

MINUTES OF THE SMITHVILLE TOWN BOARD  
May 20, 2019

OPENING of Town Board meeting by Supervisor Heisler

6:33PM

ROLL CALL/PLEDGE:

ATTENDANCE in addition to Supervisor Heisler:

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

ALSO:  
Alison Owens, Town Clerk  
Vince Witkowski, Hwy Sup't  
Bob Brooks, Planning Board  
Shane Butler, Planning Board Chair  
Pam and Bob Holcomb  
Ken Whitmore III, Fire Chief  
Angelo Cioffi, BAR; Marie Kehl, resident

LATE ADDITIONS/DELETIONS/REMARKS:

CORRESPONDENCE

6:35PM

- C1) Sales Tax Cash Distribution 1<sup>st</sup> quarter 2019 check was received in the amount of \$40,234.61.
- C2) There is a Human Resource Law 2019 Class in Binghamton July 18<sup>th</sup> \$149 for interested Town Board members.
- C3) letter from Ray and Sherry Butts regarding neighbors farm animals on their property. Smithville's DCO and the NYS AG & Markets rep indicated this should be handled by the Chenango County Sheriff's Dept, especially if animals are being neglected.
- C4) letter from Chenango County 911 establishing an address at 224 Martin Lane. The address in Smithville was created by 911 Officials in response to a break-in on the property, located on an old abandoned road accessible only from the Town Line Rd separating German and McDonough.
- C5) letter from property owner Michael Pieretti asking permission to use ball field for family games on Memorial Day weekend. Board members appreciated the request and asked only that the Pieretti family supply a certificate of insurance for the weekend event.

OPENING OF FUEL BIDS

6:45PM

VENDOR/PRODUCT	POSTING DATE/ RACK PRICE	DIFFERENTIAL	FLUCTUATING	FIRM BID
<b>Reese Marshall 6254 County Rd 32 Norwich, NY 13845</b>	Buckeye Vestal			
ULSD	5/19/2019(\$2.176)	+ .16	\$2.336/gal	\$2.389/gal
ULSK Winter Blend	5/19/2019(\$2.506)	+ .16	\$2.666/gal	\$2.549/gal
Propane(Hwy &CC)	5/15/2019	XX	XX	\$1.30/gal
Appropriate size tank	No fee to set tank			
<b>Mirabito Energy Prod P.O. Box 5306 Binghamton, NY 13902</b>	Binghamton/Vestal			
ULSD	5/16/2019 (\$2.2043)	+ .1818/gal	\$2.3861/gal	\$2.5353/gal
ULSK Winter Blend	5/16/2019(\$2.6605)	+ .1818/gal	\$2.8423/gal	\$2.9853/gal
Propane (Selkirk) (both Hwy & CC)	5/16/2019 Selkirk (\$ .9009/gal)	+ .3559/gal	\$1.2568/gal	\$1.5400/gal

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**ACTION ON FUEL BIDS**

After review of the Fuel Bids it was noted that Reese-Marshall’s firm price for all products was lower than Mirabito’s bids, therefore it was decided to contract with Reese-Marshall for the 12 month delivery of fuel products to the Town of Smithville.

**RESOLUTION # 25 (2019): AWARD ALL FIRM FUEL BIDS TO REESE-MARSHALL**

On a motion by Councilman Ludwig, 2<sup>ND</sup> by Supervisor Heisler, the following Resolution was ADOPTED.

AYES Ludwig, Evans, Heisler, Cammarata  
NAYES 0  
ABSTAIN Whitmore \*\*

RESOLVED to award Reese-Marshall of Norwich, NY all firm bids as submitted for fuel for the Town of Smithville: Low Sulfur Diesel, ULSK Winter Blend and Propane for the period June 1, 2019-May 31<sup>st</sup> 2020.

ULSD: \$2.389/gal  
ULSK: \$2.549/gal  
Propane: \$1.30/gal

Town Clerk Owens will send award and regret letters to Reese-Marshall and Mirabito. It was also mentioned the possibility of purchasing fuel tanks for the Town for propane and diesel instead of replacement by Fuel companies

NEW BUSINESS

6:55PM

NB1) Consider Resolution to change the hourly rate for Deputy Clerk Chris Buck from \$12.00 to \$15.00. Town Clerk Owens indicated the Planning Board Clerk, Town Clerk Deputy # 2 and the Court Clerk are all paid \$15.00 p/h and that the hourly rate for this Deputy should be brought to the same level.

**RESOLUTION # 26 (2019): INCREASE DEPUTY CLERK CHRISTINE BUCK’S HOURLY RATE TO \$15 P/H**

On a motion by Councilman Ludwig, 2<sup>ND</sup> by Supervisor Heisler, the following Resolution was ADOPTED.

