

Minutes of the Smithville Town Board
August 15, 2011

The regular meeting of the Smithville Town Board was called to order at 6:03pm Monday Aug. 15th 2011 by Supervisor Allan Johnson. Present were the following:

Supervisor Allan Johnson

Board members:

Elizabeth Vanderweyde

Charles Schultes

Holly Mohr

Roger Connelly

Hwy Sup't Bruce Kinney

Town Clerk Alison Owens

Planning Board member John Cammarata

Playground Committee members

additional Townspeople

The following Correspondence items were added to the Agenda: C8, C9, and C10

CORRESPONDENCE

C1: NYS Dept of Taxation & Finance: Final Equalization Rate for Smithville is 66.50

C2: Sen. Charles Schumer: letter announcing applications available for 2012 "Documenting Democracy: Access to Historical Records" Project

C3: Statement of the estimate of NYS Retirement System employer contributions for 2012. The Town can pay a reduced amount in December 2011 or wait until February 2012 to pay the greater amount. The savings to pay in December is about \$300. The amount is a little less than what is budgeted.

C4: Chenango County: Mortgage Tax payment is (6 month) \$4089.50. The guesstimate is less than what was projected in the 2011 Budget.

C5: Chenango County: 2nd quarter sales tax distribution is \$37,481.44, better than what was projected.

C6: Letter from Kristen Snyder re: refund for Pavilion use because the electric was not turned on. Board members felt that since the application states (#9) that the key can be picked up at the Clerk's office, there was no fault on the part of the Town. The Board suggested adding the word "should" pick up the key and to put the Custodian's name and phone # on the application.

C7: 2012 Unified Hazard Mitigation Assistance Grants Announced. Highway Sup't Kinney was asked to consider projects that might be applied for under this grant.

C8: letter from Morris Associates, Salamanca NY about funding for flood control projects.

C9: Chenango County Planning Dept: website for gas planning education and development.

C10: Unsigned letter from Townsperson regarding concerns to be brought before the Town Board.

NEW BUSINESS

NB1: Chenango County Delinquent Tax Dept: delinquent taxes due on new Town parcel. Assessor Klein will contact the County Att'y when the Att'y returns from vacation.

NB2: Consider request by Smithville Valley Jr. Grange for funds for The Harvest Celebration. This is used for children's games and activities during the Harvest Celebration. The Jr. Grange is requesting \$200. The following Resolution was brought forth.

RESOLUTION # 28 2011: FUND JR. GRANGE \$200. FOR HARVEST CELEBRATION

On a motion by Councilwoman, Vanderweyde, 2nd by Councilwoman Mohr, the following Resolution was ADOPTED.

AYES: Johnson, Vanderweyde, Schultes, Mohr, Connelly

NAYES: 0

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RESOLVED to fund the Smithville Jr. Grange \$200. for games and activities for the Harvest Celebration October 8th, and to fund the expense from A7310.4. The check will go to Mindy Eldred.

OLD BUSINESS

OB1: Consider participation in the no-cost NYS Deferred Compensation Plan (Al has info). This has not been brought up fully with the Highway employees, but Sup't Kinney will continue to work on that. Two members of the Board felt it would be a lot for the Bookkeeper to keep up with. Supervisor Johnson will give the Bookkeeper the material to review.

OB2: Smithville Day Committee Chair: 1 new application from Karen Wood. This was acknowledged but no action was taken.

OB3: Planning Board training Resolution to require Annual Training of Planning Board members through General Town Law, Sections 267 and 271. This information from the Chenango County Planning Dept. was first discussed but was not acted on in 2007. Participation can be physical attendance or online courses, workshops, journal articles or other educational activities. Planning Board members are to provide a record to the Board Chair.

RESOLUTION # 29 (2011): REQUIRE ANNUAL TRAINING OF PLANNING BOARD MEMBERS

SEE PAGE 2A FOR A COPY OF THE RESOLUTION IN ITS ENTIRETY

Johnson/Mohr

OTHER:

Fred Heisler Request: Plans have been made to rebuild the 1st Presbyterian Church but the Presbytery would like to know--what is the standing of the Church in the Community and how does the Town feel about the Church rebuilding? Mr. Heisler asked if the Town Board would be willing to write a letter of support. Supervisor Johnson asked Board members would be willing to send a letter stating they were in favor of the Presbyterian Church being rebuilt. Board members responded they were in favor; Board member Vanderweyde offered to write the letter before August 25th when the Presbytery will meet again.

