

April 14, 2026

Minutes for the Regular Meeting of the Town Board of the Town of Smithfield held April 14, 2026, at the Smithfield Community Center commencing at 7:00 p.m.

Present:

Supervisor	Thomas J Stokes
Councilperson	Brenda Goff
Councilperson	Nell Ziegler –
Councilperson	Ken Mennig
Councilperson	Richard Looft
Highway Superintendent	Charlie O’Hara
Town Clerk	Betsy MacArthur

On a motion of Supervisor Stokes to open the Public Hearing to discuss proposed local law, No. 2026-1 of the Town of Smithfield entitled ‘A local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Smithfield. Motion seconded by councilperson Goff,

Ayes -5 - Supervisor Stokes, Councilperson Goff, Mennig, Looft, Ziegler
Nays -0

22 people signed in to the public hearing. Floor opened for comment at 7:03 pm. Public comment on this issue ended at 7:24.pm.

A motion of Supervisor Stokes Seconded by councilperson Ziegler to continue comments at a second public hearing will be held ,May 12,2026 to continue open discussion with residents of Smithfield on this issue. Motion adopted

Ayes -5 - Supervisor Stokes, Councilperson Goff, Mennig, Looft, Ziegler
Nays -0

Resolution #37-2026

Approval of Minutes of March 2026

On a motion of Councilperson Brenda Goff, seconded by Councilperson Looft

Resolution 37-2026 was adopted:

Ayes: 5– Supervisor Stokes, Councilpersons: Ziegler, Goff, Mennig and Looft
Nays: 0

Resolution #38-2026 Supervisor report:

On a motion of Supervisor Stokes seconded by councilperson Goff

Receipts and payments for March 2026 were read and filed.

General Funds Revenues totaled \$3,065.72 Expenditures \$21,714.77

Streetlight Revenues totaled \$18.70 Expenditures \$203.89

Highway Revenues totaled \$2,483.41 Expenditures \$34,415.37

On a motion of Supervisor Stokes , seconded by Councilperson Looft

Resolution #38-2026 was adopted :

Ayes -5 Supervisor Stokes, Councilperson ; Mennig , Ziegler Looft , Goff

Nay-0

Resolution #39-2026

Town Clerks Monthly Report-

Receipts and Payments for March 2026 were read and filed.

Total State, County and Local Revenues totaled \$280.40 and the Local Shares Remitted totaled \$277.40

On a motion of Supervisor Stokes, seconded by Councilperson Mennig

Resolution #39-2026 was adopted:

Ayes: 5 – Supervisor Stokes, Councilpersons: Ziegler, Goff, Mennig, and Looft

Nays: 0

Codes Enforcement Report- Report was reviewed and filed.

Planning Board- no report

Zoning Board- no report

Highway- Highway Superintendent Reported that the crew is getting equipment ready for spring clean up. Street sweepers , repairing equipment, getting ready for the season to come. Potential purchases of a

walk behind saw, tamper, and black top sealer were discussed. The needed repairs to equipment will support a productive summer season.

Public Courtesy of the Floor-

Jim Corpin- Announced the dedication ceremony for Mike Corpin, the late Town of Smithfield Justice. He invited the Board to attend as well as all residents of this community who respected this talented and dedicated man. May 7, 2026 , 6:00pm to 7:00pm Smithfield Community Center

Dan Davis- Inquired about the proposal to purchase new Highway equipment and Highway equipment that is jointly owned by several municipalities.

Howard Tucker- Reminded the board that potential risk from trees with overhanging branches next to his house. The board indicated that the highway department is getting ready for spring and summer season, They should be able to address this type of issue soon.

Old Business-

The Pomeroy Foundation is sponsoring the signage for the 6 -Revolutionary War Soldiers in Smithfield cemetery.

URI (underground railroad Initiative) A Peterboro coalition is trying to develop a project with Auburn creating two anchor sites. This will improve chances for receiving a grant from the Harriet Tubman Corridor Project The grant would be to make improvements to the Smithfield Community Center building, sidewalk maintenance in the village and improvements to the Land office.

