

Present were: Supervisor Hart, Councilperson Trask, Councilperson Laughlin, Councilperson Powers who attended via Skype from the Multnomah County Library, 4040 NE Tillamood Street, Portland Oregon. Councilperson James was absent. Also present were: Highway Superintendent: Kevin Berggren, Water Sewer Manager: Rob Brewer, Code Enforcement Officer: Harry Wright, Town Bookkeeper: Nadine Bennett, Ed Hooks: Town Atty. and 20 residents.

The Annual Organizational Meeting was called to order at 7:00 PM by Supervisor Hart and opened with the Pledge of Allegiance.

Opening Privilege of the Floor

Suzanne Porter: voiced concerns of the upcoming billing change for Benjamin Hill Heights Mobile Home Park. Atty. Hooks responded as he was familiar with the history.

Becca Harber: asked who would be the new TCOOG representative and alternate, adding that a resolution was needed to fill those positions.

John Fry: commented that he had submitted a FOIL request concerning fines, penalties and late charges and was denied. He felt there should be a tracking procedure in place in order to be able to keep track of those expenses.

Brenda Lapp: commented that while the Town was working on a Personal Policy and Code of Ethics, she felt there should also be a Fraternalization, Social Media and Cell Phone Use Policies as well.

Approval of the December 10, 2013 Public Hearing and Regular Board Meeting Minutes

Motion was made by Councilperson Laughlin to accept the above minutes, seconded by Councilperson Trask.

Vote:	AYES	4	Hart, Trask, Laughlin and Powers
	NAY	0	
	ABSENT	1	James

Carried

Agenda Changes

Councilperson Trask asked to give an update about the Broadband during Old Business.

Reports:

Highway: Superintendent Berggren reported that the Department had been busy plowing snow and hauling in new material. He stated there has been an ongoing problem with the radios and that he needed to communicate with the drivers. Supervisor Hart asked that he keep it to a minimum.

There was also discussion of the shortage of sand and stone. Superintendent Hart asked about the replacement of a plow truck.

Water/Sewer: Water/Sewer Manager Brewer reported there had been several breakages: 12/17 a 10 inch water pipe break on West Danby Road, 12/19 a break on Shaffer Road, replacement of a water meter at Benjamin Hill Heights Mobile Home Park is needed, and 1/7 a water pipe break at the Horizon Apartments. He also commented that the main well house will require attention next year. There was also a leak up at the school today. Supervisor Hart asked if there were problems in the future that would need attending to. Mr. Brewer felt the pumps in the main well house will need attention in the next year, with the possibility of a new well as the pump cannot be pulled out.

Recreation: Recreation Director Reid Hoiskins was absent due to sports, but left a report for December and January.

Code Enforcement: Code Enforcement Officer Wright reported that building permits had slowed down. Councilperson Laughlin asked if Storm Water Bills had been sent to the developers. CEO Wright explained there was positive equity as there was an escrow account for each development application. Councilperson Laughlin asked if the Bookkeeper could have copies of the bills/statements.

New Business

Supervisor Hart read through the proposed Annual Authorizations.

Motion was made by Councilperson Trask to approve Resolution 1-2014.

Councilperson Laughlin commented item number 11 should be the Recreation Director and Recreation Coordinator salaries should not exceed \$17,620.00. Nadine Bennett the Town's Bookkeeper also asked for a correction on item number 4, that the monthly Town employees shall be paid on the third day of each month. Supervisor Hart asked to rescind the previous motion and modify the proposed Annual Authorizations with the corrections. Councilperson Laughlin, seconded by Trask offered a friendly amendment to approve proposed Resolution No. 1-2014

RESOLUTION NO. 1-2014 ANNUAL AUTHORIZATIONS

1. Official meeting dates for the Town Board Meetings will be the second Thursday of each month at 7:00PM, study sessions, if needed, will be held on the fourth Thursday at 7:00PM.
2. Official Depositions for the Town will be Tioga State Bank.

