

A regular meeting was held May 15, 2012 at Hutchinson Hall, Newark Valley at 7:00 P.M. The following were

**PRESENT:**

Stuart Yetter, Jr., Supervisor  
Donald Thomas, Councilman  
Ronald Graham, Councilman  
Joseph Tomazin, Jr., Councilman  
Daniel Cheresnowski, Councilman

**Also Present:** Karen McMullen; Levene, Gouldin & Thompson, Attorneys to the Town, Jim Weed; Dog Control Officer; Charles Meade; Highway Superintendent, Hans Peeters; Planning Board Chairman, Dominica Creeley; Planning Board Member, Charlie Morgan, Del Mock, John D. Neuwerk, John C. Houston, Lurenda Houston, Johnny Neuwerk, Al Withers, Andrew Hellman, Nancy Neuwerk, Nick Schoonover, Steve Crossen, and Harvey Hurley.

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

Supervisor Yetter led all in the Pledge of Allegiance.

Supervisor Yetter told everyone that we would have to break at 7:30 P.M. for bid openings for sluice pipes.

**Approval of Board Meeting Minutes for April 17, 2012 and May 1, 2012.**

**Resolution #55-2012**

**Approval of Board Meeting Minutes**

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Board approved the Meeting Minutes for April 17, 2012 and May 1, 2012 as submitted.

Councilman Thomas - AYE  
Councilman Graham - AYE  
Councilman Cheresnowski - AYE  
Councilman Tomazin, Jr. - AYE  
Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Privilege of the Floor**

John Neuwerk expressed his concerns about anti-drilling. He is for drilling and wants the Board to support drilling. He said farmers need the income and we could use the jobs. It helps the economy and to prohibit drilling would be a blow to our economy.

Supervisor Yetter stated that a draft resolution has been given to the Board and the Board will consider this at a later date.

John Houston dittoes what Mr. Neuwerk expressed. He wants drilling.

Johnny Neuwerk said young farmers are looking for responsible drilling. He wants to keep his farm and wants drilling to go forward.

Al Withers said it is a step we have to take to make it acceptable. The DEC is going to make sure it is safer. It will be an economic benefit.

Andrew Hellman dittoes what the former people said.

Martin Hellman wants drilling.

Nancy Neuwerk is for drilling. She would like to see the younger people have jobs. She said the people who are spokespersons for the anti-drilling groups are not educated in gas drilling. She said she believes drilling will be good for employment and energy independence.

Nick Schoonover, chairman for Tioga Gas Leases said his group has had a lot of influence over the DEC. Since the introduction of propane fracking it has made gas drilling environmentally safer.

Steve Crossen said that propane fracking has been around for twenty years. He stated his parents brought up their family here in Newark Valley. He has had gas leases since 1999.

Supervisor Yetter explained how he has been keeping the Board informed with his attendance of different seminars and meetings. He said the Board has not banned fracking, but we are looking at local ordinances for road use and lighting and have passed a noise ordinance to be able to handle the drilling. He said the pro-drilling resolution will be looked at. He said he had put in the newsletter that the Board wants input from the residents concerning gas drilling.

Steve Crossen mentioned electric compressors are quieter for drilling.

Supervisor Yetter said people need to understand the drilling process. There is other noise and regulatory issues the towns can do.

Nick Schoonover said the pro-gas resolution shows support for the DEC and a vote of confidence in them.

Steve Crossen said he has researched online the gas lines that are installed are made of cast iron and have to be replaced. Gas lines need to be steel and we need our own pipelines and supply. New York City complains about gas drilling but they are the largest user of gas.

John Neuwerk said there is a tax advantage. Gas is taxed at the wellheads and the tax goes to the local municipalities not the state. Drilling is a big advantage to us.

Supervisor Yetter and Councilman Tomazin expressed their thanks to the people for coming to express their opinions. Councilman Tomazin said the Board will support what the people of Newark Valley want.

John Neuwerk said he has been to Pennsylvania and saw a lot of trucks and the roads were still in good shape. The gas companies have rebuilt the roads they have ruined.

Dominica Creeley stated truck traffic makes a difference, her grandparents were in a bad accident with a truck that was involved with gas drilling.

