

A regular meeting was held March 21, 2017 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  
Warren Smith, Councilman

**ABSENT:**

Dan Cheresnowski, Councilman

**Also Present:**

Charlie Morgan, Sue Meade, Karen McMullen; Levene, Gouldin, & Thompson - Attorneys to the Town, Denise Liske; Dog Control Officer, Charles Meade; Highway Superintendent, 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 February 21, 2017 and March 7, 2017**

**Resolution #31-2017**

**Approval of Town Board Meeting Minutes for  
February 21, 2017 and March 7, 2017**

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the Town Board approved the Meeting Minutes for February 21, 2017 and March 7, 2017 as submitted.

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

**Motion Carried**

**Privilege of the Floor**

Supervisor Yetter opened Privilege of the Floor.  
There were no comments.  
Privilege of the Floor was closed.

**Highway Superintendent's Report**

**Highway Report March 21, 2017**

1. Gas Price: \$1.85 Diesel Price: \$1.99
2. The storm went well; no major break downs only rear brakes on #83 2008 Chevy Dump.
3. Between the County Highway Superintendent, the Sheriff and myself we figured approximately the cost for the storm, \$85,700.00 for Newark Valley. (Only estimated) Sheriff Howard is filling the emergency management office director while this position is filled.

4. We started to bring in sand for now. After tomorrow we might have to remove snow around the big sluice pipe areas. The snow is melting very well, warm days and cool nights. This weekend rain, don't know how much or how fast yet.
5. Since last meeting the Cat-ex has been over to Milton Cat. A machine evaluation report was done along with pictures taken to back up what they found. Oil samples on Hydraulic system, engine oil and front hub. As of Monday (yesterday) Mark (foreman and operator) and I went to talk and get paper work. I told the service director I need cost on each with the most safety issues to make the operator safe while operating. The small leaks can be fixed in house if necessary. The issue about the front axle seal leaking without the report (oil sample) there was quite a lot of metal in the oil. Maybe the brakes are worn out. Note: the finals were drained and refilled after our stone and oil projects were done in July 2016. See Attached
6. See Attached copy of the check for equipment sold.

There was discussion about #3 and possible FEMA reimbursement.

The Town Board and Superintendent Meade discussed #5 - Cat excavator repairs. Superintendent Meade gave the Board an estimate of repairs from Milton Cat (a copy is on file in the Clerk's office).

There was discussion about #6 and the sale of the equipment.

The possibility of renting an excavator was discussed.

Superintendent Meade said he is looking into CHIPS money for a road project.

The question was raised if the Highway Superintendent looked at Chamberlain Road after complaints from the residents at the February 21, 2017 meeting, he said he has.

### **New Business**

#### **Supervisor's Financial Report**

Supervisor Yetter said no transfers are needed tonight. Everything is okay for now but next month will be different.

There was discussion about the attorney's payment.

#### **Resolution #32-2017**

#### **Supervisor's Financial Report**

On a motion offered by Councilman Tomazin and seconded by Councilman Smith, the Town Board accepted the Supervisor's Financial Report for February 2017 as submitted.

Councilman Dalton - AYE

Councilman Tomazin - AYE

Councilman Smith - AYE

Supervisor Yetter - AYE

#### **Motion Carried**

**Justice Training**

Judge Schaffer is attending mandatory training and would like reimbursement.

**Resolution #33-2017**

**Justice Training Reimbursement**

On a motion offered by Councilman Dalton and seconded by Councilman Tomazin, the Town Board authorizes payment of the Judge's expenses for mandated training.

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

**Motion Carried**

**Local Law to Repeal Local Law #3 of 2016 known as "A Moratorium on Certain Solar Energy Uses"**

After discussion with Karen McMullen, it was decided to have a public hearing on April 18, 2017 to hear comments about Local Law #2 of 2017 repealing Local Law #3 of 2016 known as "A Moratorium on Certain Solar Energy Uses."

**Resolution #34-2017**

**Public Hearing for Local Law #2 of 2017**

On a motion offered by Councilman Smith and seconded by Councilman Tomazin, the Town Board authorizes the Town Clerk to place a Legal Notice in the Tioga County Courier for a Public Hearing scheduled for April 18, 2017 at 7:15 P.M for Local Law #2 of 2017 repealing Local Law #3 of 2016 known as "A Moratorium on Certain Solar Energy Uses."

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

**Motion Carried**

**Department & Council Reports  
Code**

**Dog Control**

Denise Liske reported to the Board the following:

- She is without a phone right now, but will get a new one tonight
- Still dealing with Beagles running at large on Chamberlain Rd.
- A Cocker Spaniel got away from owners during the last storm, but was found
- Several people have been issued tickets for March 23rd court night
- She would like to attend training at Batavia

**Resolution #35-2017**

**Authorization for Dog Control Training**

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, the Town Board authorizes the Dog Control Officer to attend training at Batavia, NY at a cost of \$75.00 plus hotel and mileage.

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

**Motion Carried**

**Code**

Tom Larson informed the Board of the following:

- NYS Technical bulletin about declaration of an unsafe home
- Training

**Resolution #36-2017**

**Authorization for Code Training**

On a motion offered by Councilman Smith and seconded by Councilman Dalton, the Town Board authorizes the Code Enforcement Officer to attend training April 12, 2017 in Cortland, NY at a cost of \$35.00 plus mileage.

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

**Motion Carried**

- 5500 Newark Valley/Maine Rd.
- X's have been placed at 5500 Newark Valley/Maine Rd. and 32 Howard Hill Rd.

(A copy of his report is on file in the Clerk’s Office).

**Department & Council Reports**

There was discussion about the elected official's ethics policy letter written by the attorney and given to each elected town official. It was decided that the highway employees should be given a copy.

**Planning Board**

Sarah Titus sent the Supervisor an email about the need for a public hearing before the Comprehensive Plan can be adopted. The draft will be sent to the attorney and there needs to be updated information concerning the All Hazards Mitigation Plan included in the Comprehensive Plan.

There was a discussion about using highway equipment and personnel for use on private residences.

**General Bills**

**Resolution #37-2017**

**General Bills**

On a motion offered by Councilman Dalton and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers 50-77, inclusive, in the amount of \$5,692.74.

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

**Motion Carried**

**Highway Bills**

**Resolution #38-2017**

**Highway Bills**

On a motion, offered by Councilman Smith and seconded by Councilman Dalton, the Town Board authorizes the payment of Highway Bill Vouchers #H36– #H51 inclusive in the amount of \$60,160.75.

Councilman Dalton - AYE  
Councilman Tomazin- 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 8:53 P.M.

The next scheduled meeting is a Work Session on April 4, 2017 at 7:00 P.M. and a Public Hearing on Local Law #1 of 2017 starting at 7:15 P.M.

Respectfully submitted,

Barbara S. Mock