

Minutes of the Smithville Town Board
October 21, 2013

OPENING by Supervisor Fred Heisler Jr. 6:30PM

ROLL CALL:
Councilwoman Elizabeth Vanderweyde
Councilman Bob Whitmore
Councilman Karl Ludwig
Councilman John Cammarata

ALSO:
Alison Owens, Town Clerk
Jackie Centerwall, PB Chair
Tom Pollard, PB
Bruce Kinney, Hwy Sup't.
Members of the Southern Chenango Antique Tractor
Assoc.; DCO Christine Stark and other Townspersons

The revised agenda was used.

NEW BUSINESS

NB1) PUBLIC HEARING FOR SEASONAL HIGHWAYS 6:35PM
The Public Hearing for Seasonal Highways was declared OPEN by Supervisor Heisler and the notice as it appeared in the Chenango American was read by Town Clerk Owens. Supervisor Heisler asked for Public Comment.

Comments: No comments were given.
Supervisor Heisler declared the Public Hearing closed and asked for a Resolution to approve the list of Seasonal Roads.

RESOLUTION # 54: APPROVE THE LIST OF SEASONAL HIGHWAYS FOR 2013-2014

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

AYES: Vanderweyde, Whitmore, Ludwig, Cammarata, Heisler
NAYES: 0

RESOLVED to accept the list of Seasonal Highways for the period Nov.1, 2013-April 1, 2014.

NB2) PUBLIC HEARING FOR SNOWMOBILE ROADS 6:45PM
The Public Hearing for Snowmobile Roads was declared OPEN by Supervisor Heisler and the notice as it appeared in the Chenango American was read by Town Clerk Owens. Supervisor Heisler asked for Public Comment.

Comments: Hwy Sup't Kinney recommended amending Round Pond Spur to Pearl St. and Tarbell Spur to Tarbell Rd. as these roads had changed names since 2012. There were no other comments.
Supervisor Heisler declared the Public Hearing CLOSED and asked for a Resolution to approve the list of Snowmobile Roads.

RESOLUTION # 55: APPROVE THE LIST OF SNOWMOBILE ROADS FOR 2013-2014 W/AMENDMENTS

On a motion by CouncilWoman Vanderweyde, 2nd by Councilman Cammarata, the following Resolution was ADOPTED.

AYES: Vanderweyde, Whitmore, Ludwig, Cammarata, Heisler
NAYES: 0

RESOLVED to accept the amended list of Snowmobile Roads for the period Nov.1, 2013-April 1, 2014, the amendments including changing Round Pond Spur to Pearl St. and Tarbell Spur to Tarbell Rd.

Minutes of the Smithville Town Board
October 21, 2013

NB3) Public Hearing for the 2014 Budget set for Wednesday Nov. 6, 2014

CORRESPONDENCE

6:50PM

C1) Notice of Public Hearing by Brisben Fire Co. for 2014 Budget-- Oct. 15th

C2) Chenango Health Network: signs prohibiting smoking available for playground. There is a new NYS law prohibiting smoking on public playgrounds. The Chenango County Health Network is offering free signs which Supervisor Heisler felt would be appropriate; he will make contact with the agency involved.

C3) NYSDEC: availability for grant funds for urban and community forest projects. These could also be used for parks, playgrounds, invasive pest detection, management plans. Both C2 and C3 items were given to the Playground Committee Chair Mindy Eldred for the Committee's input.

C4) Rebate from Selective Insurance for \$306.00. There was no specific information, only that it was noted to be from the people of New York, all Municipalities.

C5) NYSUCS: report for Town Justice due for 2012. Supervisor Heisler has checked with NYS Courts and will report

PUBLIC COMMENT

Neal Pease: Can the Town do anything about 4 wheelers on Town roads? He would like to see the Town roads open to these 4 wheelers. NYS has a ruling that no 4 wheelers can be run on any road in NYS. Larry Sherwood gave information on the Public Hearing in the Town of Smithville when he was Supervisor. At that time Town insurance was going to be costly for the Town if there was going to be ATV use on Town roads. Supervisor Heisler will call the Town Insurance Co. to find out if anything has changed. Also discussed was Lewis County and their approach to ATV use.

Louis Merlino:

- What is happening with the house on Buckley Hollow using the stream as a septic system? The owner is polluting the stream which runs to Greene and the Chenango River. EO Officer Root has been working with Chenango County. There was an understanding the offending owner has been given a permit. Supervisor Heisler will check on the item in question in Norwich tomorrow.
- Rock and logging companies are removing stone from walls and logs from property and using the Town Roads to transport them. There should be a bonding practice in place to require upfront monies and a permit in case a road is damaged. The Planning Board is working on this item as a potential Local Law.
- Haefle TV does not service other areas of the Town, other than the hamlet. Another company should have the opportunity to come into Smithville to provide better service. Is there a current contract with Haefle TV?

Mr. Merlino would like a written answer to these 3 items.

Adam Cobb: what was the criteria used for last applications for Highway employee? Superintendent Kinney responded to the question.

OLD BUSINESS

6:20PM

OB1) JCAP Grant update: the grant was filed 2 weeks ago. What is needed now are: estimates of work to be done, signatures, and a copy of the Resolution authorizing the Town Justice to file the JCAP grant. The deadline is in 2 weeks. The grant will ask for monies to prep for sitework, a bench for the Judge, air conditioning for the Court room and the Justice office.

