

June 12, 2014

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room June 12, 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: Code Enforcement Officer: Butch Wright, Atty. Hooks, and 30 attendees.

### **Privilege of the Floor**

*Lois Compton:* asked the Town Board to discuss at a work session to consider placing a noise ordinance to affect the entire Town of Newfield. She also asked the Town Board to consider placing an ordinance against building four wheel or quad race tracks near people's homes and to not grandfather in existing tracks near people's homes.

*Rebecca Riberio:* thanked the Town Board for resending the letter to the DEC regarding the proposed waste transfer station on Bishop Road, and also for visiting the proposed site on May 28, 2014. Ms. Riberio also commented on a video recording she watched of the walking tour of the proposed waste transfer station on Bishop Road. Ms. Riberio also stated she supports the continuation of moratoriums concerning gas hydro fracking and the waste transfer station.

*Michelle Henry:* stated she looked forward to hearing the report concerning the Storm Water Manager Officer. She commented that she looked forward to seeing the payment being made to CSI (Community Science Institute).

*Gene VanZile:* thanked Code Enforcement Office Butch Wright for clearing up an accusation of his grey water and sewer water going into the creek. Mr. VanZile stated he has been working with an engineer and private investigator, who are also working with an attorney. He commented on the heavy loads of fill that had been delivered to the AWS fill site and the Fishkill and Bishop Roads. Mr. VanZile also stated that according to the Road Preservation Law this type of hauling is not to be allowed.

*Sue Golden:* commented on the proposed AWS waste transfer station and asked that the Town Board visit an operational transfer station. She felt Tompkins County and Casella would be accommodating. She also commented on Mr. Mente's ponds on the property.

*Jeff Golden:* stated the definitions of the words professional and deceit.

*Brenda Lapp:* commented her concern of the Open Meeting Law not being followed at Newfield Town Board Meetings and work sessions. She also commented of her concern of conflict of interest involving the Town Board and the Newfield Planning Board members.

*Marie Terlizzi:* asked for a clarification of conflict of interest concerning the Planning Board member issue.

### **Approval of May 8, 2014 Board Minutes**

Motion was made by Councilperson Laughlin to approve the May 8, 2014 Board Meeting Minutes, seconded by Councilperson Powers.

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

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NAY 0

Carried

**Correspondence:**

Supervisor Hart read a letter from Tompkins County Health Department concerning the Tompkins County Drinking Water Taste Test. Newfield Town water was third in the taste test.

**Reports:**

*Cemetery Advisory Committee:* Marie Terlizzi reported that Limbwalker Tree Service had taken down the large Norway spruce trees. Mike Grover from Saw It Coming donated cutting the wood into planks. Ms. Terlizzi thanked the Highway Department for their promptness and help cleaning up and hauling away the debris.

*Planning Board:* Planning Board Chair Nancy Dolge: reported that there will be a Service Organization Meeting in October at the Newfield Fire Hall. There will also be training on July 20 at 7:00 p.m. to be given by Eric Miller of the Southern Tier East Region Council for the Planning Board. Mrs. Dolge encouraged the Town Board to attend as well. Mrs. Dolge stated she had followed up on the Landfill Law.

*Code Enforcement:* Code Enforcement Officer Harry Wright presented the Town Board with a list of permits issued and reviewed the environmental concerns.

*Highway:* Highway Superintendent Kevin Berggren was absent; Councilperson Trask read a report of current work being done.

*Water Sewer:* Water Sewer Manager Robb Brewer was absent; Supervisor Hart read Water/Sewer Manager Brewers report

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

*Tompkins County Legislature Report:* Newfield Representative David McKenna stated that the County Department has been notified for the upcoming budget season. Legislator McKenna added that the County was looking to hire an Airport Manager and a Commissioner of Personnel. Mr. McKenna also stated that he was the Chairperson of the Broadband Committee. He and Mr. Chuck Bartash from Clarity Connect received an award in Albany for being the most collaborative

*Supervisor:* Supervisor Hart reported that Kathy Crance is learning the payroll program in order to be a backup for the Town bookkeeper. He also reported that the Town of Newfield may be given the opportunity to have wetland donated to the Town on Test and Sebring Roads. This will be discussed at an upcoming work session.

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It was also noted the Supervisor, and the Town Board Members received the May 2014 Accounting Statement and Bank reconciliation report on June 12, 2014. These reports were also available during the monthly audit of the vouchers. Supervisor Hart reported he has a meeting with Scott Doyle of the Tompkins County Planning Department concerning farm easement preservation for Mazourek Farms on Rte. 13. Supervisor Hart commented on concerns that were mentioned during Privilege of the Floor. Supervisor Hart stated that the Road Perseveration Law was drafted to protect the Town and its roads. The Board has been looking to see if the roads could be required be preemptively built up prior to the issuance of a building permit. The answer has come back yes; the Town can require a permit applicant to bring the road up to standard that would support the traffic that would be used on it. This is different than previously thought where the roads would be fixed after the damage was done. The next step will be to set the fee structure. This will be discussed at the next work session. Supervisor Hart also stated that on the Town website it is listed how to get a copy of Board Meeting minutes.

