

July 13, 2017

The regular Business Meeting of the Newfield Town Board was held at the Town Hall Board Room July 13, 2017 at 7:00 PM. 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 Mike Allinger, Councilperson Christine Laughlin and Councilperson Casey Powers. Also present: Highway Superintendent Kevin Berggren, Code Officer Alan Teeter, County Legislature Representative David McKenna, Attorney Tom Smith and 13 attendees.

Privilege of the Floor

Brenda Lapp: asked when the paving on Rte. 13 was scheduled and suggested the date be put on the Town website when it is determined.

Shirley Woodard: spoke to the Board with concerns regarding the livestock being kept behind a home on Main Street. Mrs. Woodard presented an example of a petition to be passed regarding the concerns of the town residents regarding the livestock on Main Street.

Approval of June 8, 2017 Business Meeting and the June 22, 2017 Board Minutes

Motion was made by Councilperson Allinger to approve the June 8, 2017 Business Meeting Minutes, seconded by Councilperson Powers.

Vote	AYE	4	Hart, Allinger, Laughlin and Powers
	NAY	0	
	ABESNT	1	James

Carried

Motion was made by Councilperson Powers to approve the June 22, 2017 Board Meeting Minutes, seconded by Councilperson Allinger.

Vote	AYE	2	Allinger, and Powers
	NAY	0	
	ABSENT	1	James
	ABSTAINED	2	Hart and Laughlin

Carried

Reports:

Highway: Superintendent Berggren reported Stark Rd had been profiled and shoulders will be upgraded soon. Dassance Rd would be profiled on August 10th. The Highway Department had also been ditching and shoulder work.

Water/Sewer Department: Superintendent Berggren reported work would begin to correct the issues on the VanKirk Road tank. The landscaping and berm construction will take place when the tank correction is complete.

Recreation: Recreation Director Reid Hoskins was absent; Supervisor Hart read the monthly report. Director Hoskins announced his intention to step down as Recreation Director at the end of the summer.

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Code Enforcement: Code Enforcement Officer Teeter arrived late. The Board reviewed his monthly report he had provided.

Tompkins County Legislature Report: Newfield Representative David McKenna stated that the Legislature had approved a housing strategy for new housing within the County, approved to override the tax cap for the County, and is considering a new name for the Tompkins Trust Company building.

Planning Board: absent

Town Park: Councilperson Laughlin reported the DEC permit and design have been submitted.

Environmental Management Council:-Michelle Henry will give a detailed report at the July 27 meeting.

Supervisor: Supervisor Hart reported on August 12 there will be a dedication of the Tompkins County Bicentennial sign that is placed in front of the Town Hall, followed by a historic walking tour of the hamlet and an ice cream social.

The Old Home Day Committee will be having a Spaghetti dinner at the Newfield Fire Hall to benefit the Newfield Home Day. Supervisor Hart reported he and the Town Clerk had attended the signing of Industrial Hemp Legislation for New York State. The State has a goal to have 20 thousand acres of industrial hemp production. Supervisor Hart also reported he had received many calls from residents regarding the roads and that Highway Superintendent Berggren had been very helpful with a detailed plan. Councilperson Laughlin reported the Verizon Wireless Tower is up on Tupper Rd.

New Business

Kris West- Finger Lakes Land Trus(FLLT)t- conservation area plan for Sherrer Road

Ms. West stated the FLLT had received a donation of land on Sherrer Rd. The land has limited road frontage for public access in order to provide for public visitation. The FLLT reached out to a neighboring land owner and was able to purchase additional land in order to be able to put in a parking area, kiosk and trail head that will lead back to the remainder of the preserve. A portion of this particular property will be sold with a conservation easement and applying for a County Conservation grant to help defray the purchase costs. Ms. West also commented other uses for the Nature Preserve are agricultural farming by a local Newfield farmer and the property is also entered into a deer hunting permit program. Ms. West hopes the Nature Preserve will become a local asset.

Discussion and Vote on Resolution NO. 13-2013 Authorizing the Town Bookkeeper to pay dedicated town bills on line.

Resolution No. 13-2017

Authorization for Bookkeeper to pay designated bills on line.

WHEREAS the timing for payment due date on some of the town bills do not coincide with the Town Board meeting and

WHEREAS some bills when received by mail take up to 10 days to be processed causing high late fees charged back to town and

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WHEREAS at the request of some vendors have requested bills be paid on line

THEREFORE the Town Bookkeeper is requesting permission to pay the following designated bills on line to eliminate late fees: New York State Electric and Gas and Master Card. The Bookkeeper is also requesting that the following bills be paid on line at the request of the vendor: CSEA Dues and employee benefits (eye and dental), NYS Deferred Comp, AFLAC, and Constellation Energy Services.

