

Minutes of the Smithville Town Board
May 18, 2015

OPENING

Supervisor Fred Heisler Jr.

6:30PM

ATTENDANCE in addition to Supervisor Heisler:

Councilman Karl Ludwig
Councilman Bob Whitmore
Councilman Tom Pollard

Councilman John Cammarata, absent

ALSO:

John Haus, Root2 Engineering Firm
Mr. & Mrs. Steve Lucas
Harry Schultes, Hwy Sup't
William Buckley
Jackie Centerwall, PB Chair
Tim Hanna
Michelle Day, Greene Slo-Pitch
Louis Merlino, resident
Alison Owens, Town Clerk

There were new items of business necessitating a revised agenda.

FUEL BID OPENING

6:35PM

The legal ad read by Town Clerk Owens and bids from 2 vendors were opened and read. All bids are for the period June 1, 2015 to May 31, 2016. XX= not bid.

VENDOR/PRODUCT	POSTING DATE	DIFFERENTIAL	FLUCTUATING	FIRM BID
Blue Ox 38 N. Canal St. Oxford, NY 13830				
ULSD		+.15	Cost + diff	XX
ULSD Winter Blend		+.20	Cost + diff	XX
'87 UL Gas w/10% Eth		+.15	Cost + diff	XX
Kerosene for Heat		+.20	Cost + diff	XX
Propane			Cost +.60	\$1.699/gal
500 gal. tank	No fee to set tank			
Mirabito Energy Prod P.O. Box 5306 Binghamton, NY 13902	Albany OPIS			
ULSD	5/15/15 (\$2.1232)	+.1995/gal	\$2.3227/gal	\$2.5734/gal
ULSK Winter Blend	5/15/15(\$2.6240)	+.1995/gal	\$2.8235/gal	\$2.8234/gal
'87 UL Gas w/E10	5/15/15 (\$2.0140)	+.2245/gal	\$2.2385/gal	XX
Kerosene for Heat	5/15/15 (\$2.6290)	+.1755/gal	\$2.8045/gal	\$2.6176/gal
Propane	5/14/15 (\$.6988)	+.2954/gal	\$.9942/gal	\$1.4650/gal

CORRESPONDENCE

6:45PM

C1) Donation request from Rogers Environmental Center

No direct affect on the community—no donation this year.

C2) Certificate of Liability Insurance for SCATC (Tractor Club), Little League

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NEW BUSINESS

6:50PM

NB1) Consider Resolution adding Jordon Lilley to the roster for the NYS Retirement

RESOLUTION # 19(2015): ESTABLISH FOR THE NYS AND LOCAL RETIREMENT SYSTEM, A 6HR. WORKDAY FOR JORDON LILLEY AND RETAIN HIM AS A MEMBER OF THE NYSLRS BASED ON HIS ROA KEPT AND FILED IN THE TOWN CLERK'S OFFICE

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

AYES: Ludwig, Pollard, Whitmore, Heisler

NAYES:

ABSENT: Cammarata

RESOLVED to establish for the New York State and Local Retirement System a Standard Work Day of 6 hrs and Reporting Resolution (RS2417-A) to retain Justice Jordon Lilley in the current membership. Mr. Lilley has not yet filed an ROA with the Town Clerk. Such Resolution will be posted on the Town Clerk's website (www.smithvilleny.com) for 30 days, as well as on the wall outside the Town Clerk's office.

NB2) JCAP grant alarm system quotes:

- Sentry Alarms \$8267.99 plus 2 others that did not meet specs. Since this will be for the JCAP grant involving security, the following decision was made by the Board:

RESOLUTION # 20 (2015): PURCHASE SENTRY ALARM QUOTE FOR INSTALLATION OF ALARMS AT COMMUNITY CENTER FOR JCAP GRANT

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

AYES: Ludwig, Whitmore, Pollard, Heisler

NAYES: 0

ABSENT: Cammarata

WHEREAS 3 quotes were obtained for alarms systems at the Community Center for the JCAP grant and WHEREAS only 1 quote met the conditions required, BE IT THEREFORE RESOLVED to accept Sentry Alarm's bid of \$8267.99 for an alarm system at the Community Center.

There is a possibility a down payment of \$4100. Will be required.

NB3) consider Resolution for the Town of Smithville to co-sponsor the Smithville Day 5k with the Genegantslet Fire Co., and use Water St and a section of Tarbell Rd. as part of the 5K course.

RESOLUTION # 21 (2015): CO-SPONSOR THE SMITHVILLE DAY 5K WITH FIRE DEPT, USE WATER ST., TARBELL RD AS PART OF THE 5K COURSE, and Eagle Scout Park as the ending location

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

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

RESOLVED to co-sponsor the Smithville Day 5K with the Genegantset Fire Co., and to approve the use of Water St. and a portion of Tarbell Rd. as part of the 5K course.

