

Public Hearing, Genegantslet and Smithville Center Fire Contracts
Minutes of the Smithville Town Board
October 17, 2016

A PUBLIC HEARING FOR THE GENEGANTSLET FIRE DISTRICT 2017 BUDGET

A Public Hearing for the purpose of hearing Public Comment on the 2017 Genegantslet Fire Co. contracts for both fire districts within the Town of Smithville was called to order at 6:15 pm. Present were Deputy Supervisor Karl Ludwig, Board members John Cammarata, Tom Pollard and Bob Whitmore. Also present were Town Clerk Owens, Larry Nelson of the Genegantslet Fire Co., Inc. and Townspersons Samuel Hymes, Ruthie Ann Wildrick, and Barbara Ann Whitmore. Supervisor Fred Heisler Jr. was absent.

The Public Notice as published in the Chenango American was read by Town Clerk Owens and the Public Hearing for the 2017 Budget of the Genegantslet Fire District was declared open at 6:16pm by Deputy Supervisor Karl Ludwig. The amount of the 2017 Budget is \$87,985.00

Comments:

Councilman Whitmore expressed concern over the steady loss of membership in the Fire Co and also said the Chenango County fire co-ordinator has staffing and other problems as well.

Samuel Hymes, resident of the Town of Smithville and who used to be a fireman elsewhere said the fire company does not have enough firefighters to fight fires nor do they respond to calls in the appropriate amount of time. He feels the company is not doing anything to raise the \$ to help pay for the annual amount taxed.

Councilman Whitmore : the Fire company has pancake breakfasts, chicken bbq's. The problem is the specific amount of training that is required, OSHA requirements and NYS law that requires all municipalities have fire protection. People are having difficulty meeting all of these demands when they work as volunteers. Other communities have some paid firefighters and some volunteer members. We all need to try and fix the problems, but this year the contract has to be signed.

There were no other comments. Deputy Supervisor Ludwig declared the PH closed at 6:36pm.

A PUBLIC HEARING FOR THE SMITHVILLE CENTER FIRE DISTRICT BUDGET FOR 2017

The Public Notice as published in the Chenango American was read by Town Clerk Owens and the Public Hearing for the 2017 Budget of the Genegantslet Fire District was declared open at 6:37pm by Deputy Supervisor Karl Ludwig. The amount of the 2017 Budget is \$10,300.

There was no Public Comment.

The Public Hearing was declared closed at 6:38pm by Deputy Supervisor Karl Ludwig.

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REGULAR MEETING OF THE SMITHVILLE TOWN BOARD

OPENING of Regular Town Board meeting
@6:38PM

By Deputy Supervisor Karl Ludwig

ROLL CALL/PLEDGE:

Board members:

Supervisor Fred Heisler Jr., absent
Karl Ludwig, Deputy Supervisor
John Cammarata
Bob Whitmore
Tom Pollard

Also Present: Alison Owens, Town Clerk
Jackie Centerwall, Planning Board Chair
Christine Stark, DCO
Tracy Oliver, Hwy Sup't
BarbaraAnn Whitmore
Larry Nelson, Genegantslet Fire Co. rep
Samuel Hymes, Ruthie Ann Wildrick

LATE ADDITIONS/DELETIONS/REMARKS: adding NB7: Petition for No Parking signs on Water Street

CORRESPONDENCE

6:40PM

C1) fact sheet received from Penny Gaylord of Hattie Clark Rd. regarding fireworks permit issued to Jennifer Banks of Windham Rd. Possible Consideration of Resolution appointing Town Official to issue Fireworks permits. Town Clerk explained that a State issued fire-works permit was filed with the Town Clerk correctly but a letter of facts was submitted by Penny Gaylord of Hattie Clark Rd regarding the location of the "shoot pattern" near her house on Hattie Clark and the fact that the fireworks were displayed outside of the time frame indicated on the permit. A Sheriff's deputy was dispatched but did not read the entire document and did not do anything. Councilman Pollard was concerned about dry conditions and that the fire co. should have knowledge of the display. There were no dry conditions indicated by Chenango County at the time of the permit. Comments: should the Code Enforcement Office be appointed to oversee the permit procedure? There are many other times where no fireworks permits have been obtained and people have a display without regard to the NYS law. The Town of Smithville does not have any restrictions or local law with regard to a permit. After additional discussion, the Board decided to take no action at this time, as any enforcement should have been completed by County or NYS enforcement agencies

C2.) SPCA contract for 2017. This was reviewed briefly and will be placed on the November 21st Town Board agenda.

