

A Regular Meeting was held September 19, 2023 at Hutchinson Hall, Newark Valley at 7:00 P.M.

The following were Present:

**PRESENT:**

Stuart Yetter, Jr., Supervisor  
Warren Smith, Councilmember  
Lucy Johnson, Councilmember  
Brett Walter, Councilmember  
Joseph Tomazin, Jr. Councilmember

**Also Present:**

Joe Tennant, Highway Superintendent; Jared Martin, Code Enforcement Officer Dan Cheresnowki, Lindsey Johnson, Levene, Gouldin, & Thompson, Attorneys to the Town ,David Andrews, Pam Moore, Jim Marzen, Austin Marmillion

**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.

**Resolution # 97-2023**

**Approval of Board Minutes August 15, 2023  
September 5, 2023**

On a motion offered by Councilmember Tomazin, and seconded by Councilmember Smith, the Town Board approved the meeting minutes for August 15, 2023 and September 5, 2023.

Councilmember Walter - AYE  
Councilmember Johnson – AYE  
Joseph Tomazin, Jr. Councilmember AYE  
Councilmember Smith - AYE  
Supervisor Yetter, Jr. – AYE

**Motion Carried**

**Privilege of the Floor**

A gentlemen had discussion asking if the Town Board has any involvement on equalization rates. Supervisor Yetter had said based on comparison to property taxes that it is mostly the County and the Assessor. The gentlemen went to a lengthy discussion on many things, such as attending School Board Meetings in Newark Valley and Maine Endwell in which he is a resident of Newark Valley. He stated that there is a 60 percent uplift in taxes between Newark Valley and Maine Endwell and is frustrated as there are more Newark Valley homes near him and the

people pay Newark Valley taxes but send the children to Maine Endwell. He has been discussing boundaries with School District (Maine – Endwell) and knows will be difficult to have a conversation as he has already had a few. Supervisor Yetter had said if no changes to property they can't do anything it's a welcome Law. The gentlemen's end goal wants to talk to the state about school boundaries. Would need approval of the school and Town Board as the County changes maps and boundaries. Supervisor Yetter said it's a difficult situation, and it costs roughly \$100 to \$150 per parcel, overlapping boundaries makes it difficult.

A hard copy of Tioga County agricultural and Farmland Protection Plan update was given to the Town Board.

A woman asked the Town Board about replacing an existing mobile home, she stated she had all paperwork and there would be new septic and the pad is insulated. Paperwork given to Code Enforcement Officer Cheresnowki and Supervisor Yetter sees no issues and will address next Board Meeting.

Gentlemen has been in the Town for 5 years and is interested in open positions as he wants to volunteer.

## **Highway Superintendent's Report**

### **HIGHWAY REPORT SEPTEMBER 19, 2023**

- 1 We are finished with stone and oiling.**
- 2 Our new truck should be here in 2 weeks.**
- 3 We started re-working the dirt Rds.**
- 4 Welding up the floor in Truck #82 and had to put in a new starter.**
- 5 The building is coming along.**

Supervisor Yetter would like the Attorney to draw up a letter to understand what the Town maintains. This in in regards to paperwork received from a Town citizen.

## **New Business**

## **Budget Transfer**

### **Resolution # 98-2023**

### **Budget Transfer**

On a motion offered by Councilmember Tomazin, and seconded by Councilmember Smith, the Town Board approved the following Budget Transfer.

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#### **Transfer:**

**\$1,000.00 FROM A1990.4 Contingency TO A1410.11 Deputy Town Clerk**

Councilmember Walter - AYE

Councilmember Johnson – AYE

Joseph Tomazin, Jr. Councilmember AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

**Motion Carried**

### **Resolution # 99-2023**

### **Approval for Supervisors Financial Report For August 2023**

On a motion offered by Councilmember Johnson, and seconded by Councilmember Walter, the Town Board approved the Supervisors Financial Report for August 2023.

Councilmember Walter - AYE

Councilmember Johnson – AYE

Joseph Tomazin, Jr. Councilmember AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

**Motion Carried**

Supervisor Yetter discussed that there wasn't going to be enough ARPA money for the Highway Building and that we would have to advertise a Public Hearing as it would come from the Capital Reserve.

