OPENING of Town Board meeting ROLL CALL/PLEDGE/LATE ADDITIONS:

6:30PM

Supervisor John Cammarata
Board members: Dakota Warren

Shane Butler

Russell Wark, absent

Fred Heisler

ALSO: Alison Owens, Town Clerk

Vince Witkowski, Hwy Sup't

Brendon Becker, Lamont Engineering

Barbara Tallet, resident

Bruce Kinney, Code Enforcement

OPENING of Town Board meeting ROLL CALL/PLEDGE/LATE ADDITIONS:

6:30PM

PRESENTATION FROM BRENDON BECKER OF LAMONT ENGINEERING REGARDING GRANT FUNDING AVAILABLE FOR THE WATER SYSTEM IN THE HAMLET OF SMITHVILLE FLATS:

The following is a synopsis of the minutes, at times using Google's AI service:

Project Funding and Eligibility

- Initial Grant: The town was awarded a \$4.8 million grant for a roughly \$7 million project, covering 60% of the cost. The remaining balance can be funded by the same agency at 0% interest for 30 years.
- Income Survey Results: An income survey conducted by Candace Palmer from RCAP Solutions determined that the Hamlet qualifies as low to moderate income.
- Community Development Block Grant (CDBG): This low-to-moderate income designation makes the Hamlet eligible for a CDBG (Community Development Block Grant). If co-funding is involved, this grant can provide up to \$2 million for an infrastructure project.
- **Potential Funding Scenario:** With the existing \$4.8 million grant and a potential \$2 million CDBG, **\$6.8 million of the project could be grant-funded**, leaving a smaller balance at 0% interest.
- Estimated Costs: Based on a conservative \$7.9 million project, the \$4.8 million grant leaves about \$3.2 million. If a \$2 million CDBG is secured, the remaining balance would be roughly \$1.2 million, funded by a 0% loan for 30 years.

Water District Costs and Operations

- Equivalent Dwelling Unit (EDU) Calculation: The cost of the water system will be spread across users based on 158 EDUs (Equivalent Dwelling Units) within the designated water district.
- Annual Debt Service: The annual payment for the water district's debt service would be approximately \$250 per EDU.
- Operational Costs:
 - Initial budget for an operations company was \$90,000 annually but has been reduced to \$45,000 annually, as it's believed a local resident could be hired at a lower cost to operate the system. This estimate is consistent with the Town of Guilford's well system budget.
- **Total Annual Household Cost:** The total annual cost for a typical single-family household (including debt service and operations) is estimated at **roughly \$540** a **year**, or about **\$45** a **month**.

• Insurance Savings: Having a municipal water system, which includes fire hydrants and with fire protection in the hamlet, could lead to a \$300-\$500 annual decrease in homeowners insurance, essentially offsetting the water system costs.

Addressing Concerns and Next Steps

- **Grant Paperwork:** Mr. Becker emphasized applying for the CDBG grant to secure more grant money, as concerns about cost had previously stalled progress on the WIA Grant.
- **Grant Writing:** Mr. Becker offered to write the grant application at **no cost**.
- **Project Cost Certainty:** Mr. Becker also confirmed that the budget for the project includes a **10% contingency** for unforeseen costs. The overall project cost is capped at **\$8 million** by a bond resolution, meaning it cannot exceed this without another public vote.

Well Drilling and Testing:

- The next step is to secure short-term, 0% financing through EFC to fund the **design phase and drill test** wells.
- Preliminary seismic testing has identified the DeJagers property on County Rd 3 as a potential site for test wells.
- A significant portion (roughly half a million dollars) of the project budget is allocated for drilling multiple
 test wells in different locations and conducting pump tests to find a viable well site.
- While drilling can be unpredictable (e.g., arsenic found in a well 200' feet from a good one in Guilford),
 the budget accounts for extensive testing.
- o If a well cannot be found with suitable quality, treating the water (e.g., for high iron in gravel wells in the valley) is an option.
- Water System Capacity: A viable system for 158 users would likely require a production rate of close to 20 gallons per minute from one primary well and a backup. The system would be designed with a 20% growth factor.