Brenda asked if the church would receive free use of the Smithfield Community Center for their free spaghetti dinner May 14.2026. Agreed by consent . All present said, yes.

Discussion about the new hire for Building Superintendent. The position was posted on township web page, high school, Amish community and bulletin at the Peterboro Table.Restaurant. Response was, several inquiries were made, one application was received and presented to the board. It was suggested next position open should also be placed in the Hi Neighbor publication.

Resolution #40-2026 Hire of Building Superintendent

A motion of Supervisor Stokes seconded by councilperson Ziegler to appoint Alfred Nolan to Building Superintendent to included a tentative approval from the town attorney regarding age and salaried position. Resolution #40-2026 adopted by roll call

Supervisor	Thomas Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Recused
Councilperson	Richard Looft	Aye
Councilperson	Kenny Mennig	Aye

New Business- No new business

Resolution #41 -2026 Payment of Claims

On a motion of Richard Looft seconded by Brenda Goff , resolved the bills be paid on abstract #4 in the following amounts

General Fund	Vouchers #44 to 58	in the amount of	\$	8,845.23
Highway Fund	Vouchers #29 to 43	in the amount of	\$	7,225.74
Pre-Pays			\$	31,925.83

Resolution #41-2026 was adopted

Ayes 5- Supervisor Stokes Councilpersons Mennig, Ziegler, Goff, Looft

Nay -0

RESOLUTIONS:

Resolutions: #42-2026 Amendment to Resolution #34-2026; Proposed Local Law 2026-1.
On a motion of Supervisor Stokes, seconded by councilperson Looft.

To be amended, **Section 3** : of “ A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Smithfield.” To include wording as follows : **and no successor shall thereafter be elected. Should any candidate run for the elective office of Highway Superintendent in the November 2026 biennial election, his or her election for a term to begin after December 31, 2026 shall be a nullity.**

Section 4 of “ A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Smithfield.” To include wording as follows : **and shall report directly to the Town Supervisor.** (See attached document).

This Proposed law will be voted on May 14,2026 at regular board meeting following a second public hearing on same day.

Resolution #42-2026 was adopted by Roll Call Vote:

Supervisor	Thomas Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	Richard Looft	Aye
Councilperson	Kenny Mennig	Aye

Resolution #43-2026 Resolution to Confirm Adoption of a Local Law to Amend the Subdivision Regulations of the Town of Smithfield on December 9, 2025 (see attached)

On a motion of Supervisor Stokes, seconded by councilperson Looft,
The motion #43-2026 was adopted by roll call

Supervisor	Thomas Stokes	Aye
Councilperson	Nell Ziegler	Aye
Councilperson	Brenda Goff	Aye
Councilperson	Richard Looft	Aye
Councilperson	Kenny Mennig	Aye

On a motion of Supervisor Stokes, seconded by councilperson Goff, To enter Executive Session for the discussion of Personnel.

Ayes 5 Supervisor Stokes Councilpersons Mennig, Ziegler Goff, Richard Looft
Nay -0
Executive session commenced at 8:04 pm.

On a motion of Supervisor Stokes , seconded by councilperson Looft,, to end the executive session. At 8:40

Ayes 5- Supervisor Stokes Councilpersons Mennig, Brenda Goff, Ziegler , Looft
Nay -0

Resolution # 44-2026 Appointing a Temporary Full Time Acting Highway Superintendent.
As of March 22, 2026 ;Charlie O’Hara will receive: Full time benefits, \$30.00/hr, Health insurance will be covered at half the policy, dual coverage, and two weeks of vacation. As covered in the established employment policy.

On a motion from Supervisor Stokes seconded by councilperson Mennig
The motion #44-2026 was adopted by roll call

Supervisor	Thomas Stokes	Aye
Councilperson	Nell Ziegler	Aye

Councilperson	Brenda Goff	Aye
Councilperson	Richard Looft	Aye
Councilperson	Kenny Mennig	Aye

With no further business, on a motion made by Supervisor Stokes, seconded by Councilperson Richard Looft, the meeting was adjourned at 8:47 pm. Carried unanimously.

