

A regular meeting was held August 19, 2014 at Hutchinson Hall, 109 Whig Street, Newark Valley, NY at 7:00 P.M. The following were

PRESENT:

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

Also Present: Karen McMullen; Levene, Gouldin & Thompson, Attorneys to the Town, Charles Meade; Highway Superintendent, Tom Larson; Code Enforcement, Dennis Liebe; Fire Marshal, Charlie Morgan, and Sue Meade.

Supervisor Yetter called the meeting to order at 7:03 P.M.
Supervisor Yetter led all in the Pledge of Allegiance.

Approval of Board Meeting Minutes for May 20, 2014.

Resolution #65-2014

Approval of Town Board Meeting Minutes for July 15, 2014

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski, the Town Board approved the meeting minutes for July 15, 2014 as submitted.

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

Motion Carried

Privilege of the Floor

No one brought anything before the Board.

Public Hearing Notice

Funding Expenditures Bridge Repair

Supervisor Yetter informed the Highway Superintendent and Board Members that he had published a Legal Notice for a Public Hearing to be held on September 2, 2014 at 7:30 P.M. regarding fund expenditures for the Ketchumville Road Bridge project.

Highway Superintendent's Report

Highway Report August 19, 2014

- #1. Gas Price: \$3.17 gal. Scott Smith Diesel Price: \$3.11 gal. NVCS Diesel price: \$3.19
- #2. July 29th Homer Colby was operating #96 Ingersoll Rand Roller on Lamb Rd. near the edge. It was a multiple of things which gave way to allow the machine to tip over the bank. Homer didn't break anything but he tore some muscles in his left shoulder. Right now he is going to a specialist for his shoulder. Unknown when he will be returning to work.

The roller has some damage, the insurance adjuster was here and the spray bars (both) were broke along with the hoses connected to them. The seat belt was replaced due to stretched and cut on one edge. The hood opened and cracked the back. Also a weather cap for the vibration control was pulled off and couldn't find it in the mud. The roller tipped over on its side into a somewhat swamp. (Very wet area) Assisted at the site was, Tioga County Sheriff's Department, Maine Ambulance, Northern Tioga Ambulance, Town of Berkshire Loader and ours. Supervisor Yetter called Hiblers Towing from Binghamton to get the roller on the road safely.

- #3. Ketchumville Road Bridge: I spoke with Robert LA Court Bridge engineer for N.Y.S.D.O.T. and what I sent him was a copy of Steve McElwain Engineering, he said it was ok. When the beams are in and the Bridge is complete, they need a letter that the Bridge is built to carry all the legal loads. The payment for this is to remove the bulk of the gravel @ 5 Park Street in the Village. This is easy to get to with no property damage, right off the Village parking lot's back corner. It is next to Councilman Cheresnowski. Maybe 5 to 6 loads (creek gravel looks like), but its cellar gravel they dug out. I did get a quote from Keystone Engineering which was \$450.00 plus if any more paper work was required. **Discussion:** I have 3 quotes on the beams #1 steel sales \$ Ben Weitsman's \$18,890.00 \$2,610.00 Less than last month. Bob Murphy \$26,995.00 went up \$300.00 from last month. **Discussion:**
- #4. Still reworking gravel roads.
- #5. While re-working Snapp Rd. the graders transmission reverse quit, and 5th and 6th gear forward quit working also. Anderson Equipment came to check it out today. The mechanic from Anderson has diagnosed that with the filings in the oil and the noise that it is making it appears that the plates on the clutch packs are completely gone. The cost for a new re-man transmission is \$34,536.00. If our transmission is a good core they will allow credit of \$12,218.00 with this discount it will cost us \$22,318.00 plus labor. Warranty is a 6 months to a year. Labor rate was \$113.50 per hour. With a 20% discount it will be **\$90.00 per hour**. To do the re-man transmission the labor will be one week or 40 hours. If they re-build it the labor will be 60 to 100 hours or \$5,400., to \$9,000., plus parts. The cooler will also need to be changed due to the metal fillings plugging it. **Discussion:**
- #6. The chips and the extreme winter funds papers were sent in for September payment. A total of \$174,135.56 will be coming.
- #7. We still have black top patch to do and the grade patch that I still have I want to put on Dodson Hill (Settle Rd. side) and chip seal if weather allows!
- #8. We changed the 1st crossover pipe on Cortright Hill (Larger) and 1 on Barbertown next to the Kerr residents. (Larger) Both pipes were not handling the water flow. More water flow is coming off those hills. (Properties)
- #9. We only have \$4,025. Left in machine repair, it doesn't look good. Last year at this time we had over \$7,000.00

