

Minutes of the Smithville Town Board
April 17, 2017

OPENING

by Supervisor Fred Heisler

6:30PM

ROLL CALL/PLEDGE:

Board members:

Fred Heisler, Supervisor

Karl Ludwig, Deputy Supervisor

John Cammarata

Bob Whitmore

Tom Pollard

Also Present: Suzette Valachovic, Deputy, Town Clerk

Bruce Kinney, Enforcement Officer

Tracy Oliver, Hwy Sup't

Jackie Centerwall, Planning Board

Christine Starks, Dog Control Officer

Mindy Eldred, Custodian

LATE ADDITIONS/DELETIONS/REMARKS:

No new business. Townspersons Mandie and Gary Boardman addressed the Board to bring attention to the dog issue they are having with renters next door to them. They feel the dog is being neglected. It's at the point that they are fearful because of the potential of a chained dog being vicious. They have been in close contact with DCO Starks and are working together however one big obstacle is the landowner refuses to deal with the issue, even though his leases state no dog, tenants have dogs. Board Members discussed with the parties and DCO. DCO has had multiple confrontations with this individual, to the extent that NYS Troopers and/or Sheriff has accompanied her to the site. They would like to have the dog ordinance enforced better.

Townsperson Rich Buckley addressed the Board of his concern of the dust problem on his road, Hattie Clark Road. There has been a recent increase in traffic, more than normal. Is it possible to oil and stone the road or at least in front of homes? Hwy Sup't Oliver advised that they are not scheduled for oil; however after discussion, the road will be "dust oiled" [corrected] which should take place in late May. Supervisor Heisler asked Mr. Buckley to contact him if the work was not completed by June.

CORRESPONDENCE

C1) Letter from Selective Insurance regarding the 1997 Mack Truck – discussed in depth with Highway Report (see R1)

NEW BUSINESS

NB1) new Eagle Scout proposal by Kyle Eldred – Kyle is in the beginning stages of obtaining his Eagle Scout Award. As Kyle's project involves service to the playground, he needs approval from the Town before he can present his project for approval to the next level. The proposed project is to remove the existing enclosed climbing apparatus and slide, as it currently is in poor condition, and may even be a hazard, and to replace it with a new "open" climbing apparatus. He proposes to use some of the existing apparatus, where he can, to help reduce the cost. The project would be at no cost to the Town. Kyle provided brochures of the apparatus he is proposing and the cost is \$27,000. Kyle would raise all of the funds by various fund raisers and solicit donations; labor would be provided by him, other troop members and his father. The project would be accessible to the handicap. Councilman Pollard suggested that the Town look into the manufacturer of the existing apparatus to see if replacement parts could be ordered. This is an idea, however it would not fall within the requirements of the Eagle Scout program and Kyle would need a different project.

RESOLUTION #10 (2017): APPROVAL FOR KYLE ELDRED TO PROCEED FOR APPROVAL OF BOY SCOUTS FOR EAGLE PROJECT ON PLAYGROUND.

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Supervisor Heisler asked for a Motion. Motion made by Councilman Pollard for Kyle Eldred to proceed with the approval of the Boy Scouts for the Eagle Scout Proposal to disassemble and construct the climbing apparatus at the park; and upon the necessary approval from the Boy Scouts, to come back to present specifics to the Board; 2nd by John Cammarata. All Board members, Heisler, Ludwig, Cammarata, Whitmore and Pollard were in favor, motion carried.

NB2) discussion of condition of Playground equipment. After discussions of the condition of equipment as stated above, the Board has asked to have the existing climbing apparatus inspected to insure its safety for the public use, especially the slide as it is cracking where it is bolted.

NB3) Fire Station requesting use of wooden magazine rack which hung in the foyer prior to the renovation.

RESOLUTION #11 (2017): APPROVAL FOR DONATION OF WOODEN MAGAZINE RACK

On a Motion made by Councilman Whitmore, 2nd by Councilman Pollard, the following resolution was ADOPTED: Donate the wooden magazine rack currently stored and unused, to the Fire Station.

Ayes: Heisler, Ludwig, Cammarata, Whitmore, Pollard
Nays: 0
Absent: None

NB4- NB5) advertise for fuel bids for the May 15th meeting/Discussion of “no fuel deliveries after a certain date”.

RESOLUTION #12 (2017): APPROVAL TO ADVERTISE FOR FUEL

On a Motion made by Councilman Pollard, 2nd by Councilman Cammarata, the following resolution was ADOPTED:

Advertise for the diesel fuel and LP fuel bids with the addition of the following wording for LP gas only: **After 4/1, tanks will be filled “on request only”; and “ if current company loses bid for the following year, the company must have their tank removed from the premises within 30 days of notification of lost bid”.**

Ayes: Heisler, Ludwig, Cammarata, Whitmore, Pollard
Nays: 0
Absent: None

NB6) parking lot sealing? Per request of Jim Stahl: Discussion of when was the parking lot last sealed, the need for sealing, different ways in which to seal.

