

MINUTES OF THE SMITHVILLE TOWN BOARD

Organizational Mtg.

January 21, 2019

OPENING of Town Board meeting by Supervisor Fred Heisler 6:30PM

ROLL CALL/PLEDGE:

ATTENDANCE in addition to Supervisor Heisler:

Councilman Mike Evans

Councilman Bob Whitmore

Councilman John Cammarata

Councilman Karl Ludwig

ALSO:

Alison Owens, Town Clerk

Jeff Lowe, Assessor

Tracy Oliver, Hwy. Sup't.

Shane Butler, Planning Board Chair

Ken Whitmore III, Genegantslet Fire Chief

Bruce Kinney, Enforcement Officer (arrived later)

Vince Witkowski

LATE ADDITIONS/DELETIONS/REMARKS: Adding NB4 Justice Audit

DISCUSSION/APPROVAL OF TOWN ROSTER FOR 2019

Some discussions and changes for the Town Roster for 2019 were made as follows:

Official newspaper for the Town has been the Chenango American but that ceased publication last month. Other newspapers such as the Evening Sun (Norwich), the Press, Sun Bulletin (Binghamton) and the Pennysaver (Norwich) were discussed with publication in two places being suggested. Town Clerk Owens advised that advertising in two places would double the publication costs for legal notices. It was then discussed which publication would reach the most people in Smithville as not everyone receives and/or reads any or all of the publications. Board members Whitmore and Ludwig felt the Norwich paper, the Evening Sun had the potential to reach most of the area in Smithville and brought forth the following Resolution

**RESOLUTION # 1(2019): THE EVENING SUN TO BE OFFICIAL NEWSPAPER FOR SMITHVILLE**

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler

NAYES 0

RESOLVED to use the Evening Sun from Norwich as the official newspaper for the Town of Smithville.

The change in Deputy Register to Kathy McLaughlin was made.

No app't for Board of Assessment Review as Board member Evans was not able to contact the perspective member.

Planning Board Clerk Lori Eaton would like to be replaced but is still working for the time being.

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Later in the meeting Enforcement Officer Bruce Kinney said he has spoken with Mike Wheelock, Code Enforcement Officer in Greene, about being a substitute for him when he (Bruce) cannot fulfill a request for a septic or building permit signature. Mr. Wheelock has agreed to be the substitute but Bruce would like to ask for a "signature fee" for Mr. Wheelock's time spent with a Town of Smithville permit. No further discussion was made about the particulars of the signature fee. Mr. Wheelock will be added to the Town Roster for 2019 as a substitute Enforcement Officer.

**RESOLUTION # 2(2019): ACCEPT THE ORGANIZATION ROSTER FOR 2019**

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler  
NAYES 0

RESOLVED to accept the Town Roster of Officers and Officials for 2019 with the following changes as discussed.

Fire Chief Ken Whitmore III gave Town Board members a roster for the Genegantslet Fire Dept. for 2019.

Supervisor Heisler commented on the recent Fire Contracts for Smithville and Smithville Center areas which were submitted by the Fire Co. and gave Ken a copy of the points the Attorney said should be addressed.

CORRESPONDENCE 6:50PM  
C1) Association of Towns training session Feb. 17-20<sup>th</sup> NYC (info at Board table)

NEW BUSINESS 6:50PM

NB1 and NB2 moved to later in the meeting

NB3) consider approval of Ann Whitmore as probationary member of the Genegantslet Fire Co. Fire Chief Whitmore said she will be part of the new auxillary being developed by the Fire Co. and will not actually be a fire fighter.

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**RESOLUTION # 3(2019): APPROVE ANN WHITMORE AS AN AUXILIARY MEMBER OF THE GENEGANTSLET FIRE CO. INC**

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler

NAYES 0

RESOLVED to approve Ann Whitmore as an auxiliary member of the Genegantslet Fire Co. Inc.

NB4) Justice audit: Approve request for an audit to be done on the Justice records

**RESOLUTION # 4 (2019): AUTHORIZE AN AUDIT OF TOWN JUSTICE RECORDS**

On a motion by Supervisor Heisler, 2<sup>nd</sup> by Councilman Whitmore, the following Resolution was ADOPTED

AYES: Ludwig, Cammarata, Evans, Whitmore, Heisler

NAYES: 0

RESOLVED to authorize an audit of the Town Justice financial records as needed by the NYS Unified Court System.

OLD BUSINESS (UPDATES IF ANY)

7:00PM

OB1) complaint of unkempt properties on Tarbell Rd./Fred Wilcox Rd

Written complaints have been received from the Tarbell Rd property but not Fred Wilcox Rd.

Supervisor Heisler will wait until both complaints have been filed. There is a complaint form from Chenango County Code Enforcement Office which will be used for the County Code Enforcement to check on the complaints. Board member Cammarata will contact the person making the complaint for Fred Wilcox Rd. The Town Enforcement Officer will assist in filling out the complaint forms.

OB2) The Sentry Alarm bill from October 15<sup>th</sup> has been commuted as nothing was fixed during the service call.

