

Minutes of the Smithville Town Board
November 18, 2019

OPENING of Town Board meeting 6:30PM
ROLL CALL/PLEDGE/LATE ADDITIONS:

ATTENDANCE in addition to Supervisor Heisler:

Councilman Mike Evans
Councilman Bob Whitmore, arrived 7:07pm
Councilman John Cammarata
Councilman Karl Ludwig,

ALSO:
Alison Owens, Town Clerk
Vince Witkowski, Hwy Sup't; Jeff Lowe, Assessor
Shane Butler, Pam Holcomb, Planning Board
Elizabeth Vanderweyde, Barb/Terry Whitmore, Marie Kehl,
Roberta Dunker, Teamsters Rep; Bob Holcomb

Supervisor Heisler asked if there was anyone in the audience who wished to speak. Roberta Dunker, Union Rep for Teamsters Local #393 was recognized:

Roberta Dunker, Union Rep: A letter was sent out to select Town of Smithville residents (prior to the elections November 5th) slandering the Highway Department. Were Town funds used to print or mail the letters? She wants a copy of the mailing list and a copy of the postage receipt used to pay for the mailing. What is the maintenance they should/should not do? The brake work was disputed but the workers are not certified to do brakes, only the Hwy Sup't. Individuals were picked and were slandered for doing their jobs. If things were done right and done correctly, then there would be no need to have Grievances. The Highway workers should be treated with respect and not threatened.

Supervisor Heisler: The mailing (copying and postage) was done by the Republican Committee. The Town was not involved at all and Town equipment/property was not used.

CORRESPONDENCE (none) 6:35PM

NEW BUSINESS 6:35PM

NB1) Request from the Genegantslet Fire Co. to appoint as Auxillary member Karl Lum and as a Firefighter Floyd Hills. After reviewing the information the following Resolution authorizing the approval was made:

RESOLUTION # 53 (2019): APPROVE KARL LUM AND FLOYD HILLS TO GENEGANTSLET FIRE CO., INC. ROSTER

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

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

RESOLVED to approve Karl Lum as an Auxillary member and Floyd Hills as a Firefighter for the Genegantslet Fire Co. Inc. Roster.

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NB2) consider approval of the SPCA contract for 2020. The amounts remain the same as last year

RESOLUTION # 54 (2019): APPROVE SPCA CONTRACT FOR 2020

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

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

RESOLVED to approve the SPCA contract for 2020 which includes a \$75. Per dog turned into the SPCA by the DCO and a \$25.00 owner fee to pick up their animal at the shelter.

OLD BUSINESS (UPDATES IF ANY)

6:45PM

Pat Castaldy, Fred Wilcox Rd wanted to address the property conditions on Fred Wilcox Rd. She has complained before on both properties on her road and nothing has been done. Stan McCumber owns the 1 property which burned and has not been cleared or cleaned up. The other, the Dibble property, has junk cars/trucks on it, has become a logging site and is an eyesore. The Castaldy house has been listed for sale but it is difficult to have showings when the neighborhood is so trashy. It is against the Town of Smithville Junk local law to have more than 2 junk vehicles on a property. Mrs. Castaldy said the Town of Smithville Junk Local Law as listed on the Town website should be enforceable for that issue.

Hwy Sup't Witkowski says the situation is an issue and has called the Chenango County Sheriff's Dept. who is supposed to be involved. The property owners/renters were dragging logs down the road and storing them on alternate sides. Vince did try 5 times to confront the loggers.

Enforcement Officer Kinney was not present at the meeting for comment.

OB1) update on the Cincinnatus Lake Dam situation.

The Soil and Water Conservation Dept has engaged a retired Engineer who will be doing the inspections of the dam. DDSW will pay for \$2K, Roger Hatfield, owner of the dam property will pay \$1K, the Town will pay \$1K. It is not confirmed the dam will be reclassified after the inspection.

OB2) update on Oxford Fire Contract

There will be a meeting tomorrow night at the Oxford Village Hall. The Town of Oxford agreed to the Fire Contract but the Towns of Preston and Smithville have not. Smithville agreed to the amount paid last year and also would sign a 5 year agreement at 2% per year. Preston will not sign 5 yr agreement and will only agree to 1.6% increase for 1 year.

OB4) update on Union Grievances: A Federal mediator will help with negotiations for the Grievances on Dec. 5th @ 10am at the Community Center. This is not an open meeting.

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OB5) update on Echo Lake Incinerator system

The manufacturer of Mrs. Kehl's incinerator does not sell or advertise this as a septic system but a device to incinerate septic waste. Supervisor Heisler and Att'y Berger have indicated that there is no specific request from the lawsuit--what does the complainant want? The incinerator system was approved by different entities including Chenango County and the Town Code Enforcement Officer. The Town Att'y will draft a letter to the complainant's Att'y asking what the complainant wants to have done. The complainant has complained 5 times this year so far to the offending neighbor.

