

Minutes of the Smithville Town Board
February 16, 2015

OPENING Supervisor Fred Heisler Jr. 6:30PM

ATTENDANCE in addition to Supervisor Heisler:

Councilman Karl Ludwig
Councilman John Cammarata
Councilman Bob Whitmore

Councilman Tom Pollard, absent

ALSO:

Town Clerk Alison Owens
Shane Butler, Planning Board
Jim Kozak, Enforcement Officer
Keith Sabin, SCA Tractor Club
Bruce Kinney, Enforcement Officer
Harry Schultes, Hwy Sup't
Priscilla Vanderbunt, Greene Ridge Riders Club
Brian Phetteplace, resident, BAR member

LATE ADDITIONS: Highway Report (R1); Priscilla Vanderbunt of the Greene Ridge Riders Club; Brian Phetteplace

CORRESPONDENCE 6:45PM

- C1) Supervisor's letter of thanks to Ross Joscelyn
- C2) Supervisor's letter of thanks to Tim Hanna
- C3) Supervisor's letter of thanks to George DeJager

NEW BUSINESS 6:50PM

NB1) Groundskeeper Keith Sabin presented his proposal for a snow blower attachment to the current lawnmower from Norwich Implement, Inc. for next year. The total proposed amount is \$1518.01. In the ensuing discussion it was suggested a larger, heavier garden tractor for the amount of lawn the groundskeeper mows might work better. A snowblower attachment could be added to that. Mr. Sabin was requested to contact both Lindsey Lawn and Garden for State Contract John Deere tractors and return to Norwich Implement for Kubota tractors on State Contract.

NB2) Priscilla Vanderbunt of the Greene Ridge Riders Club introduced herself and commented on the great job by the Highway Dept. plowing roads this winter. She continued by asking for additional road shoulder non-plowed space on Town snowmobile roads, particularly Ludlow Rd. and Robbins Rd. The Ridge Riders are required to maintain certain snowmobile trails and have to have access to the trails using Town roads. It is easier for a snowmobile to travel on a paved road in the winter if there is some snow on the shoulder for them to track over as opposed to pavement. The previous plow operator was able to leave a space for that purpose.

Hwy Sup't Schultes, reluctant, because of the amount of snow this year, agreed to try and leave some unplowed space; once it gets packed down it is difficult to maintain.

NB3) Brian Phetteplace introduced himself and asked Hwy Sup't Schultes to come to his house to discuss snow removal.

OLD BUSINESS 6:55PM

OB1) Time Warner Cable contract: David Whalen from Time Warner was available to answer questions. They are still operating under Haefle TV's contract until a new contract can be signed. The following persons had comments:

Minutes of the Smithville Town Board
February 16, 2015

- 1.) Bob Whitmore: went back to Frontier because the phone wouldn't work and customer service said it would be 3 days to have someone fix it. The wiring was completed incorrectly. People he has spoken with are not happy with the channels—they would like to have the Syracuse channels instead of Elmira. Mr. Whalen indicated this area can't have Syracuse channels because the route lines are tied to the Binghamton area. He will check into the service calls.
- 2.) Bruce Kinney: switched from Haefle to Time Warner. He has also had service issues—filters weren't right on the pole and TW tried to charge him for the service call. Now he only has ½ the channels he's supposed to.
- 3.) Harry Schultes: has also had problems with customer service getting back to him
- 4.) Were there any extensions to areas within Smithville? No because there were not enough customers.

Mr. Whalen left an additional map of the coverage area.

OB2) Town Barn Engineering Plans: There were 3 Engineering firms who had submitted bids for the Town Barn addition project (engineering process); these bids range in amounts from \$8,200-\$28,000. The Town is still on hold with regard to the grant money obtained from Senator Libous for construction of the addition. Acceptance of one of the Engineering Firms still obligates the Town to obtain 3 bids for actual construction. The Engineering Plan bids are as follows:

- | | |
|--|--|
| 1.) Lombardini & Layton Architecture
45 Lewis At.
Binghamton, NY | \$19,000./additional services @ \$85.00 p/hr |
| 2.) Root 2 Architecture
1432 Elmira St.
Endicott, NY 13760 | \$8,200./+reproduction costs of 10% |
| 3.) The Chazen Companies

Norwich, NY 13815 | \$28,750. Plus additional services costs |

OB3) set new date for Public Hearing on Site Plan review. The Public Hearing for the Site Plan Review law, which was scheduled for this night's meeting was not held. Supervisor Heisler asked Board members for a new date with everyone agreeing on Mar. 16th at the beginning of the regular Town Board meeting. The following Resolution was adopted.

RESOLUTION # 3 (2015): SET DATE FOR SITE PLAN REVIEW LAW PUBLIC HEARING

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

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

Minutes of the Smithville Town Board
February 16, 2015

RESOLVED to set a new date for the Site Plan Review Law Public Hearing for March 16, 2015 at 6:30pm prior to the March Town Board meeting. The Public Hearing will be advertised in the Chenango American.

REPORTS

7:55PM

R1.) Highway: late report submitted. Minor repairs to all trucks. Sand has had chunks in it. New antenna's were put in or on the radios. The repeater should be placed somewhere. The best signal carrying point for the Town of Smithville is near Kay Borne's property on Windham Hill Rd. John Cammarata's property on nearby Pollard Rd. was suggested. His barn has power and is high enough in elevation. A written agreement may need to be set up.

R2.) Assessor: no report submitted

R3.) Enforcement Officer: report submitted. The 2 Enforcement Officers are in communication and the Enforcement problems are being updated. Training sessions will be available for Enforcement Officer Kinney. A property owner is interested in setting up a paint ball park on property on the corner of Stone Quarry and Hammerle Rd. The person has been given a list of "to do's" by Planning Board member Shane Butler before permits can be obtained.

