

A Regular Meeting was held September 20, 2016 at Hutchinson Hall, Newark Valley at 7:00 P.M. The following Board members were

PRESENT:

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

Also Present:

Charlie Morgan, Del Mock, Janet Smith; Deputy Town Clerk, Karen McMullen; Levine, Gouldin, & Thompson, Attorneys to the Town, Charles Meade; Highway Superintendent, Marty Schneider; Historian Volunteer, George Wahl; Highway Union Representative, Denise Liske; Dog Control Officer, and Tom Larson; Code.

Meeting Called To Order

Supervisor Yetter called the meeting to order at 7:03 P.M.

Pledge of Allegiance

Supervisor Yetter led all in the Pledge of Allegiance.

Approval of Board Meeting Minutes for August 16, 2016 and September 6, 2016

Resolution # 92-2016

**Approval of Town Board Meeting Minutes
for August 16, 2016 and September 6, 2016**

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the Town Board approved the Meeting Minutes for August 16, 2016 and September 6, 2016 as submitted.

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

Privilege of the Floor

George Wahl brought the Highway Union Contract information. He was asked if he wanted to wait to present it at the Executive Session and he said he would stay.
Privilege of the Floor was closed.

Highway Superintendent's Report

HIGHWAY REPORT September 20, 2016

1. Gas Price: \$1.77 Diesel Price: \$1.69
2. Chipped sealed new pavement on NV-Maine Rd. guide rail should be up by the end of this week or beginning of next week, just waiting for the curve sections.
3. The salt shed crew is starting today. By Saturday it should be completed.
4. We started our last gravel road. (Blewer)

5. If and when all bills are in, I might do the asphalt section of Dalton Hill. Stone and oil, don't know yet it is .47 x 18' in length and width.
6. After the salt shed is up I'll be scheduling to hot top the inside for the final step.
7. We have brought in some sand and we still have more to get.
8. Fall work, brush, brush, brush!
9. We received our first chips check in the amount of **\$97,111.81**

Highway Superintendent Meade read his Highway Report.
 There was discussion about PAVE NY and CHIPS money for road repair.
 There was discussion about the hot top for the salt shed.

New Business

Supervisor's Financial Report & Budget Transfers

There is nothing out of the ordinary, just figuring out where we will be with the sales tax.
 Everything is pretty much on track.

Resolution # 93-2016

Budget Modifications

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

\$ <u>64,128.82</u> FROM Cap Res - Money Market	\$ <u>64,128.82</u> TO A9950.9 - Cap Res Bldg
\$ <u>103.98</u> FROM A1990.4 - Contingency	\$ <u>103.98</u> TO A1220.4- Supervisor CE

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

Motion Carried

Resolution # 94-2016

Supervisor's Financial Report

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

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

Motion Carried

Old Business

Historian Building Bathroom

There was only one bid to do the plumbing for the Historian Building. Handyman, LLC., owner, Jeff Mann's bid is \$5,240.00. The Board decided to accept the bid.

Resolution- # 95-2016 Accept the Bid from Handyman, LLC for Historian Bathroom

On a motion offered by Councilman Cheresnowski and seconded by Councilman Smith, the Town Board accepted the bid from Handyman, LLC. contingent on including all materials with the exception of the hand rail and water heater being supplied.

Councilman Cheresnowski - AYE

Councilman Tomazin - AYE

Councilman Dalton - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

Motion Carried

Village Services

There was discussion about the meeting between the Village Mayor, Trustee Alexander, Supervisor Yetter, and Councilman Tomazin. We want to be reimbursed for taking care of the Village streets and the Village wants us to do it for free. Supervisor Yetter discussed this issue with a state attorney and was assured we are well within our rights to ask for reimbursement.

There was more discussion about the services.

The Board discussed the meaning of Part-town and Town-wide.

Department & Council Reports

Attorney

Karen McMullen discussed a draft law for property maintenance including junk cars, appearance of properties, lawn maintenance, and rubbish. Most everything is covered that was mentioned. This issue was put on hold.

Karen McMullen discussed a draft for a local law for tax exemptions with the Board. She would like to see all the exemptions put into one local law. The Board will look over the draft and perhaps set up a Public Hearing at the next meeting.

The Planning Board has not had a meeting in a while because they haven't had a quorum. Sarah Titus, the Chairperson, hopes they can have a meeting in October.

The NYS Department of Health would like the Town and Village to consolidate the Registrar number to the Town number so we would only have one number. Karen McMullen will send this to the Village for their approval, then send both to the County for their approval then to the State. Karen McMullen presented the Board with a resolution for approval.

