

A regular meeting was held December 20, 2016 at Hutchinson Hall, Newark Valley at 7:00 P.M.
The following Board members were

PRESENT:

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

Also Present:

Charlie Morgan; Joe Queiser; Charlie Meade, Highway Superintendent; Sue Meade; Karen McMullen, Levene, Gouldin & Thompson, Attorneys to the Town; Tom Larsen, Code Enforcement Officer; Denise Liske, Dog Control Officer.

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 November 15, 2016 and December 6, 2016

Resolution # 133-2016

**Approval of Town Board Meeting Minutes
November 15, 2016 and December 6, 2016**

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the Town Board approved the Meeting Minutes for November 15, 2016 and December 6, 2016 as submitted.

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

Motion Carried

Privilege of the Floor

Supervisor Yetter opened Privilege of the Floor.

Mr. Joe Queiser apprised the Town Board of a long-standing feud between himself and a neighbor. The following points were discussed:

1. Intrusive dog barking and usage of an ultrasound device, and Town/State Law covering these issues.
2. Frequency of parties involving loud music and/or heavy base, and current Town Law concerning acceptable decibel levels.
3. Effectiveness and success in measuring decibels of intrusive noises.
4. Inability to work out a mutually beneficial/agreeable solution with neighbor, Dog Control, Code Enforcement, Law Enforcement, etc.
5. Court appearance and judgment.

At this time, Mr. Queiser is unwilling to continue living under the current circumstances and feels his only recourse is to move. The Town Board thanked Mr. Queiser for coming forward with his complaint and input, which will be kept in mind if the Board revisits the Town's sound ordinance.

Highway Superintendent's Report

Highway Report December 20, 2016

1. Gas Price: \$1.87; Diesel: \$1.67
2. The sand and salt building is full with approximately 2,353.63 tons of sand and 108.30 tons of salt.
3. Truck #81 2005 Volvo was at Burr Truck 2 times due to excess exhaust and smell of antifreeze. Burr Truck did a pressure test and found the injector cubs were leaking. They replaced all 6 @ a cost of \$1,676.26. We had it about a week when again excess smoke and smell of antifreeze. Burr pressure tested it again and found the ECM was bad. They changed it and so far everything is ok. I don't have that bill yet.
4. No other equipment problems except for the fire alarm. It was back feeding into the phone line which created a fax sound into the phone. Gary Rockwell came Tuesday morning and found a bad telephone jack in the alarm box and a bad small cable from the phone jack to the alarm box.
5. With the ice we had, truck #85 went into the ditch on Prentice Rd with no damage to the truck.
6. It can quit snowing and freezing rain anytime!
7. I received a quote from Dean Rypkema from Nelcorp to do the electric work for the sand and salt building. We will do the excavation work. \$7,205.00. SEE ATTACHED.
8. To replace the 2015 Cat Loader, Supervisor Yetter wanted a quote. There are no more 2016 models, only 2017. SEE ATTACHED.

Highway Superintendent Meade read his Highway Report.

Nelcorp and Cat's quotes are on file in the clerk's office.

There was discussion about #7. A Scope of Work will be written by the Town Board and given to Superintendent Meade, who will get the required 3 quotes for the same scope of work.

There was discussion about #8. Supervisor Yetter stated there may be surplus money in the 2016 budget to pay for a new loader. Trading-up every 2 years ensures the equipment is running under

warranty. The new loader is an upgrade with forks and a quick-tach bucket. There was also discussion about the state of the current Excavator, which the Highway Department has been keeping going this year. A new one will be needed eventually. It needs to be determined what equipment is a priority for replacement. Supervisor Yetter will calculate the available dollars in the budget and Superintendent Meade will compile the total dollars used in 2016 to maintain the Excavator.

Superintendent Meade stated the last CHIPS check for 2016 arrived.

New Business

Supervisor's Financial Report & Budget Transfers

Supervisor Yetter stated overall the budget looks ok. He noted the Sales Tax and Revenue goals should be met for the year, expenditures look good, the Mortgage Tax in November is higher than it has ever been, and most transfers are coming from the Contingency Account.

