

November 10, 2016

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room November 10 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 Joanne James, Councilperson Christine Laughlin, Councilperson Casey Powers and Councilperson Michael Allinger. Also present: Highway Superintendent Kevin Berggren, Code Enforcement Officer Alan Teeter, County Legislature Representative David McKenna and Atty. Smith, and 15 attendees.

### **Privilege of the Floor**

*Becca Harber:* thanked the Town Board members for entertaining the hydrofracking ban again. Ms. Harber also stated she felt a partial ban would be unwise and a waste of town funds and time. Ms. Harber also complimented the Town Board members for working so well together.

*Gundy Lee:* encouraged the Town Board to adopt a ban similar to Caroline and other towns in New York State regarding gas development. Ms. Lee stated a partial ban is untested in the courts and that such a ban would regulate the gas industry by stating what kind of activity could and could not be done. Ms. Lee felt this would leave the town open for law suit from the gas industry.

*Michelle Henry:* supported the previous two speaker's comments to the Town Board.

*April Peress:* encouraged the Town Board to adopt a full ban on gas development rather than a partial ban. Ms. Peress stated she felt pursuing a ban only on hydrofracking was not a good use of the towns resources.

### **Approval of October 13 Public Hearing and Board Minutes**

Motion was made by Councilperson James to approve the October 13 Board Meeting Minutes, seconded by Councilperson Laughlin.

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

Carried

Motion was made by Councilperson Laughlin to approve the October 13 Public Hearing Minutes, seconded by Councilperson Allinger.

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

Carried

### **Reports:**

*Highway:* Highway Superintendent Kevin Berggren reported the Highway Department was preparing for winter bringing in salt and sand. Superintendent Berggren stated that on Starks road culverts had been replaced in preparation for profiling and paving in 2017.

November 10, 2016

*Water Sewer:* Highway Superintendent Kevin Berggren reported that NYSEG should be setting the utility pole at the VanKirk Road Water Tower site next week and that the new water main had been hooked up.

*Code Enforcement:* Code Enforcement Officer Alan Teeter reported on the permits issued for the month of October and challenges he has been working through.

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

*Tompkins County Legislature Report:* Newfield Representative David McKenna reported the County had passed its 2017 budget with a 2.93% tax levy, authorized bonding for improvements within the County infrastructure.

*Planning Board:* absent

*Ad Hoc Park Committee:* Supervisor Hart reported the park land offer had fallen through. Highway Superintendent Berggren commented that the Town of Ithaca would be bringing clean fill up to the Van Kirk Road property and also use the property for heavy equipment training.

*Supervisor:* Supervisor Hart reported that Tompkins County Planning Department had contacted him regarding needing a representative from the Town on the Environmental Management Council. Michelle Henry stated she would be interested in doing that.

Motion was made by Councilperson Laughlin to appoint Michelle Henry as the Newfield representative to the EMC, seconded by Councilperson Powers.

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

Carried

Supervisor Hart also commented he had spoken to a gentleman who has requested the Town raise its disability limit for Town and County taxes. This will be a topic in the future.

Supervisor Hart also commented the interest payment for the water tower project BAN will be due in December. Because the project will not be completed by the end of the year as anticipated, the Town will now wait until next year to secure a bond. Supervisor Hart and Attorney Smith commented that there will be a Benefit Assessment line on the Town and County taxes for residents in the Water Districts I and II that will support the cost of the Bond. Supervisor Hart suggested that for the tax year 2017 only half of the anticipated bond be benefit assessed.

## **New Business**

*Discussion and action regarding the 2017 Budget*

Motion was made by Councilperson Laughlin to approve the proposed 2017 Newfield Town Budget, seconded by Councilperson Allinger.

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

Carried

## **Old Business**

*Update on the Delaware River Solar (DRS) and discussion of the Payment in Lie of Taxes(PILOT)*

November 10, 2016

Attorney Smith commented that DRS and its investors would like a 20 year PILOT agreement. In order to do so, there would need to be an approval from Tompkins County Area Development who has been contacted. It is felt there will be a draft within the next few weeks.

Peter Dolgos and John Schmauch from DRS were present and stated 2 additional sites were being considered for solar array projects. It was asked who DRS would be marketing the solar energy savings to in Newfield. Mr. Schmauch stated internal party and 3<sup>rd</sup> party representatives would market first to Newfield residents, County and then open to outside sources. Supervisor Hart asked if DRS holds on to its projects or sells them. DRS Representatives stated that DRS does not retain all of their projects. Councilperson James asked how the leases would work if the project was sold. DRS stated there would be no difference. DRS also added that the decommissioning escrow would flow along with the project.

#### *Split Water 1 and Water 2 Levy*

This was discussed in the Supervisor's Report

#### *Set Plan to Review Fracking Ban on Natural Gas*

November 22<sup>nd</sup> was set as the next meeting date to discuss gas extraction concerns and wind energy concerns, one hour for each. Attorney Guy Krough will be asked to attend as special consul for the fracking concerns.

#### December Meeting Dates

December 8: regular Business Meeting of the Newfield Town Board (agenda items to be determined)

December 14: meeting of the Newfield Town Board (agenda items to be determined)

#### **Approval of the Payment of the November 2016 Bills**

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

General Fund	\$21,505.97
Recreation Fund	\$928.85
Highway Fund	\$30,778.56
Capital 1 Fund	\$ 403.92
Capital 2 Fund	323,996.84
Street light Fund	\$1,141.14
Sewer Fund	\$894.25
Water District 1 Fund	\$4,248.93
Water District 2 Fund	\$824.98
Trust and Agency	\$3,889.85

Vouchers were audited by Councilpersons Allinger and Powers.

November 10, 2016

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

Carried

At 8:25 p.m., a motion was made to move into an Executive Session to discuss the PILOT fee structure for a proposed solar array project.

At 8:45, the Meeting was called back to the Regular Meeting of the Newfield Town Board, moving to adjournment at 8:45 p.m.

Respectfully Submitted,

November 14, 2016

Karen Miller Kenerson  
Newfield Town Clerk