

Minutes of the Smithville Town Board  
June 16, 2014

OPENING by Supervisor Fred Heisler Jr. 6:30PM

ROLL CALL:

Councilman Karl Ludwig	Town Clerk Alison Owens
Councilman Tom Pollard	Hwy Sup't Harry Schultes
Councilman Bob Whitmore	Larry Sherwood
Councilman John Cammarata	Ken Whitmore IV
	Jenn Fleury, Smithville Day Committee
	Shane Butler, Planning Board
	Jackie Centerwall, Planning Board Chair

LATE ADDITIONS/DELETIONS/REMARKS: Adding the Planning Board report R11, Highway Report R1, NB5 Resolution for Print Shop Service Contract.

CORRESPONDENCE 6:35PM

C1) Letter from Time Warner Cable announcing the acquisition of the cable system in Smithville Flats formerly owned by Haeefe TV. More info will be coming from them.  
C2) Letter from NYS Comptroller's Office re: Unclaimed funds for the Town of Smithville. This is probably an overpayment from an insurance company claim.

NEW BUSINESS 6:45PM

NB1) Consider bids for the JD Loader and the 1999 MACK truck:  
There were 2 bids for the John Deere Loader and 1 for the 1999 MACK dump truck as follows:

	1999 MACK	JD Loader
<b>JSSJR Enterprises</b> Used Cars, Trucks & Equipment 800 Cheshire Rd. Lanesboro, MA 01237	\$12,690.00	\$11,690.00
<b>Five Star Equipment</b> 1653 NY Rt. 11 P.O. Box 383 Kirkwood, NY 13795	Not Bid	\$15,576.00

Since JSSJR Enterprises was the only bidder on the 1999 MACK and 5 STAR Equipment was the high bid on the JD Loader, these bids were awarded to the respective companies in the following Resolution:

**RESOLUTION # 18 (2014): AWARD OF BIDS FOR JD LOADER AND 1999 MACK TRUCK**

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

AYES: Ludwig, Pollard, Whitmore, Cammarata, Heisler

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NAYES: 0

WHEREAS JSSJR Enterprises of Lanesboro, MA was the only bidder for the 1999 MACK Truck @\$12,690.00, and WHEREAS 5STAR Equipment was the high bidder for the JD Loader @ \$15,576.00, BE IT THEREFORE RESOLVED to award the bids for the 1999 MACK Truck to JSSJR Enterprises and the JD Loader to 5 STAR Equipment at the above listed prices.

**NB1) Consider Resolution to authorize Highway Sup't to request bids for new truck** (to replace the '93 Volvo) and 2 boxes, one for the '02 Volvo and one for the '02 International. One box will be paid for from the sale of scrap and sale of truck and loader. Supervisor Heisler asked to discuss this at a later time in the meeting.

**NB3) Consider Resolution to Greene Slo-pitch league to use the ball field for softball games**  
Due to insurance concerns the Town would need to be listed as additional insured on the softball teams insurance policy. A member of the softball team was present and said held-harmless waivers, used for the last 6 years and approved by the team's attorney, are used by the slo-pitch team members. Team members also have to be 18+ years of age in order to play. Waiver forms were shown to the Town Board. Board members decided to move forward with authorization to allow the Town park ball field to be used by the Slo-pitch ball team pending insurance waivers being on file with the Town of Smithville and with the Town insurance company approval.

**RESOLUTION # 19: ALLOW USE OF TOWN BALL FIELD BY SLOW-PITCH PENDING INSURANCE/WAIVERS**

On a motion by Councilman Pollard, 2<sup>nd</sup> by Councilman Ludwig, the following Resolution was ADOPTED.

AYES: Ludwig, Pollard, Whitmore, Cammarata, Heisler

NAYES: 0

RESOLVED to move forward with authorization to allow the Greene Slo-pitch ball team to use the Town of Smithville ball field, pending the team's insurance waivers being on file with the Town of Smithville and with the Town insurance company approval.

**NB4) Consider security system for Park and Justice Court**

The Pavilion and the Gazebo have been vandalized several times over the past couple of weeks. The remaining Justice Grant money could possibly be tied in to an alarm. Supervisor Heisler had received a quote from Sentry Alarms for a panic button for Justice security in the Courtroom which will ring into Sentry alarms at a cost of \$299. Installed, plus \$29.00 per month.

An additional system/monitor with camera looking at entrance to CC, and one at the corner of the Community Center to show the bulk of the park was quoted at \$6220.00. It was suggested to have someone come in and demonstrate, but also acknowledged this to be a time consuming effort. The only security on the property is for the outside bathrooms. A letter written by Mindy Eldred concerning a camera is possibly the trail cam which was stolen earlier and destroyed by vandals. It was also mentioned that if the Town is going to invest in a security system, they will need to be firm in prosecuting or the problems will never stop. Supervisor Heisler will obtain other quotes. It was also

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asked if the Playground Committee would consider contributing any Bottle Funds for the security system.

