

Minutes of the Smithville Town Board
September 16, 2019

OPENING of Town Board meeting by Supervisor Heisler 6:30PM
ROLL CALL/PLEDGE/LATE ADDITIONS: NB3 and NB4 added to the agenda; resident Melanie Cole

ATTENDANCE in addition to Supervisor Heisler:

Councilman Mike Evans
Councilman Bob Whitmore
Councilman John Cammarata
Councilman Karl Ludwig,

ALSO:
Alison Owens, Town Clerk
Vince Witkowski, Hwy Sup't; Jeff Lowe, Assessor
Angelo Cioffi, BAR
Resident Melani Cole

Melanie Cole from Kinsman Rd addressed the Board and the Highway Superintendent regarding hot oil (dust oil) treatment on her road next year. Calcium Chloride was applied and it has not as effective as the dust oil. Keeps windows, doors closed, cannot hang laundry out.

Traffic on Kinsmann Rd has increased over the past few years.

Hwy Sup't Witkowski: dust oil is not reimbursed by CHIPS. Yes, it gets plowed off but the calcium chloride road surface hardens and helps each year it is applied. In the long run it will make a better hard top road. Also, the calcium chloride is reimbursed by CHIPS.

REPORT BY EAGLE SCOUT CANDIDATE KYLE ELDRED

6:35PM,

The Eagle project involving the playground has been completed. The old playground was torn down last fall and the new one was put up starting in May this year. The old one was in disrepair, parts were hard to get, and it was graffiti encrusted. Wood chips were used instead of tire pieces as they are more earth friendly. An Open House will be held Oct 12th from 1-3pm for the playground. Board members were appreciative of Kyle's project efforts.

PUBLIC HEARING ON PROPOSED ROAD PRESERVATION LOCAL LAW

6:40PM

Town Clerk Owens read the legal ad as it appeared in the Evening Sun and Supervisor Heisler declared the Road Preservation Local Law Public Hearing OPEN. There were no comments or questions. Supervisor Heisler declared the Public Hearing closed. Action was tabled until further in the meeting.

CORRESPONDENCE (none)

6:50PM

NEW BUSINESS

6:50PM

NB1) consider appointment of Jeff Lowe Assessor for a 5 yr term Oct. 1, 2019—Sept 30, 2023

RESOLUTION # 41 (2019): APPOINT ASSESSOR LOWE TO 5 YR TERM AS SOLE APPOINTED ASSESSOR

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler
NAYES 0

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Resolved to appoint Jeff Lowe as sole appointed Assessor for the Town of Smithville on a 5 yr term from October 1, 2019 through September 30, 2023.

NB2) consider appointment of Jessica Bixby as Custodian for the Town effective Sept. 16, 2019

RESOLUTION # 41 (2019): APPOINT JESSICA BIXBY AS CUSTODIAN FOR THE TOWN OF SMITHVILLE EFFECTIVE SEPT 16, 2019

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler
NAYES 0

Resolved to appoint Jessica Bixby as Custodian for the Town of Smithville effective September 16, 2019. Ms. Bixby will receive an hourly wage of \$11.10 p/h.

NB3) review and consider call for Public Hearing for Snowmobile/Seasonal Rd, Oct. 21st. A list of Seasonal and Snowmobile Roads was reviewed by the Highway Sup't and the Board. Highway Sup't Witkowski had recommended the change of residence on Skillman Hofmann Rd to Robinson's from Seyler's as the Robinson family are now full-time residents of Skillman Hofmann Rd beyond where Seyler's were.

RESOLUTION # 42 (2019): CALL FOR PUBLIC HEARING ON SNOWMOBILE, SEASONAL RDS FOR OCTOBER 21ST

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler
NAYES 0

Resolved to call for a Public Hearing on October 21st for the Seasonal and Snowmobile roads in the Town of Smithville. A modification was made to Skillman Hofmann Rd seasonal road changing the wording of Seyler's driveway to Robinson's driveway.

NB4) consider call for Public Hearing on Genegantslet, Smithville Center 2020 Fire Contracts, Oct. 21st

RESOLUTION # 43 (2019): CALL FOR PUBLIC HEARING ON GENEGANTSLET, SMITHVILLE CENTER FIRE DISTRICT BUDGETS FOR 2020

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

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AYES Ludwig, Cammarata, Evans, Whitmore, Heisler
NAYES 0

Resolved to call for a Public Hearing on October 21st for the Genegantslet and Smithville Center Fire District Budget for 2020. The Budgets were previously submitted.

