

January 10, 2023

Minutes of the Organizational Meeting of the Town Board of the Town of Smithfield held January 10, 2023 at the Smithfield Community Center commencing at 7:00 pm.

Present:

Supervisor	Thomas J Stokes
Councilperson	Brenda Goff
Councilperson	Nell Ziegler
Councilperson	James Corpin
Councilperson	Richard Looft
Highway Superintendent	Dan Davis
Town Clerk	Christine Boyden
Deputy Town Clerk	Joe Rowlands

Others Present: Les Kraft, Brynly Wilcox-New Town Bookkeeper

The meeting was called to order by Thomas J Stokes, Supervisor.

Pledge of Allegiance

The Official Undertaking was reviewed and submitted to the clerk for filing.

Policy Number St Paul's Travelers 10509180

Policy Period 05/19/2022 to 05/19/2023

Supervisor	-Coverage limit \$300,000
Book Keeper/Secretary	-Coverage limit \$300,000
Town Clerk/Tax Collector	-Coverage limit \$300,000

Resolution #1-2023 Making annual organizational meeting designations.

BE IT RESOLVED by the Town Board of the Town of Smithfield, that for the year 2023, the following designations are hereby made:

- a. that the Oneida Daily Dispatch is designated as the official newspaper of the Town.
- b. that NBT Bank, with its main office located at 1 Madison St, Hamilton NY 13346, is named as the official depository for the Town of Smithfield.
- c. that the regular meetings of the Town Board of the Town of Smithfield will be held at 7:00 pm. on the second Tuesday of each month at the Smithfield Community Center, 5255 Pleasant Valley Road Peterboro, NY.
- d. that the rate for mileage reimbursement to Town employees using personal vehicles for Town business shall be at \$0.655 per mile per the 2023 IRS reimbursement rate. All reimbursement requests shall be made by signed voucher with specific dates, locations traveled to and from, and an accurate mileage report attached.
- e. that the permit fee schedule attached to this resolution is hereby adopted as the Town of Smithfield fee schedule for 2023.
- f. that the rate schedule and policy for use of the Smithfield Community Center attached to this resolution is hereby adopted for 2023.

On a motion made by Supervisor Stokes, seconded by Councilperson Brenda Goff
Resolution #1-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #2-2023 A resolution authorizing payment in advance of audit of claims for public utility services, postage, freight and express charges.

WHEREAS, the Town Board has determined that it is prudent to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Smithfield hereby authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer(s) incurring or approving the claims shall be jointly and severally liable for any amount the Town Board disallows.

On a motion made by Supervisor Stokes, seconded by Councilperson Brenda Goff
Resolution #2-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #3-2023 A resolution making annual personnel appointments

BE IT RESOLVED by the Town Board of the Town of Smithfield, that the following persons are hereby appointed to serve for the positions and terms hereafter noted:

BE IT RESOLVED by the Town Board of the Town of Smithfield, that the following persons are hereby appointed to serve for the positions and terms hereafter noted:

<u>Office:</u>	<u>Name:</u>	<u>Term:</u>
Budget Officer	Thomas J. Stokes	1 year
Deputy Supervisor	Nell Ziegler	1 year
Code Enforcement Officer	Lawrence Cesario	1 year
Deputy Codes Officer	Mark Bradbury	1 year
Dog Control Officer	Sheila Garrett	1 year
Town Historian	Donna Burdick	1 year
Building Superintendent	Michael Corpin	1 year
Registrar of Vital Statistics	Christine Boyden	1 year
Clerk to the Justice	Janice Sebring	1 year
Clerk to ZBA Board	Christine Boyden	1 year
Planning Board Clerk	Christine Boyden	1 year
Deputy Town Clerk	Joe Rowlands	1 year
2nd Deputy Town Clerk	Janice Sebring	1 year

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #3-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #4-2023 A resolution approving legal services agreement.

BE IT RESOLVED by the Town Board of the Town of Smithfield, that the legal services agreement with

Stokes Law Firm PLLC for the year 2023 attached to these minutes is hereby approved and the Supervisor is hereby authorized to sign said agreement on behalf of the Town.

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #4-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #5-2023 Resolves that the following salary and wage schedule be fixed for 2023.