Superintendent Meade read his Highway Report.

There was a discussion during #3 above. Highway Superintendent Meade discussed with the Board prices for the I-Beams for this project. After discussion the Town Board directed Highway Superintendent Meade to order the I-Beams for the Ketchumville bridge deck from Weitsman's. The Town Attorney and Town Board discussed Engineer fee for bridge inspection versus fee for removal of gravel behind the Engineer's building on Park Street. Also discussed, is it legal to do service exchange between the Town and a private citizen. After discussion it was decided that Highway Superintendent Meade would get a set price from Steven McElwain, Engineer for his service rather than the "in exchange for gravel" that he discussed with Highway Superintendent Meade. There was a discussion during #5 above. After discussion the Board requested that Highway Superintendent Meade get two more quotes (per procurement policy) for a remanufactured transmission for the grader.

New Business

Supervisor's Financial Report

Everything is okay. There is an increase of \$41,613 distributed to account number's A2701, DA2701 and DB2701 from Consolidated Health Insurance refund.

Resolution #66-2014

Supervisor's Financial Report

On a motion offered by Councilman Tomazin and seconded by Councilman Cheresnowski, the Town Board accepts the Supervisor's Financial Report for July 2014 as submitted.

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

Motion Carried

Dog Control Officer

Supervisor Yetter shared with the Board members the letter of resignation that he received from Dog Control Officer, Susan Stevens. Her last day in the position of DCO will be August 15, 2014.

Supervisor Yetter discussed with the Board letters of interest that he had received regarding the Dog Control Officer position. At this time he has three interested people. After discussion it was decided that Councilman Tomazin and Councilman Cheresnowski would start doing interviews on Thursday, August 21, 2014 at 7:00 P.M.

F. S. Lopke Contracting Site Entry Agreement and Indemnity

Supervisor Yetter discussed with the Board the Site Entry Agreement and Indemnity contract that he had received from F. S. Lopke Contracting. He stated that he had sent a copy of the agreement to Karen McMullen, Town Attorney and Linde Pinto, Account Representative from Partners Insurance for their review. Town Attorney McMullen felt that it was okay for Supervisor Yetter to sign this agreement as written.

Resolution #67-2014

Site Entry Agreement and Indemnity

On a motion offered by Councilman Graham and seconded by Councilman Cheresnowski, the Board approved the agreement and authorizes Supervisor Yetter to sign the agreement giving permission to the Town of Newark Valley to enter any and all premises or provide services to F.S. Lopke Contracting, Inc., Lopke Quarries, Inc., Jame Enterprises, Inc., Rockland, LLC.

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

Motion Carried

Resolution #68-2014

Authorization to add Karen Umiker to the Supervisor Bank Accounts at NBT

On a motion offered by Councilman Cheresnowski and seconded by Councilman Graham, the Board authorized Karen Umiker to be a signatory for the Supervisor Bank Accounts at NBT.

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

Motion Carried

Resolution #69-2014

Governmental Accounting Training for Karen Umiker

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Board authorizes Karen Umiker to attend the Governmental Accounting Training in Manlius, NY, October 7 – 9, 2014 at a cost of \$85.00 plus mileage.