NB5) **consider Resolution for annual contract with DCMO BOCES print shop services.** This allows for full print services and shredding of documents for Records Management.

**RESOLUTION # 20: CONTRACT WITH DCMO BOCES FOR PRINT SHOP SERVICES FOR 1 YR. PERIOD**

On a motion by Councilman Ludwig, 2<sup>nd</sup> by Councilman Pollard, the following Resolution was ADOPTED.

AYES: Ludwig, Pollard, Whitmore, Cammarata, Heisler  
NAYES: 0

RESOLVED to contract with DCMO BOCES for print shop services for a 1 yr. period from July 1, 2014-June 30, 2015 as per the DCMO BOCES agreement. A copy of the full Resolution is on file in the Town Clerk's Office.

OLD BUSINESS

7:45PM

OB1) Tax Cap Override Local Law discussion

Supervisor Heisler still recommends to start formulating the 2015 budget early to see where the Town's finances are going to fall next year. Can we live with a lower budget to have the NYS rebate made available to tax payers? Budget work sessions can be scheduled early. A July 9<sup>th</sup> Budget work session was scheduled.

OB2) JCAP grant project update: The Justice bench is completed and awaiting assembly. Air conditioning is held up with no product to deliver. Floors are done. Hopefully by the end of the month all projects will be completed.

OB3) Town sign on State Hwy 41: Quote has not yet been returned from Rapp signs; Dave Genter will also take a look and give a quote. It was mentioned there are some townspersons who are willing to donate. A request could be put on website asking for donations.

OB4) mowing of Town Cemeteries. Eight Town (abandoned) Cemeteries were identified under NYS Cemetery Law as requiring maintenance 2-3 times per year. They are: Waldon (Skillman), Perkins, Pond, Knickerbocker, Miller, Cowles, Wilcox and Loomis Cemeteries. Supervisor Heisler asked Justice Lilley if maintenance can be assigned to the Smithville Court as work/service projects for Court cases. Justice Lilley responded they could be. Assignments of Townspersons to weed whip were discussed. Other volunteer agencies were also discussed as was whether Town equipment could be used by Volunteers to mow a cemetery. Councilman Whitmore mentioned there could be insurance issues if volunteers do work. Some of the Board members assigned themselves to care for one of the cemeteries on the list.

REPORTS

8:15PM

R1.) Highway: committee report and Highway reports both submitted. More discussion with regard to the purchase of a new truck, and decisions on the Town Barn were put off until further in the meeting  
R2.) Assessor: report submitted. The Assessor and the County ORPS are not recommending a re-val at this time due to market conditions. Board members felt a re-val should be considered and asked that

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information be obtained on what it would cost to do one. Councilman Whitmore suggested NYSORPS could give Board members information on a re-val.

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

No one has heard from the owner of the Buckley Hollow property.

R4.) Mitigation: no report submitted

R5.) DCO: no report submitted

R6.) Attorney: no report submitted

R7.) Smithville Day: no written report submitted. Chair Jenn Fleury said there were more vendors this year, slide was popular, events well attended. String of Pearls was present to play. Final \$ count is not available, but the Committee should be able to start out well next year. There will be a wrap up meeting on June 24<sup>th</sup>.

R8.) Custodian: report submitted. The Custodian asked if Service Master was coming to clean the carpets. The Town Board authorized the Custodian to call for a quote from Service Masters for carpet cleaning. The Custodians questions on the placement of the benches will be better answered after the Justice bench is installed.

R9.) Playground Committee: report submitted. Security previously discussed.

R10) Town Clerk: report submitted. Sporting licenses are available at the Town Clerk's office again.

R11) Planning Board: report submitted. Town survey is still being considered. Same questions from 2005 survey could be used along with questions from Guilford survey. Discussing a community "tabling" teaching moment at places such as Smithville Day or the Harvest Festival, where volunteers would talk to people about what a Town Board does, how being involved in the Community is worthwhile. Chairperson Centerwall presented a revised Site Plan Review to the Town Board who in turn can present it to the Town Att'y.

R12) Supervisor's Report: report submitted:

Mortgage Tax appropriation to date is over \$5,000 meaning the Town has already met its budget amount expectations for 2014.

A motion to accept the Supervisor's report was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Cammarata. All 5 Board members: Ludwig, Pollard, Whitmore, Cammarata, Heisler were in favor, motion carried.

