

The regular meeting of the Newfield Town Board was called to order by Supervisor Driscoll at 7:06PM. Present: CP James, CP Laughlin, CP Hart and Supervisor Driscoll. Also present: Town Attorney, Edward Hooks; Highway Superintendent, Kevin Berggren; Code Enforcers, Tony Petito and Harry Wright; County Legislature, Dave McKenna. Absent: CP Dolge

The meeting was opened with the Pledge of Allegiance led by Supervisor Driscoll.

PRIVILEGE OF THE FLOOR – Mr. David Pelletier, stated he was thinking of buying land on the Van Ostrand Rd. Lot number 7 which overlooks the Town of Ithaca's hard fill site. He was told by the land seller's agent that trees would be planted in that area. He has been going through the process of putting the well in and getting the financing. It is an ideal site right next to State Lands, beautiful views with relatively secluded and quiet. Quite by coincident two days ago he heard that the City of Ithaca is planning to put a clean land fill site. He found out as much information as he could in the last 48 hours because his closing with the bank is in two weeks. He has talked with Code Enforcer Tony Petito today and with the City of Ithaca and they have hired some top notch consultants to develop a plan for a solid land fill site in the basin of the old Landstrom gravel pit. Within the next 10 years they expect to fill up the pit. I am proposing to build my house near there and there will be truck traffic on a daily basis. They do need the Town of Ithaca to sign off on it. They did not indicate that they had consulted with the Town of Ithaca yet. There are possible legal issues along with the political group. About 10 years ago thanks to Mr. Petito's leadership with a push back from the Town of Newfield the City of Ithaca backed off. There are a whole new cast of characters in the City now as well as the Town. He is not sure what the sense the Town Board is on the proposal of the land fill site is. He knows that the town can not make a decision for him on what he should do. CP Hart stated that the Board in the past opposed the land fill site the only control that the Town has is the weight limits, other than that the ball is in their court. Mr. Petito has worked very hard to try to stop it. Eric Whitley, Asst. Superintendent Water/Sewer for the City indicated that they might pave the road. The detail engineering plan should be done by August and the Public Hearings in September. Mr. Whitley indicated that right now they are projecting 10-15 trucks per day during March through October. Supervisor Driscoll stated that there isn't much the Town can do with an Agreement between the City and Town of Ithaca. There might be other ways in terms with conversations he has had with the Transportation Counsel. In terms of access/egress from that road onto Route 13 and those are areas of interest to them. Time is not going to be on the Town's side to be able to help him with his plans. Attorney Hooks stated that the Public Hearings are something he should attend but again that is not going to help him with the decisions he has to make.

Motion was made by CP Laughlin to approve the minutes of the April 8, 2010 Town Board Meeting. Motion was seconded by CP James. CP Hart abstained due to his absence at that meeting. Motion carried.

CORRESPONDENCE – There were no correspondences.

#### NEW BUSINESS

Update on Main Street Culvert Bid Opening – Supervisor Driscoll reported that the Bids were opened on May 11<sup>th</sup> for the work to replace the culvert on Main St. near the school. 6 contractors bid on the work with Frampton Construction, Pine City coming in with the lowest bid at \$300,000.00 and therefore Barton and Logidouce by a letter dated May 12<sup>th</sup> to Highway Superintendent, Kevin Berggren that the bid of Frampton Construction was the lowest responsible bidder for Contract Number 1 and be and is hereby accepted. Supervisor Driscoll stated that graduation is on June 25<sup>th</sup>, the earliest Frampton can begin would be June 28<sup>th</sup>.

After Atty. Hooks reviewed the contract with Frampton Const. motion was made by CP Hart to accept the Frampton Construction Bid for \$300,000.00 for Contract No. 1 regarding the Main St. Bridge repair. Motion was seconded by CP Laughlin. All approved.

RESOLUTION NO. 6 2010

At a duly noticed and called meeting of the Town Board of the Town of Newfield and upon motion made by CP Hart, it was resolved as follows:

WHEREAS, the Town of Newfield is authorized, pursuant to Section 11-c of the Domestic Relations Law of the State of New York, to appoint one or more Marriage Officers who shall have the authority to solemnize a marriage, which marriage shall be valid if performed in accordance with other provisions of law; and

WHEREAS, the Board recognizes that the citizens of Newfield would benefit from having the choice of having marriages solemnized by an elected official who lives within their community.

