

Minutes of the Smithville Town Board
February 20, 2017

OPENING by Deputy Supervisor Karl Ludwig 6:23PM

ROLL CALL/PLEDGE:

Board members:

Karl Ludwig, Deputy Supervisor

Also Present: Alison Owens, Town Clerk

John Cammarata

Bob Whitmore

Tracy Oliver, Hwy Sup't

Tom Pollard

Gloria Micha, Assessor

Supervisor Heisler by audio for a portion of the meeting

LATE ADDITIONS/DELETIONS/REMARKS:

Adding NB2 Town Fee Schedule for 2017 and

OB6 New information on the DEC fishing access along 5 Streams, next to Town Barn property

CORRESPONDENCE

6:40PM

C1) Letter from Assoc of Towns re: NYS Government mandates for AIM funding and consolidation of Town governments

C2) check donation to the Town of Smithville from S. Chenango Antique Tractor Club.

C3) Chenango County Code Inspection report of the Community Center. There were 2 items needing attention. Town Clerk Owens will fill out a maintenance form to give to the Groundskeeper

NEW BUSINESS

6:45PM

NB1) Cowles Cemetery: possible re-opening. Cowles Cemetery has had 3 burials in it over the last 20 years. Town Law, sec. 291 provides that the Town has title and maintenance obligations to the cemetery property if a cemetery or burial ground has been used for the space of 14 years, to be acted upon by the Town Board. The most recent burial was this month where the current owner of the surrounding property arranged for the digging of the grave. In 2015/16 the Cemetery was cleaned up as an Eagle Scout project. The Cemetery has its own tax map # but there is no deed. The owner of the surrounding property has in his deed "excepting and reserving thereon the burying ground upon said premises containing about 1 ½ to 2 acres of land, more or less." There was considerable discussion on the topic but the Board in the following Resolution decided to table further discussion and/or action until the March or April meeting pending further information, legal discussion and opinion with the Attorney for the Town and relatives of people buried in the cemetery.

RESOLUTION # 4 (2017): TABLE DISCUSSION ON COWLES CEMETERY

On a motion by Councilman Camarrata, 2ND by Councilman Pollard, the following Resolution was ADOPTED.

AYES: Ludwig, Cammarata, Pollard, Whitmore, Heisler (by audio vote)

NAYES: 0

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ABSENT: 0

RESOLVED to table discussion on Cowles Cemetery until March or April to give time for Supervisor Heisler to interact with the Town Att'y and relatives of those buried in the Cemetery.

It was also mentioned that the Eagle Scout in charge of the clean-up project at the Cowles Cemetery never did return and report to the Town Board on the conclusion of his Eagle project.

NB2) Town Fee Schedule for 2017. Board members reviewed the 2016 Town Fee Schedule and discussed whether the cost of items should be changed. After some discussion the following items were changed:

- 1.) Sewage Treatment System Application fee from \$35.00 to \$40.00
- 2.) Dog Impoundment Fee: changed from a tier rating to \$85.00 per violation.
- 3.) Where faxing is used: a \$1.00 charge for a cover sheet, if one is needed, will be included

The following Resolution was drawn up:

RESOLUTION # 5 (2017): ADOPT 2017 TOWN FEE SCHEDULE

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

AYES: Ludwig, Cammarata, Pollard, Whitmore, Heisler (by audio vote)
NAYES: 0
ABSENT: 0

RESOLVED to adopt the 2017 Town Fee Schedule with the following changes: raise the fee for a septic application to \$40.00, change the Dog Impoundment fee to a straight per violation charge of \$85.00, a \$1.00 charge for a cover sheet (if needed) for a fax.

Additionally it was suggested to review/compare charges from other municipalities and make Smithville fees similar in 2018.

OLD BUSINESS (UPDATES IF ANY)

7:30PM

OB1) Information on speed limit signs for hamlet: These were ordered, have arrived, are being stored in the Town Barn and will be installed in the spring. They are # 23 on the General Warrant this month.

OB2) Status of the Communications Tower: still waiting on Curtis Engleman (Tri-County) to put the base on the Town Barn. All of the work has to be coordinated for the same day with all of the different factions involved.

Radio is in the new p/u truck which has been delivered to the Town Barn

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OB3) Public Parking: Supervisor Heisler met with Seeber's Tavern owner Chris Fiene who recognizes the problem. Filling in a ditch on Round Pond Rd was suggested but not feasible. There was no further discussion.

