

Minutes of the Smithville Town Board  
August 15, 2016

OPENING

by Supervisor Fred Heisler Jr.

6:33PM

ROLL CALL/PLEDGE:

Board members:

Supervisor Fred Heisler Jr.,

Karl Ludwig

John Cammarata

Bob Whitmore

Tom Pollard

Also Present: Alison Owens, Town Clerk

Jackie Centerwall, Planning Board Chair

Gloria Micha, Assessor

Tracy Oliver, Hwy Sup't

Bruce Kinney, Enforcement Officer

DISCUSSION with DEC rep regarding right-of-way to the Genegantslet Creek from Town Barn property: The DEC rep present said their proposal would include a foot path from the Town Barn parking lot 500' along Strong Brook, include a 900' foot path along the Puvalowski property to the Genegantslet Creek. They would purchase the footpath easement to Strong Brook and buy the Public Fishing Rights plus 30' easement on the banks for \$3100.; no fishing pier will be provided. There would be a cooperative 4-5 car parking area on Town property the DEC would construct and maintain.

After some discussion, the Town Board, along with Hwy Supt. Oliver, felt that moving the parking area closer to the Town property line along State Hwy 220 and Strong Brook would create a new and separate area to park and would not affect what goes on in the main parking area of the Town Barn lot. There would be no maintenance in winter; the area would be used mostly in the April/May time frame. The DEC is aware the Town Barn parking area was once a landfill.

Where the parking area ends up will dictate how much the DEC will pay for PFR. Board members were in agreement to use the further corner for a parking lot instead of the proposed area. ADA access is not required. Board members were in agreement to move forward with the process.

CORRESPONDENCE

6:40PM

C1) Dutchess County: "Think Differently" initiative

C2) Notice of Defective Conditions (Mr. Barker, Collyer Rd.): Hwy Supt. Oliver said the truck drove over a piece of grass on Collyer Rd. that did not have a culvert pipe past the edge. The Hwy crew put 18" additional pipe on the east side (Roth side) and are checking on it to make sure it is sufficient for the traffic. Councilman Whitmore felt the road was not wide enough and should be considered for reconstruction. Can the road be widened? Hwy Sup't Oliver said perhaps, but the reconstruction project would be extensive as easements would have to be purchased, perhaps 200 yards worth. It was asked if there was anything else that could be done? Hwy Sup't Oliver said he would contact CHIPS and see if that program could be used. Councilman Pollard suggested "narrow road" signs be installed. This will be checked on.

NEW BUSINESS

6:45PM

NB1) Supervisor Heisler Councilmen Pollard and Ludwig met with contacts from NYSDOT regarding the bridge replacement on State Hwy 41, downtown Smithville Flats. NYSDOT is in the preliminary stages for the bridge replacement which is now expected to take place in 2018. A detour around the hamlet of Smithville Flats is not being planned at this time as there is room now on the east side of the current

Minutes of the Smithville Town Board  
August 15, 2016

road/bridge for a detour. The Town was given a choice as to no sidewalks, 1 sidewalk or 2 sidewalks. Supervisor Heisler said he requested sidewalks on both sides of the bridge. Councilman Whitmore said removable grates on the shoulder of the current bridge have been used for fire hoses and asked if those would be available for the replacement. Supervisor Heisler said grants for sidewalks are a possibility.

OLD BUSINESS (UPDATES)

6:55PM

OB1) lights on poles: work is done; they are in the process of adding an additional light on the existing pole in the south west corner of the parking lot. Outside bathrooms: not done yet. Town Clerk Owens mentioned there is a propane heater stored in a box in the hall. Councilman Cammarata said this was the extra heater purchased with JCAP funds saved by installing only 4 parking lot lights rather than 5 and that it will be installed in the Clerk's office probably at the end of the month. It was also recommended to get bids for next years JCAP grant for 3 small heater units for the kitchen, Judges office and records room.

OB2) fishing access across from Town Barn: see discussion at beginning of meeting.

OB3) discussion of Cincinnatus Lake Dam repairs: no new info.

OB4) Cable franchise: Att'y Berger has indicated there are fees associated with a Cable franchise which should be paid to the Town. The Att'y will review the Cable folder from the Town Clerk's Office. Supervisor Heisler previewed the folder and could find nothing that looks like a contract with either former owners Haefle TV or Time Warner. There was also no copy of signed contract with the current franchise owner Charter Communications. The Town needs a copy of the current contract.

