

MINUTES OF THE SMITHVILLE TOWN BOARD
FEBRUARY 17, 2020

OPENING of Town Board meeting by Supervisor Cammarata 6:30PM
ROLL CALL/PLEDGE/No late additions:

ATTENDANCE in addition to Supervisor Cammarata:

Councilman Mike Evans
Councilwoman Pam Holcomb
Councilman Bob Whitmore
Councilman Karl Ludwig

ALSO:
Alison Owens, Town Clerk
Vince Witkowski, Hwy. Sup't.
Jeff Lowe, Assessor
Angelo Cioffi, PB
Marie Kehl, resident
Bruce Kinney, Code Enforcement Officer

CORRESPONDENCE 6:35PM

C1) discussion regarding removal of Town signboard and donating it to Warn-Ten Broeck Cemetery. The sign board was an Eagle Scout project done by Chris Hammond in the 1990's. It is located at the edge of the property close to the Post Office and is not being used currently. Groundskeeper Keith Sabin had mentioned it at a meeting of the Warn-Ten Broeck Cemetery council when they indicated a signboard would be an appropriate addition at the entrance to their Cemetery. Board members felt donation would be appropriate but it would have to be approved by Chris Hammond and the Hammond family 1st. Supervisor Cammarata said he would speak with the Hammond family.

RESOLUTION # 7 (2020): APPROVE DONATION OF TOWN SIGNBOARD PENDING APPROVAL OF THE HAMMOND FAMILY

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

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

RESOLVED to approve the donation of the old Town sign board to the Warn Ten-Broeck Cemetery Association for placement at their cemetery. The sign board was an Eagle project by Chris Hammond, and the Hammond family and will be donated to the Cemetery Association pending the Hammond family approvals.

C2) discussion of potential Community meeting date for Rep. Brindisi: March 16, 20, 24 or 25. This was requested by Brindisi's office and would be a meeting open to the Public. Town Clerk Owens suggested any of the above days except March 16th. Board member were in agreement.

RESOLUTION # 8 (2020): APPROVE USE OF COMMUNITY CENTER FOR REP. BRINDISI TO MEET W/PUBLIC

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

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

RESOLVED to approve the Community Center rental to Rep. Brindisi for a Community "Town Hall" meeting on any date except March 16th.

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NEW BUSINESS

6:35PM

NB1) consider wording change for Local Law # 2 2019 based on incongruities found in the Law. A new Public Hearing will need to take place and the Local Law renumbered. The following items were changed:

- Section IV, # 1 The previous statement in the Local Law says the Town Board sets the fee for the bond, but the Town Board feels the Highway Sup't should set the fee for the bond.
- Section IV, # 1 The previous statement in the Local Law says the bond fee may be changed by the Town Board. That statement will be removed
- Section IV, # 3 The previous statement in the Local Law lists the Code Enforcement Officer as a Town Official who has the authority to shut down an operation. After discussion it was decided to remove the Code Enforcement Officer from that responsibility.
- Section V, # Remove the word "Both" in the Fee statement

RESOLUTION # 9 (2020): APPROVE CHANGES TO LOCAL LAW # 2 2019

On a motion by Councilwoman Holcomb, 2nd by Councilman Ludwig, the following Resolution was ADOPTED.

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

RESOLVED to approve the above listed changes in Local Law # 2 2019 in General Provisions of IV and V of the subsections. The changes will initiate a new Public Hearing and a change in the title of the Local Law to Local Law # 1, 2020 a Road Preservation Law

RESOLUTION # 10 (2020): CALL FOR A PUBLIC HEARING ON THE REVISED LOCAL LAW # 2 2019

On a motion by Councilwoman Holcomb, 2nd by Councilman Whitmore, the following Resolution was ADOPTED.

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

RESOLVED to call for a Public Hearing on the proposed revised Local Law # 2 2019 for Monday March 16, 2020 at 6:30pm, at the beginning of the regular meeting of the Smithville Town Board. Such Local Law changes if passed will become Local Law # 1 2020.

NB2) consider purchase of used mechanic tool box and misc. tools for Highway

During the Mediation meeting in January it was brought up that there were not the correct tools at the Town Barn for repairs on the equipment. Since the old safes have been sold, the Highway Sup't would like to purchase items needed. Board members said to move ahead with purchasing the needed tools but also asked Superintendent Witkowski for an updated Inventory list. Town Clerk Owens will provide a copy of the last one done to Superintendent Witkowski.

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OLD BUSINESS (UPDATES IF ANY)

6:35PM

OB1) consider Resolution on update of Oxford Fire Contract: A letter has been received back from the Village of Oxford Fire Dept. They are willing to do a 5 yr contract with a 2% increase each year. Att’y for the Town Dave Berger has reviewed and approved the contract. The amount previously approved for the 2020 Budget was a 2% increase, broken down to \$16,229.00 for Fire protection and \$2213.00 for EMS, for a total of \$18,442.00 for the 2020 year period. At year 5 of the contract (2024), the amount will be \$19,961.00. The Village and Town of Oxford have signed the contract; the Towns of Smithville and Preston are prepared to sign tomorrow (February 18th). Supervisor Cammarata asked for a Resolution to sign the 5 yr contract with the Village of Oxford Fire Dept for fire protection and EMS service.

