

Minutes of the Smithville Town Board  
July 20, 2015

OPENING

by Supervisor Heisler

6:30PM

ATTENDANCE in addition to Supervisor Heisler:

Councilman Tom Pollard  
Councilman John Cammarata

Councilman Karl Ludwig, absent  
Councilman Bob Whitmore, absent

ALSO:

Alison Owens, Town Clerk  
Bruce Kinney, Enforcement Officer  
Harry Schultes, Highway Sup't  
Jackie Centerwall, PB Chair  
Mindy Eldred, Custodian  
George Martin, Ambit Energy  
Mark Fobare, Monolith Solar  
Gloria Micha, Assessor

LATE ADDITIONS/DELETIONS/REMARKS: adding NB4, C4, R2

CORRESPONDENCE

6:35PM

- C1) Study on the State of Telecommunications in NYS: notice of Public Hearing
- C2) Chenango Co. Farm Service: Notice of Base and Yields for ARC/PLC
- C3) Thank you from the Smithville Day Committee
- C4) Notification from Teamsters Local 317 that negotiations will be open for a collective Bargaining agreement for Jan.1, 2016

NEW BUSINESS

6:40PM

NB1) Presentation by Monolith Solar: Mark Fobare spokesman was recognized and indicated the company is proposing a solar garden on property on Tarbell/Pearl St. to generate some 600,000 watts of electricity for a perspective customer, a grocery store chain, on a 20 yr. contract. The solar garden goes in quickly and cleanly with no disturbance to the ground. Solar panels would be placed on gravel covered concrete slabs on the ground. Electricity can also be generated for the Town and the Town can be given a credit for electric. Residential solar systems are also available for about \$8,000. Mr. Fobare was reminded to communicate with Smithville Planning Board Chair Jackie Centerwall in order to submit the required Site Plan Review documents for the solar garden proposal.

NB2) Presentation by George Martin of Ambit Energy: Mr. Martin was recognized and given the floor to discuss the current electric contract Ambit has with the Town of Smithville to supply power to the Town. He reminded the Board the Town is now out of contract and is paying double the amount they should be. He would like to see the Town renew their contract with Ambit tonight to reduce the per kilowatt p/hr charges to about \$.06 p/hr and to offer an annual 2% rebate on the amount the Town pays for their electric bill. If additional Townspersons would sign on with Ambit, the rates would go down further. Currently supply power to the Town of Smithville. On Sept. 30<sup>th</sup> free solar will be available. The Merchant function charge would disappear from the billing.

Board members indicated since there was not a full Board present at the meeting that no decisions would be made regarding electric suppliers.

NB3) Consider Resolution to appoint Adam Whitbeck to the Planning Board, term to expire 12/31/15.

Minutes of the Smithville Town Board  
July 20, 2015

This will be a replacement of Doug Garnar's term. Planning Board member Bob Brooks has spoken with the Whitbeck family and has recommended Adam be appointed for the remainder of Doug Garnar's term. Planning Board Chair Jackie Centerwall has agreed Mr. Whitbeck would be a good candidate.

**RESOLUTION # 31 (2015): APPOINT ADAM WHITBECK TO THE PLANNING BOARD TO FILL VACANCY**

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

AYES: Pollard, Heisler, Cammarata  
NAYES: 0  
ABSENT: Ludwig, Whitmore

RESOLVED to appoint Adam Whitbeck as a member of the Town of Smithville Planning Board to replace the vacancy created by Doug Garnar. The term will expire 12/31/2015.

NB4) Consider request to NYSDOT re: re-route of ST. HWY 41 for bridge repair. Nothing has been heard regarding replacement of the State Hwy 41 bridge in the center of Town and subsequent proposed detour. Word of mouth has indicated the replacement is at least 2 years away. Since last year's testing of the Tarbell Rd./Pearl St. area for archeological interests, the Town has not been informed of the State's decision with regard to the detour of traffic up Tarbell and Pearl Streets. Supervisor Heisler said he will write a letter to the NYSDOT if he has name and address.

OLD BUSINESS

7:20PM

OB1) Town Barn Engineering Plans: A Pre-bid meeting and package were distributed but all of the bids coming in were over budget. The re-bid legal notice will be coming out in the July 22<sup>nd</sup> issue with bids due July 30<sup>th</sup>. This 2<sup>nd</sup> distribution will be available at the Town Clerk's Office on July 23<sup>rd</sup>.

OB2) Town signs at entrance: These are in the process of being manufactured by Dave Genter; depiction of the Hansmann's Mills will be on the background. Mr. Genter estimates about a month until completion. Lights on poles are still in the process of being scheduled.

OB3) Park rest rooms/Community Center application. Town Clerk Owens and Custodian Mindy Eldred have revised the Community Center application. Mrs. Eldred advised the Town Board to keep the rate the same as it stands currently, even though the rest room have been nearly completed. The issue at hand is who is going to clean the restrooms? Mrs. Eldred suggested the Town continue the port-a-john rental for public use and keep the restrooms for private use only. A secondary suggestion was to ask the ball playing groups and/or the Tractor Club to contribute for a port-a-john. Planning Board Chair Centerwall suggested the Subdivision fees "fee in lieu of land" could be used for Town recreation programs/Town parks. It was decided to further look into this possibility. Supervisor Heisler had originally stated in his remarks in the required Government Efficiency Program statement that some portion of the required 1% savings could be realized if the Town did not have to pay for a Port-a-John rental. There will be continuing discussion concerning this option.

