

Minutes of the
Smithville Town Board
June 19, 2023

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

Cammarata

6:30PM

ATTENDANCE:

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

ALSO:

Marie Kehl, Planning Board Chair
Vince Witkowski, Highway Su't
Mindy Eldred
Priscilla and Shawn Vanderbunt
Patty Castaldy
Town Clerk Alison Owens

CORRESPONDENCE

6:35PM

C1) email from the Utters indicating the Loomis Cemetery sign has been installed.

C2) letter from Eugene Cook, Town Councilman Town of Huntington, with a copy of a Resolution the Town passed to urge the NYS Legislature and Gov. Hochul to enact legislation regarding voter ID. The letter was reviewed by Board members who indicated the Town of Huntington hoped for additional municipalities to follow suit. Board members decided to table action on this request.

RESOLUTION # 21: TABLE ANY ACTION ON THE REQUEST OF THE TOWN OF HUNTINGTON LETTER

A motion was made by Board member Butler, 2nd by Board member Wark to table any action on the request of the letter from the Town of Huntington.

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

BID OPENING: 2 companies, Mirabito and Suburban Propane submitted bids for fuel products delivered to the Town of Smithville. Suburban Propane's bid was only for propane for the Community Center and the Highway Dept. These were opened at 6:40PM and read as follows:

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2023 Fuel Bids:

VENDOR	PRODUCT	RACK PRICE	DIFFERENT'L	FLUCTUATING	FIRM BID PRICE
Mirabito Energy Products PO Box 5306 Binghamton, NY 13902	LSD	\$2.5696/gal	\$.2525	\$2.8221/gal	\$3.2100/gal
	Winter Bld ULSD	\$3.1505/gal	\$.2525/gal	\$3.4030/gal	\$3.7100
	Propane CC/HWY	XX	XX	NB	\$1.6300/gal
	Unleaded gas '87	\$2.7766/gal	\$.3660/gal	\$3.1426	NB
Suburban Propane 3833 US 11 Cortland, NY 13045	LSD	XX	XX	NB	NB
	Kerosene	XX	XX	NB	NB
	Winter Bld	XX	XX	NB	NB
	Propane, both CC/HWY	XX	.40/gal	1.30 p/g	\$1.425 p/g
	Unleaded gas '87	XX	XX	NB	NB

NEW BUSINESS

6:50PM

NB1) Consider Resolution awarding the fuel bids: Board members were concerned about the delivery of propane on Suburban's bid and whether the company would charge more for exceeding or underusing the stated usage. Even though Suburban Propane's bid was less than Mirabito's propane bid, it was decided to accept Mirabito's FIRM bid for propane at \$1.63 p/gal and to also accept Mirabito's FIRM bids for LSD (\$3.21), and winter blend (\$3.71); also Mirabito's FLUCTUATING bid for Unleaded '87 gas (3.1426). This was so moved by Board member Butler, 2nd by Board member Holcomb.

RESOLUTION # 22: REJECT SUBURBAN PROPANE'S BID, ACCEPT MIRABITO'S BIDS

A motion was made by Board member Butler, 2nd by Board member Holcomb to reject Suburban Propane's propane bid and to accept all of Mirabito's bids for fuel: propane, low sulfur diesel, and winter blend at the fixed bids and '87 Octane at the fluctuating price (see above tabulation).

AYES: Holcomb, Butler, Cammarata

NAYES: 0

ABSTAIN: Whitmore, Wark

NB2) Consider Resolution to change payment account for last month's payment to Wayne Eldred from A7110.4 to the Bottle Fund (*6570 NBT) There was much discussion on this with Board members varying in opinions. Ultimately it was

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decided to move the payment account for last month's payment to Wayne Eldred from A7110.4 to Recreation A6569 , and not from the Bottle Fund: This was so moved by Board member Butler, 2nd by Board member Holcomb.

RESOLUTION # 23: MOVE PAYMENT ACCOUNT FROM A7110.4 TO A6569

A motion was made by Board member Butler, 2nd by Board member Holcomb to move the payment of Voucher # 79 to Wayne Eldred for the charge of taking the old garden timbers to the landfill (\$72.75) from A7110.4 to the Recreation account at NBT A6569.

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

NB3) Discussion on burials on private property. Town Clerk Owens had attended a video presentation on Abandoned Cemeteries in May. The subject of burials on private property, which is not a new topic, had been addressed in the video. The underlying problems are health safety and future ownership of the property. It was highly recommended by the lead organization, NYS Tug Hill Commission, that Towns, for legal reasons, restrict burials on private property, and instead work to either create a deed restriction with access to a Public road or create a separate burial ground with a tax map # associated with it. Sample Local Laws for restricting burials were not available at the meeting but will be made available by Town Clerk Owens. Assessor Ward had written an opinion which was given to Board members. Board members decided to table further discussion until more info is available. This was so moved by Board member Butler, 2nd by Board member Wark.

RESOLUTION # 24: TABLE FURTHER DISCUSSION ON PRIVATE BURIALS

A motion was made by Board member Butler, 2nd by Board member Wark to table further discussion on "backyard burials" until more information was available.

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

OLD BUSINESS (UPDATES IF ANY)

7:10PM

OB1) update on water system grant

- Brendan from Lamont Engineering is trying to find a company to do a location check in Smithville for 2 wells and a water storage tank
- Letters are in the process of being sent out for a low income survey for the water system; then door to door for "no responses". The information is to be kept confidential.
- Lamont engineering has another potential 1 mil grant coming up to apply for for the water system

OB2) updates on the grant for the purchase of 2026 MACK truck. Supervisor Cammarata is still in the process of working on the USDA application and hopes to finish by the end of the week. Bids for the 2026 MACK are in.

