

Minutes of the Smithville Town Board  
March 18, 2019

OPENING of Town Board meeting                                  Supervisor Heisler                                  6:30PM

ROLL CALL/PLEDGE:

ATTENDANCE in addition to Supervisor Heisler:

Councilman Mike Evans

Councilman Bob Whitmore

Councilman Karl Ludwig

Councilman John Cammarata, absent

ALSO:

Alison Owens, Town Clerk

Vince Witkowski, Hwy Sup't

Bob Brooks, Planning Board

Angelo Cioffi, BAR member

Bruce Kinney, Enforcement Officer (arrived 6:35pm)

Chris Lum, Kevin Schultes, Hwy Employees

Fred Getz, Marie Kehl , residents of Echo Lake

CORRESPONDENCE

7:35PM

C1) request from Lourdes Hospital was received to use parking lot at the Community Center for the Mobile Mammography Van. Board members approved of this in the following Resolution.

**RESOLUTION # 11 (2019): APPROVE USE OF COMMUNITY CENTER PARKING LOT FOR MAMMOGRAPHY VAN**

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

AYES                  Ludwig, Evans, Whitmore, Heisler

NAYES                0

ABSENT              Cammarata

RESOLVED to approve the use of the parking lot at the Community Center for the use of the Lourdes Mammography Van and also to waive the application fee.

NEW BUSINESS

6:45PM

NB1) There are three street lights out in Smithville. Supervisor Heisler has been in contact with NYSEG but was given another phone contact # to make the request for bulb replacement.

OLD BUSINESS (UPDATES IF ANY)

6:50PM

OB1) complaint of unkempt properties on Pearl St./Fred Wilcox Rd: Code Enforcement Officer Kinney has talked with County Code Enforcement Officer Fox. Efforts by him to talk with neighbors, to leave calling cards with the property owners, and to receive no response, has resulted in letters being sent to the property owners of the offending properties.

OB2) update on electronic signpost for Community Center: 3 other people are now involved in working with the controller for the signpost. The sign has been updated to current events in the Town.

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OB3) consideration of heavy duty paper shredder for RMO: Supervisor Heisler had asked Town Clerk/RMO Owens to price out heavy duty paper shredders to begin the process of shredding the many boxes of outdated records stored and ready to be deleted. Town Clerk Owens replied she had found some in the \$700-\$1000. Range but was concerned about their longevity. Board members asked her to look at the higher price models in the \$2-3K range for something that would be better quality.

Town Clerk/RMO Owens would like to attend a Records Management class in "Managing Born Digital Records" held in Weedsport March 27<sup>th</sup>. She would like to be reimbursed mileage.

**RESOLUTION # 12 (2019): APPROVE TOWN CLERK/RMO ATTENDANCE AT CLASS**

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

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

RESOLVED to approve Town Clerk/RMO's request to attend a class in "Managing Born Digital Records" in Weedsport on March 27<sup>th</sup> from 9am-1pm, and to reimburse Town Clerk/RMO Owens for mileage.

OB4) update on back door replacement on Pavilion: not discussed

REPORTS

7:30PM

R1.) Highway: report submitted

- Filters for all equipment are now fully stocked. Hwy Sup't Witkowski has been buying them during the March sale and has saved \$2300+ with another \$800+ projected to be saved by buying any additional needed during the October sale. The savings would buy a new York rake which is needed and which he had pictures for purchase.
- **Fixing and repairing equipment:** The Hwy Dept will definitely need a new or used **Doosan**. Pictures of the current Doosan's radiator were viewed showing the worn out condition. It will need to be scrapped. The radiators in the tractors were cleaned.
- A cutting edge for the Case loader; the JD5410 mower cables, controllers and other misc parts that were worn out were replaced.
- The gradall is also in desperate need of being replaced. It is probably worth 10-15K. Pictures of possible used gradalls were reviewed, starting @ \$52K.
- The Hwy Sup't is looking at rental possibilities on equipment, and is using scrapped steel as much as possible to repair what equipment he can. Will need to update all equipment in an orderly manner. Hwy Sup't Witkowski is recommending to purchase good used equipment for as many pieces as can be purchased now and then over the next 2-5 years replacing those with newer models.
- Town Board members asked Hwy Supt. Witkowski to meet with the Highway Committee to come up with a long term maintenance plan, to write down what the equipment needs are and project how to accomplish the plan.

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- Hwy Sup't Witkowski does not have **5 yr plan for roads** but tentatively projected roads for repair are: German Hollow, Hammerle Rd, and Hattie Clark Rd (total reconstruction); prefers 3" black top, rather than oil and chip. Those are the main thoroughfare unpaved roads used in the Town. Pollard Rd was plugged by beavers and that was the reason for the flooding this past weekend.
- **Driveway permits:** some people are putting in their own culvert pipe for driveways. Hwy Supt Witkowski would like to have owners use 30' culvert pipe with plastic ends on it as that will work better to keep water off road. Currently there is no permit for putting in a driveway. The current policy is that the Highway and property owner meet to decide where the driveway will be installed. The Highway makes the recommendation, the property owner purchases the pipe, the Highway installs the pipe or the owner can have it installed. Hwy Supt Witkowski would like to change that so that the Highway still makes the recommendation but the property owner purchases the pipe, materials and installs it according to the specs set forth. The Hwy Sup't would then inspect the driveway to make sure specs were followed.
- LED lighting: needs good lighting in the side where the County truck is
- Break room is coming along well
- Hwy employees are working well and doing the work without complaint
- Supervisor Heisler asked for a list of phone #'s in case of an emergency.
- Flags were discussed and the need to get the Christmas wreaths down

R2) Assessor: no report submitted.