Resolution # 96-2016

Consolidation of Town and Village Registrar Numbers

**RESOLUTION APPROVING CONSOLIDATION OF VITAL REGISTRATION DISTRICTS
BETWEEN THE TOWN OF NEWARK VALLEY AND
THE VILLAGE OF NEWARK VALLEY**

WHEREAS, the Town of Newark Valley was previously assigned by New York State to be under Vital Statistics Registration District 5353, and the Village of Newark Valley was previously assigned by New York State to be under Vital Statistics Registration District 5322: and

WHEREAS, the Town Board of the Town of Newark Valley has considered consolidation of the Town of Newark Valley and the Village of Newark Valley into one primary registration district, namely, the District of the Town of Newark Valley under Vital Statistics Registration District 5353; and

WHEREAS, the Town Board of the Town of Newark Valley having duly deliberated upon the same, has determined that the formal consolidation of the Registration Districts would benefit the public by eliminating confusion or questions regarding in which Vital Statistics Registration District certain district records should be filed; and

WHEREAS, the Town Board of the Town of Newark Valley having determined that the formal consolidation of the Registration Districts will not impact the services provided within the Town and the Village of Newark Valley;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Newark Valley, that consolidation of the Town of Newark Valley and the Village of Newark Valley Registrar functions under New York State as Vital Statistics Registration District 5353 is approved, pending necessary approvals of all other required entities, including the Village of Newark Valley, Tioga County, and the New York State Department of Health.

Town Councilman Joseph Tomazin, Jr. made the motion,
Town Councilman Timothy Dalton seconded the motion.
Motion carried with 5 Aye votes and 0 No votes.

This resolution was adopted by the Town Board of the Town of Newark Valley on September 20, 2016.

Code

Tom Larson discussed with the Board the following items:

- 777 Davis Hollow Court Case
- 2555 Ketchumville Rd

The Board had some issues about a few lawns not being mowed in the town and directed Tom Larson to look into these things.

Karen McMullen explained the cell tower situation to the Board.

Code turned in their report for the month of August it is on file in the Clerk's office.

Dog Control

Denise Liske discussed the following issues with the Board:

- Cheryl Jones has a new pitbull
- Potentially rabid fox on Shirley Rd
- Dangerous dog on Murphy Lane
- She is getting a legal form from Karen McMullen
- Stray Haven has a new form concerning where a dog is located
- Kasmarcik court case is scheduled for September 21, 2016

Council Members & Committees

There was discussion about the salt shed payroll.

Supervisor Yetter talked with the Board about a presentation by Mega Energy Alliance a not for profit organization. The State has come out with a program for residents. It is leverage buying power for independent suppliers for residents to get a better rate for electricity.

Would the Board like to hear the presentation? They agreed they would.

If the Town goes with this program, it would be automatic for residents or they would have to opt out.

Planning Board

There is nothing from the Planning Board.

Executive Session

Resolution # 97-2016

Enter Executive Session

On a motion offered by Councilman Dalton and seconded by Councilman Tomazin, the Town Board entered into Executive Session at 8:39 PM to discuss the Highway Contract negotiations and an employee issue.

Councilman Cheresnowski - AYE

Councilman Tomazin - AYE

Councilman Dalton - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

Motion Carried

Resolution # 98-2016

Exit Executive Session

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Town Board exited Executive Session at 9:14 PM. The purpose of this Executive Session was to discuss the Highway Contract negotiations and an employee issue.

Councilman Cheresnowski - AYE

Councilman Tomazin - AYE

Councilman Dalton - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

Motion Carried

Highway Bills

Resolution # 99-2016

Highway Bills

On a motion, offered by Councilman Dalton and seconded by Councilman Cheresnowski, the Town Board authorizes the payment of Highway Bill Vouchers #H136– #H155 inclusive in the amount of \$ 64,165.25.

Councilman Cheresnowski - AYE

Councilman Tomazin - AYE

Councilman Dalton - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

Motion Carried

General Bills

Resolution #100-2016

General Bills

On a motion offered by Councilman Smith and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers 235-265, inclusive, in the amount of \$ 69,093.61.

Councilman Cheresnowski - AYE

Councilman Tomazin - AYE

Councilman Dalton - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

Motion Carried

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the meeting was adjourned at 9:24 P.M.

The next scheduled meeting is a Work Session at 7:00 P.M. on October 4, 2016.

Respectfully submitted,

Barbara S. Mock