NB1) Consider Resolution authorizing the Justice to apply for the 2017 JCAP grant application

RESOLUTION # 27 (2016) : AUTHORIZE THE TOWN JUSTICE TO APPLY FOR THE 2017 JCAP GRANT

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

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

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ABSENT: Heisler

RESOLVED to authorize the Town Justice to apply for the 2017 JCAP Grant, with projects to include outside painting of the Court building (Community Center), heaters for kitchen, records room, judge's office, bullet proof vest for the Judge, recording device for Court, possible update of bathrooms to make them handicapped accessible.

NB2) Consider Resolution announcing completion of Justice audit, send in to Albany

RESOLUTION # 28 (2016) : COMPLETION OF 2016 TOWN JUSTICE AUDIT

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

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

RESOLVED to announce the completion of the Justice audit for 2016 and to send the results to Albany.

NB3) Consider verbal request by Grange and the Historical Society to spend additional funds for small artificial Christmas tree for Children's Christmas party, possible Christmas lights. Since the SHS has limited personnel to obtain a tree, and since a Christmas tree is important to the children attending the Town Christmas party a verbal request was made to the Town Board to purchase an artificial tree with lights from A7310.4. This account is being drastically reduced next year but there is still \$ in the 2016 Budget to allow for this purchase. Town Board members were in agreement with purchasing a tree but asked that any future requests be put in writing. They recommended a dollar cap of \$150 for a tree with lights.

RESOLUTION # 29 (2016) : PURCHASE ARTIFICIAL TREE WITH LIGHTS, COST NOT TO EXCEED \$150

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

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

RESOLVED to purchase an artificial Christmas tree with lights at a cost not to exceed \$150. , amount to be taken from A7310.4

There was also the reminder that future requests should be made in writing.

NB4) Consider Resolution to sign the Genegantslet and Smithville Center Fire District contracts for 2016/17

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RESOLUTION # 30 (2016) : APPROVE AND SIGN THE GENEGANTSLET, SMITHVILLE CENTER FIRE DISTRICT CONTRACTS FOR 2017

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

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

RESOLVED to approve and sign the Genegantslet and Smithville Center Fire District Contracts for 2017 at a cost of \$87,985.00 for the Genegantslet and \$10,300. For the Smithville Center Fire Districts.

NB5: Adopt the Tentative Budget as the 2017 Preliminary Budget and set a date for the Public Hearing, which by law will have to be either Nov. 9th or 10th. Since there was no further discussion on the tentative Budget for 2017, it was decided to move it to become the Preliminary 2017 Budget and to set a date of Wednesday November 9th, 6:30pm as the date for the Public Hearing.

RESOLUTION # 31 (2016) : ADOPT TENTATIVE 2017 BUDGET AS PRELIMINARY AND SET DATE FOR PUBLIC HEARING

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

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

RESOLVED to adopt the tentative budget as the Preliminary Budget for 2017 and to choose Wednesday November 9th at 6:35pm as the date for the Public Hearing.

Such Public Hearing will be advertised in the Chenango American.

NB6: Resolution to advertise Snowmobile/Seasonal Roads.

RESOLUTION # 32 (2016) : SET PUBLIC HEARING FOR WED. NOV 9TH FOR SNOWMOBILE AND SEASONAL ROADS

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

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

RESOLVED to advertise for a Public Hearing on the Snowmobile and Seasonal Roads in the Town of Smithville for Wednesday Nov. 9th, at 6:45pm and 6:55pm, such Public Hearing to be advertised in the Chenango American.

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NB7: A complaint about parking on Water St. was delivered by Gary Huttleston at the time the meeting started, the letter being signed by 6 individuals. The letter stated that clientele visiting the "local establishment" park their vehicles on the side of the road or on lawns because there is no other good parking. In case of an emergency, emergency vehicles would not be able to tend to a fire. Signs, if they are put up, are taken down by the Public. Pictures of the vehicles so parked were included with the letter of complaint. Board members asked if it was legal to put up no parking signs. Hwy Sup't Oliver said he would check into it. Resident BarbaraAnn Whitmore suggested putting signs up saying vehicles will be towed. Councilman Whitmore said there is no good parking for that store front (Seeber's Tavern). Councilman Pollard advised checking also with the Sheriff's Dept.