OB4) Toshiba Copier information: consider Resolution to lease new copier. As discussed last month, the Toshiba contract is up in March 2017. Toshiba has offered 2 options for a replacement: a similar model to the one leased now only newer, and a color option. The color option would be more expensive than purchasing cartridges for the smaller color printer in the Town Clerk's office. The original decision from last month is the Town will contract for the similar E-Studio 3008a Toshiba @ \$75.00 p/m + the embedded OCT Enabler License for \$11.00. The following Resolution was made:

RESOLUTION # 6 (2017): CONTRACT WITH TOSHIBA FOR A 63 MONTH LEASE FOR E-STUDIO 3008A

On a motion by Councilman Pollard, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

AYES: Ludwig, Cammarata, Pollard, Whitmore, Heisler (by audio vote)
NAYES: 0
ABSENT: 0

RESOLVED to contract with Toshiba Copiers for a 63 month lease for an E-Studio 3008a for \$75.00 p/m with the embedded OCT Enabler License for an additional \$11.00 p/m.

OB5) further discussion of bill from Mirabito for \$178. for pumping out/removing propane tank @ CC. Supervisor Heisler was not able to make contact with the appropriate person at Mirabito before leaving. Councilman Whitmore said there should be no fee for pumping out the tank. Supervisor Heisler will make an effort to re-open the discussion with Mirabito when he returns next week.

Pollard suggested in the bid for this year that wording be put in the ad to refrain from filling the tanks after a certain date. The remainder of any discussion will be held at the next meeting.

OB6) **DEC FISHING ACCESS**, new information received just prior to the Board meeting included 6 corrected copies of the fishing rights easement and footpath over Town (and then subsequently private property) at a purchase offer price of \$4,300. This will include a 33' parking access along State Hwy 220 and a 10' wide path along Strong's Brook. After some discussion of the parking area, Board members were in agreement with signing the proposal.

RESOLUTION # 7 (2017): ACCEPT THE DEC FISHING ACCESS PROPOSAL ALONG STRONG'S BROOK FOR \$4300.

On a motion by Councilman Pollard, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

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AYES: Ludwig, Cammarata, Pollard, Whitmore, Heisler (by audio vote)
NAYES: 0
ABSENT: 0

RESOLVED to accept the DEC fishing access proposal of a 10' wide Easement along Strong's Brook and a 33' parking access along State Hwy 220 at a purchase price of \$4300.

Deputy Supervisor Karl Ludwig will sign the required documents and Town Clerk Owens will return them to the DEC with a copy of the above Resolution.

REPORTS 8:30 PM

R1.) Highway: report submitted. Much of the equipment has had problems. New pick up truck has been delivered and is being used. CHIPS \$ has not yet been received.

R2.) Assessor: report submitted. Assessor Micha is planning on resigning shortly and would like to see the Town be in active pursuit of a new Assessor. According to NYS law she cannot submit her official resignation until 30 days prior to the actual date and not before. The Town will move forward with accepting applicants for the position of Assessor.

RESOLUTION # 8 (2017): ADVERTISE IN THE CHENANGO AMERICAN FOR ASSESSOR POSITION

On a motion by Councilman Pollard, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

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

RESOLVED to advertise in the Chenango American for applicants for the position of Assessor with an anticipated start date of April 1, 2017

Reevaluation data is still being entered from properties in the Town.

R3.) Enforcement Officer: no report submitted County: report not submitted

R4.) Planning Board: no report submitted, minutes available on Town website

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. The Town Clerk's computer has still been having issues and is currently at the repair shop in Greene. The new Epson printer does not

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communicate with the laptop, probably because of the laptop's older technology. The laptop has also had difficulty communicating with the Toshiba from time to time. A tech from Toshiba adjusted the firmware on the copier last week.

R11) vacant

R12) Supervisor's Report: report submitted.

SAM Grant is still being worked on and requested documentation has been emailed in. The Supervisor will transfer \$ from General Savings to General Checking and then into contingency A1990.4 to pay for the speed limit signs.

A motion to accept the Supervisor's report was made by Councilman Cammarata, 2nd by Councilman Whitmore. All 4 Board members: Cammarata, Pollard, Whitmore and Ludwig were in favor, motion carried.

MINUTES APPROVAL for January 16, 2017

8:52PM

The minutes of the January 16, 2017 meeting were reviewed. A motion to accept these minutes was made by Councilman Whitmore, 2nd by Councilman Ludwig. Three Board members were in favor: Whitmore, Ludwig and Heisler (by audio) 2 members abstained: Cammarata and Pollard. Motion carried.

WARRANTS

8:55PM

General Warrant # 2, Vouchers # 10-26, in the amount of \$10980.80 were reviewed for payment. A motion to pay these claims was made by Councilman Cammarata, 2nd by Councilman Pollard. All 4 Board members: Cammarata, Pollard, Whitmore and Ludwig were in favor, Heisler absent, motion carried

Highway Warrant # 2, Vouchers # 20-40, in the amount \$15,671.35 were reviewed for payment. A motion to pay these claims was made by Councilman Cammarata, 2nd by Councilman Pollard. All 4 Board members: Cammarata, Pollard, Whitmore and Ludwig were in favor, Heisler absent, motion carried

There was no other business to come before the Board. Deputy Supervisor Ludwig declared the meeting adjourned @ 9:09pm

Alison B. Owens

Smithville Town Clerk