

Town of Newfield Regular Board Meeting

March 8, 2012

The regular Newfield Town Board Meeting was called to order at 6:58 PM by Supervisor Driscoll. Present were CP Trask, CP Laughlin, CP Powers, Supervisor Driscoll, CP James was absent. Also present Recreation Director: Dustin James, Code Enforcements Officers: Harry Wright, and Tony Petito, Justices Payne and Dresser, and Town Atty. Ed Hooks. Supervisor Driscoll opened with the Pledge of Allegiance. Supervisor Driscoll then explained the new rules of Privilege of the Floor that were adopted at the February 9, 2012 meeting.

Opening Privilege of the Floor:

Gundy Lee a resident of Benjamin Hill, Newfield asked the Town Board not to allow hydro fracking in the Town of Newfield. She gave a copy of her statement to the Board and Supervisor Driscoll.

Randy Brown, a resident of Van Kirk Road, Newfield, and a member of the Planning Board spoke to the Town Board concerning a letter from the Planning board recommending from three members of the Planning Board that the Town impose a moratorium on gas drilling. He spoke of his attendance of a Question and Answer meeting hosted by the Town Board of Enfield, with the Town Attorney and members of the public present. Enfield has a one year moratorium document available to view on their website. He also spoke of the progress of the Comprehensive Plan; the Planning Board is in the stage of writing various chapters of the plan. He passed out a sheet that shows the work plan and stated volunteers are needed to write/edit or be a support person, they would appreciate the help. Mr. Brown gave a copy of his presentation and work plan to the Town Board and Supervisor Driscoll.

Karin Eisenberg, a resident of Main Street, Newfield, asked the status of imposing a moratorium of conventional gas drilling until the completion of the Comprehensive Plan.

Scott Smith, a resident of Van Kirk Road, Newfield, read a letter from his wife Linda Poppleton and himself. He and his wife believe that gas drilling by horizontal fracking is an environmental disaster in the making. As town residents, he is asking the Town Board to seriously consider a moratorium on gas development drilling in the town. Eventually they would like to see a ban. He attached a recent article from the Cornell Chronicle that summarized a study by the Cornell Vet School concerning illness, death, and reproductive issues in farm animals and pets exposed to fracking chemicals. A moratorium would allow the town to study the issues related to gas development. He gave Supervisor Driscoll copies of his presentation and the article from the Cornell Chronicle.

Gurdon Brewster, a resident from Shaffer Road, Newfield, had concerns if there were well breaks in future, what would happen and who would pay for it? His real concern is for the community of Newfield. He is noticing divisions spring up here and there. He asked the Board to look at the larger vision of working for the greater good of the majority of the people.

David Leistikow, a resident from Miller Road Extension, Newfield, wanted to encourage the Town Board to follow through with the moratorium before the Comprehensive Plan is issued. He cited it was a very profound issue, one that requires the most diligence that we can muster.

Tom Reynolds, a resident from Van Kirk Road, Newfield, cited that the Tompkins County Legislature has been raising our taxes at twice the rate of inflation and the Newfield School Board would soon be hitting us with a whooping tax increase and the Town Board also knew the financial pressures that were on the Town, and wondered where all the money was going to come from? He feels that natural gas drilling fracking is our only economic hope for upstate New York. He had a hand out that refutes the myths heard about fracking and disputes them with facts. He told of going to Dimock, PA., he had pictures of his visit last September, he stated Dimock looks like Newfield now. Environmentalist wants us to fear the chemicals in fracking,

but the EPA says not to worry... The issue of concern is methane migration. Methane is nontoxic. He feels the people of Newfield need facts, not fear. The hand out he presented to the Board gives them the facts not the fear, and he feels this is what Newfielders need to know.

Jonathon Long a resident of Main Street, Newfield: He thinks it is important to really study the issue, and not just read the propaganda from either side. Methane is an issue, but it can be an issue in places that do not have fracking happening. He stated that a property belongs to a person, and if they want to enter into an agreement with a company, you have to have a good reason to limit their freedom to engage in business. He feels that the burden is on the Board to find out what are the toxic chemicals exactly, what the methane problem is exactly. Then document the reasons why they would want to limit the freedom that citizens have.

Tom Gerow, a resident from Blakeslee Hill Road, Newfield: wanted to thank the Town Board for imposing a weight restriction on Blakeslee Hill Road, and for the Town Highway for maintaining the guard rail that he had been very concerned about.

