

Minutes of the Smithville Town Board
July 18, 2016

OPENING Supervisor Fred Heisler Jr. 6:30PM

ROLL CALL/PLEDGE:

Board members:

Supervisor Fred Heisler Jr.,
Karl Ludwig
John Cammarata
Bob Whitmore
Tom Pollard

Also Present: Alison Owens, Town Clerk
Bob Brooks, Mike Evans, Planning Board
Gloria Micha, Assessor
Tracy Oliver, Hwy Sup't
Bruce Kinney, Enforcement Officer
Ken Whitmore, Hwy employee
Michelle Day, rep for Softball League

LATE ADDITIONS/DELETIONS/REMARKS:

BID OPENINGS: moved to later in the meeting

CORRESPONDENCE 6:35PM

C1) Several communications from Charter Communications, formerly Time Warner Cable, announcing the new representative from Charter Communications. Councilman Whitmore indicated the Town of Smithville does not have a contract and felt some communication should be made with Charter Communications to that effect. Supervisor Heisler said he would call the Town Attorney to discuss the situation with him, also make a call to the FCC office in Albany; he would also request the rep from Charter Communications attend a Town Board meeting.
C2) letter from NYSEG: aerial inspections of electric lines

NEW BUSINESS 6:40PM

NB1) Consider Resolution to approve Genegantslet Fire Company membership
Fire Dept member Ken Whitmore IV said the Fire Company By-laws were modified by suggestion of an Attorney to include approval by the Town Board of all members in the Fire Dept.; new members would also need to be approved each time one is added. A disapproval of a member means the person cannot be a Fire Dept member. After some discussion the following Resolution was made:

RESOLUTION # 23 (2016): APPROVE THE 20 MEMBER ROSTER OF THE GENEGANTSLET FIRE COMPANY

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

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

RESOLVED to approve the 20 person active member roster of the Genegantslet Fire Company.

Ken Whitmore also asked if there was any movement/decision on selling 3 acres of Town property to the Genegantslet Fire Company. Supervisor Heisler replied the Board had decided to move forward with the process but was advised it would be a lengthy one.

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OLD BUSINESS (UPDATES)

6:55PM

OB1) wordage from the Town Att'y for softball/baseball groups using waivers
Michelle Day, representative from the Greene Slo-Pitch softball league, was recognized. The proposed wording of the waiver by the Town Attorney was reviewed by their Attorney. The 1st paragraph was ok to add to the waiver but their Att'y felt the 2nd paragraph is worded better in the current agreement, as it makes the explanation clearer. They would prefer to make the changes with next year's waivers. Town Board members were in agreement with the paragraph changes and waiting until next year to do so.

Ms. Day also reiterated that with Raymond Foundation grant money, the league will make improvements to the Smithville field.

OB2) lights on poles, outside bathrooms; Councilman Cammarata reported the concrete bases are in for the lights, just waiting for the poles to be delivered. No new news on the outside bathrooms although Town Clerk Owens reported the option for renters of the Pavilion to use the restrooms is being given to them. If they do use the rest rooms, they are being asked to clean them.

OB4) fishing access across from Town Barn. The DEC in a phone call, said they would like to move forward to purchase a small corner of Town property across from the Town Barn and an easement on private property to access the Genegantslet Creek. Enforcement Officer Kinney said, in his opinion it would not be a good idea because of the maintenance requirements that would follow. Because there were several questions concerning the purchase and the access way, with some of the Board recommending no and others in the audience saying the same thing, Supervisor Heisler suggested having a DEC rep attend a Town Board meeting to answer these questions, and to supply a map of the proposal.

OB5) Discussion of Cincinnatus Lake Dam repairs. The Soil and Water Conservation had sent a report saying some of the problems have been dealt with. Board member Pollard suggested an Att'y be contacted to see about combining efforts with the Town of Willet for a special assessment that could be created for maintenance needs. Those living on the lake would be required to pay this special assessment.

REPORTS

7:20PM

R1.) Highway: report submitted late.

- Highway signs have been put up
- It was mentioned by Bob Brooks that the smaller "Town of Smithville" signs are not on Town lines and he offered to mark the Town boundary lines. There was also discussion on whether the signs should be placed on 1 pole or 2; Large Highway sign placement was also discussed.
- Stone Quarry Rd. was finished with gravel and later finish with calcium

R2.) Assessor: report submitted late. Councilman Ludwig is working with the Assessor to help with updating the Assessment rolls. New STAR exemptions placed in 2015 and 2016 are not being processed as the STAR exemption is being phased out. A refund credit will be processed by NYS for those property owners. **The final Equalization rate for Smithville for 2016 is 59%.**

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R3.) Enforcement Officer: no report submitted but Enforcement Officer Bruce Kinney was available with a verbal report. County: no report submitted

EO Kinney asked if there is a code which says only a certain # of campers can be set on a piece of property? There has been a problem with a particular Cincinnatus Lake property. Board members knew of no code which would limit or prohibit camping on a property. If there was a Lake Association, there could be rules, but since there isn't, there is no means of control. The following other items were noted/discussed:

