

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

OPENING of Town Board meeting

by Supervisor Fred Heisler

6:30PM

ROLL CALL/PLEDGE:

ATTENDANCE in addition to Supervisor Heisler:

- Councilman Mike Evans
- Councilman Bob Whitmore
- Councilman Karl Ludwig
- Councilman John Cammarata

ALSO:

- Alison Owens, Town Clerk
- Vince Witkowski, Hwy Sup't
- Bob Brooks, Planning Board
- Shane Butler, Planning Board Chair
- Bruce Kinney, Enforcement Officer (arrived 6:35pm)
- Chris Lum, Kevin Schultes, Hwy Employees
- Fred Getz, resident of Echo Lake
- Roberta Dunker, Union rep
- Ken Whitmore II, resident
- Ken Whitmore III, Mark Howe, Chris Lum, Highway Employ
- Pam and Bob Holcomb, Priscilla Vanderbundt, residents

LATE ADDITIONS/DELETIONS/REMARKS:

1) PRISCILLA VANDERBUNDT: 1 YR, 5 YR TOWN ROAD PLANS

- Ms. Vanderbundt was recognized to the floor. She lives on Robbins Rd and would like an update on 1 and 5 yr plans for the road. Would also like ditches cleaned, mud has been dragged out into the road by tractors because the farmer does not have a specific place where he can go in and out. Road is in need of repair, needs crown.
- Highway Sup't Vince Witkowski said he is repairing equipment and has not had time to do extra work. This year he has identified Hattie Clark, Hammerle Rd., & German Hollow as the main travelling roads need repairing 1st. Ditches are there and are not as bad as the rest of the Town. Potholes will be filled in and the road dust/oiled when the weather is appropriate. Verbally: 1 yr, as stated above, maybe estimated. Supervisor Heisler asked if it could be done by September and posted on website
- Ms Vanderbunt said she would still like to see the plan with budgetary amounts. Supervisor Heisler asked Hwy Sup't Witkowski if a time could be arranged for that to happen. An acceptable time of September 2019 was agreed upon by both parties for a 1 year and a 5 year plan.

2) ADVERTISE FOR FUEL BIDS FOR MAY MEETING: The fuel bids are generally advertised for in May of any given year. Town Clerk Owens had prepared the legal format for advertising such in the Norwich Evening Sun and asked for a Resolution to place the ad for the May 20th Town Board meeting.

RESOLUTION # 14 (2019): APPROVE AND ADVERTISE FOR FUEL BIDS FOR MAY 20TH MEETING

On a motion by Councilman Ludwig, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

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

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

RESOLVED to approve the legal notice advertising for fuel bids for the May 20th Town Board meeting.

CORRESPONDENCE

6:45PM

C1) check received from Southern Chenango Antique Tractor Club

NEW BUSINESS

6:35PM

NB1) letter from Genegantslet Fire Co. re: State of Emergency. The Fire Company was asking if there is a document within the Town stipulating what to do in a State of Emergency. Supervisor Heisler said both the Community Center and the Presbyterian Church also function as a place of refuge. The Community Center building has the backup generator. [Councilman]* Whitmore said the Fire Station also has accessibility in a report done several years ago. Fire Chief Whitmore will look for paperwork on that. Town Clerk Owens will also look for paperwork at the Town Offices. Priscilla Vanderbundt said she would be glad to serve on Committee.

NB2) approval of **Billie Jo Fairchild** to roster of Genegantslet Fire Co.

NB3) approval of **Justin Davis** to roster of Genegantslet Fire Co.

After reviewing information for both Billie Jo Fairchild and Justin Davis, both candidates were approved to the roster of the Genegantslet Fire Co. in the following Resolution:

RESOLUTION # 15 (2019): APPROVE FAIRCHILD AND DAVIS FOR GENEGANTSLET ROSTER

On a motion by Councilman Ludwig, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

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

RESOLVED to approve Billie Jo Fairchild and Justin Davis as members of the Genegantslet Fire Co., Inc roster.

