

A regular meeting was held October 18, 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; Kiamesha Ford (student) and Mr. Ford; Kara and Tom Nunn; Marty Schneider, Volunteer Historian; Charlie Meade, Highway Superintendent; Karen McMullen, Levine, Gouldin & Thompson, Attorneys to the Town.

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 Town Board Meeting Minutes for September 20, 2016 and October 4, 2016

Resolution #102-2016

**Approval of Town Board Meeting Minutes
September 20, 2016 and October 4, 2016**

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the Town Board approved the Meeting Minutes for September 20, 2016 and October 4, 2016 as submitted.

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

Motion Carried

Privilege of the Floor

Supervisor Yetter opened Privilege of the Floor.

Kara Nunn came forward in representation of a group of residents whose property borders and/or is near the proposed Nelson campground site off Newark Valley/Maine Road. She shared with the Town Board a list of concerns the residents have about the proposed campground:

1. The type of people the campground will attract (i.e. hunters, etc).
2. Possibility of it being converted into a trailer park.
3. Compromised privacy for residents whose homes are adjacent to the new road.
4. How garbage/refuse will be handled and if not handled adequately, the possibility of attracting rodents and predators to the area.
5. How human waste will be handled and the affect it may have on the properties downhill from the campground.

6. Traffic in and out of the campground – the road is located in a dangerous spot on Newark Valley/Maine Rd.

The concerned residents want to make sure that all possible impacts are investigated and addressed by the Town Board.

Supervisor Yetter thanked Kara for coming forward. He assured Kara that the Town Board has similar concerns. The Town Board and the Town Attorney are currently looking into options available for protecting the interests of the Town and its residents. As of this meeting, Mr. Nelson has not applied for any permits.

Marty Schneider, on behalf of Shirley Callahan, Town Historian, and the volunteer Historians, stated they are happy with the progress being made to install a new bathroom in the Historian Building. She also thanked Dan Cheresnowski for his part in overseeing the work. Supervisor Yetter thanked Marty Schneider for her efforts in overseeing the project.

Highway Superintendent's Report

HIGHWAY REPORT October 18, 2016

1. Gas Price: \$1.72 Diesel Price: \$1.59
2. Tomorrow I have money for Dalton Hill and the between two large pipes on Davis Hollow to oil and stone. It will be around \$8,000. I will have the exact figure along with the amendment to the agreement to spend sheet next board meeting.
3. All equipment is ok. We will be getting metal for #81 and #82 for underneath the bed chain. Holes have started and we don't want to wad the bed chain in the middle of winter.
4. We are in dire need of Bomber Jackets. This will replace the ones that were bought in the 1990's. There is no reflective on ours it is all worn off. The one I have which is \$55.00 each, along with our Town of Newark Valley Highway Department on the back. Don't know if I can get the person's name on the front for that price. We are trying to think of safety first on our highways!
5. Finally #89 2017 will be going to a body shop next to Burr Truck. It's to fix the roof above the driver. A manufacture blunder!
6. We have been working on the septic and water line for the historical building. Stu can tell you all about it!

Highway Superintendent Meade read his Highway Report.

There was discussion about #3. Superintendent Meade mentioned one piece of equipment where a problem was noticed with the brakes while back filling the water line for the Historian Building. This will need to be addressed.

There was discussion about #4. Superintendent Meade showed the Town Board an example of the jacket he plans to purchase for the Highway crew. It was agreed that the jackets should be purchased with just the Town and Department on the back and no employee name on the front. The jackets will be owned by the Town.

There was discussion about #6. Supervisor Yetter reported the Historian Building would use the same water meter as the Town Building, since there will be minimal use by visitors to the Historian Building. Also, there will be separate shut-off valves installed for the Historian Building. Superintendent Meade reported a rotted pin on the shaft for the Town Building was found during excavation and was replaced. Insulation needs to be installed around the water meter to prevent freezing during the winter.

Superintendent Meade added that the trucks and bus for sale will be put in an on-line auction.

New Business

Supervisor's Financial Report & Budget Transfers

Supervisor Yetter stated everything is on track.

Resolution # 103-2016

Supervisor's Financial Report

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

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

Motion Carried

Resolution #104-2016

Budget Modifications

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

\$ 43,917.26 FROM Cap Res - Money Market \$ 43,917.26 TO A9950.9 - Cap Res Bldg
(note: Salt Shed)

\$ 15,925.00 FROM DB5112.4 - Rd Repair - CE \$ 15,925.00 TO DB5112.4 - (CHIPS) Perm
Improvements CE

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

Motion Carried

Stray Haven Contract

The contract with Stray Haven is expiring. There were no changes to the new contract with the exception of the dates.

Resolution #105-2016

Stray Haven Contract

On a motion offered by Councilman Dalton and seconded by Councilman Cheresnowski, the Town Board authorized Supervisor Yetter to sign the Stray Haven Contract for 2017.