Respectfully Submitted,

Betsy MacArthur
Smithfield Town Clerk

Resolution #42 -2026 addendum #1

Town of Smithfield

Proposed Local Law 2026-1

AMENDED

**A LOCAL LAW CHANGING THE OFFICE OF HIGHWAY
SUPERINTENDENT FROM ELECTIVE TO APPOINTIVE IN
THE TOWN OF SMITHFIELD**

BE IT ENACTED by the Town Board **of** the Town of Smithfield as follows:

Section 1. Purpose.

The Town Highway Superintendent for the Town of Smithfield is now and always has been elective. The Town Board of the Town of Smithfield has been presented with a question as **to** whether it would be desirable **to** change the **office** of Highway Superintendent in the **Town** of Smithfield from an elective position to an appointive position. The purpose **of** this local **law** is to effect such change. Said change would be subject to a mandatory referendum. Therefore, an additional purpose **of** this local law is **to** place on the November 3, 2026 general election ballot, a referendum item which allows the electors of the Town of Smithfield to decide if they wish to have an appointed, rather than an elected, Highway Superintendent, who would serve at the pleasure of the Town Board.

Section 2. Authority.

Pursuant to Municipal Home Rule Law Section 10(1)(ii)(a) (1), Towns are permitted to adopt local laws relating to the mode of selection and term of office of its officers and employees.

Section 3. Elected Highway Superintendent Abolished.

Effective January 1, 2027, the elected office of Highway Superintendent in the Town of Smithfield is hereby abolished and no successor shall thereafter be elected. Should any candidate run for the elective office of Highway Superintendent in the November 2026 biennial election, his or her election for a term to begin after December 31, 2026 shall be a nullity.

Section 4. Appointed Highway Superintendent Created.

Effective January 1, 2027, the Highway Superintendent in the Town of Smithfield shall be appointed by the Town Board and shall report directly to the Town Supervisor.

Section 5. Term of Office.

The appointed Highway Superintendent in the Town of Smithfield shall serve at the pleasure of the Town Board.

Section 6. Supercession.

Pursuant to sections 10(1) (ii)(a)(1) and 10(1)(ii)(d) (3) of Municipal Home Rule Law, this local law shall supercede Town Law section 20(1)(b) with respect to the mode of selection of the Highway Superintendent in the Town of Smithfield and shall also supercede Town Law section 24 with respect to the Term of Office of the Highway Superintendent in the Town of Smithfield.

Section 7. Mandatory Referendum.

Pursuant to Municipal Home Rule Law section 23(2)(e), this Local Law shall be submitted for approval to the electors of the Town of Smithfield at the next general town election to be held on November 3, 2026.

Section 8. Effective Date.

This local law shall be effective upon filing with the Department of State after approval by a majority of the electors voting thereon in accordance with the requirements of section 27 of the Municipal Home Rule Law.

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Addendum #2

RESOLUTION NO. #43-2026 OF THE TOWN BOARD OF THE TOWN OF SMITHFIELD

BTO

A RESOLUTION CONFIRMING THE ENACTMENT OF THE LOCAL LAW TO AMEND THE SUBDIVISION REGULATIONS OF THE TOWN OF SMITHFIELD

WHEREAS, by resolution adopted December 9, 2025 this Town Board approved the adoption of the local law entitled, "A local law to amend the Subdivision Regulations of the Town of Smithfield", and

WHEREAS, to cure a technical defect in the filing of that local law with the New York Secretary of State, this Town Board deems it prudent and in the public interest to confirm the adoption of said law.

WHEREAS, upon notice duly published, posted and otherwise given, on December 9, 2025, this Board of Trustees held a public hearing on the proposed zone change as required by law, which public hearing has been, or is hereby closed, and

WHEREAS, this Board of Trustees has given due consideration to the merits of this proposed local law and any potential environmental impacts of its adoption.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Town Board of the Town of Smithfield, that the Town Board resolution making certain findings under the New York State Environmental Quality Review Act and enacting the local law entitled, "A local law to amend the Subdivision Regulations of the Town of Smithfield" is hereby ratified, confirmed and re-approved.