

Town of Newfield Regular Board Meeting
September 13, 2012

The Regular Town Board Meeting was called to order at 7:00 PM Thursday, September 13, 2012 by Supervisor Driscoll. Present were: Council Person Trask, Council Person James, Council Person Laughlin, Council Person Powers, and Supervisor Driscoll. Also present were: Highway Superintendent Berggren, Water/Sewer Supervisor Brewer, County Legislator David McKenna, Tompkins County Sheriff Ken Lansing and Town Atty. Ed Hooks.

The meeting was opened with the Pledge of Allegiance led by Supervisor Driscoll.

Opening Privilege of the Floor

Jonathon Long: came with concerns of recreational burning within the hamlet, especially for residents with breathing issues. He presented a follow-up proposal from the September Board meeting to regulate recreational burning within the hamlet of Newfield. He cited an ordinance from Niagara County. He would like the Board to think of a reasonable regulation concerning this matter.

Lynn Watros: representing the Mill Park. He presented the Board with a check to cover the expenses incurred from the electrical installation. He also thanked the various people who gave of their time and donations supporting this project. Supervisor Driscoll thanked Mr. Watros for his efforts as well with the flowering tower raffle.

Sue Golden: came with concerns of the AWS transfer station. She urged the Board to keep abreast of the applications being filed. She asked the Board to consider a moratorium to ensure all impacts are fairly, honestly and completely reviewed. She also asked that all DEC findings, observations, seeker review completion, reports from the U.S.G. survey of the water table assessment and the full impact statements be reviewed well. She recommended the Board consider a minimum 24 month moratorium.

Brenda Lapp: requested the Board consider a moratorium against industrial development until the Planning Board has completed the comprehensive plan and the USGS has completed the aquifer study.

Eugene VanZile: requested the Board consider a 2 year moratorium for the garbage transfer station.

Marie Terlizzy: reported on a meeting she attended in Wellsboro, PA. on August 28, 2012, organized by the Tioga County Landowners Jeff and Tina Richardson.

Bob Mente: AWS owner wanted to let the Board know that AWS received a letter back from the DEC regarding their application was incomplete. Since then, the concerns and questions the DEC had, have been addressed in to continue with the application. He wanted to let the Board know the Town should be receiving a copy within the next three to four weeks.

John Fry: he has heard bits and pieces concerning the AWS landfill/transfer station. One of the issues that concern him is that the business plan stated that it planned to take waste from five counties that are slated for potential gas drilling. He would like to know if the Town Board has made an educated decision that knows exactly what hazardous materials can go into the landfill. He supports a moratorium against the possible transfer station.

Sandy VanZile: also asked the Board to consider a 24 month moratorium. She thinks that one important aspect is being forgotten in this- the children and school buses.

Linda Callahan: a letter to the DEC has been filed concerning the application filed by AWS. The letter pointed out the inaccuracies, misstatements and problems they have with it and why they feel it should not go through.

Agenda Changes: None.

Adoption of the Previous Meeting Minutes: Motion was made by Council Person Laughlin to accept the August 9, 2012 Board Meeting Minutes and seconded by Council person Powers.

Vote: Council Person Trask: AYE, Council Person James: AYE, Council Person Laughlin: AYE, Council Person Powers: AYE and Supervisor Driscoll: AYE. Motion passed.

Reports:

Highway: Highway Superintendent Berggren reported that the Highway department had been cutting shoulders and ditching on Cayutaville and Tower Roads. Paving was done on Leslo Lane and Horton Hgts. They will be doing creek work on Fox Hollow, the Stone Jug and Carter Creek Road. They are also getting ready for winter, hauling in sand and cleaning up around the Town Barns.

Water and Sewer Department: water leaks at the well house were taken care of. He also got a quote for the water meter replacement for Water District 1.

Recreation: Recreation Director Dustin James passed out the newly created Recreation Department Program. He announced that at the Out Door Community Movie event will be Friday October 5th. at 7:30PM. The Old Home Day Chicken BBQ netted around one thousand dollars as a fund raiser. He is working on adding Adult Wellness Programs. The two that are being added are Tai Chi and Yoga Dance Program along with the existing Adult Basketball. The cheerleading program has been expanded upon adding pep squad program. Soccer and Cheerleading programs are both up and running. The numbers are good in both.