Non-Participation and Billing:

- The water district has already been created on paper.
- If the project proceeds, users would be billed, likely based on meters. Modern metering systems offer apps and alerts for issues like leaky toilets.
- Failure to pay water bills would result in the charges being re-levied on county taxes.
- Properties do not have to connect immediately, but new ownership or property events would require connection.
- **Impact on Senior Citizen Housing:** A company interested in building senior citizen housing stated they would not consider a project without public water, highlighting the system's potential benefit for future development.
- **Pro-Housing Program Eligibility:** The town has recently submitted code enforcement permits, making them eligible for additional funding through the **Pro-Housing Program**.

Next Meeting and Public Hearing:

- CDBG applications are due at the end of July.
- o To apply, a **public hearing** must be set by the town board to present the grant and allow public input.
- Given the paper's 10-day notice requirement, the earliest a public hearing could be held is July 7th or 14th, with the next board meeting on July 21st.

After continued discussion, Board members decided on a Public Hearing date of July 14th, with the regular Town Board meeting date of July 21st.

RESOLUTION # 32 (2025): ADVERTISE FOR A PUBLIC HEARING ON JULY 14TH TO GATHER PUBLIC INPUT ON APPLYING FOR CDBG GRANT MONIES FOR A HAMLET WATER SYSTEM

On a motion by Mr. Butler, 2nd by Mr. Heisler, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to advertise in the Evening Sun for a Public Hearing to be held on July 14th @ 6:30pm, the purpose of which is to gather Public input on applying for a CDBG grant for funding for a hamlet water system.

Additionally, For CDBG grants, it's crucial to take time stamped photos of the public notice posted in various locations to prove its proper display. Mr. Becker offered to assist with this specific requirement.

ADDITIONAL GRANTS FOR PIPE REPLACEMENT DISCUSSED:

Mr. Becker also shared the following information on culvert replacement funding

Culvert Funding (W-2IP Program)

- Availability: The W-2IP program offers funding for culvert projects, covering 75% of construction costs.
- Justification: To qualify, the town needs to demonstrate that existing culverts are undersized and negatively
 impacting water quality of the stream.
- Specific Examples:
 - Pollard Road: Flooding on Pollard Road during recent storms is cited as evidence of an undersized culvert, and this issue is already included in the town's hazard mitigation plan.
 - Stone Quarry Hill Road: This road's culvert is described as a 6-foot pipe that needs replacement, and there's a large hole in its middle. While it held up well in recent flooding, it's a concern. The main issue is that it's on a seasonal road, which previously hindered grant applications like the Bridge NY Grant, but for culverts, this might not be as significant of a factor if stream quality can be proven.
 - o Also discussed was a Hammerle Rd culvert

Comparison of Approaches:

- **Grant Funding:** Pursuing a grant would push the project out by at least a year, as results aren't known until December. However, it significantly reduces the town's direct cost.
- Town Self-Funding: The highway superintendent, Vince, could potentially install a 48-inch pipe on Pollard Road using existing equipment, alleviating some flooding problems. This would be a quicker solution, but the town would bear the full cost. The cost for a new 65-foot, 6-foot diameter pipe for Stone Quarry Hill Road is over \$25,000, which is hard to justify for a seasonal road without grant assistance.
- **Recommendation:** Mr. Becker, who writes grants, suggested focusing on culverts where there's clear evidence of being undersized and impacting stream quality, like Stone Quarry Hill Road, rather than Pollard Road, which is currently "just a trickle." They will assess the regulations and stream classification to determine the likelihood of a successful grant application for Stone Quarry Hill Road.

Moving Forward with Grants

• **WIA Grant:** The initial WIA (Water Infrastructure Act) grant is ready to move forward. The town needs to **sign** application documents.

CORRESPONDENCE 6:45PM

C1) none

Mrs Barbara Tallet was recognized from the floor and asked about the complaint she submitted at the last Town Board meeting on 1 particular unlicensed dog in the hamlet. The full action was unknown as the Court Clerk, who was given the complaint by the Town Clerk, has been out for a few weeks with medical concerns.