- Doing a lot of exemption work
- Will be going out March 30<sup>th</sup> and Apr. 6<sup>th</sup> for property visits

R3.) Enforcement Officer: no written report submitted

- County: will be requiring an inspection of the outdoor restrooms in the park to complete the County septic application from 2012.

**New septic Complaint on Echo Lake:**

Mr. Fred Getz, resident of Echo Lake, was given the floor and expressed his concern about the odor from neighbor Marie Kehl's propane incinerator toilet. He has submitted paperwork with his complaint and recommendations to improve the Town's Septic Local Law. Supervisor Heisler asked if the smell were fixed if that would solve the problem?

Mrs. Kehl said the incinerator toilet needs some repairs and that she is trying to work things out (to make repairs) but has to wait until the weather improves. She would like to have known before tonight's meeting that discussion was going to take place on her system. She has a holding tank which is used for gray water.

Code Enforcement Officer Kinney said he has talked to many different sources. Incinerator toilets are legal in NYS and do not require a permit but they need to be operating properly.

Councilman Evans said he is aware of many incinerator toilets used at Lake Ludow (in McDonough), that they work well and are not offensive to neighbors.

Supervisor Heisler has spoken with Isaiah Sutton of the Chenango County Environmental Health Dept in Norwich. His office has offered to come down and evaluate Mrs. Kehl's system to see if it is operating

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efficiently and effectively. Mr. Getz said he is ok with that but would like to know when the evaluation will take place and would like a copy of the response from the Environmental Health office. Supervisor Heisler said he would let Town Clerk Owens be aware of any updates and she would pass along the information.

Mr. Getz asked if the Town regulations would be updated to include incinerators. The current local law does not have any guidelines in that regard since it was written in 1989 and incinerators were not used at that time. Mr. Heisler said he would prefer to work through this situation first and see what the County would recommend going forward.

Additionally Code Enforcement Officer Kinney:

- Signed building permit for Matt Leach on Williams Rd
- Communicated with Mr. Grabowski about the NYS burn ban for property on N. Tyner Rd.
- Questioned the McBride 1 page report in the Enforcement Officer's box and wanted to know if that was part of a signed building permit. Town Clerk Owens replied that was the only page she received from the Planning Board from an SPR that was done on the property. No building permit was signed to her knowledge.
- Supervisor Heisler asked if Code Enforcement Officer Kinney had received an answer from Mike Wheelock, Code Enforcement for Greene about his fee per signature for signing building permits in Mr. Kinney's absence? Mr. Kinney replied there was no answer yet.

R4.) Planning Board: minutes submitted. There will be a Public Hearing Apr. 3<sup>rd</sup> for the Waldon Rd. subdivision.

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. Town Clerk Owens also reported there has been instances where the website has had information on it and then it has disappeared. It happened this week with the agenda for the meeting being removed and the web manager having to replace it again. The problem seems to be with the hosting of the website and not with the website manager. Town Clerk Owens said the website manager can also host the website. His prices might be higher but having WoollyBear manage the domain hosting and the website might be easier. The domain [www.smthvilleny.com](http://www.smthvilleny.com) was just renewed this last month but the website manager, Woollybear, might be able to quote starting in August when his contract is renewed. Board members suggested getting a quote when the time is appropriate.

R11) vacant

R12) Supervisor's Report: Supervisor Heisler is *not* running for the office of Supervisor in November, and he would like to clear up a couple of things before he leaves office

- Have justification to buy a more expensive shredder
- Think about additional records storage with office space for Supervisor and Enforcement Officer. Supervisor Heisler would like to call for a planning meeting to map out a strategy for such.

Additional items:

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- Monies for Hwy can be there but a Hwy plan needs to come forth first
- Preferred Compensation plan was put into place the 1<sup>st</sup> week in March,
- A dividend from Selective Insurance \$233.+, was received. This was a first time ever
- The Justice audit was completed. It needs to be filed and sent. A Resolution to do the same was brought forth:

**RESOLUTION # 13 (2019): APPROVE AND SEND THE COMPLETED JUSTICE AUDIT**

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

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

RESOLVED to approve and send the completed Justice Audit to the proper Court persons in Albany.

A motion to accept the Supervisor's report was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Evans. All four Board members present: Ludwig, Evans, Whitmore and Heisler were in favor, Cammarata absent. Motion carried.

**MINUTES APPROVAL** for February 18th

7:45PM

The minutes of the February 18<sup>th</sup> meeting were reviewed. A motion to approve the minutes was made by Councilman Whitmore, 2<sup>nd</sup> by Councilman Ludwig. All four Board members present: Ludwig, Evans, Whitmore and Heisler were in favor, Cammarata absent. Motion carried.

**WARRANTS**

7:50PM

**General Warrant # 3**, Claims # 26-37 in the amount of \$ 6,737.71 were reviewed for payment. A motion to pay these claims was made by Councilman Evans, 2<sup>nd</sup> by Councilman Whitmore. All four Board members present: Ludwig, Evans, Whitmore and Heisler were in favor, Cammarata absent. Motion carried.

**Highway Warrant # 3**, Claims # 32-43, in the amount of \$11,400.21 were reviewed for payment. A motion to pay these claims was made by Councilman Ludwig, 2<sup>nd</sup> by Councilmna Whitmore. All four Board members present: Ludwig, Evans, Whitmore and Heisler were in favor, Cammarata absent. Motion carried.

There was no other business to come before the Board.

CLOSE by Supervisor Heisler @ 8:02

8:02PM

Alison B. Owens

Smithville Town Clerk