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

Motion Carried

Bookkeeper Software

Supervisor Yetter presented to the Town Board the information given to him by Cheryl Galluzzo, Town Bookkeeper. Mrs. Galluzzo has received two quotes for bookkeeping software. One from KVS Information Systems, Inc., with a purchase price of \$31,220.00 plus annual maintenance fee of \$4,356.00. The second one from BSA, with a purchase price of \$14,800.00 with an annual maintenance fee \$2000.00. After discussion Supervisor Yetter stated that he would like to talk to someone local that he knows that could come in and teach Karen what she needs to know to continue doing town bookkeeping with Quick Books. This person is an Accountant and familiar with Quick Books. The Board approved Supervisor Yetter contacting this person and discussing with her how much she would charge to continue Karen’s training.

Old Business

None

Department and Council Reports

Fire Marshal

Fire Marshal Liebe presented and discussed with the Board a written report that he has prepared on vacant and unsafe structures in the Town of Newark Valley as of August 2014. At this time there are 41 properties. A copy of this report is on file in the Clerk's office.

Code Enforcement

The Code Enforcement Officer submitted his monthly report for July and it is on file in the Clerk's office.

The Code Enforcement Officer discussed the following with the Board:

- Set back change to Town Ordinance
- Electrical Sign impact on community
- Call from Realtor who wants to purchase Brookside Mobile Home Park. She wanted background information and Mobile Home Park Laws.
- 32 Howard Hill Road, garage declared unsafe. 30 days to clean up junk piled up outside of residence.
- 88 Howard Hill Road, Building unsafe, needs to be secured and cleaned up around the outside of the buildings.
- There is a free training session for Code Enforcement on Wednesday, August 20th in Dryden, NY. Mr. Larson requesting reimbursement for mileage.

Resolution #70-2014

Code Training – Mileage Reimbursement

On a motion by Councilman Tomazin and seconded by Councilman Graham, the Board authorized mileage reimbursement for Code training.

Councilman Tomazin, Jr. – AYE

Councilman Graham – AYE

Councilman Cheresnowski - AYE

Supervisor Yetter, Jr. - AYE

Motion Carried

Shared Services

Supervisor Yetter discussed with the Board a request that he had received from the Town of Berkshire Supervisor regarding Code Enforcement. The Town of Berkshire would like the Town of Newark Valley's Code Enforcement Officer and Fire Marshal to take over the duties of these offices for the Town of Berkshire and the Town of Berkshire would in turn pay the Town of Newark Valley for these services. After discussion the Town Board directed Supervisor to contact Berkshire's Supervisor and let him know that at this time they are not interested in this proposal.

Council Members & Committees

Councilman Tomazin discussed with the Town Board the vacant Councilman seat. After discussion the Board decided that it was time to appoint someone to fill former Councilman Thomas's vacant seat for the remainder of 2014.

Justice Report

Justice John Schaffer reported for the month of July 2014, the following cases were disposed: 31 Traffic Tickets; 4 Criminal charges; 0 Dog Cases; 2 Civil Cases; 0 Econ Cases and 0 Town Law Cases. A total of \$4,652.00 was sent to the NYS Comptroller's Office.

Justice Todd Smith reported for the month of July 2014, the following cases were disposed: 0 Traffic Tickets; 0 Criminal Charges; 0 Dog Cases; 1 Civil Cases; 0 Econ Cases; 0 Town Law Cases. A total of \$146.00 was sent to the NYS Comptroller's Office.

Resolution #71-2014 General Bills

On a motion offered by Councilman Cheresnowski and seconded by Councilman Tomazin, the Town Board authorizes the payment of General Bill Vouchers, 216-246 inclusive, in the amount of \$23,576.69

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

Motion Carried

Resolution #72-2014 Highway Bills

On a motion, offered by Councilman Graham and seconded by Councilman Cheresnowski, the Town Board authorizes the payment of Highway Bill Vouchers #H153 - #H173 inclusive in the amount of \$30,371.43.

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 8:45 P.M., offered by Councilman Cheresnowski and seconded by Councilman Graham.

Respectfully submitted,

Elizabeth Olmstead
Secretary/Receptionist
Town of Newark Valley