

Minutes of the  
Smithville Town Board  
May 15, 2023

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

6:30PM

**ATTENDANCE:**

Supervisor John Cammarata

Alison Owens, Town Clerk

ALSO: Board members: Bob Whitmore, arrived at 6:45pm

Vince Witkowski, Highway Sup't

Shane Butler, absent

Bruce Kinney, Enforcement Officer

Pam Holcomb

Marie Kehl, Planning Board Chair

Russell Wark

Mindy Eldred

Don Conklin

Bill & Patty Castaldy

**CORRESPONDENCE**

6:35PM

C1) letter from Direct Energy Business asking for fuel bid package

**BID OPENING:** Bids for fuel products delivered to the Town of Smithville will be opened

6:40PM

Since there was only 1 bid from Mirabito, Board members decided not to open the Mirabito bid and to rebid for the June 19th meeting. Even though there were 4 Board members in attendance, 2 of them were Mirabito employees and could not vote. There was not a quorum to make a decision on the fuel bids.

**RESOLUTION #18 (2023): Reject the Mirabito bid and rebid the fuels for June 19th**

On a motion by Board member Wark, 2nd by Board member Holcomb, the following Resolution was passed:

Ayes: Holcomb, Cammarata,

Nays: 0

Absent: Butler

Abstain: Wark, Whitmore\*\*

RESOLVED to not open the only fuel bid, which came from Mirabito, to reject it and to rebid for fuel for the June 19th meeting. Additionally, there were only 3 Board members present for this part of the Town Board business, and a bid from Mirabito could not be accepted because 1 of the 3 was an employee of Mirabito.

Board member Whitmore arrived at 6:45pm

**NEW BUSINESS**

6:50PM

NB1) Mindy Eldred for the Grange and garden work/flower beds: Mindy presented ideas of what the Grange members would like to see on the garden/flower beds proposing to be done.

- Keeping the shape the same, perhaps sign explaining why the shape is what it is
- Pavers are ok, cement foundation perhaps with treated wood on top, make it harder to prevent grass from flying up when mowed
- Treated lumber or wall stone?

Minutes of the  
Smithville Town Board  
May 15, 2023

- There are 2 contractors ready to talk with the Grange and Town about doing the job. Town Clerk Owens will arrange a meeting between each and Mindy Eldred, and perhaps John Cammarata.

NB2) Consider Resolution proposed by Mindy Eldred (park committee) increasing the rental fee of the Community Center and the Pavilion to \$100.00, effective immediately with rentals purchased after May 15, 2023. This is being proposed to help offset the cost of the proposed port-a-john rental. Mrs Eldred indicated the Fire Station charges a flat fee with no Deposit. Board members agreed this would be a good way to offset the port-a-john rental and to delete the problem of holding deposits and returning them after the rental.

**RESOLUTION #19 (2023): Increase the rental fee for the Community Center and Pavilion to \$100. Flat**

On a motion by Board member Holcomb, 2nd by Board member Wark, the following Resolution was passed:

Ayes: Holcomb, Wark, Cammarata,  
Nays: 0  
Absent: Butler, Whitmore\*\*

RESOLVED to increase the rental fee for the Community Center and the Pavilion to \$100 with no upfront deposit, effective immediately.

**OLD BUSINESS (UPDATES IF ANY)**

7:10PM

OB1) Consider Resolution for port-a-john service this year at the Eagle Scout Park. This is needed for those using the playground, the ballfield and attending the tractor pull. The Oneonta firm from last year worked well @ \$155. Per month which includes delivery and weekly cleaning.

**RESOLUTION #20 (2023): Rent port-a-john service from Oneonta Rent-a-Jon @ \$155. Per month**

On a motion by Board member Wark, 2nd by Board member Holcomb, the following Resolution was passed:

Ayes: Holcomb, Wark, Cammarata, Whitmore  
Nays: 0  
Absent: Butler

RESOLVED to rent a Port-a Jon from Oneonta Rent-a-Jon service for the season at \$155.00 per month which includes delivery and cleaning. This will be used until the end of the season in October/November.