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

Motion Carried

The contract was given to the Deputy Town Clerk for signing and sealing.

Old Business

Historian Building Bathroom

Dan Cheresnowski and Marty Schneider had nothing further to report from what was previously discussed. Superintendent Meade stated new blacktop will be put down in the Town Building parking lot before winter as long as the weather is warm enough.

Services to Village

The Town Board discussed the status of negotiations with the Village concerning the Town taking over some services. Supervisor Yetter reiterated that State Law gives the Town leeway on how to handle such situations. The Town Board will only consider proposals that are just, fair and equitable to both Town and Village residents.

Department and Council Reports

Code Enforcement

Supervisor Yetter gave this report. Tom Larson is waiting for final written confirmation on the bond for the Cell Tower. Code's report for the month of September is on file in the Clerk's office.

Dog Control

Supervisor Yetter gave this report. There is nothing new to report.

Town Attorney

Karen McMullen discussed the following with the Town Board:

1. Local Law #4 - a Public Hearing needs to be scheduled. The Town Board didn't have any changes to the law as written. Karen is waiting for final feedback from the Assessor.
2. Vital Statistics District Registrar Number Consolidation – a request was sent to the Village to approve and make a resolution.
3. Town Highway Employee Health Coverage Contract - the union has yet to respond to the offer made by the Town Board.
4. Solar and Wind Renewable Energy Law –
 - a. The Planning Board has not provided any input to date. Supervisor Yetter met with Sarah Titus, Planning Board chair, who is concerned about the viability of the Planning Board, since there has been no quorum for the last few months.
 - b. The Town Board discussed provisions that should be addressed in the local law, including bonding, safety/fire hazards, private versus off-site use, engineering, setback, permits, abandonment and decommissioning.
 - c. Solar and Wind will be consolidated into one law and have the same basic provisions.
 - d. Karen will draft the local law.

Resolution- # 106-2016

Advertise Public Hearing for Local Law #4

On a motion offered by Councilman Smith and seconded by Councilman Tomazin, the Town Board authorizes the Town Clerk to advertise a Public Hearing on Local Law #4 of 2016: Omnibus Real Property Tax Exemptions for November 9, 2016 at 7:00 PM.

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

Motion Carried

Resolution- # 107-2016

Advertise Public Hearing for the 2017 Preliminary Budget

On a motion offered by Councilman Dalton and seconded by Councilman Cheresnowski, the Town Board authorizes the Town Clerk to advertise a Public Hearing on the 2017 Preliminary Budget for November 9, 2016 immediately following the Public Hearing for Local Law #4 and to advertise proposed elected officials' salaries.

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

Motion Carried

Supervisor Yetter verified the salary amounts to be used in the Legal Notice.

Resolution- # 108-2016

**Advertise Cancellation of the November 1, 2016
Regular Meeting**

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, the Town Board authorizes the Town Clerk to advertise notification that the Regular Meeting for November 1, 2016 is cancelled.

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

Motion Carried

Council Members and Committees Reports

Councilman Dalton reported the audit of the Supervisor's books has been completed by himself and Councilman Smith. All was satisfactory and in good order.

Planning Board

There was no additional report from the Planning Board.

Budget Discussion Workshop

Corrections to budget line items in the Tentative Budget were noted by Supervisor Yetter. The Town Board discussed the Tentative Budget with the objective of keeping the tax increase within the allowed 1.5%.

Resolution- # 109-2016

Accept the 2017 Tentative Budget

On a motion offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Town Board accepted the 2017 Tentative Budget with the changes made by the Town Board as follows:

Decrease account A1990.4 – Contingency Account from \$13,070.00 to \$10,000.00 and increase account Code A – General Townwide / Less Unexpended Balance from \$90,000.00 to \$95,000.00.

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

Motion Carried

Highway Bills

Resolution # 110-2016

Highway Bills

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Town Board authorizes the payment of Highway Bill Vouchers H156–H169, inclusive, in the amount of \$42,612.42.

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

Motion Carried

General Bills

Resolution #111-2016

General Bills

On a motion offered by Councilman Smith and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers 266-292, inclusive, in the amount of \$52,161.64.

Councilman Cheresnowski - AYE

Councilman Tomazin - AYE

Councilman Dalton - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

Motion Carried

Community Based Electric

The Town Board had no comments at this time concerning the presentation given by MEGA at the October 4, 2016 Work Session.

On a motion offered by Councilman Dalton and seconded by Councilman Cheresnowski, the meeting was adjourned at 8:47 P.M.

The next scheduled meeting is a Work Session and Public Hearings on November 9, 2016 at 7:00 P.M.

Respectfully submitted,

Janet B. Smith
Deputy Town Clerk