

A regular meeting was held February 16, 2010 at Hutchinson Hall, Newark Valley at 7:00 P.M. The following were

PRESENT:

Stuart Yetter, Supervisor
Donald Thomas, Councilman
Ronald Graham, Councilman
Joe Tomazin, Councilman
Dan Cheresnowski, Councilman

Also Present: Kevin Lewis; Levene, Gouldin & Thompson, Attorneys to the Town, Charles Meade; Highway Superintendent, Hans Peeters; Planning Board Chairman, Charlie Morgan, and Dominica Creeley.

Supervisor Yetter called the meeting to order at 7:00 P.M.

Supervisor Yetter led all in the Pledge of Allegiance.

Approval of Board Meeting Minutes for January 19, 2010 and February 2, 2010.

Resolution #21-2010

Approval of Board Meeting Minutes

On a motion, offered by Councilman Graham seconded by Councilman Thomas, the Board approved the Meeting Minutes for January 19, 2010 and February 2, 2010 as submitted

Councilman Thomas - AYE
Councilman Graham - AYE
Councilman Cheresnowski - AYE
Councilman Tomazin - AYE
Supervisor Yetter - AYE

Motion Carried

Privilege of the Floor

There were no comments from the floor.

Privilege of the Floor was closed.

Highway Report February 16th 2010

- #1. Gas Price: \$2.2477 a gal Diesel Price: \$2.5946 a gal
- #2. Truck #82 blew a main hydraulic line to the pump and #85 had a fuse short, which made it run on 3 cylinders, they both were fixed. Also we put a new block heater in the backhoe.

- #3. I contacted Tioga County Soil and Water in reference to the re-line of the cross over pipe on Davis Hollow Rd. They haven't come up yet.
- #4. The last County Meeting, all the Highway Superintendents were informed of the narrow banding requirements from the FCC. We will be checking with the radio repair people, (we have to see), if our radio's can be changed. The radios might already be on narrow band, we don't know yet, See Attached.
- #5. The Ting Committee of the Road Usage, for gas wells, gave us Highway Superintendents a copy of a Highway Agreement, which, PA Town Ships and Chesapeake Gas Company are using. They did say that the Cog-Supervisors would be getting a copy also. The Gas Companies want the Agreements simple. See Attached.
- #6. The Ceiling Panels are done! We have the paint for the Beams; we will be working on them shortly. Stop by and take a look!
- #7. **Tentative dates for spring clean up.**
 April 29th Seniors
 April 30th and May 1st for the rest.
 "No wood can be burnt." No Wood - No Brush? Tire Trailer?
 Note: This is One week before Village Yard Sales.
 Also this is done so we can get to the roadwork early.
 Not after yard sales either.
 Already talked to the Village if they want to do it on our week they can, if not they are on their own.

The Town Board and Superintendent Meade discussed the status of county-wide decisions on potential regulations for gas drilling and the roads. Superintendent Meade reported that Owego and Candor were going ahead on their own.

The Town Board and Superintendent Meade discussed details of the Spring Clean-up Day, and the limits on the types of trash that could be accepted. The Board agreed to the dates set forward in the Superintendent's report. The information will be published in the newsletter.

Supervisor Yetter inquired about the status of the highway agreement between and among the towns. Superintendent Meade reported that the agreement has not yet been finalized. Supervisor Yetter asked that the Board authorize funds in case repairs were needed before the highway agreement was finalized.

Resolution #22-2010

Authorized Funds for Highway

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Board authorized the Highway Superintendent up to \$5,000 in Highway Contractual funds to maintain roads prior to finalization of the highway agreement.

- Councilman Thomas - AYE
- Councilman Graham - AYE
- Councilman Cheresnowski - AYE
- Councilman Tomazin - AYE
- Supervisor Yetter - AYE

Motion Carried

Supervisor Yetter expressed his concern about the availability of state funding for highways for the current year. He cautioned that the town should not count on those funds.

New Business

Supervisor's Financial Report

Supervisor Yetter stated the report presented was for the month of January.

Supervisor Yetter requested a budget transfer to correct amounts budgeted, based on new information.