OB2) Further development on Presbyterian Church request for sidewalk help:

Nothing has been decided but the Church is going to meet with Stan Coleman and see what the options are

OB3) updates on 2024 MACK truck and purchase of 2026 MACK truck

- New truck will be picked up Wednesday with a pre-closing on May 22nd
- Board member Holcomb asked about training Hwy employees in the new truck. This has not yet been set up

R1.) Highway: report submitted

- Recently paved Williams Rd has had some repair issues and is in the process of being fixed

Minutes of the  
Smithville Town Board  
May 15, 2023

- The roller is back and is working
- The welder is about 20 years old, cannot get parts for it and does need to be replaced.
- Needs to redo reports for CHIPS due to computer crash
- James Finch and John Utter of 139 McBirney Rd asked for a ditch to be dug on their property to alleviate water from running into the back yard and subsequently into the basement. They asked Hwy Sup't Witkowski for a date for the work to be started.
- Recent flooding resulted in 9 new problems to fix; beavers have also been a huge problem in the Town

R2) Assessor: verbal report: Grievance Day is Wednesday May 31, 4-8pm

R3.) Enforcement Officer: no report submitted; there was a building permit unsigned by the Town of Smithville EO and taken to the County. EO Bruce Kinney is working with the County Code Enforcement to understand what changes will be taking place. The Planning Board met with the owners for a Site Plan Review but did not collect the appropriate fee. Town Clerk Owens will write a letter to the owners of the property and request payment.

R4.) Planning Board: no May 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

- Town Clerk Owens had a request for work for some responsible teenage boys in the Community. Ideas had been exchanged previously with painting the gazebo and pavilion being the one item in most need.

R11) vacant

R12) Supervisor's Report: submitted

- Financial budget is all in line with what has been spent
- Supervisor Cammarata mentioned he has had conversations with several different Attorney's who have all said the Highway Sup't is the one to make the decisions regarding a schedule for maintaining the roads, fixing the schedule and spending the allotted monies to do so. It is not a Town Board/Town Supervisor responsibility.
- A motion to accept the Supervisor's report was made by Board member Wark, 2nd by Board member Whitmore; All four Board members: Holcomb, Wark, Whitmore and Cammarata in favor, motion carried; Board member Butler absent.

**MINUTES APPROVAL** for April 17th

8:00PM

The minutes of the April 17th meeting were reviewed. A motion was made by Board member Whitmore, 2nd by Board member Wark to approve these minutes. All four Board members: Holcomb, Wark, Whitmore and Cammarata in favor, motion carried; Board member Butler absent.

**WARRANTS**

8:05PM

General Warrant # 5, Vouchers # 71-85, in the amount of \$ 3617.28 were submitted for payment. Early payments to the following vendors were noted:

1. \$1105.66 Mirabito for complete fill of propane tank at CC in April
2. \$85.00 Central Plumbing/Heating for turning water on in outside bathrooms
3. \$69.98 Spectrum
4. \$70.96 1-VOIP

Minutes of the  
Smithville Town Board  
May 15, 2023

After review of the vouchers, it was recommended to not pay voucher # 84 to Mirabito for \$180. This was a service charge resulting from the propane tank running out of fuel and as the Town has a contract for automatic delivery, the Town is not responsible for the charge.

A motion was made to pay these vouchers with the exception of #184 to Mirabito by Board member Wark, 2nd by Board member Whitmore. All four Board members: Holcomb, Wark, Whitmore and Cammarata in favor, motion carried; Board member Butler absent. The total of the General warrant will be \$3437.28.

Highway Warrant # 5, Vouchers # 60-66, in the amount of \$11,370.10 were submitted for payment. After review of these claims, a motion to approve payment was made by Board member Holcomb, 2nd by Board member Whitmore. All four Board members: Holcomb, Wark, Whitmore and Cammarata in favor, motion carried; Board member Butler absent.

**EXECUTIVE SESSION**

**No Executive Session**

8:25PM

**DUST Control:** a truck load of oil can be ordered and a swath of oil placed in front of houses (on dirt roads) done in the order of the way the roads are graded out. One tank of oil costs \$50K and roads need to be graded first before the oil can be placed. There were some additional remarks regarding how dust oil can be paid for.

OTHER: Board member Whitmore indicated there has been some comments with the new spring, summer AND fall banners going up on the poles: people do not like to see 3 seasons displayed. Board member Whitmore says the Town will need 3 more flags for summertime next year.

Cemeteries: it was recommended to see if a landscaping service could come in to mow or weed whip the cemeteries to satisfy a NYS requirement that Municipalities take care of the abandoned cemeteries.

There was nothing else to come before the Board. **Next monthly Board meeting is June 19th**

CLOSE:

8:49PM

Alison B. Owens

Smithville Town Clerk

\*\* minutes were corrected