Harvey Hurley came into the meeting and stated he was pro gas exploration.

Steve Crossen said with gel propane fracking, there is no burn.

Privilege of the Floor was closed.

## **Highway Superintendent Report**

### **Highway Report May 15, 2012**

- #1. Gas Price: \$3.66 Diesel Price: \$3.63
- #2. We will be getting Rip Rap in for NV-Maine Rd for two locations. I also ordered 2 rolls of Fabric to be put down before the Rip Rap is set. FEMA and SEMO require this; it's in the PW's.
- #3. Truck #84 had #3 head problems, along with the injector miss firing. This injector was changed 30 to 40 days ago and is back on the road.
- #4. We changed two air tanks on truck #85 they rusted through.
- #5. All of our paving materials are in and stocked piled.  
This was scheduled for this Wednesday and Thursday, but with the weather it looks like next week.
- #6. We still have to black-top 5 cross over pipes.  
2-Howard Hill Rd / 1 Settle Rd / 2 Russell Rd / and 1 Shirley Rd.  
I planned on paving over 2 FEMA area's when doing our paving projects.  
1 Shirley Rd and / 1 Howard Hill Rd. along with the spot where the water line was dug up.
- #7. We will be getting on the gravel Roads right after the paving is done, along with setting the Rip Rap.
- #8. The spring clean-up went well. The Village took 2 garbage truck loads to Taylors, along with 5 containers of trash.  
We had almost 2 dumpsters full of metal. Money received for metal was \$625.97  
The tires that were on rims, money received was \$11.43  
Tires without rims money received was \$640.00  
Tires from the Village: money received was \$88.00.  
I gave all the checks to Barb Mock Town Clerk.  
We had a lot of TV's and computers this time.

- #9. We are on Summer Hours now: Four ten hour days.
- #10. We might need a Dozer to re-shape the bottoms of where we are putting the Rip Rap. We would need it for two days maybe one. I'll check with Fred Goodrich. I doubt it will cost much. Do I have the board's approval?
- #11. This Thursday May 17<sup>th</sup> from 8am to 12pm, myself, Mark Keith, Rob Browne and George Wahl will be going to the Tioga County Soil and Water for a class, (Sediment Control School) which is governed by the N.Y.S. D.E.C. This is to educate how to control Sediment with in our Ditches and Streams. The cost of the course will be \$75.00 per employee. Mark operates the Excavator and Rob runs it when Mark is not available. George operates the backhoe and I fill in for him when he is not available.

**Resolution #56-2012**

**Dozer Rental**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Graham, the Board authorizes Superintendent Meade to rent a dozer for one or two days at a cost of \$150.00 per day.

- Councilman Thomas - AYE
- Councilman Graham - AYE
- Councilman Cheresnowski - AYE
- Councilman Tomazin, Jr. - AYE
- Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Bids for Sluice Pipes**

At this time, it is 7:30 P.M. and the bids for the sluice pipes were opened.

There were two bids. (A copy is on file at the Highway Department).

- 1. Crossroads – includes a Non-Collusive Bidding Certificate \$40,805.16
- 2. Babcock Supply – includes a Non-Collusive Bidding Certificate \$34,333.00

Both bids are for pipes delivered on site.

Prices were comparable to the ones at the last meeting.

The Board discussed the bids with Superintendent Meade.

After the discussion, the Board awarded the bid to Babcock's.

**Resolution #57-2012**

**Awarding Sluice Pipe Bid**

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski, the Town Board awarded the sluice pipe bid to Babcock's.

- Councilman Thomas - AYE
- Councilman Graham - AYE
- Councilman Cheresnowski - AYE
- Councilman Tomazin, Jr. - AYE
- Supervisor Yetter, Jr. - AYE

**Motion Carried**

Highway Superintendent Meade said they should take delivery of the pipes the end of June or first of July.

Councilman Tomazin asked Superintendent Meade if he had thought any more about hiring a part-time person. Mr. Meade said he would like to. He could use a flag person. The Board directed him to place an ad. They then discussed more about the position and pay.

