

May 12, 2026

Minutes for the Regular Meeting of the Town Board of the Town of Smithfield held May 12, 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 absent
Councilperson	Richard Looft absent
Highway Superintendent	Charlie O’Hara
Town Clerk	Betsy MacArthur

Pledge of Allegiance was recited at 7:02

A motion was made by Councilperson Goff seconded by councilperson Looft that the minutes of April 14, 2026 be approved. Was adopted

Ayes 3 -Supervisor Stokes, council persons; Goff, , Ziegler

Nays- 0

Resolution #45-2026 Supervisors report

On a motion of Supervisor Stokes the meeting was started with Supervisors report seconded by Council person Goff. Receipts and payments for April, 2026 were read and filed.

General Funds Revenues totaled \$4110.95 Expenditures \$19,764.01

Streetlight Revenues totaled \$18.07 Expenditures \$203.89

Highway Revenues totaled \$2,322.89 Expenditures \$28,003.40

On a motion of Supervisor Stokes seconded by councilperson Ziegler resolution **#45-2026** was adopted

Ayes -3 - Supervisor Stokes, Councilperson Goff, Ziegler

Nays -0

Public Hearing

On a motion of Supervisor Stokes, at 7:05 pm, to open the second 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 -3 - Supervisor Stokes, Councilperson Goff, Ziegler

Nays -0

09 people signed in to the public hearing. Floor opened for comment at 7:05 pm.

In addition to public comments, an e-mail was sent from **Sarah Fitzpatrick and Kathy Same** requested to be read at the hearing, unfortunately overlooked and submitted here as public comment; Giving the Supervisor and Town Board the ability to hire the Highway Superintendent would allow them the ability to look at a larger pool of experienced candidates, as well as having greater oversight of the maintenance of our towns roadways. Continuing to have the highway Superintendent position be an elected one runs the risk of having a similar situation that occurred after this past November's election, where the duly elected individual resigned his position just before last winter's snowing season. As we are unable to attend the May 12th board meeting, please accept this email as our support for going forward with the referendum on this November's ballot.

Public comment on this issue ended at 7:14

A motion of Supervisor Stokes Seconded by councilperson Ziegler to close this public hearing at 7:14 PM Motion adopted

Ayes -3 - Supervisor Stokes, Councilperson Goff, Ziegler

Nays -0

Resolution #46-2026

Town Clerks Monthly Report-

Receipts and Payments for April- 2026 were read and filed.

Total State, County and Local Revenues totaled disbursements \$3,117.90 and the Local Shares Remitted to General Fund totaled \$3,053.94

On a motion of Supervisor Stokes, seconded by Councilperson Ziegler

Resolution #46-2026 was adopted:

Ayes: 3 – Supervisor Stokes, Councilpersons: Ziegler, Goff,
Nays: 0

Resolution #47-2026

Approval of Minutes of April 2026

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

Resolution 47-2026 was adopted:

Ayes: 3– Supervisor Stokes, Councilpersons: Ziegler, Goff,
Nays: 0

Codes Enforcement Report- Report was reviewed and filed.

Planning Board- no report. One position will be up at the end of year .

Zoning Board- no report, one position will be up at end of year .

Highway- Highway Superintendent Reported that the crew has been setting culverts as requested by residents. A Highway employee has taken over the mowing duties for the town. The lift is being prepared for trimming tree work that has been discussed at previous meetings. Also discussed trading in the loader before warranty expires. Mr. O'Hara has spoken to a few dealerships regarding a new loader. It was mentioned the loaders of interest are made in USA. Discussion of getting a good warranty, lasting longer and more covered to increase the "life" of the equipment. Discussion will continue next meeting.

Old Business-

Council person Goff reported on a recent cemetery meeting she went to. Sue Frank and Jason Degroat are doing a phenomenal job getting records straightened out. Ready for an audit. A state grant was applied for and awarded \$54,000 . The Damaged Monuments Order, will be used to fix or repair 51 monuments this year with another round next year. Discussion was had about proper restoration techniques needing to be used.

URI (Underground Railroad Initiative) Is updating monies requests, looking for a match for a state grant coming out. Money for the Gerrit Smith Estate and the Smithfield Community Center would be appropriate for this grant. The grant is for \$200,000. Grants pieced together could procure 1.5 million dollars for building repair and maintenance if all are approved.

New Business

The Second Annual Freedom Folk Festival will be held June 20th . The event is a fund raiser for the Fire Department and Smithfield Community Center. A voucher will be submitted to the town to cover musicians, port -a- johns, etc. for the event.

This proposition is supported by the board with a consensus vote .

Also, the Regional Economic Development Counsel has asked that this years regional meeting be held at the Smithfield Community Center.

CNY community Foundation is putting out a project proposal to invite residents of Madison county to create five projects that \$75,000 could be spent on.

Executive session

On a motion of Supervisor Stokes to go into executive session to discuss personnel, seconded by councilperson Goff

Ayes: 3– Supervisor Stokes, Councilpersons: Ziegler, Goff,
Nays: 0

Executive session commenced at 7:40 pm

On a motion of Supervisor Stokes , seconded by councilperson Goff to end the executive session at 7:44pm

Ayes: 3– Supervisor Stokes, Councilpersons: Ziegler, Goff,
Nays: 0

Resolution #48-2026 Adopting Local Law No.2026-1 of the Town of Smithfield entitled: A Local Law Changing the Office of Highway Superintendent from Elected to Appointive in the Town of Smithfield

RESOLUTION No. #48-2026

OF THE TOWN BOARD

OF THE TOWN OF SMITHFIELD

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a 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” which would, effective January 1, 2027 and subject to a mandatory referendum, abolish the office of elected Highway Superintendent and create a new office of appointed Highway Superintendent who would serve at the pleasure of the Town Board of the Town of Smithfield”, was presented and introduced at a regular meeting of this Town Board of the Town of Smithfield held on March 10, 2026; and

WHEREAS, a public hearing was held by this Town Board of the Town of Smithfield on such proposed local law on this 14th day of April, 2026, and continued to the 12th day of May, 2026, and all persons desiring to be heard in connection with said proposed local law having been heard; and

WHEREAS, the enactment of Proposed Local Law No. 1 of 2026 has previously been determined to be an unlisted action with this Town Board being the only involved agency for purposes of the New York State Environmental Quality Review Act (“SEQRA”).

NOW, THEREFORE, IT IS HEREBY RESOLVED, that there are no potential adverse impacts that are likely to result from the enactment of this local law, and as such this resolution shall constitute a negative declaration pursuant to SEQR on the grounds that this is a legislative enactment only that will have no physical impact on the environment.

AND IT IS HEREBY RESOLVED, that the Town Board of the Town of Smithfield, Madison County, New York, hereby finds that it is in the public interest to enact proposed Local Law No. 1 of 2026, and does hereby enact proposed Local Law No. 1 of 2026 as follows:

Town of Smithfield Proposed Local Law 2026-1

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.

Dated: May 12, 2026

On a motion of Supervisor Stokes, seconded by counsel person Ziegler **resolution #48-2026** was adopted by roll call

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

Respectfully submitted

Betsy MacArthur Town Clerk

