

Minutes of the Smithville Town Board
October 21, 2024

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

ATTENDANCE:

Supervisor John Cammarata
Board members: Bob Whitmore
Shane Butler
Russell Wark
Fred Heisler

ALSO: Alison Owens, Town Clerk
Vince Witkowski, Hwy Supt.
Marie Kehl, PB Chair

PUBLIC HEARING SEASONAL ROADS 6:35PM

PUBLIC HEARING SNOWMOBILE ROADS 6:40PM

Declared open by Supervisor Cammarata. These Public Hearings were held at the same time. The legal ad as advertised in the Evening Sun was recognized. The names of the roads in both the Seasonal and Snowmobile list were acknowledged. It was mentioned that Stone Quarry Rd has a culvert missing across the road because it collapsed. Snowmobiles cannot be allowed to use the lower section of Stone Quarry Rd. It was suggested to write a letter to the Snowmobile Club (Ridge Riders) and let them know of the construction.

A motion to close the Public Hearings was made by Councilman Butler, 2nd by Councilman Heisler. All five Board members: Heisler, Butler, Wark, Whitmore and Cammarata were in favor, motion carried.

RESOLUTION #49 (2024): ACCEPT THE LIST OF SNOWMOBILE AND SEASONAL ROADS FOR THE NOVEMBER 1ST 2024 TO APRIL 1ST 2025 FOR THE TOWN OF SMITHVILLE.

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

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

RESOLVED to accept the list of Snowmobile and Seasonal roads in the Town of Smithville for the period November 1, 2024 to April 1, 2025

CORRESPONDENCE

6:35PM

C1) letter from Gerald Wilcox regarding historical signage at Wilcox Cemetery, N. Tyner Rd. Mr Wilcox has applied to the SAR (Sons of the American Revolution) for a sign to commemorate his ancestor Job Wilcox, a soldier in the American Revolution. Mr. Wilcox was requesting a letter from a Town official permitting the sign to be put up. Board members were in agreement with this honor and so moved the following Resolution.

RESOLUTION #50 (2024): AUTHORIZED A COMMEMORATIVE SIGN FOR CORPORAL JOB WILCOX TO BE PLACED AT THE WILCOX CEMETERY BY THE SAR

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

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

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RESOLVED to authorize a commemorative sign to be placed at the Wilcox Cemetery for Job Wilcox, a soldier in the American Revolution.

C3) a letter of complaint from an unknown person was received regarding building without permits. A specific location was mentioned which Supervisor Cammarata checked on personally. He then checked with the County Code Enforcement and found there was no permit issued. He will continue to work with the County for a solution.

NEW BUSINESS

6:40PM

NB1) RESOLUTION to adopt Tentative Budget as Preliminary. After review it was decided to authorize the Tentative Budget to become the Preliminary Budget

RESOLUTION #51 (2024): AUTHORIZED THE TENTATIVE BUDGET TO BECOME THE PRELIMINARY BUDGET

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

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

RESOLVED to authorize the tentative 2025 Budget to become the Preliminary 2025 Budget.

NB2) RESOLUTION to hold Public Hearing on Preliminary Budget either Nov. 6th or 7th. It was decided to hold the Public Hearing on the 2025 Preliminary Budget on Wednesday November 6th at 6:30pm.

RESOLUTION #52 (2024): CALL FOR A PUBLIC HEARING NOV 6th ON THE PRELIMINARY BUDGET

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

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

RESOLVED to authorize a Public Hearing on the Preliminary 2025 Budget for Wednesday November 6th at 6:30pm.

NB3) Discussion regarding "lingering" at the Pavilion.

Town Clerk Owens reported that individuals and small groups of people are continuing to linger for hours at the Pavilion, using the internet and electricity. The port-a-johns will be removed at the end of October. Supervisor Cammarata said he would see if the outlets on the pole can be turned off.

