

A Regular Meeting was held October 17, 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

ABSENT:

Brett Walter, Councilmember
Joseph Tomazin, Jr. Councilmember

Also Present:

Joe Tennant, Highway Superintendent; Code Enforcement Officer Dan Cheresnowki, Lindsey Johnson, Levene, Gouldin, & Thompson, Attorneys to the Town, Jim Marzen, Richard Rosner, Elaine Benjamin, Linda Burghardt, Jon Carrier

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 # 106-2023

**Open Public Hearing to spend
\$100,000.00 out of the Capital Reserve Fund
for new Highway Building**

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson.
Supervisor Yetter opened the Public Hearing at 7:03 PM.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Supervisor Yetter had stated that a majority of the building is being paid for with the ARPA money.

There was no input from the public.

Resolution # 107-2023

**Close Public Hearing to spend
\$100,000.00 out of the Capital Reserve Fund
for new Highway Building**

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson.
Supervisor Yetter closed the Public Hearing at 7:04 PM.

Councilmember Johnson – AYE
Councilmember Smith - AYE
Supervisor Yetter, Jr. – AYE
Motion Carried

Resolution # 108-2023

**Open Public Hearing for Local Law #1 to
Amend the Building Construction and Fire
Prevention Code**

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson.
Supervisor Yetter opened the Public Hearing at 7:05 PM.

Councilmember Johnson – AYE
Councilmember Smith - AYE
Supervisor Yetter, Jr. – AYE
Motion Carried

There was no input from the public.

Resolution # 109-2023

**Close Public Hearing for Local Law #1 to
Amend the Building Construction and Fire
Prevention Code**

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson.
Supervisor Yetter closed the Public Hearing at 7:06 PM.

Councilmember Johnson – AYE
Councilmember Smith - AYE
Supervisor Yetter, Jr. – AYE
Motion Carried

Approval of Board Minutes September 19, 2023 and October 3, 2023

Resolution # 110-2023

Approval of Board Minutes September 19, 2023 October 3, 2023

On a motion offered by Councilmember Tomazin, and seconded by Councilmember Smith, the Town Board approved the meeting minutes for September 19, 2023 and October 3, 2023.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Resolution # 111-2023

Amend Board Minutes from September 5, 2023

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, to amend the Board minutes from September 5, 2023 to read as follows: sheep do better on marginal farm land versus prime farm land.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Privilege of the Floor

Jon Carrier a 60-year resident of Owego stated to The Town Board that he did not like the 2020 Election, he then turned the speaking over to another volunteer. There were several folks that spoke as they are a volunteer nonpartisan group with over 2,0000 volunteers doing research on the General Election and they are collecting data on many things. There was a very lengthy discussion. Will bullet points in their discussion.

- Voter role duplicate votes, counterfeit registrations with no addresses. Four tenants of law, voters' role must be accurate.
- All data from NYS Board of Elections concluded that they were not valid.
- They are asking the Town Board to sign a Resolution to take to the higher ups.
- They are going around to all towns and sharing this information and asking for them to sign a Resolution.
- They have been to 17 counties and have had other Town Boards sign their Resolution.
- Topics they are facing is trying to get support from Towns and Counties to send their Resolution to higher ups.
- NYS voters data base they have foiled it and studied it and feel it has been hacked.

- Algorithms can find if out if is fraudulent in data bases.
- They have sent their concerns to the Attorney General, Secretary of State and they didn't look at it they sent it back. Also have spoken to FBI
- A 3rd party is need to investigate and need someone to keep them afloat as it is costly.
- Preparing for litigation, as elected Officials we are to follow the rules, why doesn't Albany follow the law
- They didn't get a response from the Assembly or the State
- Feel NYS voter base cannot be trusted, and they are asking for an audit of the 2022 Election. AuditNY.com
- Cannot let the NYS Board of Elections patrol themselves
- Only allowed to have one State ID

One of The Town Board Members discussed that until the have litigation they can ignore them. Also had said that the Appellate Court has four new people and may be a good thing. Supervisor Yetter stated to the group that it will be passed on as we were missing two Councilmembers. The handouts are at the clerk's office.

