

Minutes of the Smithville Town Board  
November 20, 2023

**OPENING** of Town Board meeting by Supervisor Cammarata 6:30PM

ROLL CALL/PLEDGE/LATE ADDITIONS:

ATTENDANCE:

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

ALSO:  
Vince Witkowski, Highway Sup't  
  
Bruce Kinney, Code Enforcement Officer  
Alison Owens, Town Clerk  
Philip Montelione, Clerk part-time

**CORRESPONDENCE** 6:35PM

C1) Edmunds GovTech explanation of increase

It has come to the board's attention that the software costs for the town's vendor supported collection systems on the computer will increase on all modules a total of 9% . Pam Holcomb was wondering if we could shop around for another system, a replacement system to save money on the new increase. The town has been using the "Edmunds" system for ten years now, although we could shop around there are benefits that the current system offers that may not be available with a new one. Benefits include the Tax Collection portion which allows online payments, the way the dog licensing is set up is well liked and the general familiarity with the system. Any new system will be of course a learning curve and it'll have to be decided if saving on a new system is worth the headache. Greene has implemented the "Williamsons" system so we'll see how they like it.

C2) Office of Emergency Services: new UHF radio system

John Cammarata said Matt Beckwith, the Fire Coordinator, advised holding off on the new emergency service system until grants come in. Bob Whitmore explained that to get the new system we need "frequencies." The County would want our frequency. If we agree to the new system, we'd have to be willing to give up our frequency band width. A future date should be set to review the letter and work out the details. Vince Witkowski says he is going to go over the letter with them. Russ Wark is in agreement with Bob Whitmore that the County wants us to release our stake in our frequencies because there are none left to give. Bob Whitmore believes that overall this should make our radio system communications better, we should receive a stronger frequency and is in agreement to allow it, however an agreement will have to be drawn up and presented. With a new agreement the town could push to possibly negotiate some "perks" such as new radios or equipment etc. The FCC has released all they are going to when it comes to any new frequencies, so the town has some leverage in agreeing to allow the County on its system. Money could also be saved in that dated equipment i.e. the radios, would not be necessary anymore. Overall it is believed that the new communications would be more beneficial. Pam Holcomb wonders if in the foreseeable future could the county take our town off of the frequency? Bob Whitmore says no because it is a county wide system which will be used by all public services, examples included police and schools. John Cammarata is wondering if the new system would require a fee?

Vince Witkowski says no fee would be required, frequencies would be renewed. Bob Whitmore says the county would take over the license and we would not need our FCC license anymore.

Cemetery:

Bruce Kinney gave a quick update on septic and driveway permits. Cemetery is looking good, upkeep has been appreciated and recognized. John Cammarata says a new budget was approved for cemetery updates for next year.

**NEW BUSINESS**

6:40PM

NB1) –

**OLD BUSINESS (UPDATES IF ANY)**

OB1) Protection plan for the JD tractor

John Cammarata called Cazenovia Equipment but they have been non-responsive with our tractor.

OB2) Cincinnatus Lake Dam response

There is nothing currently to report.

OB3) SPCA contract

John Cammarata reports that there is a new boss for the SPCA. Cammarata had a discussion with him. There are apparently new terms when it comes to the SPCA taking in any new animals. Fees will be \$250 for the week, \$50 a day for five days, after the fifth day the dog will become the property of the SPCA and the town will still have to pay the boarding fee and will also be forwarded the adoption fee. There are limited spaces for dogs and it's crowded. They can't take any new dogs, any new dogs would have to go to Broome or Cortland County if there is no room, the dog would have to stay with whoever brought it in. The new SPCA head says he'll go back and work on solutions. It was brought to the attention of the Board that New York Governor Hochul is trying to implement a new law by 2025 for reducing decibel levels in the kennels, which will quite naturally mean the amount of dogs taken in will most likely have to be reduced. The SPCA will go from fifteen to thirteen pens. The new proposed law is uncertain at the moment, but in December for the county meeting there may be updates. A total of two dogs were turned in this year from The Town of Smithville.