NEW BUSINESS 6:45PM

NB1) Consider Resolution authorizing dust oil to be used at houses within 20' of the road

Proposal for "Dust Oil"

- Budgetary Consideration: Supervisor Cammarata is proposing a resolution to authorize the use of dust oil" for homes within 20 feet of the road, noting that there's currently no budget line item for it.
- Effectiveness of Calcium: Mr. Witkowski, the highway superintendent, asserts that calcium chloride stays in the soil and has made potholes much less by hardening the roads. It's also reimbursable through CHIPS (Consolidated Highway Improvement Program) funding, costing \$5,300 per mile
- Cost of Dust Oil: Dust oil costs \$8,700 per mile, significantly more than calcium.
- Effectiveness and Durability:
 - It was questioned how long dust oil would last, noting that calcium holds up for two to three months before issues resurface.
 - Mr. Witkowski strongly argued that dust oil is "only on the surface" and would be quickly pulverized by traffic (e.g., farm equipment) and is gone with the first snow plow. He believes it wouldn't last, unlike calcium.
- Challenges with a 20-Foot Resolution:
 - Defining 20 feet: There's confusion and potential for dispute on whether "20 feet" is measured from the edge or centerline of the road, especially with older properties.
 - **Fairness:** A resolution specifying a 20-foot limit might lead to complaints from residents whose properties fall just outside that arbitrary boundary.
 - Legal Concerns: A resolution might face legal challenges if it's seen as favoring specific properties or if it
 conflicts with road right-of-way laws. It might be better to fund "dust oil" generally without specific
 distance restrictions.

Funding and Future Implications

• CHIPS Reimbursement: The key difference highlighted is that calcium is reimbursable through CHIPS, while dust oil is not.

- Impact on CHIPS Budget: If a future highway superintendent were to use dust oil and attempt to put it under CHIPS, it would be refused, leading to a significant reduction in the town's CHIPS reimbursement for the following year. This could severely impact the overall highway budget.
- Historical Context: A former board member recalls that there used to be separate budget line items for gravel
 and dust oil, in addition to CHIPS, allowing for more flexibility. This is no longer the case. The Town of
 McDonough has a \$40,000 budget for stone oil, which comes directly from taxpayer funds.
- **Highway Department Operations:** Mr. Witkowski explained that they must wait for roads to be properly graded before applying calcium. Despite recent challenging weather, he believes his team did an excellent job applying calcium where possible.

The discussion concluded with the general sentiment of the Board members that **calcium is the more effective and financially prudent option** due to its longer-lasting properties and CHIPS reimbursement, especially given the costs and limited effectiveness of dust oil. The town will proceed with the calcium application as planned.

NB2) Consider Resolution authorizing late/unlicensed fee on dog licenses

- Lack of Compliance: Many dog owners do not license their dogs, even after receiving renewal notices. There are currently "a lot of unlicensed dogs."
- Enforceability: The primary concern is how to enforce licensing and collect fees.
 - Dog Enumeration: Historically, a door-to-door enumeration was done to identify unlicensed dogs, but this is described as a "nightmare" and "very expensive." A mail-based attempt "did not work out either."
 - Dog Warden's Role: Enforcement largely falls to the dog warden, however there have been some
 concerns about the procedure and whether the DCO would confiscate the dog or send the situation to
 Court for compliance.
- **Current Process for Unlicensed Dogs:** If an unlicensed dog is picked up by the DCO and brought to the SPCA, the owner would then face significant fees when they reclaim the animal. However, this relies on the dog being picked up in the first place.
- **SPCA Contract:** The town **currently does not have a contract with the SPCA**. This means if dogs are picked up, there's no clear place for them to go, or the town might incur significant costs (e.g., \$250/week, rising to \$500/two weeks if the owner doesn't claim the dog, even if the dog is put up for adoption).
- Unresolved Dog Bite Cases: There have been three dog bite cases in the town in the last six weeks that have not been resolved.
 - One speaker recalled that in a past incident involving their son's dog biting someone, law enforcement required them to quarantine the dog for 10 days, but it's unclear if this procedure is still followed.
 - A board member mentioned similar unresolved dog bite issues in a neighboring town.
- **Cost of Renewals:** Sending multiple renewal forms to unresponsive owners incurs costs, and the town often doesn't know if a dog is deceased or still alive.

