

Minutes of the  
Smithville Town Board  
June 17, 2024

**OPENING** of Town Board meeting by Supervisor Cammarata 6:30PM  
ROLL CALL/PLEDGE/LATE ADDITIONS:

**CORRESPONDENCE** 6:35PM  
C1) none

**NEW BUSINESS** 6:35PM  
NB1) Consider Resolution removing Att’y Hanrahan from being the Attorney for the Town. Att’y Hanrahan has not responded to questions, emails or phone calls from Supervisor Cammarata for 2024. Since there are numerous concerns the Town has, it is necessary to have an Att’y that is responsive.

**RESOLUTION #28 (2024): DISMISS ATT’Y STEPHANIE HANRAHAN AS TOWN ATT’Y FOR SMITHVILLE**

On a motion by Board member Heisler, 2nd by Board member Butler the following Resolution was ADOPTED.

AYES: Butler, Heisler, Wark, Whitmore, Cammarata  
NAYES: 0

Resolved to dismiss Attorney Stephanie Hanrahan as Attorney for the Town of Smithville due to lack of Attorney counsel for the Town in 2024.

NB2) Consider appointment of new Att’y: there are several options but it requires a certified letter to be sent 1st to the former Att’y. Board members advised Supervisor Cammarata to stick with a company of Att’ys so that, in case of absence, the Town is not left without counsel

NB3) Consider Resolution # 1, 2024 to separate the positions of Town Clerk and Tax Collector: This was placed on hold pending further information and communication from the Board of Elections.

NB4) Consider acceptance of Sandee Utter resignation as JRC rep from the Town of Smithville:

**RESOLUTION #29 (2024): ACCEPT RESIGNATION OF SANDEE UTTER FROM JRC COMMITTEE**

On a motion by Board member Heisler, 2nd by Board member Wark the following Resolution was ADOPTED.

AYES: Butler, Heisler, Wark, Whitmore, Cammarata  
NAYES: 0

Resolved to accept the resignation of Sandee Utter from the JRC committee effective immediately

The following Resolution was made to appoint Debbie Mills to replace Sandee Utter.

**RESOLUTION #30 (2024): APPOINT DEBBIE MILLS AS A REPRESENTATIVE FOR THE JRC COMMITTEE**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata

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NAYES: 0

Resolved to appoint Debbie Mills as a representative of the Town of Smithville to the JRC committee.

NB5) **discussion of JRC budget for 2025-2028.** The Board first decided to discuss this Budget at the next Budget meeting in July but later in the meeting decided to sign the contract for 2024.

**RESOLUTION #31 (2024): SIGN THE JRC CONTRACT FOR 2024**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata  
NAYES: 0

Resolved to sign the JRC contract for 2024. The amount the Town of Smithville will pay is \$3,000. The County will grant in \$1,100. Next year's projected amount will be \$3,150 for the Town and \$1,200 grant from the County.

NB6) **discussion of Records Storage.** This took place later in the meeting but is mentioned here. Town Clerk/RMO Owens spoke again about the lack of storage space for active/inactive/historical records. The Court Clerk has come to her requesting space for inactive records. Additionally, the Historical Society may need space for their records and the Supervisor has an ongoing need for records space. Town Clerk Owens suggested a variety of possibilities; grants were mentioned as well. Board member Heisler said he would review the needs with Town Clerk/RMO Owens and work out some details.

NB7) **discussion of the Amendment to the NYSDEC License Issuing Agent** (for paper printed DEC licenses). Town Clerk Owens also addressed the contract NYSDEC has issued to agents selling licenses this year which requires licenses to be printed on plain copy paper rather than mylar paper. Customers would have to cut out their own tags/license. Does the Board want the Town Clerk to continue to sell licenses this year? Unless the contract is signed and sent back to the NYSDEC by July 16th, the Town will not be able to sell them. Board members asked Town Clerk Owens to sign the contract.

**RESOLUTION #32 (2024): AUTHORIZE TOWN CLERK OWENS (AS AGENT) TO SIGN THE NYSDEC CONTRACT CHANGES**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata  
NAYES: 0

Resolved to authorize Town Clerk Owens as agent for the NYSDEC to sign the new contract for NYSDEC allowing changes to the sale of sporting licenses, namely printing licenses on plain paper.