Letter from NYS AG&Markets, the Norwich SPCA did not pass inspection, no money to fix the problems.

OB4) additional info on the fishing access on Art Lake Rd

John Cammarata read a letter from the Chenango Valley Trout Unlimited. The outfit was wondering if the Smithville Town Highway would be willing to update culverts on choice roads to increase the trout population, or put new culverts in. The group claims without the culverts the trout migration is being limited. There will be a site plan meeting planned for November where this could be discussed further. Bob Whitmore says currently there is no culvert pipe in the creek and we don't own the bridge on the proposed road, the Town has nothing to do with it. The DEC on their own accord put wooden head rows up for the water. It was noted that Randy Gibbons is the one who wrote the letter.

**REPORTS**

7:00PM

R1.) Highway: report submitted

- Vince Witkowski reported that things are going better with the trucks.
- 2015 Volvo is fixed and getting new tires put on. The Hydraulic hose making machine, Marcy hydraulics coming down to show how to operate and give direction training?
- A new outlet will be placed over the tool bench for convenience.
- Krupp road is ditched up. Trucks are getting prepped for winter. The new truck is back and the hydraulic system was flushed out, everything thus far is working well. Unfortunately Vince Wikowski reported that he cannot get

extra celluloids for the truck, there are none to be had, an extra extra filter however has been given. One of the trucks had new tires put on and the front end fixed. Vince Witkowski says the trucks should be ready for winter.

(R?) "Audit Erie Company"

It has been brought to the Board's attention by John Cammarata that an individual affiliated with the "Audit Erie Company" went to county offices to get recordings on tape and audio of the public offices, buildings and rooms. The individual is posting on social media sites. This is within his right to do so. To prevent the inconvenience and intrusiveness of the individuals' actions, the county attorney advised to put signs up for "personnel only"; everything that is not marked means anyone can go through the public space. It has been noted that the individual or group could sue if not allowed in. Vince Witkowski asked if stickers should be posted on the fuel shed and tanks and no admittance signs placed on them as well so that there are no issues. It was suggested to place a lock box outside the shop building's door for mail and deliveries instead of allowing access inside.

R2) Assessor: report submitted

R3.) Enforcement Officer: no report submitted

R4.) Planning Board: Sept. minutes submitted

R5.) DCO: no report submitted;

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: report submitted

John Cammarata read a letter from the grange members and eagle scouts requesting to set a date for 4th Monday of the month to hold their meetings around 6:30 PM April through October as needed. There are Eagle Scout projects to be done and it was asked if they have to come before the town board for approval. Traditionally this is how it has always been done so that it is signed off by a project sponsor. This was not in the letter, it has been requested that it will be added. Alison Owens will contact Mindy Eldred about it as it will have to be reviewed for the proposal.

(Fred had hoped to stay on the BAR - Steve Harris to be contacted to see if this is a possibility

R10) Town Clerk: report submitted

- Town Clerk Owens reported that some of the bills came after Thursday, those being the NYSEG bill for the communications tower on County Rd 3 for \$29.6; the propane bill for Town Barn for the generator A.5132); and an invoice came for the paper products ordered. \$141.15 bill, will be paid in early December.
- Town Clerk Owens e-mailed Fire Chief Ken Whitmore for a paper contract for the Genegantslet and Smithville Center Fire Districts for 2024.
- There will be Open positions on the Town Planning Board for 2024, one to expire 12/31/28 and 12/31/2024 for Fred Heisler\* on the Planning Board. Fred's position on the BAR is also up; he would need to be re-appointed or a new person would have to be chosen. Josh Brigham is interested in being re-appointed. (\*After discussion with County RPS director Steve Harris, with Fred Heisler on the Town Board now, he is not eligible for appointment to the Town Planning Board or the BAR)
- Court Clerk Rachel Raimo has resigned, no applicants to find a replacement. It was suggested to advertise through Indeed.com but Board member Holcomb was not in favor of it as every time the site is clicked, it charges a fee. The amount of the charge was not available. Supervisor Cammarata agreed to not use the site Indeed.com to advertise. The opening is on the town's website and has been put through our judicial system. Board member Butler Suggested posting the job opening on Facebook.
- The custodian was emailed a position duties statement, as she hasn't been here for a month plus. Things have not been kept up to par, Board member Butler is going to speak with her about this.