**Resolution # 100-2023**

**Authorize to advertise Public Hearing to spend up to \$100,000.00 from Capital Reserve Fund for new Highway Building on October 17, 2023 at 7:15 PM at Hutchinson Hall**

On a motion offered by Councilmember Smith, and seconded by Councilmember Walter, the Town Board authorizes the Town Clerk to advertise a Public Hearing for October 17, 2023 at 7:15 P.M. The purpose of this hearing is to spend up to \$100,000.00 from Capital Reserve Fund for the new Highway Building.

Councilmember Walter - AYE  
Councilmember Johnson – AYE  
Joseph Tomazin, Jr. Councilmember AYE  
Councilmember Smith - AYE  
Supervisor Yetter, Jr. – AYE

**Motion Carried**

**Old Business**

There was a short discussion on the Solar Farm on the pilot agreement as to who gets what money, Town and School District. The community agreement would benefit The Town. The host agreement does a payment each year. Supervisor Yetter felt the pilot should be negotiated by The Town Board. Supervisor Yetter has a copy of it, and had said the counties disapprove. Also was brief discussion that the State is in proceeds of overruling Solar Farms.

**Resolution #101-2023**

**Authorize the Town Board to be Lead Agency For the Solar Farm Project**

On a motion offered by Councilmember Walter, and seconded by Councilmember Smith, the Town Board approved The Town Board to be the Lead Agency for the Solar Farm Project.

Councilmember Walter - AYE  
Councilmember Johnson – AYE  
Joseph Tomazin, Jr. Councilmember AYE  
Councilmember Smith - AYE  
Supervisor Yetter, Jr. – AYE

**Motion Carried**

Camper Law was tabled

Supervisor Yetter discussed the modifications for Building Construction and Fire Prevention Code and that it needs to be amended to be in compliance with the State.

**Resolution #102-2023**

**Authorize to advertise a Public Hearing for Local #1 to amend the Building Construction and Fire Prevention Code to be in compliance with the State, to be held October 17, 2023 after the Capital Reserve Public Hearing**

On a motion offered by Councilmember Walter, and seconded by Councilmember Smith, the Town Board authorizes The Town Clerk to advertise a Public Hearing for Local #1 to amend the Building Construction and Fire Prevention Code to be in compliance with the State, to be held after the Capital Reserve Hearing on October 17, 2023.

Councilmember Walter - AYE  
Councilmember Johnson – AYE  
Joseph Tomazin, Jr. Councilmember AYE  
Councilmember Smith - AYE  
Supervisor Yetter, Jr. – AYE

**Motion Carried**

**Department & Council Reports  
Code Enforcement**

Code Enforcement Officer Cheresnowski discussed the following.

- Met with the Village Code and all is well
- Doing a lot of demo permits
- Waiting to hear back from County on the Sawmill
- Discussed that the same process would have to be done for another family as the barn was agriculture and is now commercial

**Dog Control**

Supervisor Yetter had received a message from Denise she had said there were no big issues.

**Council Members and Committees**

**Planning Board**

No report. They hope to meet in September.

**Historian**

Was received via email to all.

**Highway Bills**

**Resolution # 103-2023**

**Highway Bills**

On a motion, offered by Councilmember Walter, and seconded by Councilmember Tomazin, the Town Board authorizes the payment of Highway Bill Vouchers H98 to H116, inclusive in the amount of \$56,668.08.

Councilmember Walter - AYE  
Councilmember Johnson – AYE  
Joseph Tomazin, Jr. Councilmember AYE  
Councilmember Smith - AYE  
Supervisor Yetter, Jr. – AYE

**Motion Carried**

**General Bills**

**Resolution # 104-2023**

**General Bills**

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, the Town Board authorizes the payment of General Bill Vouchers A216 to A239, inclusive, in the amount of \$15,262.63

Councilmember Walter - AYE  
Councilmember Johnson – AYE  
Joseph Tomazin, Jr. Councilmember AYE  
Councilmember Smith - AYE  
Supervisor Yetter, Jr. – AYE

**Motion Carried**

On a motion offered by Councilmember Smith, the meeting was adjourned at 8:20 P.M.

The next scheduled meeting is a Work Session to be held on October 3, 2023 at 7:00 P.M.

Respectfully submitted,

Lora L. Corson  
Town Clerk