Agenda Changes: none

Adoption of Previous Meeting Minutes: A motion was made by CP Laughlin to approve the meeting minutes from January 2, January 12, and February 9, 2012 meetings; this was seconded by CP Powers. All in favor, and the motion passed.

Correspondence:

Supervisor Driscoll stated three items were received. Randy Brown/Planning Board that has already been mentioned. Mervin L. Guy sent a donation for the maintenance for the Village Cemetery on Bank Street. His Great Great Grandparents James and Anna Ford are buried there.

Jon and Madeline Glase, Old Payne Road residents, they hold lease for gas drilling, and are alarmed that they hold that lease now. Their purpose is to ask the Board to ban drilling by high volume hydraulic fracturing in Newfield, until method is deemed absolutely safe by the scientific community.

Reports:

Highway: Superintendent Berggren was absent; Supervisor Driscoll reported that he and Superintendent Berggren attended a work shop that included other towns that are also working with DELTA engineering for road preservation efforts.

Water and Sewer: Supervisor Brewer, absent no report

Recreation: Recreation director Dustin James reported that the winter programs are just about done. The basketball league tournament was last weekend, the 6th grade boys' team won the league tournament and the 4th grade boys were 3rd. place. The senior cheer squad placed 2nd at Elmira College competition.

Spring Sport Sign up was held this past Monday night at Town Hall. About 90 children were signed up for various spring sports.

Summer Camp: Mr. James is currently looking for a place to hold summer camp. He is talking to the school, and waiting for confirmation at this point.

He spoke about the purchase of the Amish Shed storage unit. A larger one with a better price became available, and decided upon.

At the end of March Mr. James has been asked to co-present at the State Park and Recreation Conference with two Ithaca College professors, at Saratoga Springs.

Code Enforcement: Tony Petito reported he had no complaints during the month of February, but expects more as spring time comes. The open cases he has have been moving along to comply with local laws 1 & 3.

Building Code Enforcement Office Butch Wright reported that it had been a slow beginning of permits, but he has had conversations with single family homes to be built. At the end of March he will develop a report that will list the permits for the quarter.

County Legislature: County Legislator David McKenna reported that would be a meeting on May 9 at 7:00PM here at the Newfield Town Hall concerning Broadband internet.

Supervisor's Report: Supervisor Driscoll appointed Dustin James to be the Newfield representative to the Tompkins County Recreation Partnership, for another year.

Supervisor Driscoll has received the last correspondence from the IRS, with respect to the penalties for the 4th quarter for 2011, \$ 1,676.00 that has been paid. The next step will be to file for the appeal for all three quarters. Duane Shoen from Ciachi, Deitershagin and Mickelson will provide the assistance for the correspondence and the appeal to the IRS.

An update with the Workman's Compensation and PERMA penalties incurred for leaving the contract early. The amount was reduced by \$1400.00 leaving the amount due of \$13,000.00. The current company the Town uses for Workers Compensation, New York State Insurance Fund has a rebate policy and the Town anticipates receiving \$6,000.000, sometime this spring. He will then negotiate with PERMA to accept that as payment and then abate the rest of the payment until next year if they do not agree.

Supervisor Driscoll, CP James, Mike Allinger, and Linda Poppleton met together for a conversation of redoing the Town of Newfield website. Linda has produced a Beta version of what it could look like; he has hope of it being able to launch in about three months.

The Newfield Town Board and the Board of Education of the Newfield Central School District will meet for a wide ranging conversation. They will be meeting jointly in special session Thursday, March 15th. at 6:00PM, at the school.

The topics for the next work session on March 29 will be a presentation from Justices, Debbi Payne and Gary Dresser, and initial beginning discussion on the Town Board's moratorium on hydrofracking in the Town of Newfield.

New Business:

**Resolution 12-2012
2011 ENCUMBERANCES**

RESOLVED that the following amounts shall be encumbered to the 2011 Account Lines cited below,

ACC'T #	CLAIMANT	AMT. DUE
A1110.112	PERS SERV. COURT CLERK	\$1,442.81
A1110.48	STAPLES	\$171.96
A8745.41	USGS	\$5087.25
DA5110.499	DELTA ENGINEERING	\$2,375
A1610.499	DELTA ENGINEERING	\$2,375

Motion was made by CP Laughlin to approve **Resolution 12-2012** and seconded by CP Powers. CP Trask asked about the A1110.112 Personal Services Court Clerk, Supervisor Driscoll explained it was for services provided in December 2011, and it was within the amounts in the 2011 budget.