IT IS RESOLVED AS FOLLOWS:

1. The Board hereby appoints the Town Supervisor, Richard Driscoll, as the Newfield Marriage Officer for a period to run concurrently with his current term of office, and which appointment shall expire no later than the end of his current term of office, upon the expiration of four years from the date of this Resolution, or until such time as his appointment is withdrawn pursuant to Domestic Relations Law 11-c whichever occurs first.
2. The Marriage Officer shall receive no salary or wage. He is authorized to accept and keep up to seventy-five dollars (\$75.00) for each marriage at which he officiates, paid by or on behalf of the persons married.
3. The Marriage Office may solemnize marriages within the territorial jurisdiction of the Town of Newfield only, and may use the Town Hall for the purposes of performing such ceremonies.

Motion was seconded by CP James.

AYES	NAYS
CP James	None
CP Laughlin	
CP Hart	
Supervisor Driscoll	

Motion Carried.

REPORT ON ARRA GRANT REQUEST FOR LAST-MILE BROADBAND CONNECTION IN RURAL COMMUNITIES – Supervisor Driscoll reported that over the last couple of years there have been several attempts to bring Broad Band to rural communities. Clarity Connect is working on a grant for \$53 million. To bring broad band to the rural areas the Town needs to help by saying if you would be interested in having broad band in the Town. There is a questionnaire in the back of the room and will be available in the Town Clerk's office. The more questionnaires filled out the better the chances. There is a 30% success chance of the grant being accepted.

Supervisor Driscoll reviewed the first quarter financials and the April financial reports.

Supervisor Driscoll stated that the Covered Bridge will not be repaired until next year. He is also in conversation with Bill Sczeney to work up signage for the Covered Bridge because of the increase pedestrian crossing and increase traffic. He is hoping to work out a solution between Kevin Berggren, Bill and himself.

AGREEMENT FOR THE EXPENDITURES OF HIGHWAY MONIES – Supervisor Driscoll stated that this will be placed on hold because the State has not stated how much CHIPS monies will be available. CP Hart asked if we were not going to have highway work would we have highway workers that are idle? Highway Superintendent said there would still be work. They would be ditching, repairing pot holes etc. so he can keep the crew busy.

LIBRARY REQUEST FOR YOUTH EMPLOYMENT PROGRAM – Supervisor Driscoll stated that he had given the Board a report in their packets concerning the history of the Tompkins County Youth Bureau and the Library for the Youth Employment Program. In November of 2009 the Tompkins County Youth Bureau decided to discontinue funding the municipal jobs program beginning in 2010. This was not however, communicated with the Newfield Library so when they submitted their 2010 budget it was with the idea that they would be getting the same amount of money. It was discovered into their fiscal year that those monies would not be available. The intent of the job program was to teach youth some skills while giving them the opportunity to earn money. The library has employed as many as 5 teens in a given year, each earning at least minimum wage. Karin Eisenberg, Treasurer for the Library introduced Mike Allinger President. Mrs. Eisenberg explained that for the last couple of years the Library had received \$1500.00. The Library Matches this monies. They are requesting to be considered for any discretionary funds that the Town may have. The Board would like to discuss this issue at a Work Session.

Mrs. Eisenberg also stated that the Library will be receiving a Historic Preservation Award next week.

#### OLD BUSINESS

#### DOG ENUMERATION CONTRACT

A discussion was held with Mr. Leonard regarding the Agreement between the Town and Mr. Leonard. He asked that a minor change be added to No. 5 – Time of Completion. The change will be mailed with copies being sent to him for his signature. A copy of the signed agreement will be kept on file in the Supervisor's Office. After discussion motion was made by CP Laughlin to approve the Supervisor signing the contract between Mr. Leonard and the Town of Newfield. Motion was seconded by CP James. All approved.

UPDATE ON AG & MARKETS DOG LICENSING - Supervisor Driscoll stated that the Ag & Markets will be discontinuing the State data base Jan. 1, 2011. TCCOG will be meeting with the Town Clerk's to review this issue. The idea is that instead of having all the Towns behave as their own independent dog licensing entity that perhaps the County could act as the data base holder. Kind of replicate what the relationship was between the State and the Towns.

