

MINUTES OF THE SMITHVILLE TOWN BOARD

DRAFT

January 17, 2011

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

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

Other:  
Town Clerk Alison Owens  
Robert Whitmore, Fire Chief  
Mindy Eldred, Toby Eldred, Playground Committee  
BarbaraAnn Whitmore  
Melissa Stagnaro, Evening Sun reporter

Absent: Board member Holly Mohr

OPENING:ADDITIONS/DELETIONS 3 correspondence additions

**PUBLIC HEARING FOR DOG LOCAL LAW**

Supervisor Johnson introduced the proposed Local Law # 1 2011 for the Town of Smithville “**Licensing, Identification & Control of Dogs in the Town of Smithville**”. The legal notice advertising the Public Hearing was read by Town Clerk Owens and the Public Hearing was declared open by Supervisor Johnson. There was no Public Comment except to ask what the Law contained. Town Clerk Owens made a copy available to Resident BarbaraAnn Whitmore. Supervisor Johnson declared the Public Hearing closed. Action was deferred to Old Business.

**CORRESPONDENCE**

- C1: Chenango County Board of Supervisors: Notice of Dog Quarantine until Apr. 30, 2011
- C2: Selective Way Insurance: Notice of Conditional Renewal
- C3: notice of bond due from NBT Feb. 10th for the Gradall of \$33,250.97.

**NEW BUSINESS**

NB1: Justice Positions for General Election Nov. 2011. This had been discussed in previous meetings. If the Board would pass a resolution in the near future, one Justice position could be eliminated. This would be done by Permissive Referendum. Supervisor Johnson will check with other Towns to see what the protocol would be. A notice can appear in the paper a month before the anticipated resolution.

The working space situation with the Justice is still pending. One quote for a flexible folding curtain has been received with 2 others anticipated. Another idea considered was to use a computer lock to lock the computer, monitor and printer. A quote from Upstate Office to custom build a combined workspace for the Assessor and the Justice came in at \$1265.

**OLD BUSINESS**

OB1: Dog Local Law: The “effective date” in the Local Law was changed from Jan. 1, 2011 to reflect the date of start to Jan. 18, 2011, after approval of the Local Law. The new Local Law will also need to be filed with the Sec’y of State. Board members brought forth a Resolution to pass the new Local Law.

**RESOLUTION # 4 (2011): APPROVE LOCAL LAW # 1 2011—DOG CONTROL**

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

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

RESOLVED to approve proposed Local Law # 1 2011 “**Licensing, Identification & Control of Dogs in the Town of Smithville**” as it stands, effective January 18, 2011, and upon filing with the Sec’y of State.

An additional Resolution is needed to set the fees for the Local Law as required. Tentative rates of \$8.50 per sprayed/neutered dog and \$15.00 per unsprayed/unneutered dog had been discussed. A Resolution affirming these rates was brought forth:

**RESOLUTION # 5 (2011): SET RATES FOR DOG LICENSES FOR 2011**

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

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

RESOLVED to approve dog license rates for 2011 for the Town of Smithville as follows: \$8.50 per sprayed/neutered dog and \$15.00 per unsprayed/unneutered dog.

The Deputy Highway Sup’t position was again discussed. The Union negotiator has given 3 examples of language used in other Town Union contracts. The Towns of Oxford and Preston have recently appointed a Deputy Highway Sup’t. Supervisor Johnson will check with these Towns to see how they approached the topic.

The new furnace goes into the Town Barn Jan. 18<sup>th</sup>.

MINUTES APPROVAL: The minutes of the December 20, 2010 and January 4, 2011 were available for review. Councilman Connelly asked to have a portion of the January 4<sup>th</sup> minutes corrected to read ½ of his salary was donated to the Genegantselet Fire Co. and ¼ each to the Smithville Historical Society and Smithville Day Committee. A motion to accept the minutes as corrected was made by Councilman Connelly, 2<sup>nd</sup> by Councilwoman Vanderweyde. All four Board members present: Vanderweyde, Schultes, Connelly and Johnson were in favor, motion carried. Councilwoman Mohr absent.

REPORTS

- R1.) Planning Board: no report
- R2.) Assessor: no report
- R3.) Enforcement Officer: no report
- R4.) Justice: no report
- R5.) DCO: has answered 1 call
- R6.) Attorney: no report

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R7.) Smithville Valley Grange: asked again about removing the voting machines. Supervisor Johnson had asked the Highway Sup't to remove the machines but it hasn't been done yet. They also requested availability of a hand truck to move podium. Town Clerk Owens mentioned a hand truck could also be used to move office equipment if needed. It was suggested to price one out, with the Board making the following Resolution.

**RESOLUTION # 6 (2011): AUTHORIZE PURCHASE OF HANDTRUCK**

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

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

RESOLVED to give Supervisor Johnson prior authorization to purchase a handtruck for the Community Center at a cost not to exceed \$100.

R8.) Community Center

R9.) Playground Committee: report submitted; perk test has gone through for a septic for the outside bathrooms; quotes had been obtained but bids will need to be put in for well and septic. Committee Person Darin Mills will write a legal ad for the Chenango American and give a copy to the Town Clerk.

The Committee also asked to see, on a monthly basis, where interest comes in for the Bottle account. Does the \$ from rentals go into the Playground account? Supervisor Johnson replied no, it goes into the General account.

R10) Town Clerk: report submitted

R11) Highway: no report submitted

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

**WARRANTS**

**General Warrant # 1**, Vouchers # 1-10 in the amount of \$2597.43, was submitted for payment. A motion was made by Councilwoman Vanderweyde, 2<sup>nd</sup> by Councilman Schultes to accept and pay these bills. All four Board members present: Vanderweyde, Schultes, Connelly and Johnson were in favor, motion carried. Councilwoman Mohr absent.

Highway Warrant # 1, Vouchers # 1-8 in the amount of \$4737.00, was submitted for payment. A motion was made by Councilman Connelly, 2<sup>nd</sup> by Councilman Schultes, to accept and pay these bills. All four Board members present: Vanderweyde, Schultes, Connelly and Johnson were in favor, motion carried. Councilwoman Mohr absent.

It was requested again for the Highway Sup't to itemize repairs, mileage for all Town vehicles.

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OTHER: Fire Dept. would like add street light at driveway entrance to new Fire Station through NYSEG. They expect to be in the building sometime in April.

There will be a Smithville Day this year.

FYI items:

- Norse Energy email re: force majeure
- Association of Towns: NYMIR Insurance

There was no other business to come before the Board. Supervisor Johnson declared the meeting adjourned at 7:16pm. The next meeting will be February 21, 2011.

Alison B. Owens

Smithville Town Clerk