Proposal for Late/Unlicensed Fees

- No Current Late Fee: It was clarified that there has never been a late fee for dog licenses in place.
- **Purpose:** The idea behind rising late/unlicensed fees is to incentivize compliance and provide a mechanism to penalize non-compliance.
- Challenge of Implementation: Without effective enforcement mechanisms (like consistent DCO activity or
 enumeration), simply having higher fees might not solve the underlying problem of unlicensed dogs. For
 instance, if an unlicensed dog owner is brought to court, they cannot currently be charged an additional fee for
 not having a license.

Conclusion and Next Steps

The board decided to **table the resolution** on rising late/unlicensed fees until they can **get a hold of the DCO and straighten things out** regarding current enforcement issues and contract status with animal control services. This suggests a recognition that a fee structure without robust enforcement would be ineffective.

NB3) Consider Resolution authorizing transfer of \$1000. From A1410.2 to A1410.4. This was for the remaining Town Clerk audit voucher on the May 19, 2025 General Warrant. The voucher submitted last month took that expenditure from A1410.2 but someone changed it. The Town Clerk needs all of the remaining funds in A1410.4 to pay for Deputies for the remainder of the year. This was so moved.

RESOLUTION # 33 (2025): TRANSFER \$1000. FROM A1410.2 TO A1410.4

On a motion by Mr. Heisler, 2nd by Mr. Warren, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to transfer \$1000. From A1410.2 to A1410.4 to correct account error in the payment to INSERO from the May 19, 2025 General Warrant.

NB4) Consider Resolution authorizing transfer of the \$150 donation for the replacement trees from A2705 to A7510.4.

The \$150. Donation submitted to the Town Clerk last month and accounted for on the May Town Clerk report was not put directly into the Historian's account. This was money specifically for the replacement trees in the park for Pat Heisler and John Auwarter and was originally paid for by the Historical Society. The trees this time were purchased from Lowe's and will appear on the next Lowe's statement. Town Clerk/Historian Owens is requesting a transfer of these funds to A7510.4 so the invoice can be paid for from that account when the statement is received. This was so moved.

RESOLUTION # 34 (2025): TRANSFER \$150. FROM A2705 to A7510.4

On a motion by Mr. Heisler, 2nd by Mr. Warren, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to transfer \$150. From A2705 to A7510.4 to allow for the payment of replacement "dedicatory" trees in the Park.

NB5) Consider Resolution authorizing temporary closing of Smithville as a sporting license sales office.

NYSDEC requires a contract to be in place between the agent selling licenses and them. It does not automatically transfer from one Town Clerk to the next as it did in the past. Due to Mrs Owens' retiring and only 1 Deputy being trained who works 1 day a week, Mrs. Owens is recommending that the agent location be temporarily closed until a new Town Clerk is elected or appointed and whom the NYSDEC could contract with. After a short discussion, the Board decided on the temporary closing in the following Resolution:

RESOLUTION #35 (2025): TEMPORARILY CLOSE SMITHVILLE AS A NYSDEC SPORTING LICENSE SALES LOCATION

On a motion by Mr. Heisler, 2nd by Mr. Warren, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to temporarily close Smithville as a NYSDEC sporting license sales location effective July 31, 2025 until further notice.

OLD BUSINESS (UPDATES IF ANY)

7:15PM

OB1) report on addition

Supervisor Cammarata has received the plans for the **town addition** from Principle Designs and has expressed significant concerns about their completeness and usability for obtaining a **building permit**.

The received plans only show:

- A 24x24 foot concrete slab with control joints.
- Roof trusses.
- Some "filler" information and a small interior design sketch, but no detailed interior walls, offices, or other specific layouts.
- No cross-sections or sufficient specifications to obtain a building permit.