- A trailer on McBirney Rd. seems to have no water and electric and is being occupied. Steve Fox of Chenango County Code Enforcement was called to check on that.
- King Rd. also had some trailers w/out building permits that are occupied. Mr. Fox has been there and is giving the occupants 60 days to meet the requirements for occupancy.
- Another question on a possible Pollard Rd. violation is not a residence but a camp.
- A trailer at Rt. 41 and 220 does not meet code (foundation) and to fix it will not be attempted by perspective owner or the owner (Scribner)
- Camp Spaulding Rd.: camp has septic holding tank. Perspective owners would like to double the sq ft size of building, have an additional water source and a different septic. EO Kinney says there is not enough room to do everything and have advised them they would have to do an SPR with the Planning Board.
- A Pool building permit has been signed as well as another septic permit.
- Meeting with a German Hollow Rd property owner for septic permit on Saturday.
- Trailers and trucks on property on Pollard Rd. have been turned in to Chenango County Code Enforcement
- Building permit also signed for Palyul Retreat
- Septic system is functional on Crystal Dibble on Fred Wilcox Rd. Brother owns property, Crystal wants to live in back on existing trailer lot that has septic, electric, pad, on 22 acres. Set back should be good.
- Does not have anything on Carol Omalyev except that she was talking about having some repairs made to existing septic and leach field. Some others have done same.

R4.) Planning Board: report submitted.

The Planning Board asked the Town Board to consider a lower speed limit on both south sides of Smithville Flats; on Town line on State Hwy 41 and on County Rd. 2 at the Lower Cemetery. There is limited sight at the T intersection coming from CO RD 3 turning onto State Hwy 41 and cars come around the curve rapidly. On County Rd. 3 coming into the hamlet, there is too much speed for the neighborhood.

The Planning Board suggested a letter from Town Supervisor/Hwy Supt to NYSDOT requesting a lower speed limit. A study would probably have to be done. Speed boxes can be set up on the roads. Solar speed limit flashing signs were also discussed. Supervisor Heisler said he will speak with the Sheriff's Dept./ Hwy Supt will write letter to NYSDOT.

R5.) DCO: no report submitted

R6.) Attorney: no report submitted. The Att'y did express his opinion on the Greene Slo-Pitch waivers.

R7.) Smithville Day: no report submitted.

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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 reviewed by the Town Board. A motion to accept the Supervisor's report was made by Councilman Ludwig, 2nd by Councilman Pollard. All 5 Board members were in favor, motion carried.

MINUTES APPROVAL for June 20th and July 11th

8:00PM

The June 20th minutes were modified removing Jackie Centerwall, Ken Whitmore and Bruce Kinney as they were not in attendance. A motion to accept the corrected June 20th minutes and the July 11th minutes was made by Councilman Whitmore, 2nd by Councilman Ludwig. All 5 Board members were in favor, motion carried.

WARRANTS

8:05PM

General Warrant # 7, with Vouchers # 81-94, in the amount of \$5,069.04 was submitted for payment. After review a motion to accept and pay these claims was made by Councilman Ludwig, 2nd by Councilman Pollard. All 5 Board members were in favor, motion carried.

Highway Warrant # 7, with Vouchers # 82-92, in the amount \$3,929.33 was submitted for payment. After review a motion to accept and pay these claims was made by Councilman Pollard, 2nd by Councilman Cammarata. All 5 Board members were in favor, motion carried.

BID OPENINGS: There was 1 bid submitted for the furnace from the Town Barn, 1 bid for a new pick/up truck for the Highway Dept.; no bids for the Town lawn tractor or snow blower.

- 1.) Used Town Barn Furnace: \$351. 1 Bid Stanley Coleman, Smithville Flats NY. Since there were no other bids, Board members decided to accept Mr. Coleman's bid.

RESOLUTION # 24 (2016): ACCEPT \$351. BID FROM STAN COLEMAN FOR USED FURNACE

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

AYES: Ludwig, Cammarata, Pollard, Whitmore, Heisler

NAYES: 0

RESOLVED to accept a bid from Stan Coleman for \$351.00 for the used Town Barn furnace.

- 2.) New Town pick/up: A bid from Chenango Sales, Greene NY for a new F550 4x4 including plow, dump body and sander, crew cab was bid in at \$65,955.; the bid will be valid for 30 days from the date on the letter of July 14th. The Board discussed how this truck, if purchased, would be paid for. It was decided to table further discussion until the Budget workshop on August 8th. How much CHIPS money will be left after the summer work? It is a State bid.

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3.) Town lawn tractor: no bids, and no further action.

There was no other business to come before the Board. Supervisor Heisler declared the meeting adjourned at 8:27pm. The next meeting will be a budget work shop on August 8th @6:30pm.

Alison B. Owens

Smithville Town Clerk