

Minutes of the Smithville Town Board
December 16, 2019

OPENING of Town Board meeting 6:30PM
ROLL CALL/PLEDGE/LATE ADDITIONS:

ATTENDANCE in addition to Supervisor Heisler:

Councilman Mike Evans
Councilman Bob Whitmore
Councilman John Cammarata
Councilman Karl Ludwig,

ALSO:
Alison Owens, Town Clerk
Vince Witkowski, Hwy Sup't; Jeff Lowe, Assessor
Shane Butler, Pam Holcomb, Planning Board
Enforcement Officer Bruce Kinney, BAR member Angelo
Cioffi, Resident Marie Kehl,

CORRESPONDENCE (none) 6:35PM

NEW BUSINESS 6:35PM
(NONE)

OLD BUSINESS (UPDATES IF ANY) 6:35PM

OB1) update on the Cincinnatus Lake Dam situation. The engineer now has a copy of the 2012 dam report and will continue the study. Notification of any changes will not be immediate.

OB2) **update on Oxford Fire Contract:** Supervisor Heisler reported that negotiations are not much further along. The Town of Preston will not sign contract, and the Town of Smithville will not sign 5 yr contract. Only the Town of Oxford is moving forward with the contract. There has been no response yet to the correspondence sent to the Town of Greene asking them for fire protection for 2020 for the District 23 area located in the Town of Smithville. Councilman Whitmore said we would have to contact the Ambulance service in Greene as well. There is just not enough coverage in the areas any more. There are a lot of changes where different agencies need to be notified to move from Oxford to Greene. Fire Departments are not responding to calls as is the case with the Oxford Fire Dept.

OB4) **update on Teamsters Union:** Grievances have been settled. Supervisor Heisler will address the outcome in an Executive session.

OB5) **update on Echo Lake Incinerator system:**

In response to the lawsuit by Frederick Getz against the Town of Smithville for allowing the use of an incinerator toilet, a letter was received from resident Marie Kehl indicating she will begin using a flush toilet as soon as the first part of January. She emphasized her incinerator is legal, properly installed and is not considered a septic system. She is relenting because of the risks to her health from harassment to her by her neighbor Mr. Getz. She would accept a Town response to Mr. Getz's Att'y.

OB6) update on fire alarm system at the Community Center, security system at the Town Barn:

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Councilman Cammarata provided 1 quote for the Community Center and Town Barn from the same company. Four companies were contacted but only one came through with a quote. This company, Maximum Security Systems, Vestal NY, has a triple A rating. The Auditor from the NYS Comptroller's office who is working with the Town of Smithville right now would like to see a security system installed at the Town Barn. The quote came with the following points:

- 6 different Hikvision cameras at the Town Barn: 1 each for the diesel pump, the dumpsters, the pit area, the break room, the truck bay across the front doors and the rear door and gas switch. The total cost for the all cameras, monitors, equipment and installation is \$5495. (prevailing wage). The County Fire and Code report did not mention needing a fire alarm system at the Town Barn.
- The Community Center would need a whole new fire detection system as parts for the old system are no longer available. This system includes a Silent Knight 6700 Addressable Control/Communicator , 2 standby power supplies, 2 isolation modules, 7 smoke detectors, 1 heat detector, and 4 silent pull stations. The total cost for the parts and installation would be \$5889. (prevailing wage) plus \$300. annually to monitor the system.

Supervisor Heisler asked Board members if they wanted to move on this tonight or re-consider it in January. Board members said the Town was in violation by not having a working fire alarm system and wished to move forward with the purchase.

RESOLUTION # 55 (2019): APPROVE PURCHASE OF SECURITY SYSTEM AT THE TOWN BARN AND A NEW FIRE DETECTION SYSTEM AT THE COMMUNITY CENTER

On a motion by Councilman Whitmore, 2ND by Councilman Evans, the following Resolution was ADOPTED.

AYES Heisler, Ludwig, Evans, Cammarata, Whitmore
NAYES 0

RESOLVED to purchase a Hikvision Security system for the Town Barn at a cost of \$5495. And a Silent Knight fire alarm system for use at the Community Center at a cost of \$5889. Plus \$300 annually for monitoring the system. Such fire alarm system will make the Community Center compliant with Chenango County's Fire and Building code.

OB7) **update on code violations:** the County Code Enforcement will continue to stay on the problem on Fred Wilcox Rd. The Town Supervisor or the Town Enforcement Officer can issue a written letter saying they are not following the Junk Local Law and give them time to rectify the problem to be in compliance with the local junkyard law or they need to get rid of the vehicles.

REPORTS

7:10PM

- R1.) Highway: report submitted:
* Still dealing with Beavers
* Cutting brush

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* Exterior lighting: the Highway Sup't is holding off to any contract for exterior lighting at the moment. Rick Croft (Mansion Electric) has given a verbal quote to replace 5 lights with 10 yr warranty LED bulbs for \$7500. Lowe's has LED bulbs at a lower price totaling \$2K but they have less warranty. Board members suggested the Highway Sup't move toward the longer warranty LED bulbs with a contractor and recommended a paper trail. They asked Hwy Sup't Witkowski to get a written bid for replacing the 8 lights at the Town Barn.

R2) Assessor: report submitted:

Slow month, getting exemption renewals ready to be mailed. Question from Supervisor Heisler on the Solar Farm. Assessor gave them an exemption form which was not filled out but they have subsequently filled out the exemption form and are now exempt. Also talked about the possibility of doing a Town-wide assessment update, though the process would be very involved.