RESOLUTION #13 (2017): COMMUNITY PARKING LOT SEALING.

On a motion made by Councilman Cammarata, 2nd by Councilman Ludwig the following resolution was ADOPTED:

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Highway Superintendent provide stone and oil on the community parking lot.

Ayes: Heisler, Ludwig, Cammarata, Whitmore, Pollard

Nays: 0

Absent: None

NB7) possible Smithville Day substitute: Supervisor Heisler wanted to make clear the discussion was not be a substitute for Smithville Days, it is a new event. Phil Monteleone, who owns the Book Peddler addressed the Board with the possibility of an educational pioneer home study event. He has held such an event at his business which has been very successful and well attended. The event could be held in late August. His contacts, such as Blacksmiths dressed in period clothing could demonstrate their trade; French-Indian war buffs demonstration of the guns and period items used, Militia men with musket rifles. Phil has also reached out to the individuals who have run the tractor pull at Smithville Days and they are on board, as well as Tim who heads up the 5K Races; the Fire Department could do their chicken bar-b-que. Phil also has a licensed fireworks person so that could also be an option to add.

Phil also suggested involving the Greene School to promote local history and American history, trying to give the students incentives to learn of their history, as a stepping stone to the future. When he was growing up he felt that local history was not offered.

Questions were asked regarding “vendors” and insurance. Phil stated that the vendors would not be on the premises, but at his shop, so insurance would not be an issue. Those on the premises would be providing demonstrations and educational historical information. Supervisor Heisler stated that insurance will cover most anything with the exception of a sporting event. There would be no parade.

The Board liked the general idea of the event but felt it is too late in the season to organize such an event and suggested to Phil that he gather more information, in writing, and even some video showing the types of projects being demonstrated and come back to the Board. It was also suggested to Phil that through the Chenango Counsel of Arts there are grants available to educational events such as this, and this may be something to look into for next year. The grant application must be in by December of the previous year the event is held, so it would be too late for 2017. Phil stated that in the event the Board decides against this project this year, he will still be holding one at his shop, on a smaller scale, and invited the Board to come to look it over first hand.

NB8) possible resolution to add Port-a-John rental for year: In the past years there have been problems with vandalism of the port-a-johns, tipping them over and such. A question was asked if it could be secured to keep it upright. Councilman Whitmore stated that Cook’s comes in one time a week to check on their toilet, maintain, and clean; that they are better maintained and upkeep is better. Greene uses Cook’s at the ball flats and are very happy. It was suggested that Councilman Whitmore contact Cook’s to get pricing and security information and report back to the Board in May.

OLD BUSINESS (UPDATES IF ANY)

OB1) information on speed limit signs for hamlet: Preliminary work has been completed designating where the signs will be placed. Hwy Sup’t Oliver informed the Board that approval has to be submitted to the state and

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asked Supervisor Heisler to provide a statement approving. Supervisor Heisler will prepare the statement and email it to Hwy. Sup't Oliver who with them submit it to the State. Hwy Sup't Oliver further informed that once the paperwork is submitted the turn around should be about 2 weeks.

OB2) status of the Communications Tower: Hwy. Sup't Oliver informs that NYSEG completed hook-up last week, should be anytime now for Tri Cities Communications to have connections completed. Trucks are already equipped with the radios.

OB3) Public Parking: no new info.

OB4) Cowles Cemetery: Town Attorney Berger will attend the May meeting to discuss abandon cemeteries and reactivation. Bring your questions.

OB5) status of '97 MACK truck (See R1.)

REPORTS

R1.) Highway: report submitted. Discussion of the '97 MACK truck was held concerning the Selective Insurance letter valuation of the truck and the salvage value; the idea of keeping the truck and repairing it or selling it outright; the purchase of a newer used truck; and the purchase of a new truck; the issues of inspection and DOT inspections should the Town keep the truck. Before the Board can decide the issue, they asked Hwy. Sup't Oliver to send the title back to insurance company; search for a newer used truck at auction sites, businesses, individuals, etc. and to obtain more information on the cost of repairs to the MACK and to present his findings at the May meeting.

