

Minutes of the
Smithville Town Board
July 17, 2023

OPENING of Town Board meeting by Supervisor John Cammarata
6:30PM

ROLL CALL/PLEDGE/LATE ADDITIONS:

ATTENDANCE:

Supervisor John Cammarata
Board members: Bob Whitmore
Russell Wark
Shane Butler
Pam Holcomb

ALSO: Marie Kehl, Planning Board Chair
Vince Witkowski, Highway Sup't
Mindy Eldred
Priscilla and Shawn Vanderbunt, residents
Mary Lee, resident
Town Clerk Alison Owens
Bruce Kinney, Code Enforcement
Ken Whitmore III, Fire Chief

CORRESPONDENCE

6:35PM

C1) printed phone message from Ruth Cupola concerning the condition of the Maple Grove Cemetery. The information was shared with Lynn Conklin, Sec'y of the Cemetery Association. The Cemetery Assoc. is meeting August 24th

NEW BUSINESS

6:50PM

NB1) Discussion on burials on private property: Three sample Local Laws restricting human burials on private property, except with a deed restriction or separate tax map # were reviewed. A copy had also been given to the Town Att'y for review. Board member Butler suggested the Planning Board should be given the opportunity to work on this, either as a separate Local Law, or addition to the Site Plan Review Local Law and with possible inclusion in the Comprehensive Plan.

RESOLUTION # 26: SEND TO THE PLANNING BOARD FOR THEIR REVIEW, COPIES OF LOCAL LAWS RESTRICTING BURIALS ON PRIVATE PROPERTY

On a motion by Board member Butler, 2nd by Board member Whitmore, review of the sample Local Laws restricting burials on private property is given to the Planning Board for their review and recommendation of a Local Law, or possible inclusion in the Site Plan Review Local Law and the Comprehensive Plan.

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

OLD BUSINESS (UPDATES IF ANY)

7:00PM

OB1) Three bids have been received for a roof to cover the standby generator at the Town Barn. They are as follows:

- Evon Construction, Oxford, NY: \$16,850.00

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- Palmer Contracting/Hardscapes, Binghamton, NY: \$13,285.36
- Thompson Construction, New Berlin, NY: \$22,720.00

A spreadsheet was available with those contacted and three 3 bidders who actually responded. After consideration, Board members decided to accept the lowest bidder, Palmer Contracting & Hardscapes for \$13,285.36. This was so moved.

RESOLUTION # 27: ACCEPT THE QUOTE PROVIDED BY PALMER CONTRACTING/HARDSCAPES OF BINGHAMTON NY, \$13,285.36 FOR THE TOWN BARN GENERATOR ROOF.

On a motion by Board member Butler, 2nd by Board member Holcomb, the contract for building a roof over the generator at the Town Barn was awarded to Palmer Contracting/Hardscapes of Binghamton, NY for the amount of \$13,285.36.

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

OB2) updates on the grant for the purchase of 2026 MACK truck: the paperwork has been forwarded to Lamont Engineering.

OB3) updates on the excavator, was paid off, and the roller has also been repaired, returned to the Town and appears to be working properly.

OB4) The Town's insurance company has suggested using a "Hold Harmless" agreement for groups using the ball field and park. One has been typed up and will be distributed to those groups using the facilities. The insurance company stated there is no underage operation of equipment.

REPORTS

7:20PM

R1.) Highway: report submitted

- Grading of roads has been completed
- Ditching has started
- Carr Rd FEMA project has been started
- Beaver debris is being removed from the culverts
- Will get an estimate on the 2002 Volvo transmission problem
- Door will be in by September
- Barnes Electric will be in sometime soon to do additional work on the outside lights of the Town Barn

R2) Assessor: report submitted late; equalization rates for each Municipality were shown as well as data from the assessment roll regarding different class properties in Smithville the Town's sales report for 2022.

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R3.) Enforcement Officer: no report submitted. Enforcement Officer Kinney arrived later in the meeting. Town Clerk Owens had conferred with EO Kinney concerning problems with building permit applications not being brought to the Town Code Enforcement Officer for signature. Permit applications are being taken directly to Chenango County for the actual building permit without the Town's knowledge or the EO's signature. In 2023, this has resulted in no information for 4 of the 7 permits issued, misinformation of one permit, and 2 missed SPR's. Supervisor Cammarata said he would speak with the County Code Enforcement office.

R4.) Planning Board: July minutes not yet submitted. The results of the Town-wide survey have been tabulated but have not officially been released pending a meeting between Town and Planning Board members.