OLD BUSINESS (UPDATES SINCE LAST MEETING)

8:15PM

OB1) lights on poles, outside bathrooms (Supervisor Heisler unavailable for comment)

OB2) Consider information regarding speed limit counts in the Town of Smithville and possible purchase of a speed limit counter

Deputy Supervisor Ludwig reviewed with the rest of the Board a flyer of speed limit counters ranging in price from \$1800-5,000. It was suggested to invite Judge Lilley to attend next month's meeting and explain the fees associated with a speeding ticket. Some Board members felt a basic sign would be sufficient, others felt something with a camera would be better. Questions were also asked about whether tickets could be issued using a camera from a speed device, and whether 1 device or 3 would be sufficient. After additional discussion Board members did indicate they were interested in purchasing 3 signs which flash and which are adaptable for camera and/or solar.

OB3) discussion of Cincinnatus Lake Dam repairs/Association (Supervisor Heisler unavailable for comment)

OB4) fees associated with the Cable franchise (Supervisor Heisler unavailable for comment)

OB4) speed limits on County Rd 2 and State Hwy 41: Hwy Sup't Oliver said that Supervisor Heisler will have to submit paperwork to Albany to request speed reduction.

OB5) possible change of street lighting fixtures to LED bulbs: Councilman Cammarata said he has not been successful in getting any information from NYSEG. NYSEG said he is not authorized on the account. Town Clerk Owens has had no contact from NYSEG.

OB6: Results of the Communications Tower testing:

Curtis Engleman, rep from Tri-County Communications, was available to give an update on testing authorized by the Town Board on the existing and proposed repeater facilities. On the existing repeater facilities there would be interference and new frequencies would have to be applied for. Testing for coverage at Cook Park and also at Virginia Smith's property was completed. The Tower at Cook Park will provide good coverage but at Virginia Smith's the coverage would be very good and existing equipment could be used. Additional equipment for the project would involve a pole and a small building. Mrs. Smith is receptive to having the equipment on her

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property. The cost of the original quote which included purchase of a repeater will drop from \$13,000 to about \$3,000 since a new repeater will not be needed.

Councilman Pollard: a permanent easement would need to be in place.

Councilman Whitmore: put the pole and repeater on property next to Virginia's where there is a vacant farm field belonging to Mrs. Smith's brother, Joe Warren.

The locations on the adjacent property and size of the tower were also discussed. The pole would be 55' tall with 8' in the ground, and an additional 5' device on the top. Since electric is needed for the project; it was suggested to see if Greene Electric could put in the pole and NYSEG hook up the electric service needed. For the November meeting or perhaps for discussion before, it was suggested to speak to the Town Attorney about the proposed pole and can it be relocated on the Warren property? can it be mounted on a pole? Are there any Environment aspects of the current repeater?

The Planning Board will check to see if this project would fall under any guidelines for Site Plan Review or for the Telecommunications Tower local law.

REPORTS

7:35PM

R1.) Highway: report submitted.

The Hwy Sup't would like a Resolution to purchase the Ford 550, single axle, crew cab, and dump box, which was bid in August. Adding the v-plow will increase the price to \$66,830. Hwy Sup't Oliver has \$34,000+/- in CHIPS money left and there is sufficient funding in the Highway savings to help with the purchase.

Order Ford 550 Crew Cab with specs as designated in August except add the V-plow when the bid was originally opened.

RESOLUTION # 33 (2016) : PURCHASE FORD 550, SINGLE AXLE, CREW CAB P/U, DUMP BOX AND V-PLOW FROM FORD DEALERSHIP, GREENE

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

AYES: Ludwig, Cammarata, Pollard, Whitmore,

NAYES: 0

ABSENT: Heisler

RESOLVED to purchase the Ford F-550 single axle, crew cab pick-up w/dump box and V-plow from the Ford dealership in Greene at an approximate cost of \$66,830.

Additional items;

- Training cost for Changing tires has been released.
- The cost for a tarp for covering cargo in the Town trucks is \$2,000 for each tarp; purchasing less than 3 tarps would be more expensive.
- Trees will be cut down on Echo Lake Lane east as they could impact properties along the lake. The Echo Lake Assoc. should be notified as the trees are in the road right-of-way. This will come out of the Highway Budget. Councilman Pollard said everyone should be treated the same with respect to cutting trees on private property/town right-of-way

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- There was some tire vibration in new truck. The Hwy employees changed tires to winter tires and the vibration has stopped.
- The Hwy Sup't is working with the Dept of Labor to make the "pit" OSHA compliant

R2.) Assessor: report submitted: re-val is coming along but is slow.