Salary Schedule

Highway paid:	Hourly Amount
Josh Boyden	\$23.50
Corey Bodley	\$22.50
Part Time MEO	\$16.75
New Hire Fulltime MEO	\$18.00
Full term MEO after 1 year of service	\$22.50
Part time laborer	\$14.00
New hire Fulltime laborer	\$15.00
Highway Superintendent paid bi-weekly:	Annual Amount
Daniel Davis	\$58,000.00
Town Officials paid monthly/ hourly	Annual Amount
Town Clerk	\$10,300.00
Codes Enforcement Officer	\$11,625.00
Town Justice	\$7,740.00
Town Supervisor	\$6,400.00
Town Assessor	\$9,000.00
Deputy Clerk	\$15.00 Per Hour
Deputy Codes Officer	\$16.50 Per Hour
Clerk to the Justice	\$17.00 Per Hour
Other employees paid monthly:	Annual Amount
Building superintendent	\$2,100.00
Town Officials paid yearly:	Annual Amount
Town Board Member	\$ 1,650.00
Budget Officer	\$1,100.00
Registrar of vital statistics	\$600.00
Planning Board Clerk	\$1,500.00
Dog Control Officer	\$1,650.00

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #5-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #6-2023 Resolves that the Town of Smithfield hereby established the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees 'Retirement System based on the record of activities maintained and submitted by these Officials to the clerk of this body.

Supervisor	Thomas J Stokes	6Hrs
Budget Officer	Thomas J Stokes	6Hrs
Highway Superintendent	Daniel Davis	8Hrs
Appointed Officials:		
Assessor	Brian Fitts	6Hrs

Dog Control Officer	Sheila Garrett	6Hrs
Codes Officer	Larry Cesario	6Hrs.

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #6-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #7-2023 Authorizing the Supervisor to enter into an agreement with Bryn on the Books for Bookkeeping Services

BE IT RESOLVED by the Town Board of the Town of Smithfield, that the bookkeeping services with Bryn on the Books LLC for the year 2023 attached to these minutes is hereby approved and the Supervisor is hereby authorized to sign said agreement on behalf of the Town.

On a motion made by Supervisor Stokes, seconded by Councilperson Brenda Goff.
Resolution #7-2023 was adopted:

Ayes: 5-Supervisor Stokes, Councilperson Nell Ziegler, Councilperson Brenda Goff,
Councilperson James Corpin, Councilperson Richard Looft
Nays: 0

Resolution #8-2023 Approval of Minutes of December 13, 2022

On a motion made by Supervisor Stokes, seconded by Nell Ziegler
Resolution #8-2023 was adopted:

Ayes: 5-Supervisor Stokes, Councilperson Nell Ziegler, Councilperson Brenda Goff,
Councilperson James Corpin, Councilperson Richard Looft
Nays: 0

Resolution #9-2023

Supervisors Monthly Report-

Receipts and Payments for December 2022 were read and filed.
General Fund Revenues totaled \$7,475.64 with expenditures of \$33,364.05
Streetlight expenditures totaled \$160.71
Highway Fund Revenues totaled \$.30 expenditures of \$21,988.25 Profit and Loss Budget vs Actual
Budget was presented for both General and Highway Funds for December 2022.

On a motion of Supervisor Stokes, seconded by Councilperson Brenda Goff.

Resolution #9-2023 was adopted:

Ayes: 5-Supervisor Stokes, Councilperson Nell Ziegler, Councilperson Brenda Goff,
Councilperson James Corpin, Councilperson Richard Looft
Nays: 0

Resolution #10-2023

Town Clerks Monthly Report-

Receipts and Payments for December 2022 were read and filed.
Total State, County and Local Revenues totaled \$377.70 and the Local Shares Remitted totaled \$333.20.

On a motion made by Supervisor Stokes, seconded by Councilperson Brenda Goff

Resolution #10-2022 was adopted:

Ayes: 5-Supervisor Stokes, Councilperson Nell Ziegler, Councilperson Brenda Goff,
Councilperson James Corpin, Councilperson Richard Looft
Nays: 0

Codes Enforcement Report- Report was read and filed.

Historians Report- Submitted and is available to view in Clerks office.

Planning Board- Reminder of trainings that are available for the Board on the 11th and the 18th of January from 6-8PM

Zoning Board- Reminder of trainings that are available for the Board on the 11th and the 18th of January from 6-8PM

Highway- Superintendent Davis: Nothing to report.

Old Business-

Public Courtesy of the Floor-

Les Kraft was at the meeting to see if there was any progress on the power outages situation. Nothing as of this meeting but an update will be coming in February's meeting.

Brynley Wilcox explained the opportunities of the town enrolling in NYCLASS.

