

**MINUTES OF THE PUBLIC HEARING TO REMOVE FEES
FROM SIX LOCAL LAWS
JUNE 6, 2016**

The Town Board Public Hearing for a proposal to remove fees from six local laws was called to order at 6:30 p.m. by Supervisor Fred Heisler. Present, in addition to Supervisor Heisler, were Councilmen/Board members John Cammarata, Tom Pollard, Karl Ludwig, Bob Whitmore; also present was Deputy Town Clerk Suzette Valachovic, and 1 towns person.

Supervisor Heisler explained the purpose of the Public Hearing is to remove fees from the following local laws:

Local Law No. 1 (1968) Section 5, Annual Junk Yard Law
Local Law No. 2 (1989) Section 5.030 A2 Sewage Treatment System Application
Local Law No. 1 (2015) Section 3.6, Site Plan Review Application Fee, 1 or 2 family dwelling
Local Law No. 2 (1989) Subdivision Application Fee
Local Law No. 1 (2011) Dog Impound Fee and Local Law No. 1 2011 Dog License Fee
Local Law No. 1 (2001) Telecommunications Tower Application Fee New Tower

Supervisor Heisler read the notice advertising the Public Hearing as it appeared in the Chenango American.

At 6:48 p.m. Supervisor Heisler explained the purpose of removing the fees of \$25.00 from Local Law No. 1 (1968) Section 5, Annual Junk Yard Law and opened the floor for comment; no comments were had, public hearing closed for Local Law No. 1 (1968) Section 5.

At 6:50 p.m. Supervisor Heisler explained the purpose of removing the fees of \$35.00 from Local Law No. 2 (1989) Section 5.030 A2 Sewage Treatment System Application and opened the floor for comment; no comments were had; public hearing closed for Local Law No. 2 (1989) Section 5.030 A2.

At 6:53 p.m. Supervisor Heisler explained the purpose of removing the fees of \$50.00 for the 1 or 2 family dwelling and \$100.00 for Business/Change in land use from the Site Plan Review Application in Local Law No. 1 (2015) Section 3.6, Site Plan Review Application Fee. Floor was opened for comment; no comments were had; public hearing closed for Local Law No. 1 (2015) Section 3.6.

At 6:55 p.m. Supervisor Heisler explained the purpose of removing the fees of Minor Subdivision of \$100.00 and Major Subdivision of \$250.00 of the Local Law No. 2 (1989) Subdivision Application Fee and opened the floor for comment. No comments were had; public hearing closed for Local Law No. 2 (1989) Subdivision Application Fee.

At 7:00 p.m. Supervisor Heisler explained the purpose of removing the fees from Local Law No. 1 (2011) Dog Impound Fee and Local Law No. 1 2011 Dog License Fee and opened the floor for comments. No comments were had; public hearing closed for Local Law No. 1 (2011) Dog Impound Fee and Local Law No. 1 2011 Dog License Fee.

At 7:10 pm. Supervisor Heisler explained the purpose of removing the fees from Local Law No. 1 (2001) Telecommunications Tower Application Fee New Tower and opened the floor for comments. No comments were had; public hearing closed for Local Law No. 1 (2001) Telecommunications Tower Application Fee New Tower.

Councilman John Cammarata made a motion to have a blanket vote for the fee removal of all 6 local laws listed above. Motion 2nd by Councilman Karl Ludwig; all in favor, no opposed; motion carried.

RESOLUTION #18 (2016) Remove fees from 6 Local Laws: Local Law No. 1 (1968) Section 5, Annual Junk Yard Law; Local Law No. 2 (1989) Section 5.030 A2 Sewage Treatment System Application; Local Law No. 1 (2015) Section 3.6, Site Plan Review Application Fee, 1 or 2 family dwelling; Local Law No. 2 (1989) Subdivision Application Fee; Local Law No. 1 (2011) Dog Impound Fee and Local Law No. 1 2011 Dog License Fee; and Local Law No. 1 (2001) Telecommunications Tower Application Fee New Tower.

WHEREAS, on January 18, 2016 the Town Board established a resolution reflecting the current fees as listed in the 6 individual Local Laws referred to herein; and

WHEREAS, the Town Board is desirous of removing fees from the 6 individual Local Laws; and

WHEREAS, a Public Hearing was held at the Town of Smithville Community Center, 5285 State Highway 41, Smithville Flats, NY on June 6, 2016 at 6:30 pm to consider the removal of the fees in the local laws and all persons interested therein were duly heard and all evidence was taken; the Town Board has hereby resolved to remove the following fees from the individual Local Laws:

Annual Junk Yard License Fee	\$	25.00
<i>Local Law No. 1 (1968) Section 5</i>		
Sewage Treatment System Application Fee	\$	35.00
<i>Local Law No. 2 (1989) Section 5.030 A2</i>		
Site Plan Review Application Fee, 1 or 2 family dwelling.....	\$	50.00
Business/Change in land use.....	\$	100.00
<i>Local Law No. 1(2015) Section 3.6</i>		
Subdivision Application Fee		
Minor Subdivision	\$	100.00
Major Subdivision	\$	250.00
<i>Local Law No. 2 (1989)</i>		
Dog Impoundment Fee 1 st violation w/in a year	\$	30.00+\$10.00/day
2 nd violation	\$	40.00+\$10.00/day
3 rd violation	\$	50.00+\$10.00/day
<i>Local Law No. 1 (2011)</i>		
And:		
Dog License Fee		
Spayed/Neutered	\$	8.50
Others	\$	15.00
Two of more violations in 5 years		\$100.00 fine or Imprisonment up to 15 days
<i>Local Law No. 1 (2011)</i>		
Telecommunications Tower Application Fee New Tower	\$	5,000.00
Existing Tower....	\$	2,000.00
<i>Local Law No. 1 (2001)</i>		

Resolution was so moved by Councilman John Cammarata, 2nd by Councilman Ludwig, with a roll call vote as follows:

Councilman Cammarata	Aye	Councilman Pollard	Aye
Councilman Ludwig	Aye	Councilman Whitmore	Aye
Supervisor Heisler	Aye		

Accordingly, the foregoing Resolution was approved, carried and duly adopted June 6, 2016.

Other Business Discussed:

The Oxford/Norwich Little League has inquired to use the ball fields for 3 nights in June and have their own liability insurance. Supervisor Heisler asked for a motion to approve the Oxford/Norwich Little League to use the ball fields for 3 nights in June and provide their liability insurance, naming the Town as an additional insured. Motion made by Supervisor Heisler to approve the Oxford/Norwich Little League to use the ball fields for 3 nights in June and provide their liability insurance, naming the Town as an additional insured; 2nd by Councilman Pollard, unanimous vote, motion carried.

The Greene Softball Association has inquired to use the ball fields for Wednesday nights, the months of June, July and August. Discussion was had concerning insurance. The Board concluded that Town Clerk Owens should call the Association and ask them to provide insurance; and to call Mang Insurance to see what the cost to have a rider attached to the Town insurance to cover.

The Board also discussed due to the lack of participation in the Smithville Days, that the Town's role should be reconsidered for the future.

There was no further business to come before the Board. The meeting was declared adjourned by Supervisor Heisler at 7:40 pm until the regular meeting of June 20, 2016.

Suzette A. Valachovic
Deputy Town Clerk