NB4) Discussion regarding post retirement Medicare supplement plan for the Town Clerk. Town Clerk Owens asked for the Town to continue to pay her Medicare Advantage premium after her retirement at the end of the year. She also asked about an Employment Policy for employees as Smithville does not have one. It is a question the new Insurance company asked at the beginning of the policy period. One Board member suggested the cost to write an employment policy might be costly. Board members were reluctant on both issues and asked for more information. These items were tabled until next month.

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NB5) Discussion on Cemetery information being added to the website: At a recent Cemetery meeting, it was suggested the Cemetery information for the Cemetery Association could be put on the Town website. After some discussion, the Town Board was ok with putting contact info and pricing for lots of the 2 cemeteries of the Association on the Town website.

Town Clerk Owens asked about signage for abandoned cemeteries: To give pause for people being buried in Town cemeteries, it was suggested a sign be put up in the approx. 15 abandoned cemeteries in the Town. Board members felt that a sign would encourage burials rather than discourage them. Town Clerk Owens said she would reach out to NYS for further clarification and suggestions.

OLD BUSINESS (UPDATES IF ANY)
PM

6:50PM

OB1) Board member Heisler reported on the proposed addition for the Town Clerk office; he will be meeting with a potential developer for floor plans and rough scale drawing and Air Source for heating/cooling.

OB2) review of revised **Junk/Refuse Collection Local Law # 1 2024**

This Local Law was again reviewed following revision by the Planning Board. It was suggest to change the # of motor vehicles in Article 3, section 1 to "3" instead of the "5" as listed. This would be a more consecutive # after 1 and 2 vehicles, rather than jumping from 2 to 5.

It was also asked where to send complaints. Would it be to the County? Some Board members felt enforcement would be difficult without a more full-time Code Enforcement person. It was suggested to move forward with a Public Hearing on this proposed Local Law and to consider perhaps a per-diem Code Enforcement person in the near future to help with violations.

RESOLUTION #53 (2024): CALL FOR A PUBLIC HEARING NOV 18th ON PROPOSED LOCAL LAW # 1 2024

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

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

RESOLVED to authorize a Public Hearing on proposed Local Law #1 2024 for Wednesday November 6th at 6:30pm.

REPORTS

7:00PM

R1.) Highway: report submitted

- Finished paving N,S, Tyner; Hattie Clerk by French and Buckley Hollow
- Servicing trucks
- Parts are in for roller
- Round Pond Rd might need work, also Stone Quarry to be finished but could use paving
- Beavers are still a major problem

R2) Assessor: no report submitted

R3.) Enforcement Officer: no report submitted

R4.) Planning Board: September minutes previously submitted.

- Comprehensive Plan is nearly complete

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- Working on a Noise Abatement Resolution

R5.) DCO: no report submitted;

R6.) vacant R7.) vacant

R8.) Custodian: no report submitted

R9.) Playground Committee: report submitted. The sandbox Eagle project has been completed. The sandbox is awaiting sand from the Highway Dept.

R10) Town Clerk: report submitted

- The Town Clerk would like to see another account opened at the beginning of December to handle the November Town Clerk's deposits. There is a possibility the Deputy Clerk could have an account opened. Supervisor Cammarata will check on protocol for accounts with NBT. Board members discussed this and a Resolution was made to open a new account if need be in a Deputies name to continue deposits for intake at the Clerk's office in November and December 2024.

RESOLUTION #54 (2024): AUTHORIZE OPENING A NEW TOWN CLERK ACCOUNT FOR DEPOSITS IN NOVEMBER/DEC 2024 AND INTO 2025.

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

AYES: Butler, Whitmore, Cammarata, Heisler, Whitmore

NAYES: 0

RESOLVED to authorize opening a new Town Clerk account to accept deposits for Town Clerk transactions in November and December 2024 if need be, to allow for the retiring Town Clerk account to be phased out and closed by year's end.

- Town Clerk Owens viewed a presentation of the Williamson Law Book Tax Collector's program and was very impressed with it compared to BAS/Edmunds GovTech. However, a proposal has not yet been received from Williamson Law Book. Town Clerk Owens will follow up with Williamson Law Book.
- With a new Tax Collector taking over January 1st, Town Clerk Owens recommended the online payment status be removed from making payments this year. It is a lot of extra paperwork for a new person to handle and the banking end of it can be confusing. It was recommended by the Board to put a notice on the website.