Superintendent Meade asked where in the budget the FEMA money is placed. Supervisor Yetter explained what line item it is put into. Supervisor Yetter would like Superintendent Meade, his secretary, Terry and the bookkeeper, Cheryl to sit down and figure out how he wants to work with the FEMA money. With both him and Cheryl keeping track of the FEMA money, their books need to match.

There was discussion about the FEMA money.

### **New Business**

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

Supervisor Yetter stated there was nothing exciting. There are no transfers tonight. Revenues are looking better and sales tax is running above expectations.

#### **Resolution #58-2012**

#### **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 for April 2012 as submitted.

Councilman Thomas - AYE

Councilman Graham - AYE

Councilman Cheresnowski - AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

#### **Motion Carried**

**Budget Transfers** – there were none.

Superintendent Meade told the Board about the broken sprockets on the gravel crusher. They discussed the gravel and crusher.

#### **Gas Resolution**

Supervisor Yetter told the Board the pro-gas resolution they had received earlier came from Legislator Loretta Sullivan. She would like all the towns to consider passing this resolution. The Board discussed the resolution, municipal bans, and neutrality. Supervisor Yetter said he plans to mention this resolution in the Town's Newsletter. He wants everyone to know they have this resolution and are looking at it.

## **Old Business**

No Old Business

## **Department & Council Reports**

### **Code Enforcement**

Supervisor Yetter said Tom Larson told him everything is under control. Code submitted their monthly report. (A copy is on file in the Clerk's office).

Karen McMullen said she had one thing for under Old Business. Time Warner has not given us their contract agreement and have not responded to her correspondence. There was a discussion about Time Warner. Supervisor Yetter told Ms. McMullen she should contact the Public Service Commission in a week or so if there is still no response from them.

### **Dog Control**

Mr. Weed said he has been very busy. He has had good luck with the Front Street Shelter so far. Ms. McMullen showed the Board the billing form she generated. There was discussion about the form, the shelter, and the contract.

### **Planning Board**

Dominica Creeley asked if the Board could list any youth programs in Newark Valley for the Comprehensive Plan. There was discussion about parks and programs. Hans Peeters said the Planning Board meeting would be on Monday.

### **Justice Report**

**Justice John Schaffer** reported that for the month of April 2012, the following cases were disposed of: 29 Traffic Tickets; 3 Criminal Charges; 2 Dog Cases; 2 Civil Cases; 0 Econ Cases and 0 Town Law Cases. A total of \$4,580.00 was sent to the NYS Comptroller's Office.

**Justice Todd Smith** reported that for the month of April 2012, the following cases were disposed of: 13 Traffic Tickets; 0 Criminal Charges; 0 Dog Cases, 1 Civil Case; 0 Econ Cases, and 0 Town Law Cases. A total of \$1,110.00 was sent to the NYS Comptroller's Office.

### **Town Clerk**

The Town Clerk has filed her monthly reports and they are on file in her office.

### **Council Members and Committees**

The Council members had nothing to report from their committees.

### **Resolution #59-2012**

### **Highway Bills**

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Thomas, the Town Board authorized the payment of Highway Bill Vouchers #H88 – #H105 inclusive in the amount of \$27,387.97.

Councilman Thomas - AYE  
Councilman Graham - AYE  
Councilman Cheresnowski - AYE  
Councilman Tomazin, Jr. - AYE  
Supervisor Yetter, Jr. - AYE

### **Motion Carried**

**Resolution #60-2012**

**General Bills**

On a motion, offered by Councilman Graham and seconded by Councilman Tomazin, the Town Board authorized the payment of General Bill Vouchers 119-145 inclusive in the amount of \$5,190.38.

Councilman Thomas - AYE  
Councilman Graham - AYE  
Councilman Cheresnowski - AYE  
Councilman Tomazin, Jr. - AYE  
Supervisor Yetter, Jr. - AYE

**Motion Carried**

There was a motion to adjourn the meeting at 8:10 PM, offered by Councilman Cheresnowski and seconded by Councilman Graham.

The next scheduled meeting is June 19, 2012.

Respectfully submitted,

Barbara Mock  
Town Clerk