

A regular meeting was held January 19, 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, Del Mock; Dog Control Officer, Charlie Morgan, Gerald Shrauger and Robert Lawrence.

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 December 15, 2009, December 30, 2009 and January 5, 2010.**

**Resolution #11-2010**

**Approval of Board Meeting Minutes**

On a motion, offered by Councilman Graham seconded by Councilman Cheresnowski, the Board approved the Meeting Minutes for December 15, 2009, December 30, 2009 and January 5, 2010 as submitted

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

**Motion Carried**

**Privilege of the Floor**

Gerald Shrauger addressed the Board with his concerns about Veteran's Exemptions. Mr. Shrauger would like the Board to name a dollar figure for exemptions. He asked for an explanation for the formula that is used. Mr. Lewis, Attorney to the Town and Supervisor Yetter addressed his concerns. After much discussion, Mr. Shrauger asked the Board to increase the exemption. Supervisor Yetter said the Board would discuss this matter further at a later date, but they have to keep in consideration that any increase places the burden on other taxpayers with limited incomes.

There was a discussion about equalization rates, taxes, full market value and assessments.

After asking if there were any more issues to be addressed and no one had anything,

Privilege of the Floor was closed.

## HIGHWAY REPORT JANUARY 19, 2010

- #1. Gas Price: \$2.247 Diesel Price: \$2.349
- #2. Truck #82 had problems with over heating. We found small stones in the radiator fins, and the top over flow hose was leaking. We thought the radiator was leaking, but we checked the thermostat for the right opening temperature and found that it was not opening at 180 degrees but it was opening at 198 degrees. We changed the thermostat and the hose for the over flow and put a screen on the front of the grill. It's OK now.
- #3. We finished the tires on truck #85 and now we are working on truck #89 tires.
- #4. We have been hauling in Sand from Lopke (Lounsberry Pit) Getting off Town Owego Bid at \$6.95 a Ton, better price than County Bid at \$8.50 a Ton if we haul, or \$12.00 a Ton if they haul in from Porter's. We took all we could from Universal Sand in Brooktondale @ \$5.00 a ton (Tompkins County Bid)
- #5. "Really" no Major Breakdowns.  
Truck #84 will have to go to Tri-City Spring shortly for a weak right front spring. (Wing side). Can't find a broken leaf just leaning.
- #6. We checked Goodrich's lifts and found stickers. Last inspected 5-09, which is done annually so it should work. Just rent 2 harness  
We will start the ceiling soon.
- #7. Last month Seneca Supply sent \$300. Toward the repair of the Brine Tank and received \$300. from Central Equipment. So the tank was repaired and paid for by the above. I turned the check over the Book Keeper (Cheryl) for deposit.
- #8. Tim Steed of Hawk Engineering called about water line replacement on Rock Street, around our Bridge. He will call back when He and Bill Foster can both be there.  
I told him to stay away from the Bridge Structure, and to fill the old water line with concrete so it wouldn't break and sag anything around the Bridge.

The Town Board and Superintendent Meade discussed the bridge structure and water line on Rock Street.

Superintendent Meade brought a "No Parking On Town Roads" sign to show all how they turned out. He stated that the signs were done and been posted. There are 21 signs at a cost of around \$900.00.

There was a discussion about the addition to the Highway Barn.

Superintendent Meade said the Tappan Road Bridge will be started in February or March. He talked about work that is needed to be done on Davis Hollow Road.

Supervisor Yetter complimented Supervisor Meade and the workers on how well they have been attending to the roads this winter and being cost conscious. They have done a great job.

Supervisor Yetter said he had received a few concerns and complaints about the highway workers plowing private citizen's driveways with Town equipment. He said that it is not allowed because it is a liability to the Town and the drivers can be held personally responsible. He then went on to explain when it would be allowed. A letter will be drafted to address this problem to the workers.

Superintendent Meade talked about the guardrails on Howard Hill being hit by a driver, but no one knowing who is responsible.

### **New Business**

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

Supervisor Yetter stated the report presented was the end of the year report for 2009.

#### **Resolution #12-2010**

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

On a motion offered by Councilman Tomazin and seconded by Councilman Graham, the Town Board accepts the Supervisor's Financial Report pending a correction to read:

#### **Capital Reserve Account- Highway Bridges for December 2009 - 40,325.00**

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

#### **Motion Carried**

#### **Resolution #13-2010**

#### **Budget Transfer**

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski, the Town Board authorizes a Budget Transfer: from A1910.4 Unallocated Insurance to A9055.8 Disability Insurance in the amount for \$119.52.

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

#### **Motion Carried**

#### **Audit Reports**

The Town Clerk and Tax Collector audits have been completed. Councilman Cheresnowski stated that the Town Clerk and Deputy Town Clerk are doing an excellent job.

