

October 12, 2017

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room October 12, 2017 at 7:00 PM. 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 Mike Allinger, Councilperson Joanne James, Councilperson Christine Laughlin and Councilperson Casey Powers. Also present: Highway Superintendent Kevin Berggren, Justice William Chernish, Attorney Thom Smith and 8 attendees.

### **Privilege of the Floor**

*Brenda Lapp:* commented she supports the proposed Site Plan Review Law and encouraged the Board to adopt it. Ms. Lapp stated she felt it was better to be pro-active before a project begins than be reactive.

*Michelle Henry:* agreed with Ms. Lapp's comments and added she was aware of properties in Newfield that are under review with the Finger Lakes Land Trust for conservation easements. Ms. Henry also stated a date has been set for a stream sampling event for the year to add to the current data.

### **Approval of September 14, 2017 Business Meeting, September 20, 2017 Regular Board Meeting and October 3, 2017 Budget Meeting Board Minutes**

Motion was made by Councilperson James to approve the September 14, 2017 Business Meeting Minutes, seconded by Councilperson Powers.

Vote	AYE	4	Allinger, James, Laughlin and Powers
	NAY	0	
	ABSTAIN	1	Hart

Carried

Motion was made by Councilperson Laughlin to approve the September 20, 2017 Regular Meeting Minutes, seconded by Councilperson Powers.

Vote	AYE	5	Hart, Allinger, James, Laughlin and Powers
	NAY	0	

Carried

Motion was made by Councilperson Laughlin to approve the October 3, 2017 Budget Meeting Minutes, seconded by Councilperson James.

Vote	AYE	5	Hart, Allinger, James, Laughlin and Powers
	NAY	0	

Carried

### **Reports:**

*Highway:* Superintendent- Kevin Berggren reported that the Highway Department was completing summer projects. Superintendent Berggren also stated he is still waiting for the permits for the Fishkill Road culvert

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project. Because of the delay with the permits, that project will now be in 2018. Materials for winter use have been brought in also. The Army truck rehab is scheduled to be delivered next week and the new box on the Mack truck should be ready in November

*Recreation:* Recreation Director Reid Hoskins was absent. Supervisor Hart read the Recreation report.

*Ad Hock Park Committee:* Supervisor Hart reported there had been a meeting at the park property that included Hunt Engineers, TC Soil and Water Conservation, Newfield Highway Superintendent Berggren, and himself were present.

*Supervisor:* Supervisor Hart reported the Board has met 3 times working on the 2017 Newfield Town Budget .Councilperson Laughlin reported Norm Aidun had received the Caring Youth Award from the Tompkins County Youth Services.

### **New Business**

*Discussion and vote on Resolution No. 18-2017 approval for the Court to apply for a NYS Justice Court Assistance Program Grant*

Justice Chernish stated the Newfield Town Court has in the past benefited from the Justice Court Assistance Program Grants with the Court Room renovations. Justice Chernish added that the District Attorney commented that the Court Room was in need of tables for defense and prosecution documents. Justice Chernish has commissioned 2 tables to be built and the purchase of 4 chairs to complete the court bench and environs.

### **Resolution NO.18-2017**

Approval for Justice Court Assistance Program Grant Application for Newfield Town Court

**WHEREAS**, the justice of the Newfield Town Court has identified the need for improved courtroom security, better record-keeping through application of paperless technology, replacement of the old facilities and furnishings as well as other related improvements, and

**WHEREAS**, certain improvements have been made possible through a generous grant from the New York State Justice Court Assistance Program, it is desired to complete planned and initiated improvements, and

**WHEREAS**, the further improvements to complete the bench and its environs have been identified by competitive estimates at a total cost of not to exceed three thousand dollars (\$3,000.00) with no cost for this request being borne by the Town, and

**WHEREAS**, the justice wishes to apply to the 2017-2018 New York State Justice Court Assistance Program for a grant to cover the cost of these improvements,

**BE IT RESOLVED** that the Town approves this request and the application being made to the 2017-2018 New York State Justice Court Assistance Program.