3. Town officials will be reimbursed for all necessary expenses when on Town Business. Mileage rate for use of personal vehicles to be set at 56.5cents per mile.
4. Highway Department workers, Deputy Highway Superintendent, Deputy Clerk and Bookkeeper shall be paid weekly. Elected officials and all other Town employees shall be paid monthly on the third day of each month.
5. The Highway Dept. is authorized to perform in-kind services for the Newfield School District, fuel costs shall be reimbursed by the District to the Town.
6. Highway Superintendent to purchase salt, gas, diesel fuel, and tires on state or county bid.
7. The Town Clerk shall submit for payment all time sensitive recurring expenses, such as utility bills, if payable due date is prior to the regular monthly Board Meeting. These paid bills to be included in the Monthly Abstract.
8. Harry Wright is appointed Fire/Building Code and Environmental Code Officer at an annual salary of \$34,529.00.
9. Water and Sewer Billing Clerk shall be Karen Kenerson at an annual salary of \$924.00 per year.
10. Tax Collector shall be Karen Kenerson.
11. Youth Recreation Director shall be Reid Hoskins and the Recreation Coordinator Sierra Yaple annual salaries are not to exceed \$17,620.00.
12. Water/Sewer Supervisor shall be Rob Brewer at the hourly rate of \$24.27.
13. Christine Wright shall provide cleaning services at an annual rate of \$3,000.00
14. Justice Payne`s Court Clerk shall be paid an annual salary not to exceed \$15,455.00.
15. Justice Strosnider`s Court Clerk shall be paid an annual salary not to exceed \$14,637.00.
16. Jenny Rumsey shall be appointed the School Crossing Guard at an hourly rate of \$8.43 per hour.
17. The Deputy Town Clerk shall be paid \$13.58 per hour not to exceed \$18,801.00.
18. The Supervisor`s Bookkeeper shall be paid \$18.80 per hour not to exceed \$20,000.00.
19. The Supervisor`s Secretary shall be paid \$13.00 per hour.
20. Bookkeeper to be in charge of employee`s benefits including writing notification to employees in respect to NYS Retirement System.
21. Alan Chaffee to be the Town Historian
22. The Town Clerk shall record and keep minutes to all Board meetings and Work Sessions.
23. Deputy Town Supervisor shall be Councilperson Roy Trask with check signing privileges for all accounts in the absent of the Town Supervisor.

Vote: AYES 4 Hart, Trask, Laughlin and Powers
 NAY 0
 ABSENT 1 James

Carried

Supervisor Hart read proposed Resolution No. 2-2014

Resolution No. 2 -2014
Designated Depository

RESOLVED, that Tioga State Bank, a New York Bank, be and hereby is designated a depository of the Town of Newfield; and be it further

RESOLVED, that action alone, either of the following persons (individually and “Authorized Party”):

	Name	Title
1.	<u>Jeffrey Hart</u>	<u>Town Supervisor</u>
2.	<u>Roy Trask</u>	<u>Councilperson</u>

Be and hereby is authorized, directed and empowered, in the name and on behalf of the Depositor to represent and act in the legal financial interest of the Depositor as outlined by the Bank in the Deposit Account Certificate of Authorization.

Motion was made by Councilperson Laughlin to adopt Resolution No. 2-2014, seconded by Councilperson Powers.

Vote:	AYES	4	Hart, Trask, Laughlin and Powers
	NAY	0	
	ABSENT	1	James

Carried

Supervisor Hart read proposed Resolution No. 3-2014 as follows:

Resolution No. 3-2014
E Cash Management

RESOLVED, that Tioga State Bank, a New York Bank, be and hereby is the designated depository of the Town of Newfield; and be it further

RESOLVED, that the following individual is hereby designated as the administrator of the E-Cash Management Services being applied for:

Name	Title
<u>Jeffrey Hart</u>	<u>Town Supervisor</u>

Councilperson Trask to adopt Resolution No. 3-2014, seconded by Councilperson Laughlin.

Vote:	AYES	4	Hart, Trask, Laughlin and Powers
	NAY	0	
	ABSENT	1	James

Carried

Supervisor Hart read proposed Resolution No. 4- 2014 as follows:

Resolution No. 4 – 2014
Secretary Line Item

BE IT RESOLVED that the Town Supervisor desires a Secretary and there is not a line item for this in the Town Budget; and be it further

RESOLVED that the Town Supervisor would like to make a line item for the Secretary to be A1220.12; and be it further

RESOLVED that the Town Supervisor would like to move \$1500.00 from Line A1220.1 to A1220.12.

Discussion: It was explained that until further funds could be found for a secretary, Supervisor Hart will move funds from his pay line to the new created line A1220.12 for a secretary.

Councilperson Trask to adopt Resolution No. 4-2014 seconded by Councilperson Powers.

Vote:	AYES	4	Hart, Trask, Laughlin and Powers
	NAY	0	
	ABSENT	1	James

Carried

Approval of the Retainer Agreement with Harris Beach PLLC

Supervisor Hart read the Retainer Agreement as follows:

RETAINER AGREEMENT

between

HARRIS BEACH PLLC

and

THE TOWN OF NEWFIELD, NEW YORK

In consideration of the mutual promises set forth below, the parties agree as follows:

1. Harris Beach agrees to provide basic legal services and consultation with respect to, among other things, the following matters:
 - A. The Public Employees' Fair Employment Act (Taylor Law and Civil Service Law);
 - B. Applicable federal and state discrimination laws;
 - C. Labor and employment law issues arising from common law, and New York laws;
 - D. Zoning law;
 - E. The New York Town Law;
 - F. Legal questions normally related to the operation of a Town Government, and Town Board;
 - G. Environmental Law;
 - H. Code enforcement;
 - I. Subdivision;

- J. Bidding and Public contracts;
- K. Water districts;
- L. New legislation and codification;
- M. Resolutions, when needed.