NB8) **discussion of the findings of the Risk Assessment Report as determined by Tokio Marine HCC, the Town's new insurance carrier.** Focus was on 9 different areas: the Town's abandoned cemeteries, Contract service agreements, an employee handbook, HRMuni Registration, Annual Driving record review, roof inspection program, an automated external defibrillator, adherence to the park/playground guidelines and maintenance. Board member Wark, who works with Mirabito Energy Products, and is familiar with the terms and needs of these items indicated which of these items to

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focus on and which could be considered guidelines. He said contracts and hold harmless clauses are important; he will write follow-up comments to the Board.

Supervisor Cammarata indicated he called Cooper Landscaping in Norwich who said it would be \$100. per cemetery for each maintenance. There are 13 abandoned cemeteries. He then suggested additional monies be added in the Budget next year for Cemetery maintenance as the Highway crew cannot be spared for the jobs of mowing. Town Clerk Owens offered to advertise for someone to mow them this year as per NYS law Class 2 cemeteries should be done twice annually. A contract will probably need to be made up. Some if not most of the cemeteries will probably need weed-eating as the stones are scattered and not in good shape. Even with weed-eating, care is advised as damage to the stones can happen with string trimming.

**NB9) Consider Resolution to close Elan Credit Card account.** The Town credit card was docked for a late fee due to slowness of mail delivery. The credit card company would not waive the late fee saying the USPS wasn't their problem. Supervisor Cammarata will close the account if he cannot have the late fee waived. There was some discussion as to whether Towns should have to pay a late fee. Chenango County uses a credit card and is able to bypass the fee. Former TB member Pam Holcomb, who works at Chenango County, would have more information. Board members felt the Town should skip this payment for now and find out if the Town is legally responsible for the late fee.

**OLD BUSINESS (UPDATES IF ANY)**

7:20PM

**REPORTS**

7:20PM

R1.) Highway: report submitted:

- Suite Kote canceled on N. Tyner Rd except if they used their materials. Dana Pooler will come July 8,9
- Mowing and ditching being done, patching pot holes, beavers are continual problem
- 2 Estimates for the Town Barn roof given to Supervisor
- Board member Heisler would like a written report of the proposed work to be done on the Town roads for this year
- Hwy Supt. closed a portion of Stone Quarry close to State Hwy 220 because of a culvert collapse

R2) Assessor: report submitted: 3 grievances this year

R3.) Enforcement Officer: no report submitted

R4.) Planning Board: June minutes submitted.

- **Discussion of Rood SPR:**

Mary and Jason Rood were to appeal the PB decision of last week but were not present at this meeting. The Town Board is not of the opinion to interfere with a decision the Planning Board has put in place. They recommended the SPR be sent back to the Planning Board. Hwy Sup't Witkowski will continue to work an acceptable solution with regard to road set-backs.

- Consider Resolution to appoint Joseph Brant to the Planning Board to replace Josh Brigham:

**RESOLUTION #33 (2024): APPOINT JOSEPH BRANT AS PLANNING BOARD MEMBER TO REPLACE JOSH BRIGHAM**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata  
NAYES: 0

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Resolved to appoint Joseph Brant to replace Josh Brigham on the Planning Board with a term of 6/18/2024 to 12/31/2028.

- Discussion of Junk and Refuse Collection Local Laws:  
Chair Marie Kehl said there were concerns among the Planning Board members about how the new law will be enforced. She also asked about a time limit on a complaint. It was mentioned that Preston charges the complainant initially. Should there be a time limit on complaints? What about a tenant situation? These are difficult as the owner of the property has the responsibility, not the tenant. Work is still being considered on the combining of these 2 local laws.

R5.) DCO: no report submitted; Supervisor Cammarata has spoken with DCO Barrows who said there is nothing to report, nothing on SPCA, they still want a \$75.00 a day fee. Taking dogs to Delaware County was considered but no action was taken.

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: Mindy Eldred was available to give a report. Flowers were put out in the garden area. She asked how they should proceed with insurance on rental applications? This will be discussed at the Committee meeting on June 24th. Fixing the guard rail, damaged by an emergency vehicle, was also discussed with Hwy Supt. Witkowski offering to help.

