

Minutes of the Smithville Town Board  
October 16, 2017

Public Hearing for Road Use Local Law, Seasonal/Snowmobile Roads, Genegantslet and Smithville  
Center Fire District Budget contracts for 2018, Town of Smithville Budget 2018

OPENING of Town Board meeting by Supervisor Fred Heisler 6:28PM  
ROLL CALL/PLEDGE:

ATTENDANCE in addition to Supervisor Heisler:

Councilman Tom Pollard  
Councilman Karl Ludwig  
Councilman Bob Whitmore

ALSO:

Alison Owens, Town Clerk  
Tracy Oliver, Hwy Sup't  
Bob Brooks, Mike Evans for Planning Board  
Mike Harrington, resident  
Kathy McLaughlin, Deputy Town Clerk  
Jackie Centerwall, Co-chair of Planning Board  
Jeff Lowe, Assessor

Absent: Councilman John Cammarata

For continuity, the minutes of the meeting do not reflect the order from the agenda.

**PUBLIC HEARINGS:**

- 1.) The Public Hearing for the proposed **Road Use Local Law** was declared OPEN at 6:30pm by Supervisor Heisler. Town Clerk Owens read the legal ad as advertised in the Chenango American. There were no comments. Supervisor Heisler declared the Public Hearing closed at 6:32pm.
- 2.) The Public Hearing for **Snowmobile Roads** was declared OPEN by Supervisor Heisler at 6:50pm. Town Clerk Owens read the legal ad as advertised in the Chenango American. There were no comments. Supervisor Heisler declared the Public Hearing closed at 6:51pm.
- 3.) The Public Hearing for **Seasonal Roads** was declared OPEN by Supervisor Heisler at 6:55pm. Town Clerk Owens read the legal ad as advertised in the Chenango American. There were no comments. Supervisor Heisler declared the Public Hearing closed at 6:55pm.
- 4.) The Public Hearing for the **Genegantslet Fire District Budget** contract was declared OPEN by Supervisor Heisler at 7:01pm. Town Clerk Owens read the legal ad as advertised in the Chenango American. The amount of the budget was increased \$300 over last year for a total of \$87,985.00. There was no Public comment. Supervisor Heisler declared the Public Hearing closed at 7:02pm.
- 5.) The Public Hearing for the **Smithville Center Fire District Budget** contract was declared OPEN at 7:05pm by Supervisor Heisler. The amount of the budget was increased \$200 over last year for a total of \$10,500. Town Clerk Owens read the legal ad as advertised in the Chenango

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American. There were no comments. Supervisor Heisler declared the Public Hearing closed at 7:05pm.

- 6.) The Public Hearing for the Town of Smithville **Preliminary 2018 Town Budget** was declared OPEN at 7:10pm by Supervisor Heisler. Supervisor Heisler mentioned that the Town, as are all municipalities in New York State, has been under a less than 2% tax cap for the last several years. Town Clerk Owens read the legal ad as advertised in the Chenango American. There were no Public comments. Supervisor Heisler declared the Public Hearing closed at 7:12pm.

ACTION ON PUBLIC HEARINGS (OB 3,4,5)

**ROAD USE LOCAL LAW**

Supervisor Heisler asked Board members for comments/action on the proposed Road Use Local Law. Board members were in favor of moving to approve adoption of the proposed Road Use Local Law to become Local Law # 1 2017 in the Town of Smithville.

**RESOLUTION # 27 (2017): ADOPT PROPOSED ROAD USE LOCAL LAW (# 1, 2017)**

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

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

RESOLVED to adopt the proposed Road Use Local Law to become Local Law # 1, 2017. Such Local Law will become effective upon filing with the Secretary of State. Such Local Law restricts usage of Town of Smithville roads and requires a permit for certain activities and enforces penalties if not adhered to.

**APPROVAL OF SNOWMOBILE/SEASONAL ROADS**

**RESOLUTION # 28 (2017): APPROVE THE 2017/2018 LIST OF SEASONAL/SNOWMOBILE ROADS**

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

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

RESOLVED to approve the 2017/18 list of Seasonal and Snowmobile roads

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**ADOPTION OF Preliminary 2018 TO FINAL BUDGET**

**RESOLUTION # 29 (2017): APPROVE THE 2018 PRELIMINARY BUDGET AS THE FINAL ADOPTED  
BUDGET FOR 2018**

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

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

RESOLVED to adopt the 2018 Preliminary Budget as the final Budget for 2018.

**\*\*DISCUSSION:** request NYSDOT safety survey on State Hwy 41 near intersect w/Round Pond Rd.\*\*

Comments from resident Mike Harrington included his recommendation to eliminate parking spaces in front of the apartment building across from Seeber’s Tavern as there is no site distance for people coming down Round Pond and turning onto State Hwy 41. Concerns were also expressed about some of the drivers on Round Pond Rd being Senior Citizens and youth drivers. This problem was previously addressed many years ago but resulted in no action. Mr. Harrington does not have a problem with “motorcycle parking only”.