**Town Barn:** 2 estimates were submitted to Supervisor Heisler:

**Don Osmond:** 50'x50' structure not including plumbing, electrical, heat or drains \$125,000.

**Finger Lakes Construction:** \$150,000. \$52.00 per sq ft to complete

Councilman Pollard: We need engineered drawings and bid specifications. The Current barn will hold the equipment without the plows. Recommend the Town concentrate on improving the equipment first otherwise the roads cannot be effectively plowed this next winter. Keep the '93 Volvo as a water truck.

Councilman Cammarata: what will be done with the old building? Make a decision tonight with regard to the Town Barn.

Councilman Whitmore: What does Harry want in a building? Were we going to keep part of the building because of the pit? We may not be able to keep the pit due to new codes. Recommends an architect be used to draw up some plans.

Heisler: These are only a ball park figure, but both of these vendors have architects they work with.

Pollard: We need an RFP.

Heisler: Code Enforcement in Norwich would be the 1<sup>st</sup> stop.

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**Truck/Boxes:**

The Town Highway Dept. is in need of a new Tandem Axle Truck to replace the 1993 Volvo; also 2 new boxes: 1 to replace an aging box on the 2002 International and the other box for the 2002 Volvo which currently has a misfit box. Together these costs would be close to \$300,000. The Highway Dept has recently sold scrap metal, an old truck and a JD Loader which will be enough to purchase 1 box. The other box would need to be bid out and purchased from Highway Savings or New Equipment. Both boxes would need to be bid out.

This year CHIPS money available from NYS is \$160,000. plus an extra \$18,000. due to the severe winter. NYS CHIPS monies can be used to purchase a truck but the truck has to be paid for in advance from Town funds. Hwy Supt. Schultes would then prepare the CHIPS paperwork and submit to NYS by the end of Sept. for reimbursement of \$110,000 of the truck cost by the end of December 2014. In January 2015 Hwy Supt. Schultes would prepare and submit additional paperwork to apply for the remainder of the truck purchase price not yet received. Those funds would then be released by NYS CHIPS by the end of June 2014. The cost to the Town for the truck could be paid entirely or almost entirely from NYS CHIPS instead of Town Highway savings funds.

Town budgeted CHIPS funds will continue to be used for repair of Town roads and similar problem areas.

After continued discussion it was decided to advertise for 1 new Tandem Axle Truck and 2 new boxes, according to the following Resolution:

**RESOLUTION # 21: CALL FOR BIDS FOR 1 TANDEM AXLE TRUCK AND 2 NEW BOXES**

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

AYES: Ludwig, Pollard, Whitmore, Cammarata, Heisler  
NAYES: 0

WHEREAS The Town of Smithville is in need of a Tandem Axle Truck and 2 Boxes as outlined in the Highway Committee Report, and WHEREAS such Truck will be paid for from Highway Savings and reimbursed through NYS CHIPS program, and WHEREAS the Truck and 2 boxes will be bid separately, BE IT THEREFORE RESOLVED to advertise in the Chenango American for bids for these respective items. Such bids will be opened at a special meeting to be held on July 9, 2014 @ 6:30pm @ the Smithville Community Center.

MINUTES APPROVAL for May19th

9:00PM

The minutes of the May 19<sup>th</sup> meeting were reviewed. A motion to accept these minutes was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Whitmore. All 5 Board members: Ludwig, Pollard, Whitmore, Cammarata, Heisler were in favor, motion carried.

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**WARRANTS**

9:05PM

General Warrant # 6, Vouchers # 75- 87 in the amount of \$6,135.07 was submitted for payment. A motion to pay these claims was made by Councilman Cammarata, 2<sup>nd</sup> by Councilman Ludwig. All 5 Board members: Ludwig, Pollard, Whitmore, Cammarata, Heisler were in favor, motion carried.

Highway Warrant # 6, Vouchers # 49-60 in the amount of \$10,814.30 was submitted for payment. A motion to pay these claims was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Pollard. All 5 Board members: Ludwig, Pollard, Whitmore, Cammarata, Heisler were in favor, motion carried.

Outside restrooms still need completion. Currently, Pavilion rentals include the use of the Community Center restrooms. A work day was suggested for Sat. July 12<sup>th</sup> to continue working on them.

There was no other business to come before the Board. A motion to adjourn was made by Supervisor Heisler, 2<sup>nd</sup> by Councilman Cammarata, all 5 Board members were in favor, motion carried. Meeting adjourned at 9pm. The next meeting will be a Budget Work Session/bid opening on July 9<sup>th</sup> and the next monthly meeting will be July 21<sup>st</sup>.

Alison B. Owens

Smithville Town Clerk