R12) Supervisor's Report: submitted

- **2 proposals for repairing/replaced the older Town Barn roof** were received and read by Supervisor Cammarata. Other bidders were contacted but were not able to commit to replacement this year:
  - \* Alpine Metal Roofing, Sidney : \$36,945.00 on old Town Barn portion, replacing rotted decking and installing 28 gauge galvalume painted roofing panels
  - \* ADM Quality Construction, Marathon: replacing old plywood as needed with metal roofing \$29,000.00; will leave old aluminum for the Town to recycle

After discussion, it was decided to accept ADM Quality Construction contract with approval of correct insurance and adding the Town as additional insured on the contract.

**RESOLUTION #34 (2024): ACCEPT ROOF REPLACEMENT PROPOSAL FROM ADM QUALITY CONSTRUCTION AT A COST OF \$29,000.**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata  
NAYES: 0

Resolved to accept the roof replacement proposal from ADM Quality Construction at a cost of \$29,000 with approval of correct insurance and adding the Town as additional insured on the contract.

It was also suggested to get a quote for covering the shed at the back of the Town Barn as well. Supervisor Cammarata will contact ADM for a quote. The roof work will come out of the Highway Investment account

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- **Maximum Security proposal for an additional camera** at the front end outside the Community Center with a tie back into the system is coming in at \$650. A contract will need to be signed.

**RESOLUTION #35 (2024): ACCEPT MAXIMUM SECURITY'S PROPOSAL OF \$650. FOR AN ADDITIONAL CAMERA AT THE FRONT END OF THE COMMUNITY CENTER OUTSIDE**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata

NAYES: 0

Resolved to accept the \$650. Cost to install another outside camera at the east end of the Community Center by Maximum Security. A signed contract is needed.

Also mentioned was the intent to ask Maximum Security for written instructions on how to check the video cameras in case of an issue. Currently Maximum Security charges \$75. to check the cameras at each requested incident.

The Oxford Fire Dept. contract for 2025 is proposing a 19.3% increase; 4.4%, 3.8%, 2.5%, 2% for each for 2026, 27,28 and 29. They are saying there is no negotiation on these increases. Board members would like to know the breakdown of fire and ems calls for 2023 and to date 2024. Town Clerk Owens will email a FOIL request. This will be tabled until the next meeting.

- The contract for the new truck says it cannot be paid off for 8 years, the Town can only pay interest and principal. Supervisor Cammarata said paying off the loader would help save money. Some Board members suggested that more money can be made by putting some in high interest accounts and not paying off the equipment. It was mentioned the F-550 will need to be replaced soon and that perhaps it would be better to pay off the loader and then replace the F-550. There are 4 payments left on the loader with an approximate cost of \$138K. Board members agreed this could be done.

**RESOLUTION #36 (2024): PAY OFF THE LOADER AT A COST OF APPROX \$138k**

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

AYES: Butler, Heisler, Wark, Whitmore, Cammarata

NAYES: 0

Resolved to pay off Kansas State Bank in an amount of approximately \$138K on the loader

A motion to accept the Supervisor's report was made by Board member Butler, 2nd by Board member Whitmore. All 5 Board members: Heisler, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

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The minutes of the May 15th meeting were reviewed. A motion to approve these minutes was made by Board member Butler, 2nd by Board member Whitmore. All 5 Board members: Heisler, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

**WARRANTS**

8:05PM

General Warrant # 6, Vouchers # 82-99 in the amount of \$4,022.12 were submitted for payment. After review of these claims a motion was made by Board member Butler, 2nd by Board member Heisler. All 5 Board members: Heisler, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

Highway Warrant # 6, Vouchers # 55-65, in the amount of \$70,292.24 were submitted for payment. After review, these claims were authorized to be paid in a motion by Board member Heisler, 2nd by Board member Heisler. All 5 Board members: Heisler, Butler, Wark, Whitmore and Cammarata in favor, motion carried.

**EXECUTIVE SESSION—none**

8:25PM

Budget work for 2025 Wednesday July 10th 6:30

**OTHER: Next monthly Board meeting is July 15th**

CLOSE: By Supervisor Cammarata at

8:30PM

Alison B. Owens

Smithville Town Clerk

Addendum 6/26/2024:

ADM Quality Construction quoted \$15K to add roofing to the shed at the back of the old Town Barn. Board members were contacted by phone and all were in agreement to add this additional cost to the original quote. Four Board members were in favor; Board member Heisler did not vote.