Highway Superintendent's Report

HIGHWAY REPORT October 17, 2023

- 1 Truck is done**
- 2 Chips is done**
- 3 Building- clear panels (No Charge)**
- 4 Checking over equipment for snow**
- 5 Hauling in sand from T&C to start winter**
- 6 Spot ditching Roads**

Highway Superintendent Joe Tennant said the new truck is here, Chips are all sent in. Contractor had said he would install clear panels for some lighting. Town Board agreed for extra lighting. Highway Superintendent Joe Tennant asked for a Resolution to surplus Truck #84.

Resolution # 112-2023

**Authorize Highway Superintendent Joe Tennant
advertise to surplus Truck #84**

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, The Town Board approved to advertise to surplus Truck #84.

Councilmember Johnson – AYE
Councilmember Smith - AYE
Supervisor Yetter, Jr. – AYE
Motion Carried

New Business

Budget Modification

Resolution # 113-2023

Budget Modification

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

Transfer:
\$1,1987.56 FROM A1990.4 Contingency TO A1620.4 Building CE
\$34,334.91 FROM DB3501 Consolidated Highway Aid Chips TO DB 5112.4 CHIPS

Councilmember Johnson – AYE
Councilmember Smith - AYE
Supervisor Yetter, Jr. – AYE
Motion Carried

Financial Report for September

Resolution # 114-2023

**Approval for Supervisors Financial Report
for September 2023**

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

Councilmember Johnson – AYE
Councilmember Smith - AYE
Supervisor Yetter, Jr. – AYE
Motion Carried

Old Business

Solar Farm Tabled

Supervisor Yetter had brief discussion on the 2024 Budget Review, we have an increase in the cost of medical insurance, the rent for the boom mower and be sure there is enough for payroll. Review has to be done before November 8, 2023.

Resolution # 115-2023

Authorize Town Clerk to advertise for a Budget Work Session on October 25, 2023 at 7 PM

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, the Town Board authorizes the Town Clerk to advertise for a Budget Work Session on October 25, 2023 at 7 PM to be held at Hutchinson Hall.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Department & Council Reports

Code Enforcement

Code Enforcement Officer Cheresnowski gave the Town Board a Mobile Home Permit for Bi-Way Farms. The Snapp family lost their home to a fire.

Resolution #116-2023

Approval of Mobile Home Permit # 48-25 to replace the burnt home of Bi-Way Farms at 2532 Rt 38B Newark Valley

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, the Town Board approved Mobile Home Permit #48-25 to replace the burnt home of Bi-Way Farms at 2532 Rt 38B Newark Valley.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Dog Control

No Report

Council Members and Committees

Planning Board

Camper Law is now Local Law #2, as Local Law #1 is the amended Building Construction and Fire Prevention Code, in order to be in compliance with state law. Supervisor Yetter would like to have all Board Members present. Supervisor Yetter also stated that we have a gentleman that is willing to serve on our Variance and Assessment Boards.

Resolution # 117-2023

Appoint Jim Marzen to serve on the Town Variance Board and the Board of Assessment

On a motion offered by Councilmember Johnson, and seconded by Councilmember Smith, the Town Board approves the appointment of Jim Marzen to serve on the Town Variance Board and The Board of Assessment.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Historian

Supervisor Yetter Forwarded the email from the Historian to Councilmembers.

General Bills

Resolution # 118-2023

General Bills

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, the Town Board authorizes the payment of General Bill Vouchers A240 to A260, inclusive, in the amount of \$8,428.08.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

Highway Bills

Resolution # 119-2023

Highway Bills

On a motion, offered by Councilmember Smith, and seconded by Councilmember Johnson, the Town Board authorizes the payment of Highway Bill Vouchers H117 to H129, inclusive in the amount of \$106,243.82.

Councilmember Johnson – AYE

Councilmember Smith - AYE

Supervisor Yetter, Jr. – AYE

Motion Carried

On a motion offered by Councilmember Smith, and seconded by Councilmember Johnson, the meeting was adjourned at 7:55 P.M.

The next scheduled meeting is a Work Session to be held on November 8, 2023 at 7:00 P.M.

Respectfully submitted,

Lora L. Corson
Town Clerk