

Town of Newfield Regular Board Meeting Minutes  
October 13, 2011

The Regular Meeting of the Newfield Town Board was called to order by Supervisor Driscoll at 7:00PM. Present were: CP Trask, Supervisor Driscoll, CP Hart, CP Laughlin, and CP James. Also present were: Town Atty. Edward Hooks, Code Enforcement Officer Tony Petito, Highway Superintendent Kevin Berggren, Water/Sewer Supervisor Rob Brewer, Recreation Director Dustin James, and County Legislator Dave McKenna.

The meeting was opened with the Pledge of Allegiance.

Privilege of the Floor: Amy Heffron voiced concerns about the upcoming Resolution to raise the 2% tax cap. She urged the Board to be careful with their decision.

Randy Brown voiced his concerns about Gas Drilling and the Boards lack of addressing it. He would like there to be a 12 month moratorium and a site review process during that time. He added if it was a budget issue to cover legal fees he would offer five thousand dollars to begin this process.

Tom Gerow also voiced his concerns about the tax cap removal. He urged the Board to approve the override, but to proceed with caution. Keep our options open, but not raise taxes.

Mike Allinger from the Newfield Public Library brought a letter to the Board with funding request.

Tom Gerow spoke again with concerns about increased traffic on Blakeslee Hill Road. He is concerned with the possibility of future high volume truck traffic using Blakeslee Hill Road as a short cut. He urged the Board to consider weight limits on that road. And asked what the process would be.

Supervisor Driscoll asked for approval of the September 8, 2011 Regular Board Meeting Minutes. Motion made by CP Laughlin, supported by CP James and approved by all the Board Members.

Agenda Additions or Changes: Supervisor Driscoll asked that the Agenda order be changed to :

- A Resolution to move funds from Allen Clerk Line to Payne Clerk Line
- B. Resolution To Set a Public Hearing for a Local Law permitting the Town Board to Override the tax levy established in General Municipal Law 3-c for fiscal year 2012.
- C. Schedule Budget Meetings
- D. Executive Session following regular meeting.

Correspondence: CP Hart asked about the status of the AUD Report for 2010, and letter Board members received from the State Comptroller's Office concerning the filing of the audit. Supervisor Driscoll stated it had not been filed yet, but it was at a point to begin the process. CP Hart read the letter he received in July 2011.

#### NEW BUSINESS

Supervisor Driscoll went over Resolution No. 11-2011, transferring two thousand dollars from the Allen Clerk line A1110.110 to the Payne Clerk line A1110.112 for the month of October. Motion was made by CP James to approve Resolution No. 10-2011 and supported by CP Hart. Approved by all.

Supervisor Driscoll asked CP James to read RESOLUTION NO. 12-2011.

Supervisor Driscoll gave his explanation and discussion followed explaining the reason for the lateness of the budget. In July we lost the bookkeeper, and had to hire a temporary bookkeeper, and another person to help with the payroll. It was decided a needs assessment was needed in bookkeeping and accounting in order to be able to ascertain our financial position as best they could. In January/February bookkeeping software systems were changed from Williamson Law Book to Quick Books. Problems were discovered in July and it was decided to return back to Williamson Law Book. During July and August an assessment was done and it was consulted with Duane Schoen from Ciaschi, Dieters Hagin Little, & Mickelson who agreed with this approach, we then began the process to balance the accounts from January 1, thru August 31, 2011. This was completed the third week in September. He did not get a budget delivered until September 26, when in reviewing, it was discovered discrepancies and that had to be corrected, continuing the delay. The Budget could not be filed by September 30, 2011. Last year he began the budget process in July and the Board had the budget in September. He stated it was not possible this year. It was felt we needed the opportunity to get a full financial picture up until the current and until the end of the year. We have savings in the General Fund of about Thirty Thousand Dollars, due to different savings( part time bookkeeper from full time, mowing and sidewalk plowing of town properties by Town employees rather than private contractor, and recalibration of our Storm Water Contribution) It was discovered there was a problem with the General Fund, at the beginning of 2011 there was an estimated balance of ninety one thousand dollars from 2010, But rather

Ciaschi, Dieters Hagen, Little & Mickelson have let us know that the actual amount was forty five thousand dollars. We are doing better in Highway, Water I and II, Sewer and Recreation. We do have unknowns in the budget for 2012, we may end up with a zero based budget from 2011 to 2012 in General Fund. We may see an increased need for taxes to cover that possibility. We are also finalizing our CSEA salary negotiations. That will also need to be added to the budget. As well as any other salary increases with for Town Employees will have a bearing on an increase with Workmen's Compensation, and Disability Insurance. The Town Board will be reviewing and selecting a health insurance carrier Friday (October 14, 2011)

Supervisor Driscoll feels this resolution permits us to hold a public hearing to entertain a law that will allow us to override the tax cap if need be. Between now and our next Board meeting we should have a much clearer financial picture. If we can land within the 2% tax limit, we will not need to pass this law. But if we find we need to compromise the services the residents of Newfield are accustomed to, then we may very well may need to entertain this law.