NB4) Consider fuel bid awards: Mirabito has the lowest and most successful bid. Board members moved to accept those bids in the following Resolution

RESOLUTION # 22 (2015): ACCEPT MIRABITO'S FIRM BIDS FOR ULSD, ULSD WINTER BLEND, KEROSENE FOR HEAT AND PROPANE; ALSO ACCEPT FLUCTUATING BID FOR '87 OCTANE GASOLINE

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

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

RESOLVED accept Mirabito's firm bids for ULDS, ULSD Winter Blend, Kerosene for heat and propane (LP gas) for the period June 1, 2015—May 31, 2016; RESOLVED also to accept Mirabito's fluctuating bid for '87 Octane Gasoline.

NB5) A letter of resignation was received from Assessor Keith Klein, to be effective July 1, 2015. This was moved to acceptance.

RESOLUTION # 23 (2015): ACCEPT RESIGNATION OF ASSESSOR KEITH KLEIN

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

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

RESOLVED to accept the resignation of Assessor Keith Klein, effective July 1, 2015.

NB6) Michelle Day of the Greene Slo-Pitch league was recognized and given an opportunity to address the Board. She requested the use of the Smithville park ball field for league games on Wednesday evenings from June 24-August 19th. She would also like permission to put in new bases when they play and paint the field for use during a ball game. Waivers for insurance purposes will be given to the Town Clerk. Board members moved the following Resolution allowing use of the ball field.

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RESOLUTION # 24 (2015): ALLOW GREENE SLO-PITCH LEAGUE TO USE BALL FIELD

On a motion by Councilman Whitmore, 2nd by Councilman Pollard, the following Resolution was ADOPTED.

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

RESOLVED to allow usage of the Smithville ball field to the Greene Slo-Pitch league from June 24-August 19th, allowing new bases to be used and painting of the field for games, and also pending insurance waivers being on file at the Town Clerk's office.

NB7) Steve Lucas, Stone Quarry Hill Rd. was recognized and spoke of the condition and maintenance issues of Stone Quarry road, and also about material being used to repair the road. There are several sections of pot holes in roads, some worse than others. Repair with black top creates a bump; item 4 gravel used creates further potholes and washouts. There is no dust inhibitor on the road in front of their house at this time. The tar based dust control used helps tremendously but is not put on the road in front of their house.

Hwy. Sup't Schultes: he is working on the roads right now, the worse roads are being done first. Last year, instead of item 4, another substance --magnesium chloride--was used but didn't hold as well as the previous year—going back to something that works better. CHIPS money does not cover dust control.

Lucas: it makes more sense to make a better road. If it was a better road, it might not need fixing as much.

Heisler (to Hwy Sup't Schultes): Is there a long term solution?

Schultes: no

Councilman Pollard: recommend stone and oil a section of the road each year

Councilman Whitmore: drainage has to be right to get the potholes out.

Richard Buckley, Hattie Clark Rd., asked to be recognized and asked for dust oil in front of his trailer. He also expressed concern for lack of dust oil on his road.

Louis Merlino, Buckley Hollow Rd was recognized and commented that a lot of construction is taking place on the driveway to the previously "problem" house on Buckley Hollow Rd. Supervisor Heisler replied that the new owner has been very co-operative with getting infractions taken care of and that he is working directly with the County to see things are done correctly. Mr. Merlino also commented on the ruts in Buckley Hollow road from this new construction.

OLD BUSINESS

7:00PM

OB1) Town Barn Engineering Plans

George Haus of Root2 Architecture was recognized. Tentative drawings of the new Town Barn were made available and were reviewed by Board members. It was emphasized that 2 old small in ground oil tanks should be removed ASAP. It was recommended to call the DEC and ask what the proper procedure

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would be; the DEC will need to do an inspection as the tanks are removed. A survey for the property is still being sought after.

The Budget estimate for the new Town Barn is \$238,000. +/-, not including Architectural fees. It will take an additional 2.5 weeks to confirm final drawings, then the project will go out to bid. After that, it will probably be 5-6 weeks to break ground. It was recommended to have a last meeting to sit down and make sure everything is discussed/prepared for.

OB2) Town signs at entrance; lights on poles:

Contact was made with Dave Genter who will be doing the entrance signs.

Lights for poles at the entrance to the Community Center were discussed. The original lights considered cost \$303.67ea, but they will not be purchased due to the amount of vandalism taking place on Town property. A cheaper, but similar version has been found for \$75.00 ea. which Board members felt would work better. Motion detector lights for just outside the Community Center door were discussed.

RESOLUTION # 25 (2015): PURCHASE LIGHTS FOR THE COMMUNITY CENTER POLES

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

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

RESOLVED to purchase 2 lights @ \$75.00ea for the light poles outside the Community Center. These will be paid for from JCAP funds, under the security purpose for the grant.

OB3) Norwich-Oxford Little League info. The schedule for league games was reviewed.

