

Minutes of the Smithville Town Board  
April 16, 2018

OPENING of Town Board Meeting by Supervisor Heisler 6:30 p.m.

ATTENDANCE in addition to Supervisor Heisler:

Councilman Mike Evans

Councilman/Deputy Supervisor Karl Ludwig

Councilman Bob Whitmore

Councilman John Cammarata

ALSO:

Lori Eaton, Planning Board Clerk

Tracy Oliver, Hwy. Sup't.

Jeff Lowe, Assessor

ROLL CALL/PLEDGE:

**CORRESPONDENCE**

6:35 p.m.

**C1)** Advertisement from Johnstone Supply – electric vehicle charging station for NYSERDA grant\*

-One of the four steps we could achieve to become part of the grant program. Chair Butler is working for the County with Town Clerk Owens, and they will meet again with Tara Donadio.

**NEW BUSINESS**

6:40 p.m.

**NB 1)** The New York State Deferred Compensation Plan Info

-A state-run program where public employees can defer part of their weekly pay. Supervisor Heisler has spoken with a State Representative and although the plan appears to be a great idea for the employees, it will however, require another “layer of involvement” for our bookkeeper. Questions were raised by Board members regarding what percentage of pay would be deferred. Depending on the Board’s wishes, Supervisor Heisler suggests perhaps having a Representative visit to discuss this matter.

**NB 2)**

**RESOLUTION # 15 (2018)** Establish wage for Lori Eaton, Planning Board Clerk

-Councilman Ludwig proposed a motion to establish an hourly wage of \$15/hour for Lori Eaton as Planning Board Clerk. Motion was 2<sup>nd</sup> by Councilman Cammarata.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

**NB 3)**

**RESOLUTION # 16 (2018)**

Consider Action on Class Action Lawsuit against Ambit Energy

- Supervisor Heisler addressed pursuing a Class Action Law Suit against Ambit to obtain a rebate of possibly \$150 per account. Councilman Ludwig and Councilman Whitmore questioned, respectively, whether there was a down side to joining the lawsuit and the cost of legal fees.

Councilman Ludwig proposed a motion to join Class Action Law Suit. Motion was 2<sup>nd</sup> by Councilman Whitmore.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

**NB 4)**

**RESOLUTION #17 (2018)**

Consider Action to Advertise fuel bids for May 21<sup>st</sup> meeting

-Councilman Whitmore pointed out that Smithville no longer has the 500 gallon tank for unleaded gas, so Supervisor Heisler said that should be stricken from the advertising bid.

Councilman Whitmore proposed a motion to advertise for the bids for the fuel for the garage, diesel for the trucks, LP for the garage and Town Hall due by the May 21<sup>st</sup> meeting. Motion was 2<sup>nd</sup> by Councilman Ludwig.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

**NB 5)**

**RESOLUTION #18 (2018)**

Consider Action on Port-A-John service for this summer at \$75/mo (See Town Clerk #4)

-The price has remained the same for the last 5-6 years.

Supervisor Heisler proposed a motion to contract with the Port-A-John people for the \$75/mo. for 2018. This motion was 2<sup>nd</sup> by Councilman Ludwig.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

**NB 6) Consider Action on Outdoor restrooms (See Town Clerk #5)**

-Cleaning and winterizing the restrooms are ongoing concerns.

Many options were discussed:

Hiring a professional plumber to winterize restrooms in the Fall and reopen in the Spring

Increasing the price of pavilion rental to create a stipend for Custodian Eldred to clean the restrooms

Adding this responsibility to the groundskeeper's duties as well as creating an official job description for Mr. Sabin

Closing the restrooms permanently

Supervisor Heisler will discuss the cleaning issue with custodian, Mindy Eldred. He will also contact John Tracy from Central Plumbing and Heating in Oxford and possibly adding it as a line item in the budget.

Supervisor has tabled the matter for now.

**OLD BUSINESS**

7:00 p.m.

**OB1) Sale of land to NYSDEC for fishing access**

-Supervisor Heisler has not received any word from the NYSDEC lawyer.

**OB 2) Info on phone system was emailed to Town Clerk who made copies for Supervisor Heisler**

-Supervisor Heisler was not able to examine report yet. He proposes having Judy Macintyre from Frontier attend the next meeting to discuss further.

