

A regular meeting was held May 19, 2015 at Hutchinson Hall, 109 Whig Street Newark Valley, NY at 7:00 P.M. The following were

**PRESENT:**

Stuart Yetter, Jr., Supervisor  
Timothy Dalton, Councilman  
Ronald Graham, Councilman  
Joseph Tomazin, Jr., Councilman  
Daniel Cheresnowski, Councilman

**Also Present:** Karen McMullen; Levene, Gouldin & Thompson, Attorneys to the Town, Charles Meade; Highway Superintendent, Charlie Morgan, Del Mock, Denise Liske; Dog Control Officer, Tom Larson; Code Enforcement, Boy Scout Tyler Maule, Boy Scout Master Jon Maule, Hans Peeters; Planning Board Chairman and Marty Schneider; Deputy Historian.

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 April 21, 2015 and May 5, 2015.**

**Resolution #54-2015**

**Approval of Town Board Meeting Minutes**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Graham, the Town Board approved the Meeting Minutes for April 21, 2015 and May 5, 2015 as submitted.

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

**Motion Carried**

**Privilege of the Floor**

Supervisor Yetter opened Privilege of the Floor

Tyler Maule introduced himself. He is a Boy Scout with Troop 30. He is working on an Eagle project, a 20x30 ft. pavilion for the Newark Valley Fire Department. The pavilion is for rehab for medical check-ups after training and a classroom for training. He discussed the project with the Board and asked that the building permit fees be waived. The Board agreed to waive the fee.

**Resolution #55-2015****Building Permit Waiver for Eagle Scout Project**

On a motion offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Board authorizes the Code Enforcement officer to issue a building permit for the NVFD pavilion with no charge.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Historian**

The Historians are trying to qualify for a grant from the Floyd Hooker Foundation. They are asking the Board for the following information required for the grant: IRS tax exempt letter, a current balance sheet, minutes with a resolution from the Board for permission to apply. The attorney will draft the letter, they can have a copy of the current budget sheet, and the Town Clerk will give the Historians a certified copy of the resolution after she gets the minutes from tonight's meeting done.

**Resolution #56-2015****Authorization for the Historians to Apply  
for a Grant from The Floyd Hooker Foundation**

On a motion offered by Councilman Graham and seconded by Councilman Dalton, the Town Board authorizes the Town Historian to apply to the Floyd Hooker Foundation for a renovation grant.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

Privilege of the Floor was closed.

**Highway Superintendent's Report****Highway Report May 19, 2015**

- #1. Gas Price: \$1.99 gal. Diesel Price: \$2.20 gal.
- #2. Paving is complete on NV Maine Rd. Thanks to the help from Tioga County's 3 trucks, Nanticoke 2, Berkshire 2, Richford 1, Owego 1 truck and loader, Tioga Loader, Spencer 1 and Nichols 1 Truck. This year we mixed @ Lopke's in Owego, due to the help.
- #3. Due to Monday evening's rain the back side of NV Maine Rd. washed out in 2 areas. Before miller Rd. 4 foot crossover in the Narrows down from George Bolson's Farm. Water came out of 5921's drive-way, which he has a crossover pipe plug about 50 feet up from the NV Maine Rd. washout. 80 to 100 feet of guiderail removed and 5 concrete blocks and dislodged a tree from the bank. Also crossover pipes on Russell from NV

Maine Rd. to 1183 Russell Rd (Goff Res.) Miller Rd. had some small washouts around the drive-way pipes nothing major. Broom County's Weather at the Airport said in that area 2 to 2 ½ inches of rain fell in less than 2 hours. It does show it!

- #4. The Cat-ex is still having the problems on the turn table, the swing locks up. I talked with Supervisor Yetter and this has to be corrected. It locks up at any time. Mark has found if he bangs the bucket on the hard surface it does in time unlock the swing. I called Milton Cat and told them I'm out of repair money, but I need help. Was there any recalls on this problem that they know of, or does anyone know anything about this problem, and if so could they steer us in the right direction. They gave me an Albany number.
- #5. We had to replace the fuel tank on the case backhoe. New Price: \$43,300.00 Used Price: \$1,320.00 plus freight (from Monroe Case in Binghamton.) Goodrich Auction used \$1,150.00 with freight. It's in the bills to be paid. The fuel gauge is not working right we are looking into that now.
- #6. We had Anderson Equipment come and fix the anti-freeze leak, along with an oil leak on the grader. They found a site glass on the side of the New Radiator had broken off. Didn't know it had one always checked the level in am by taking the cap off and visually see the anti-freeze level. The oil leak was an oil sending unit on the left side of the engine. The unit was re-placed by our employees and Anderson put a plug in the area of the site glass of the radiator. We received a bill of \$508.57 which I'm not done with this problem yet! The bill for the sending unit is in the bills this time \$80.91
- #7. All but 120 ton of 1st stone is here for stone and oil. We did put the grader patch on Tappan and Whig in the bad areas. I'm not happy with that either. We did this with Suit-Kote's paver.
- #8. The bathroom; Martins plumbing and heating was here and broke off their snake. They came back and got it out and stated the line needs to be replaced. That means the wall and possibly the floor needs to be jack hammered out. Joe what's your theory? Do we get your man you know or have Martin continue?

Superintendent Meade elaborated on #4 above for the Board. Then there was discussion concerning the Cat-ex. It was decided Milton Cat will be contacted to look at the problems.

There was discussion about #6 above.

