A regular meeting was held July 19, 2016 at Hutchinson Hall, Newark Valley at 7:00 P.M. The following Board members were

#### PRESENT:

Stuart Yetter, Jr., Supervisor Tim Dalton, Councilman Joe Tomazin, Jr. Councilman Dan Cheresnowski, Councilman Warren Smith, Councilman

#### **Also Present:**

Charlie Morgan, Del Mock, Eric Perkins, Enoch Perkins, Janet Smith; Deputy Town Clerk, Jared Mack; Levine, Gouldin, & Thompson, Attorneys to the Town, Ginny Mullen; Historian Volunteer, and Tom Larson; Code.

## **Meeting Called To Order**

Supervisor Yetter called the meeting to order at 7:00 P.M.

## Pledge of Allegiance

Supervisor Yetter led all in the Pledge of Allegiance.

Approval of Board Meeting Minutes for, June 21, 2016

## **Resolution # 68-2016**

# **Approval of Town Board Meeting Minutes for June 21, 2016**

On a motion offered by Councilman Smith and seconded by Councilman Cheresnowski, the Town Board approved the Meeting Minutes for June 21, 2016 as submitted.

Councilman Dalton - AYE Councilman Tomazin - AYE Councilman Cheresnowski - AYE Councilman Smith - AYE Supervisor Yetter - AYE

#### **Privilege of the Floor**

Supervisor Yetter opened Privilege of the Floor.

Eric Perkins said he was attending this meeting for his Communications Badge for Boy Scouts. Ginny Mullen expressed her thanks to Supervisor Yetter for helping with the Town display at the Tioga County Fair. She said he bought materials with his own money, set up and took down the display.

Supervisor Yetter thanked the Historians for their work and time on the project and said it was a success.

Ginny Mullen also thanked Councilman Cheresnowski for getting started on the remodeling of the Historian Building.

1

Privilege of the Floor was closed.

## **Highway Superintendent's Report**

# **HIGHWAY REPORT July 19, 2016**

- 1. Gas Price: \$1.77 Diesel Price: \$1.69
- 2. All projects are done; the bills are in this meeting.
- 3. The wall on NV-Maine Rd. was dug down 2 feet and found a tie wall to support the main wall, which is good. We will be continuing with this project as soon as I get the re-cost on paving this section. Chips monies for this aren't spent yet so I will continue.
- 4. As to the bid for the sand /salt cover, I highly recommend that we accept the bid from Hybrid Building Solutions @ 9780 Brauer Road, Clarence Center, New York 14032 for \$89,517.00 The terms of payment in the bid stated:

35% - down when order placed – \$31,330.95

55% - when building and crew arrive at site - \$49,234.35

10% - when building completed and turned over to the customer - \$8,951.70

Total - 100% **Final Total = \$89,517.00** 

Because of going with the high bid was:

Clear Span's height clearance was approx... 7 feet lower than bid specs.

Clear Span's membrane fabric is lighter in thickness than bid specs.

Clear Span's written certification of warranty was not with the secs.

Clear Span's references not included in specs, but upon request, 2 were sent from State of Connecticut-Town of Simsbury and Town of Avon. Called the Town of Simsbury – never returned call, Town of Avon – cover replaced 2013 and new was installed 2009. The man I Talked to was his deputy and he thought it was under warranty but wasn't sure.

See Attached Sheet for More Information.

- 5. The 2<sup>nd</sup> truck is here. It is insured and registered. It should be on the road soon, just needs lettering.
- 6. On the used 3 trucks, low boy, sander and some plows and wings, what do you want to do? Sell them to Burr Truck for \$8,000. or check with Auctions International to see on line Auction? Let me know.
- 7. There is an Amendment to the agreement to spend highway finds. Dr. Knapp South was oiled and stoned due to the lower cost of oil. The total cost was \$3,007.37. I will sign it when I get back from my vacation on July 25<sup>th</sup>. Thank you.
- 8. This week of July 18<sup>th</sup>, the gravel Roads will be worked if we get some moisture. Have been getting in gravel for them and also putting out the salt brine in front of the houses now.
- 9. I will be on vacation, be back sometime late July 23<sup>rd</sup>. Mark Keith will take over. I am hoping for the best for them, also Terry.

There was discussion about #4 above. After the discussion, it was decided to table the decision. While the general consensus is to accept Hybrid's bid, there needs to be adjustments made to the payment plan.

The Board discussed the new truck's roof. The Board would like the roof to be documented and to ask for an extended warranty.

2

There was discussion about the wall on NV/Maine Rd.

The Board discussed the amendment to the Agreement to Spend Highway Funds.

After the discussion, the Board did a resolution to accept the amendment.

## Resolution # 69-2016 Accept Amendment to the Agreement to Spend Highway Funds

On a motion offered by Councilman Dalton and seconded by Councilman Smith, the Town Board authorized the amendment to the Agreement to Spend Highway Funds at a cost of \$3,007.37 for oil and stone on .3 miles on Dr. Knapp Rd. South.

Councilman Dalton - AYE Councilman Tomazin - AYE Councilman Cheresnowski - AYE Councilman Smith - AYE Supervisor Yetter - AYE

There was discussion about the grants for the Historian Building.

#### **New Business**

# **Supervisor's Financial Report & Transfers**

Supervisor Yetter said we have two transfers tonight.

