

May 11, 2017

The regular business meeting of the Newfield Town Board was held in the Town Hall Board Room May 11, 2017 at 7:06 p.m. The meeting was called to order by Supervisor Jeffrey Hart and opened with the Pledge of Allegiance to the flag.

Present were: Supervisor Jeffrey Hart, Councilperson Christine Laughlin and Councilperson Casey Powers. Also present: Highway Superintendent Kevin Berggren, County Legislature Representative Dave McKenna, Atty. Smith, and 18 attendees. Councilpersons Joanne James and Mike Allinger were absent.

Privilege of the Floor

Becca Harber: commented regarding an interview she had heard on WSKG radio.

Marie Terlizzi: commented she had questions regarding typos and clarification questions regarding the proposed solar law.

Michelle Henry: reported on e-coli counts that were taken from water samples collected from creek locations near Mazourek Farms, Connecticut Hill Rd Bridge, Jeff Hart's house, Rt 13 Bridge near Chaffee Creek, and the Pony Hollow Creek at Cayuta Road.

Approval of April 13, 2017 Business Meeting, and the April 27, 2017 Board Meeting Minutes

Motion was made by Councilperson Laughlin to approve the March 9, 2017 Business Meeting Minutes, seconded by Councilperson Powers.

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

Motion was made by Councilperson Laughlin to approve the April 27, 2017 Board Meeting Minutes, seconded by Councilperson Powers.

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

Reports:

Highway: Highway Superintendent Kevin Berggren reported that the Highway Department had been busy ditching on Fishkill Road, replacing cross culvert pipes on Dassance Road and ditching -shoulder work on Blakeslee Hill Road. Highway Superintendent Berggren stated there would be culvert and road reconstruction on Douglas Road after school was released for summer recess.

Code Enforcement: Code Enforcement Officer Alan Teeter was absent; Supervisor Hart read the CEO Teeter's monthly report. Ed Pakkala asked if there had been progress made with Junk Law code enforcement. Supervisor

May 11, 2017

Hart responded that he had reached out Mr. Teeter to investigate the situation and that the Town Board was having conversations regarding this as well.

Water Sewer: Highway Superintendent Berggren reported the Trumbulls Corner Road water tank is up and currently curing. There have been concerns with the restoration at the sites and the contractor will be contacted. Superintendent Berggren also reported there had been a leak at Poole Circle in Jim Ray Mobile Home Park.
Recreation: Recreation Director Reid Hoskins was absent. Supervisor Hart read the prepared report.

Tompkins County Legislature Report: Newfield Representative David McKenna reported the County Legislature has voted and passed T21, rising the age to 21 to purchase cigarettes. Representative McKenna announced he would be running for reelection in November.

Planning Board- Chairperson Karen Trask reported the Planning Board and Town Board had worked together formulating the proposed Solar Law and were in the process of completing the Site Plan Review Law. Chairperson Trask stated the Planning Board had received a letter of resignation from Planning Board member Diana Bryant. Supervisor Hart asked the Planning Board to look into Property Maintenance Codes and Junk Law Enforcement next. Ms. Trask commented she had been contacted by a party that questioned the permissibility of putting in storage units on the Rte 13 North and South green space.

Ad Hoc Park Committee: Norm Aidun- reported he had received an extension from DASNY for the return of the Grant binder. Atty Smith prepared the Short Environmental Assessment forms to be included with the Grant application. Atty. Smith also presented Resolution No. 8 as follows:

RESOLUTION #8-2017
SEQRA RESOLUTION – NEWFIELD COMMUNITY PARK
VAN KIRK ROAD

WHEREAS, the Town of Newfield proposes to create a public recreation area on land owned by the Town on Van Kirk Road (the “Project”);

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and associated regulations including 6 NYCRR 617.1, et seq. (“SEQRA”) the Town is required to undertake a review of potential environmental impacts associated with the Project;

WHEREAS, the Town has determined the Project is an “Unlisted” action under SEQRA and prepared a draft Short Environmental Assessment Form including Parts 1, 2 and 3 (the “EAF”);

WHEREAS based upon the information contained in the EAF and the knowledge and review of the Town Board members and after due deliberation;

NOW, THEREFORE, upon motion duly made by Councilperson Laughlin and seconded by Councilperson Powers it is

BE IT RESOLVED, as follows:

Upon a thorough review and due consideration of the EAF, which the Town now adopts, the Town makes the following findings:

1. The Town has considered the Project pursuant to the criteria set forth in applicable law and regulations, including SEQRA;
2. The Town has classified the Project as an “Unlisted Action” pursuant to SEQRA regulations;
3. The Town determines, for those reasons set forth in the EAF, that the Project will have no significant negative environmental impacts and hereby issues a negative declaration under SEQRA

AYE : Laughlin, Powers and Hart NAY: 0
ABSENT: James and Allinger
Carried

Mr. Aidun and Highway Superintendent Berggren were coordinating with Tompkins County Soil and Water with the submission for the Notice of Intent, DEC is requiring an engineered SWP plan approved, the state dormitory grant that has been applied for is looking good. Mr. Aidun stated Hunt Engineers is working on the post construction storm water plan for the parking lot pro bono and should have it completed soon.

Environmental Management Council: Michelle Henry reported there was discussion regarding of SEQR revisions and the comment period would end May 19, 2017. Ms. Henry also reported that Begren Farms had applied to the DEC for a permit to pipe water from Taughannock Creek to their dairy farm. Ms. Henry added that New York State had also been awarded 117 million dollars from the Volkswagen settlement, those funds could be used for installation of EV recharging stations.

Supervisor Report: Supervisor Hart read Planning Board member Diana Bryant’s letter of resignation. Motion was made by Councilperson Laughlin to approve Mrs. Bryant’s resignation from the Planning Board, seconded by Councilperson Powers.

Vote AYE 3 Hart, Laughlin and Powers

May 11, 2017

NAY	0	
ABSENT	2	James and Allinger

Carried

Motion was made by Councilperson Laughlin to reappoint Leo Tidd to a 5 year term to the Planning Board, seconded by Councilperson Powers.

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

Supervisor Hart stated applications for Planning Board membership were now being accepted to fill the vacancy. It will be announced on the Town Website of the vacancy.

Supervisor Hart also stated there are older surplus file cabinets in the file room in the basement. Attorney Smith stated under Town Law the Town could dispose surplus items at a discretionary amount set by the Board by market value, it cannot be a gift. Since the cabinets are aged the Board agreed the cabinets had no value and could be removed. Motion was made by Councilperson Powers that Justice Chernish be given first option to remove the empty above mentioned cabinets from the records room before they disposed of by the Town, seconded by Councilperson Laughlin.

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

Supervisor Hart then read a letter from the New York State Town Clerk's Association that Town Clerk Karen Miller Kenerson had received the designation of Registered Municipal Clerk.

New Business

Motion for Supervisor to sign 3 decommissioning agreements with Delaware River Sola (DRS) for the 3 grandfathered sites on Millard Hill Road

Attorney Smith stated DRS has agreed to initially deposit \$60,000.00 for each of the three grandfathered solar projects in a designated account in the event there was a failure of the company and the Town was left with derelict property. The initial deposit of sixty thousand dollars per project would be made to a designated account upon inception of construction and augmented to each year for the life of the project. The Town Board had determined that the amount of funds would be enough to decommission the projects and not become an eye sore if the company/project were to fail.

Motion was made by Councilperson Laughlin that Supervisor Hart sign the decommissioning plan agreements with Delaware River Solar, aka Newfield I, LLC, Newfield II, LLC and Newfield III, LLC, as presented seconded by Councilperson Powers.

Discussion: Councilperson Laughlin asked if the project were to become inactive would the materials left behind be town or landowner property. She and Atty Smith clarified that if the project were to be inoperative for

May 11, 2017

a period of 18 month the Town could give notice, that within 30 days the Town could begin the decommissioning process to access the funds to begin the decommissioning plan. If the project owner were to bring the project up to operational standards the decommissioning process would cease. If the project owner were to decommission the project in its entirety the funds would be returned to the project owner from the designated account.

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

Lauri Kowinski- Catholic Charities spoke to the Town Board and Residents of the services Catholic Charities provides for the Newfield Community. Ms. Kowinski commented that Catholic Charities is affiliated with the Catholic Diocese of Rochester and is celebrating serving Tompkins County residents for 20 years. Ms. Kowinski stated services they provide are: financial crisis, housing referrals and security deposits, transitional housing for single homeless women, educational programs, semester bus passes for TC3 students, free clothing , personal needs products and help with SNAP applications to name a few. In 2017 244 families from Newfield received help from Catholic Charities.