OLD BUSINESS (UPDATES IF ANY)

7:00PM

OB1) complaint of unkempt properties on Pearl St./Fred Wilcox Rd/
A letter of complaint from the Smithville Historical Society on Pearl St. property was submitted and ready by Supervisor Heisler. Since the Town Code Enforcement Officer was not present, Supervisor Heisler said he would take the letter to the Chenango County Code Enforcement Officer the next day as they have been handling this particular code complaint.

OB2)LED upgrade at the Town Barn, other Town Barn renovations. Nothing has been done on the town barn but the Hwy Sup't is still hoping to use the Highway personnel to help with the renovations. With the roof, it would be best to contract some if not all of it out even though workers would need to be paid prevailing wage. It was suggested to contact either Randy Hay or perhaps Fred Eaton to spec and bid the roof.

OB3) considerations for addition to Community Center (JCAP)

OB4) no new information on street light updates

OB5) consider action on Records Destruction: Town Clerk Owens has received a quote of approximately \$125-\$135 to destroy 550 lbs of unused records she and Deputy Clerks McLaughlin and Buck have purged, catalogued and readied for destruction. The Records Room has been cleaned out and better organized. Roger's Service Center can come to destroy the records on Sept. 30th. The final cost will be calculated at the time of destruction depending of the weight of the records. Board members decided the cost to have a service come and destroy the records outweighed the cost of owning a commercial shredder.

RESOLUTION # 44 (2019):AUTHORIZE SHREDDING OF OUTDATED TOWN RECORDS

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler
NAYES 0

Resolved to authorize shredding of previously catalogued records for destruction and to authorize Roger's Service Center, Binghamton NY to come on Sept. 30th, collect the records labeled as such and to shred them on site. The final cost will be calculated on the scheduled day but is expected to be between \$125-135.

OB6) consider action on the Road Preservation Local Law

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Board members next discussed action on the Road Preservation Local Law. There were still two items of concern, namely the extent of the bond and who should hold it and the application fee which was part of the current Local Law but not part of the newer proposed Local Law.

After much discussion it was decided the contractor should obtain the bond from his insurance company pending an amount determined by the Highway Sup't. The proof of the bond would be held by the Highway Sup't until he cleared the road for normal use. The application fee would be re-inserted into the Local Law, the fee to be determined on an annual basis according to the Town's fee schedule. Town Clerk Owens will make the changes and send them to the Planning Board Chair. Another Public Hearing will need to be held.

Section 3 # 2 "proof of a bond, the amount to be determined by the Highway Sup't depending on the road(s) to be used"

Section 5 "proof of bond and a non-refundable application fee as depicted in the Town of Smithville fee schedule" get wording changed send to Shane.

OB7) no new information from Frontier on support for Mitel system. The system was down for almost 2 days while Frontier did some updates. The problems appear to have self corrected but the system itself is still an annoyance.

Fred called the customer service line who put the Town's concerns in with a repair item # and gave the name of the company who works with repair service. There should be some resolution soon.

OB8) update on Emergency Action Plan: While the County Att'y indicated the EAP was weak in some areas, County 911 administrator Matt Beckwith said the proposed EAP plan does verbalize the chain of command in an emergency situation. The Board decided to go ahead and adopt the plan as submitted.

RESOLUTION # 45 (2019): ADOPT THE EMERGENCY ACTION PLAN AS SUBMITTED BY KEN WHITMORE,
GENEGANTSLET FIRE CHIEF

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

AYES Ludwig, Cammarata, Evans, Whitmore, Heisler
NAYES 0

Resolved to adopt the Emergency Action Plan as submitted by Genegantslet Fire Chief Ken Whitmore.

OB9) update on the Cincinnatus Lake Dam situation. Supervisor Heisler said a letter should be coming from Rick Woidt of the DEC. There is a verbal update on the Long Pond Dam where repairs are now being done. Supervisor Heisler was told that being downstream will not be helpful to the Town of Smithville

A Land Use agreement for Town land next to Post Office was brought up. This property has been considered as a place for Senior Housing but Supervisor Heisler said he would like to see a plan first before giving permission

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to a land use permit. A long term lease to build Sr. Housing project was discussed. What would be the best use for the property? It would perhaps be better to sell the land so the Town would not be liable.

