

A Work Session and Executive Session were held September 6, 2016 at Hutchinson Hall, Town of Newark Valley at 7:00 pm. The following were

**PRESENT:** Stuart Yetter, Jr., Supervisor  
Timothy Dalton, Councilman  
Joe Tomazin, Jr., Councilman  
Warren Smith, Councilman  
Daniel Cheresnowski, Councilman

**Also Present:** Charlie Morgan, Marty Schneider; Volunteer Historian, Tom Larsen; Code Enforcement, Dennis Liebe; Fire Marshall, Denise Liske; Dog Control.

**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.

**Vote on Local Laws #2 & #3**

Supervisor Yetter opened the Board for comments for or against approving the proposed new Local Laws (Local Law #2 - Opt-Out of Real Property Tax Law Section 487 and Local Law #3 - A Moratorium on Certain Solar Energy Uses).

- Opinions on solar submitted by interested parties were written by those who have something to lose if the laws are enacted.
- The Board feels that solar farms should be subject to the same property taxes as other commercial businesses in the town.
- It is not expected that residential solar would have a significant impact on the value of residential property.

**Resolution #86-2016**

**Local Law #2 - Opt-Out of Real Property Tax Law Section 487**

On a motion offered by Councilman Smith and seconded by Councilman Cheresnowski, Local Law #2 - Opt-Out of Real Property Tax Law Section 487 was approved.

Councilman Dalton - AYE  
Councilman Smith- AYE  
Councilman Tomazin, Jr. - AYE  
Councilman Cheresnowski - AYE  
Supervisor Yetter, Jr. - AYE

**Motion Carried**

There were no comments.

**Resolution #87-2016**

**Local Law #3 - A Moratorium on Certain Solar Energy Uses**

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, Local Law #3 - A Moratorium on Certain Solar Energy Uses was approved.

- Councilman Dalton - AYE
- Councilman Smith– AYE
- Councilman Tomazin, Jr. - AYE
- Councilman Cheresnowski - AYE
- Supervisor Yetter, Jr. - AYE

**Motion Carried**

Supervisor Yetter will make sure Local Laws #2 & #3 are filed with New York State.

**Historian Restroom**

Supervisor Yetter provided the following updates:

- No new quotes have been received since the last report.
- The original quotes were over a year old, thus new quotes have been requested to accommodate the new labor laws in effect since the original quotes were received.
- A 2<sup>nd</sup> quote was received by only 1 vendor: Jeff Mann.
  - The quote was for \$4,740.00 - this quote was based on the materials list supplied to the vendors, however it only includes the required work inside the building.
    - Note: The Town Highway Department will be doing the outside excavation work.

Since no other 2<sup>nd</sup> quotes have been received, it was decided that Supervisor Yetter should request Jeff Mann to provide clarification on the materials included in his 2<sup>nd</sup> quote and an additional quote for the work of bringing the piping from outside into the building.

**Salt Shed**

The Town Attorney approved the new payment plan for the Salt Shed. Funds will need to be transferred between accounts to make the initial payment for the Salt Shed.

**Resolution #88-2016**

**Transfer of Funds for Initial Salt Shed Payment**

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the Board authorized the following budget transfer:

\$ 53,431.36 FROM Capital Reserve Acct - General Bldgs \$ 53,431.36 TO A9950.9 Capital Reserve - Bldgs

- Councilman Dalton - AYE
- Councilman Smith– AYE
- Councilman Tomazin, Jr. - AYE
- Councilman Cheresnowski - AYE
- Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Department Reports**  
**Code Enforcement**

Tom Larson discussed the following items with the Board:

- Won a Court case held on August 25, 2016.
- Discussion about the Kasmarcik property.

It was decided by the Board that Supervisor Yetter will ask the Town Attorney to check if other municipalities have laws in place to handle the upkeep of foreclosed properties.

**Fire Marshall**

Dennis Liebe discussed upcoming training at the Fire Academy at Odessa that he would like to attend and put towards his required training hours for the year. The training includes 24 hours of classes over 4 days/3 nights and 3 meals per day for a total cost of \$156.00. Mr. Liebe requested that he be reimbursed for mileage also.

**Resolution #89-2016**

**Fire Academy Training**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Smith, the Board authorizes the Fire Marshall to attend training at the Odessa Academy at a cost of \$156.00 plus mileage. This training is to go toward his required hours.

Councilman Dalton - AYE

Councilman Smith- AYE

Councilman Tomazin, Jr. - AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Dog Control**

Denise Liske discussed the following items with the Board:

- The number of dangerous dogs and dogs running at large in the Town is rapidly growing. Ms. Liske and the Board discussed possible scenarios to handle such cases. It was noted that in situations where an individual is unwilling to sign a complaint, Dog Control is only responsible for recording the incident and cannot take further action.
- The cost and time for the current procedure for handling delinquent dog licensing. After further discussion, the Board recommended that Ms. Liske contact the Board's Dog Control Advisory Committee to further discuss ways to streamline the process for delinquent dogs.
- The State has a law that requires a Redemption fee to be collected from a dog owner when a dog has been seized/picked up by Dog Control, however nothing similar was found in the Local Law. The Board advised that Ms. Liske contact the Town Attorney to inquire if the Local Law needs to be amended.
- Involvement/non-involvement of other Town Dog Control Officers in emergency situations. The Board advised that Ms. Liske has the authority to decide if she wants to help out other Towns.
- Ms. Liske advised the Board that she cannot make any cutbacks in expenditures for the upcoming budget.

**Items of Interest to Board Members**

Board Members had nothing to discuss.

**Executive Session**

**Resolution #90-2016**

**Open Executive Session on Highway Negotiations**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Executive Session for Highway Negotiations was opened at 8:15 P.M. The purpose of this Executive Session was to discuss the Health Insurance proposals for the Highway Department for 2017.

- Councilman Dalton - AYE
- Councilman Smith- AYE
- Councilman Tomazin, Jr. - AYE
- Councilman Cheresnowski - AYE
- Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Resolution #91-2016**

**Close Executive Session on Highway Negotiations**

On a motion offered by Councilman Smith and seconded by Councilman Cheresnowski, the Executive Session for Highway Negotiations was closed at 8:35 P.M.

- Councilman Dalton - AYE
- Councilman Smith- AYE
- Councilman Tomazin, Jr. - AYE
- Councilman Cheresnowski - AYE
- Supervisor Yetter, Jr. - AYE

**Motion Carried**

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, the meeting was adjourned at 8:37 P.M.

The next scheduled meeting is September 20, 2016 at 7:00 P.M.

Respectfully submitted,

Janet B. Smith - Deputy Town Clerk