

February 12, 2015

The regular Meeting of the Newfield Town Board was held at the Fire Hall February 12 at 7:12 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, absent: Councilperson Casey Powers. Also present: Atty. Hooks, and 55 attendees.

Privilege of the Floor

Tom Gerow: complimented the Highway Department for keeping Blakeslee Hill Road in good condition.

Benda Lapp: commented she recently had learned the Town's documents have been digitized. Ms. Lapp urged that the Town Laws be listed on the website and available in pdf format for everyone to access.

Bob Mente: addressed the Town Board regarding the condition of Bishop and Fishkill Roads. Mr. Mente stated that whether the proposed law was passed or not, the roads will continue to have truck traffic. He added that there will continue to be more truck traffic on the roads and the town need to fix them.

Marie Terlizzi: asked if the test wells had been drilled yet and if an extension could be requested.

Approval of January 8, 2015 Board Minutes, January 15 and 29, 2015 Special Meeting/Work Session Minutes

Motion was made by Councilperson James to approve the January 8, 2015 Board Meeting Minutes, seconded by Councilperson Laughlin.

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

Carried

Motion was made by Councilperson James to approve the January 15, 2015 Board Meeting Minutes, seconded by Councilperson Laughlin.

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

Carried

Motion was made by Councilperson Trask to approve the January 29, 2015 Board Meeting Minutes, seconded by Councilperson James.

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

Carried

Correspondence:

Supervisor Hart stated all correspondence that was received pertaining to proposed Local Law No. 1 of 2015 are on file.

February 12, 2015

Reports:

Highway: Highway Superintendent Kevin Berggren was absent. Councilperson Trask reported 2 trucks have been purchased. The Department has been busy keeping the roads clear but now is running low on sand and is looking into different options. Superintendent Berggren asked residents to not park their cars in the town right of ways while the roads are being plowed.

Water Sewer: Supervisor Hart reported that things are running along fine.

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

Code Enforcement: Code Enforcement Officer Harry Wright was absent.

Tompkins County Legislature Report: Newfield Representative David McKenna reported that the Legislature had recently voted and approved a New York State Community Rural Block Grant. The Covered Bridge repair will be voted on soon.

Planning Board: Planning Board Chairperson, Nancy Dolge: thanked the Town Board for attending the joint February 4th meeting. Mrs. Dolge asked Supervisor Hart if he had registered the Planning Board for State and Federal Grants.

Cemetery Committee: Chairperson, Marie Terlizzi reported there will be a cleanup day in May. The Cemetery Committee is looking into having a sign constructed identifying the Village Cemetery.

Supervisor: Supervisor Hart reported on the USGS well drilling study, Frey Well Drilling is hoping to come in early March to complete the well drilling.

The auditors have been in the Town Hall this week and preliminary findings showed systems are in place and everything seems on track.

New Business*Approval for the Supervisor to sign the Library Agreement*

Supervisor Hart read the proposed agreement. Motion was made by Councilperson Trask to approve Supervisor Hart to sign the Library agreement, seconded by Councilperson James.

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

Carried

Approval for the Supervisor to sign the Gadabout Agreement

Supervisor Hart read the proposed agreement. Motion was made by Councilperson James to approve Supervisor Hart to sign the Gadabout agreement, seconded by Councilperson Laughlin.

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

Carried

February 12, 2015

Old Business

Discussion and Vote on Local Law No. 1 of 2015 Town of Newfield Solid Waste Management Facilities Law
Attorney Hooks stated that step 1 would be an Environmental Assessment. This is an unlisted action according to the Environmental Conservation Law and the implementing regulations. As a consequence, there is an Environmental Short form. Atty. Hooks provided the Board members with the Short Environmental Assessment Form: Part 2- Impact Assessment and Part 3-Determination of Significance to review and answer. Supervisor Hart signed each document. The conclusion was there is a negative declaration in terms of how this would impact the environment. Councilperson Trask read the following Resolution as follows:

RESOLUTION No. 5-2015

State Environmental Quality Review (“SEQR”) In Connection with Local Law #1 for the Year 2015 (Town of Newfield Solid Waste Management Facilities Law)

WHEREAS in connection with consideration and enactment of Local Law #1 for the year 2015 (Town of Newfield Solid Waste Management Facilities Law), the Board undertook a review of the possible environmental impact of the passage of such law; and,

WHEREAS such review was conducted in accordance with the New York Environmental Conservation Law and regulations implementing that law; and

WHEREAS the proposed action is an unlisted action for which the Town Board of the Town of Newfield is the lead agency for the purposes of uncoordinated environmental review in connection with approval by the Town; and,

WHEREAS the Town Board of the Town of Newfield in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act “(SEQR), (i) thoroughly reviewed the Short Environmental Assessment Form (the “EAF”), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) completed the EAF, Parts 2 and 3.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Newfield, based upon (i) its thorough review of the EAF, Part 1, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed

February 12, 2015

action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the EAF, Parts 2 and 3, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Determination”) in accordance with SEQR for the proposed action, and determines that neither a full Environmental Assessment Form, nor and Environmental Impact Statement will be required; and,

2. The Supervisor of the Town Board of the Town of Newfield is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution.