- The outside trash container was fixed, painted and repositioned within the park. People are still dropping off bags of garbage and a proper solution to the problem is being discussed. A possibility of putting a sign up, "Smile you're on camera" was mentioned as this would allow one of the park cameras to catch the license plate # of the vehicle/occupants depositing the trash.
- The Smithville Historical Society's program on the Loomis Gang was held recently at the Community Center and it was very well attended with over 90 people
- A purchase for the tax exempt Historical Society was made on the Town's Lowe's credit card. In the past when a purchase was made, the Historical Society wrote a check to cover the expense and the Town Clerk entered it into the Daily Cash, depositing the check in the Town Clerk account and signifying the account # it was to go into. The amount was given to the Supervisor at the end of the month. Board member Holcomb was concerned about this because of the separate tax exempt numbers. Town Clerk Owens said she would prevent this from occurring again.
- Board member Holcomb was also concerned about a purchase from Amazon being made with the recently obtained NBT credit card as she thought it was to be used only for ongoing monthly charges for some accounts such as 1-VOIP and Google storage. Town Clerk Owens explained that up until this point Amazon purchases were made on her personal card and she was reimbursed by voucher for it. She was concerned about the procedure and had initially asked Amazon for a monthly voucher to pay Town purchased items from but was denied. Her personal credit card is also used for the 1-VOIP and Google storage monthly charges which she vouchers for and which she asked for a Town credit card to use to put these monthly charges on. Supervisor Cammarata had been able to obtain a credit card for those purposes through NBT. Board member Holcomb said a credit card policy should be in place and she would also check her accounts at the County for an Amazon representative's name to give to Town Clerk Owens. The communication should result in any Amazon purchases being made directly to the Town and not to a personal credit card.

R11) vacant

R12) Supervisor's Report: submitted

- John Cammarata received a third order check for \$840 dollars on the (general fund). A balance of \$62,000 and change went to the Highway fund.
- August Supervisors report submitted. Shane Butler said it should have been fixed, there's an extra \$5,047.50 to be added in. Virginia needs to check on it. There was a second report, the April report which needs to be checked as well. \$3,102.96 was wrong when checked against vouchers. John Cammarata will look at them tomorrow and send them to Virginia.
- John Cammarata reports that he usually puts money in the building reserve fund. There is roughly \$93 thousand dollars left over. The town will have \$73 thousand dollars less from our expenses of last month. It was asked whether or not the board should put any money in or the minimum amount in the general Fund? Bob Whitmore asks where would we want to put the money if not in the general fund? John Cammarata suggested towards paying off the new truck. Bob Whitmore suggests the board puts at least \$10 thousand dollars into the building account. John Cammarata reports that the Highway savings are \$103,818, left in the Highway fund, \$25 thousand to stay next year and still have \$75 thousand dollars to be moved. Bob Whitmore would like the money to go for the roads. It was noted that when funds go into a particular one sector, it cannot be reallocated into another or the same account. John Cammarata gives another alternative that some of the money could be put into CDs. John Cammarata is trying to get account numbers to stay the same, the FEMA Account accrues interest but he would like to try and get more. To do so we would have to get a new number to reissue statements, however the paperwork is overwhelming. The payment would be a daily interest payment instead of one lump sum. The town would have gotten 3% on the balance but we did not do it.
- As it stands currently the town is in the black still across the board.
- **(REVISE) Major 301,822 for the HWY, 201k make the payment on the new equipment. If we get the FEMA money back before we get the new truck try and get the front end loader**

**payments taken off or at least paid down so no new payments accrue. Excavator has been paid off and the new truck will be paid off. The town owes 13 thousand on the new truck. The town will be utilizing USDA funding.**

Motion to accept  
Shane Butler makes motion pending the corrections  
Bob Whitmore seconds it  
Carried.