NB4) letter of resignation from Lori Eaton, Planning Board Clerk. Mrs Eaton has served in this position for 16 months.

RESOLUTION # 16 (2019): ACCEPT RESIGNATION FROM LORI EATON, PB CLERK

On a motion by Councilman Cammarata, 2ND by Councilman Whitmore, the following Resolution was ADOPTED.

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

RESOLVED to accept the resignation of Lori Eaton, Planning Board Clerk effective immediately after the completion of the May 1st Planning Board minutes.

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

NB5) Consideration of Selective Insurance class to fulfill NYS require sexual harassment training. Since more information was needed, it was decided to table this item of business.

NB6) Consider Resolution to approve Port-a-John service @ \$75 per month for the 2019 season. Town Clerk Owens mentioned that the previous service from Lisle was now owned by Greene Sanitary Services but that they were willing to hold the 2019 price the same as last years price. Since having the port-a-john is of benefit to those attending the park, the service was approved in the following Resolution:

RESOLUTION # 17 (2019): AUTHORIZE PORT-A-JOHN SERVICE IN THE PARK FOR 2019

On a motion by Councilman Cammarata, 2ND by Councilman Ludwig, the following Resolution was ADOPTED.

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

RESOLVED to authorize Port-a-John service in the Town park for the 2019 season @ \$75.00 per month from April through October 2019.

NB7) Consider **proposal from Eastern Energy Solutions for LED upgrade at the Town Barn:**

This is similar to a proposal from a different company in 2018. Hwy Sup't Witkowski would like to wait to get another estimate from an electrician rather than take action tonight on Eastern Energy Solutions proposal. Board members were in agreement.

NB8) Consider/action on communication from **NYSEG regarding switch to LED street light bulbs:**

An email was received by Town Clerk Owens from NYSEG asking for authorization from the Town to move to the next level in accepting NYSEG's offer to replace the Cobra Head light bulbs in the street lights with LED bulbs. NYSEG requested another document and a decision on whether the Town would like 3000 or 4000 lumen bulbs.

RESOLUTION # 18 (2019): APPROVE MOVING TO THE NEXT STREETLIGHT UPGRADE LEVEL WITH NYSEG

On a motion by Councilman Cammarata, 2ND by Councilman Whitmore, the following Resolution was ADOPTED.

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

RESOLVED to approve moving to the next level of communication and commitment with NYSEG to upgrade the current Cobra head street light bulbs to LED bulbs, Option B and to choose the 4000K brightness. The unexpired life cost to convert 34 NYSEG owned cobra head street lights still remains proposed at \$1,936.43.

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

After notification of the Town's decision, a final agreement will be processed by NYSEG and sent to the Town for approval.

NB9) Presentation by Councilman John Cammarata on Senior Housing in Smithville Flats

- Councilman Cammarata proposed utilizing the Town owned 11 acres between the Post Office and the Fire Station as a housing complex for Senior Citizen residents. The Town Attorney has said the Town can do a land contract with probably a long term rental agreement for 99 years. A quick site plan will be done next week by the contractor with a formal presentation later in the year. Several questions came up with regard to the type of apartments, whether it would be geared to low income, what the Town would do for utilities, water, etc.

NB10) and NB11) previously discussed

OLD BUSINESS (UPDATES IF ANY)

7:30PM

OB1) complaint of unkempt properties on Pearl St./Fred Wilcox Rd:

Enforcement Officer Kinney said there has been no response by the owners of the properties on Pearl St/Fred Wilcox Rd. The County Code Enforcement Office is still trying to make contact.

