

A regular meeting was held June 16, 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 & Phil Grommet; Levene, Gouldin & Thompson, Attorneys to the Town, Charles Meade; Highway Superintendent, Charlie Morgan, Del Mock, Sharon Weed, Sue Meade, Julie Conley Holcomb, Krista Robertson, Jim Tornatore, Nancy & John Neuwerk and son, Carl D. Brink, Andrew Hellman, Stephen Kutney, Penny McKay, Tom Larson; Code Enforcement, and Hans Peeters; Planning Board Chairman.

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 May 19, 2015.

Resolution #63-2015

Approval of Town Board Meeting Minutes for May 19, 2015

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski , the Town Board approved the Meeting Minutes for May 19, 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.
There were no comments.
Supervisor Yetter closed Privilege of the Floor.

Highway Superintendent's Report

Highway Report June 16, 2015

- #1. Gas Price: \$1.39 Diesel Price: \$2.29
- #2. From the Rain on June 14th 12 roads had damage. The 3 worst were; 2 on NV Maine Rd. 5 foot crossover pipe next to Tim Dalton's Rd #792. Numerous Concrete Blocks below George Bolson's Residence #5880. Tappan Rd Bridge, the Sheet piling outlet side close to 50 foot tipped over in the creek. It is bent back against the bank for now. The pipe on NV Maine Rd. I am checking on prices.
- #3. Mark Keith is on Vacation now and won't be back until July 6th. He had to use it or lose it. The week of July 4th Mark, George, and Pete will be on Vacation. Rob Browne and I will be here mowing and cutting brush around Road signs trying to get that caught up.
- #4. I do need help! I need from you the Board Members:
 - A) Pay Scale?
 - B) Is it part time or full time?
 - C) I will probably have to have a drug and alcohol test prior to his employment.
 - D) If he is part time do we have to give him unemployment benefits when we are done with him?
 - E) I have been using Terry my secretary to drive trucks. She has a class B air Brake endorsement and she likes to get out.
- #5. It's time to upgrade the loader! This year it is less than last year. \$1,746.00 less. The price is \$6,287.00 – last year was \$8,033.00 I do have account # DA5130.2 I can take it out of.
- #6. The 1993 auto car the top of the frame is cracking (length ways) Supervisor Yetter has seen it and wants me to look into alternate means to replace Vehicles.
See Attached
- #7. We will be stone and oiling the week of July 13th. (Weather permitting)

Highway Superintendent Meade read his highway report.

There was discussion about #4.

There was discussion about #5.

Resolution #64-2015

Cat Loader Upgrade Authorization

On a motion offered by Councilman Tomazin and seconded by Councilman Graham, the Town Board authorizes the Highway Superintendent for trade the Cat Loader for a new one at a cost of \$6,287.00.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

There was discussion about #6.

At this time, the highway discussion was stopped for the Public Hearing.

Resolution #65-2015**Open Public Hearing for Local Law #2-2015 to Override the Tax Cap**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Public Hearing for Local Law #2 to override the Tax Cap was opened at 7:17 P.M.

Councilman Dalton- AYE

Councilman Tomazin, Jr. – AYE

Councilman Graham - AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

Supervisor Yetter explained why the Board believed we needed to override the tax cap.

He said we are looking at it to be a one-time thing, maybe an 8% to 10% increase.

John Neuwerk has concerns about where people will get the money for the increase because there has been no economic recovery in this area. There was a lengthy discussion about this.

The Board believes that they have to do something to keep things going and maintained.

Stephenn Kutney said he would like to see about getting rid of the property taxes and going to an income tax like Westchester has.

Penny McKay wanted clarification about the tax increase only going on the Newark Valley tax rate. Yes, the tax increase will only go on the Newark Valley tax rate, but we don't know what the County or the school will do.

Carl Brink has concerns about farmers going under. There was discussion about this.

Carl Brink asked whether this will be passed by a Board vote or a Public Referendum.

This will be a Board vote.

Carl Brink addressed his concern about the lack of gas fracking and expenses living in New York. There was discussion concerning the State budget.

There was discussion about more shared services by the municipalities.

Again, Supervisor Yetter explained why we need to exceed the tax cap.

