

A regular meeting was held July 21, 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, Sue Meade, Denise Liske; Dog Control Officer, Dennis Liebe; Fire Marshal, and Tom Larson; Code Enforcement.

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 June 16, 2015.**

**Resolution #74-2015**

**Approval of Town Board Meeting Minutes for June 16, 2015**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin , the Town Board approved the Meeting Minutes for June 16, 2015 as submitted.

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

**Motion Carried**

**Correction to the Abstracts From June 2015**

**Resolution #75-2015**

**Correct the General and Highway Abstracts From June 2015**

On a motion offered by Councilman Tomazin and seconded by Councilman Graham, the Board authorized the correction to the General and Highway Abstracts from June 16, 2015, Resolution #70-2015 and Resolution #71-2015 as follows:

Was: General A \$8,057.94 and Highway DA \$1,661.51  
Correct: **DECREASE General A to \$7,552.36 and increase A5132.4 by \$505.58**  
**INCREASE Highway DA to \$2,167.09 and decrease DA5130.4 by \$505.58**

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 REPORT July 21, 2015**

- #1. Gas Price: \$1.99 gal. Diesel Price: \$2.29 gal.
- #2. With the gully washers we had (heavy Rain) it took out the large cross-over pipe on Newark Valley Maine Rd. in front of Councilman Daltons Residence. I checked with the Tioga County Soil and Water to do a Hyd study of the water coverage for that area. They came back with an 8 foot pipe (round). I had them give me the size of a squashed pipe due to not having the proper coverage over the pipe. It is a 128" X 83" 10 gauge, 5X1 corrugation. I checked the County Bids and Babcock highway Supply (Lane Pipe) \$215.50 per foot with 1 band of \$428.80 total \$17,668.80. The other Bid was Bradco Supply (contact pipe) \$217.50 per foot with 1 band of \$434.00 total \$17,794.00. This cost will be coming out of Maintenance and possibly out of Chips. All bills are not in yet for Chips. I have discussed this with Supervisor Yetter and the Highway Committee Cheresnowski about it. The total length is 80 feet long and it was delivered yesterday 1 piece and the last piece with the band today. I hope to have it in the ground Next month sometime. I already talked to Candor Hwy to have the 2nd excavator on the job. The road will be closed and detours will be on 38B. The newspapers and radio stations will be notified and possibly a fire truck will be placed in Denny Liebe's Drive-way. (Still setting this up) I also I have a Federal Permit to do this work.
- #3. We started our black top patching – King Hill and Russell are the worst. 6 cans of marking paint were used just for King, wheel rutting and numerous cracking. Those 2 Roads are slated for 2017. (Oil and Stone)
- #4. The five year Strategic projected plan was finalized and turned over to Supervisor Yetter to be sent out! I already changed the wording on Smokey Zimmer for this year due to our heavy washed out pipe on NV Maine Rd. this can be reimbursed by the State. (Discussion)
- #5. Tomorrow we will be helping the Village pave Franklin, Central and Watson. I did have 2 of their finest helping us with our oil and stone, sealing and paving. (Flagging)
- #6. All of our oil and stone projects are completed. We are just waiting for the oil bills.
- #7. Terry has been doing Secretary Work, helping flag and filling in washouts with truck 83.
- #8. In a couple of weeks NV-Maine road will be shouldered and completed.
- #9. After the Black-Top Patch, all of the gravel roads still have to be re-worked, along with spot ditching on all the roads, also two crossover pipes on Howard Hill Rd. Need to be replaced before winter. Then Winter begins late December!
- #10. Homer Colby did stop yesterday and he is well aware of the civil service law. Today he is going to Syracuse Hospital for a second doctor opinion on his shoulder and we will then know more about what he is going to do. I will keep the supervisor and the Highway committee informed on the findings.
- #11. If we want to get paid for the Chips in September we need to have (if possible) an open voucher so we can pay for our Suit- Kote Oil and the Babcock Supply on the pipe. Unknown on the price of Oil as of yet.

Superintendent Meade read his Highway Report.

There was discussion about #1.

There was discussion about #4. (There will be no reimbursement by the State).

Discussion about #11. (No open voucher is needed for the pipe).

Discussion about repairs on Newark Valley/Maine Rd.

## **New Business**

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

Supervisor Yetter said everything is looking okay, the sales tax is up which is encouraging.

Everything else looks okay.

### **Resolution #76-2015**

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

On a motion offered by Councilman Tomazin and seconded by Councilman Dalton, the Town Board accepted the Supervisor's Financial Report for June 2015 as submitted.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

### **Motion Carried**

Supervisor Yetter asked the Board if they would be in agreement to changing banks for the money market funds. He would like to use Tioga State. They pay a little more interest. After the Board's discussion, they were in agreement. Supervisor Yetter will contact the bank for details.