OB2) update on electronic signpost for Community Center: The method of updating the electronic sign seems to be working out ok

OB3) consider action of heavy duty paper shredder for RMO/Town Clerk

- Town Clerk feels the need for a smaller shredder with a small compartment to store records for shredding. The 2 she has in mind cost in the \$800-1200 range and will hold a stack of papers up to 18" in height for shredding. While there are a lot of records to shred, a larger more expensive shredder would require "a place" somewhere in the office. A smaller shredder would be easier to store, could be used when needed and would accomplish the same result. If the smaller shredder were to break, another one could be purchased to replace it and it would still be under the \$2-3K suggest by the Town Board for a larger but more difficult to store shredder.
- Townspersons in attendance at the meeting, who work in office situations, suggested getting a quote from Shred-it or another shredding service rather than purchasing a shredder

OB4) consider action on back door replacement on Pavilion:

- Overhead Door could not give a full quote but the cost of the door would be approximately \$1093. With prevailing wage the final cost will probably be more like \$1500. An exact quote will be available next month

OB5) update on street lights: see NB8

OB6) update on septic complaint at Echo Lake

- Supervisor Heisler did speak with County Health Director Isaiah Sutton: there are no offense odors coming from incinerator
- A written report will be coming

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

OB7) consider **update of website hosting/** maintenance switch to WoollyBear for \$99 annually. Since there have been some issues with information disappearing from the Town website and since Woolly Bear does not host the website for the Town of Smithville, Woolly Bear has submitted an offer to host the website for \$99. Per year, billed annually starting in August 2019 when the maintenance agreement will also be renewed. This should provide better website security. Board members were in agreement.

RESOLUTION # 19 (2019): AUTHORIZE WOOLLY BEAR TO MAINTAIN TOWN WEBSITE HOSTING FOR \$99/YR

On a motion by Councilman Ludwig, 2ND by Supervisor Heisler, the following Resolution was ADOPTED.

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

RESOLVED to authorize the website hosting for the Town of Smithville to be maintained and managed by Woolly Bear for \$99 annually.

REPORTS

8:00PM

R1.) Highway: report submitted; Highway report also attached as part of the minutes of this meeting

- Patching potholes
- Keeping up with beavers
- Put broom back together
- Serviced chainsaws
- There are 3700 hrs on new-to-Smithville Case loader
- Trying neutralizers on rust on truck
- The '07 truck is prepared for auction, also the Doosan
- Sanded snow plows
- New lead on welder
- New back brakes on 550 Ford
- Still fixing more things, has a lot of ditching to do
- The Highway Sup't has saved money on filters by buying them on sale. With the realized savings he has put a purchase order on a York rake for \$4550. The Town Board will need to approve this expenditure which has been discussed previously by the Highway Committee. The lowest quote of the 4 options available had been selected. After some additional discussion, the following RESOLUTION was placed.

RESOLUTION # 20 (2019): AUTHORIZE PURCHASE OF YORK RAKE FOR THE JD TRACTOR FOR \$4550.

On a motion by Councilman Whitmore, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

AYES Ludwig, Evans, Whitmore, Heisler, Cammarata

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

NAYES 0

RESOLVED to authorize the purchase of a York rake for the Highway Dept. at a cost of \$4550. From Norwich Implement, Inc., Norwich NY

- Councilman Cammarata has found 2 used pick/up trucks at local dealers, 1 gasoline/1 diesel and gave estimates for purchase
- It was mentioned by Hwy Employee Chris Lum that a gasoline pick/up could be obtained from State Contract. Councilman Whitmore also suggested a gas engine pick/up on State contract should be considered. He also recommended checking with Chenango Sales in Greene.
- Hwy Supt Witkowski is ok with buying used but will need a truck soon.
- This item of business was tabled until more information could be obtained.

R2) Assessor: report submitted

- The last of the exemptions are being put in
- Equilization rate for 2019 will remain the same as last year at 58%
- Would like a Resolution for Grievance day this year to be held on June 5th (normally held the last week of May)

RESOLUTION # 21 (2019): AUTHORIZE JUNE 5, 2019 AS GRIEVANCE DAY FOR THE TOWN OF SMITHVILLE.

On a motion by Councilman Ludwig, 2ND by Councilman Cammarata, the following Resolution was ADOPTED.

AYES Ludwig, Evans, Whitmore, Heisler, Cammarata

NAYES 0

RESOLVED to authorize Grievance Day to be held June 5, 2019 for the Town of Smithville. Times will be 2-4pm and 6-8pm.

