

MINUTES OF THE SMITHVILLE TOWN BOARD
October 16, 2023

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

ROLL CALL/PLEDGE/LATE ADDITIONS:

ATTENDANCE:

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

ALSO:
Vince Witkowski, Highway Sup't

Fred Heisler, Planning Board
Town Clerk Alison Owens
Don Conklin, resident
Jessica Bixby, resident

The PUBLIC HEARING FOR SNOWMOBILE ROADS: declared OPEN at 6:31pm by Supervisor Cammarata
The Notice of Public Hearing was read by Town Clerk Owens. There were no comments and the meeting was declared CLOSED at 6:32pm.

The PUBLIC HEARING FOR SEASONAL ROADS was declared OPEN at 6:33pm by Supervisor Cammarata. The Notice of Public Hearing was read by Town Clerk Owens. There were no comments and the meeting was declared CLOSED at 6:34pm.

RESOLUTION # 34 (2023): AUTHORIZE THE ABOVE ROADS LISTED TO BE DESIGNATED AS THE SNOWMOBILE OR SEASONAL ROADS FOR THE PERIOD NOVEMBER 1, 2023 TO APRIL 1, 2024

On a motion by Board member Whitmore, 2nd by Board member Wark, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to approve the list of Snowmobile and Seasonal Roads in the Town of Smithville for the period November 1, 2023 thru April 1, 2024.

CORRESPONDENCE

3 additional items of communication were identified by Supervisor Cammarata 6:35PM

C1) protection plan basic info for the JD tractor has been received; no prices listed. Board members felt it was advisable to get a price on the plans, find out what it would cover ie: mower, snowblower and how long the warranty would last.
C2) A letter from the Town Att'y has been prepared to Charles Malmberg in response to his request for an answer as to why the Town cancelled insurance on the Cincinnatus Lake dam. The Town Att'y has indicated there is no responsibility on the part of the Town to insure the dam as the dam nor the property it sits on does not belong to the Town.
Supervisor Cammarata requested a Resolution to send the letter by certified mail to Mr. Malmberg.

RESOLUTION # 35 (2023): AUTHORIZE ATTORNEY'S RESPONSE LETTER TO BE SENT TO CHARLES MALMBERG REGARDING THE CININNATUS LAKE DAM

On a motion by Board member Butler, 2nd by Board member Holcomb, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to authorize the Attorney's response letter to be sent to Charles Malmberg by certified mail. The letter indicates the Town of Smithville does not legally own either the Cincinnatus Lake Dam nor the property it sits on.

C3) Brisben Fire Dept letter of budgetary appropriations for 2024 set for \$1340. Since the Brisben Fire District Fire Company is going out of business, the amount of appropriations will be added to the Oxford Fire District's Budget for 2024. The Oxford Fire District is on a 5 year contract so this will require a Public Hearing to add the extra amount to their budget.

NEW BUSINESS

6:50PM

NB1) Call for Public Hearing on Genegantslet Fire Co Inc. contractual budget for 2024

RESOLUTION # 36 (2023): PUBLIC HEARING ON THE GENEGANTSLET FIRE CO. INC 2024 CONTRACTUAL BUDGET TO BE HELD WEDNESDAY, NOVEMBER 8, 2023 @ 6:30pm

On a motion by Board member Butler, 2nd by Board member Holcomb, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to call for a Public Hearing on the Genegantslet Fire Co., Inc Contractual Budget to be held Wednesday November 8, 2023 @ 6:30pm. The amount of the 2024 Budget to be raised by tax is proposed at \$98,937.00.

NB2) Call for Public Hearing on Smithville Center Fire District budget for 2024

RESOLUTION # 37 (2023): PUBLIC HEARING ON THE SMITHVILLE CENTER FIRE DISTRICT 2024 CONTRACTUAL BUDGET TO BE HELD WEDNESDAY, NOVEMBER 8, 2023 @ 6:35pm

On a motion by Board member Butler, 2nd by Board member Holcomb, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to call for a Public Hearing on the Smithville Center Fire District Contractual Budget to be held Wednesday November 8, 2023 @ 6:33pm. The amount of the 2024 Budget to be raised by tax is \$11,767.00.