REPORTS

7:10PM

R1.) Highway: report submitted

- Trucks ready to plow and are ready to go
- Flooding in some areas but lighter compared to June. Has applied to FEMA and will probably receive funds to repair the roads
- Fire inspection at the Town Barn. Some items are in need of attention.
- Beaver problem will be handled by Joe Tomanek
- Pollard Rd continues to be a problem; there really should be a concrete culvert but will probably not be able to do that and will just put another standard culvert in. Can use CHIPS \$ to help with the repair. Will need excavator and additional 4' culvert pipe.

R2) Assessor: no report submitted. Any change to be made in the Disability level would require a Resolution. The disability level seems consistent with other school districts and Towns and the Assessor recommends waiting to change any levels,

The greater rise in assessment from the Oxford Fire District seems to be correct.

R3.) Enforcement Officer: no report

R4.) Planning Board: no report. Chair Shane Butler reported that documentation had just been received indicating Dollar General had approved the monument sign instead of the pole sign. There will also be a sidewalk extending from the north to the south of the property. The Public Hearing will be held Dec. 4th 7pm. Supervisor Heisler said the replacement of the bridge in the center of the hamlet may coincide with the building of the Dollar General. PB Chair Butler said any Public Works project done by NYS will require sidewalks. There is a chance a sidewalk could be extended from the bridge to the Dollar General.

The Town Board asked the Planning Board to look at the Junk Local Law from 1968 to see if any changes could be made to it.

R5.) DCO: no report submitted.

Supervisor Heisler said there was an issue when the DCO took a dog to the SPCA and the SPCA required the dog to be taken to a vet.

R6.) Attorney: no report submitted

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: no report

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R10) Town Clerk: report submitted

Community Center Inspection Report: Town Clerk Owens reported that among the items listed on the report was to fix the unused fire alarm system in the CC into working condition. It was expressed by Board members that since it is a Public building, it is a requirement to have a working system. The individual smoke alarms placed in the CC are of no use because they do not hook into the fire station. Councilman Cammarata said the current system is unfixable and needs to be updated. He will make phone calls for some quotes.

Street light Christmas wreaths/lights: The Christmas wreaths and lights are wearing out and should be replaced. This will be the last year these current ones can be used. Supervisor Heisler asked if the Board wanted to continue funding this effort. Board members were in favor of continuing with Christmas lighting. It was suggested to scrap the old wreaths/lights after this year and re-order more. Town Clerk Owens had purchased a “twinkling” snowflake light which, when placed inside a wreath, provided a nice effect. The item will be put on the January agenda. It was also recommended to order 6 more frames for the wreaths (made by Joe Hoyt) and also better quality flags.

Pig Roast:

The Chenango County Historical Society would like to co-sponsor (with the Smithville Historical Society) a pig roast at the Eagle Scout Park/Pavilion next September, with the purpose to showcase Smithville’s history. Town Clerk Owens was asked to find out about Town Board support for the event and to ask about insurance needs. Board members were supportive of the idea and said that perhaps the CCHS would be able to acquire the 1 day event insurance policy through Chenango County since they are under that umbrella. SHS members would not be able to give much support as there are not many members left. The Book Store in Smithville may also be able to support with ideas and man power. Town Clerk Owens will continue to be in touch with CCHS regarding this event idea.

R11) vacant

R12) Supervisor’s Report: submitted

- Final payment for Highway revenue sales tax was made
- Asked John Cammarata to notify NBT to start the transition process for Town accounts from 1 Supervisor to another
- Discuss at the Organizational meeting in January some of the Town projects in mind. Town Board members set The Organizational meeting date for Thursday Jan 2nd 6:30pm.

A motion was made by Councilman Cammarata, 2nd by Councilman Ludwig to accept the Supervisor’s report. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

MINUTES APPROVAL for October 21st and November 6th

7:30PM

The minutes of the October 21st and November 6th meeting were reviewed. A motion to accept both sets of minutes was made by Councilman Evans, 2nd by Councilman Ludwig. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

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WARRANTS

7:35PM

General Warrant # 11, Vouchers # 131-145, in the amount of \$6,338.45 were reviewed for payment. A motion to accept and pay these claims was made by Councilman [Evans]*, 2nd by Councilman Cammarata. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

Highway Warrant # 11, Vouchers # 136-148, in the amount of \$9126.79 were reviewed for payment. A motion to accept and pay these claims was made by Councilman Cammarata, 2nd by Councilman Ludwig. All 5 Board members: Ludwig, Cammarata, Evans, Whitmore and Heisler were in favor, motion carried.

An **Executive Session** was called for to discuss an employee issue. Into Executive session motion by Councilman Evans, 2nd by Supervisor Heisler @ 8:34pm. A motion to come out of Executive session was made by Councilman Ludwig, 2nd by Councilman Cammarata @ 8:43pm. There was no action taken.

Next meeting is Monday Dec. 16th, 2019 @ 6:30pm

CLOSE

by Supervisor Heisler @

8:45PM

Alison B. Owens

Smithville Town Clerk

*corrected at the December 16, 2019 meeting