There was discussion about #7 above.

There was discussion about #8 above. It was decided that a second opinion was needed before proceeding.

There was discussion about the three motocross races being held in Newark Valley this summer.

The highway department will work around the races. Maybe fix the roads after the races.

There was discussion about fire pits and noise ordinance.

There was more discussion concerning the Cat-ex.

There was a discussion about transferring monies for the highway department in the amount of \$4,925.00.

There was discussion concerning repairs on Newark Valley/Maine Rd.

At this time, Marty Schneider came into the meeting and Supervisor Yetter told her what had transpired concerning the Historian applying for the grant and that everything would be provided to them. She thanked the Board for their help and support.

## **New Business**

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

Supervisor Yetter said everything looks normal and routine.  
We need to do a couple of Budget modifications.

#### **Resolution #57-2015**

#### **Budget Modifications**

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, the Board authorized the following:

Transfer:

\$ 343.31 from 1990.4 Contingency	\$ 343.31 to A1220.4 Supervisor C.E.
amend the budget:	
\$ 4,925.00 from Highway Revenue	\$ 4,925.00 to DA5130.4 Machinery C.E.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

#### **Resolution #58-2015**

#### **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 April 2015 as submitted.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

## **Old Business**

### **Property Tax Exemptions**

Karen McMullen said she has discussed with the Assessor the exemptions. She said when the local law is changed it will include the residential improvement exemption, the commercial exemption, and the other exemptions that have not been included.

There was discussion about the exemptions. It was decided after Ms. McMullen drafts the law, Supervisor Yetter and Councilman Tomazin will talk with the school board and try to get them on board.

### **Land Rental Agreement**

There was discussion about insurance liability.

There was discussion about rental property.

**Resolution #59-2015****Property Rental Lease with Zorn Farms, LLC**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Graham, the Town Board authorizes Supervisor Yetter to sign a lease for the Town to lease approximately 7 acres of Town land on Tax Map No. 64.11-1-7 to Zorn Farms, LLC for farming purposes for the term of one year, subject to a permissive referendum, such that the effective date stated in the lease shall be 45 days from the date of this resolution if no petition for a permissive referendum is filed.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

There was discussion about ST. RT. 38 and ST. RT. 38B in Tioga County.

It was decided a letter will be written and the Board will approach Tioga County to support road repairs.

**Department and Council Reports****Code Enforcement**

Tom Larson discussed with the Board the following items:

- 2553 Wilson Creek Rd. demolition
- An old house on 38B to be demolished
- 400-410 Brown Rd needs signs up
- 1891 King Hill Rd. (corner with Loomis) double-wide
- 691-701 South Ketchumville Rd. double-wide
- 3 pools
- Allison Hill Rd. pavilion
- 3481 Sherry Lipe Rd. addition
- 6874 ST. RT. 38 demo done
- FEMA's Flood Plain rate reduction

(Tom Larson submitted his monthly report and it is on file in the Clerk's Office).

**Dog Control**

Denise Liske discussed with the Board the following:

- 3 Repetitive cases: goats and dogs, running at large and dogs on Brown Rd.
- Surrender and adoption contracts. Discussion about this issue with attorney
- Rabies Clinic Thursday, May 21, dog mobility problem. She will be working on the enumeration at the clinic
- Court next week with previous dangerous dog issue and 4 running at large
- Rabies vaccination for Dog Control Officers

**Planning Board**

Hans Peeters said they didn't have a quorum at last night's meeting but they discussed the Domestic Animal Law. There was a discussion about the Domestic Animal Law.

Mr. Peeters told the Board that he is putting his house up for sale and is looking to move to Ithaca and Virginia.

### **Tax Cap Override**

We will need to schedule a Public Hearing to pass a local law for exceeding the tax cap. There was discussion about the need to exceed the tax cap.

### **Resolution #60-2015**

### **Public Hearing for Exceeding the Tax Cap**

On a motion offered by Councilman Dalton and seconded by Councilman Graham, the Newark Valley Town Board authorizes the Town Clerk to place a legal notice to schedule a public hearing to consider adopting a local law to override the tax levy limit established in NY General Municipal Law 3-c for the Town budget for 2016. Said public hearing will be held on June 16, 2015 at 7:15 pm at the Town Hall, 109 Whig Street, Newark Valley, New York.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

### **Motion Carried**

There was more discussion about the tax cap increase.

### **Stray Haven**

There was discussion concerning Stray Haven having the authority to license dogs for the Town of Newark Valley.

It was decided Karen McMullen would write a letter informing Stray Haven that they do not have the authority to license dogs for us.

There was a discussion about an alternative to Stray Haven, possibly a shared shelter with the Town of Owego.

### **General Bills**

### **Resolution #61-2015**

### **General Bills**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Town Board authorizes the payment of General Bill Vouchers 120-121, inclusive, in the amount of \$6,902.14.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

### **Motion Carried**

**Highway Bills****Resolution #62-2015****Highway Bills**

On a motion, offered by Councilman Graham and seconded by Councilman Tomazin, the Town Board authorizes the payment of Highway Bill Vouchers #H79– #H89 inclusive in the amount of \$12,227.06.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

There was a motion to adjourn the meeting at 9:05 P.M., offered by Councilman Tomazin and seconded by Councilman Cheresnowski.

The next scheduled meeting is June 16, 2015 at 7:00 P.M.

Respectfully submitted,

Barbara S. Mock

Town Clerk