if it would entail signs entering into the Town of Smithville as well. The reply was that monies could be raised to include both types of signs.

OB4) Cowles Cemetery project: previously discussed as the Eagle Scout project

OB5) Community Center building repair estimate: At last month's meeting there was concern over the proposal of \$1600. by IOK Carpentry to do repairs on the building since the single owner company does not have Worker's Comp. There has been no answer on the insurance issue. Board members decided to move forward with accepting the proposal pending a response from the Insurance company on the lack of Worker's Comp.

RESOLUTION # 33(2014): ACCEPT IOK CARPENTRY'S PROPOSAL FOR COMMUNITY CENTER REPAIR PENDING APPROVAL BY TOWN INSURANCE COMPANY

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

Ayes: Ludwig, Cammarata, Pollard, Whitmore, Heisler

Nays: 0

RESOLVED to accept IOK Carpentry's proposal of \$1600. to repair the outside of the Community Center pending a response from the Town Insurance company on IOK Carpentry's lack of Worker's Comp insurance and whether the sole proprietor of the business can make repairs on Town property without having insurance.

OB6) Town Barn building discussion:

S.M.R. Associates, Endicott NY, engineering firm has submitted bid specs and CAD drawings of potential building ideas for a Town Barn. Ideas included both a pole barn and pre-fab drawings; references were also included. It was asked what the engineering fees would be to draw these plans up? The owner of the engineering firm is out of town but could make the October 20th meeting to answer questions and give further details.

Senator Tom Libous announced recently a grant for Municipalities having a [capital] project between \$50,000-\$100,000. An online grant application was filled out and submitted by the Sept. 12th deadline. 57 applications went out, 30 grants will be awarded. The award date is Sept. 26th.

REPORTS

8:00PM

R1.) Highway: The Highway Dept was notified by NYSDOT that there would be a problem with using CHIPS monies for payment of the new truck in excess of the December payment of \$124,000. This CHIPS amount, due to be paid to the Town of Smithville in December, will not totally cover the full cost of the truck. The remaining CHIPS funds from 2014 of \$60,000. will not be eligible to be paid out until April, leaving a gap in the payment of the new truck which will be due upon receipt in late October or early November. This understanding is different than originally thought. The options now are:

- take out short term loan for 3+ months will cost about \$3,000. in interest
- Cancel out one of the truck boxes until next spring
- Deplete major Highway Equipment Account in order to pay for everything

Board members asked Hwy Sup't Schultes to obtain a statement in writing from the NYSDOT saying that the remaining CHIPS monies will not be available until spring and that the Town cannot buy a truck without getting a

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loan to bridge the gap in the CHIPS payments. It was suggested the Board meet Thursday Sept. 18th to further discuss this new situation.

R2.) Assessor: report submitted.

R3.) Enforcement Officer: report submitted. Engineered designs are being completed on new septic applications. Neal Root's files are being reviewed. County: report submitted

R4.) Mitigation: no report submitted. Remove this report from the agenda.

R5.) DCO: report submitted. The dog situation on Collyer has been resolved. Another situation at an apartment near Roger's Auto Body has been reported. There is a problem with people calling the DCO's place of employment or stopping by the store to talk to her.

R6.) Attorney: report submitted.

R7.) Smithville Day: no report submitted

R8.) Custodian: no report submitted Fire Extinguisher report submitted.

R9.) Playground Committee: no report submitted

R10) Town Clerk: report submitted

R11) Planning Board: report submitted. Looked at a fee schedule from the Towns of McDonough and Columbus. There is a possibility the Planning Board will need 3 new members: 1 PB term does expire Dec. 31st 2014. The Planning Board would like the Town Board's approval on the survey questions. Tim Hanna did make the final changes on the Site Plan Review.

R12) Supervisor's Report: report submitted. A motion to accept the Supervisor's report was made by Councilman Ludwig, 2nd by Councilman Cammarata. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

FIRE CONTRACTS

The proposed Fire Contract with Oxford for 2015 = a 9% increase but it has tripled the original rate. The 5 year contract also includes raises each of the 4 remaining years. The Town Supervisors from Oxford, Preston and Smithville have met with the Oxford Fire Dept to discuss the increase and ask questions, but they have not had responses to some of their questions yet. If the Town does not hear from Oxford, the Genegantslet Fire Dept. can take over the Oxford Fire District in Smithville. Councilman Whitmore said the Oxford Fire Dept had 8 calls for Smithville last year, 4 were for Emergency but only 1 of those was answered.

The Brisben Fire District 2015 Budget went up 14%, with the Public Hearing on their 2015 Budget being Oct. 21st. Town Clerk Owens contacted the District Sec'y to obtain a map of their boundary lines. Brisben's contract only protects 5 or 6 residences in the Town of Smithville.

Check addressed to Al Johnson. \$13.90 Town of Ogden, deposited.

Storm recovery FEMA matching funds \$75,000. and State monies of \$12,500. will be audited by NYS on Sept. 29th @9am.

MINUTES APPROVAL for August 18th

8:45PM

A motion to accept the minutes of August 18th was made by Councilman Pollard, 2nd by Councilman Whitmore. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

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WARRANTS

8:50PM

General Warrant # 9, Vouchers # 118-127 in the amount of \$2,321.83 were considered for payment. A motion to pay the General Claims was made by Councilman Ludwig, 2nd by Councilman Whitmore. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

Highway Warrant # 9, Vouchers # 82-91 in the amount of \$11,363.94

A motion to pay the Highway Claims was made by Councilman Cammarata, 2nd by Councilman Pollard. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

A request for cancelled checks should be made clear ahead of time w/* sign on warrant

Payment for sold Highway truck has not been received. A letter was written to company and they were given until Sept. 19th to pay.

A motion was made to go into Executive Session to discuss personnel @8:26pm by Councilman Pollard, 2nd by Councilman Cammarata, all 5 Board members were in favor, motion carried.

A motion to come out of Executive Session @ 8:37 was made by Councilman Cammarata, 2nd by Councilman Pollard, all 5 Board members were in favor, motion carried.

OTHER/CLOSE Supervisor Heisler declared the meeting adjourned @8:38PM. The next meeting is October 20, 2014.

Alison B. Owens

Smithville Town Clerk