

Minutes of the Smithville Town Board
October 18, 2021

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

ATTENDANCE in addition to Supervisor Cammarata:

Councilman Bob Whitmore	ALSO:
Councilman Karl Ludwig	Alison Owens, Town Clerk
Councilwoman Pam Holcomb	Shane Butler, Planning Board
Councilman Mike Evans	Ken Whitmore, Genegantslet Fire Chief
	Charlotte Newfield, resident Round Pond Rd.

PUBLIC HEARINGS:

Seasonal Roads 2021-2022 opened by Supervisor Cammarata @ 6:31PM, who also read the legal as published in the Norwich Evening Sun.

Opened for comments: Ken Whitmore: Echo Lake Rd. spur still has a sign up which needs to be removed
Supervisor Cammarata read a letter from Echo Lake Association regarding the SE end of Echo Lake spur—pot holes are causing problems for residents and they are requesting repair work be done before June 2022.
Ken Whitmore: the Hwy crew was there today to work on it. There is 1 resident there year round. One of the problems is that residents will not allow trees to be cut along the narrow road to help alleviate the problem.
Supervisor Cammarata will contact the Association and talk with them.

Closed by Supervisor Cammarata @ 6:43pm

Snowmobile Roads 2021-2022 opened by Supervisor Cammarata @ 6:43pm who also read the legal ad as published in the Norwich Evening Sun.

Opened for comments: Councilman Whitmore said the trail now diverts around the plowed portion of Art Lake Rd. as the original reason (noise) for the 5mph was not sufficient for then resident Stan Roberts.

Closed by Supervisor Cammarata @ 6:47pm

Local Law # 5 Dog Licensing and Control opened by Supervisor Cammarata who also read the legal notice as posted in the Norwich Evening Sun.

Opened for comments: Ken Whitmore: asked a question regarding purebred licensing as to the cost and if it had to be purebred license.

Town Clerk Owens replied the Board would set the fees for a purebred license which is usually 1-10 AKC registered dogs. There are 3 dog license fees: unspayed/unneutered; spayed/neutered; and purebred.
The hearing was declared Closed @ 6:50pm by Supervisor Cammarata.

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OTHER: Charles and Charlotte Newfield asked about ditching on their property on Round Pond Rd. on right hand (north) side
Vince Witkowski: FEMA \$ has come in and the crew will be there this week to take care of it

CORRESPONDENCE

6:50PM

C1) letter from NYS Dept. of Public Service regarding study of availability, reliability and cost of high speed internet. Supervisor Cammarata will speak with them tomorrow regarding internet in the Town of Smithville

NEW BUSINESS

6:55PM

NB1) Consider adoption of the Snowmobile and Seasonal Roads for 2021-2022

RESOLUTION # 55 (2021): APPROVE OF THE 2021-2022 SEASONAL HIGHWAYS, SNOWMOBILE ROADS

On a motion by Councilman Whitmore, 2nd by Councilwoman Holcomb, the following Resolution was passed.

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

RESOLVED to adopt the 2021-2022 Seasonal and Snowmobile roads in the Town of Smithville.

NB2) Consider Adoption of Local Law # 5 Dog Control and Licensing. There was no further discussion about Local Law # 5 Dog Control and Licensing in the Town of Smithville.

RESOLUTION # 56 (2021): ADOPT LOCAL LAW # 5 "DOG CONTROL AND LICENSING"

On a motion by Councilman Evans, 2nd by Councilman Ludwig, the following Resolution was passed.

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

RESOLVED to adopt Local Law # 5 "Dog Control and Licensing" in the Town of Smithville, effective January 1, 2022 or when received by the NYS Department of State.

NB3) Consider Action on Service Request # 15 (Oct. 12, 2021) 933 County Rd 3

This concern has already been sent to Chenango County; the house has asbestos and it needs to be tested for the amount. The Town cannot take responsibility for the building and cannot burn it, but it could be buried. It is still a County concern. Katha Root also complained about the property further toward the 4 corners where a trailer is being dismantled. The county is aware of that situation as well.

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Fire Chief Ken Whitmore: A GoFundMe was set up for the owners of the 933 County Rd. 3 property but there is no way to track it as far as who really contributed and where the funds were spent.
No further action was taken.