NB3) Call for a Public Hearing on the Oxford Fire District Budget

RESOLUTION # 38 (2023): PUBLIC HEARING ON THE OXFORD FIRE DISTRICT 2024 CONTRACTUAL BUDGET TO BE HELD WEDNESDAY, NOVEMBER 8, 2023 @ 6:25pm

On a motion by Board member Butler, 2nd by Board member Whitmore, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to call for a Public Hearing on the Genegantslet Fire Co., Inc Contractual Budget to be held Wednesday November 8, 2023 @ 6:36pm. The amount of the 2024 Budget to be raised by tax, which includes the properties located in the Town of Smithville served by the former Brisben Fire District, is proposed at \$20,855.94.

OLD BUSINESS: NONE

7:00PM

REPORTS

7:20PM

R1.) Highway: report submitted

- Finished up FEMA work on Stone Quarry and Waldon roads
- Shoulder stone on new blacktop on Williams Rd. next week
- Volvo brake job completed but truck is not working now, was towed to **Cook Bros**. They said there was a fuse missing; could not find anything wrong on the codes. Truck would not run without the fuse
- New truck had an issue with the wing and plow; Tenco fixed the problem; computer needs to be re-programmed. there will training for the Hwy employees on the new truck;
- FEMA paperwork nearly finished; problem over by Butlers on Stone Quarry
- Board Member Holcomb reported that the fix on her driveway is partially working but more work needs to be done. Hwy Supt. Witkowski will look into it.
- No info on the gradall

R2.) Assessor: no report submitted.

- NYS will be changing the way STAR exemptions are administered for Seniors/Low Income
- A couple of churches no longer in existence were put back on the tax roll

R3.) Enforcement Officer: no report submitted

R4.) Planning Board: Sept. minutes submitted. It was mentioned the Planning Board is having difficulty maintaining a quorum for its meetings.

R5.) DCO: no report submitted; Supervisor Cammarata indicated the SPCA is raising the rates to \$50. per dog per day with a 5 day limit. They are also revising the animal shelter, expanding it as it is overcrowded. For 2024 the SPCA wants a substitute DCO on the roll in addition to the Town Supervisor. The DCO is looking into another avenue for dog kennels for next year instead of contracting with the Chenango County SPCA. Supervisor Cammarata asked for a Resolution to table further discussion until next month to see if the DCO can come up with a substitute dog kennel.

RESOLUTION # 39 (2023): TABLE FURTHER DISCUSSION ON SPCA CONTRACT UNTIL DCO REPORTS BACK TO THE TOWN ON AVAILABILITY OF LOCAL KENNELS.

On a motion by Board member Wark, 2nd by Board member Butler, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

RESOLVED table any further discussion on the 2024 SPCA contract until the DCO has had a chance to check on local kennels which could be used for staging any dogs collected in the Town.

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: report submitted. Areas of construction have been taken care of. Question: Can the extra dirt not used for the project be used at Maple Grove cemetery? Board members were ok with this. Water needs to be turned off in the restrooms which is done by Central Plumbing and Heating in late October.

- Scheduling 1 more work day after the 1st frost

- Filled in the sand box will put in a turtle sand box next year
- Would like to have a walking path all the way around the field
- A Dog bag station would be nice
- Would like to see Playground Committee for next year specifically members from the Town Board, Grange and Community
- Supervisor Cammarata said previous Donations were added to the Playground fund

R10) Town Clerk: report submitted

R11) vacant

R12) Supervisor's Report: submitted

- Bookkeeper says the Town is looking good on most accounts
- New truck payment will be taken out via ACH; after the 1st of the year a check will be written and again in November 2024 when it will be paid off
- FEMA accounts re-coups amounting to \$230K will go to the General side of the Budget; still has \$207K left
- 2 CD's will be coming due in early December. There is a possibility they could be rolled over
- Sales tax check has not yet been received
- Some possible errors were noted on A1620.4 on Supervisor's report. Have Bookkeeper check that account
- A motion to accept the Supervisor's report pending correction was made by Board member Butler, 2nd by Board member Whitmore. All 5 Board members: Holcomb, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