CP Trask commented about the proposed RESOLUTION and his concern of raising taxes and working on a proposed budget without the review of a budget copy. He will not support it as it is now, and hopes we should stay with in the 2% cap.

CP James agreed that CP Trask comments had merit, but feels the RESOLUTION is for a public hearing. By November 10, 2011 we should have a clear understanding of the situation. She also wanted to clarify the terminology of the 2% Tax Cap is rather a 2% limit, on factors that are used in the calculation.

CP Laughlin also agreed with CP James, CP Hart, that we do try to keep our taxes down, but she does not want to see us get into a situation where we cannot afford the services we need.

CP Hart stated that he would be agreeable to a public hearing, but as it stood now He could not make an educated decision until he sees a copy of the budget.

CP Hart made the motion to pass the RESOLUTION to have a public hearing on the 2% Property Tax Limit, supported by CP Laughlin.

Vote

Supervisor Driscoll            Yes

CP James                            Yes

CP Laughlin	Yes
CP Hart	Yes
CP Trask	No
Carried	

RESOLUTION NO. 11-2011

WHEREAS, according to New York State's new Property Tax Cap legislation, if a town government decides to adopt a town budget with a property tax levy that exceeds the level set by the State, the town government must pass a local law to override that cap and,

WHEREAS, adopting said local law is not predictive of the final tax levy but will provide the Newfield Town Board flexibility to exceed the Property Tax Cap if it is deemed necessary; now therefor be it,

RESLOVED, that a public hearing be held before the Town Board at the Newfield Town Hall on November 10,2011 at 6:45PM in the evening thereof concerning proposed Local Law # 1 of 2011 Local Law Overriding Tax Levy Limit for Fiscal Year 2012. At such time and place persons interested in the subject matter will be heard concerning the same.

RESOLVED, further, that the Town Clerk is hereby authorized and directed to place proper notice of such public hearing in the official newspaper of the Town.

Additional discussion followed concerning the time frames of the public hearing for RESLOUTION NO.11-2011, budget work sessions, public hearing for the budget, and approval of the budget. A friendly amendment was offered by CP Hart to change the date for a special meeting to be held on November 2, 2011 at 7:00PM concerning the 2% Property Tax Cap and accepted.

CP Hart also asked Atty. Hooks about a Gas Moratorium and how it would work concerning the existing leases. Atty. Hooks was asked to look into term limit CP Trask asked if there was any explanation from Ciaschi, DietersHagin, Little and Michelson concerning the audit shortage of forty five thousand dollars from the General fund. Supervisor Driscoll stated that Duane Shoen from CDLM made an internal adjustment, because they could not find where the short come had occurred. They did not feel fraud had occurred, but rather a case of bad bookkeeping. CP Trask sited his disappointment concerning this matter, especially since there possibly will not be a fund balance in the General Fund 2011.

Motion was made by CP James to approve the payments of October monthly bills, supported by CP Trask, all approved.

General Fund Totaling	\$33,620.64
Highway Fund Totaling	\$38,992.02
Fire Protection Fund Totaling	\$86,313.00
Street Lighting Fund Totaling	\$ 1,535.06
Sewer District Fund Totaling	\$ 1,518.79
Water District 1 Fund Totaling	\$ 1,579.01
Recreation Fund Totaling	\$ 8,424.73
Water District 2 Fund Totaling	\$ 512.17

#### REPORTS

Highway- Superintendent Berggren reported about the washouts and repairs suffered from the storm on Main Street and Carter Creek Road. CP Trask asked if any FEMA Funds would be available for the expenses incurred, Superintendent Berggren is going to look into the application process. CP James asked if we had ever applied before and received funds.

Water and Sewer Department- Supervisor Brewer stated that all was well.

Recreation- Recreation Director Dustin James reported he has been working on the budget, and the upcoming Recreation Basketball Program This year they will be working with the Varsity Basketball team at Newfield Central School. For the

future he would like to add programs and improve the programs we have for 2012. CP Hart compliments Dustin on his positive job.

Code Enforcement- Code Enforcement Officer Tony Petito reported on his current open case file. He has concerns about repeated code violators.

Tompkins County Legislators- Tompkins County Legislator Dave McKenna reported that the primary activity has been the Tompkins County Budget, Budget hearings and Presentations have been completed. The Democratic majority has opted to vote to override the 2% Property Tax Cap.

There being no more business to discuss during the public Board Meeting, Supervisor Driscoll called for a short recess before the Board went into Executive Session to discuss the CSEA contract negotiations. A motion was made by CP James to have the Board go into executive session and supported by CP Trask.

Respectfully Submitted

Karen Miller Kenerson  
Deputy Town Clerk

October 27, 2011  
Date