Resolution # 134-2016

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>\$ 565.00</u> FROM A1990.4 Contingency	<u>\$ 565.00</u> TO A1220.4 Supervisor CE
<u>\$2,008.66</u> FROM A1620.4 Building CE	<u>\$2,008.66</u> TO A1620.2 Bldg Equip & Cap Out
<u>\$ 83.75</u> FROM A1990.4 Contingency	<u>\$ 83.75</u> TO A5132.1 Garage PS
<u>\$ 7.95</u> FROM A1990.4 Contingency	<u>\$ 7.95</u> TO A7510.4 Historian CE
<u>\$ 35.81</u> FROM A1990.4 Contingency	<u>\$ 35.81</u> TO A9030.8 Social Security
<u>\$ 70.00</u> FROM A1990.4 Contingency	<u>\$ 70.00</u> TO B3620.4 Code Enforce CE
<u>\$ 2.09</u> FROM A1990.4 Contingency	<u>\$ 2.09</u> TO B9030.8 Social Security
<u>\$4,352.00</u> FROM DA5142.4 Snow Remv CE	<u>\$4,352.00</u> TO DA5130.2 Machinery Equip

Councilman Smith - AYE

Councilman Tomazin - AYE

Councilman Cheresnowski - AYE

Councilman Dalton - AYE

Supervisor Yetter - AYE

Motion Carried

Resolution # 135-2016

Supervisor's Financial Report

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

Councilman Smith - AYE

Councilman Tomazin - AYE

Councilman Cheresnowski - AYE

Councilman Dalton - AYE

Supervisor Yetter - AYE

Motion Carried

Old Business

Work is continuing on the Solar Law.

Councilman Dalton stated he was contacted by a resident inquiring if the Town Board approached the Village about a sign to recognize the Newark Valley School Football Team. Supervisor Yetter responded to an email from the Village Mayor that because the school encompasses multiple municipalities, it is the school's responsibility and the sign should be on school property. The Town Board agreed they would be willing to donate to such an effort.

Department and Council Reports

Code Enforcement

Tom Larson discussed the following with the Town Board:

1. The New York State Law concerning vacant and abandoned buildings is effective as of today. In the Law, municipalities will be able to fully recoup property maintenance costs via other avenues besides adding them to tax bills. It is expected there will be seminars/training about the new Law. Currently there are about 3 such properties in the Town of Newark Valley.
2. The Fire District wants to install a sign with moving/rolling text. Mr. Larson asked the Town Board if this is considered a "Flashing" sign, which is not allowed per Local Law. Karen McMullen read the Law and it appears the Fire District will need to petition for a variance.
3. Mr. Larson stated his goal is to travel every street in the Town at least 4 times per year.

Dog Control

Denise Liske discussed the following with the Town Board:

1. There have been quite a few challenging calls and surrenders.
2. Ms. Liske uses a Facebook page to help dogs get back to their owners, for feedback, for information about stray dogs, etc.
3. She is in the process of live-trapping a stray now using a borrowed trap. She recommends the Town investing in a trap and will provide estimates in early 2017.
4. Ms. Liske will have her reports up to date by the end of the year.

Planning Board

A copy of the draft 'Town of Newark Valley Comprehensive Plan' is on file in the clerk's office. Supervisor Yetter attended the last Planning Board meeting. Since they want to stay in operation, Supervisor Yetter asked if they could make recommendations for potential members. They are also in need of an agricultural representative. The Planning Board meets once per month. The Planning Board also asked Supervisor Yetter to present to the Town Board the proposal of merging the Town and Village Planning Boards. With the needs of the Town and Village being so diverse, the Town Board does not find it practical to combine their Planning Boards.

Board of Assessment Review (BAR)

The BAR needs one more member.

Highway Bills

Resolution # 136-2016

Highway Bills

On a motion, offered by Councilman Tomazin and seconded by Councilman Smith, the Town Board authorizes the payment of Highway Bill Vouchers H189–H214, inclusive, in the amount of \$53,739.97.

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

Motion Carried

General Bills

Resolution # 137-2016

General Bills

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Town Board authorizes the payment of General Bill Vouchers 332-362, inclusive, in the amount of \$15,430.84.

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

Motion Carried

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the meeting was adjourned at 8:43 P.M.

The next scheduled meeting is a special year-end meeting on December 28, 2016 at 6:00 P.M.

Respectfully submitted,

Janet B. Smith
Deputy Town Clerk