Councilman Pollard suggested to further restrict parking on Water St. as well

Supervisor Heisler said it would be the responsibility of the Board to request a **safety survey** of NYSDOT. With the Bridge replacement coming in next year, it would be advisable to move forward with the request.

Councilman Pollard would like to incorporate Water St. in the review as well and asked who should be contacted to conduct such a survey.

**RESOLUTION # 30 (2017): REQUEST A NYSDOT SAFETY SURVEY OF STATE HWY 41 IN HAMLET**

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

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

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RESOLVED to request a Safety Survey of NYSDOT of the entire section State Hwy 41 within the hamlet boundaries.

It was also recommended Hwy Sup't Oliver contact Chenango County Director of Public Works Shawn Fry to see what the safety procedure would be for Town streets.

CORRESPONDENCE

C1) change to the spelling of Collyer Rd is official. Hwy Supt Oliver has ordered the change in spelling for the signs. A courtesy letter will be sent to residents informing them of the spelling change.

C2) SAM Grant reimbursement confirmation letter was read by Supervisor Heisler.

C3) Consider request for budgeted \$300. funds for Children's Christmas party made by Mindy Eldred of the Smithville Valley Grange. Board members were ok with moving forward with a Resolution supporting the disbursement.

**RESOLUTION # 31 (2017): DISBURSEMENT OF \$300. TO GRANGE FOR CHILDREN'S CHRISTMAS PARTY**

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

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

NEW BUSINESS 7:55PM  
NB1) proposal for Linux system for Town Offices: this was tabled

OLD BUSINESS (UPDATES IF ANY) 7:52PM

OB1) Cowles Cemetery update: no new information  
OB2) LUCA (Local Update of Census Address). No more information  
OB3-5) addressed previously  
OB6) Sentry Alarms next month

REPORTS 8:25PM

R1.) Highway: report submitted:

- Worked on Echo Lake and Seasonal Rds.
- Most ditching done
- Turn around done on Waldon Rd.

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- Need a few more ordinance signs
- Hearing tests passed
- Tire blown on grader
- Still interviewing candidates for open position in Highway
- FEMA \$ still out in the investigative stage

R2.) Assessor: no report submitted. Updated building permits for the last 3 years. Assessor will be coming in on Thursdays and updating inventory on Mondays.

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

R4.) Planning Board: report submitted. The Planning Board clerk will be leaving at the end of the year

R5.) DCO: no report submitted

R6.) Attorney: no report submitted

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee/Eagle Scout project: no report submitted. Town Clerk Owens reported the Scout's Fund raising efforts right now with bake sales and lasagna dinners.

R10) Town Clerk: report submitted and discussed. Historical Society and Town Historian held exhibit in the Community Center on Saturday, along with the Eagle Scout project bake sale fund raiser. There will be an Historical Society Annual meeting on Nov. 10<sup>th</sup> @ 6:30pm with a program following.

R11) vacant

R12) Supervisor's Report: report submitted. CHIPS monies will be reimbursed shortly. Still some remaining work at the Town Barn to do and then will re-submit to SAM Grant for reimbursement.

A motion to accept the Supervisor's report was made by Councilman Ludwig, 2<sup>nd</sup> by Councilman Pollard. All four Board members: Ludwig, Pollard, Whitmore and Heisler in favor, motion carried. Councilman Cammarata absent.

MINUTES APPROVAL for Sept. 18, 2017

7:42PM

The minutes of the Sept. 18<sup>th</sup> were reviewed. A motion to accept these minutes was made by Councilman Whitmore, 2<sup>nd</sup> by Supervisor Heisler. Three Board members: Pollard, Whitmore and Heisler in favor, motion carried. Councilman Cammarata absent, Councilman Ludwig abstained.

#### WARRANTS

General Warrant # 10, Claims # 115-129, in the amount of \$ 1716.52 were presented for payment.

After review, a motion to accept and pay these claims was made by Councilman Pollard, 2<sup>nd</sup> by Councilman Ludwig. All four Board members: Ludwig, Pollard, Whitmore and Heisler in favor, motion carried. Councilman Cammarata absent.

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Highway Warrant # 10, Claims # 145-151 in the amount of \$38,469.63 were presented for payment. Claim # 145, 146 were previously approved by phone call to Board members. A motion to accept and pay the remaining claims 147-151 was made by Councilman Pollard, 2<sup>nd</sup> by Councilman Ludwig. All four Board members: Ludwig, Pollard, Whitmore and Heisler in favor, motion carried. Councilman Cammarata absent.

There was no other business to come before the Board. The next meeting is November 20<sup>th</sup>. Supervisor Heisler declared the meeting adjourned @ 7:55pm.

Alison B. Owens

Smithville Town Clerk