

Regular meeting of the Board of Trustees of the Village of Newark Valley was held Tuesday evening, **June 8, 2021**, at 6:30 PM in the Noble Room of the Municipal Building at 9 Park Street, Newark Valley.

**Present were:**

Mayor	James Tornatore
Deputy Mayor	Cliff Alexander
Trustees	Michael Reynolds
	Scott Parmelee
	John Tomazin
DPW Supervisor	Bill Foster
Clerk/Treasurer	Pam Benthin

**MINUTES:**

Minutes were read and approved as presented from May 2021 with a motion by Deputy Mayor Alexander, seconded by Trustee Tomazin. Carried.

**FINANCIAL REPORT:**

Discussed as presented.  
Reconciled as of May 31, 2021.

**BILLS:**

Presented. Approved in the amount of \$58,618.35, from abstract number 10-22, 11-22, 12-22 and 13-22 with a Motion by Trustee Parmelee, seconded by Deputy Mayor Alexander. Trustee Reynolds abstained from signing voucher #9110774 for Coughlin & Gerhart, legal services related to 9 Brook St.

**GUESTS:**

- **Erin Chapman:** Introduces herself to the Board as this is the first meeting she has been able to attend, as she started at the Library just before COVID. Now that COVID restrictions are loosening Erin is starting the summer reading program back up. To keep within current COVID guidelines she would like to hold the summer reading program at the Trout Ponds pavilion. Erin would like to request that the Board waives the pavilion rental fee for the three Friday mornings she has requested. Board approves with a motion by Trustee Tomazin and a second by Deputy Mayor Alexander.
- **Joe Onofrio:** Joe would like to submit a petition that he has gathered signatures on, to the Board for submittal to the NYS DOT for lowering the speed limit on Main Street (State Rt. 38). His petition is requesting the lowering of the speed limits that are currently 45mph and 35 mph to 30mph for the entire strip of Main St. (State Rt. 38) that is within the Village limits. Board member request to sign his petition. Board will submit a letter of support with Joe's petition to NYS DOT.
- **Paula Babey:** Would like to discuss the *One Way/Do Not Enter* signage on Park Street. For the second time now, she has come very close to being in an accident due to people turning onto Park St. from Rock Street and stating that they did not see the signage. Deputy Mayor Alexander agrees that the signs are faded and need to be replaced and realigned as they do lean. PW Supervisor to get new signage ordered and installed. Suggestion of directional arrows on the ground as well might help with visibility, PW Foster to get quote.

## **WORK IN PROGRESS:**

- **Marijuana Regulation & Taxation Act (MRTA)** – Mayor wishes to hold a public information session, possibly joint with the Town of Newark Valley, in September. In order for the Village to have a say in Marijuana related business within the Village limits, potential businesses would need to go through a Site Plan review, thus the Village needs to re-initiate the Village Planning Board and recruit new members as there is currently one member on the five-person Board.
- **Master Plan** – completed and approved at the Village level. Mayor Tornatore feels this version is the most comprehensive and straightforward version to date. Now to be submitted to Tioga County Planning for their review and input.
- **DEC Fisheries/Trout Ponds** – awaiting Agreement documents from DEC for Board review.
- **PFAS Action** – Village received information from NY Rural Water of a Cost Recovery Suit being sought by Napoli Shkolnik PLLC. This suit provides an opportunity for utilities to recover expenses related to testing, treatment and remediation associated with PFAS contamination. If a settlement is reached the Village will receive 70% of any costs incurred including the specialized water testing that has been required of us this year per DEC. Board Approves signing into agreement with resolution #18-22.
- **NYSEG Reimbursement Request** – Mayor Tornatore thanks Trustee Tomazin for all his knowledge and verbiage when creating the letter sent to NYSEG. High voltage is still an issue on NYSEG's end but the electric upgrades that were completed at the well house are keeping the well operating as it should. PW Foster to continue to call NYSEG and report issue until they finally deem time to correct the issue.
- **Cyber Security Insurance** – Clerk Benthin received communication back from Village IT company, they assure that a policy of \$250,000.00 in coverage is more than sufficient to rebuild the Villages' system if the Village was to be hacked or fall victim to ransomware. Lengthy discussion among Board members ensues.
- **American Rescue Plan** – first round of funds is tentative to be issued next month. More discussion to follow once Federal regulations as to uses of funds become clear.
- **9 Brook Street** – Clerk Benthin has submitted the reimbursement of closing cost request. RFP has been submitted to Homeland Security for their review. Attorneys are working on the right-of-way agreement, discussion of permanent vs. temporary follows. Closing is tentative for the end of July.
- **Franchise Charter Communications** – Awaiting response from Spectrum.
- **Municipal Building Windows** – RFP has been submitted to State Historic Preservation Office (SHPO) for review. Crawford & Sterns laid out the RFP in groups of windows/storms so that the Village would have more control over project cost.