• Miscommunication/Misunderstanding:

- Mr. Cammarata spoke with Mike Riley from Principle Designs, who stated he would provide plans sufficient for a building permit, implying the interior could be customized later. He also mentioned a roof over the front door could be added later.
- Board member Fred Heisler had previously provided Pinnacle with a detailed floor plan, truck section, and notes, including elevations, which were seemingly not incorporated into the official plans.
- The initial cost was \$1,050, but the speaker believes they are "better off paying the \$2,850 and getting what we need" rather than settling for incomplete plans.

Supervisor Cammarata will:

- Make copies of the detailed floor plan, truck section, and notes that Mr. Heisler originally provided.
- Return to Mike Riley at Principle Designs.
- Communicate that the current plans are insufficient for a building permit due to lack of specifications.
- **Provide the detailed documentation** that was initially given by Fred, emphasizing the need for these specifics to be included in the revised plans.

REPORTS 7:30PM

R1.) Highway: report submitted

- Grading roads in between rainstorms and applying calcium except for problem areas
- Have done ditching on Carr Rd, Robbins Rd
- Steel Sales called \$6800. For sides on truck
- Grader is at Milton CAT, should be back next week
- Had flat on roller
- Waiting on parts for the flail mower, mowing shoulders
- FEMA has had problems but should be getting check soon
- Sand is ordered but no delivery date yet
- R2) Assessor: report submitted
 - Grievance Day on June 4th had 2 complaints
 - The Assessor's term of office is up September 30, 2025. Town Clerk Owens will contact her to see if she would like re-appointment
- R3.) Enforcement Officer: no report submitted, EO was present and gave a brief verbal report
 - Waiting on building permit, a couple of septic permits
- R4.) Planning Board: April minutes submitted
- R5.) DCO: no report submitted;
- R6.) Cemetery Report, request for payment of \$850 from Gavin Stage of Stage's Seasonal Impact
 - The original contract was for 7 cemeteries for \$2500. With ½ down and already paid. Mr. Stage only completed 3 cemeteries due to misunderstandings and cemetery locations.
 - Board members would like to request Mr. Stage complete 4 additional cemeteries in August by the 20th of the month, in particular the Wilcox Cemetery which is being prepared for a ceremony for the Revolutionary War soldier buried there.
 - Supervisor Cammarata will write a letter to Mr. Stage outlining the terms for receiving the remaining payment.

R7.) Justice: no report submitted; Due to her illness, the Court Clerk is asking for a part-time employee to help her out. It was pointed out that \$600. earnings is the limit a person can work for the Town and not be considered to be an employee or have a new position created by the Town Board. It was decided to have the current Court Clerk have an assistant work with her to catch up on the work load at a cost not to exceed \$600.

RESOLUTION #36 (2025): SUPPORT THE COURT CLERK WITH AN ASSISTANT UP TO A MAXIMUM OF \$600.

On a motion by Mr. Heisler, 2nd by Mr. Butler, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to hire an assistant to the Court Clerk to help her catch up on the work load at a cost not to exceed \$600. For the remainder of the year.

R8.) Custodian/Groundskeeper: The Groundskeeper has also asked for an assistant to help with weed whacking areas in the Town Park. The same guidelines would be in place to keep the cost under \$600. A Resolution was then made to find the Groundskeeper some help.

RESOLUTION # 37 (2025): SUPPORT THE GROUNDSKEEPER WITH AN ASSISTANT UP TO A MAXIMUM OF \$600.

On a motion by Mr. Butler, 2nd by Mr. Warren, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to hire an assistant laborer to the Groundskeeper to assist with the workload at a cost not to exceed \$600. For the remainder of the year.

R9.) Playground Committee: no report submitted

R10) Town Clerk: report submitted

R11) vacant

R12) Supervisor's Report: submitted. Changes to the **Truck Financing/Bonding** on advice of the NBT loan officer and the Bond Att'y for the Town were discussed with Board members.

