

March 10, 2016

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room March 10, 2016 at 7:00 p.m. The meeting was called to order by Deputy Supervisor Christine Laughlin and opened with the Pledge of Allegiance to the flag.

*Present were:* Deputy Supervisor Christine Laughlin, Councilperson Joanne James, Councilperson Casey Powers and Councilperson Michael Allinger. Also present: Highway Superintendent Kevin Berggren, Atty. Smith, and 11 attendees.

### **Privilege of the Floor**

*Corey Cahill:* spoke about his concerns regarding the flooding Shelter Valley creek area. Mr. Cahill also commented he was not really happy with the work that had been done to date. Mr. Cahill also requested the Town submit documentation of the Town's clean up expenses to Congressman Reed's office.

*Brenda Lapp:* stated that the Town of Caroline had a Watershed and Storm Water Management Committee and suggested the Town Board Members look into that on the Town of Caroline Website. Ms. Lapp also commented that the Community Science Institute would come and speak to the Town Board Members concerning the water concerns.

*Marie Terlizzy:* commented on an event the Town of Caroline is hosting regarding storm water management on March 22<sup>nd</sup>.

*Kristen Wells:* voiced concerns regarding windmills in Enfield and Newfield. She asked the Town Board to consider a 6 month moratorium.

### **Approval of February 11, 2016 Business Meeting Town Board Minutes and February 25, 2016 Meeting Minutes**

Motion was made by Councilperson Powers to approve the February 11, 2016 Business Meeting Minutes, seconded by Councilperson James.

|      |        |   |                                      |
|------|--------|---|--------------------------------------|
| Vote | AYES   | 4 | James, Laughlin, Powers and Allinger |
|      | NAY    | 0 |                                      |
|      | ABSENT | 1 | Hart                                 |

Carried

Motion was made by Councilperson James to approve the February 25, 2016 Business Meeting Minutes, seconded by Councilperson Powers.

|      |        |   |                                      |
|------|--------|---|--------------------------------------|
| Vote | AYES   | 4 | James, Laughlin, Powers and Allinger |
|      | NAY    | 0 |                                      |
|      | ABSENT | 1 | Hart                                 |

Carried

March 10, 2016

### **Reports:**

*Highway:* Highway Superintendent Kevin Berggren reported the Highway Department had been busy fixing washed out areas, ditching, brushing and getting bids for spring repaving. Councilperson James asked about the Bow String Bridge repairs. Supervisor Berggren hopes to have the repairs coordinated with other similar work being done this summer.

*Water Sewer:* Highway Superintendent Berggren reported a leak had recently been repaired in the Pine Circle area. Superintendent Berggren also commented the DEC had been in the area checking creeks.

*Code Enforcement:* Code Enforcement Officer Bill Baker was absent. Deputy Supervisor Laughlin read his report.

*Recreation:* Recreation Director Reid Hoskins was absent; Deputy Supervisor Laughlin read his report.

*Tompkins County Legislature Report:* Newfield Representative David McKenna reported on the study the County is conducting to consider combining various law enforcement agencies throughout Tompkins County. Representative McKenna also commented the Tompkins County Highway Department is auditioning a pothole machine for the possibility of purchase. If it is purchased, it could possibly be used by county municipalities.

*Planning Board:* Tom Gerow; reported the Planning Board would be hosting two Community Forums (March 26 and April 23) at the Newfield Fire Hall. Mr. Gerow also commented that the Planning Board was reviewing Newfield's Local Law regarding windmills.

### **Old Business**

Dan Walker could not attend this evening's meeting. He will be at the March 24<sup>th</sup> meeting with the documents for approval for water tower bid advertisement.

### **New Business**

Deputy Supervisor Laughlin stated she was aware of the Windmill concerns. While the Town has a wind facility law she proposes the Town enact a 90 day moratorium. Deputy Supervisor Laughlin feels since the law has been in place since 2009 that the Board reviews the law and that 90 days is reasonable length of time to be fair for both sides. Atty. Smith commented that the Town of Enfield has accepted the draft supplemental environmental impact statement from the project sponsor. This would trigger a one month period of public comment and a public hearing. A request will be coming from Enfield to Newfield to have Enfield designated as the lead agency for SEQR review.