R3.) Enforcement Officer: no report submitted County: report submitted.

R4.) Planning Board: no report submitted

- No new business
- Guests at the last Planning Board meeting were Laura and Steph Whitbeck in attendance for credit for a Civil Rights class

R5.) DCO: report submitted

- Dog bite in back of Roger's Auto Body, dog is healthy, but owner has other unlicensed dogs. She was told to have the dogs licensed.
- Dog picked up on County Rd. 3, then again the next day at Lilley Farms, now at the SPCA
- Another instance of dog barking

R6.) Attorney: no report submitted

R7.) Smithville Day: no report submitted

R8.) Custodian: no report submitted

R9.) Playground Committee: no report submitted

R10) Town Clerk: monthly report submitted.

The Town Board is interested in purchasing a Medicare Advantage Plan for the Town Clerk for the remainder of the year, then re-evaluate the cost at November's meeting. Town Clerk Owens has said she is interested in it from MVP for \$161.00 monthly. This would be in addition to her Medicare which she will pay on her own. The following Resolution was made:

RESOLUTION # 34 (2016) : PURCHASE MEDICARE ADVANTAGE PLAN FOR TOWN CLERK OWENS

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

AYES: Ludwig, Cammarata, Pollard, Whitmore,

NAYES: 0

ABSENT: Heisler

RESOLVED to purchase a Medicare Advantage Plan for Town Clerk Owens at the cost of \$161.00 monthly for the remainder of 2016, the amount for 2017 to be re-evaluated at November's meeting. Town Clerk Owens will continue to pay her cost of Medicare, Part's A/B.

R11) vacant

R12) Supervisor's Report: report submitted. There was no motion this month accepting the Supervisor's report.

MINUTES APPROVAL for September 19th and 26th *

9:25PM

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The minutes of the meetings on September 19th and 26th were reviewed. A motion to approve both sets of minutes was made by Councilman Whitmore, 2nd by Councilman Cammarata. This was passed on an aye vote from Councilmen Ludwig, Cammarata, Pollard and Whitmore, Heisler absent.

WARRANTS

9:30PM

General Warrant # 10, Vouchers # 123-136, in the amount of \$2,321.26 were presented for payment. A motion to accept and pay these claims was made by Councilman Pollard, 2nd by Councilman Whitmore, all 4 Board members in favor, Heisler absent, motion carried. Supervisor Heisler will sign claim # 127 when he returns as it could be a conflict of interest for Deputy Supervisor Ludwig to sign his own check.

An additional 4 vouchers were submitted after Thursday and have been placed on November's Warrant (#11). These are claims that should be paid before next month's meeting. Town Clerk Owens asked if there could be a Resolution to pay these now as one has payment due date before next meeting, 1 was JCAP grant related, and 1 for work done at the Town Barn. A motion was made by Councilman Pollard, 2nd by Councilman Cammarata to pay vouchers # 137-140 in the following amounts:

#137	Barnes Electric (JCAP Grant)	\$ 798.90
#138	Richard Croft (Electric/Town Barn)	\$1950.00
#139	Karl Ludwig (back-up for laptop)	\$ 54.95
#140	Staples Advantage (ink cartridges)	<u>\$ 144.01</u>

\$2,947.86

All 4 Board members in favor, Heisler absent, motion carried.

Highway Warrant # 10, Vouchers # 130-137, in the amount \$11,453.24 were presented for payment. A motion to accept and pay these claims was made by Councilman Cammarata, 2nd by Councilman Whitmore, all 4 Board members in favor, Heisler absent, motion carried. A 2nd signature will be needed for Voucher # 138.

The Town is still looking to get rid of the old lawn tractor and the snowblower. It was suggested to see if the old tractor could be traded in on a cab for the new tractor. It was also recommended to advertise both on Craig's List. Town Clerk Owens will work with Groundskeeper to sell these items or trade them in.

The Birch tree on the playground was purchased by Sally Crow. It is hoped the tree could be pruned so the camera can function directly toward the playground. There was no other business to come before the Board. Deputy Supervisor Ludwig adjourned the meeting at 9:45pm.

Alison B. Owens

Smithville Town Clerk