

November 13, 2014

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room November 13, 2014 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: Atty. Hooks, and 10 attendees.

### **Privilege of the Floor**

*Gene VanZile:* spoke of honoring the veterans and those who had laid the foundation of Newfield.

*Brenda Lapp:* commented that she had reviewed several documents of applications for building permits submitted by Mr. Mente using different addresses and felt the applications were not factual. She also noted other inaccuracies that she felt the Town Board and Attorney should be aware of.

### **Approval of October 9, 2014 Board Minutes**

Motion was made by Councilperson Laughlin to approve the October 9, 2014 Board Meeting Minutes, seconded by Councilperson Powers.

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

Carried

Motion was made by Councilperson Powers to approve the October 8, 2014 Work Session Meeting Minutes, seconded by Councilperson Laughlin.

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

Carried

Motion was made by Councilperson James to approve the October 15, 2014 Work Session Meeting Minutes, seconded by Councilperson Laughlin.

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

Carried

Motion was made by Councilperson James to approve the October 21, 2014 Work Session Meeting Minutes, seconded by Councilperson Laughlin.

Vote	AYES	3	Hart, James, Laughlin
	NAY	0	
	ABSTAINED	2	Trask & Powers

Carried

Motion was made by Councilperson James to approve the October 23, 2014 Work Session Meeting Minutes, seconded by Councilperson Trask.

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

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Carried Motion was made by Councilperson Powers to approve the November 6, 2014 Public Hearings and Work Session Meeting Minutes, seconded by Councilperson Laughlin.

Vote	AYES	3	Hart, Laughlin and Powers
	NAY	0	
	ABSTAINED	2	Trask & James

Carried

### **Correspondence:**

Supervisor Hart stated a letter had been received from Tompkins County Environmental Council looking for community members who may be interested in being on the committee.

### **Reports:**

*Cemetery Committee:* No report

*Planning Board:* Chairperson Nancy Dolge reported that the Planning Board had a successful event in October, next they plan to have a discussion on updating the Town website, producing a list of service organizations, investigate land use tools, roundtable discussions with other town representatives, have a recommendation to the Town Board regarding waste management by 2/1/15, look into grants and preparation for them.

*Highway:* Highway Superintendent Kevin Berggren was absent due to checking road conditions.

*Code Enforcement:* Code Enforcement Officer Harry Wright; absent

*Water Sewer:* Water Sewer Manager Robb Brewer; absent. Supervisor Hart read Water Sewer Supervisor Brewer's retirement date intentions. Supervisor Hart then stated that at the December board meeting, Highway Superintendent Berggren will be appointed as interim Water/Sewer Supervisor with Steve Maki reporting to him as the head Water/Sewer worker. Superintendent Berggren will take the required Civil Service test for the permanent appointment.

*Recreation:* Recreation Director Reid Hoskins; absent. Supervisor Hart read Recreation Director Hoskins' report.

*Tompkins County Legislature Report:* Newfield Representative David McKenna reported that presently the County tax increase is at 2.5%. The Legislature members will have the final vote November 17<sup>th</sup> on the proposed 2015 County budget.

*Supervisor:* Supervisor Hart reported that the well drilling has been pushed back due by the drilling company and should now take place in the beginning of December. The USGS is still reaching out for wells to be monitored. Supervisor Hart also reported that he and Councilperson Powers will be working together to form a Community Council, to look for new avenues for fundraising for civic organizations. Supervisor Hart thanked everyone for their commitment and flexibility to attend many meetings during the 2015 Newfield Town Budget season.

### **New Business**

*Discussion and approval of Resolution No. 31-2014 Budget Modifications:*

Supervisor Hart read proposed Resolution No. 31-2014 as follows:

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**RESOLUTION NO. 31 -2014**

WHEREAS at the notification of the Duane Shoen, Independent Auditor, there is a negative balance in the Street Lighting fund.

WHEREAS the Auditor recommended amend the 2014 budget and reallocate to the 2014 street light Fund.

THEREFORE BE IT RESOLVED upon agreement by the Town Supervisor and Town Board that \$7,100.00 be transferred from General Fund line A1001 and transferred to Street Light Fund Line SL1001.

Motion was made by Councilperson Trask to approve the fore mentioned budget modifications, seconded by Councilperson Powers.

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

Carried

*Discussion and approval of Resolution No. 32-2014 Budget Modifications*

Supervisor Hart read proposed Resolution No. 32-2014 as follows:

**RESOLUTION NO. 32-2014**

WHEREAS at the request of the Town Bookkeeper the following budget modifications are requested to be made.

THEREFORE BE IT RESOLVED upon agreement by the Town Supervisor and Town Board the following 2014 October budget modifications are approved to be made.

