

MINUTES OF THE SMITHVILLE TOWN BOARD

January 19, 2009

The regular meeting of the Smithville Town Board was called to order at 6:02PM by Supervisor Allan Johnson. The following persons were in attendance:

**Supervisor:** Allan Johnson

Town Clerk Alison Owens

**Councilpersons:**

Fire Chief Robert Whitmore

Kay Borne

Holly Mohr

Vince Coletta

Roger Connelly, arrived late

Added to the agenda were 2 items under new business.

**CORRESPONDENCE**

C1: LETTER FROM Charles Schumer re: Historical & Cultural Grant

C2: NYSEG letter re: mercury vapor lighting fixtures

C3: Chenango County re: County Dog Quarantine in effect until April 30, 2009

**NEW BUSINESS**

NB1: A letter has been received from the National Assoc of Towns and Townships asking Municipalities to consider sending a letter to Speaker of the House Nancy Pelosi, requesting restoration of general revenue sharing to local governments. Board members recommended a letter be written. Town Clerk Owens will send the form letter, signed by Supervisor Johnson.

NB2: Supervisor Johnson has learned the CHIPS funding is expected to be cut by 40%. He suggested a letter be written to State government officials requesting this cut be reconsidered. Board members were also in favor of a letter being written. Town Clerk Owens will write the letter, Supervisor Johnson will sign it.

**OLD BUSINESS**

OB1: OPEN POSITIONS: 1 application from Carrie Converse, DCO in McDonough, has been received for the DCO Smithville position. She has good recommendations. Supervisor Johnson recommends the Town hire her for the DCO position.

**RESOLUTION # 3 (2009): HIRE CARRIE CONVERSE AS DCO**

On a motion by Supervisor Johnson, 2<sup>nd</sup> by Councilwoman Borne, the following resolution was:

ADOPTED

AYES: Borne, Mohr, Coletta, Johnson

NAYES: 0

ABSENT: Connelly

RESOLVED to appoint Carrie Converse of McDonough as the Dog Control Officer for the Town of Smithville, effective immediately, term to expire 12/31/09.

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There were 2 applications for the position of Laborer/Groundskeeper: Keith Sabin and Robert Clark. Mr. Sabin had previously been qualified by Chenango County as a laborer. Mr. Clark had filled out an application in 2004 and had recently supplied an updated resume but did not update the application. Supervisor Johnson recommended the Board hire Keith Sabin.

**RESOLUTION # 4 (2009): HIRE KEITH SABIN AS LABORER/GROUNDSKEEPER**

On a motion by Supervisor Johnson, 2<sup>nd</sup> by Councilman Coletta, the following resolution was:

ADOPTED

AYES: Borne, Mohr, Coletta, Johnson

NAYES: 0

ABSENT: Connelly

RESOLVED to appoint Keith Sabin as Laborer/Groundskeeper for the Town of Smithville, effective immediately, term to expire 12/31/2009.

There were no applications for PB or BAR clerk. Jacob Owens might be interested in the Planning Board position, but would like to attend a couple of meetings first.

**Other:** Mang Insurance would like updated copies of the fire contracts. The Genegantslet Fire Contract needs to be filed.

Councilman Connelly arrived at 6:30pm.

**OB2: LOCAL LAW # 1 “ROAD RESTRICTION/USE”**

Supervisor Johnson asked Board members if they preferred the Berkshire Local Law over the one previously designed, and if they would like to hold a Public Hearing on it at February’s meeting. Att’y Monaco prefers the Berkshire local law. Board members considered the options and made the following resolution:

**RESOLUTION # 5 (2009): HOLD “ROAD RESTRICTION USE” LOCAL LAW PUBLIC HEARING FEB. 16<sup>TH</sup>**

On a motion by Councilwoman Mohr, 2<sup>nd</sup> by Councilman Coletta, the following resolution was:

ADOPTED

AYES: Borne, Mohr, Coletta, Connelly, Johnson

NAYES: 0

WHEREAS a Public Hearing was held in 2008 on a “Road Restriction & Use” Local Law for the Town of Smithville, and WHEREAS said Local Law was not acted upon and has now been reconsidered from a Local Law of different language,

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BE IT THEREFORE RESOLVED to hold a Public Hearing for the said Local Law of new language and content for the purpose of "Road Restriction & Use" in the Town of Smithville, on February 16, 2009 at 6pm at the Community Center during the regular meeting of the Smithville Town Board, and to advertise for such in the Chenango American.

### **OB3: Cincinnatus Lake Watershed**

Supervisor Johnson has spoken with Loren Johnson of the NYS Soil and Water Conservation Dept. in Norwich. Mr. L. Johnson is not available on legal holidays (Jan. 19<sup>th</sup> and Feb. 16<sup>th</sup>) to attend Smithville Town Board meetings. His files indicate the Smithville Highway Dept. is responsible for maintaining the dam at Cincinnatus Lake but the repairs to the dam fall to the Cincinnatus Lake Association. Supervisor Johnson will communicate to the Lake property owners to tell them of the responsibility. At a recent County meeting, an appointment was made for John Pilkington for the Lake Association. Other known members were not mentioned. Loren Johnson recommends the Lake Association be "re-awakened". An Association fee should be established. Loren will be available at the March meeting.