R5.) DCO: no report submitted;

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: report submitted, Mindy Eldred present

- Landscaping for the flower bed will be donated with time and effort; garden will be rebuilt on August 19th 9am. Looking for donations of landscaping materials, timber supplies, soil for the garden beds, perennials for the beds.
- It was suggested to contact Alpine Topsoil on County Rd. 44, C&M through Burrells, Pete Beckwith from Cincinnatus, also Thompson Bros.
- Using landscaping timbers instead of stone for the outside dimensions of the garden
- Also looking for volunteers on August 19th

R10) Town Clerk: report submitted. Board members asked about the sale of sporting licenses next year. A new application is required by the new Town Clerk in 2024. NYS asks that an annual allotment of 100 licenses be sold but we have only averaged 50 over the last 10 years, even with the pandemic. Whether NYSDEC grants the license application for renewal is up to the NYSDEC. The Town only receives about \$200 in revenue for the 50 licenses sold.

R11) vacant

R12) Supervisor's Report: submitted

- Brisben Fire Dept. is going to close. Coverage for their properties will have to be decided between Greene, Oxford and Smithville. Board member Whitmore stated there is an ongoing problem with staffing at all local fire departments
- Supervisor Cammarata stated the Town should be ok financially for the rest of the year. There is enough in all accounts for bills to be paid unless something major happens.
- Garage door and roof for the standby generator will be starting soon
- Williams Rd being done over shortly from the paving errors of 2022
- Town insurance will be going up approx 12-18% next year.
- Health insurance is going up 11% and NYS Retirement up 7%
- Monies accounted for in the 2024 Budget will already be over the 2% tax cap so the Town automatically will have to do a Local Law to exceed the tax cap for next year.
- Also discussed briefly was the idea to pave the majority of the Town dirt roads to cut down on maintenance costs. This would result in a major tax increase to residents.
- A motion to approve the Supervisor's report was made by Board member Butler, 2nd by Board member Wark. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

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Priscilla Vanderbunt asked questions about the roofing project at the Town Barn and the bids submitted. Questions were also asked regarding the roof construction and the need for a roof over the generator. She also asked about the County's position on a busload of immigrants coming into the area. Supervisor Cammarata referred her to George Seneck* at the County.

MINUTES APPROVAL for June 19th

7:45PM

Small corrections on p. 3,4,5 not affecting content were pointed out to Town Clerk Owens. A motion was made by Councilman Whitmore, 2nd by Councilman Butler to approve the minutes as corrected. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

WARRANTS

7:50PM

General Warrant # 7, Vouchers # 108-127 in the amount of \$5,501.32 were submitted for payment. Voucher # 115 to Lindsey Equipment was deleted as it was a duplicate with the Highway Dept. A motion to pay these claims was made by Board member Holcomb, 2nd by Board member Butler. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

Early payments to the following vendors were made:

1. # 112 Spectrum \$ 69.98
2. # 113 1-VOIP \$ 70.96

Highway Warrant # 7, Vouchers # 88-100, in the amount of \$60,802.06 submitted for payment. Voucher # 87 to KC Bank, payment for the Excavator was paid by Supervisor Cammarata. A motion to pay claims #88-100 was made by Board member Butler, 2nd by Board member Whitmore. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

Water System:

Mary Lee, resident at 5342 State Hwy 41, was recognized and expressed her concern for the proposed water system. She felt that spending \$7 million for a water system for 3 wells in the hamlet that are contaminated is excessive. The people she has spoken with are not in favor of paying monthly bills for water as many of them are having financial difficulty now.

Supervisor Cammarata said no Town funds have yet been used to date for the water system. Board member Butler; studies would have to show there is 51% low to moderate income in the water district.

EXECUTIVE SESSION

8:05PM

Into: Motion made by Board member Wark, 2nd by Board member Holcomb. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried. Into Executive session at 7:55pm.

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- Employment policy discussion

Out of: Motion made by Board member Butler, 2nd by Board member. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried. Out of Executive session @ 8:25pm

OTHER:

Supervisor Cammarata indicated there is a 5.05% CD right now at NBT. The Bookkeeper has recommended investing the "Town of Smithville" \$140K account and the Bottle Fund, \$9K account into CD's which would generate 5.05% for 5 months. Board members recommended investing only \$100K of the \$140K, but all of the Bottle Fund into the NBT CD's paying out at 5.05%.

RESOLUTION # 28: INVEST \$100K FROM 'TOWN OF SMITHVILLE' ACCOUNT AND THE BOTTLE FUND ACC'T OF \$9K AND INVEST AT AN NBT CD @ 5.05%.

On a motion by Board member Butler, 2nd by Board member Whitmore, it was authorized to invest \$100K from the "Town of Smithville" account and \$9K from the Bottle Fund account into CD's at NBT paying 5.05%.

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

OTHER: Next monthly Board meeting is August 21st.

There was no other business to come before the Board.

CLOSE:

by Supervisor Cammarata

8:30PM

Alison Owens

Smithville Town Clerk

* spelling correction