

A regular meeting was held November 20, 2012 at Hutchinson Hall, 109 Whig Street Newark Valley, NY at 7:00 P.M. The following were

PRESENT:

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

ABSENT: Ronald Graham, Councilman

Also Present: Karen McMullen; Levene, Gouldin & Thompson, Attorney to the Town, Charles Meade; Highway Superintendent, Hans Peeters; Planning Board Chairman, Charlie Morgan, Sue Meade, and Del Mock.

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 October 16, 2012, October 30, 2012 Special Work Session and November 7, 2012 Work Session and Public Hearing

Resolution #117-2012

Approval of Town Board Meeting Minutes

On a motion offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Town Board approved the Meeting Minutes for October 16, 2012, October 30, 2012 Special Work Session and November 7, 2012 Work Session and Public Hearing as submitted.

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

Motion Carried

Privilege of the Floor

Opened Privilege of the Floor

Del Mock asked why the Town Board felt they needed to spend \$15,000.00 on a generator, it seemed like a lot of money. Mr. Mock said it seemed the money would be better spent on a new furnace. Councilman Tomazin and Supervisor Yetter said it would be a propane generator and having to pay prevailing wage it would cost more. Councilman Tomazin said he felt it was needed if we had a sustained power outage because the people would turn to their town government.

Privilege of the Floor was closed.

Highway Superintendent's Report

Highway Report November 2012

- #1. Gas Price: \$3.48 Diesel Price: \$3.57
- #2. All the FEMA Big Jobs are completed. We will have some ditches to fill that we can do in time. Next month I'll have all the bills in for the FEMA Account. There will be money left.
- #3. I did get some 1st Lime Stone in for next year, which is for Lawrence Rd, Gage Rd, Murphy Lane, Harnecky Rd, WoodLand Drive, Highland Drive, Ridge Haven Drive, Grandview Drive, and possibly Irish Town Rd. If I could have bought the oil this year it would have been nice. The stone is stock-piled behind the garage, along with an extra pile of Snow Sand.
- #4. **Repairs:**
 - Truck #89 we replaced 3 air tanks and put 8 rear tires on. (2006 Volvo)
 - Truck #81 we replaced the rear seal along with the yoke. We replaced the front PTO and short shaft yoke.
 - Truck #84 we replaced the front seal along with the universal and yoke. We still have to order eight rear tires yet.
 - Truck #83 we Sand Blasted the Box and Painted it.
- #5. I am requesting to take \$8,000. From Snow Removal and move it to Machine Repair for tires and unforeseen repairs.
- #6. All other equipment is ok as of now.
- #7. This has been a busy month for finishing everything. The Trucks are ready for Snow Removal. This week was Deer Fever week, which they Greatly Deserved!

Superintendent Meade read his Highway Report. He asked if there were any questions regarding #5 above. There wasn't.

There was discussion about the FEMA work. Supervisor Yetter asked Superintendent Meade to put together some numbers for what was paid so he could figure out where to put the surplus. Superintendent Meade asked if they could use the surplus for the sand storage building. Supervisor Yetter said that would have to come out of the General A side.

New Business

Supervisor's Financial Report

Supervisor Yetter said everything is looking good. We are not meeting expectations in General B because Mr. Frandsen has not paid the pilot amount for Golden Lane. Everything else has reached expectations.

Transfer of Funds

The Town Board discussed the budget modifications that were needed.

Resolution #118-2012

Budget Modifications

On a motion offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Town Board approved the following:

TRANSFER:

<u>\$5061.00</u> From <u>A9040.8</u> Worker's Comp	To <u>A9010.8</u> State Retirement
<u>\$8000.00</u> From <u>DA5142.4</u> Snow Removal CE	To <u>DA5130.4</u> Machinery Repair CE
<u>\$1311.63</u> From <u>DB5110.4</u> Road Repair CE	To <u>DB5110.1</u> Road Repair PS
<u>\$422.35</u> From <u>DB9030.8</u> Social Security	To <u>DB5110.1</u> Road Repair PS

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

Motion Carried

Resolution #119-2012

Supervisor's Financial Report

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Town Board accepted the Supervisor's Financial Report for October 2012 as submitted.

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

Motion Carried

All-Hazard Mitigation Plan

Supervisor Yetter read the Tioga County Multi-Jurisdictional All-Hazard Mitigation Plan prepared by the County. Supervisor Yetter explained it to everyone and said we needed to accept the resolution.

The Town Board discussed this for a few minutes and then adopted the resolution.