Tompkins County Legislature: David McKenna, reported that the independent findings for the redistricting have been accepted. Budget hearings began last week for the Tompkins County Budget.

Supervisors Report: Supervisor Driscoll announced that Newfield's budget process began in the middle of August. Work sheets that were given to department heads have arrived back and are now being compiled into the first draft budget for the Town Board. His goal is to distribute it to the Town Board the week of September 24th. At the Work Session on September 27th. at 7:00, the Board will be setting a schedule for budget sessions. The list of dates and times will be published on the Website.

A Notice of Intent has been received; Supervisor Driscoll asked that Town Attorney Ed Hooks give a short read of the intent. Mr. Hooks explained that three claims had been made against the Town in regards to the accident that occurred on March 11, 2012. All have been referred to the town insurance carrier and counsel has been assigned to handle the matter for the Town.

Supervisor Driscoll also said that by virtue of the many presentations that have been made during privilege of the floor, the Board is very aware of the requests for consideration for a moratorium on solid waste transfer station/and heavy industrial activity. As part of their due diligence, they have been studying on their own and Supervisor Driscoll has had conversations with DEC concerning the DEC process. Atty. Hooks said that he would be willing to investigate to see what it means to have a moratorium on this type of activity by looking through municipal and town laws. Supervisor Driscoll asked Atty. Hooks what he had discovered so far. Atty. Hooks said that the environmental conservation law does not preempt towns from not being able to move forward and regulate garbage activity within their borders. The Town has the right to go forward and do that. He has been looking to see what towns

in the state have actually done that. He hopes to have a draft for the Board to look at and discuss at the September 27th. work session.

New Business:

Presentation by Sheriff Ken Lansing: Sheriff Lansing spoke of his commitment to an open line of communication with every village and town within Tompkins County. He asked that anyone on the Board or anyone within the Town or Village that is unclear on something, bring it to the Town Board and he can be contacted by email. He will send someone to a Board Meeting to help out with any necessary explanation. He would like to have a good working relationship within the county without any misconceptions. A resident asked Sheriff Lansing about the Latin graffiti in the downtown area and home invasions/murders. She asked if there were people working within the schools to prevent the gangs from recruiting young kids and how is the department doing solving the home invasion problem. He replied that the Department is still doing the D.A.R.E. program but is in jeopardy. He feels strongly for this program as he worked with for 17 years. He shared that the previous week, the Sheriff's Department, State Police, Dryden Police Department, and the TC3 officers arrested five Latin King Gang members in Dryden. He also responded on the question of home invasions. He stated that the murders have not been solved; the investigators have been following up on more leads and are always ongoing. A question was asked if he felt there was more crime than there was in the past years. He feels that there is more crime and feels this is the worst he has ever seen it.

Presentation of the NEWFEILDNY.ORG website by Linda Poppleton and Mike Allinger: Ms. Poppleton reviewed how she and Mr. Allinger had viewed many websites from across the state and took all the best information on the websites and tried to combine them into the Newfield website. The goal is for it to be easy for everyone to use and easy for the contributors to update. The front page has a news blog on it; newer additions will be on top, older notices will be on the bottom. The events calendar is on the right. The calendar is set up so that there is one master calendar for the Town that contains all the Town board information. It can also link into the Recreation calendar. She told how the layout was decided upon; each category has a drop down underneath it. She felt many could use more information. She asked if anyone had an interest in helping out, to please email them. Supervisor Driscoll also reviewed how the site was cross reference able. He used the Code Enforcement as an example. You can go to Government, then Code Enforcement and find permits; you can also find permits under Residents as well. They tried to cross reference as much as possible to make it easier for the user. Supervisor Driscoll referred to the website as the Beta site. He would like people to use it for the next four months, use it, experience it, understand it and have ideas about how it can be improved. Then in 2013, allow some time to adopt and adapt everyone's ideas. A resident asked if there were an inaccuracy who would be contacted. She was directed to the bottom of the website page for that information. It was asked if any plans to pay the water bills on line were. Supervisor Driscoll said yes but also said that was another level of bookkeeping and financial management. It was asked if it would add work. He replied it add work if it was not done correctly. He thinks that when we are ready to pay online, the Town will do so but not until it can be done seamlessly. Another resident asked about submitting posting. Supervisor Driscoll raised his hand that he was the person. Ms. Poppleton added that the Town Clerk could as well. Supervisor Driscoll also announced that all the Town Departments will have Town emails with the same route, newfieldny. Supervisor Driscoll thanked Ms. Poppleton and Mr. Allinger for creating website for the Town.