- Recommendation for Smaller Trucks: Jamie Reynolds, the NBT loan officer, and Ted Trespasz, the Bond Attorney, advised against financing the F-600 truck and equipment for it (totaling approximately \$106,000). Instead, they recommended taking the funds directly from the town's unexpected general fund (account 0024).
 - Reasoning: New York State is reportedly scrutinizing municipalities with large cash reserves (over \$100,000) and expects them to utilize these funds rather than letting taxpayer money sit idle. The town currently has almost \$400,000 across its accounts, with the specific target account holding \$299,000.
 - Financial Benefit: This approach would save approximately \$30,000 in interest payments over 15 years (\$2,500 annually).
 - Flexibility: Funds can always be replenished in the general fund. The town's sales tax revenue is currently up 10%, which is expected to bring the general fund back to whole and almost complete the highway side by November.
- Strategy for Larger "Snow-Fighter" Truck: The larger truck, expected in November, will be financed through a bond.
 - Short-Term Bond: The bond will initially be for a higher amount (e.g., \$440,000) with a one-year grace period.
 - Paying Down the Bond: During this grace period, the town plans to:
 - Sell excess equipment (the 2002 truck, grader, and other items).
 - Use additional sales tax revenue.
 - These funds will be applied to reduce the principal of the new truck's bond, potentially bringing it down to a smaller loan (e.g., \$200,000).
 - Finalizing the Bond: The bond will be finalized after these payments are made, likely in November of next year.

Actions Taken and Future Steps

RESOLUTION # 38 (2025): TO PAY FOR THE F-600/DUMP BOX & PLOW FROM ACCOUNT ENDING IN 0024 (Unexpected General Fund)

On a motion by Mr. Butler, 2nd by Mr. Heisler, the following Resolution was ADOPTED

AYES: Heisler, Butler, Warren, Cammarata

NAYES: 0 ABSENT: Wark

RESOLVED to change the funding of the recent Truck Bond Resolution, to take \$106K for account ending in 0024 (Unexpected General Fund) to for the F-600 from Chenango Sales in Greene NY and Palmer's in Oxford NY

- Bond Paperwork for New Truck: The town's bond attorney, Ted, will revise the numbers for the larger truck's bond. It's hoped that if the new amount is less than the original advertised amount (\$440,000), a new legal notice in the paper won't be required.
- **Grader Financing (Temporary Loan):** The grader's cost (\$218,000, with \$18,000 potentially from the \$382,000 account) will be temporarily borrowed from an account and repaid with CHIPS reimbursement.

Financial Transparency

A board member requested that future financial reports include clearer information on **allocated funds versus current balances** for different accounts, particularly for major equipment purchases, to provide a better overview of the town's financial standing.

Sales tax is up 10%

The meeting proceeded with the approval of the Supervisor's report, moved by Mr. Butler, 2nd by Mr. Heisler. All 4 Board members in favor, motion carried. Mr. Wark was absent

MINUTES APPROVAL for May 19, 2025

8:00PM

After review of the minutes of May 19th, a motion to approve them was made by Mr. Heisler, 2nd by Mr. Cammarata. All 4 Board members in favor, motion carried. Mr. Wark was absent. Heisler/Cammarata all 4

WARRANTS 8:05PM

<u>General Warrant # 6</u>, Vouchers # 72-88 in the amount of \$4388.70 submitted for payment and reviewed. A motion to pay these claims was made by Mr. Heisler, 2nd by Mr. Warren. All 4 Board members in favor, motion carried. Mr. Wark was absent.

<u>Highway Warrant # 6</u>, Vouchers # 66-78, minus duplicate # 71 in the amount of \$9687.64 submitted for payment were reviewed. A motion to pay these claims was made by Mr. Heisler, 2nd by Mr. Butler. All 4 Board members in favor, motion carried. Mr. Wark was absent.

There was no Executive Session, and no additional business. Supervisor Cammarata declared the meeting adjourned.
Meeting Adjourned at 8:14pm.
Smithville Town Clerk
Alison Owens