OB4) Government Efficiency Program: This year the Tax Cap will only provide a 1% margin for budgetary purposes, PLUS, Municipalities are required to submit a 1% savings plan in Town expenditures. Supervisor Heisler has made the final submission for the Gov't Efficiency Program.

Minutes of the Smithville Town Board  
July 20, 2015

OB5) Application for SAM Grant (for the Town Barn): has been submitted but there is no known outcome/date.

OB6) JCAP Grant Update: information is needed from Justice Lilley before anything can continue

OB7) Discussion of electric suppliers: Supervisor Heisler would rather have the full Board make a decision and suggested the topic be put on hold until the next Board meeting August 17<sup>th</sup> or a short meeting before that date. It was also suggested a couple more quotes for electric rates would be helpful.

OB8) 2015 Consolidated Funding Application Environmental Protection Fund Local Waterfront Revitalization Program Grants: A response by Tim Hanna was available to Board members. Mr. Hanna thought the project would be worthwhile but said the deadline of July 31<sup>st</sup> was too soon to give the project, a walking trail on the east side of the Geneganstlet, thorough consideration. In his communication, he said he would be willing to work putting together a list of perspective landowners on the east side of the stream, and that perhaps the grant would be offered again next year. Board members were concerned that long term maintenance of a walking trail could be an issue.

REPORTS

7:55PM

R1.) Highway: report submitted late.

R2.) Assessor: report submitted late. Assessor Micha has been holding Saturday office hours, correcting paperwork problems and making updates.

R3.) Enforcement Officer: no report submitted but Enforcement Officer Kinney was present to give a verbal report. He indicated two applications for demolition and 2 for septic had been received, plus one for an Echo Lake holding tank (John Buck). There is nothing new on the Buckley Hollow problem property.

R4.) unassigned

R5.) DCO: no report submitted. How does one contact the DCO? No one is able to get a return response on her home phone and the only other way to contact her is through work. Supervisor Heisler said he would get in touch with her and discuss the situation.

R6.) Attorney: no report submitted. There is an invoice this month for \$75.00. for consultations given to Supervisor Heisler.

R7.) Smithville Day: no report submitted

R8.) Custodian: no report submitted. The outside bathrooms are not totally complete but it is functioning. Waiting for them to be completed by Fred Eaton.

R9.) Playground Committee: no report submitted. Mrs. Eldred mentioned there is no real Playground Committee any more as there are only herself and James Bottle who are meeting. There continues to be vandalism at the Park with kids removing railings out of Gazebo and breaking light bulbs. Mrs. Eldred did not recommend replacing the railings at the moment. With the installation of the new Security System, there will be video of who the vandals are, action against them can be taken and then repairs made.

R10) Town Clerk: report submitted. Town Clerk Owens asked to attend a Cemetery Assoc. class for cemetery management in Glens Falls, NY. The class should be able to address some situations pertaining to the Cowles Cemetery project being completed by prospective Eagle Scout Scott Lord. The cost of the class is \$25.00. Town Clerk Owens is asking to be reimbursed for that and travel expenses.

**RESOLUTION # 32 (2015): ALLOW TOWN CLERK OWENS TO ATTEND CEMETERY ASSOC. CLASS AND TO BE REIMBURSED FOR EXPENSES**

Minutes of the Smithville Town Board  
July 20, 2015

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

AYES: Pollard, Heisler, Cammarata  
NAYES: 0  
ABSENT: Ludwig, Whitmore

RESOLVED to approve Town Clerk Owens to attend a Cemetery Management Class in Glens Falls and to be reimbursed \$25.00 for the class and mileage.

R11) Planning Board: report submitted. The Survey conducted earlier in the year has not been completed yet but Jackie is working on the details. The Chair has also spoken with Monolith Solar and is encouraging them to submit a Site Plan review to the Planning Board before going further with plans.  
R12) Supervisor's Report: report submitted, reviewed and commented on. A motion to accept the Supervisor's report was made by Councilman Pollard, 2<sup>nd</sup> by Councilman Cammarata. All 3 Board members present were in favor, motion carried.

MINUTES APPROVAL for June 15th

8:25PM

The minutes of the June 15, 2015 meeting were reviewed. A motion to accept the minutes was made by Councilman Pollard, 2<sup>nd</sup> by Councilman Cammarata. All 3 Board members present were in favor, motion carried.

WARRANTS

8:30PM

General Warrant # 7, with Vouchers # 74-91 in the amount of \$7,343.38 was submitted for payment. Voucher # 75 to Selective Insurance was originally billed at \$250., but due to the lateness of the bill, extra fees were added on made the total \$276. Town Clerk Owens had received an email from Mang Insurance earlier that day removing the extra fees, but since the check had already been written, it will be sent anyway and Selective Insurance can decide how they want to apply the funds. A motion to accept and pay these bills was made by Councilman Cammarata, 2<sup>nd</sup> by Supervisor Heisler. All 3 Board members present were in favor, motion carried.

Highway Warrant # 7, with Vouchers # 75-86, in the amount \$50,159.29 was submitted for payment. Questions were directed to Hwy Sup't Schultes regarding CHIPS projects and payments for them. Voucher # 76 to Contour Construction Group is for a CHIPS project. A motion to accept and pay these bills was made by Councilman Pollard, 2<sup>nd</sup> by Councilman Cammarata. All 3 Board members present were in favor, motion carried.

There was no other business to come before the Board. Supervisor Heisler declared the meeting adjourned until August 17, 2015.

Meeting adjourned at 8:35PM.

Alison B. Owens

Smithville Town Clerk