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

RESOLVED to increase Deputy Clerk Christine Buck’s hourly pay rate from \$12 p/h to \$15 p/h effective immediately.

NB2) Consider purchase of flags for outside street poles. The flags used on the poles were inadvertently destroyed last year and it was not noticed until last week. Town Clerk Owens can purchase 8 flags from Amazon for about \$75 and have them in hand by tomorrow if the Town Board would approve the purchase. The flags would be installed and up on the poles in time for Memorial Day.

**RESOLUTION # 27 (2019): PURCHASE FLAGS FROM AMAZON WITH PURCHASE LIMIT OF \$75**

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

AYES Ludwig, Evans, Whitmore, Heisler, Cammarata

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NAYES 0

RESOLVED to purchase US flags from Amazon for street hanging in an amount not to exceed \$75.

NB3) A request from the Genegantslet Fire Co. Inc was received asking for approval of proposed members of the Genegantslet Fire Co., Austin Yesalusky and probationary member and Liz Vanderweyde, probationary Auxillary member. This was so moved in the following RESOLUTION:

**RESOLUTION # 28 (2019): APPROVE AUSTIN YESALUSKY AND LIZ VANDERWEYDE TO THE GENEGANTSLET FIRE CO. INC. MEMBERSHIP**

On a motion by Councilman Evans, 2<sup>ND</sup> by Councilman Cammarata, the following Resolution was ADOPTED.

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

RESOLVED to approve Austin Yesalusky as a probationary member and Liz Vanderweyde as a probationary Auzillary member of the Genegantslet Fire Co. Inc.

Additionally, the 911 update, spearheaded by the Fire Company, will be done soon.

OLD BUSINESS (UPDATES IF ANY) 7:00PM

OB1) complaint of unkempt properties on Pearl St./Fred Wilcox Rd. Nothing more has been reported.

OB2) LED upgrade at the Town Barn: Hwy Sup't Witkowski has received a bid from Mansion Electric for \$3100 for the 2 bays in the old section of the Town Barn and the recently revamped Town Highway Sup't office. Last month's bid of \$3043.53 from Eastern Energy Solutions was for just the old bay area with a NYSEG incentive of \$706.22 bringing the final price down to \$2337.31. The Eastern Energy bid refers to NYSEG incentives but the Mansion bid had the selective electric added to the Hwy Sup'ts office. Hwy Sup't Witkowski felt the Mansion bid would allow savings by reworking the electric so only the electric bulbs needing change would be changed. Other bulbs could be changed as needed/when needed. Also, the newer part of the Town Barn and the outside would not need to have anything done to them at the present time. It was also mentioned that the work to qualify for the NYSEG incentives was additional time spent in paperwork.

**RESOLUTION # 29 (2019): AWARD BID FOR ELECTRIC SERVICE ON OLD SECTION OF TOWN BARN/HWY SUPT OFFICE AREA TO MANSION ELECTRIC**

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

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

RESOLVED to award the bid for electric update work at the Town Barn to Mansion Electric, work to be completed will be in the older section of the Town Barn and the Hwy Sup't office area.

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OB3) consider action of shredding options for Records Management indicated on TC report R10, # 7.

Town Clerk Owens was asked to provide a quote for off-site records shredding:

- SHRED-IT, operating as Stericycle, (recommended by Shane Butler) will send a 65 gal tote for the Town to fill with recycling paperwork. When full (8-10 bankers boxes), the company will pick it up and take it to their facility to shred. The cost is \$225 per container, each time. An additional 65 gal container picked up at the same time would be \$65 more. 65 gal containers are 46"x24.5"x27.5"; 95 gal containers are of course larger.
- GLOBAL DOCUMENT DESTRUCTION: will place a 95 gal container here and charge \$150 for the 1<sup>st</sup> pickup, \$100 for each add'tl container thereafter.

The challenge with these large containers is that there is no place to store them in the Town Clerk's office. A place inside the Community Center would have to be agreed upon by all parties using the Community Center. Options for a small in house shredder are still available. Supervisor Heisler asked to table any action until later.

OB4) consider action on back door replacement on Pavilion. Supervisor Heisler expected the vendor providing the quote to be here this week.

OB5) update on street lights Option B. Town Clerk Owens asked if Board members were content with last month's choice of Option B for the street light update. All Board members indicated they were accepting of the B option.

OB6) update on septic complaint at Echo Lake. Marie Kehl said the County Health Dept sent 2 men who fired up the system and did not find a problem. They said a letter would be sent but no one has received it yet. Mrs. Kehl would like a copy.

OB7) update of website domain maintenance /switch to Woolly Bear. This was done with no problems.

