

October 23, 2014

The Newfield Town Board met for a work session on October 27, 2014. Supervisor Hart called the meeting to order at 6:30 p.m. Present were: Supervisor Jeff Hart, Councilperson Roy Trask, Councilperson Joanne James, Councilperson Christine Laughlin, Councilperson Casey Powers and Town Bookkeeper Nadine Bennett. There were also 4 residents in attendance.

AGENDA ITEMS

Supervisor Hart asked that Resolution # 24-2014 be rescinded. Resolution #25-2014 be presented for consideration. The purpose being there was a concern that the 10% fee would cause issues with the tax cap. It has been confirmed that it would not.

RESOLUTION TO RELEVY 2014 WATER AND SEWER CHARGES ON 2015 TOWN AND COUNTY TAX BILLS

Supervisor Hart asked that Resolution # 24-2014 be rescinded. Resolution #25-2014 presented for consideration. The purpose being there was a concern that the 10% fee would cause issues with the tax cap. It has been confirmed that it would not.

Resolution # 25-2014

Resolution to relevy 2014 Water and Sewer Charges on the 2015 Town and County Tax Bills

Whereas, the Town of Newfield Water and Sewer accounts states on the October bills that any unpaid balance after November 11, 2014 will be relieved on the 2015 Town and County tax bills, and

Therefore be it Resolved that the tax collector will re levy the unpaid Water and Sewer Account charges over 30 days past due on the 2015 Town and County tax bills.

Be it Also Resolved that a 10% fee will be added to the past due accounts on the 2015 Town and County tax bills.

Motion was made by Councilperson Laughlin to approve rescinding Resolution # 24-2014 and amending it to Resolution # 25-2014, seconded by Councilperson Powers.

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

October 23, 2014

Carried

**RESOLUTION TO CONVENE A PUBLIC HEARING ON A LOCAL LAW TO
OVERRIDE THE NYS TAX CAP**

Supervisor Hart asked that the motion to hold a Public Hearing on November 13, 2014 on the Local Law to Override the NYS Tax Cap by rescinded and amended to Resolution# 26-14.

Proposed Resolution to Convene a Public Hearing on a Local Law to Override the NYS Tax Cap

Resolution #26-2014

Whereas, according to New York State General Municipal Law §3-R(5), if a town government decides to adopt a town budget with a property tax levy that exceeds the level set by the State, the town government must pass a local law to override that cap; and,

Whereas, adopting said local law is not predictive of the final tax levy but will Provide the Newfield Town Board flexibility to exceed the Property Tax Cap if it is deemed necessary;

Whereas, it is the intent of the Town Board to adopt a budget that does not exceed the 2015 tax cap requirement for the Town; and

Whereas, however during the Budget process and deliberation between today's date and the adoption of the Town's 2015 Budget in mid-November the Town Board may find that it may not exceed the cap in order to provide the Town's residents with a level of services the Board Members deem desirable and or necessary.

Now Therefore, Be It,

Resolved, that a public hearing will be held before the Town Board at the Newfield Town Hall on November 6, 2014 at 6:30 p.m. concerning proposed Local Law #3 for the year 2014 Local Law Overriding Tax Levy Limit for Fiscal Year 2015, at such time and place all persons interested in the subject matter will be heard concerning same.

Resolved, further that the Town Clerk is hereby authorized and directed to place proper notice of such hearing in the official newspaper of the Town and to post the same in accordance with Law.

SEQR ACTION: TYPE II-20

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Motion to rescind a motion by Councilperson Laughlin and amend to Resolution # 26-2014 was made by Councilperson Powers, seconded by Councilperson James.

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

Carried

RESOLUTION TO CONVENE A PUBLIC HEARING ON THE ADOPTION OF THE TOWN OF NEWFIELD 2015 BUDGET

Supervisor Hart asked that the motion to hold a Public Hearing on November 13, 2014 on the Local Law to Override the NYS Tax Cap by rescinded and amended to Resolution# 26-14. The reason being the Public Hearing needed to be held the first Thursday after Election Day.

Proposed Resolution # 27-214: To convene a Public Hearing on the Adoption of the Town of Newfield 2015 Budget

Resolution 27-2014

To Convene a Public Hearing on the Adoption of the Town Newfield 2015 Budget

Whereas, the Newfield Town Board is currently in the process of creating a Town Budget for the year 2015 to be presented to the Town Residents for their consideration,

Now Therefore Be Resolved that the Town Board does hereby call for a Public Hearing on Thursday, November 6, 2014 at 6:40 p.m. on a proposed adoption of the Town of Newfield 2015 Budget , and

Resolved, further that the Town Clerk is hereby authorized and directed to place proper notice of such public hearing in the official newspaper of the Town and to post the same in accordance with Law.

Motion to rescind the motion offered by Councilperson Trask, and amend to Resolution # 27-2014, was made by Councilperson James seconded by Councilperson Powers

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

Carried

RESOLUTION #28-2014

October 23, 2014

RESOLUTION TO SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTION OF A LOCAL LAW TO AMEND LOCAL LAW #1 FOR THE YEAR 1980 WHICH PROVIDES FOR THE DEFENSE OF TOWN OFFICERS AND EMPLOYEES.

Supervisor Hart asked that RESOLUTION # 25-2014 be rescinded and to consider amending to RESOLUTION #28-2014:

RESOLUTION # 28-2014

RESOLUTION TO SCHEDULE PUBLIC HEARING TO CONSIDER ADOPTION OF A LOCAL LAW TO AMEND LOCAL LAW #1 FOR THE YEAR 1980 WHICH PROVIDES FOR THE DEFENSE OF TOWN OFFICERS AND EMPLOYEES.

WHEREAS Local Law # 1 for 1980 does not include Planning Board Members within the definition of employees to be defended and indemnified,

WHEREAS the purpose of this Amendment is to add appointed Planning Board Members as “employees” subject to being defended and indemnified under the law,

WHEREAS the Amended Definition of Employee shall now read as follows:

Section 1. As used in this local law, unless the content otherwise requires: The term “employee” shall mean any person holding a position by election, appointment, or employment in service of the town, but shall not include 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 estate or judicially appointed personal representative. (b) the term “town” shall mean the town of Newfield, New York.

RESOLVED that a public hearing will be scheduled for November 6, 2014 at 6:50 p.m. at the Newfield Town Hall, 166 Main Street, Newfield New York regarding amending Local Law #1 for 1980.

RESOLVED that the Town Clerk be and hereby is directed to cause notice of such public hearing to be duly posted and published in accordance with applicable law.

Motion offered by Laughlin to rescind Resolution # 25 and amend to Resolution #29-2014 amending Public Hearing Date, seconded by Trask .

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

Carried

October 23, 2014

Supervisor Hart reported that the water rate study has been tentatively being scheduled for presentation on November 6, 2014 after the Public Hearings.

2015 Budget

Nadine Bennett explained the changes that had been made to the current 2015 Budget presented to the Board.

Also changes made at the October 21, 2014 budget meeting were reviewed for Councilperson Trask.

At 6:40 p.m., a motion was made by Supervisor Hart to move into an Executive Session to discuss Collective bargaining negotiations, seconded by Councilperson Trask.

At 6:45, the Meeting was called back to the Regular Meeting of the Newfield Town Board, moving to adjournment at 6:46 p.m.

Respectfully Submitted,

October 29, 2014

Karen Miller Kenerson
Town Clerk