- **Code Enforcement** – Job was posted with Civil Service on May 14<sup>th</sup> so far; no applications have been received. CEO Foster reiterates that he will not be continuing in the position past December 31<sup>st</sup>, 2021. Trustee Parmelee to call previous candidates and inquire if still interested, if so, set up interview.
- **Municipal Building Cameras** – work in progress. PW Supervisor Foster shows Trustees the wifi cameras that he has set up at the barn, they do require a power source so not completely wireless. Discussion ensues, Deputy Mayor Alexander researching cameras that run on CAT5/6 cable so that signal and power come from one source, more reliable and no down time if internet goes down. Also suggests 4k resolution as a better option for clarity when zooming.

## **NEW BUSINESS:**

### **RESOLUTION #16-22**

Adoption of Updated Village of Newark Valley Master Plan (Copy attached) – adopted with a motion by *Tomazin*, seconded by *Parmelee*. Roll call vote. Alexander, Reynolds, Parmelee, Tomazin, Tornatore - Yes. 0 - No.

### **RESOLUTION #17-22**

Transfer from General Fund/Budget Adjustment – 9 Brook St. Legal Assistance, Coughlin & Gerhart (Copy attached) – adopted with a motion by *Tomazin*, seconded by *Parmelee*. Roll call vote. Alexander, Parmelee, Tomazin, Tornatore - Yes. 0 - No. Reynolds – Abstained.

### **RESOLUTION #18-22**

Authorizing Mayor to sign with Napoli Shkolnik, PLLC (Copy attached) – adopted with a motion by *Alexander*, seconded by *Tomazin*. Roll call vote. Alexander, Reynolds, Parmelee, Tomazin, Tornatore - Yes. 0 - No.

### **RESOLUTION #19-22**

Authorizing Clerk to Add Cyber Security Rider (Copy attached) not adopted following a motion by *Tornatore*, seconded by *Tomazin*. Roll call vote. Alexander, Reynolds, Parmelee, Tomazin – No. Tornatore. - Yes.

## **REPORTS:**

- **Code Enforcement** – see attached report; 4 fire safety inspections completed; 2 new permit applications; Have not received any of the necessary paperwork from Mr. Arnold for his site plan review for Rewey Ave. to move forward.
- **Public Works** – see attached report; 2<sup>nd</sup> quarter PFOA/S water testing is completed, reports came back good, no further testing required for 2021; Paving on Silk St., Maple Ave. and Fireman’s Lane complete, striping to be scheduled; All equipment that was listed for auction has sold and is awaiting pickup; broken windows at the DPW Barn have been repaired; Have received inquiries about the streetlight at the corner of Elm St. and Maple Ave., NYSEG changed out the

pole but did not install the drop line to power the light, Supervisor Foster has been in contact with Matco for a quote to move light to new pole and NYSEG for the drop line.

- **Personnel** – Mayor Tornatore has completed the evaluations for Clerk Benthin and DPW Supervisor Foster, Deputy Mayor Alexander to review and add his input.
- **Planning** – Trustee Reynolds shares from the TC Planning Board, that the Lourdes Primary Care/Walk-In facility on 5<sup>th</sup> Ave in Owego is looking at moving to the former car dealership location on Taylor Rd in Owego.
- **R.E.A.P** – Mayor will communicate any pertinent REAP information to the Board via email.
- **Youth** – Natalie Thompson, TC Youth Bureau Director has retired, prior to retirement she did submit the Joint Youth Program funding request.
- **Police** – Trustee Reynolds to submit request for 'off-duty' Sheriff coverage for Summerfest on July 31<sup>st</sup>.
- **Clerk** – All municipal building tenant rents are paid in full for the 2021-2022 year. Tax collection is going well, the Village has received \$10,000+ more in payments so far this year than last year at this time.

### **BOARD COMMENT/CONCERNS:**

- Trustee Tomazin voices concerns, and discussions follow regarding:
  - Water system leak detection. DPW checks for leaks on a weekly basis, believed the last professional leak detect was completed in 2015 or prior. Trustee Tomazin would like to have NY Leak Detect come in this year prior to PW Supervisor Fosters retirement, as it would be a good process for MEO Seamans to walk through with Supervisor Foster before taking over as Supervisor.

Motion by Mayor Tornatore, seconded by Trustee Parmelee to adjourn at 9:13 PM. Carried

Jessica Moore  
Deputy Clerk/Treasurer