R11) vacant

R12) Supervisor's Report: submitted

- Sales tax check \$60,265. Would like to put \$6200. back into it the building fund account # 6557; \$29K into Smithville Acc't # 0024 and the balance put into new equipment for the truck # 9638 to bring it up to \$200K. Could pay off the truck or put toward new truck
- Comptroller's office said that we will see the extra \$1440. from last year's Brisben Fire Dept. closing that will be applied to the 2026 Budget unexpended balance.
- A motion to accept the Supervisor's report was made by Board member Butler, 2nd by Board member Heisler. All 5 Board members in favor, motion carried.

MINUTES APPROVAL for September 24th

7:25PM

The minutes of the September 26th meeting were reviewed. A motion to approve these minutes was made by Board member Butler, 2nd by Board member Wark. All 5 Board members in favor, motion carried.

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WARRANTS

7:30PM

General Warrant # 10, Vouchers # 157-173 in the amount of \$7,410.67 were submitted and reviewed for payment. A motion to approve these payments was made by Board member Whitmore 2nd by Board member Heisler. All 5 Board members in favor, motion carried.

Highway Warrant # 10, Vouchers # 104-115, in the amount of \$77431.55 were submitted and reviewed for payment. Eliminated was # 107 as it was a duplicate with # 164 on the General Warrant. A motion to approve these payments minus # 107 was made by Board member Heisler 2nd by Board member Whitmore. All 5 Board members in favor, motion carried.

OTHER:

A letter was received from Bob Whitmore which Supervisor Cammarata read to the Board. Bob notified the Board that he has accepted an employment position with the Smithville Highway Dept and can no longer serve on the Town Board. Board members accepted the resignation from Bob Whitmore with much regret. Although the resignation said the effective date would be Oct. 21st, Supervisor Cammarata said the date of the resignation would become effective October 22nd to allow Mr. Whitmore to finish voting at the Board meeting.

RESOLUTION #55 (2024): ACCEPT LETTER OF RESIGNATION FROM BOARD MEMBER BOB WHITMORE

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

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

RESOLVED to regretfully accept the resignation of Board member Bob Whitmore, effective October 22, 2024.

Another letter of resignation was received from Dakota Warren who was resigning from the Planning Board effective immediately.

RESOLUTION #56 (2024): ACCEPT LETTER OF RESIGNATION FROM PLANNING BOARD MEMBER DAKOTA WARREN

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

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

RESOLVED to accept the resignation of Planning Board member Dakota Warren, effective immediately.

It was recommended to appoint Dakota Warren to fill Bob Whitmore's terms until the elections in November 2025, therefore the term of office would be until 12/31/2025. A Resolution was so made

RESOLUTION #57 (2024): APPOINT DAKOTA WARREN TO FILL THE VACANCY CREATED BY BOB WHITMORE UNTIL 12/31/2025.

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

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

RESOLVED to appoint Dakota Warren to fill the vacancy on the Town Board created by Bob Whitmore until 12/31/2025.

RESOLUTION #58 (2024): APPOINT FRED HEISLER AS DEPUTY SUPERVISOR TO FILL VACANCY FROM BOB WHITMORE

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

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

RESOLVED to appoint Fred Heisler as Deputy Supervisor to fill the vacancy created by Bob Whitmore.

RESOLUTION #59 (2024): APPOINT JOE WARREN AS A PLANNING BOARD MEMBER TO FILL VACANCY OF DAKOTA WARREN

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

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

RESOLVED to appoint Joe Warren to the Planning Board to fill the vacancy created by Dakota Warren. Such term of office will expire 12/31/2027

The Union agreement was reviewed and approved by Att’y John Cochrane with a couple of modifications.

NO EXECUTIVE SESSION 7:48PM

There was no other business to come before the Board. The meeting was declared adjourned at: 7:48PM

Alison B. Owens

Smithville Town Clerk