New Business-

Resolution #11-2023 Authorizing The Modification of The 2022 Adopted Town Budget

BE IT RESOLVED that the 2022 Adopted Town Budget be modified as follows:

General Fund

<u>Estimated Revenues</u> A980	<u>From</u>	<u>To</u>
A1255 Clerk Fees	\$500	\$540.86
A2301 Interest and Earnings	\$100	\$112.47
A2410 Rental of Real Property	\$250	\$585
A2590 Permits, Other	\$2,000	\$3,764.20
A2610 Fines & Forfeited Bail	\$1,000	\$1,820.60
A3005 Mortgage Tax	\$7,000	\$12,971.20
A3060 State Aid, Records Management	<u>\$0</u>	<u>\$985.28</u>
Control Total:		<u>\$8,944.33</u>

Expenses A522

A1355.1 Assessors, Personal Services	\$3,600	\$8,550
A1355.1A Assessors, Deputy Assessor Pers. Serv.	\$5,400	\$450
A1410.1A Deputy Town Clerk, Personal Services	\$1,800	\$2,800
A1640.4 Central Garage, Contractual	\$20,000	\$21,500
A1990.4 Contingent	<u>\$3,000</u>	<u>\$500</u>
Control Totals:	<u>\$33,800</u>	<u>\$33,800</u>

Highway Fund

<u>Estimated Revenues</u> DA980	<u>From</u>	<u>To</u>
DA2401 Interest & Earnings	\$50	\$80.74
DA3501 State Aid- CHIPS	<u>\$140,000</u>	<u>\$150,280.83</u>

Control Total: \$10,293.57

Expenditures DA522

Expense

DA5112.2 Improvements- Capital Outlay	\$140,000	\$150,280.83
DA5130.2A Machinery & Equipment ARPA	\$0	\$50,000

Totals: \$140,000 \$200,280.83

Control Total: \$10,293.57

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #11-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #12-2023 Contract for ambulance services

AMBULANCE SERVICE AGREEMENT

THIS AGREEMENT dated the 11th day of May, 2022, between the Town of Smithfield, Madison County, New York, a municipal corporation (hereinafter referred to as "Town" or "Town of Smithfield"), and Smithfield Eaton Volunteer Ambulance Corp., of Eaton, Madison County, New York (hereinafter referred to as "SEVAC").

WITNESSETH:

WHEREAS, SEVAC is duly certified by the New York State Department of Health to provide general ambulance service and advanced life support services, and possesses sufficient trained personnel and equipment to provide such services to residents of the Town; and,

WHEREAS, SEVAC is desirous of providing such services to residents of the Town; and,

WHEREAS, the Town Board of the Town of Smithfield has, pursuant to resolution duly passed at a regular meeting thereof, duly authorized the making of this Agreement and has authorized its Town Supervisor to execute the same; and,

WHEREAS, the members of SEVAC have duly authorized the execution of this Agreement by a representative thereof.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the parties agree as follows:

1. The Town of Smithfield shall pay to SEVAC the sum of Fourteen Thousand Five Hundred and no/100 Dollars (\$14,500) as a retainer to be on call for its services as rescue and emergency medical provider pursuant to the terms of this Agreement and during the term thereof. **Said funds are to be used by SEVAC solely for payroll and continued staffing.**

2. SEVAC shall provide emergency medical service and general ambulance service to the Town of Smithfield. Said service will be provided pursuant to the terms of this Agreement, and the volunteers and staff of SEVAC are authorized to provide services pursuant to this Agreement.

3. SEVAC may solicit funds from the public within the area of the Town, provided such solicitation is conducted in accordance with the law. Any funds so solicited for the ambulance shall be applied directly to defray the cost of supplies, materials, and the continued operation of the ambulance and its services.

4. This Agreement may be terminated by either party upon thirty (30) days written notice to the other party; both parties will be held harmless and not penalized for the termination of this Agreement in conformance herewith.

5. Payment of all sums due to SEVAC under this Agreement shall be due March 31, 2023. It is understood that upon default in payment to SEVAC by the Town, SEVAC is authorized to wholly withdraw its services to the Town without further notice to Town.

5. The term of this Agreement shall run from January 1st, 2023 through December 31st, 2023.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in the spaces indicated below.

THE TOWN OF SMITHFIELD

Dated: _____
By: _____
Thomas Stokes, Supervisor

SMITHFIELD EATON VOLUNTEER AMBULANCE CORP.

Dated: _____
By: _____
Richard Stoddard Jr, President

**STATE OF NEW YORK)
COUNTY OF MADISON)**

On this _____ day of _____, 2023, personally appeared THOMAS STOKES, to me personally known and who, being by me duly sworn, did depose and say: that he resides in the Town of Smithfield; that he is the Supervisor of the Town of Smithfield described in and which executed the above instrument; and that he signed his name thereto by order of the Town Board of said Town.