R3.) Enforcement Officer: no written report submitted

- Will follow up with Pearl St and Fred Wilcox Rd complaints
- Will also will get Mr. Getz a copy of the County report from Mrs. Kehl’s incinerator toilet inspection and will help him work with Echo Lake Board.
- Agricultural building going up at Lilley Farms, no building permit needed

R4.) Planning Board: minutes submitted. Both the Right to Farm Local Law and the revised Road Use Local Law have been submitted to the Town Board for approval and for a Public Hearing date.

- Right to Farm –Planning Board Chair Butler explained the purpose of the Local Law is to let residents know that since this (Smithville) is a farming community they should expect smells, noises, etc. to be a part of the Local area. After reviewing the proposed Local Law, Board members decided to call for a Public Hearing on June 17th

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

RESOLUTION # 22 (2019): CALL FOR PUBLIC HEARING JUNE 17TH FOR “RIGHT TO FARM” LOCAL LAW

On a motion by Councilman Ludwig, 2ND by Councilman Whitmore, the following Resolution was ADOPTED.

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

RESOLVED to authorize a Public Hearing on June 17th @ 6pm for the “Right to Farm” Local Law, # 1 2019.

- Road Use Local Law: The new and improved language in the Road Use Local Law was considered. Councilman Ludwig asked in Section 4, paragraphs 2&4. Why is the property owner involved and held accountable for road damage if the contractor is the one using the Town Road? After some discussion, without resolution, it was decided to send the Local Law back to the Planning Board for them to consider other solutions at the May meeting. Enforcement Officer Kinney (former Hwy Sup’t) suggested a weight limit on Town roads.

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

R11) vacant

R12) Supervisor’s Report: submitted

- County Shared services agreement for lawn mowing? It was declined last year. Board members decided not to participate because of the cost involved.

RESOLUTION # 23, purchase of Gradall from Tora Crushing and Screening Co.

- **Board members were polled a couple of weeks ago for purchase of the Town’s recent Gradall from Tora Crushing and Screening Co., East Syracuse for \$45,000.: Board members voting in the affirmative were John Cammarata, Karl Ludwig, Fred Heisler, and Bob Whitmore.** Councilman Evans was unavailable for voting. Resolution passed.
- A motion to accept the Supervisor’s report was made by Councilman Ludwig, 2nd by Councilman Evans, all 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.
- The previous Driveway Policy was reviewed. It was discovered there was no date on the application so the Policy was reapproved with an April 15, 2019 date. A Resolution was made:

MINUTES OF THE SMITHVILLE TOWN BOARD

April 15, 2019

RESOLUTION # 24 (2019): RE-APPROVE TOWN OF SMITHVILLE DRIVEWAY POLICY WITH APRIL 2019 DATE

On a motion by Councilman Whitmore, 2ND by Councilman Ludwig, the following Resolution was ADOPTED.

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

RESOLVED to reapprove the Town of Smithville Driveway Policy with the date of April 15, 2019 on the paperwork.

MINUTES APPROVAL for March 18th 8:30PM

The minutes of the March 18th meeting were reviewed. A motion to approve these minutes was made by Councilman Whitmore, 2nd by Councilman Cammarata. Four Board members were in favor: Ludwig, Evans, Whitmore and Heisler, Cammarata abstained. Motion carried.

WARRANTS 8:35PM

General Warrant # 4 with Claims # 38-48 in the amount of \$27,280.07 were considered for payment. A motion to pay these claims was made by Councilman Cammarata, 2nd by Councilman Ludwig. All five Boardmembers were in favor, motion carried.

Highway Warrant # 4, with Claims # 44-59, in the amount of \$9,542.31 were considered for payment. A motion to pay these claims was made by Councilman Ludwig, 2nd by Councilman Evans. All five Boardmembers were in favor, motion carried.

OTHER: none

CLOSE by Supervisor Heisler 8:36PM

Alison B. Owens

Smithville Town Clerk

*Correction, p.2 to Councilman Whitmore from Fire Chief Whitmore