NB4) Consider Action on Animal Control Officer position vs. Dog Warden position for Smithville
Town Clerk Owens indicated in a discussion with Matt Caldwell, Chenango County Personnel, that the Town could ask a Dog Warden to take on some additional responsibilities such as attend Court if a summons was issued for a dog complaint or try to locate an owner before taking the dog to an SPCA. After additional discussion it was decided to keep the position as Dog Warden as opposed to Animal Control Officer and to advertise the position for applications.

RESOLUTION # 57 (2021): KEEP “DOG WARDEN” POSITION AND ADVERTISE FOR APPLICATIONS

On a motion by Councilman Ludwig, 2nd by Councilman Evans, the following Resolution was passed.

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

RESOLVED to keep the Civil Service position of “Dog Warden” in the Town of Smithville, to add some additional responsibilities to the requirements, and to advertise for applications.

There has yet been no letter of resignation: Town Clerk Owens sent a form letter to the current Dog Warden with 2 questions—either yes or no to continue with the job and no response was received.

PB Chairman Butler: recommended an annual performance review. Board members were very open to this suggestion.

In the meantime, Oxford DCO Roger Barrows has been asked to take a dog to the SPCA if needed.

NB5) Consider Resolution to call for Public Hearing on Genegantslet & Smithville Center Fire Contract Budgets for 2022

RESOLUTION # 58 (2021): CALL FOR A PUBLIC HEARING ON GENEGANTSLET/SMITHVILLE CENTER FIRE CONTRACT 2022 BUDGETS ON NOVEMBER 4, 2021 @ 6:35 AND 6:40PM, RESPECTIVELY

On a motion by Councilman Whitmore, 2nd by Councilman Ludwig, the following Resolution was passed.

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

RESOLVED to advertise for Public Hearings on November 4, 2021 for the Genegantslet and Smithville Center Fire Contract 2022 Budgets. The PH’s will be held at 6:35 and 6:40PM respectively.

NB6) Consider Resolution for Public Hearing on Preliminary Town Budget for 2022. (November 4, 2022)

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RESOLUTION # 59 (2021): CALL FOR A PUBLIC HEARING ON THE TOWN OF SMITHVILLE 2022 PRELIMINARY BUDGET

On a motion by Councilwoman Holcomb, 2nd by Councilman Whitmore, the following Resolution was passed.

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

RESOLVED to advertise for a Public Hearing on November 4, 2021 @ 6:30PM for 2022 Preliminary Town of Smithville Budget.

NB7) Consider action on Clerk, part-time position for the Town of Smithville. After discussion about the time line for creating a 3rd Deputy position, and the length of time it would take for that position to be approved by NYS (and Civil Service), further discussion ensued about a Clerk, part-time position which was recommended by the Chenango County Personnel Office. This Clerk could work in any office in the Town, could be advertised now and the Town Board could appoint someone to start in the Town Clerk's office January 1st. Town Clerk Owens would like to retire next year and this would be a step to ensure someone with working knowledge of the position could step in to be appointed either as a Deputy or as the Town Clerk. There is already a position available so one will not need to be created.

RESOLUTION # 60 (2021): ADVERTISE FOR CLERK, PART TIME TO WORK IN THE TOWN CLERK'S OFFICE

On a motion by Councilman Ludwig, 2nd by Councilwoman Holcomb, the following Resolution was passed.

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

RESOLVED to advertise for a Clerk, part-time position in the Town of Smithville, to work in the Town Clerk's office.

NB8) Consider purchase of StarLink Signal Booster for \$185. + \$18. p/m or add 2 dedicated lines for the fire alarm system from Frontier for \$59.98. p/m + taxes + installation. (see # 6 on Town Clerk's report) When Frontier installed fiber-optic service to the Community Center in March 2021, the fire alarm was thrown off-line as it required 2 dedicated phone lines for operation or a purchased cell booster could be used. After consideration, the Board decided to purchase the Star-Link cell booster, pending successful testing of the system, from Maximum Security who initially installed the fire alarms.

RESOLUTION # 61 (2021): PURCHASE THE STAR-LINK CELL BOOSTER FOR THE FIRE ALARM FROM MAXIMUM SECURITY FOR \$185. + \$18.00 P/M PENDING SUCCESSFUL TESTING OF THE SYSTEM

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On a motion by Councilwoman Holcomb, 2nd by Councilman Ludwig, the following Resolution was passed.