There was a short discussion about the Bookkeeper's availability for the month of January.

## **Web Site**

Supervisor Yetter said the school has web design classes and his daughter will be taking this class. She would like to set up a website for the Town of Newark Valley as part of her school project. The website would give information about the Town. After some discussion, Supervisor Yetter asked the Board if they were willing to pursue a website and the Board agreed.

## **Old Business**

Supervisor Yetter has talked with Dave Gouldin from Levene, Gouldin & Thompson about additional billing from his firm. Mr. Gouldin said he understood there was a communication problem. To remedy this, he has proposed that the Town Board give approval in advance of any charges by his firm. After discussing the proposal, the Town Board agreed this would be a good idea.

## **Department & Council Reports**

### **Code Enforcement**

Tom Larson submitted an STBOA training event to the Board. He would like to attend. (A copy is on file in the Clerk's office).

### **Resolution #14-2010**

### **Code Enforcement Training**

On a motion offered by Councilman Graham and seconded by Councilman Tomazin, the Town Board approved the training session for Mr. Larson.

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

### **Motion Carried**

Tom Larson and Dennis Liebe submitted their annual Code Enforcement and Fire Marshal Report and it is on file in the Clerk's office.

### **Dog Control Officer**

Del Mock told the Board that the dangerous dog case went well. He thanked those who helped him with the paper work and for Kevin Lewis' help. There was a discussion about this case.

Mr. Mock asked the Board about a time frame for delinquent dog licenses and appearance tickets. It was discussed and the Board believes that three notices are enough before an appearance ticket is issued.

Mr. Mock also asked what he should do in a case where the driveway to a home is posted and he cannot access the person by phone. He was instructed to send a certified letter to the person.

### **Planning Board**

Hans Peeters said they had a Planning Board meeting this month. They are looking at the No Burning Law from the State and they could use some guidance from Mr. Lewis.

Mr. Peeters said that Josh Brown from the County is not going to be able to help with the Comprehensive Plan as he has taken a position elsewhere. They are looking for help from other sources.

### **Justice Report**

Justice Mark Painter reported for the month of December 2009, the following cases disposed of: 26 Traffic Tickets; 4 Criminal charges; 0 Dog cases; 0 Civil cases; 2 Econ case and 0 Town law cases. A total of \$3,225.00 was sent to the NYS Comptroller's Office.

Justice Todd Smith reported for the month of December 2009, the following cases disposed of: 27 Traffic Tickets; 5 Criminal Charges; 0 Dog Cases, 0 Civil Cases; 0 Econ Cases, 0 Town Law Cases. A total of \$3,445.00 was sent to the NYS Comptroller's Office.

### **Assessor's Report**

The Assessor has filed her monthly report for November and December and it is on file in the Clerk's office.

### **Town Clerk**

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

### **Tax Collector**

The tax Collector has received an email from the DMV asking if she would put a notice with her tax receipts envelopes concerning registration renewals. The purpose is to notify the tax payers that Tioga County will lose 12.7% every time a registration is renewed in Utica. She would like a resolution from the Board for approval.

### **Resolution #15-2010**

### **DMV Notices**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Graham, the Board authorizes the Tax Collector to insert DMV notices into the tax receipts.

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

### **Motion Carried**

There was a discussion about chipping brush and what can and cannot be burned in the State of New York.

**Resolution #16-2010**

**Highway Bills**

On a motion, offered by Councilman Graham and seconded by Councilman Thomas the Town Board authorizes the payment of Highway Bill Vouchers, H1-H12 inclusive, in the amount of \$32,710.35.

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

**Motion Carried**

**Resolution #17-2010**

**General Bills**

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers #1 - #34 inclusive in the amount of \$44,397.26.

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

**Motion Carried**

**Executive Session**

At 8:34 Supervisor Yetter called for a motion to enter into Executive Session.

**Resolution #18-2010**

**Enter into Executive Session**

On a motion offered by Councilman Thomas and seconded by Councilman Tomazin the Board went into Executive Session.

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

**Motion Carried**

At 8:52 Supervisor Yetter called for a motion to end the Executive Session.

**Resolution #19-2010**

**Close the Executive Session**

On a motion offered by Councilman Graham and seconded by Councilman Thomas the Board came out of Executive Session.

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

**Motion Carried**

The purpose of the Executive Session was to discuss personnel issues.  
The result of the session was to have the Code Enforcement Liaison Team meet with the Code Enforcement Officer.

There was a motion to adjourn the meeting at 8:54 P.M., offered by Councilman Tomazin and seconded by Councilman Graham.

The next scheduled meeting is February 2, 2010.

Respectfully submitted,

Barbara S. Mock  
Town Clerk