REPORTS

7:30PM

R1.) Highway: report submitted

- Grading roads
- Equipment has been cleaned up; trucks working
- People door into break room by locksmith
- New rake is on and is working good
- 5 Beavers taken on Stone Quarry 5, 3 on Francis, then more back on Pollard Rd.
- Had meeting with Linda regarding CHIPS moneys
- 11mil grant opportunity will not work for culvert replacement as there is a \$100K cap on each road
- FEMA project on Collyer Rd is just about at the end
- The Hwy Supt would like to sell surplus equipment: the Doosan, 350 flatbed pickup with bad engine, 6 truck rims, and old York rake and will need a Resolution to do that

**RESOLUTION # 30 (2019): DECLARE SURPLUS HWY EQUIPMENT AND AUTHORIZE TO SELL**

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

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

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ABSTAIN          Evans

RESOLVED to declare the Doosan, the 350 flatbed pickup with bad engine, 6 truck tire rims and the old York rake as surplus and prepare to sell them.

- The Hwy Sup't would like to have credit card from Lowe's for Town use and require photo ID on back of card. Concerns include the billing date and if it can be changed. This will be tabled until more information can be obtained.

R2) Assessor: report submitted

- Tentative Assessment has been completed, waiting for Grievance Day
- Sample copy of Assessor letter to Ag Exemption Recipients/# of Exemption parcels within code and how the ag exemption will change for some people

R3.) Enforcement Officer: no written report submitted. Enforcement Officer was not present

R4.) Planning Board: minutes submitted

- Road Use Local Law. Will continue to work on it at June's meeting

R5.) DCO: no report submitted. NYS Ag & Markets report was good.

R6.) Attorney: no report submitted

R7.) vacant

R8.) Custodian: no report submitted. Groundskeeper Keith Sabin noted the push lawnmower has given up. He has priced 3 at Lowes: the cheapest is \$169., a rear powered Craftsman \$349.; on sale non powered \$249. (similar to what is now non-functioning). Board members felt the rear powered Craftsman mower would be the best fit.

**RESOLUTION # 31 (2019): PURCHASE REPLACEMENT LAWN MOWER FROM LOWE'S**

On a motion by Councilman Cammarata, 2<sup>ND</sup> by Councilman Ludwig, the following Resolution was ADOPTED.

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

RESOLVED to purchase for the Town a new push rear powered Craftsman lawnmower @ \$349 from Lowe's.

Councilman Cammarata asked Groundskeeper Sabin to build a winterized "tent" for the propane hook-up on the back-up generator.

R9.) Playground Committee/Eagle Scout project: no report.

R10) Town Clerk: report submitted

R11) vacant

R12) Supervisor's Report: submitted

- Discussion with Sheriff's Dept. who suggested an outpost might be a good idea in Smithville. This would require office space in the Town Office building on an ongoing basis. Supervisor Heisler has give some thought for additional space for Records Management, Supervisor and Enforcement Officer space along with space for a Deputy Sheriff. He will ask if there is any funding available from the Sheriff's Dept for an addition on the east end of the building. Supervisor Heisler will draw up a floor plan and do some preliminary planning work and will have that available for the next meeting.

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- It was recommended Town Clerk Owens use a records destruction service for a year or so to shred papers until a more permanent storage solution is agreed upon.
- A motion was made by Councilman Cammarata, 2<sup>nd</sup> by Councilman Evans to accept the Supervisor's report. All five Board members: Ludwig, Cammarata, Evans, Whitmore, and Heisler were in favor, motion carried.

MINUTES APPROVAL for April 15th

8:00PM

During a review of the April minutes Councilman Whitmore noted on p.2 that a change to "Councilman Whitmore" referring to the State of Emergency instead of Fire Chief Whitmore should be made. The minutes with the change noted were then approved in a motion by Councilman Whitmore, 2<sup>nd</sup> by Councilman Ludwig; all 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

WARRANTS

8:05PM

**GENERAL WARRANT # 5**, Vouchers # 49-62 in the amount of \$ 27,280.07 were reviewed for payment. A motion to accept and pay these claims was made by Councilman Whitmore, 2<sup>nd</sup> by Councilman Ludwig. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

**HIGHWAY WARRANT # 5**, Vouchers # 60-76, in the amount of \$27,388.36 were reviewed for payment. A motion to accept and pay these claims was made by Councilman Whitmore, 2<sup>nd</sup> by Councilman Cammarata. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

There was nothing else to come before the Board. Next meeting is June 17<sup>th</sup>.

ADJOURNED BY SUPERVISOR HEISLER @8:28PM.

Alison B. Owens

Smithville Town Clerk

\*\* Correction to minutes