OB2) McDonough Food Bank request: The Smithville Presbyterian Church will consider making a donation to the McDonough Food Bank as there are some families from Smithville that use the McDonough Food Bank.

OB3) copier update: the copier has been ordered and should be in place in a couple of weeks.

OB4) Time Clock policy snag. The policy was not acceptable to the Teamster's Union. They will be getting back to the Town in the near future.

OB5) Site Plan Review Law: consider setting date for Public Hearing. The Board decided to meet Nov. 6th, after the Public Hearing, for a work session.

Minutes of the Smithville Town Board
October 21, 2013

OB6) Southern Chenango Antique Tractor: Bill Hulse/Keith Sabin presented an agreement between S.C.A.T. and the Town of Smithville for the tractor pull area. They would like a 2 yr renewable term and will continue to give checks to the Town for the Playground and to the Genegantslet Fire Co. at the end of each season. The Town Board will review the contract.

REPORTS

6:55PM

R1.) Planning Board: no written report submitted.

- Site plan review law is still in the review stage
- Road use local laws have been reviewed
- No response to the PB clerk ad in the paper
- Questions on priority of town-wide survey for 2014

R2.) Assessor: report submitted

R3.) Enforcement Officer: report submitted County: report submitted

R4.) Mitigation: no report. Supervisor Heisler is one of the County Supervisor Reps and would like to have some input with the Planning Board. The idea is to have contact with Towns to see if areas can be fixed before problems occur. Hwy Sup't Kinney reported issues concerning Smithville are with flooding, snow, ice, wind, tornadoes, ash bore beetles and also the Genegantslet Creek

R5.) DCO: no written report submitted. In a verbal report DCO Stark gave further info on a dog issue from last month's report. The final determination will be made by the Town of Smithville Court.

R6.) Attorney: no report submitted

R7.) Smithville Day: no report submitted

R8.) Custodian: no report

Community Center: CC Inspection report items discussion.

- door handle on front door: completed
- light post installation for side entrance; one light post installed
- the water pump will need to be turned off. A flow meter was suggested but an inexpensive one will cost approx \$750.
- Groundskeeper Sabin would like to see the apple tree outside trimmed

It was suggested to have another work day in the park to work on some of these things

R9.) Playground Committee: no report submitted

R10) Town Clerk: report submitted. Would like Resolution to attend DEC training and be reimbursed for expenses. There is no charge for the training class and lunch is provided.

RESOLUTION # 56: AUTHORIZE TOWN CLERK OWENS TO ATTEND DEC TRAINING & BE REIMBURSED FOR MILEAGE

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

AYES: Vanderweyde, Whitmore, Ludwig, Cammarata, Heisler

NAYES: 0

RESOLVED to authorize Town Clerk Owens to attend a DEC training class in Syracuse Oct. 30th and to be reimbursed for mileage.

R11) Highway: no written report submitted. Hwy Sup't Kinney verbally reported:

- Stone and oil, shim paving, shoulder work has been completed
- Touch up grading, pot holing completed
- Sand is completed and stockpiled, also salt
- Servicing for winter is in progress

Minutes of the Smithville Town Board

October 21, 2013

- Creek work has been completed and the DEC notified
- Has Highway Sup't meeting coming up, also FEMA and Hazard Mitigation mtgs
- CHIPS \$ money will come in November

R12) Supervisor's Report: report submitted

Old account (Highway Equipment account) with \$109,000. seems to have been 2 separate accounts (Highway Savings and Highway Equipment) at one time during Supervisor Johnson's administration. Town Clerk Owens will research the minutes to see if something was done with those accounts. A motion to accept the Supervisor's report was made by Councilwoman Vanderweyde, 2nd by Councilman Ludwig. All 5 Board members present were in favor, motion carried.

MINUTES APPROVAL FOR Sept 16th and 27th

7:35PM

The minutes of Sept. 16th and 27th were reviewed. A motion to approve the minutes for both meetings was made by Councilman Cammarata, 2nd by Councilwoman Vanderweyde. All 5 Board members present were in favor, motion carried.

WARRANTS

7:40PM

General Warrant # 10, Vouchers # 126-138 in the amount of \$2,762.44 were submitted for payment and reviewed by the Board. A motion to approve these claims was made by Councilwoman Vanderweyde, 2nd by Councilman Cammarata. All 5 Board members present were in favor, motion carried.

Approve: Vanderweyde/Cammarata all 5

Highway Warrant # 10, Vouchers #112-133, in the amount of \$92,758.40 were submitted for payment and reviewed by the Board. A motion to approve these claims was made by Councilman Cammarata, 2nd by Councilwoman Vanderweyde. All 5 Board members present were in favor, motion carried.

OTHER/CLOSE

8:00PM

There was no other business to come before the Board. A motion to adjourn was made by Councilman Vanderweyde, 2nd by Councilman Ludwig. All 5 Board members were in favor, motion carried.

FYI items: AVRE: assisting blind and visually impaired residents; AQUARII: lighting specialists info

Alison B. Owens

Smithville Town Clerk