Resolution to Appoint Harry Wright Interim Environmental Code Enforcement Officer For the Period of October 1, 2012 to September 30, 2013 at the Annual Rate of \$ 3500.00 Payable Monthly.

Motion was made by Council Person Powers, to accept Resolution 33-2012 and seconded by Council Person James.

Council Person Laughlin asked if it had been decided that it would be a year interim. Supervisor Driscoll said that he had discussed a year. He felt that a year period would give a sense of the flow of cycles. Council Person Laughlin also recalled the discussion of hiring a second Code Enforcement Officer. Supervisor Driscoll said yes, if it came to the point where the Town needed to yes. He feels that the interim title allows for that type of flexibility. Council Person Trask asked why didn't the Town pay him until the end of the year at this rate and then use the salary on a regular year that follows the budget rather than two budget years. Supervisor Driscoll's thought was that the figure could go up or down depending on what the Board finds. Council Person Trask felt that it would add to confusion later on. Supervisor Driscoll asked if he had a suggestion. It was then to proposed to amend the proposed Resolution to read as:

Resolution 33-2012

Whereas Tony Petito has retired from the position of Environmental Code Enforcement Officer, and **Whereas** Harry Wright, Building Code Enforcement Officer, has agreed to serve as Interim Environmental Code Enforcement Officer for the period commencing October 1, 2012 through December 31,2012 at annual compensation prorated of \$3500.00.

Now Therefor Be it Resolved that the Newfield Town Board hereby appoints Harry Wright as Interim Environmental Code Enforcement Officer for the period and rate identified rate.

A motion was made by Council Person James to make a friendly amendment of Resolution 33-2012, and seconded by Council Person Laughlin.

Vote: Council Person Trask: AYE, Council Person James: AYE, Council Person Laughlin: AYE, Council Person Powers: AYE, and Supervisor Driscoll: AYE. Motion passed.

Approval of the August 2012 Expenses: Motion was made by Council Person Trask to approve the August 2012 expenses and seconded by Council Person James.

General Fund: Vouchers Totaling	\$41,126.79
Highway Fund: Vouchers Totaling	\$115,703.71
Recreation Fund: Vouchers Totaling	\$ 4,649.98
Streetlight Fund: Vouchers Totaling	\$1,180.60
Sewer Fund: Vouchers Totaling	\$508.25
Water 1 Fund: Vouchers Totaling	\$1,844.38
Water 2 Funds: Vouchers Totaling	\$530.23
Trust and Agency Fund: Vouchers Totaling	\$3,393.47

Vote: Council Person Trask: AYE, Council Person James: AYE, Council James: AYE, Council Person Laughlin: AYE, Council Person Powers: AYE and Supervisor Driscoll: AYE. Motion passed.

Closing Privilege of the Floor

Lynn Watros: asked if the Town was required to have an Environmental Code Enforcement Office. Supervisor Driscoll replied that the Town had its own ordinance for that activity and need to have our own enforcement capacity for it as well.

Tom Gerow: asked if there was an environmental issue one should call Harry Wright rather than Tony Petite. He suggested that information be put on the Website.

Marie Terlizzy: asked what Butch Wright's position was. She was told he was the Building Code Enforcement Officer and Environmental Code Enforcement Officer.

Supervisor Driscoll reminded everyone that there would be a work session September 27, 2012 at 7:00 PM.

Hearing no further business, Supervisor Driscoll asked at 8:05 PM for a motion to adjourn the meeting. Council Person Powers.

Respectfully Submitted

September 27, 2012

Karen Miller Kenerson
Town Clerk

DRAFT