#### **Resolution # 70-2016**

**Budget Modifications** 

On a motion offered by Councilman Tomazin and seconded by Councilman Smith, the Town Board authorized the following budget transfers:

\$ 203.56 FROM A1190.4

\$ 203.56 TO <u>A1220.4</u> Supervisor C.E.

\$140,000.00 FROM Capital Reserve Equip \$ 140,000.00 TO DA5130.2 Machinery

Councilman Dalton - AYE
Councilman Tomazin - AYE
Councilman Cheresnowski - AYE
Councilman Smith - AYE
Supervisor Yetter - AYE
Motion Carried

#### **Resolution #71-2016**

**Supervisor's Financial Report** 

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Town Board accepted the Supervisor's Financial Report for June 2016 as submitted.

3

Councilman Dalton - AYE
Councilman Tomazin - AYE
Councilman Cheresnowski - AYE
Councilman Smith - AYE
Supervisor Yetter - AYE
Motion Carried

## Local Law #2

The Board discussed Local Law #2 of 2016 Opt-Out of Real Property Tax Law Section 487.

#### Local Law #3

The Board discussed Local Law #3 of 2016 A Moratorium on Certain Solar Energy Uses.

After the discussions on the two local laws, the Board did a resolution to hold a Public Hearing for the two new laws.

## Resolution # 72-2016 Advertise Public Hearing for Local Laws #2 & #3 for 2016

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Board authorizes the Town Clerk to advertise a Public Hearing for August 16, 2016 at 7:15 P.M. for the purpose of hearing comments concerning Local Law #2 of 2016, Opt-Out of Real Property Tax Law Section 487 and Local Law #3 of 2016, A Moratorium on Certain Solar Energy Uses.

Councilman Dalton - AYE
Councilman Tomazin - AYE
Councilman Cheresnowski - AYE
Councilman Smith - AYE
Supervisor Yetter - AYE
Motion Carried

#### **Old Business**

## Services to the Village

Supervisor Yetter handed out copies of an opinion from the NYS Comptroller's Office regarding Services to the Village. (A copy is on file in the Clerk's office).

After much discussion, it was decided a letter will be written to the Village letting them know we are willing to discuss this issue but if it costs the Town anything we are not doing it.

## **Department & Council Reports**

#### Code

Tom Larson discussed with the Board the following items:

- mileage for training
- NV Fire Station progress
- Request for permit fee waiver for Tioga Opportunities Group Work Camp
- Pool discussion

## **Resolution #73-2016**

#### **Mileage Reimbursement**

On a motion offered by Councilman Smith and seconded by Councilman Tomazin, the Town Board approved mileage for the Code Enforcement Officer to attend training August 17, 2016 at Dryden, NY.

4

Councilman Dalton - AYE Councilman Tomazin - AYE Councilman Cheresnowski - AYE Councilman Smith - AYE Supervisor Yetter - AYE

## **Motion Carried**

# Resolution #\_74-2016 Permit Fee Waivers for Tioga Opportunities Group Work Camp

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton the Town Board waives the fee permits for Tioga Opportunities Group Work Camp.

Councilman Dalton - AYE
Councilman Tomazin - AYE
Councilman Cheresnowski - AYE
Councilman Smith - AYE
Supervisor Yetter - AYE
Motion Carried

After the Board and Mr. Larson discussed for how long a pool permit should be valid, the Board directed Mr. Larson to contact the State to get their opinion.

## **Dog Control**

Denise Liske gave Supervisor Yetter her report. She has several court cases coming up.

#### Assessor

Doug Barton gave the Supervisor a listing of all assessment changes for the Town and Village for 2016.

## **Planning Board**

There is nothing from the Planning Board. Hopefully we can get a draft of the Lighting Law.

There was discussion about the subdivision with cabins on NV/Maine Rd. Karen McMullen has told Supervisor Yetter that this should be looked at by the Department of Health and the Board directed Code to look into it.

The second truck paperwork is done and will be closed out July 26, 2016. There was discussion about the financing of the truck.

## **Highway Bills**

Resolution # 75-2016 Highway Bills

5

On a motion, offered by Councilman Dalton and seconded by Councilman Cheresnowski Tomazin, the Town Board authorizes the payment of Highway Bill Vouchers #H101–#H116 inclusive in the amount of \$272,659.72.

Councilman Dalton - AYE
Councilman Tomazin - AYE
Councilman Cheresnowski - AYE
Councilman Smith - AYE
Supervisor Yetter - AYE
Motion Carried

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#### **General Bills**

Resolution # 76-2016 General Bills

On a motion offered by Councilman Smith and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers 184-208, inclusive, in the amount of \$16,058.59.

Councilman Dalton - AYE
Councilman Tomazin - AYE
Councilman Cheresnowski - AYE
Councilman Smith - AYE
Supervisor Yetter - AYE
Motion Carried

On a motion offered by Councilman Tomazin and seconded by Councilman Smith, the meeting was adjourned at 8:20 P.M.

The August 2, 2016 Work Session has been canceled.

The next scheduled meeting is a Regular Meeting at 7:00 P.M. with a Public Hearing at 7:15 P.M. on August 16, 2016.

Respectfully submitted,

Barbara S. Mock