Vote : CP Trask: Aye, CP Laughlin: Aye, CP Powers: Aye, Supervisor Driscoll: Aye

Motion Passed.

Resolution 13-2012

NEWFIELD FIRE COMPANY

RESOLVED that the Town Board affirms its unanimous agreement to release the Newfield Fire Company's first contract payment of 2012 on March 1, 2012 and that said arrangement shall be reflected in the Contract as permitted by Article 19.

A motion was made by CP Trask to affirm **Resolution 13-2012** seconded by CP Laughlin

Vote: CP Trask: Aye, CP Laughlin: Aye, CP Powers: Aye, Supervisor Driscoll: Aye

Motion passed.

Resolution 14-2011

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

AGREEMENT

RESOLVED that the Town of Newfield may enter into an undertaking with the New York State Department of Transportation in connection with work affecting State Highways.

Motion was made by CP Trask to accept **Resolution 14-2012** and seconded by CP Laughlin.

Vote: CP Trask: Aye, CP Laughlin: Aye, CP Powers: Aye, Supervisor Driscoll: Aye

Motion passed.

Resolution 15-2012

AUTHORIZATION TO PURCHASE

RESOLVED that the Recreation Department is authorized to purchase a Dutch Barn in the amount of \$3,900 for the storage of recreation equipment.

Motion was made by CP Laughlin to accept **Resolution 15-2012**, and was seconded by CP Powers.

Vote: CP Trask: Aye, CP Laughlin: Aye, CP Powers: Aye, Supervisor Driscoll: Aye.

Motion passes.

Justice's Payne and Dresser made an announcement that the 6th. Judicial District and the Office of Court Administration for the State of New York has awarded the Town Court of Newfield, \$ 24,884.00 for security and updating of the Newfield Court Space. Justice Dresser commented on the fact that there is virtually little to zero security when court is in session or when the clerks are working. The Justices are looking to secure the court room to a level of reasonableness to where the value of safety is there where people feel comfortable working. He mentioned that in some towns where there are police officers, on Assistant District Attorney Day, when the court had more people present, they have an officer there to act as a bailiff. To do that would be cost effective, but there are other ways to develop security within the court room where the expectation of safety is there, without having someone physically there. The Board Members were given an explanation of the proposed plan.

CP Laughlin asked when demolition and construction would begin, Justice Payne responded that that would be better discussed at the work Session on the 29th. CP Trask asked when the Grant funds would become available, Justice Payne believes the Town has received the check and Supervisor Driscoll confirmed it had.

Old Business:

CP Laughlin asked if the AUD report had been completed as the dead line was coming up. Supervisor Driscoll stated that he would be using funds from the Supervisors Contractual line to hire someone to be able to do it. The deadline is April 1, 2012, CP Laughlin and CP Trask asked if it will be done by the dead line, Supervisor Driscoll felt it could be. CP Trask asked if the document wasn't able to be done before the dead line that the extension is filed for, Supervisor Driscoll confirmed this.

February Expenses:

February expenses were audited by CP Laughlin and CP Powers this month.

General Fund	totaling	\$ 48,073.55
Recreation Fund	totaling	\$ 6,365.77
Highway Fund	totaling	\$ 55,993.40
Water 1 Dist. Fund	totaling	\$ 5,733.73
Water 2 Dist. Fund	totaling	\$ 112,354.84
Street light Fund	totaling	\$ 1,274.86
Sewer Fund	totaling	\$ 629.42
Fire Dist. Fund	totaling	\$ 172,626.00

A motion was made by CP Trask to authorize the payments and seconded by CP Laughlin. All were in favor, motion passed.

Closing Privilege of the Floor:

Jonathan Long asked what type of security measures were being discussed for the court? He asked if it would be similar to the City of Ithaca.

Jim Eisenberg responded to Mr. Long's question about security and mention of comparing it to Ithaca.

Being there no further business to discuss, Supervisor Driscoll adjourned the meeting at 7:53 PM.

Respectfully Submitted,

March 21, 2012

Date

Karen Miller Kenerson
Newfield Town Clerk