Motion was made by Councilperson Laughlin to approve and support Justice Chernish's Justice Court Assistance Program Grant application, seconded by Councilperson Allinger.

Vote	AYE	5	Hart, Allinger, James, Laughlin and Powers
	NAY	0	

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Carried

*Discussion of the Recreation Director Position*

Supervisor Hart stated the Board had interviewed the 4 approved applications for the Recreation Director Position. Supervisor Hart asked for a motion to approve him to hire a new replacement Recreation Director Motion was made by Councilperson Allinger to approve the Supervisor to hire a replacement of retiring Recreation Director Reid Hoskins, seconded by Councilperson Powers.

Vote	AYE	5	Hart, Allinger, James, Laughlin and Powers
	NAY	0	

Carried

*TCAT Bus Shelter*

Bill Chernish stated the Hamlet Beautification Committee had intended to rehab the existing bus shelter. Since then a TCAT shelter specialist had been evaluating the current bus shelter and has deemed the shelter as ADA noncompliant. TCAT has offered to supply materials and concrete for a new bus shelter. TCAT would also like the shelter is moved to the opposite site of the street. The Hamlet Beautification Committee will look for a more suitable place on Town property to place a new bus shelter. Lynn Watros commented that the triangle area in front of the Tioga State Bank belongs to the Town and questioned if that could be a possibility.

**Old Business**

*Dan Walker update on the water tank project*

Mr. Walker reported the water tank project has been completed and that he has received the final pay requisition. Mr. Walker has found some questions that he will confirm before he submits it to the Town. Attorney Smith will communicate with Municipal Solutions the bond company to confirm what is needed from the Town in order to complete the financing with a bond.

*Review and discussion on the Site Plan Review*

Attorney Smith reviewed the adopted suggestions from Tompkins County Planning and the need for a super majority vote regarding the suggestions the Board chose not to adopt. Attorney Smith also stated a second Public Hearing was not needed as the changes were minor and could proceed with the SEQR review. The Board will vote on the SEQR and Local Law No. 5 of 2017 Town of Newfield Site Plan Review Law on November 9<sup>th</sup>

*Discussion of the Nuisance Law*

Attorney Smith stated that the Town could not designate various districts without zoning and that there could not be a moratorium because there is not permit involved regarding domestic livestock. Attorney Smith presented a draft nuisance law that would be directed to livestock that would encompass the entire town. It was decided upon to draft a common nuisance law to include sections for various nuisances. This will be shared with the Planning Board.

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*Update on the Solar Projects*

Julie Arnold from Nexamp Community Solar stated that Nexamp is now the owner of Millard Hill Rd 1, 2 and 3 (previously owned by Delaware River Solar). Ms. Arnold stated construction was scheduled to begin in early November. Supervisor Hart asked Ms. Arnold if the Host Community Benefit and Decommissioning Agreements will still be honored. Ms. Arnold was unaware of the Agreements but would check with her supervisor.

**Approval of the Payment of the October Bills**

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

General Fund	\$15,576.81
Recreation Fund	\$1,710.65
Highway Fund	\$213,591.97
Street light Fund	\$1,423.16
Sewer Fund	\$2,175.42
Water District 1 Fund	\$2,107.74
Water District 2 Fund	\$2,718.90
Trust and Agency	\$4,183.06
Capital Fund	\$945.00

Vouchers were audited by Councilpersons Allinger and Powers

Vote	AYES	5	Hart, Allinger, James, Laughlin and Powers
	NAY	0	

Carried

At 8:24 PM a motion was made to move into an Executive Session to discuss a collective bargaining issue and pending litigation updates.

At 8:55 PM, the Meeting was called back to the Regular Meeting of the Newfield Town Board. Councilperson James offered a motion to move to adjournment at 8:56 PM seconded by Councilperson Laughlin.

Respectfully Submitted,

October 25, 2017

Karen Miller Kenerson, RMC  
Newfield Town Clerk