The 2024 Budget was printed off but the final figures were not included. Alison will check the copy emailed to her. Virginia needs to get it to populate, When corrections are made they will be sent back to the county.

**MINUTES APPROVAL** for October 16th and November 8th

7:45PM

Motion to approve minutes of October 16th  
Bob Whitmore makes motion  
Russ Wark seconds it  
All in favor  
Carried

Motion to carry to approve all the public hearings of last month through November 8th minutes  
Bob Whitmore makes motion  
Pam Holcomb seconds  
Shane Butler abstains  
All in favor  
Carried

**WARRANTS**

7:50PM

General Warrant # 11, Vouchers # 184-203 in the amount of \$ 5,776.71 submitted for payment  
Early payments: 172, 173

Motion for general warrants # 164-203  
Shane Butler makes motion  
Bob Whitmore seconds  
All in favor  
carried

Highway Warrant # 11, Vouchers # 152-164, in the amount of \$ 21,354.28 submitted for payment

Virginia Smith had a question for voucher numbers, #152 & #153. John Cammarata says that the fuel shed door should go into ACCT HWY Investment Clearing., #0016. A DA number for the building would be, 13,285.36 if for the front roof to cover the generator. DA5132.4 ACCT (same acct as #0016). Should it be taken out of the general side?

Motion to accept pay HW warrant  
Bob Whitmore makes motion  
Russ Wark Seconds  
All in favor  
Carried

EXTRA

- John Cammarata received an estimate on Tyner road, to put new polymer down for the roads which would be about \$64k to buy. It'll go from the bridge in North Tyner to the McDonough line. The reclaiming machine only has to do four inches thick which comes to \$6,500 a day. The estimated time of the whole road being done is said to be in two days time. Vince Witkowski could then oil and chip the road. This new polymer is reportedly said to be able to hold the road together for at least 10 years time for roughly \$100 thousand dollars in comparison to asphalt which will be almost double the cost. It was recommended to pave from County Road 3 up the farm past the bridge 6 inches and then reclaim to the McDonough line, ripping out the road and adding the polymer. The total costs have yet to be determined. All of the costs said to be reclaimable through CHIPS. The Polymer would have to sit for four months until it is able to be reclaimed. By the end of August the roads could be oiled and all costs said to be reimbursable. This is believed to be the best option we have been given. Estimating the job to be between \$100-120 thousand to proceed. Shane Butler wants to make sure there is no logging being done or heavy road usage beforehand.
- Question asked to John Cammarata in regards to how the water testing was going for the new proposed system. Mrs. Jelani Asantewa talked about the water, a land owner on some of the proposed land. A seismic test was done on the DeJager's and Mills' property. Mrs. Asantewa wouldn't allow testing, so the test was never conducted. Art called Brandon gave the okay. A brand new well was put in and the samples came back great. If the town can find a place in the woods and can get good water it could clear two acres to put it in the potential new water system if DeJager is willing to sell it to the town. Both new wells would be on the two acres. \$23,280 from ARPA to be expended. Do the build whatever is left over, put it through. The woman doing the survey has not reported back yet.

Motion to adjourn.

**EXECUTIVE SESSION—no Executive Session**  
**ESTABLISH ORGANIZATIONAL MEETING DATE FOR 2024—Not done**

CLOSE:

8:15PM

Authored by  
Philip Montelione, Clerk part-time

Reviewed by Alison Owens  
Town Clerk