REPORTS

7:30PM

R1.) Highway: reportsubmitted.

- 80% of roads mowed
- Changed cams on '02 International so it would pass inspection
- Doosan should be gone in the next couple of days
- Missing road and yield signs, also "welcome to town" and "permits required". Need some additional signs but can wait until next year to purchase

R2) Assessor:reportsubmitted. Several people concerned about their school tax bill, in response not only to the removal of the wooded farmlands exemption, but to the excessive amount of taxes to be paid. Is still working with people and with the NYS system.

R3.) Enforcement Officer:

R4.) Planning Board:August and September minutes available

R5.) DCO: no report submitted.

R6.) Attorney: no report submitted. Comments about Road Preservation Local Law Public Hearing: any ministerial changes to the current proposed Local Law will not require a new Public Hearing; any fundamental changes such as fee adoption will change the proposed Local Law and there should be a new Public Hearing.

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee/Eagle Scout project:Open House/Dedication planned for October 12th.

R10) Town Clerk: report submitted.

R11) vacant

R12) Supervisor's Report: submitted

- Budget is close to Tentative status but a problem developed with the Oxford Fire District which sent the Town a proposed budget with a 21.9% increase. A letter from Supervisor Heisler is being sent to the Oxford Fire District saying that Smithville will not sign the proposed budget as is. Councilman Whitmore said the Town can do nothing and because of Mutual Aid, Oxford still has to respond to calls. The Town of Smithville can say they are in negotiations. Councilman Whitmore also feels the Town should not be in a 5 year contract with Oxford, but to try and contract with another fire district would be problematic. The Town of Preston gets serviced 85% of the time by ambulances from Norwich or alternative ambulance service. It was also mentioned the Greene ambulance service answers many of Oxford's calls. Board members said Supervisor Heisler should go ahead and mail the letter to Oxford. Supervisor Heisler will finish preparing the Tentative Budget and will file it with the Town Clerk by the Sept 30th deadline.
- Sales Tax revenue is strong this year. Next revenue check will be in November and will cover the negative balance in the Highway.
- Mirabito will sell the propane tanks on town property for \$500.Ea. They do not have the current fuel contract and there always seems to be a problem when tanks have to be switched each year due to awarding of fuel contracts.

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RESOLUTION # 46 (2019):PURCHASE CURRENT PROPANE TANKS FROM MIRABITO FOR \$500 EA.

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

AYES Ludwig, Cammarata, Evans, Heisler
NAYES 0
ABSTAIN Whitmore

Resolved to authorize purchase of the 2 current Mirabito propane tanks on Town property from Mirabito for \$500. Ea. They can then be used continuously for propane refill by any annual contracting company.

A motion to accept the Supervisor's report was made by Councilman Evans, 2nd by Councilman Cammarata. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

MINUTES APPROVAL for August 19th

8:29PM

The minutes of the August 19th meeting were reviewed. A motion to approve the minutes was made by Councilman Whitmore, 2nd by Councilman Cammarata. Four Board members: Cammarata, Evans, Whitmore and Heisler were in favor, motion carried. Councilman Ludwig abstained

WARRANTS

8:05PM

General Warrant # 9, Vouchers # 109-119, in the amount of \$2,651.26 were reviewed for payment. A motion to pay these claims was made by Councilman Ludwig, 2nd by Councilman Whitmore. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

Highway Warrant # 9, Vouchers # 107-117, in the amount of \$10,094.24 were reviewed for payment. Claim # 111 to Cook Brother was actually \$2622.28, changing the final amount of the warrant to \$10,004.02. A motion was made by Councilman Whitmore, 2nd by Councilman Evans to pay these claims with the change made to # 111 Cook Bros. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

It was decided Nov. 7th would be the date for the Public Hearing for the 2020 Preliminary Budget.

OTHER:

8:20PM

There was no other business to come before the Board

CLOSE

by Supervisor Heisler @

8:37PM

Alison B. Owens

Smithville Town Clerk