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

RESOLVED to purchase the Star-Link cell booster system from Maximum Security Systems, who installed the fire alarm, at a cost of \$185. plus \$18.00 per month for monitoring. The Board requested the alarm be tested for success while it is hooked to the cell booster before the purchase is finalized.

Additional items of New Business were requested to be opened for discussion by Councilman Whitmore:

NB9) Councilman Whitmore asked who is going to remove the snow on sidewalks in front of Dollar General and new State Hwy 41 bridge? After discussion, Planning Board Chair Butler said a Local Law should be considered to require maintenance by owners for sidewalks in the Community. It was suggested to move this to the Planning Board and/or the Town Att’y for suggestions. A cross-over walkway to Dollar General was also suggested. This would have to go through the NYSDOT. Supervisor Cammarata will contact them and Att’y Berger.

Councilman Evans left at 7:45pm

NB10) Councilman Whitmore also expressed his concern about the disrepair of the dam at the former Hansmann’s Mill site on the Genegantslet and the potential problems it could cause. He felt the DEC should consider removing the dam and cleaning out both the Genegantslet Creek and Pond creek. Both creeks have a lot of debris in them which causes and has caused continuous water problems in the hamlet. Supervisor Cammarata will contact the DEC to discuss the situation.

NB11) Councilman Whitmore also asked when the County was sponsoring Halloween? Has a specific day been declared other than Sunday? Should the Town have their own? The answer was unknown but other communities are still celebrating on October 31st.

OLD BUSINESS (UPDATES IF ANY)

7:40PM

OB1) updates on Local Law # 4 2021: Opt Out of Cannabis. The Town had passed the Resolution opting out of Cannabis, has advertised for and has held a public hearing but it was discovered the Town was supposed to have the Public Hearing 1st then wait 45 days for complaints. IF no complaints or petitions come in then the Resolution would be declared in effect on November 8th.

OB2) updates on electronic sign board: This summer’s hot weather caused a component on the circuit board to short out. It did start up again on its own and can be used.

OB3) updates on buildings and grounds cameras: Tim Hanna, working with the Town on computer/software related items has been able to re-connect the cameras, software and substitute laptop to get everything working again. A cable and sd card were purchased to help update the system but a new small form computer will be needed as the older one is no longer good. The computer will need to be stronger than the old laptop currently powering the system. Tim will make recommendations shortly. Town Clerk Owens asked to have to

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older laptops and 2 small form computers declared excess property as they are old, not updated or not working.

RESOLUTION # 62 (2021): DECLARE 2 LAPTOP COMPUTERS AND 2 SMALL FORM COMPUTERS AS EXCESS

On a motion by Councilman Ludwig, 2nd by Councilman Whitmore, the following Resolution was passed.

AYES	Ludwig, Holcomb, Whitmore, Cammarata
NAYES	0
ABSENT	Evans

RESOLVED to declare 2 laptop computers: 2011 2nd gen intel I5 & a 2013 3rd gen intel I5 and 2 small form computers as excess equipment and to give them to Tim Hanna for disposal.

OB4) considerations of Town land use in hamlet:

- The land developer for a proposed Senior Center 55+ is working on the arrangements with a letter of intent to be mailed to Supervisor Cammarata in the next couple of weeks. It is not known if a 1 story or 2 story building will be proposed. Fire Chief Ken Whitmore asked about plans for fire protection. Fires are easier controlled with single story than with a 2 story.

Planning Board Chair Butler: the project should be put out to bid.

If the Town's intent is to sell the property for a 55+ property development, then the Town Board would need to declare the property surplus 1st, then it would need to be approved by Public Referendum.

OB5) updates on repeater on County Rd. 3

- the antenna has to be upgraded as it was a low budget item that was installed; the repeater is hooked up. Can the Town get a credit on the old repeater/antenna?
- grant monies from ARP are available but there is difficulty in finding what the \$ can be used for

Ken Whitmore: suggested connecting with the Greene school district, Town and Village of Greene which goes through a County repeater and link in with them. There may be a cost for this. This was suggested a few years ago but action on it was never completed.