Request for Speed Reduction on Trumbulls Corners Road, Cayutaville Rd and Millard Hill Roads

Carolyn Miller from Trumbulls Corner Road submitted documents requesting a reduction of traffic speed for the Trumbulls Corner Road area. Mrs. Miller noted that the area has many new young families living in the area necessitating the request.

RESOLUTION #9-2017
RESOLUTION TO PURSUE REDUCTION IN SPEED
LIMIT ON PORTIONS OF MILLARD HILL ROAD
CAYUTAVILLE ROAD AND TRUMBULLS CORNERS ROAD

WHEREAS, the Town of Newfield has received petitions from a number of individuals who live along or drive upon those portions of Millard Hill Road (Tompkins County Route 134), Trumbulls Corners Road (Tompkins County Route133) and Cayutaville Road approaching the Trumbull’s Corner intersection in the Town of Newfield requesting: (1) that the speed limit on Cayutaville Road be reduced from 40 mph to 30 mph from its intersection with Connecticut Hill Road to Trumbulls Corners Road; (2) that the speed limit on Millard Hill Road be reduced from 55 mph to 30 mph for a distance of 2000 feet from its intersection with Trumbulls Corners Road; (3) that the speed limit of Trumbulls Corners Road be reduced from 40 mph to 30 mph from its intersection with Douglas Road to its intersection with Horton Road; and (4) to establish a four-way stop at the intersection of Trumbulls Corners Road, Cayutaville Road, and Millard Hill Road.

May 11, 2017

WHEREAS the Town Board, after deliberation, has agreed that adoption of a reduced speed limits and additional stop signs would be in the public interest for the benefit and safety of those who live along or drive upon that road;,

NOW, THEREFORE, upon motion duly made by Councilperson Powers and seconded by Councilperson Laughlin it is

BE IT RESOLVED, as follows:

1. The Town will cooperate with the Tompkins County Superintendent of Highways to request the Department of Transportation pursuant to Vehicle and Traffic Law § 1622 to establish a maximum speed limit of 30 mph (1) on Cayutaville Road from its intersection with Connecticut Hill Road to Trumbulls Corners Road; (2) on Millard Hill Road for a distance of 2000 feet from its intersection with Trumbulls Corners Road; and, (3) on Trumbulls Corners Road from its intersection with Douglas Road to its intersection with Horton Road;
2. The Town will request that the Tompkins County Superintendent of Highways establish a four-way stop at the intersection of Trumbulls Corners Road, Cayutaville Road, and Millard Hill Road;
3. The Town Highway Superintendent, upon notice that the regulation herein requested has been established, shall in conjunction with the Tompkins County Superintendent of Highways, take steps to install required signs in accordance with the Vehicle and Traffic law and the regulations of the Department of Transportation; and,
4. The Town Supervisor is authorized and directed to sign any and all documents necessary to complete such a request.

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

Old Business

Update on the Water Tower Project

Dan Walker stated the Trumbulls Corner Road tank should be online in three weeks, then it can then be filled and chlorinated. After that the VanKirk Road tank correction can begin. Mr. Walker and Highway Superintendent Berggren will address the restoration concerns with Vacri Construction.

May 11, 2017

Approval of the Payment of the May Abstract

Motion was made by Councilperson Powers to approve the payments, seconded by Councilperson Laughlin. The Board authorized the payments of the following amounts:

General Fund	\$21,845.26
Recreation Fund	\$5,624.04
Highway Fund	\$35,629.70
Street light Fund	\$1,199.60
Sewer Fund	\$902.09
Water District 1 Fund	\$1,860.57
Water District 2 Fund	\$978.55
Trust and Agency	\$4,035.88
Capital Fund # 1	\$2,415.00
Capital Fund # 2	\$138,100.89

ouchers were audited by Councilpersons: Laughlin and Powers

Vote	AYE	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

At 9:08 p.m., a motion was made to move into an Executive Session to discuss collective bargaining and possible solutions to water tower issue.

At 9:10, the Meeting was called back to the Regular Meeting of the Newfield Town Board.

Motion was made by Councilperson Powers to accept the change order #3 for the water tank project, seconded by Councilperson Laughlin.

Vote	AYES	3	Hart, Laughlin and Powers
	NAY	0	
	ABSENT	2	James and Allinger

Carried

At 9:14 p.m. a motion was made by Councilperson Laughlin to adjourn the meeting seconded by Councilperson Powers.

Respectfully Submitted,

May 3, 2017

Karen Miller Kenerson, RMC
Newfield Town Clerk

