

November 12, 2015

The regular Business Meeting of the Newfield Town Board was held at the Town Hall Board Room November 12, 2015 at 7:00 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 Roy Trask, Councilperson Joanne James, Councilperson Christine Laughlin and Councilperson Casey Powers. Also present: Highway Superintendent Kevin Berggren, Atty. Hooks, and 13 attendees.

### **Privilege of the Floor**

*Jeff Cullen:* proposed to the Town Board the idea of making the Van Buskirk Gulf Rd. Bridge in the Stone Jug a pedestrian bridge as an alternative to regular vehicle traffic. Councilperson Trask responded that the bridge is on a National Historic Registry and that the Town receives funds for the road. The plan is to repair the road when funds are available to do so.

### **Approval of October 8, 2015 Public Hearing and Board Business Meeting Minutes, October 22, 2015 Board Meeting Minutes, and November 5, 2015 Public Hearing Minutes**

Motion was made by Councilperson Laughlin to approve the October 8, 2015 Public Hearing Minutes, seconded by Councilperson Powers.

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

Carried

Motion was made by Councilperson Trask to approve the October 8, 2015 Board Business Meeting Minutes, seconded by Councilperson Laughlin.

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

Carried

Motion was made by Councilperson Laughlin to approve the October 22, 2015 Board Meeting Minutes, seconded by Councilperson Trask.

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

Carried

Motion was made by Councilperson Powers to approve the November 5, 2015 Public Hearing Minutes, seconded by Councilperson Laughlin.

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

Carried

November 12, 2015

### **Correspondence:**

Supervisor Hart read the announcement from the Girl Scouts of NYPENN Pathways that Emily Laue and Hailey Laue were the recipients of the Girl Scout Silver Award, the highest honor a Girl Scout Cadette can earn. A certificate from the Town will be presented to Emily and Hailey in the future.

### **Reports:**

*Highway:* Highway Superintendent Kevin Berggren reported that the Bower Road Bridge was open. Clean up continues from the storm. The plow conversion truck should be completed by the end of the month.

Superintendent Berggren also reported TG Miller Engineers is looking for grants with Fish and Wildlife for the Douglas Road Culvert replacement. Miller's will also be looking for grants for the Main Street Culvert replacement as well.

*Code Enforcement:* Code Enforcement Officer Bill Baker was absent. Supervisor Hart reported that Code Officer Baker is making progress on the paperwork.

*Water Sewer:* Superintendent Berggren reported that the water tanks were presently being cleaned.

*Recreation:* Recreation Director Reid Hoskins provided a report read by Councilperson Trask.

*Tompkins County Legislature Report:* Newfield Representative David McKenna was absent.

*Planning Board:* Supervisor Hart reported the Planning Board Chairwomen; Karen Trask, conveyed that the Planning Board would like to open a position for one if its members who have not been attending meetings. The Planning Board has also been meeting with prospective planners in order to help with the education portion of the Comprehensive Plan. An interview will be scheduled with a prospective member in the near future.

*Cemetery Committee:* Marie Terlizzy reported that two grants had been applied for to help with the cost of the Bank Street Cemetery sign.

*Supervisor:* Supervisor Hart reported that Dan Walker will be helping with updating the sewer rate charge increase. Supervisor Hart congratulated Casey Powers and Mike Allinger for their recent reelection and election to the Newfield Town Board. Supervisor Hart also thanked Roy Trask for his service as a Town Board Member. Roy has also agreed to act as a liaison for the water tower project.

### **New Business**

*Resolution No. 22-2015: Approval of Board support for Matt Watros to apply for grants for Historical signs.*

#### **RESOLUTION NO. 22-2015**

Historical signs for the Town of Newfield

WHEREAS Matt Watros, a resident of Newfield, wishes to enhance the history of the Town of Newfield by placing historical signs in various areas of Newfield

NOW THEREFORE BE IT RESOLVED the Mr. Watros would like the approval of Newfield Town Board to write a grant to the Pomeroy Foundation for such historical signs.

November 12, 2015

Motion was made by Councilperson Powers to approve the writing of the grant to the Pomeroy Foundation for historical signs. Motion was seconded by Councilperson James

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

Carried

**Old Business**

*Resolution No. 20-2015 Discussion and action regarding the tax levy override*

Supervisor Hart read proposed Resolution No. 20-2015 as follows:

Resolution No. 20-2015  
Tax Limit Levy

WHEREAS the Town of Newfield wishes to establish a local law to override the tax levy limit on the amount of real property taxes that may be levied on the Town of Newfield pursuant to General Municipal Law 3-c and

WHEREAS by adopting this law will allow the Town of Newfield to adopt a town budget for town purposes, fire protection and any other special or improvement district governed by the Town Board for the fiscal year 2016.

