

MINUTES OF THE SMITHVILLE TOWN BOARD  
JUNE 21, 2010

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

Supervisor Allan Johnson  
Board members:  
Charles Schultes  
Holly Mohr  
Elizabeth Vanderweyde  
Roger Connelly  
Town Clerk Alison Owens

Planning Board members:  
Milly Auwarter  
Bob Brooks  
Doug Garnar  
Jackie Centerwall  
Justices Bruce Braman and Bill Lenga  
Smithville Day Committee Chair BarbaraAnn Whitmore

There were no additions or deletions.

**CORRESPONDENCE**

C1: Angelo Cioffi: statement of intent to serve on the Planning Board. Supervisor Johnson contacted the Assoc. of Towns for advice on whether a Town property owner who is not a local resident can serve on the Planning Board. The Assoc. of Towns Att’y says a PB member is an officer who is supposed to be an elector (one who votes at the Town level). Until Mr. Cioffi is a full time resident, registered to vote in the Town of Smithville, he would not be able to serve on the Planning Board. Milly Auwarter will continue to serve through September.

C2. PERMA Compensation letter re: Ray Root received.

**NEW BUSINESS**

NB1: Tobacco Free Chenango: would like to see Towns declare parks, etc. tobacco free. Board members decided not to pursue this.

**OLD BUSINESS** (updates since last meeting)

OB1: Playground septic. No new information from the Bottle Playground Committee. Enforcement Officer Neal Root has said Chenango County will need to be involved in the septic application. The matter has been put on hold for the time being.

**OB2: Noise Control Local Law:** Supervisor Johnson asked the Board what their feeling was with regard to the proposed Noise Control Local Law. He felt something should be put in place and Board members were in agreement. After some discussion it was decided the current proposed law would be used as is. The next step would be a Public Hearing. It was proposed to have the Public Hearing before the next Town Board meeting on July 19<sup>th</sup> at 5PM, followed by the regular Town Board meeting. This was put to RESOLUTION.

**RESOLUTION # 14 (2010): PUBLIC HEARING JULY 19<sup>TH</sup> 5PM FOR NOISE CONTROL LOCAL LAW**

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

ADOPTED

AYES: Schultes, Mohr, Vanderweyde, Connelly, Johnson  
NAYES: 0



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R4.) Justice: quarterly report summary of \$875.00 has been noted.

Both Justice Braman and Lenga were in attendance and asked the Board to consider hiring a Court Clerk to help with the tremendous load of computer/paperwork mandated by NYS. Both Justices are spending a considerable amount of time doing the paperwork supposed to be done by the Clerk. A Clerk is also needed to handle the fines coming in to the Court as the Justices are no longer supposed to handle the monies. Monies will shortly be required to be turned over to the Town Clerk instead of being sent in to NYS.

Both Justices also spoke of the need for a larger office to handle the volume of Court cases, better accessibility for office equipment and to maintain proper "records management" for the Court. Currently, there is too much distance between the Court room, the computer and the copier. The Town Records room is full to overflowing. The Justices recommended an addition to the west side of the current Town Clerk's office which could house a small Court room and the necessary space for Justices offices and a Records room. The addition can have its own entrance and a handicapped restroom. Mandates for separate Court housing may be coming from Albany at some point. JCAP funds have used by other Towns to build Court room additions.

R5.) DCO: report submitted

R6.) Attorney: report submitted

R7.) Smithville Day Committee closing report: the military was pleased and would like to return next year. A full report will not be available until 6/22/2010.

R8.) Community Center: a 2<sup>nd</sup> key fob was made for Community Center/Pavilion rental when both units are rented at the same time.

R9.) Playground Committee: no report

R10) Town Clerk, Tax Collector: reports submitted. The taxes have been returned to Chenango County. The Tax Collector accounts have been balanced to 0.

R11) Highway: report submitted: recommended to sell the parts Gradall to Coventry for \$2500. TB said to talk about selling both and suggested putting them both out to bid. This needs additional clarification before making a decision.

R12) Supervisor's Report: report submitted. A motion to accept the Supervisor's report was made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Vanderweyde; All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

### **GENERAL WARRANT**

General Warrant #6, Vouchers # 87-102, was submitted for payment. After some discussion a motion was made by Councilman Connelly, 2<sup>nd</sup> by Councilman Schultes to accept and pay these bills. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

### **HIGHWAY WARRANT**

Highway Warrant # 6, Vouchers # 81-100, was submitted for payment. After some discussion a motion was made by Councilman Schultes, 2<sup>nd</sup> by Councilman Connelly to accept and pay these bills. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

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**JRC WARRANT**

2 Vouchers were submitted for payment through the JRC account:

To: Al Johnson	\$ 44.00	postage
To: SPST	\$1179.35	printed T-shirts

A motion was made by Councilwoman Vanderweyde, 2<sup>nd</sup> by Councilman Schultes to accept and pay these bills. All five Board members: Schultes, Mohr, Vanderweyde, Connelly and Johnson in favor, motion carried.

**EXECUTIVE SESSION**

A motion was made to go into Executive Session to discuss Union negotiations/contract was made by Councilwoman Mohr, 2<sup>nd</sup> by Councilwoman Vanderweyde. Into Executive Session at 8:28pm.

A motion was made to come out of Executive Session was made by Councilman Schultes, 2<sup>nd</sup> by Councilwoman Vanderweyde. Out of Executive Session at 9:02pm.

There was nothing else to come before the Board. Supervisor Johnson declared the meeting adjourned at 9:02pm. The next meeting is July 19<sup>th</sup>.

Alison B. Owens

Smithville Town Clerk