

Smithville Town Board
Minutes December 20, 2010

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

Board members:
Supervisor Allan Johnson
Charles Schultes
Elizabeth Vanderweyde
Roger Connelly

Other:
Town Clerk Alison Owens
Enforcement Officer Neal Root
Darrin Mills, Playground Committee
Robert Whitmore, Fire Chief

Absent: Board member Holly Mohr

ADDITIONS/DELETIONS:
C6, NB3 added

CORRESPONDENCE

- C1: Mang Insurance: adding insurance to vacant parcel recently purchased
- C2: Unified Court System: assignment of Justice Thomas Hosford (of Preston) to temporarily fill vacancies for Town of Smithville Court
- C3: NYS ACH: direct deposit payment of \$1,942.50. (Justice Fund)
- C4: NYS CHIPS: direct deposit payment of \$ 101,367.50
- C5: Att’y letter to IRS re: new property; additional signature needed
- C6: NYS Workers Comp. Board: Notice of Decision on Martin Nowalk.
- C7: \$4239.00 Mortgage Tax Check received.

NEW BUSINESS

NB1: Resignation of Planning Board member Milly Auwarter.

RESOLUTION # 47: ACCEPT RESIGNATION OF MILLY AUWARTER

On a motion by Councilwoman Vanderweyde, 2n by Councilman Connelly, the following Resolution was ADOPTED.

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

RESOLVED to accept Milly Auwarter’s resignation with regret and deepest thanks for service rendered.

NB2: Introduction of Interim Justice Thomas Hosford; Justice Hosford has been appointed for 6 months and could be re-appointed in the June 2011 for another 6 months. Justice Hosford introduced himself and then addressed the Board concerning the space provided for the Justice to work from. The rolling cart is not acceptable. How would the Town acquire a desk? The Justice will work with Town Clerk Owens to find a suitable desk replacement. The 2011 Budget might allow the Justice personal services fund to be used to purchase a desk. The Justice will issue reports each month for the Board to review.

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NB3. Resolution for Bill Lenga. Councilwoman Elizabeth Vanderweyde read a Resolution thanking Bill Lenga for his 14 years of service to the Town of Smithville. Councilman Connelly 2nd the Resolution.

RESOLUTION # 48: IN SUPPORT OF WILLIAM LENGA, TOWN JUSTICE 1996-2010

It is my honor to propose a unanimous resolution to honor our Justice,

The Honorable William M. Lenga, Jr.

Since his election in 1996, he has consistently upheld his commitment to both excellence and competence by maintaining the highest level of knowledge and expertise in the framework of the law, to which he has dedicated his talent within this community. He has also endeavored to maintain the highest level of integrity in performing the duties of his profession. For his wisdom, his courage, his stamina, and the gift of time he has so willingly shared with this community, we are deeply grateful, and we honor him for his service.

AYES: Schultes, Vanderweyde, Connelly, Johnson

NAYES: 0

ABSENT: Mohr

On a motion by Councilwoman Vanderweyde, 2nd by Councilman Connelly, the following Resolution was ADOPTED.

AYES: Schultes, Vanderweyde, Connelly, Johnson

NAYES: 0

ABSENT: Mohr

RESOLVED---

OLD BUSINESS (updates since last meeting)

OB1: see Other

MINUTES APPROVAL:

The minutes of Nov. 22nd were reviewed. A motion was made by Councilman Connelly, 2nd by Councilwoman Vanderweyde to approve the minutes; all 4 Board members present: Schultes, Vanderweyde, Connelly, Johnson were in favor, Board member Mohr absent; motion passed.

REPORTS

R1.) Planning Board: no report

R2.) Assessor: no report

R3.) Enforcement Officer: submitted. The Enforcement Office has been working with the Playground Committee to set up restrooms in the new storage shed for next spring. County Report: building permits issued was submitted

R4.) Justice (see C3)

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R5.) DCO: no report

R6.) Attorney: additional fee for November on warrant

R7.) Smithville Valley Grange: no report

R8.) Community Center: no report

R9.) Playground Committee: report on septic system, same as R3

R10) Town Clerk: report submitted.

R11) Highway: no report. Due to the Highway Superintendent's injury no report was available. Discussion was centered on who had authority in the Highway Dept. when the Hwy Supt. is out with injury/illness. The contract will be reviewed. The Town Barn furnace has a hole in it and needs to be replaced. It was suggested to call Mirabito's and ask for a quote to replace the furnace. Councilman Connelly will handle these arrangements.

R12) Supervisor's Report: reviewed. A motion was made by Councilwoman Vanderweyde, 2nd by Councilman Schultes. All 4 Board members present: Schultes, Vanderweyde, Connelly, Johnson were in favor, Board member Mohr absent; motion passed.

WARRANTS

General Warrant, vouchers # 178-198 in the amount of \$4331.94 was submitted for payment. A motion was made by Councilman Schultes, 2nd by Council woman Vanderweyde to pay these bills. All 4 Board members present: Schultes, Vanderweyde, Connelly, Johnson were in favor, Board member Mohr absent; motion passed.

The Highway Warrant was not available.

RESOLUTION # 49: AUTHORIZE SUPERVISOR JOHNSON TO PAY YEAR'S END BILLS

On a motion by Councilwoman Vanderweyde, 2nd by Councilman Schultes, the following Resolution was ADOPTED.

AYES: Schultes, Vanderweyde, Connelly, Johnson

NAYES: 0

ABSENT: Mohr

Resolved to give prior authorization for Supervisor Johnson to pay year's end bills.

OTHER: Dog Local Law: Town Board members had reviewed the proposed Local Law and the sample Local Law from the Assoc. of Towns which had a list of specific questions Board members should answer with regard to inclusions in their Municipalities Dog Local Law. Town of Smithville Board members decided on the following points:

- * dog licenses will be issued for 1 year at a time.

- * the fees will be set annually by Resolution and will include the \$3.00/\$1.00 Animal Population Control fee. Proposed fees will not be part of the Local Law [projected to be \$8.50/\$16.50]

- * A replacement tag will cost \$3.00

- * There will be no charge for Service Dogs

- * There will be no Purebred/Kennel licenses

- * The Redemption fee will be \$30. (1st offense); \$40. (2nd offense); \$40. (3rd offense).

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The Board would like to set Jan. 17th as a date for the Public Hearing on this Local Law, but the law should be sent to the Attorney Monaco for his comment before the Public Hearing is advertised.

The following are FYI items:

- 2010 JRC BUDGET
- NYSEG News Releases
- Opportunities for Chenango Well & Septic Placement Program
- Spring Justice Bench class schedule
- Apr 1st-Sept. 30th Mortgage Tax Distribution
- Travel Log for Enforcement Officer

There was no other business to come before the Town Board. The next meeting is the Jan. 4th Organizational meeting. Supervisor Johnson declared the meeting adjourned at 7:47pm.

Alison B. Owens

Smithville Town Clerk