RESOLUTION # 11 (2020): APPROVE SIGNING OF 5 YR CONTRACT WITH THE VILLAGE OF OXFORD FIRE DEPT

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

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

RESOLVED to approve a 5 year contract with the Village of Oxford for fire protection and EMS service for Fire District # 23, part of which is in the Town of Smithville. Such 5 year contract will provide for a 2% increase per year starting with 2020. The total cost for 2020 will be \$18,442. RESOLVED also to authorize Supervisor Cammarata to sign said contract at the appointed time on February 18, 2020.

OB2) update on Teamsters Union: At a recent meeting with a NYS arbitrator who produced HMEO & Laborers job descriptions for the Teamster Union and the Town of Smithville, it was made very plain that Highway workers were not exempt from specific jobs. All are now in agreement with the work descriptions so that Hwy Supt Witkowski can ask for Laborer jobs from the Hwy workers and they are required to do the work.

OB3) update on Echo Lake Incinerator system: A letter was received by Supervisor Cammarata from the Att’y representing Fred Getz, the complainant at Echo Lake against Marie Kehl’s incinerator toilet , and who wants to know if the incinerator toilet was removed completely, including the exhaust pipe. The letter stated it was not enough to just stop using the incinerator toilet as the pipe and hole are unsightly. Mrs. Kehl was present and said the incinerator toilet was unhooked, is not being used and does not elicit any offensive odor. The pipe being unsightly should not be a concern to Mr. Getz. She may have the incinerator toilet and pipe removed in the spring and repair the hole in the roof. She now has an order of protection against Mr. Getz.

Supervisor Cammarata said he will have the Town Att’y communicate with Mr. Getz’s Att’y. He will also provide Mrs. Kehl with a copy of the Getz Att’y letter.

OB4) update on fire alarm system at the Community Center: a couple of adjustments to the fire alarm at the Community Center have been made. There has also been a request from the Town Court to have an additional camera from the front door to Judges Office. Supervisor Cammarata said the Court could not hook into the existing camera system at the Community Center as that goes into the Town Clerk’s office. There was some discussion about security in the parking lot and a suggestion to get an estimate on 3 cameras for the parking lot. The Judge could then apply for a JCAP grant to have those purchased and installed. The Town Board cannot apply on behalf of the Court for the JCAP grant. It was also mentioned that additional security coverage at the Town Barn will have to be made.

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OB5) **update on code violations:** There has been no new info on last month's violations except the County has been up on Fred Wilcox Rd a couple of times. Code Enforcement Office Bruce Kinney said there are other code violations in the hamlet, one of which was for a chimney.

OB5) **update on NYSDEC fishing access** on Strong Brook across from Town Barn: another form was requested by the DEC which was filled out and submitted. The Town is now awaiting the final approval.

REPORTS

7:10PM

R1.) Highway: report submitted. "02 Volvo has multiple problems, beavers are being handled as well

R2) Assessor: report submitted . Annual Simulator report received. It looks like the Equalization Rate will hold steady around 58%.

R3.) Enforcement Officer: report previously given

R4.) Planning Board: minutes of the February meeting submitted

R5.) DCO: no report submitted.

R6.) Attorney: no report submitted

R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: no report

R10) Town Clerk: report submitted, no additional news.

R11) vacant

R12) Supervisor's Report: submitted:

- The Tyner street lights have been changed over to LED lights, one was missed, tabulated by Supervisor Cammarata and will be changed over shortly.
- Chenango County has said we could get a container for items to recycle to put either at the Community Center or the Town Barn. Board members were not inclined to move in this direction.
- Financial report reviewed. Where is the technology account on the Supervisor's report? It was found under the Town Clerk's account A1420.2
- Ask Virginia/Auditor what account the security and the fire alarm could be taken from? perhaps the technology upgrade A1420.2? Board members did not feel the fire alarm should have been paid from A1620.4 so a transfer may need to be made.
- A motion to accept the Supervisor's report was made by Councilman Ludwig, 2nd by Councilwoman Holcomb. All five Board members: Ludwig, Evans, Whitmore, Holcomb and Cammarata were in favor, motion carried.

MINUTES APPROVAL

7:30PM

The minutes of the January 20th meeting were reviewed. A motion to approve the minutes was made by Councilman Whitmore 2nd by Councilman Ludwig. All 5 Board members: Ludwig, Evans, Whitmore, Holcomb and Cammarata were in favor, motion carried.

WARRANTS

7:35PM

General Warrant # 2, with Vouchers # 13-29, in the amount of \$ 6,221.99 was reviewed for payment. An additional claim from Lowe's for \$646.27 was also presented for payment. A motion to pay these claims in the amount of \$6221.99 and also to pay the Lowe's claim for \$646.27 was made by Councilman Ludwig, 2nd by Councilman Evans. All 5 Board members: Ludwig, Evans, Whitmore, Holcomb and Cammarata were in favor, motion carried. The Lowe's bill will be put on the March 16th warrant and will be paid from A5132.4.

Highway Warrant # 2, with Vouchers # 8-22, in the amount of \$ 8,647.74 was received for payment. After review of these claims, a motion to pay them was made by Councilman Whitmore, 2nd by Councilwoman Holcomb. All 5 Board members: Ludwig, Evans, Whitmore, Holcomb and Cammarata were in favor, motion carried.

