

Minutes of the
Smithville Town Board and Organizational Meeting
January 16, 2023

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

6:30PM

ATTENDANCE:

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

ALSO: Alison Owens, Town Clerk
Bruce Kinney, Enforcement Office (arrived late)
Ken Whitmore, Fire Chief, Genegantslet Fire Co., Inc

ORGANIZATIONAL MEETING

Review and Consider 2023 Roster for appointments and Resolution:

The following changes were made:

- Shane Butler as Deputy Supervisor
- Stephanie Hanrahan as Attorney
- Marie Kehl as PB Chair
- Josh Brigham as new PB member
- Mileage: leave at \$.50 per mile

RESOLUTION # 01 (2023): APPROVE THE ORGANIZATIONAL ROSTER FOR THE TOWN OF SMITHVILLE FOR 2023

On a motion by Board member Holcomb 2nd by Board member Butler, the following Resolution was passed.

AYES Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES 0

RESOLVED to approve the Organizational Roster for the Town of Smithville for 2023 with the following changes: Shane Butler as Deputy Supervisor, Stephanie Hanrahan as Attorney for the Town, Marie Kehl as PB Chair, Josh Brigham as new PB member term to expire 12/31/2023; Mileage reimbursement will be left at \$.50 per mile

CORRESPONDENCE

6:40PM

C1) NYS Town Official Business: this was mentioned by Supervisor Cammarata.

NEW BUSINESS

6:45PM

NB1) Greg Ellis, resident: request to discuss noise and fireworks at Spanish Baptist Camp. Mr. Ellis was unable to be in attendance and had asked to be moved to the February 20th agenda. Board members had a copy of the 2022 Fireworks application in question and commented that for noise control there is no zoning in Smithville, no way to enforce a noise ordinance. They felt a time limit could be established for a fireworks display.

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NB2) Consider Resolution to purchase CAT Excavator

Highway Sup't Vince Witkowski has expressed the need for a new Excavator as any digging equipment he now has is not functioning or he doesn't have. Milton CAT, Binghamton NY has a new one with a purchase price of \$137,427. The Town, under the CHIPS mandates cannot pay for it until April 2, 2023, and then will be reimbursed for that in June when the CHIPS payments are made to the Towns.

Board member Wark would like to see a list of roads that this piece of equipment would be used to work. He would like to know if the Town can rent an excavator for, say, \$6500. Per month for 6 months?

It was asked if a rental could be used with CHIPS money? The answer was yes.

HS Witkowski: Grader, and other equipment are broken; have put \$22K into repairs already for the equipment

BM Whitmore: Gradall should be fixed; paid for with CHIPS

BM Holcomb: have you looked into leasing rather than renting?

HS Witkowski: it's the same as rent

It was then asked, What about rent with the option to buy?

Former Highway Sup't Bruce Kinney thought an Emergency Resolution to purchase equipment could be done to bypass the procurement policy.

The procurement policy for the Town was referred to which indicated 3 quotes would be needed. Supervisor Cammarata asked for Highway Sup't Witkowski to bring 3 quotes back to the meeting for February 20th. It was also requested to bring information on parts for the broken brush cutter on the tractor, and to ask about a lease to buy option.

At first a motion to table any further discussion on the excavator was considered, then during further discussion it was asked if the excavator machine could be rented for the next 3 months to see if it would perform the way it was supposed to. Board members were in favor of this.

RESOLUTION # 02 (2023): AUTHORIZE RENTAL OF THE CAT EXCAVATOR FOR THREE MONTHS

On a motion by Board member Butler 2nd by Board member Wark, the following Resolution was passed.

AYES Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES 0

RESOLVED to authorize rental of a CAT Excavator from Milton CAT of Binghamton for the period of three months, price to be determined and set forth later in the Resolution. **

NB3) Discussion of **water grant, low income survey of proposed water district residents:**

Supervisor Cammarata was in receipt of a survey for the proposed water district. This is in preparation for a 1.4 million grant to the Town for the purpose of determining if there are enough low income residents within the proposed water district to be qualified for the grant. A letter should be taken to individuals within the water district to ask them to

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participate in the survey. A 90% return of the survey is needed. Seismic readings cannot be done until spring. Supervisor Cammarata would like input.

NB4) Review, discuss and consider any changes to the **2023 Fee Schedule**:
Board members reviewed the Fee Schedule from 2022. It was recommended to increase the deposit fee for Community Center/Pavilion rental to \$ 100. from \$75.00 and to request a check or money order for the deposit. No cash will be accepted for the deposit. The rest of the fees will remain unchanged for 2023.

RESOLUTION # 03 (2023): TOWN FEE SCHEDULE SET FOR 2023

On a motion by Board member Whitmore 2nd by Board member Butler, the following Resolution was passed.

AYES Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES 0

RESOLVED to set the Fee Schedule for 2023 with the only change being made to increase the Deposit fee for renting the Community Center or Pavilion from \$75.00 to \$100.00 and to require a check or money order. No cash accepted for the Deposit.