MINUTES APPROVAL for September 18th

7:45PM

The minutes of the September 18th meeting were reviewed. A motion to accept these minutes with a couple of grammatical changes was made by Board member Butler, 2nd by Board member Whitmore. All 5 Board members: Holcomb, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

WARRANTS

7:50PM

General Warrant # 10, Vouchers # 167-183 in the amount of \$ 6,559.08 were submitted for payment and reviewed. Early payments of vouchers # 172, 173 were noted.

Voucher #168 to Rachel Raimo was discussed. The account will be overdrawn. The hours worked for June and September will be paid this weekend. Travel should be requested by the Judge and pre-approved by the Town Board. Extra funds to pay October-December Court Clerk hours to be worked will be transferred from General Savings to A1110.4.

A motion to accept and pay these claims was made by Board member Whitmore, 2nd by Board member Wark. All 5 Board members: Holcomb, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

Highway Warrant # 10, Vouchers # 136-151, in the amount of \$ 37,949.79 were submitted for payment and reviewed. A motion to accept and pay these claims was made by Board member Whitmore, 2nd by Board member Wark. All 5 Board members: Holcomb, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

EXECUTIVE SESSION: There was no Executive Session

BUDGET WORK

8:05PM

- **RESOLUTION TO PROPOSE A TAX CAP OVERRIDE ON 2024 BUDGET (LOCAL LAW # 1, 2023)**

RESOLUTION # 40 (2023): PROPOSE A TAX CAP OVERRIDE ON THE 2024 BUDGET (LOCAL LAW #1, 2023)

On a motion by Board member Butler, 2nd by Board member Holcomb, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to propose a Tax Cap Override on the 2024 Budget for the Town of Smithville. Such tax cap override is necessary due to budget increases in many areas of the Town contractual needs.

- **RESOLUTION TO SET PUBLIC HEARING FOR TAX CAP OVERRIDE**

RESOLUTION # 41 (2023): SET A PUBLIC HEARING FOR NOVEMBER 8, 6:40PM FOR THE TAX CAP OVERRIDE (LOCAL LAW #1, 2023)

On a motion by Board member Butler, 2nd by Board member Wark, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to set a date of November 8, 2023 at 6:40pm for a Public Hearing on Local Law # 1 2023, a Local Law "Overriding the Two percent Real Property Tax Levy Limit for the Budgetary Year 2024"

- **RESOLUTION TO SET PUBLIC HEARING DATE FOR 2024 PRELIMINARY BUDGET**

RESOLUTION # 42 (2023): SET A PUBLIC HEARING FOR NOVEMBER 8, @7:00PM FOR THE PUBLIC HEARING ON THE PROPOSED 2024 TOWN PRELIMINARY BUDGET

On a motion by Board member Holcomb, 2nd by Board member Whitmore, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to set a date of November 8, 2023 at 7:00pm for a Public Hearing on the 2024 Town Preliminary Budget.

- **RESOLUTION TO ADOPT THE TENTATIVE AS THE PRELIMINARY BUDGET FOR 2024**

RESOLUTION # 43 (2023): ACCEPT THE 2024 TENTATIVE BUDGET AS THE 2024 PRELIMINARY BUDGET

On a motion by Board member Wark, 2nd by Board member Whitmore, the following RESOLUTION was ADOPTED:

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata
NAYES: 0

RESOLVED to accept the 2024 Tentative Budget as the Preliminary Budget for 2024.

**OTHER: Next monthly Board meeting is November 20th.
Public Hearings November 8th starting at 6:25pm**

CLOSE: 8:30pm

Alison Owens

Smithville Town Clerk