"Basic Legal Services" is defined to mean rendering routine legal advice relative to subjects encompassed by the above; provided that any "special project" (defined to mean any litigation, court appearances, hearings, labor arbitration, attendance at meetings other than the regular monthly Board meeting, or any other matter requiring more than six (6) hours of legal work) will be separately billed on a project-by-project basis on a monthly basis at the rates hereinafter set forth.

2. Harris Beach shall provide the Basic Legal Services on an as needed basis, and to have an attorney attend one Town Board Meeting per month.

3. The Town agrees to pay a monthly fee of \$2,286.00 per month for Basic Legal Services beginning January 1, 2014 and continuing through December 31, 2014. Special projects shall be billed by separate monthly invoice at the rate of \$219.30/hour for partners and \$153 - \$188.70/hour for associates (depending on years of experience).

Dated: January 9, 2014

Discussion:

Supervisor Hart asked if would be normal to have a termination notice included in the agreement. Atty. Hooks responded that a termination notice was not necessary. If either party were dissatisfied the contact could be terminated.

Councilperson Laughlin offered a motion to approve the signing of the Retainer Agreement seconded by Councilperson Powers.

Vote:	YEAS	4	Hart, Trask, Laughlin and Powers
	NAY	0	
	ABSENT	1	James

Carried

New Business

Mark Sidle from the Collective Bargaining Unit at the Highway Barns and Stephanie Engster Union Agent came before the Board with concerns about the new health insurance. It was decided this topic would be discussed during Executive Session.

Old Business

Councilperson Trask gave an update concerning the Last Mile Broadband. Councilperson Trask has spoken to Chuck Bartosh from Clarity Connect. Clarity Connect is working to put together the Broadband system for Newfield and other Towns who are associated with the grant that was received. Mr. Bartosh shared that Clarity Connect is using its own funds to begin work on the project in order to get the system up. The grant was approved, but the contract has not been signed in order to release funds. Mr. Bartosh believes this should happen within the next six months. Councilperson Trask stated that the residents of Newfield have not signed on with Clarity Connect, possibly due to lack of publicity. Councilperson Trask would like to anyone who has interest in broadband service to contact Clarity Connect and sign up. The first tower is nearly completed up on Jackson Hollow and Van Kirk Roads. That tower will provide service for about 150 homes within a radius of half a mile. Once pockets of interest begin development the Town has an obligation to assist in the purchase of six poles. As interest develops in an area, a pole can be placed and then hooked into the system. Councilperson Trask added that since Clarity Connect is using its funds until the State signs the contract to release the funds, this project will be done one pole at time. He will keep everyone updated as it goes along. He encouraged anyone who has interest to contact Clarity Connect's Website to show interest.

Approval of January 2014 and end December 2013 Bills

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

Abstract 13 of 2013

General Fund	\$19,055.17
Recreation Fund	\$286.97
Highway Fund	\$37,607.72
Street light Fund	\$8.27
Sewer Fund	\$242.31
Water District 1 Fund	\$4,141.22
Water District 2 Fund	\$3,507.08

Abstract 1 of 2014

General Fund	\$51,959.47
Recreation Fund	\$353.58
Highway Fund	\$76.36
Street light Fund	\$969.73
Sewer Fund	\$1,380.00
Water District 1 Fund	\$558.50
Water District 2 Fund	\$423.50
Trust and Agency	\$150.86

Vouchers were audited by Councilpersons Laughlin and Trask.

Vote: AYES	4	Hart, Trask, Laughlin, Powers
NAY	0	
ABSENT	1	James

Carried

Work Session

The next Work Session is scheduled January 30th at 7:00 p.m.

Agenda items to be discussed: Employee Policy
Code of Ethics
Fee Structure for Road Preservation Law

Supervisor Hart’s closing remark to the Board and attendees were his New Year’s Resolutions:

He would like to donate more blood than he normally does, exercise more and to the best of his ability, listen to everyone whether he agrees with them or not.

At 7:40 p.m. a motion to move into an Executive Session to discuss a Collective Bargaining Concern.

At 8:35 the Meeting was called back to the Regular Meeting of the Newfield Town Board, moving to adjournment at 8:37 p.m.

Respectfully Submitted,

February 5, 2014

Karen Miller Kenerson
Town Clerk