### **MINUTES**

The minutes of the December 15<sup>th</sup> meeting and the January 5<sup>th</sup> Organizational meeting were reviewed. Because there were late changes to the minutes, they will not be approved until February's meeting.

### **REPORTS**

There were no written reports for 1-7, except the 2008 County Building Permit summary.

R8: Community Center: the 2<sup>nd</sup> set of railings will be made and installed by Alron, sometime in the spring.

Town Clerk Owens asked the Community Center committee to consider a \$5.00 deposit on keys given out to Town Officials for Community Center use. Several of the keys have been lost and have had to be replaced. Board members were in agreement. Town Clerk Owens was also asked to contact a locksmith and find out the cost of replacing the lock on the Community Center door.

Discussed later was either a snow blower or a blade for the JD tractor to plow/blow snow on the sidewalk.

R9: no playground report

R10: Town Clerk: reports submitted were a 2008 Summary of Town Clerk transactions and a summary of 2009 taxes collected to date.

R11: report submitted, along with an annual report and a letter from the Highway Sup't. The Highway Sup't was not present to discuss details of the report.

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R12: The Supervisor's report, a summary of 2008, was submitted for Board approval. A motion was made by Councilman Coletta, 2<sup>nd</sup> by Councilwoman Mohr to approve the Supervisor's report.

The Bookkeeper's year end report shows a balance of \$985.77 in General accounts, and a Highway balance of \$108,650.33. Supervisor Johnson discussed with the Board what options were available/not available for the surplus from the Highway accounts.

- 1.) cannot take Highway funds and transfer to the General funds
- 2.) can put the excess Highway funds into the Town Barn fund which currently has \$168,325.56.
- 3.) can put the excess Highway funds into the Highway Equipment fund, currently \$79,355.48.
- 4.) can put the excess Highway funds into a 2nd Highway Equipment account currently at \$117,100.33.
- 5.) can possibly put these remaining funds into a Highway CD not linked to specific highway equipment.

Board members encouraged the remaining funds be placed in a Highway CD if possible. Supervisor Johnson will check on the legalities.

### **GENERAL WARRANT**

General Warrant # 1, Vouchers # 1-21, in the amount of \$7376.34 was submitted for payment. Board members questioned # 14, water for the Town Barn. Town Clerk Owens explained that since the Town Barn uses the bottled water as well, the billing is shared with the Community Center. Every other month the Town Barn is billed the amount of the water bill. A motion was made by Councilman Connelly, 2<sup>nd</sup> by Councilman Coletta to pay all bills on General Warrant # 1. 4 Board members Borne, Coletta, Connelly and Johnson were in favor, Mohr against. Motion passed.

### **HIGHWAY WARRANT**

Highway Warrant # 1, Vouchers # 1-21, in the amount of \$18,039.60, was submitted for payment. Board members registered complaints against # 3 to Zee Medical for supplies purchased for emergency medical treatment and # 4 to Walmart for custodial supplies. They also questioned # 19 to Chenango Sales for turbo connector hoses/brake repair; # 5 to Cintas for uniforms; # 10 to Otsego Iron & Metal for tier chains on the truck; # 15 to Burt Truck Repair, and # 19 to Chenango Sales. Highway Sup't Kinney was not present at the meeting to answer questions.

A motion was made by Councilman Coletta to pay Highway Warrant # 1. After more discussion, the motion was amended by Supervisor Johnson to pay the Highway Warrant withholding payment for Vouchers # 3 & 4 pending clarification from the Highway Sup't. This was 2<sup>nd</sup> by Councilman Coletta. All five Board members: Borne, Mohr, Coletta, Connelly and Johnson in favor, motion carried.

It was recommended Highway Sup't Kinney attend the monthly meetings.

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There were no JRC bills.

**EXECUTIVE SESSION**

A motion to go into Executive Session to discuss a personnel item was made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Borne. All five Board members in favor, motion carried. Into Executive Session at 7:52PM.

A motion to come out of Executive Session was made by made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Borne. All five Board members in favor, motion carried. Out of Executive Session at 8:00PM.

No action was taken.

Supervisor Johnson declared the meeting adjourned at 8:05PM.

Alison B. Owens

Smithville Town Clerk

**Addendum January 24th:**

After clarification from the Highway Sup't concerning Highway Warrant 1, Vouchers # 3 & 4, Supervisor Johnson contacted all members of the Town Board with the clarification and to ask for authorization to pay these bills. This was so done with the following Town Board members: Mohr, Coletta, Connelly and Supervisor Johnson acknowledging with AYE.