Upon motion by Councilperson James, seconded by Councilperson Trask, the following resolution was offered for adoption:

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

Carried

Attorney Hooks then stated that because proposed Local Law No. 1 of 2015 involved legislation the matter was referred under General Municipal Law No. 239-m to the Tompkins County Planning Board for review and recommendation. The Tompkins County Planning Board recommended the Town exempt DEC food scrap drop off points in proposed Local Law No. 1 of 2015. Councilperson James commented this program is being utilized by other towns and Newfield School District as well, where food scraps are collected and go to Cayuga Composting. Attorney Hooks stated that the Board does not have to accept the recommendation. If it determines no to, the law must be adopted by a supermajority vote- in this case unanimously. Alternatively, the Board can accept the recommendation and include this as an exemption in section 6(a) (2) of the law. Councilperson Trask and James saw no problem accepting the recommendation. Councilperson Laughlin was hesitant because of the potential for attracting vermin. She felt the Board should take more time to consider this possibility at a later date. It then could be added as an amendment. She would like the Board to discuss this further. Supervisor Hart, Councilpersons Trask and James agreed.

Motion was made by Councilperson Laughlin not to accept the recommendation from the Tompkins County Planning Board, seconded by Councilperson Trask.

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

Carried

February 12, 2015

Councilperson Trask read **Resolution No. 6-2015** as follows:

**RESOLUTION ADOPTING LOCAL LAW #1
SOLID WASTE MANAGEMENT FACILITIES LAW**

WHEREAS this Board duly scheduled a public hearing to consider comments concerning proposed Local Law #1 for the year 2015 – Town of Newfield Solid Waste Management Facilities Law; and,

WHEREAS notice of such public hearing was duly advertised and posted as required by law; and,

WHEREAS a public hearing was held at the Newfield Fire Hall on February 12, 2015, per such notice; and,

WHEREAS the Board having determined by separate resolution that the enactment of this law would have no detrimental or adverse effect or impact upon the environment in the Town; and,

WHEREAS the Town has received comment and required by law from the County Planning Board with respect to such law; and,

WHEREAS the Board having considered and taken into account the comments from the public made during the public hearing conducted this date; and,

WHEREAS the Board has found that it is in the best interest of the public safety, welfare, health and environment that no waste management facilities as that term is defined in the proposed law hereafter be permitted, constructed or operated within the Town; and,

WHEREAS the Town adopts and incorporates herein the declaration of findings set forth in Section II of such law;

NOW, THEREFORE, it is

RESOLVED that Local Law #1 for the year 2015 Town of Newfield Solid Waste Management Facilities Law be and the same hereby is enacted and adopted with non-substantive modifications thereto to be made in Section VI thereof (**EXEMPTIONS**) so as to provide under Section VI(A)(3) that any solid waste management facility which has been unconditionally permitted, constructed and is actually operating as such a permitted facility as of the effective date of the Local Law shall be exempt therefrom so long as it operates under the current terms and conditions of its operating permit; and it is further,

February 12, 2015

RESOLVED that the Town Clerk be and hereby is directed to take all further action necessary to file and implement said law to assure the effectiveness of the law.

Motion was made by Councilperson James, to approve the adoption of Local Law No. 1 of 2015 seconded by Councilperson Laughlin.

Discussion: Councilperson Laughlin asked that the word “current” be added to Section VI Exemptions A, subsection 3.

Motion was made by Councilperson Laughlin for a friendly amendment to add the word current pertaining to current terms and conditions... seconded by Councilperson Trask.

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

Carried

Discussion: Councilperson Trask read a statement prepared by the Newfield Town Board Members as follows:

“We the Town Board of Newfield would like to thank the residents of Newfield for their commentary tonight regarding the proposed Local Law #1 of 2015 regarding the solid waste facility law of the Town of Newfield. There has been much debate and the Town Board has listened to everyone’s concerns.

That being said, as a Town Board we are empowered and authorized by statute and the NYS Constitution to protect the safety, health and welfare of all the residents and citizens of Newfield. The Town is further authorized, by enacting a law and laws prohibiting the use of lands within the Town as a dump or dumping ground.

The Town Board’s motivation for enacting this law relates to the effects that garbage, rubbish and refuse kept-even temporarily- on lands within the town, can have upon the Towns environment and well-being of its citizens.

Refuse of any sort, kept on lands within the Town would have potentially very adverse effects to the safety and welfare of those who live in the community. The odor, increased likelihood of litter, noise, increase traffic, risk of contamination of air and water, potential for vermin, among other things, lead to the conclusion that the law is needed to protect the safety and welfare of the citizens of Newfield. The EPA manual on waste transfer stations and facilities cites many of these concerns as problems.

The Town currently has an operating waste management facility in the Town and the Board sees no reason for any other waste management facilities being constructed anywhere in the Town.

We have been provided a tremendous amount of information and have been diligent in sorting through it all.

Thank you for coming tonight and for your input.”

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

Carried

February 12, 2015

Approval of the Payment of the February 2015 Bills

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

General Fund	\$55,329.60
Recreation Fund	\$876.46
Highway Fund	\$86,868.93
Street light Fund	\$3,416.88
Sewer Fund	\$213.11
Water District 1 Fund	\$7,372.78
Water District 2 Fund	\$119,321.66
Trust and Agency	\$1,532.72

Vouchers were audited by Councilpersons Trask and James.

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

Carried

Next Work Session Meeting will be scheduled when Councilperson Powers is able to attend. Subject matter will include the noise ordinance.

At 8:02 p.m., motion was made by Councilperson Trask to, adjourn seconded by Councilperson Jams.

Respectfully Submitted,

February 19, 2015

Karen Miller Kenerson
Newfield Town Clerk