OB4) Park rest rooms: Supervisor Heisler met with contractor Fred Eaton who will have the rest rooms completed before Smithville Day.

OB5) Councilman Whitmore asked about a contract with Time-Warner, since there is still no signed contract with them. More customers from this area served are backing out of their commitments. Supervisor Heisler will contact Time Warner and the new Town Att'y to discuss further arrangements.

REPORTS

7:45PM

R1.) Highway: report submitted. Superintendent Schultes is working on a bid from Suit Kote to dig out Hammerle Rd. He will be going back to dust oil this year to treat dirt roads.

With respect to a new Grader blade: 5 Star Equipment can't get their quoted product, which is the same as the current one, for at least 2 months (\$4203.56); Monroe Tractor has a different set-up for a blade which is better and can be obtained sooner (\$4995.74). A 3rd quote from Tracey Road Equipment was \$1180.40 for a regular blade not a grader blade. It was decided to make the purchase from Tracey Road Equipment and to use account DA5110.4, (repair).

RESOLUTION # 26 (2015): PURCHASE GRADER BLAD FROM TRACEY RD EQUIPMENT

On a motion by Councilman Pollard, 2nd by Councilman Whitmore, the following Resolution was ADOPTED.

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

RESOLVED to purchase a grader blade from Monroe Tractor in the amount of \$4995.74, and to use account DA5110.4 (repair) for the purchase.

R2.) Assessor: no report submitted

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

R4.) unassigned

R5.) DCO: no report submitted

R6.) Attorney: no report submitted

R7.) Smithville Day: report submitted. Plans for Smithville Day will include a chicken bbq, activities and displays, a parade, 5k run/walk, vendors, kids games and other food. There have been some questions from the Town insurance carrier on some of the planned activities which the Town is working with.

R8.) Custodian: no report submitted

R9.) Playground Committee: no report submitted.

The railings in the gazebo have been torn down again. Fred will contact the Chenango County Sheriff's Dept. Bathrooms will be completed soon but may not have someone to clean them.

R10) Town Clerk: report submitted. The electric rates are still being questioned as the bills being paid are about 20% higher than normal. The Town Clerk will find a comparison of electric rates.

R11) Planning Board: no report submitted but Chair Jackie Centerwall was available to give a verbal report. She asked who is available to take Doug Garnar's place? Building permits were discussed at the last Planning Board meeting. One of the applicants for a Site Plan Review was Vic Hammond who wants to tear his current house down and put up a modular. Site Plan use was discussed with the Town Board, and the Road Use Local Law was also. The Road Use Law will not be worked on until later. Chair Centerwall also asked if the Fee Schedule had been accepted? Supervisor Heisler will talk with the Town Attorney more concerning this. More survey info is forthcoming.

R12) Supervisor's Report: report submitted

- 1st sales tax check was \$38,000; 2nd was \$32,000. budgeted amount for 2015 is \$126,000. Supervisor Heisler feels the sales tax revenue for 2015 will meet or exceed the amount budgeted.
- The new bank accounts created require more transfers for the Supervisor.

A motion was made by Councilman Ludwig, 2nd by Councilman Pollard to accept the Supervisor's report. Four Board members in favor: Ludwig, Pollard, Whitmore and Heisler; Councilman Cammarata absent. Motion carried.

There was no executive session.

MINUTES APPROVAL for April 20th

8:40PM

The minutes of the April 20th meeting were reviewed. A motion to approve these minutes was made by Councilman Whitmore, 2nd by Councilman Pollard. All four Councilmen in favor: Ludwig, Pollard, Whitmore and Heisler; Councilman Cammarata was absent. Motion carried.

WARRANTS

8:45PM

General Warrant # 5, Vouchers # 51-65 in the amount of \$4,210.25 were reviewed for payment.

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Vouchers # 58 and #59 were voided; #58 for a different account and #59 was a duplicate from last month. A motion to approve the General Warrant, Voucher #52-65 with the exception of Vouchers #58 and #59 was made by Councilman Pollard, 2nd by Councilman Ludwig. All four Councilmen in favor: Ludwig, Pollard, Whitmore and Heisler; Councilman Cammarata was absent. Motion carried.

Highway Warrant # 5, with Vouchers # 50-61, in the amount \$8,904.84 was reviewed for payment. A motion to pay these claims was made by Councilman Ludwig, 2nd by Councilman Pollard. All four Councilmen in favor: Ludwig, Pollard, Whitmore and Heisler; Councilman Cammarata was absent. Motion carried.

OTHER/CLOSE

9:05PM

Alison B. Owens

Smithville Town Clerk

Addendum June 6, 2015:

A request was made by the Berean Church to use the Town ballfield on June 8th. A certificate of Liability Insurance was provided by the Church for that date. Town Board members were emailed and each responded their approval for the use of the ballfield by the Berean Church on that date.