## **Old Business**

## **Department and Council Reports**

### **Code Enforcement**

Two mobile home permits have been applied for by Katherine Hynes and Seth Falk.

### **Resolution #77-2015**

### **Mobile Home Permit –Hynes**

On a motion offered by Councilman Graham and seconded by Councilman Dalton, the Town Board authorizes the approval of Permit #15-41 submitted by Katherine Hynes for a double-wide mobile home to be located at 715 South Ketchumville Rd, subject to meeting all mobile home ordinances.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

### **Motion Carried**

**Resolution #78-2015****Mobile Home Permit –Falk**

On a motion offered by Councilman Tomazin and seconded by Councilman Graham, the Town Board authorizes the approval of Permit #15-42 submitted by Seth Falk for a double-wide mobile home to be located at 1000 Russell Rd, subject to meeting all mobile home ordinances.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Group Workcamp Permit Waivers**

Tioga Opportunities Group Workcamp is doing work in Newark Valley and would like all permits waived. There was discussion about the organization and how it works.

**Resolution #79-2015****Group Workcamp Permit Waivers**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Dalton, the Town Board agreed to waive all building permit fees Tioga Opportunities Group Workcamp.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Resolution #80-2015****NYS Floodplain Management Training-Code**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Board authorized Tom Larson to attend the NYS Floodplain Management Training in Owego, NY July 30, 2015 with reimbursement for mileage and lunch.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

Tom Larson submitted his monthly report for June, it is on file in the Clerk's office.

There was discussion concerning the placement of the new bus garage.

There was discussion about mobile homes.

There was discussion about the heat detector system for the highway garage.

After the discussion, the Board decided to award Pro-Tech Alarms to do the job.

**Resolution #81-2015****Award Pro Tech Alarms for Highway Garage Fire Detection**

On a motion offered by Councilman Dalton and seconded by Councilman Graham, the Board awarded Pro-Tech Alarms, 79 Weiss Rd., Owego, NY the fire detection project for the highway garage.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried****Tax Exempt Law**

The Board discussed trying to get the school and county on board before scheduling a public hearing.

**Dog Control**

Denise Liske discussed with the Board the following items:

- Town and Village laws overlapping
- Two court cases
- Rabies vaccinations for DCO
- Permission to dispose of one of the Town's portable dog kennels due to its condition
- Paperwork not being returned from Stray Haven
- A pitbull being abandoned
- Two dogs being abandoned
- The attorney assisting in another court case

There was discussion about the option of a dog shelter with other Tioga County towns aside from Stray Haven.

**Tioga County Planning Board**

Hans Peeters was our representative and since he has moved, we need to find someone else to replace him. The Board was asked to help find someone.

**General Bills****Resolution #82-2015****General Bills**

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski, the Town Board authorizes the payment of General Bill Vouchers 184-217, inclusive, in the amount of \$37,551.80.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried**

**Highway Bills****Resolution #83-2015****Highway Bills**

On a motion, offered by Councilman Tomazin and seconded by Councilman Dalton, the Town Board authorizes the payment of Highway Bill Vouchers #H109– #H124 inclusive in the amount of \$133,255.81.

Councilman Dalton - AYE

Councilman Daniel Cheresnowski - AYE

Councilman Graham – AYE

Councilman Tomazin, Jr. - AYE

Supervisor Yetter, Jr. - AYE

**Motion Carried****Executive Session****Resolution #84-2015****Enter Executive Session**

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Town Board entered Executive Session at 8:27 P.M.

Councilman Dalton- AYE

Councilman Graham - AYE

Councilman Tomazin, Jr. – AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. – AYE

**Resolution #85-2015****Exit Executive Session**

On a motion offered by Councilman Graham and seconded by Councilman Dalton, the Town Board exited Executive Session at 8:38 P.M.

Councilman Dalton - AYE

Councilman Graham - AYE

Councilman Tomazin, Jr. – AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. – AYE

The purpose of this Executive Session was to discuss an employee issue and to authorize the Highway Superintendent to fill a position.

**Budget Modification**

We need to do a budget modification.

**Resolution #86-2015****Budget Modification**

On a motion offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Board authorizes the following budget transfer:

TRANSFER:

\$23,654.13 FROM DB5110.4 \$23,654.13 TO DB5112.4

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

There was a motion to adjourn the meeting at 8:40 P.M., offered by Councilman Tomazin and seconded by Councilman Cheresnowski.

The next scheduled meeting is August 18, 2015 at 7:00 P.M.

Respectfully submitted,

Barbara S. Mock  
Town Clerk