Deputy Supervisor Laughlin introduced Local Law No. 2 for the Year 2016: A LOCAL LAW PROVIDING FOR A MORATORIUM ON THE PERMITTING, CONSTRUCTION AND OPERATION OF WIND ENERGY FACILITIES FOR A PERIOD OF NINETY (90) DAYS.

Attorney Smith read proposed Resolution No. 9-2016 as follows:

#### **RESOLUTION NO. 9- 2016**

**RESOLUTION FOR CONSIDERATION OF NINETY (90) DAY MORATORIUM ON WIND ENERGY FACILITIES**

March 10, 2016

WHEREAS concerns have been expressed about the existing impacts of the setback and noise requirements contained in Local Law Number 2 of 2009- The Wind Energy Facilities Law upon the Health, safety and well-being of Town inhabitants; and,

WHEREAS the Town Board is proposing a brief moratorium designed to prohibit permitting and construction of Wind Energy Facilities within the Town for a period of time. Reasonably needed to conduct the study and analysis necessary to decide whether the existing setback and noise requirements contained in Local Law Number 2 of 2009- The Wind Energy Facilities Law are appropriate; and,

WHEREAS in accordance with N.Y. Environmental Conservation Law §617.5(3) no environmental assessment is required as a pre-condition to enacting the subject moratorium;

NOW, THEREFORE, upon motion from Councilperson Allinger, seconded by Councilperson Powers, it is

RESOLVED that the Town Clerk is directed to properly notice a public hearing to consider the proposed ninety (90) day moratorium on Wind Energy Facilities.

|       |        |   |                                      |
|-------|--------|---|--------------------------------------|
| Vote: | AYES   | 4 | Laughlin, James, Powers and Allinger |
|       | NAYES  | 0 |                                      |
|       | ABSENT | 1 | Hart                                 |

The public hearing for public comment will be March 24, 2006 at 7:00 pm at the Newfield Town Hall.

Councilperson James commented a resident had contacted her regarding the Community Science Institute water testing and the Town’s lack of participation for the past 2 years. Councilperson James read a letter from Jeffner Allen who is a participant of the CSI water testing gathering group for Newfield. Ms. Allen shared the services that CSI provides to local participating communities and Newfield. Councilperson James would like Newfield to look at participating again with CSI testing Newfield’s waters and what services are being provided by Tompkins County Soil and Water. Then see what services may be duplicated and what extra value CSI could offer the Town.

Deputy Supervisor Laughlin reported that Highway Superintendent Berggren had been contacted by Tompkins County Soil and Water regarding participating in a study with the Upper Susquehanna Watershed Collation. The Town received the information after the application was due, but was felt it would still be worthwhile to apply. This study would include the Pony Hollow and Chaffee Creek watershed areas. Motion was made by Councilperson Powers to approve submitting an application to participate with the study, seconded by Councilperson Allinger.

|      |        |   |                                      |
|------|--------|---|--------------------------------------|
| Vote | AYES   | 4 | James, Laughlin, Powers and Allinger |
|      | NAY    | 0 |                                      |
|      | ABSENT | 1 | Hart                                 |

Carried

March 10, 2016

**Approval of the Payment of the March 2016 Bills**

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

|                       |              |
|-----------------------|--------------|
| General Fund          | \$37,029.81  |
| Recreation Fund       | \$39.96      |
| Highway Fund          | \$76,501.95  |
| Fire District         | \$181,166.50 |
| Street light Fund     | \$1,392.02   |
| Sewer Fund            | \$571.94     |
| Water District 1 Fund | \$8,549.27   |
| Water District 2 Fund | \$1,608.93   |
| Trust and Agency      | \$3,898.48   |

Vouchers were audited by Councilpersons and James, Powers and Allinger.

|      |        |   |                                      |
|------|--------|---|--------------------------------------|
| Vote | AYES   | 4 | James, Laughlin, Powers and Allinger |
|      | NAY    | 0 |                                      |
|      | ABSENT | 1 | Hart                                 |

Carried

At 7:40 p.m., a motion was made to move into an Executive Session to discuss pending litigation.

At 8:06, the Meeting was called back to the Regular Meeting of the Newfield Town Board, moving to adjournment at 8:07 p.m.

Respectfully Submitted,

March 11, 2016

Karen Miller Kenerson  
Newfield Town Clerk