**RECREATION**

Transfer \$484.98 from CR9040.8, Workman’s Comp, to CR7020.6, Concessions

Transfer \$62.59 from CR9040.8 Workman’s Comp, to CR7320.408, Youth Program Soccer

Transfer \$100.00 from CR9040.8 Workman’s Comp to CR9035.8, Medicare

**GENERAL**

Transfer \$1,000.00 from A1220.12, Personnel to A1220.1 Supervisor

Transfer \$500.00 from A1220.11, Personnel to A1220.1 Supervisor

Transfer \$98.05 from A1620.41 Bldg. Electricity to A1620.412, Bldg., and Maintenance

Transfer \$1597.72 from A9060.8, Hosp.Med/Ins to A5132.499, Garage, Misc

**WATER 1**

Transfer \$100.00 from SW1-9060.8, Health Insurance, to SW1-9035.8 Medicare

Transfer \$40.00 from SW1-9060.8, Health Insurance. To SW1-8310.4 Water Admin, CE

Motion was made by Councilperson James to approve the fore mentioned, seconded by Councilperson Laughlin.

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

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Carried

*Discussion and approval of Resolution No. 33-2014 to adopt Local Law No. 3-2014 to override the tax levy limit*

**RESOLUTION NO. 33-2014**

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 2015.

THEREFORE BE IT RESOLVED that after holding a public hearing on Nov. 6, 2014 and at a Regular Board Meeting held on Nov. 13, 2014 the Town Board by motion from Councilperson Power seconded by James adopts Local Law No. 3-2014.

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

Discussion: Councilperson Trask commented that he hesitates to pass the proposed law with the possibility of rescinding it in the future, in order for the residents to receive a small rebate. Councilperson Trask offered his support based on the potential of errors made in fund balances before 2015.

Supervisor Hart referred to research Councilperson James found that Local Law to override the tax cap would need to be rescinded by January 21, 2015 in order for its residents to receive a tax refund from the state.

Motion was made by Councilperson Powers to approve Resolution No. 33-2014 for the adoption of Local Law No. 3 of 2014, seconded by Councilperson James.

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

Carried

*Discussion and approval of Resolution No. 34-2014 to adopt Local Law No. 4 of 2014 amending Local Law No. 1 of 1980 Defense of Town Officers and Employees to include the Planning Board*

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**LOCAL LAW NO. 4 FOR THE YEAR 2014**

A local law amending Local Law #1 for the year 1980 which provides for the defense of town officers and employees.

Be it enacted by the town board of the Town of Newfield, New York, as follows:

Section 1. Purpose and Findings. Local Law #1 for 1980 does not include planning board members within the definition of employees to be defended and indemnified. The purpose of this Amendment is to add duly appointed planning board members as “employees” subject to being defended and indemnified under that law.

Section 2. Amended Definition of Employees. Section 1 of Local Law #1 of 1980 shall now read as follows:

Section 1. As used in this local law, unless the context otherwise requires: (a) the term “employee” shall mean any person holding a position by election, appointment or employment in the service of the town, but shall not include a volunteer, any person not compensated for his or her services or an independent contractor; provided, however, that a duly appointed member of the planning board shall be included as an ‘employee’ regardless of whether he or she is compensated. The term “employee” shall include a former employee, his or her estate or judicially appointed personal representative; (b) the term “town” shall mean the town of Newfield, New York.

Section 3. Except as above amended, all other provisions of Local Law #1 for the year 1980 shall remain in full force and effect.

Section 4. This local law shall take effect immediately upon filing in the office of the Secretary of State.

Motion was made by Councilperson Trask to approve Resolution No. 34-2014 adopting Local Law No. 4 of 2014, seconded by Councilperson Laughlin.

Discussion: Supervisor Hart clarified that Planning Board Chair Nancy Dolge asked to have the scope of those included be broadened to include possible subcommittee members. Attorney Hooks stated that committees and sub committees cannot take action, rather only make recommendations to the Town Board.

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

Carried

*Discussion and motion to approve the 2015 Town Budget*

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Supervisor Hart thanked everyone for working together to stay under the tax cap. Councilperson James felt it was a good budget, Councilpersons Trask, Laughlin and Powers agreed.

Motion was made by Councilperson Powers to approve the 2015 Town Budget, seconded by Councilperson James.

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

Carried

### Old Business

Councilperson Laughlin stated that by December 31, 2014 the sewer flow plan needs to be completed.

Councilperson Laughlin also commented about setting a date for a public hearing concerning the approval of the Water Tank project.

Moved by Councilperson Laughlin, seconded by Councilperson Trask,

Resolved, that the Town Board sets a Public Hearing on December 11, 2014 at 6:45.

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

Carried

### Approval of the Payment of the November 2014 Bills

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

General Fund	\$21,977.96
Recreation Fund	\$1,436.56
Highway Fund	\$56,865.72
Street light Fund	\$1,361.13
Sewer Fund	\$800.43
Water District 1 Fund	\$4,778.58
Water District 2 Fund	\$1,285.37
Trust and Agency	\$3,463.04

Vouchers were audited by Councilpersons Trask and James and Laughlin.

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

Carried

November 13, 2014

Town Board Work Session Meeting: Tuesday, November 25, 2014 at 7:00 p.m.

At 6:45 p.m., a motion was made to move into an Executive Session to discuss the collective bargaining unit agreement and pending negotiations. .

At 8:37 the Meeting was called back to the Regular Meeting of the Newfield Town Board, moving to adjournment at 8:50 p.m.

Respectfully Submitted,

November 18, 2014

Karen Miller Kenerson  
Newfield Town Clerk