**OB 3) Update on back-up generator**

-Councilman Cammarata has spoken with the contractor who said it will be installed as soon as he finishes his current job; We are next on the list-possibly by June. Supervisor Heisler asked that Councilman Cammarata call and get confirmation since a deposit has already been given. According to NYS Home Improvement Contract Law, monetary advances are not required until start of business.

**OB 4) Update on NYSEG grants: Benchmarking. Chair Butler will be meeting with Town Clerk Owens to start this process next week.**

-Councilman Evans inquired as to status on the LED lighting. According to Planning Board Minutes, NYSEG has postponed the upgrades for the lighting downtown until July. In fact, *all* upgrades are being pushed back.

**OB 5) Update from Genegantslet Fire Co. land purchase (Info previously scanned/emailed to Board)**

- Due to Supervisor Heisler's absence last month, the matter was postponed until other options are considered and until Supervisor Heisler discusses the matter with Chair Butler.

**OB 6)**

**RESOLUTION#19 (2018)**

**Consider Action on Optional Insurance Quotes from Mang Insurance (From last month)**

- Possibility of eliminating Terrorism Clause for a savings of \$465.00 and increasing the deductible for a savings of \$645.00.

-Supervisor Heisler's concern over The Fund Transfer Clause and possibility of computer hacking prompted him to address the issue of increasing coverage from \$500,000 to \$1,000,000. Councilman Whitmore proposed a motion to buy the Cyber insurance for the million dollar coverage. Motion 2<sup>nd</sup> by Councilman Cammarata.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

**OB 7 Consider Action on Electronic Sign Post for Community Center**

-The State's only concern is that the sign could pose a distraction to drivers. There is a limitation to the number of lines of print and the display time.

Minimum cost of an LED sign with digital access is \$3,500. Various designs, sizes, styles, warranties, and cost options were discussed. Other concerns were the cost of trenching and wiring, the effects of power outage, and attaching a box to the outside of the Community Center. Total cost could reach \$6,000.

Councilman Cammarata has provided Town Clerk Owens with brochures from TVLiquidators. Supervisor Heisler will research the matter.

**OB 8)**

**RESOLUTION #20 (2018)**

Consider Proposal on CC digital door lock from Bennedum's

-According to the quote from Bennedum's Inc. of \$991.00, the cost could be "a little higher or lower depending on actual time to complete work." Also, programming the lock "is customer responsibility."

-Councilman Evans points out that this will eliminate the key problem. Supervisor Heisler would have a permanent overriding code. Councilman Cammarata proposes getting someone to aide Town Clerk Owens with coding. Supervisor Heisler proposes entering into a contract with Bennedum's Inc.

-Councilman Cammarata proposed a motion to go with the new keyless lock system. This motion was 2<sup>nd</sup> by Councilman Evans.

-Councilman Cammarata proposed an **amended** motion to go with the new keyless lock system at a target price of \$991.00 – more or less – depending on the labor. This motion was 2<sup>nd</sup> by Councilman Evans.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

**OB 9) Birdsall Painting Service considerations**

-Smithville is awaiting updated information on bids. Supervisor Heisler has not yet signed a contract. This matter will be discussed again next month.

-Councilman Whitmore inquired about the DOT parking survey. Supervisor Heisler said as far as he knows it's "going through the channels" but he'll call to get an update.

**REPORTS**

7:30 p.m.

**R1) Highway: report submitted**

New pressure washer received, replaced transmission lines on 2003 F-550, repaired/replaced torque arm on 2002 Volvo, brake work done on 2010 International, random drug testing on Ken and Bob, took Grader to Five Star where it stayed for three weeks – repairs costing \$10,500, started first round of sweeping, pressure washed/degreased trucks, front-end work (bearings & hubs) done on 2007 F-350, repairs needed to one of the breaker/junction boxes that runs to the old part of the shop, still plowing and sanding, cleaned up from wind storm, plumbing and sanding still to do, doors and front siding done and remote door openers, hooked up water to new

side of shop, adding outlet and updating wiring for pressure washer, putting new stingers on the grader blade. One quote is just under \$8,000. Supervisor Heisler says at least three quotes are needed. The stone rake is over 50 years old, and can't get stingers for it anymore.