THEREFORE BE IT RESOLVED that after holding a public hearing on Nov. 5, 2015 and at a Regular Town Board Business Meeting held on Nov. 12, 2015 the Town Board by motion from Councilperson Laughlin seconded by Councilperson Trask adopts Local Law No. 3-2014.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Discussion Supervisor Hart reported that the 2016 Newfield Town Budget did come in under the tax cap and that passing this law is a safety net in case there is an error in calculations. Supervisor Hart also added that Local Law No. 3- 2015 mostly would be rescinded in January.

**Local Law No 3 of the year 2015**

A local law to override the tax levy limit established in General Municipal Law 3-c for fiscal year 2016.

**Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Newfield, County of Tompkins pursuant to General Municipal Law § 3-c, and to allow the Town of Newfield, County of Tompkins to adopt a town budget for (a) town purposes (b) fire protection districts and

November 12, 2015

(c) any other special or improvement district governed by the Town Board for the fiscal year 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Newfield, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

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

Carried

*Resolution No. 21-2015 Discussion and action regarding the Newfield Fire Agreement*

Discussion: Supervisor Hart stated there was a 0% increase for the year 2016, 2% for 2017 and then 2% in 2018.

November 12, 2015

RESOLUTION NO. 21-2015  
Newfield Fire Agreement

WHEREAS the Town of Newfield wishes to continue in the Agreement with the Newfield Fire Dept. to provide fire protection and rescue services to persons in the Town of Newfield and

WHEREAS such fire protection and rescue services are vital and necessary to the health and welfare of the residents of the Town of Newfield

THEREFORE BE IT RESOLVED that after holding a public hearing on Nov. 5, 2015 and at the Regular Town Board Business Meeting held on Nov. 12, 2015, the Town Board by motion from Councilperson Trask seconded by Councilperson Laughlin approves and authorizes Supervisor Hart to sign said Agreement.

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

Carried

*Discussion and action regarding Haefele TV internet request:*

Atty Thomas Smith did not feel there was an exclusive agreement with Clarity Connect regarding internet and felt Haefele TV could enter into an agreement with the Town of Newfield to provide internet to households on VanKirk Road.

Motion was made by Councilperson that the Town Supervisor be authorized to enter into a service agreement with Haefle TV, Inc. which will provide permission to operate in the Town of Newfield without a Cable Television Franchise Agreement so long as the service agreement is limited to no more than 25 households and that any road excavation or construction by Haefle TV, Inc. be done in accordance with Town of Newfield Local Law # 2 of 2010 entitled "Excavation and Construction in Municipal Roadways and Rights-of-Way"

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

Carried

*Approval of the 2016 Budget*

Discussion: Councilperson Trask commented that he has been very vocal against the tax cap and feels it that it does not work well for small budgeted municipalities. He thanked the current Town Board for working diligently to stay within the .73 % tax levy increase by using fund balances. Councilperson Laughlin commented that the fund balances were in better shape than in past years. Supervisor Hart commented on the savings each department has implemented. Councilperson James reviewed the growth factor, tax cap limit and efficiency plans. Councilperson James stated 30,000.00 were used from fund balance to apply to the 2016

November 12, 2015

Budget in order to stay within the tax levy. Councilperson Powers thanked Highway Superintendent Berggren for the savings for the Town with his resourcefulness.

Motion was made by Councilperson Laughlin to approve the 2016 Budget for the Town of Newfield, seconded by Councilperson Powers.

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

Carried

**Approval of the Payment of the October 2015 Bills**

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

General Fund	\$31,369.79
Recreation Fund	\$2,284.25
Highway Fund	\$61,183.39
Fire District	\$90,583.00
Street light Fund	\$2,404.50
Sewer Fund	\$542.89
Water District 1 Fund	\$2,449.64
Water District 2 Fund	\$913.78
Trust and Agency	\$3,194.09

Vouchers were audited by Councilpersons Trask and Laughlin.

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

Carried

At 8:52 p.m., a motion was made to move into an Executive Session to discuss pending litigation.

At 8:46, 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 23, 2015

Karen Miller Kenerson  
Newfield Town Clerk