Mr. Neuwerk (son) discussed a frame rail and the need to fix the old equipment and not buy new.

There was discussion about equipment repairs and the difference between the quality of equipment bought now and equipment bought years ago.

There was discussion about having more shared services and how difficult it is to do that because the same equipment is needed by the towns at the same time.

Resolution #66-2015**Close Public Hearing for Local Law #2-2015 to Override the Tax Cap**

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, the Public Hearing for Local Law #2-2015 to override the Tax Cap was closed at 7:58 P.M.

Councilman Dalton - AYE

Councilman Tomazin, Jr. – AYE

Councilman Graham - AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

The adoption of this Local Law has been tabled.

Supervisor Yetter thanked everyone for coming and said the Board values the comments from the public. It is nice to have people come and give us input.

Highway Superintendent Meade resumed his highway report.

New Business

Supervisor's Financial Report

Supervisor Yetter said everything is looking okay except the sales tax which is down. We need to do a budget modification.

Resolution #67-2015

Budget Modification

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

Transfer:

\$ 122.59 from DB 5110.4 Road Repair C.E. \$ 122.59 to DB5112.4 Perm. Improv. (CHIPS)

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

Resolution #68-2015

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 May 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 is working on the draft of the law for tax exemptions.

Land Rental Agreement

There were no petitions filed. Supervisor Yetter will have Mr. Zorn sign the land rental lease.

Fire Detection System for the Highway Department

We received two quotes. (Discussion to follow the Motocross discussion).

Motocross Discussion

There was a lengthy discussion concerning the drivers of the motocross race crossing the road. We need to make sure there is safety for everyone involved. There will be flagmen and the Town needs assurance they know what they are doing. Ms. Holcomb will get the insurance policy to Ms. McMullen and Ms. McMullen will contact the Fire Chief regarding the flagmen.

Fire Detection System for the Highway Department

We received two quotes but they differed in the equipment. After discussing this, Supervisor Yetter said he would get more information

Department and Council Reports

Code Enforcement

A mobile home permit has been applied for by Katrin Bradley. It is a special condition permit for a family member. The Board discussed this permit.

Mr. Larson said Mrs. Gage went to court and there will be a decision mid- August from the court.

Resolution #69-2015

Mobile Home Permit – Bradley

On a motion offered by Councilman Graham and seconded by Councilman Dalton, the Town Board authorizes the approval of Permit #15-33 submitted by Katrin Bradley for a single-wide mobile home to be located at 771 Chamberlain Rd, subject to meeting all mobile home installation regulations.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

Mr. Larson told the Board about a family dispute concerning motorcycles on Dalton Hill Rd. (Tom Larson submitted his monthly report and it is on file in the Clerk's Office).

Dog Control

Denise Liske is out of town. Tickets have been issued to owners on Brown Rd.

Planning Board

Hans Peeters said they didn't have a meeting this month.

Mr. Peeters told the Board his house is up for sale and he has bought one in Ithaca. He is resigning from the Planning Board.

The Board thanked Mr. Peeters for his service to the Town.

General Bills**Resolution #70-2015****General Bills**

On a motion offered by Councilman Graham and seconded by Councilman Dalton, the Town Board authorizes the payment of General Bill Vouchers 153-183, inclusive, in the amount of \$8,199.04.

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

Motion Carried

Highway Bills**Resolution #71-2015****Highway Bills**

On a motion, offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Town Board authorizes the payment of Highway Bill Vouchers #H90– #H108 inclusive in the amount of \$182,764.82.

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

Motion Carried

Executive Session**Resolution #72-2015****Enter Executive Session**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Graham, the Town Board entered Executive Session at 9:07 P.M. to discuss an employee issue.

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

Resolution #73-2015**Exit Executive Session**

On a motion offered by Councilman Dalton and seconded by Councilman Graham, the Town Board exited Executive Session at 9:16 P.M.

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

The purpose of this session was to discuss an employee issue related to a Worker's Comp. case.

There was a motion to adjourn the meeting at 9:17 P.M., offered by Councilman Cheresnowski and seconded by Councilman Tomazin.

The next scheduled meeting is July 21, 2015 at 7:00 P.M.

Respectfully submitted,

Barbara S. Mock
Town Clerk