**R2) Assessor: no report submitted**

Assessor, Jeff Lowe, has "almost wrapped up exemptions and sending out notices of people whose exemptions have to be removed. State passed the budget for the Enhanced STAR, which is 65 years or older, - people making less than \$86,000. Everyone is going to have to register in NYS this summer – even if you've registered previously. It is possible that the state will be mailing out letters to everybody suggesting that if anyone needs assistance, that they see the assessor, but that is not definite. The burden of verifying income will be put upon everyone instead of being handled in the office."

- "Now I'll be moving onto building permits.- Trying to put as much on the tax roll as I can find. I believe Grievance is going to be held the 5<sup>th</sup> Wed. or Thursday of May."

**R3) Enforcement Officer: no report submitted    County: report not submitted**

**R4) Planning Board: report submitted**

We are required to update census information, but the county has offered to conduct a county-wide census, so we don't have to report individually.

**R5) DCO: no report submitted**

**R6) Attorney: no report submitted**

**R7) Vacant**

**R8) Custodian: no report submitted**

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

**R10) Town Clerk: report submitted**

While the electrician is here to install the generator, he needs to inspect the light and switches at the top/bottom of the front stairs.

Once generator is installed, it's our responsibility to contact Mirabito to hook up the gas.

**R11) Vacant**

**R12) Supervisor's report: report submitted**

-Kaleb Barnes wants to re-open the stone quarry. There wasn't a clear answer as to whether reopening an active mine would be assessed differently than vacant land. Supervisor Heisler has agreed to let the DEC act as the lead agency for this matter. Concern regarding a specific truck route was addressed. It is assumed that Route 220 will be used as it was in the past.

-Supervisor Heisler discussed the shared services contract with the county. Contract proposed \$50/mile but because most towns have only a six-foot mower, most highway superintendents felt that two passes would be needed.- Result being they would essentially be earning only \$25 Councilman Ludwig discussed two machines with two mowers following to get the required 10-ft. width needed. Shared services means no money changing hands, so the issue of \$50/mile is mute.

-The SAM grant was discussed. Cancelled checks will be needed as proof of payment to the contractor. "You'll see in the vouchers, of the \$59,000 we approved for the Town Barn we will be getting the \$39,555 back from the SAM grant. But the way it has to work is I have to get cancelled checks and pictures of it. I'll be draining that account (\$36,000+) for part of that \$59,000, borrow the remainder from the Highway savings. When we get the \$59,000, I'll be putting the money back in the Highway savings." Councilman Whitmore suggested when the money is replaced, that the back of the existing town barn be repaired.

-We will be paying the municipal insurance upon approval of our warrants

-Councilman Evans questioned the contractual amount of \$3,045.99 listed under **Building Maintenance** for the month of February. Supervisor Heisler does not have voucher information for that and will check with Virginia as to its origin.

-Councilman Cammarata proposed a motion to accept the Supervisor's Report. This motion was 2<sup>nd</sup> by Councilman Whitmore. 8:00 p.m.

AYES: Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

### **MINUTES APPROVAL for March 19, 2018**

8:01 p.m.

Councilman Whitmore proposed a motion to accept the Minutes of the March 19<sup>th</sup> meeting. This motion was 2<sup>nd</sup> by Councilman Evans.

AYES: Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

ABSTAIN: Supervisor Heisler (due to absence last month)

### **WARRANTS**

8:02 p.m.

#### **General Warrant #4, Vouchers #30-45, in the amount of \$90,693.51**

Councilman Cammarata made a motion to pay vouchers from general funds 30-45 with the exception of 31.

Councilman Cammarata made an AMENDED motion to pay 32-45 on the vouchers. This motion was 2<sup>nd</sup> by Councilman Evans.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

#### **Highway Warrant #4, Vouchers 34-50, in the amount of \$20,270.65**

Councilman Cammarata made a motion to move 34-50. This motion was 2<sup>nd</sup> by Councilman Whitmore.

AYES: Heisler, Ludwig, Cammarata, Evans, Whitmore

NAYES: 0

OTHER BUSINESS:

CLOSE: By Supervisor Heisler

8:07 p.m.

Submitted by

Lori Eaton, Smithville Planning Board Clerk (Filling in for Town Clerk Owens)