Darin Mills Request: Kids play on Oak and Water St where traffic is heavy from the bar. He would like to see the speed limit lowered on those streets. Highway Sup't Kinney said the speed limit is legally 55mph on the Town road. Any speed reduction request would have to be placed with Chenango County first and then with New York State DOT next. Child at Play signs were suggested but Sup't Kinney said these signs can open someone up for liability, and should only be used near playgrounds and/or schools. He suggested "Local Traffic only" sign, but will look into all possibilities.

MINUTES APPROVAL July 18, 2011

The minutes of the July 18, 2011 were reviewed. Board member Mohr asked that her request for an Executive Session be stated in the minutes, even though the situation was resolved during the meeting and the Executive Session was not needed. A motion to add the statement and then approve the minutes was made by Councilwoman Vanderweyde, 2nd by Councilwoman Mohr. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

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REPORTS

- R1.) Planning Board: no written report. Only 2 members met. PB member John Cammarata verbally reported the Comprehensive plan is still being worked on. A petition is being circulated with some 200 signatures against gas drilling. It will be presented to the Planning Board.
- R2.) Assessor: no report
- R3.) Enforcement Officer: no report
- R4.) Justice: report submitted.
- R5.) DCO: no report. Town Clerk Owens submitted the May/June delinquent dog list to the Town Board. The list will be given to the DCO via Supervisor Allan Johnson.
- R6.) Attorney: report submitted
- R7.) Smithville Day: previously discussed
- R8.) Community Center: no report
- R9.) Playground Committee: The playground septic is in and the water line dug. Sergi Well Drilling has submitted a bid of \$2900. to have the pump, 2 hydrants, gate valve installed in connection with the new well. A proposal for a sub-panel in the garage and electric for the 2 bathrooms in the amount of \$850. has been submitted by Mertz Electric. The Playground Committee would like to see these vendors paid. The following Resolution was brought forth:

RESOLUTION # 30 (2011): APPROVE PAYMENTS TO SERGI WELL DRILLING AND MERTZ ELECTRIC

On a motion by Councilman Connelly, 2nd by Councilman Schultes, the following Resolution was ADOPTED.

AYES: Johnson, Vanderweyde, Schultes, Mohr, Connelly
NAYES: 0

RESOLVED to approve the 2 payments, one to Sergi Well Drilling for \$2900. and one to Mertz Electric for \$850., financed from the Bottle Fund.

R10) Town Clerk: report submitted

R11) Highway:

- Hauling sand from McGown's as weather permits
- 2 top coats have been placed on Enggaard Rd., there are 2 to go
- A call was received from Chenango County asking if the Town was using salt brine mixes. Sup't Kinney responded the Town was only using a calcium chloride mixture.
- Helping Village/Town of Greene electric return by painting parking lot, take trees down
- Attended FEMA meeting where individualized attention was given to help recoup money on losses.
- CHIPS money was used on Enggaard Rd. The money probably will come in October or November. Nothing has been heard about CHIPS in 2012.
- The small building on new property was moved.
- A new pump for the Town Barn well has been installed by Sergi's Well Drilling.

R12) Supervisor's Report: The Supervisor's report for the month of July was reviewed. A motion to approve the report was made by Councilwoman Vanderweyde, 2nd by Councilman Schultes. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

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Budget proposals and some Budget items for 2012 were discussed.

WARRANTS

General Warrant # 8, Vouchers # 102-118 in the amount of \$6,595.79 was reviewed. A motion to approve the General Warrant was made by Councilman Connelly, 2nd by Councilwoman Vanderweyde. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

Highway Warrant #8, Vouchers # 98-111 in the amount of \$52,577.52 was reviewed. A motion to approve the Highway Warrant was made by Councilman Connelly, 2nd by Councilman Schultes. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

JRC: 1 bill for \$266. To Al and Sherry's Sport Shop for soccer equipment. A motion to approve the payment of this JRC bill was made by Councilwoman Vanderweyde, 2nd by Councilwoman Mohr. All five Board members: Vanderweyde, Schultes, Mohr, Connelly and Johnson were in favor, motion carried.

FYI items: requests by Kim Michels

- 1.) Letter to Editor of Evening Sun re: Town rights to ban fracking
- 2.) Forwarded email: Millenium Pipeline safety threat

Supervisor Johnson declared the meeting adjourned at 7:57pm. The next meeting will be Sept. 19th.

Alison B. Owens

Smithville Town Clerk