Currently there is no communication between the Town highway trucks right now due to the loss of this repeater.

Councilman Whitmore: could upgrade equipment and then work with Greene which would help.

OB6) updates on JRC

Greene Town Supervisor Joe Henning asked the Town of Smithville for its JRC payment for 2021. Supervisor Cammarata asked if there was going to be a credit for the \$1100. overpayment created by Chenango County. The JRC has been given more than what was needed. A FOIL request answered by the JRC did not have all of the information which was in the request.

Councilman Whitmore: the JRC needs to be paid—it's for the kids.

Councilwoman Holcomb: recommended the Town remove the \$1100. Chenango County paid and pay the remaining \$3,000 for 2021 to the JRC, with revision in the signed contract.

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RESOLUTION # 63 (2021): PAY THE JRC \$3,000. SUBTRACTING OUT \$1100. OVERAGE PAID BY COUNTY

On a motion by Councilwoman Holcomb, 2nd by Councilman Whitmore, the following Resolution was passed.

AYES Ludwig, Holcomb, Whitmore, Cammarata
NAYES 0
ABSENT Evans

WHEREAS the budgeted, contractual amount due from the Town of Smithville to the JRC (Joint Recreation Commission) of the Town and Village of Greene, NY for the year 2021 is \$4,100. and WHEREAS Chenango County provided an amount of \$1,100. directly to the JRC during the 2021 year instead of sending it first to the Town of Smithville, BE IT THEREFORE RESOLVED that the Town of Smithville pay to the JRC the remaining amount of the 2021 contract, being \$3,000.

Councilman Whitmore then recommended the Town Board move to take the \$1100. and put it into Bottle Fund for the park. Fire Chief Ken Whitmore said the softball field needs work. The JRC and other groups do use the ball field.

RESOLUTION # 64 (2021): MOVE REMAINING JRC FUNDS FROM TO THE BOTTLE SAVINGS ACCOUNT

On a motion by Councilman Whitmore, 2nd by Councilman Ludwig, the following Resolution was passed.

AYES Ludwig, Holcomb, Whitmore, Cammarata
NAYES 0
ABSENT Evans

RESOLVED to move the remaining \$1,100 in funds from A7145.4 (JRC) in the 2021 Town Budget to the Bottle Fund Saving account to be used for park expenses.

OB7) Councilman Whitmore asked about the Hansmann's Mill historic marker. Town Clerk Owens responded permission was just granted in writing by the property owner to put up the marker on the property. Monies paid by family members has been collected by the Smithville Historical Society and everything is awaiting final approval and ordering. The work on the sign will be done by Greene Brass/Aluminum Foundry and its sister business Catskill Castings. The family did not want help with the cost.

REPORTS

8:00PM

R1.) Highway: report submitted

- End of November for the Sherburne truck
- Road work taken care of: Pollard, Hammerle, Lewis Hill, Hattie Clark, Windham
- Meeting with Scott (FEMA) on other roads
- Ditching to be done on Round Pond

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- Concrete for fuel pad is done by the Highway crew but due to the lateness, the housing for the waste oil burner by the install company has been delayed 12 weeks, or longer if inclement weather sets in
- The waste oil burner has been installed
- '02 International has some issues—will have to make decision on it with which way to go
- Road signage for those that were vandalized or are missing will cost up to \$3450 to replace. The theft was reported to the Chenango County Sheriff's Dept.— in addition to stealing signs, some beaver grates and copper were also taken

R2) Assessor: no report submitted; verbal report:

- ag exemptions
- 4 Smithville properties are up for County foreclosure in November

R3.) Enforcement Officer: report submitted late. Several building permit applications were listed

R4.) Planning Board: no minutes submitted. PB Chair Butler reported the changes to the removing the fees from 2 older Local Laws but no other updates to the 2 Local Laws were made.

R5.) DCO: no report submitted

R6.) vacant

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: no report

R10) Town Clerk: report submitted.

- Records Management continues. Assessment rolls now only need to be kept 10 years and can then be discarded. Tax rolls are permanent but since the County keeps those on file the Town should not have to. Town Clerk Owens is checking with the County to make sure they have Smithville's tax rolls. If these can be eliminated, there will be quite a bit of storage savings, however any records prior to 1910 must have NYS permission to discard. These can be valuable for history and genealogy.
- The outside restrooms will be closed up for the winter on November 1st and the port-a-john will be removed for the winter on November 11th.