OB3) update on electronic signpost for Community Center: Hwy Supt Oliver will continue to help anyone who wants to learn how the sign can be operated. Patty Heisler and Jane Whitmore have expressed an interest in learning.

REPORTS

7:20PM

R1.) Highway: report submitted:

- rain, freezing rain,

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- broke hub on International
- Keeping track of beavers
- Brake work done on 2010 International
- 2002 Volvo replaced fuel tank
- Radio repeater (Communications Tower) has been looked at by a different company than the one who installed it. The company (Mid State) told Hwy Sup't Oliver the repeater was "deaf", and the technician couldn't get it to do anything. The technician took it back to the shop and re-programmed it. It has worked well since then. The Hwy Supt has not yet received a bill. MidState is also looking into the area to see if the current location is the best suited. Board members were surprised as there had originally been quite a bit of effort on the part of Chenango County and Tri-County Communications to make sure the unit was located correctly and was up and running
- Cut trees back
- Met with FEMA for Collyer Rd
- Re-fabriation on chipper bar on 2015 Volvo
- Mechanical work on pick ups, cutting edge on F350
- Sold plow off of old yellow F350
- Multiple Bids on the old F350, one for \$4150., don't have final bid price or know if it has sold at auction

R2) Assessor: report submitted: The Assessor has been continuing with updates and Ag exemptions.

R3.) Enforcement Officer: no written report submitted. Will be working with the unkempt properties.

R4.) Planning Board: minutes submitted: pre-approved 1 site plan review. Will continue work on Road Use Local Law

R5.) DCO: no report submitted.

R6.) Attorney: no report submitted

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee/Eagle Scout project: no report.

R10) Town Clerk: report submitted: The Town Clerk has had complaints about coyotes close to housing in the Flats area, one in particular where it was bothering the dog at one house. Residents asked what could be done. Town Clerk Owens researched the DEC website to see if there were classes available on "coyote hazing" and then called the wildlife office in Cortland to discuss it with an investigator there. She was told most of the information about coyotes is posted on the DEC website and residents should check the website for treatment of problem coyotes.

R11) vacant

R12) Supervisor's Report: report submitted

- Tentative figures in the 2018 budget seem to indicate the Town is in good shape
- NYSEG subcontractors have sent information on installation of energy saving bulbs. Board members asked if anything had been heard from NYSEG with regard to changing out the street

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lights. Town Clerk Owens read an email from NYSEG dated November 2018 indicating the process is slow but moving along and is expected to happen in the 2019/2020 time frame. Additional information would be sent to the Town at the appropriate time.

- Councilman Whitmore expressed concern about the Genegantslet Fire Co., Inc's charge of 1% if payment of the fire contracts is delayed after March 1<sup>st</sup>.
- A motion to approve the Supervisor's report was made by Councilman Whitmore, 2<sup>nd</sup> by Councilman Evans. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

**NEW BUSINESS**

NB1) consider acceptance of resignation of Hwy Sup't Tracy Olive effective January 21, 2019:

**RESOLUTION # 5 (2019): ACCEPT RESIGNATION OF HWY SUP'T TRACY OLIVER**

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler  
NAYES 0

RESOLVED to accept the resignation of Highway Superintendent Tracy Oliver effective January 21, 2019. Boardmembers expressed to Tracy their appreciation of his services to the Town.

NB2) consider appointment of new Hwy Sup't to fill vacancy

**RESOLUTION # 6 (2019): APPOINT VINCE WITKOWSKI AS HWY SUP'T TO FILL THE VACANCY UNTIL 12/31/2019**

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler  
NAYES 0

RESOLVED to appoint Vince Witkowski as Highway Superintendent for the Town of Smithville to fill the vacancy of the term until 12/31/2019.

**MINUTES APPROVAL** for December 17<sup>th</sup>

7:15PM

A motion to approve the minutes of the December 17<sup>th</sup> meeting was made by Councilman Whitmore, 2<sup>nd</sup> by Councilman Ludwig. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

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**WARRANTS**

7:20PM

**General Warrant # 1 with Claims # 1-10 in the amount of \$ 3,084.37** were reviewed for payment. A motion to pay these claims was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Cammarata. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried

**Highway Warrant # 1 with Claims # 1-13 in the amount of \$ 21,118.64** were reviewed for payment. A motion to pay these claims was made by Councilman Cammarata, 2<sup>nd</sup> by Councilman Whitmore. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried

OTHER: EXECUTIVE SESSION

An Executive Session was called for by Supervisor Heisler/Ludwig, 2<sup>nd</sup> by Councilman Ludwig, all 5 Board members in favor. Into Executive Session @ 7:25pm to discuss employment situation.

A motion was made to come out of Executive Session by Councilman Ludwig, 2<sup>nd</sup> by Councilman Cammarata. All 5 Board members in favor @7:54pm.

There was no other business to come before the Board.

CLOSE

Supervisor Heisler

7:55PM

Alison B. Owens

Smithville Town Clerk