

MINUTES OF THE SMITHVILLE TOWN BOARD  
August 16, 2010

The regular meeting of the Smithville Town Board was called to order at 6:01pm by Supervisor Allan Johnson. Present were the following:

Supervisor Allan Johnson  
Board members:  
Elizabeth Vanderweyde  
Charles Schultes

Town Clerk Alison Owens  
Bruce Braman, Town Justice  
Bruce Kinney, Hwy Supt. (arrived at 6:35pm)  
Enforcement Officer Neal Root

Absent Board members:  
Holly Mohr  
Roger Connelly

Also: Bob & Jane Whitmore  
Janice Fiene  
BarbaraAnn Whitmore  
Richard Buckley

ADDITIONS/DELETIONS: C8, NB3 letter to Board from Bookkeeper Virginia Smith

CORRESPONDENCE

C1: additional insurance premium for excavator equipment of \$107.

C2: Final report from Car Cruise organizers @ Smithville Day 2010. Board member Vanderweyde commented the group did not seem receptive to working with the original idea of Smithville Day and appeared to want to turn the event into an extension of the Greene Car Cruise.

C3: Letter from Seebers Tavern to Justice Lenga/Town Board of Smithville

C4: Final Equalization rate of 63.58 established for the Town of Smithville

C5: Town of Barker Resolution re: horizontal fracking. The Town of Barker sent to the Town of Smithville a copy of the Resolution they enacted with regard to horizontal fracking. The Town of Barker is in favor of the horizontal fracking. There was no desire on the part of the Board to take a similar response or action.

C6: NYS Retirement payment estimate for 2011: December payment \$23,355. or February 2011 payment \$23,581. If the Town chooses to pay in December, about \$200. will be saved.

C7: Notification of a Level 3 Sex Offender living in the Town of Smithville has been identified.

C8. A letter from the NYS Worker's Comp. Board has notified the Town that a hearing has been scheduled for former employee Martin Nowalk.

**NB1: Proposed Local Law for Flood Damage Prevention**

The Town must adopt a legally enforcing Local Law for flood plain administration. The Planning Board of Chenango County has provided a template which can be used by the Towns in the County. The Local Law must be in place by November 26, 2010. The Town has already, by Resolution, authorized a County Code Enforcement representative to handle signing off on any building permit requests originating from Smithville. The County draft copy includes a \$25.00 signature fee for the Code Enforcement rep to sign the application indicating the property does not lie within a Flood Zone. Supervisor Johnson recommends the Town of Smithville's Local Law be modeled based on the County's draft. By August 26<sup>th</sup> each Municipality is supposed to have a draft of this Local Law on file. The following Resolution was brought forth:



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**RESOLUTION # 19 (2010): AUTHORIZING STANDARD WORKDAY FOR TOWN EMPLOYEES IN NYS RETIREMENT SYSTEM**

**ADOPTED**, the full copy of the RESOLUTION inserted as page 3A in the minutes of August 16, 2010

MINUTES

The minutes of the July 19<sup>th</sup> meeting and the Public Hearing for Noise Control were reviewed by the Board. A motion to accept the minutes of both meetings was made by Councilwoman Vanderweyde, 2<sup>nd</sup> by Councilman Schultes. All three Board members present, Vanderweyde, Schultes, Johnson were in favor, motion carried. Board members Connelly and Mohr were absent.

REPORTS

- R1 Planning Board: no report
- R2 Assessor: no report
- R3 Enforcement Officer: no report until next month
- R4 Justice: no report. Town Clerk Owens mentioned the JCAP grant applications should be available soon. An air conditioner might be considered for the Court Room.
- R5 DCO: 2 reports submitted, one for June and one for July
- R6 Attorney: report submitted
- R7 Smithville Day Committee: report submitted
- R8 Community Center: no report
- R9 Playground Committee: the **old lawn tractor has been re-conditioned and is ready for sale**. Councilman Schultes and Highway Sup't Kinney have said it could probably be sold for \$400. Supervisor Johnson will ask Groundskeeper Keith Sabin if a potential buyer would want to pay that much for it.
- R10 Town Clerk: report submitted. Town Clerk Owens referred to her report for issues with the up and coming dog license changes. She has also asked to be reimbursed for mileage to attend 3 immediate meetings with regard to dogs. One has taken place in Norwich with other Chenango County Town Clerks, another is a BAS meeting Aug. 23<sup>rd</sup> in Vestal, and the third is another meeting of the Chenango County Clerks Aug. 26<sup>th</sup>. The following Resolution was brought forth:

**RESOLUTION # 20: REIMBURSE TOWN CLERK OWENS FOR MILEAGE TO ATTEND MEETINGS**

On a motion by Councilwoman Vanderweyde, 2<sup>nd</sup> by Councilman Schultes, the following Resolution was

ADOPTED

AYES: Schultes, Vanderweyde, Johnson

NAYES: 0

ABSENT: Mohr, Connelly

RESOLVED to reimburse Town Clerk Owens for mileage for attendance at 3 Town Clerk meetings in regard to dogs.

Town Clerk Owens has been notified of a sale on Hammermill CopyPlus paper @ \$30. per case at Quill.com. This is a savings of approx. \$12.00 per case. The sale is only good for 48 hours but the bill would come due before the next meeting. Town Clerk Owens is requesting to pay the bill when it comes to avoid a finance charge by paying it late, after the next Board meeting. Two cases will be ordered. The following Resolution was brought forth.

August 16, 2010

**RESOLUTION AUTHORIZING ADOPTION OF STANDARD WORK DAYS  
FOR TOWN OF SMITHVILLE ELECTED AND APPOINTED OFFICIALS  
PARTICIPATING IN THE NEW YORK STATE AND LOCAL EMPLOYEES'  
RETIREMENT SYSTEM**

RESOLVED, that the Town of Smithville Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

<b>TITLE</b>	<b>NAME</b>	<b>STD. HRS./ DAY</b>	<b>TERM</b>	<b>USE TIME KEEPING</b>	<b>DAYS/MO BASED ON</b>
<b>Elected Officials</b>					
Town Clerk	Alison Owens	6	01/01/10 thru 12/31/11	No	21
Highway Superintendent	Bruce Kinney	6	01/01/10 thru 12/31/11	No	20
<b>Appointed Officials</b>					
Assessor	Keith Kline	6	01/01/10 thru 12/31/11	No	12

Motion made by: Allan I. Johnson  
Seconded by: Charles Schultes

Vote:

Elizabeth Vanderwayde	Board Member	Aye
Charles Schultes	Board Member	Aye
Holly Mohr	Board Member	Absent
Roger Connelly	Board Member	Absent
Allan I. Johnson	Town Supervisor	Aye