OB5) speed limits on County Rd 2 and State Hwy 41: Hwy Sup't Oliver has talked with both NYSDOT and Chenango County concerning adding speed limits on these roads close to the hamlet and was told that since no businesses have been added recently, the statistics used to determine speed limits go by accidents reported (State Hwy 41). Counters can put out. Heisler is writing a letter. Reducing the speed limit on County Rd. 2 is more viable, even with counters. The question was asked about solar speed signs? These can be requested from the County.

OB5) possible change of street lighting fixtures to LED bulbs. Town Clerk Owens said NYSEG is still using high sodium light bulbs except in Tyner where they (3) have already been changed to LED lights. Councilman Ludwig compared the monthly charge for the contract in Tyner with the # of bulbs there are in the Smithville Flats contract. Changing the bulbs to LED lights which are brighter and more efficient might save about \$100. per month. Town Clerk Owens will find # and name of someone at NYSEG who will discuss options and Supervisor Heisler will make the phone call.

REPORTS

7:15PM

R1.) Highway: report submitted:

- Stone Quarry finished with crusher run and mag chloride.
- Used shared services with Greene on Ludlow project, saving \$.
- 02 Volvo needs new compressor before winter--\$1600. And the repair will need to be done by Volvo dealer.
- New Universal joint in F-350. Sup't Oliver can get along through the winter with the current F-350's
- Touch up grading
- Ordered rims for trucks—no spare one. Will use new equipment fund to pay for the rims

Minutes of the Smithville Town Board  
August 15, 2016

Repeaters: Supervisor Heisler said Greene has a channel that Smithville can use for repeaters. There is no final response yet; two people on the School Board still have to agree to allowing the Town of Smithville to use this open channel. Since having the repeater use is part of the Union negotiations, Supervisor Heisler felt it important to finalize plans for its use.

R2.) Assessor: report submitted: Assessor Micha feels Councilman Ludwig, who is a former Assessor, should be paid for the work he is doing on updating the properties. Councilman Ludwig then explained the work he has been doing and Supervisor Heisler asked Councilman Ludwig how he would like to be compensated. Gas mileage, or a fee plus mileage? It was also questioned whether paying or reimbursing Councilman Ludwig would be a conflict of interest? Supervisor Heisler will check into this.

It was also questioned if Monolith Solar had applied for an exemption to which Assessor Micha replied no. Supervisor Heisler said if they had, the Town could ask for Monolith Solar for payment (fee) in lieu of tax.

R3.) Enforcement Officer: no report submitted. There was a septic application that was lost and check never cashed or recorded. He has handled other problems as well. McBirney Rd. situation has been looked at by the County. There was no County building permit report submitted.

R4.) Planning Board: report submitted. Chair Jackie Centerwall submitted a copy of the proposed "Road Use Agreement" for the Town Board to consider. This will need to be reviewed, then have the Town Att'y review it, then it would go for a Public Hearing. There are no fees in the proposed Local Law but any fees associated with it will be listed on the Town Fee Schedule. The PB is recommending a \$50 road use fee. The permit can be issued by the Hwy Supt, but the fee needs to be paid to the Town Clerk.

The Planning Board was also asked to review a Workplace Violence document. Chair Centerwall said the Planning Board doesn't need to be involved with that, it should be more for the Town Att'y to review.

R5.) DCO: no report submitted

R6.) Attorney: no report submitted

R7.) Smithville Day: no report submitted.

R8.) Custodian: no report submitted

R9.) Playground Committee: no report submitted

R10) Town Clerk: monthly report submitted.

R11) vacant

R12) Supervisor's Report: report submitted and discussed. A motion was made by Councilman Cammarata, 2<sup>nd</sup> by Councilman Pollard to accept the Supervisor's report. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

Lawn Mower: there were no bids last month on the lawn mower. There may still be some interested persons who will put in a bid.

MINUTES APPROVAL for July 18<sup>th</sup>

8:25PM

The minutes of the July 18<sup>th</sup> meeting were reviewed. A motion was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Whitmore to accept the minutes of July 18th. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

Minutes of the Smithville Town Board  
August 15, 2016

WARRANTS

8:30PM

**General Warrant # 8**, Vouchers # 96-114, in the amount of \$7,095.37 were submitted for payment. A motion was made by Councilman Whitmore, 2<sup>nd</sup> by Supervisor Heisler to accept and pay these claims. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

**Highway Warrant # 8**, Vouchers # 93-105, in the amount \$44,112.24 were submitted for payment. A motion was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Pollard to accept and pay these claims. All 5 Board members: Ludwig, Cammarata, Pollard, Whitmore and Heisler were in favor, motion carried.

There was no other business to come before the Board. Supervisor Heisler declared the meeting adjourned at 8:50pm.

Smithville Town Clerk

Alison B. Owens