Resolution #120-2012

Tioga County Multi-Jurisdictional All-Hazard Mitigation Plan

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Town Board adopted the following resolution prepared by Tioga County:

**A RESOLUTION OF THE TOWN OF NEWARK VALLEY
 AUTHORIZING THE ADOPTION OF THE
 TIOGA COUNTY MULTI-JURISDICTIONAL
 ALL-HAZARD MITIGATION PLAN**

WHEREAS, all of Tioga County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Tioga County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Tioga County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Town of Newark Valley:

- 1) Adopts in its entirety, the Tioga County Multi-Jurisdictional All-Hazard Mitigation Plan (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

PASSED AND ADOPTED on this 20th day of November 2012, by the following vote:

AYES: Supervisor Stuart Yetter, Jr.
Councilman Donald Thomas
Councilman Daniel Cheresnowski
Councilman Joseph Tomazin, Jr.

NOES:0

ABSENT: Councilman Ronald Graham

ABSTAIN:

Supervisor Stuart Yetter, Jr.
Town of Newark Valley

ATTEST: _____

Barbara S. Mock, Town Clerk,
Town of Newark Valley

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

Motion Carried

Old Business

EMS

Supervisor Yetter received a proposal from the Berkshire EMS and gave it to Attorney Karen McMullen. She had some comments on the matter, but the EMS' attorney is rewriting the proposal. Ms. McMullen has not received the new proposal. Her concerns are that the first one protects only the EMS and along with other concerns, charges are made three times for an ambulance run. The first proposal does not comply with the comptroller's ruling. Ms. McMullen said she would send a list of her concerns to Supervisor Yetter and the Board to be reviewed by them.

There was discussion about the EMS

Supervisor Yetter said he would pass the Attorney's and their concerns on to the EMS.

Dog Case

There was discussion about a dog case that was transferred to Owego because of a conflict of interest for our Justices. The case has been dismissed and the Dog Control Officer or the Town Board doesn't want it appealed.

Road Use Agreement

There was a brief discussion about the Road Use Agreement. It was decided they would look at this more in depth at a later date.

Department & Council Reports

Code Enforcement

Tom Larson submitted the monthly Code Enforcement Report. (A copy is on file in the Clerk's office). He was not in attendance.

Dog Control

Jim Weed, DCO was not in attendance.

Planning Board

Hans Peeters said the Planning Board has been discussing the Road Use Agreement. He explained things they wanted to add to the agreement. Mr. Peeters will email their concerns to Supervisor Yetter for Board review.

Council Members & Committees

Councilman Tomazin discussed with the Board his concerns about the Mobile Home Law with concerns about hardship cases. There was a lengthy discussion on this issue.

It was brought to the Town Board's attention that a mobile home on the Crofoot property has to be addressed. Supervisor Yetter said he would talk with Code about it.

Supervisor Yetter asked the Board if they would be agreeable to him proposing to the Highway Union a one year contract renewal, keeping the same insurance policy with a \$.55 increase in pay. They need a contract. The Board is in agreement.

Joe Onofrio gave a rough estimate to the Clerk for cabinets and countertop for the conference room. His estimate is \$5,700.00. The cost is more than \$2,000.00 so we need three quotes. The Board discussed the cabinets and cost. It was decided that Councilman Cheresnowski would come in next week and look over the project for measurements and cost.

Justice Report

Justice John Schaffer reported for the month of October 2012, the following cases disposed of: 41 Traffic Tickets; 4 Criminal charges; 0 Dog Cases; 1 Civil Case; 0 Econ Cases and 0 Town Law Cases. A total of \$5,160.00 was sent to the NYS Comptroller's Office.

Justice Todd Smith reported for the month of October 2012, the following cases disposed of: 23 Traffic Tickets; 0 Criminal Charges; 0 Dog Cases; 2 Civil Cases; 0 Econ Cases; 0 Town Law Cases. A total of \$2,620.00 was sent to the NYS Comptroller's Office.

Resolution #121-2012

General Bills

On a motion, offered by Councilman Cheresnowski and seconded by Councilman Thomas, the Town Board authorizes the payment of General Bill Vouchers, 307-340 inclusive, in the amount of \$34,476.12.

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

Motion Carried

Resolution #122-2012

Highway Bills

On a motion, offered by Councilman Tomazin and seconded by Councilman Thomas, the Town Board authorizes the payment of Highway Bill Vouchers #H225 – #H277 inclusive in the amount of \$124,051.57.

Councilman Thomas - AYE

Councilman Tomazin, Jr. – AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

There was a motion to adjourn the meeting at 7:56 P.M., offered by Councilman Tomazin and seconded by Councilman Thomas .

The next scheduled meeting is December 3, 2012 at 7:00 P.M.

Respectfully submitted,

Barbara S. Mock
Town Clerk