

A regular meeting was held December 18, 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
Ronald Graham, Councilman

Also Present: Karen McMullen; Levene, Gouldin & Thompson, Attorney to the Town, Charlie Morgan.

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 November 20, 2012, and December 4, 2012.

Resolution #128-2012

Approval of Town Board Meeting Minutes

On a motion offered by Councilman Graham and seconded by Councilman Tomazin, the Town Board approved the Meeting Minutes for November 20, 2012, and the Work Session Minutes for December 4, 2012 as submitted.

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

Motion Carried

Privilege of the Floor

Opened Privilege of the Floor

No one had any issues to bring before the Board.

Privilege of the Floor was closed.

Highway Superintendent's Report

Charles Meade, Highway Superintendent was not present to give report.

New Business

Supervisor's Financial Report

Supervisor Yetter said everything is looking good. He would like to deposit the December sales tax revenue in the General B Account. We will be closing out the year in the black.

Transfer of Funds

The Town Board discussed the budget modifications that were needed.

Resolution #129-2012

Budget Modifications

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

TRANSFER:

\$5327.22 From DA5142.4 Snow Removal CE To DA5130.2 Machinery Equipment

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

Motion Carried

Resolution #130-2012

Supervisor's Financial Report

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

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

Motion Carried

Old Business

EMS

Supervisor Yetter received the rewritten proposal from the Berkshire EMS and gave it to Attorney Karen McMullen. She had some comments on the matter. Her concerns are arrangements for mutual aid, compensation clause, no cap on billing and general wording. The Town Boards asked Ms. McMullen if it was possible to ask other townships for copies of their EMS Contracts, so they can compare wording. She stated that she would contact other law offices and request copies of EMS Contracts from them.

There was further discussion about the EMS Contract. Ms. McMullen asked if she could get the contract e-mailed to her in “word format”, and she would reword it (making her changes in red) and return it to the EMS Board for review.

Supervisor Yetter said he would pass the Attorney’s request on to the EMS.

Road Use Agreement

There was a brief discussion about the Road Use Agreement. Due to the absence of Planning Board Chairman Hans Peeters, it was decided they would look at this more in depth at a later date.

Union Contract

Resolution #131-2012

Union Contract

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski, the Town Board authorizes Supervisor Yetter to sign the one (1) year Highway Union Contract.

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

Motion Carried

Department & Council Reports

Code Enforcement

Supervisor Yetter stated that he had a discussion with CEO Larson earlier in the day regarding the less than 1 acre of land lot. Supervisor Yetter and CEO Larson decided that until they hear more on the order to remedy issue regarding the removal of the mobile home in question they will not pursue the 1 acre lot any further. CEO Larson was not in attendance.

Dog Control

Jim Weed, DCO was not in attendance.

Planning Board

Hans Peeters, Planning Board Chairman was not in attendance.

Council Members & Committees

Councilman Thomas discussed with the Town Board a call he had received from Mr. White a local sign maker regarding CEO Larson sending residents to other sign makers when he was contracted with the town to provide the signs. Supervisor Yetter explained that if the Town was purchasing the signs then Mr. White would get the job, but if the residents were buying the signs, they could use whomever they wanted.

Justice Report

Justice John Schaffer reported for the month of November 2012, the following cases disposed of: 36 Traffic Tickets; 1 Criminal charges; 0 Dog Cases; 0 Civil Case; 0 Econ Cases and 0 Town Law Cases. A total of \$4,595.00 was sent to the NYS Comptroller’s Office.

Justice Todd Smith reported for the month of November 2012, the following cases disposed of: 19 Traffic Tickets; 1 Criminal Charge; 0 Dog Cases; 1 Civil Case; 0 Econ Cases; 0 Town Law Cases. A total of \$2,185.00 was sent to the NYS Comptroller’s Office.

Resolution #132-2012

General Bills

On a motion, offered by Councilman Graham and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers, 341-376 inclusive, in the amount of \$27,549.93.

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

Motion Carried

Resolution #133-2012

Highway Bills

On a motion, offered by Councilman Tomazin and seconded by Councilman Thomas, the Town Board authorizes the payment of Highway Bill Vouchers #H278 – #H296 inclusive in the amount of \$45,985.30.

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

Motion Carried

There was a motion to adjourn the meeting at 7:52 P.M., offered by Councilman Tomazin and seconded by Councilman Graham .

The next scheduled meeting is December 26, 2012 at 6:00 P.M.

Respectfully submitted,

Elizabeth Olmstead
Town Secretary