R11) vacant

R12) Supervisor's Report: submitted

- The Town of Union volunteer EMS asked permission by letter for Town of Smithville support (on our letterhead) to extend their CON or Certificate of Need to expand into Smithville. Explanations were that any company can apply for one and the main reason was to increase income. Fire Chief Whitmore and Councilman Whitmore explained Chenango County is starting their own EMS and that the Town of Smithville does not need this nor should we support it. Supervisor Cammarata said he would file the correspondence.
- A Chenango County Public Works request to store a County truck at the Town Barn was received. Board members approved of the request but were concerned about the personnel who would be coming to operate the truck. Supervisor Cammarata will sign the agreement for the County truck to use the Town Barn with the personnel concern.

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- ID labels for inventory for signs/cones etc. for the Highway Dept are available from Lustre-Cal of Lodi, CA. These can be engraved with "Town of Smithville" on them and can be used to identify Town highway property. Made of aluminum, they stick permanently and are difficult to remove; 1000 labels for \$340. and are 2"x3/4" in size. Board members were in agreement these could provide better identification for Town highway property.

RESOLUTION # 65 (2021): PURCHASE 1000 ALUMINUM ID LABELS FOR HIGHWAY EQUIPMENT

On a motion by Councilman Whitmore, 2nd by Councilman Ludwig, the following Resolution was passed.

AYES	Ludwig, Holcomb, Whitmore, Cammarata
NAYES	0
ABSENT	Evans

RESOLVED to purchase 1000 aluminum stick-on labels from Lustre-Cal of Lodi, CA in the amount of \$390. to be used for identification purposes on Highway equipment.

MINUTES APPROVAL for September 20, 2021

8:25PM

The minutes of the September 20th meeting were reviewed. A motion to accept these minutes was made by Councilman Whitmore, 2nd by Councilman Ludwig, all 4 Board members: Ludwig, Holcomb, Whitmore, Cammarata were in favor, motion carried. Board member Evans absent.

WARRANTS

8:30PM

General Warrant # 10, Vouchers # 155-164, in the amount of \$2,301.70 were reviewed for payment. A motion to approve and pay these claims was made by Councilman Ludwig, 2nd by Councilman Whitmore. all 4 Board members: Ludwig, Holcomb, Whitmore, Cammarata were in favor, motion carried. Board member Evans absent.

Highway Warrant # 10, Vouchers # 106-124 in the amount of \$94,976.76 were reviewed for payment. A motion to approve and pay these claims was made by Councilman Whitmore, 2nd by Councilwoman Holcomb, all 4 Board members: Ludwig, Holcomb, Whitmore, Cammarata were in favor, motion carried. Board member Evans absent.

EXECUTIVE SESSION

A motion to go Into Executive Session 9:09pm to discuss an employee situation was made by Councilwoman Holcomb, 2nd by Councilman Ludwig. all 4 Board members: Ludwig, Holcomb, Whitmore, Cammarata were in favor, motion carried. Board member Evans absent.

A motion to come out of Executive Session @ 10pm was made by Councilwoman Holcomb, 2nd by Councilman Whitmore. All 4 Board members: Ludwig, Holcomb, Whitmore, Cammarata were in favor, motion carried. Board member Evans absent.

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No action taken.

Other:

Board members suggested flowers or a donation or whatever the family wants to the memory of Clause Evans in the amount of \$50.

RESOLUTION # 66 (2021): AUTHORIZE \$50 TO CHARITY IN MEMORY OF CLAUS EVANS

On a motion by Councilwoman Holcomb, 2nd by Councilman Ludwig, the following Resolution was passed.

AYES	Ludwig, Holcomb, Whitmore, Cammarata
NAYES	0
ABSENT	Evans

RESOLVED to authorize a donation of \$50. either flowers or to a charity of the Evans choice to the memory of Claus Evans.

Next Board meeting is November 4, 2021

OTHER/CLOSE: by Supervisor Cammarata 10:02PM

Alison B. Owens

Smithville Town Clerk