Another property on Echo Lake was also discussed with regard to a septic system. Echo Lake has its own holding tanks but the Association has been considering purchasing property on the other side of Echo Lake to make a further, updated system. Holding tanks are not legal in the Town of Smithville. This may need to be discussed later. There was no County report submitted.

R4.) unassigned

R5.) DCO: no report submitted

R6.) Attorney: unassigned

R7.) Smithville Day: no report submitted; the Committee is meeting at 5pm Feb. 26th at the Church

R8.) Custodian: nothing to report

R9.) Playground Committee: nothing to report

R10) Town Clerk: report submitted. Tax collections were standard this year, but somewhat less was sent to Chenango County at the end of January. Online payments are beginning to increase.

R11) Planning Board: no written report submitted. The Board did continue to ask PB member Shane Butler questions with regard to the Site Plan Review Law and the party interested in the paint ball park.

R12) Supervisor's Report: report submitted

Excerpt from January 19, 2015 Minutes:

"R12) Supervisor's Report: This report was submitted and reviewed. Under the "Special Allocation of funds" on page 5, there appears to be a possible co-mingling of obscure funds. It is not known when these monies were set aside and for what purpose. In the General Savings there is \$30,483.00, money that could/should have been used for repairs to the Community Center. PB Chair Jackie Centerwall suggested the "Recreation" amount (\$17,000.) could actually be part of the subdivision fund from the Valentino Subdivision of 2008, where it was stipulated that monies be set aside for the development of a walking trail on the east side of the Genegantslet Creek. More research for information on this is needed. Supervisor Heisler suggested the Board consider separating out these obscure amounts and moving them into newly created separate accounts to better account for the funds."

Co-mingled funds discussed last month in the General Savings account at NBT #8001634225 of \$30,483.29 in General Repair monies that could be transferred out and into "Town of Smithville"

Minutes of the Smithville Town Board
February 16, 2015

account 8500440024 with a balance of \$133,330.75. Supervisor Heisler also recommended starting a separate account for the Bottle Fund which has \$14,973.97 and is currently co-mingled with the "Town of Smithville" NBT account # 8500440024. Upon research by Supervisor Heisler and Town Clerk Owens, it was discovered that the \$15,630.00 [corrected from \$17,000.] labeled Recreation, and currently co-mingled with the General Savings account at NBT # 8001634225, was indeed part of the Valentino Subdivision (2008) which stipulated these monies be set aside as a "Cash in Lieu of Land" (Town of Smithville Subdivision Local Law, Section 506.3) for the development of a walking trail or other construction of new, improved, or enlarged parks, playgrounds or open lands. After continued discussion it was recommended by Board members to separate these three accounts from all others and create a Building Fund Reserve account, a Recreation account and a Bottle Youth Fund account so that everything would be distinct and separate. This was put into a Resolution.

RESOLUTION # 4 (2015): SEPARATE CO-MINGLED FUNDS INTO 3 SEPARATE ACCOUNTS

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

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

RESOLVED to separate the co-mingled funds in the General Savings account at NBT #8001634225 (\$30,483.29 for General Repairs, \$15,630. For Recreation) and in the Town of Smithville account at NBT #8500440024 (\$14,973.97 for the Bottle Fund) and set up 3 new accounts labeled (1)Building Fund Reserve account, (2)Recreation account and (3) Bottle Youth Fund account.

Additionally, all "Cash in Lieu of" monies received by the Planning Board for applicable subdivision applications going forward will be placed in this Recreation account.

A motion to accept the Supervisor's report was made by Councilman Cammarata, 2nd by Councilman Whitmore. All four Board members in favor, motion carried. Councilman Pollard absent.

The Justice Audit for 2014 was completed by Councilman Cammarata and Justice Lilley. After review the audit was acknowledged in the following Resolution:

RESOLUTION # 5 (2015): ACKNOWLEDGE JUSTICE AUDIT FOR 2014

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

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

Minutes of the Smithville Town Board
February 16, 2015

RESOLVED to acknowledge the audit of the Justice records for 2014. Such audit will be mailed to the Office of Court Administration in Castleton-on-Hudson, NY.

JCAP grant approval: The Town of Smithville Justice was notified the Town of Smithville has been approved for an additional grant of \$5,550. To update the security and lighting at the Smithville Court and to secure additional furniture.

MINUTES APPROVAL for January 19th 8:15PM
The minutes of the January 19th meeting were reviewed and a motion was made by Councilman Whitmore, 2nd by Councilman Cammarata to approve the minutes as submitted. All four Board members in favor, motion carried. Councilman Pollard absent.

WARRANTS 8:20PM
General Warrant # 2, Vouchers # 14-27 in the amount of \$5,044.63
Questioned Bill # 25 and the steel plates. This was a repair to the original floor plates on the Town Barn. A motion to approve and pay these claims was made by Councilman Ludwig, 2nd by Councilman Cammarata. All four Board members in favor, motion carried. Councilman Pollard absent.

Highway Warrant # 2, Vouchers # 11-21 in the amount of \$13,470.99
A motion to approve and pay these claims was made by Supervisor Heisler, 2nd by Councilman Whitmore. All four Board members in favor, motion carried. Councilman Pollard absent.

The old truck box sold to the Town of Coventry—has an invoice been sent to Coventry yet? Town Clerk Owens will check with Highway Sup't Schultes.

There was no other business to come before the Board. Supervisor Heisler declared the meeting adjourned at 8:37PM. The next meeting will be March 16th.

Alison B. Owens
Smithville Town Clerk