**New Business**

**Discussion and approval of Resolution NO.14-2014- Standard Work Hours for elected & non-elected officials for the NYS Retirement.**

RESOLUTION NO. 14 – 2014 Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Town of Newfield hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Bookkeeper for this body.

Title	Name	SSN Last 4 digits	Registration Number	Term Begins/ Ends	Standard Work Day	Participates in Employer's Time Keeping System (y/n)	Days/Month based on record of activities)
<b>Elected Officials</b>							
Town Clerk	Karen Kenerson	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/17	8	n	22
Councilperson	Chris Laughlin	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/17	6	n	2
Councilperson	JoAnne James	XXX-XX-XXXX	xxxxxxx	1/1/14/12/31/17	6	n	2
Highway Supt.	Kevin Berggren	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/17	8	n	22
Justice	Debbi Payne	XXX-XX-XXXX	xxxxxxx	1/1/11-12/31/14	6	n	10.77
<b>Non-Elected Officials</b>							
Water/Sewer Supvsr	Rob Brewer	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22
Highway Workers	Paul Gatch	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22

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Rodney Williams	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22
Kenneth Seamon	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22
Steven Maki	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22
Brian Fuller	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22
Mark Sidle	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22
Sean Redman	XXX-XX-XXXX	xxxxxxx	1/1/14-12/31/14	8	y	22

Motion was made by Councilperson Powers and seconded by Councilperson Trask to approve Resolution NO.14-2014- Standard Work Hours for elected & non-elected officials for NYS Retirement.

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

Carried

**Discussion and approval of Resolution NO. 15-2014 Resolution to Repeal Local Law No.3-2013**

Supervisor Hart read the proposed Resolution and Councilperson James explained the reasoning for it. Attorney Hooks offered a friendly amendment to read as follows:

Resolution NO. 15-2014 – Resolution to Repeal Local Law No. 3-2013

WHEREAS: The Town Board in 2013 introduced and approved a Local law to override the tax levy for the fiscal year 2014. This local law was adopted pursuant to subdivision 5 of the General Municipal Law 3-c.

WHEREAS in order for residents to receive rebates this law must be rescinded and the Town Board wishes to allow residents to receive their tax rebates due them.

THEREFORE BE IT RESOLVED, the Newfield Town Board rescinds and repeals Local Law No. 3 for the year 2013; and it is further

RESOLVED that the Town Clerk hereby is directed to file with the Office of the Comptroller this resolution and such other documents as may be necessary in order to allow residents to receive the tax rebates due.

Motion was made by Councilperson Trask to approve Resolution NO. 15-2014 Resolution to Repeal Local Law No. 3-2013 seconded by Councilperson James.

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

Carried

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Councilperson Trask commented that he felt that this should be considered during the budget conversations concerning the tax cap.

### **Discussion and Appointment of New Planning Board Member**

Supervisor Hart thanked the individuals who applied to the Planning Board position and commented on the caliber and depth of the candidates who applied.

Councilperson Laughlin hoped that the candidates whom were not appointed would become involved with the Planning Board as each one had great qualities that would be beneficial to the Board.

Councilperson James commented on the caliber of the applicants as well.

Councilperson Powers enjoyed the interviews and the interesting ideas that were presented. She also hoped that those not chosen would apply again.

Councilperson Trask agreed that he was also impressed with the candidates, and the interesting perspectives that he may not have considered otherwise.

Motion was made by Councilperson Powers to appoint Karen Trask as a Member of the Newfield Planning Board, seconded by Councilperson James.

Councilperson Trask stated that Karen Trask was his sister in law.

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

Carried

### **Old Business**

Next Work Session will be Monday June 16 at 7:00. Agenda items to include: Waste Transfer Station Moratorium Extension, Mazourek Farm Preservation Easement, Hoffman Wetland Easement, Road Preservation fee structure.

June 26 work session at 7:00. Agenda items to include review of the draft audit report.

Public Hearing for and extension of Moratorium on the Construction and Operation of Commercial Solid Waste Management Facilities: July 10, at 6:30 p.m.

### **Approval of the Payment of the June 12, 2014 Bill**

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

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General Fund	\$44,671.26
Recreation Fund	\$3,761.88
Highway Fund	\$69,122.78
Street light Fund	\$1,364.25
Sewer Fund	\$2,589.63
Water District 1 Fund	\$26,089.37
Water District 2 Fund	\$7,270.47
Trust and Agency	\$3,060.92

Vouchers were audited by Councilpersons Laughlin and James

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

Carried

At 8:07 p.m., a motion was made to move into an Executive Session to discuss a collective bargaining issue.

At 8:41, the Meeting was called back to the Regular Meeting of the Newfield Town Board. Councilperson James offered a motion to move to adjournment at 8:42 p.m. seconded by Councilperson Laughlin.

Respectfully Submitted,

June 17, 2014

Karen Miller Kenerson  
Newfield Town Clerk