OLD BUSINESS (UPDATES IF ANY)

7:25PM

OB1) updates on new heaters for Kitchen and Clerk's offices:

Supervisor Cammarata said John Tracy of Central Plumbing and Heating has quoted a price of \$7400. for new heaters in the kitchen and Clerk's Office for a total price including hook-up for \$7400. The other company did not respond to the request for a quote. Board members were ok with this quote but questioned what account it would come from. There should be a building maintenance account but it is not included in the budget. Supervisor Cammarata suggested the Bookkeeper should research the account #.

RESOLUTION # 04 (2023): PURCHASE/INSTALL NEW KITCHEN, TOWN CLERK HEATERS BY CENTRAL PLUMBING/HEATING FOR \$7400.

On a motion by Board member Wark 2nd by Board member Holcomg, the following Resolution was passed.

AYES Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES 0

RESOLVED to purchase 2 heaters for the failing ones in the kitchen and Town Clerk's Office from Central Plumbing and Heating for \$7400., the account # for Community Center repairs (building maintenance) to be determined by the Bookkeeper.

OB2) Time Clock: after further discussion it was decided to not have a time clock installed at the Town Office building.

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R1.) Highway Report

- Jason Cheesebro from Upstate Tool and Equipment provided equipment to hang the banners on the poles
- Brushcutting at Echo Lake being done
- Rebuilt the front end of the Ford 550
- Has excess tires; would like to keep rims and get rid of most of the rest. Perhaps sell to McKee?
- Needs to get into the right-of-way on Marvin Rd.

R2) Assessor Report

- Questions on some church properties
- NYS has a new mandate that a senior exemption be mailed out. Postcards have been suggested to mail out as it is less expensive. The Assessor will continue to work with the County on an acceptable way to send these requests out.
- A new property exemption is available to firefighters. This is for active members only; retired members are not eligible; one per household up to 10% off Town exemption. More info is coming.

R4.) Planning Board: minutes submitted

R5.) DCO: late report submitted

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: no report

R10) Town Clerk: report submitted. As she is also the Historian, a short synopsis was shared of Thomas Kelly, former Supervisor for the Town of Smithville from Jan. 1, 1888 to December 31, 1897.

R11) vacant

R12) Supervisor's Report: submitted

- December 2022 Supervisor's report was reviewed
- Working with comptroller's office to see where FEMA money goes into what account
- A motion to accept the Supervisor's report was made by Board member Butler, 2nd by Board member Whitmore. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

MINUTES APPROVAL for December 19th

8:20PM

The minutes of the December 19th meeting were reviewed. A motion to approve these minutes was made by Board member Wark, 2nd by Board member Holcomb. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

13 seasonal new banners have been ordered from the same company. A voucher will be drawn up with the account # to be determined.

WARRANTS

8:25PM

General Warrant # 1, Vouchers # 1-13, in the amount of \$5,262.97

Vouchers paid early: # 1 for \$1500.

Change account # for Assoc. Of Town, Voucher # 2 to A1920.4

A motion to pay these claims was made by Boardmember Butler, 2nd by Board member Whitmore. All 5 Board members: All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

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Highway Warrant # 1, Vouchers # 1-15 in the amount of \$16941.76

4 to Rick Croft for \$128.00 should be under General Warrant #14 and taken out of A5182.4. A motion to approve these claims after moving #4, to Rick Croft \$128.00 was made by Board member Butler, 2nd by Board member Whitmore. All five Board members: Holcomb, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

Butler/Whitmore all 5

EXECUTIVE SESSION

8:35PM

A motion to go into Executive Session to discuss employment was made by Board member Butler, 2nd by Board member Holcomb Into Executive Session at 8:40pm.

A motion to come out of Executive Session was made by Board member Butler, 2nd by Boardmember Wark. Out of Executive Session at 8:59pm.

Action:

OTHER:

Town Clerk Owens has had a request from a small Amish group looking to rent a facility for Church services for a few months. The group is not sure they will settle in this area but want to know what options are available. Board members discussed the possibility and decided the Community Center would be available to the Amish group if they needed it with some stipulations.

RESOLUTION # 05 (2023): AUTHORIZE RENTAL OF THE COMMUNITY CENTER TO AN AMISH GROUP FOR CHURCH SERVICES

On a motion by Board member Butler 2nd by Board member Wark, the following Resolution was passed.

AYES Holcomb, Butler, Wark, Whitmore, Cammarata

NAYES 0

RESOLVED to authorize rental of the Community Center to a group of Amish using the annual rental agreement with a fee of \$25.00 per year, providing a homeowners declaration page of insurance, cleaning the area used after use, and cleaning up after any horses if needed.

Next monthly Board meeting is February 20th

CLOSE:

8:45PM

Alison Owens

Smithville Town Clerk

**It was reported on 1/17/2023 by Supervisor Cammarata who spoke with the NYS Comptroller's Office that if the company the Town plans on doing business with is an OGS company, or has a NYS Contract #, then the procurement policy does not need to be followed. The Town can lease the CAT excavator for 3 years at \$45,000. per year with an option to buy at the end of the lease term. The lease would still be a valid CHIPS expense.