OESCHNER AGRICULTURE LAND AGREEMENT – A discussion was held regarding the leasing of the Van Kirk Property to Thor Oeschner. CP Hart asked if Mr. Oeschner had insurance. Supervisor Driscoll stated he was sure he did but would double check. CP Hart asked that he be sure to have it added to the Agreement listing the Town as additional insured. After discussion the following resolution was reviewed.

#### RESOLUTION NO. 7-2010

At a duly noticed and called meeting of the Town Board of the Town of Newfield on the 13<sup>th</sup> of May, 2010, it was resolved as follows:

WHEREAS, the Town of Newfield is authorized, pursuant to Section 64(2) of the Town Law Lease to own property, and

WHEREAS, the Town desires to lease certain vacant property it owns on Van Kirk Road ("Former Van Kirk Property") and

WHEREAS, a Newfield resident, Thor Oechsner, has requested to lease the former Van Kirk Property, it is hereby resolved as follows:

1. The Board approves a written lease to Mr. Oechsner in the form annexed hereto, at a rate of \$30.00 per acre per year which rate the Board finds is reasonable.

- The Board hereby agrees to lease the property, subject to a permissive referendum pursuant to Section 90 of the Town Law.

Motion was made by CP Hart to approve Resolution No. 7, 2010. Motion was seconded by CP Laughlin.

AYES	NAYS
CP James	None
CP Hart	
CP Laughlin	
Supervisor Driscoll	

Motion carried.

A Permissive Referendum will be posted on the bulletin board and in the Ithaca Journal which will set forth the date of the adoption of the resolution and contain an abstract of such act or resolution concisely stating the purpose and effect thereof. The notice shall specify that such resolution was adopted subject to a permissive referendum. Residents have 30 days after the posting to oppose the resolution. If that happens a special election will have to be held.

Motion was made by CP Hart to approve the payments of the May 2010 Monthly Bills. Motion was seconded by CP Laughlin. All approved.

General Fund	Totaling	\$31,882.36
Highway Fund	Totaling	\$48,619.72
Street Lighting District	Total	\$ 3,112.14
Sewer District	Total	\$ 1,092.95
Water District 1	Total	\$ 4,126.78
Water District 2	Total	\$ 1,774.31
Recreation	Total	\$ 5,854.76

## REPORTS

Supervisor- Supervisor Driscoll stated that the NYSEDA Energy Assessment was approved. Town of Newfield will have an energy assessment.

A document was given to the Board with NYS Retirement's web site. This should make it easier for members to report their hours.

Work session will be held May 27, 2010 at 7PM. We will be reviewing the budget process for 2011.

Walk for Hunger is this weekend. All proceeds to benefit the Newfield Food Pantry.

Highway - Highway Superintendent Kevin Berggren reported that the Highway Crew has been working on Sebring road cutting shoulders and replacing pipes. Van Ostrand Ditch has been filled in. The Highway crew is working 4-10 hour days now.

Code Enforcement – Code Enforcer Tony Petito reported on the cases he is working on. All is doing okay. He did have an issue with a resident he had a complaint about, he went to inspect the property only to find out that the resident who complained to him also complained to DEC. The Town is asking more than DEC. CP Hart stated the stricter of the laws the Town can enforce.

Code Enforcer Harry Wright reported the Frandsen project is making headway. He has approval for sewer but there is no approval for water yet. He has issued building permits for 3 new homes in the last couple of weeks.

Recreation – CP Hart reported that their meeting was held last night. Everything is going well. There was a resident that attended the meeting concerned whether background checks were being done on coaches and volunteers. Her issue was to be careful who the recreation dept. hires. She felt there was someone working as a coach

who should not be. This person is not working for Recreation. Back ground checks will be look into for the future.

County Legislature – County Legislature Dave McKenna reported that Newfielder Samantha Wood was distinguished as the County Youth of the Month at the County meeting this month. The Board is working on the budget. In order to maintain all County programs there is about a 10.5% increase to cover the cost. The County has decided to set a goal of 5%. He will do his best to keep the budget on the low side of 5%. Cooperative Extension is working on a new program converting old stoves to pellet stoves for more efficient heat. There is this program out there and they are looking for participants.

There being no further business motion was made by CP Hart to adjourn the meeting at 8:50PM. Motion was seconded by CP Laughlin. All approved.

Respectfully submitted,

Katharine Crance  
Town Clerk

May 27, 2010  
Date