R2.) Assessor: report not submitted. New Assessor Jeff Lowe advised of his hours:

5/6 9-1 5/8 5:30 – 9:30 5/15 5:30 – 9:30 5/18 11-3

Grievance is scheduled for 5/23, however it is the same date as Court. If the grievance is held on this date, those grieving would need to be upstairs, which is not handicap accessible. Assessor Lowe proposed that 2017 Grievance date be changed to Wed. 5/31 2-4 and 6-8. If approved, he will contact those residents who have already sent in grievance forms and will post the grievance date and hours, and his office hours on the outside of the building and outside of his door.

RESOLUTION #14 (2017): 2017 TAX GRIEVANCE DAY CHANGE

On a motion made by Councilman Ludwig, 2nd by Councilman Pollard the following Resolution was ADOPTED:

The 2017 Smithville Tax Grievance day to be changed from 5/23 to 5/31, 2-4 and 6-8.

Ayes: Heisler, Ludwig, Cammarata, Whitmore, Pollard

Nays: 0

Absent: None

Assessor Lowe is searching the tax records and has found a couple of properties which were not on the tax rolls; will look further into the solar farm property being on the tax rolls and having the improvements exempt, then the owner would need to submit exemption application. Supervisor Heisler asked to have the exempt matter researched for the future – should taxes be paid on the land, exemption on the improvements; create a special

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district; business vs. homeowner alternate energy exemption matters. The State has solar panel exemption forms which the Assessor will also search.

R3.) Enforcement Officer: no report submitted, but Enforcement Officer Kinney was present to give a verbal report. There is a training session on 5/8 he will be attending; there have been no septic applications submitted, 1 deck.

R4.) Planning Board: report submitted. Co-Chair Jackie Centerwall informed the Board that the title "mission statement" for Comprehensive Plan was changed to "vision statement" and that we still are in need of the Board's statement. Supervisor Heisler said he would check his paperwork from the meeting and provide to either Jackie Centerwall or Suzette Valachovic. Discussion was also had to consider the inclusion of Broad Band in the Comprehensive Plan, as it is part of the County Comprehensive Plan. Co-Chair Centerwall also inquired the status of the Road Use Agreement and was informed that pursuant to the minutes of March 20, 2017, Resolution #9 Move Road Use Agreement Into Effect Beginning May 1, 2017 was adopted and resolved to advertise in the Chenango American.

R5.) DCO: no report submitted, however DCO Starks reported on activities on Chris Lacotta's property and on Stone Quarry Road; discussed procedures of issuing 3 warnings, then an appearance ticket is issued. Those individuals in violation have disregard of law and try to evade personal service. If the dog in question is licensed it cannot be removed from the property. Further discussion of the 3 warnings – is this written in the local law? If it is not written, reduce the number warnings. It is of great importance that those issued appearance tickets are held accountable for the violation. Supervisor Heisler asked that since there is a growing problem with dogs, should the Town publish an article addressing the issue

R6.) Attorney: no report submitted.

R7.) Smithville Day: no report submitted.

R8.) Custodian: no report submitted.

R9.) Playground Committee: no report submitted, however the deterioration of the climbing apparatus and slide was discussed and in need of repair (see NB2). One bathroom toilet needs repair, Boy Scouts are in the process of painting the bathrooms. Supervisor Heisler will find someone to repair the toilet.

R10) Town Clerk: monthly report submitted. Supervisor Heisler discussed current IT issues and obtaining the services of County IT person for service Tech. Supervisor Heisler will check into this.

R11) vacant

R12) Supervisor's Report: report submitted. Supervisor Heisler has asked that Town Clerk Owens inquire the status of receiving the SAM grant money.

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

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MINUTES APPROVAL for March 20, 2017

9:10PM

The minutes of the March 20, 2017 and March 27, 2017 meeting were reviewed. A motion to accept the minutes of the March 20, 2017 and March 27, 2017 meeting was made by Councilman Ludwig, 2nd by Councilman Whitmore. Board members Ludwig, Cammarata, Whitmore and Heisler were in favor, Councilman Pollard abstained, motion carried.

WARRANTS

9:15PM

General Warrant # 4 with Vouchers # 40-52, in the amount of \$24,594.43 was reviewed. A motion to pay these claims was made by Councilman Pollard, 2nd by Councilman Cammarata. All Board members present: Ludwig, Cammarata, Whitmore, Pollard and Heisler were in favor, motion carried.

Highway Warrant # 4 with Vouchers # 61-74, in the amount \$13,958.21 was reviewed. A motion to pay these claims was made by Councilman Cammarata, 2nd by Councilman Pollard. All Board members present: Ludwig, Cammarata, Whitmore, Pollard and Heisler were in favor, motion carried.

There was no other business to come before the Board. Supervisor Heisler declared the meeting adjourned at 9:23pm. The next meeting will be Monday May 15th at 6:30pm.

Suzette Valachovic

Smithville Deputy Town Clerk