Resolution #23-2010

Budget Transfer

On a motion offered by Councilman Tomazin and seconded by Councilman Graham, the Town Board authorizes a Budget Transfer: \$409.54 from A1990.4 Contingency to A1920.4 Municipal Association Dues \$99.00 and to A1950.4 Taxes and Assessments \$310.54, respectively.

Councilman Thomas -AYE
Councilman Graham - AYE
Councilman Cheresnowski - AYE
Councilman Tomazin- AYE
Supervisor Yetter - AYE

Motion Carried

Resolution #24-2010

Supervisor's Financial Report

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Town Board accepts the Supervisor's Financial Report as submitted.

Councilman Thomas -AYE
Councilman Graham - AYE
Councilman Cheresnowski - AYE
Councilman Tomazin- AYE
Supervisor Yetter - AYE

Motion Carried

Old Business

Franchise Cable Agreement

Supervisor Yetter brought up the proposed Time-Warner Cable agreement for discussion. Superintendent Meade noted that the free cable for the schools, highway department, fire department or town hall was not mentioned in the agreement.

Attorney Lewis noted that the agreement was "boiler plate" or general. He requested copies of the cover letter for the current proposal, the prior agreement with Time-Warner

and the proposal from Haeffles for comparison purposes. He indicated that there were points that could be negotiated with the cable company for better coverage, expansion of services and so forth.

Department & Council Reports

Code Enforcement

Tom Larson submitted the monthly Code Enforcement report. (A copy is on file in the Clerk's office).

Council Members and Committees

The Council members had nothing to report from their committees.

Planning Board

Hans Peeters reported that the Planning Board had prepared a draft "Burning, Outdoor" ordinance to conform with the No Burning Law from the State Department of Environmental Regulations. The Board and Mr. Lewis, Attorney to the Town, read the draft, and recommended that changes be made the requirements clearer to the citizens of the town. Mr. Lewis will assist Mr. Peeters and the Planning Board to rewrite the ordinance.

Justice Report

Justice John Schaffer reported for the month of January 2010, the following cases disposed of: 44 Traffic Tickets; 2 Criminal charges; 0 Dog cases; 0 Civil cases; 2 Econ case and 0 Town law cases. A total of \$3,270.00 was sent to the NYS Comptroller's Office.

Justice Todd Smith reported for the month of January 2010, the following cases disposed of: 35 Traffic Tickets; 2 Criminal Charges; 1 Dog Cases, 2 Civil Cases; 0 Econ Cases, 0 Town Law Cases. A total of \$2,175.00 was sent to the NYS Comptroller's Office.

Town Clerk

The Town Clerk has filed her monthly report and it is on file in her office.

Resolution #25-2010

General Bills

On a motion, offered by Councilman Graham and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers, 35-64 inclusive, in the amount of \$16,600.32.

Councilman Thomas -AYE
Councilman Graham - AYE
Councilman Cheresnowski - AYE
Councilman Tomazin- AYE
Supervisor Yetter - AYE

Motion Carried

Resolution #26-2010

Highway Bills

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Thomas, the Town Board authorizes the payment of Highway Bill Vouchers #H13 - H30 inclusive in the amount of \$27,389.00.

Councilman Thomas -AYE

Councilman Graham - AYE

Councilman Cheresnowski - AYE

Councilman Tomazin- AYE

Supervisor Yetter - AYE

Motion Carried

Items of interest to the Board members

- Superintendent Yetter reported that the school's web design instructor will work with Mr. Yetter's daughter to create a layout for the town's website, patterned after other towns in the local area. If the members have items they would like to have on the website, they should get the information to the Superintendent.
- The Board and a member of the public discussed the current situation and timing regarding the termination of village water to town residents.
- The Bookkeeper has completed her annual report, and the Audit Committee should schedule the audit of those records. Councilman Tomazin said that he would contact her to schedule it.

There was a motion to adjourn the meeting at 8:02 PM., offered by Councilman Thomas and seconded by Councilman Graham.

The next scheduled meeting is March 2, 2010.

Respectfully submitted,

Jane S Locacio
Deputy Town Clerk