Notary Public _____

**STATE OF NEW YORK)
COUNTY OF MADISON)**

On this _____ day of _____, 2023, personally appeared Richard Stoddard Jr, to me personally known and who, being by me duly sworn, did depose and say: that he resides in the _____; that he is the President of the Smithfield Eaton Volunteer Ambulance Corp. described in and which executed the above instrument; and that he signed his name thereto by order of the Members thereof.

Notary Public _____

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #12-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #13-2023 RESOLUTION TO EXTEND MORATORIUM

WHEREAS, this Town Board of the Town of Smithfield has previously enacted Town of Smithfield Local Law No. 2 of the Year 2021, entitled "A local law imposing a

moratorium on the establishment of commercial wind energy facilities and ground solar energy facilities within the Town of Smithfield", and

WHEREAS, said local law was filed with the New York Secretary of State on July 15, 2021, which is the effective date of said local law, and

WHEREAS, by resolution adopted July 12, 2022, the moratorium period was extended for an initial extension period of 180 days, and

WHEREAS, this Town Board is continuing to assess the matters and issues contemplated under the moratorium in order to prepare legislation to address the land uses and activities subject to the moratorium, and

WHEREAS, pursuant to the provisions of Paragraph B of Section 6 of Local Law 2021-2, this Board desires to extend the moratorium period for an additional 180 days beyond the previously extended date to enable this Town Board to complete its efforts.

NOW THEREFORE, IT IS HEREBY RESOLVED that pursuant to the provisions of Paragraph B of Section 6 of Town of Smithfield Local Law No. 2 of the Year 2021, the moratorium period provided for in said local law be, and hereby is extended an additional 180 days through and including July 9, 2023, and it is hereby further

RESOLVED that all provisions of said Local Law 2021-2 shall continue to be in effect for the same additional 180 day period.

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #13-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #14-2023 Authorizes the Town of Smithfield to enroll and participate in NYCLASS

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #14-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #15-2023 To adopt the 2022 Madison County Multi-jurisdictional hazard mitigation plan.

WHEREAS the The Town of Smithfield Town Board recognizes the threat that natural hazards pose to people and property within The Town of Smithfield; and

WHEREAS the The Town of Smithfield has prepared a multi-hazard mitigation plan, hereby known as the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in The Town of Smithfield from the impacts of future hazards and disasters; and

WHEREAS adoption by the The Town of Smithfield Town Board demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF SMITHFIELD, State of New York, THAT:

Section 1. The Town of Smithfield Town Board adopts the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

On a motion made by Supervisor Stokes, seconded by Councilperson Nell Ziegler
Resolution #15-2023 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolved that bills be paid on Abstract #1 in the following amounts:

General Fund	Vouchers #1-13	in the amount of \$4,236.06
Highway Fund	Vouchers #1-11	in the amount of \$6,325.57

Supervisor Stokes makes a motion to enter into executive session for discussion of personnel, seconded by Councilperson Brenda Goff at 7:48 pm

Ayes: 5 – Supervisor Stokes, Councilpersons: Brenda Goff, Nell Ziegler, James Corpin and Richard Looft
Nays: 0

Supervisor Stokes makes a motion to close executive session, seconded by Councilperson Brenda Goff at 8:07 pm

Ayes: 5 – Supervisor Stokes, Councilpersons: Brenda Goff, Nell Ziegler, James Corpin and Richard Looft
Nays: 0

Resolution #16-2022 modifies the Town of Smithfield Employment Policy to add a 365 day probation period for all new hires.

On a motion made by Councilperson Richard Looft, seconded by Councilperson Brenda Goff
Resolution #16-2022 was adopted by Roll Call Vote:

Supervisor	Thomas J Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	James Corpin	Aye
Councilperson	Richard Looft	Aye

Resolution #17-2022 Payment of Claims

On a motion made by Councilperson Richard Looft, seconded by Councilperson Brenda Goff
Resolution #17-2022 was adopted

Ayes: 5 – Supervisor Stokes, Councilpersons: Nell Ziegler, Brenda Goff, James Corpin and Richard Looft
Nays: 0

Resolved that bills be paid on Abstract #1 in the following amounts:

General Fund	Vouchers #1-13	in the amount of \$4,236.06
Highway Fund	Vouchers #1-11	in the amount of \$6,325.57

Notes and Communication:

With no further business, on a motion made by Supervisor Stokes, seconded by Councilperson Brenda Goff, the meeting was adjourned at 8:09 pm. Carried unanimously.

Respectfully Submitted,

Joe Rowlands, Deputy Town Clerk