R4.) Planning Board: minutes of December 4th meeting were available for review. The Dollar General site plan review was approved with a restriction to disallow sales of beer, if legal to do so, or to approve the Dollar General SPR if the restriction was not allowed.

The Planning Board had also asked the Town Supervisor to contact the Association of Town for their legal opinion of the restriction on selling beer. The Association of Towns responded that you can ask but you can't demand because the Town of Smithville has no zoning in effect. PB Chair Butler will let Bohler Engineering know of the decision. The Dollar General SPR does includes sidewalks, monument sign and neighbor fencing.

With regard to reviewing the Junk Yard Local Law, Chair Butler said the was no enforcement officer mechanism listed on that Local Law. Also, there will be 2 vacancies on the Planning Board as of January 1st.

R5.) DCO: no report submitted. Ag and Markets inspection report of the Town DCO facilities was approved

R6.) Attorney: no report submitted.

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: no report

R10) Town Clerk: report submitted. Town Clerk Owens asked for a Resolution to pay year end bills:

RESOLUTION # 56 (2019): APPROVE PAYMENT OF YEAR END BILLS BY SUPERVISOR HEISLER

On a motion by Councilman Ludwig, 2ND by Councilman Whitmore, the following Resolution was ADOPTED.

AYES Heisler, Ludwig, Evans, Cammarata, Whitmore

NAYES 0

RESOLVED to authorize Supervisor Heisler to pay the General and Highway year end bills.

The Custodian has the week between Christmas and New Year's off and has offered to paint the ramp hallway at the Community Center. Hwy Sup't Witkowski mentioned he is going to be getting paint for the Town Barn

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and offered to work with the Custodian to purchase materials at Lowe's. Board members gave permission for her to work with the Hwy Sup't for materials and to paint the hallway at the Community Center.
R11) vacant

Executive Session:

An Executive Session was called by Supervisor Heisler to discuss an internal matter. A motion was made by Councilman Ludwig, 2nd by Councilman Whitmore to move into Executive Session. All 5 Board members Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried. Into Executive Session @ 7:38pm.

A motion to come out of Executive Session was made by Councilman Cammarata, 2nd by Councilman Whitmore: All 5 Board members Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried. Out of Executive Session @ 7:56pm. No business was conducted.

R12) Supervisor's Report: submitted:

CHIPS \$ is to be rolled over until next year; Collyer Rd will also be repaired next spring

UNEXPENDED BALANCE:

\$20K will be left in the Highway for 2020; \$40K can be left in General unexpended balance, but there is still \$85K left. Supervisor Heisler asked Board members where they would like to see the extra \$45K put. Councilman Whitmore suggested splitting between Highway savings (earmarked for equipment) and General savings. The Highway equipment account is always being used up quickly. Other Board members were in agreement to split it between the Highway and General saving accounts.

RESOLUTION # 57 (2019): APPROVE \$25K TRANSFER FROM GENERAL TO HIGHWAY SAVINGS

On a motion by Councilman Whitmore, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

AYES Heisler, Ludwig, Evans, Cammarata, Whitmore
NAYES 0

RESOLVED to authorize Supervisor Heisler to make an appropriate transfer from the General Savings balance of \$25K to Highway saving. The remaining \$20K will remain in the General Savings until the new Board convenes in January.

A motion to accept the Supervisor's report was made by Councilman Ludwig, 2nd by Councilman Whitmore. All 5 Board members Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

The NYS Retirement payments were made early to take advantage of the extra savings of an early payment.

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Additionally, John Cammarata and Karl Ludwig's names will need to be added to the Town of Smithville NBT accounts for 2020 in order to make transactions and co-sign checks. This was approved in the following Resolution:

RESOLUTION # 58 (2019): APPROVE JOHN CAMMARATA AND KARL LUDWIG'S NAMES TO NBT ACCOUNTS

On a motion by Councilman Whitmore, 2ND by Councilman Evans, the following Resolution was ADOPTED.

AYES Heisler, Ludwig, Evans, Cammarata, Whitmore
NAYES 0

RESOLVED to approve John Cammarata and Karl Ludwig's names to be added to the Town of Smithville's NBT accounts starting January 2020 in order to make transactions and co-sign checks.

MINUTES APPROVAL for November 18th

8:10PM

Councilman Evans mentioned there was no name 2nding the motion of payment of the General Vouchers. It was decided to add Councilman Evans name to 2nd the motion for payment of the General Warrant Vouchers in the November 18th minutes and then to approve the minutes. This was so moved by Councilman Cammarata, 2nd by Councilman Ludwig, 4 Board members in favor: Ludwig, Cammarata, Evans and Heisler; Whitmore abstained as he was absent for that portion of the meeting.

WARRANTS

8:15PM

General Warrant # 12, Vouchers # 146-172, in the amount of \$ 7486.08 were reviewed for payment.

A motion to approve and pay these claims was made by Councilman Cammarata, 2nd by Councilman Ludwig. All 5 Board members Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

Highway Warrant # 12, Vouchers # 149-159, in the amount of \$ 7198.09 were reviewed for payment.

A motion to approve and pay these claims was made by Councilman Cammarata, 2nd by Councilman Whitmore. All 5 Board members Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

Next meeting is Thursday January 2, 2020 (Organizational meeting) @ 6:30pm. There was no other business to come before the Board. Supervisor declared the meeting adjourned @ 8:30pm

Alison B. Owens

Smithville Town Clerk