- There are other grants for additional equipment the Town might be interested in pursuing. The 25 yr old roller is still out for repairs but the possibility is to apply for a grant to replace that as well as the 26 yr old grader. With an additional grant a new roller would cost approx \$247,243 and with State contract/available discounts, the final price would be down to \$178,925. It is possible to wait to see if the current roller will have a long term fix. A new grader is running over \$600K but with State contract/discounts, the price would come down to \$363,000.

REPORTS

7:30PM

R1.) Highway: report submitted

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- Catching up on grading
- Still doing FEMA work on Stone Quarry
- Looking into road stabilization products
- The presentation of a video for dust oil product did not work well. The proposal is to test soils from Town roads that can be used to determine what combination of products to use to control the dust. Decker and Robbins Rd are potential test sites. Testing generally costs \$5K but was waived according to Supervisor Cammarata. The company's name is Midwest Industrial Supply.

R2) Assessor: no report submitted, except for a letter regarding the cemeteries. Also the equalization rate has been downgraded to 50%.

R3.) Enforcement Officer: no report submitted

R4.) Planning Board: no May/June minutes submitted

R5.) DCO: no report submitted.

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted.

R9.) Playground Committee: no report

R10) Town Clerk: report submitted

- Applications to use the ball field were never received. Due to insurance interests, it was suggested to call the Town insurance company to find out the legal implications of groups using the ball field but not providing the Town with an insurance document. It was also suggested to get a sign for the backstop saying "Use at own risk"
- Groundskeeper Keith Sabin reported that grass is now growing on the infield. The company who put in the ball field last year said to take Calcium chloride and put it on the dirt portion. (available from Lowes)

R11) vacant

R12) Supervisor's Report: submitted

- Grant money available to the County for the JRC will subtract an amount of \$ 100. from the Town's contribution to the program
- The new 2024 MACK Truck will be paid for very shortly
- The final payment for the excavator is in the process of being applied for. Supervisor Cammarata would like a Resolution to take \$71,784.95 from Highway Savings to apply toward the excavator. When that has been paid off, the additional FEMA \$ coming in September will be applied to the 2024 MACK.

RESOLUTION # 25: TRANSFER \$ FROM HWY SAVINGS TO MAKE PAYMENT ON EXCAVATOR

A motion was made by Board member Whitmore, 2nd by Board member Wark to transfer \$71,784.95 from Highway Savings to apply toward the Excavator. When the FEMA work on Stone Quarry Rd is finished and a payment made by FEMA, then that will replace the money in Highway Savings.

AYES: Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES: 0

- Would like to get roofing over the generator; 5 contacts were made but only 1 actually showed; Evon Construction bid \$16,850 for materials and labor, prevailing wage. Board members suggested additional contractors to contact for bids at the July meeting.
- The 2023 Budget over limit currently because of 3 unfinished FEMA projects. Once reports are turned in, monies will be reimbursed
- The Pollard Rd. project is not eligible for a grant. There is a new pilot program for Towns for underfunded projects to have the culvert replaced. There will be no fee if the Town is eligible.
- A motion to accept the Supervisor's report was made by Board member Holcomb, 2nd by Board member Whitmore. All 5 Board members: Holcomb, Butler, Wark, Whitmore, and Cammarata were in favor, motion carried.

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MINUTES APPROVAL for May 15th

8:00PM

Corrections:

Delete Whitmore from Resolution 19

Abstain: Wark and Whitmore on Resolution 18

A motion to accept minutes as corrected was made by Board member Holcomb, 2nd by Board member Wark. Four Board members were in favor: Holcomb, Wark, Whitmore and Cammarata were in favor, motion carried.

Abstain: Butler

WARRANTS

8:05PM

General Warrant # 5, Vouchers # 86-106 in the amount of \$3,526.76 submitted for payment. The following corrections were made to the General Warrant: Highway voucher # 73 to USPS for \$78.00 is a General expense and was moved to become voucher # 107. Also the account # on voucher # 91 to Keith Sabin was changed from A7110.4 to A1620.4. The final amount of General Warrant # 6 is \$3,604.76.

A motion to approve these bills after corrections was made by Board member Butler, 2nd by Board member Whitmore. All 5 Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

Early payments:

1. # 87 Oneonta Port-a-Jon \$155.00
2. # 88 Spectrum \$ 69.98
3. # 89 1-VOIP \$ 70.96

Highway Warrant # 6, Vouchers # 67-86, in the amount of \$200,071.13 submitted for payment; voucher # 73 was moved to the General Warrant (#107) and the total amount of Highway Warrant # 6 became \$199,993.13.

A motion to approve these bills after corrections was made by Board member Wark, 2nd by Board member Holcomb. All 5 Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

EXECUTIVE SESSION

8:25PM

There was no Executive session

OTHER: Next monthly Board meeting is July 17th

Priscilla Vanderbunt asked to address the Board with comments and questions on a possible Local Law on burials on private property, grant information, roads and dust control. She distributed a spreadsheet to Board members she had created for the Highway Dept. as a sample for projects for roads, how problems are going to be addressed. She felt there should be money in the budget to address these projects.

Supervisor Cammarata replied that sometimes the allocations in the budget are not enough to take on the necessary projects.

Supervisor Cammarata declared the meeting adjourned at 8:36pm.

Alison B. Owens
Smithville Town Clerk