BE IT RESOLVED that the Town Board authorizes the Bookkeeper to set up On Line Bill Payment with the above mention vendors only. All Online payments will be included on the monthly abstract.

Motion to approve Resolution No. 13-2017 was made by Councilperson Laughlin, seconded by Councilperson Powers.

Vote	AYE	4	Hart, Allinger, Laughlin and Powers
	NAY	0	
	ABESNT	1	James

Carried

Discussion and Vote on Resolution No. 14-2017 approving the Town joining the Tompkins County Insurance Consortium

Supervisor Hart stated Attorney Smith had sent notification to Tompkins Insurance of the Town’s intention to move its health care insurance to the Tompkins County Insurance Consortium. Attorney Smith added he had read the Municipal Cooperative Agreement and that it was a good agreement, in that it does not handcuff a participant to staying in the plan beyond one year. And that a binding Resolution from the Town that it will join and is subject to Consortium approval.

RESOLUTION NO. 14-2017

Approval of Municipal Cooperative Agreement for Health Ins.

WHEREAS according to Article 5-G of the New York General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually AND

WHEREAS Sections 92-a and 119o of the General municipal Law authorizes municipalities to purchase a single health insurance policy, enter into group health plans and establish a joint body to administer a health plan AND

WHEREAS Article 47 of the NY Insurance Law and the rules and regulations of the NYS Superintendent of Financial Services set forth certain requirements for governing self-insured municipal cooperative health insurance plans AND

WHEREAS section 4702 of the Insurance Law defines the term “municipal corporation” to include a county, city, town, village, school district, board of cooperative educational services, public library and district (as defined in Section 119-n of the General Municipal Law AND

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WHEREAS the Participants have determined to their individual satisfaction that furnishing the health benefits (including, but not limited to, medical, surgical, hospital, prescription drug, dental, and/or vision) for their eligible officers, eligible employees (as defined by the Internal Revenue Code of 1986, as amended and the Internal Revenue Service rules and regulations), eligible retirees and the eligible dependents of eligible officers, employees and retirees (collectively, the “Enrollees”) (such definition does not include independent contractors and/or consultants) through a municipal cooperative is in their best interests as it is more cost-effective and efficient. Eligibility requirements shall be determined by each Participant’s collective bargaining agreements and/or their personnel policies and procedures.

NOW THEREFORE BE IT RESOLVED, that the Newfield Town Board hereby directs the Supervisor to sign the Greater Tompkins County Municipal Health Insurance Consortium (GTCMHIC) Municipal Cooperative Agreement (MCA), submit copies of financial information required by the GTCMHIC (up to two years of State Comptroller AUD reports), supply contract population data of all employees/retirees eligible to be covered by the Consortium and benefit plan for each and comply with the dependent verification requirements of the GTCMHIC.

RESOLVED, further, that the municipality’s Board hereby directs the Supervisor to request that a Surplus Reserve Payment (5% of annual premium) be waived before coverage can begin.

Motion was made by Councilperson Laughlin to approve Resolution No. 14-2017, motion was seconded by Councilperson Powers

Discussion:Councilperson Laughlin urged the Town Board Members to approve joining the TCHC. She added the Collective Bargaining Unit and its representative had met with the Town Board and comparisons of the proposed plan and present plan are included in the Board packet. Councilperson Laughlin added a person designated from the Town needed to be appointed by the Town to be a member of its Board of Directors. Councilperson Laughlin tentatively agreed to be the Board Member pending approval and when the meetings are. Highway Superintendent Berggren asked if he were willing to pay the difference could he chose an upgraded plan. This will be looked into.

Vote	AYE	4	Hart, Allinger, Laughlin and Powers
	NAY	0	
	ABESNT	1	James

Carried

Public Health/Nuisance on Main Street (hamlet area)

Supervisor Hart stated Councilperson James had contacted him regarding the resident concern regarding the farm animals being housed on Main Street. Attorney Smith stated that the situation on concern is a relatively new use and the Town could legally pursue this as a public nuisance case. There could be possible legal fees of \$10,000 to \$ 15,000. Attorney Smith will send a letter of public concern to the property owner for the record.

Set up Board Committee for Union Contract negotiations

Supervisor Hart commented a negotiation team to meet with members of the collective bargaining unit and their representative. Supervisor Hart, Councilperson Powers and Allinger will represent the Town. Attorney Smith will notify the Collective Bargaining Unit representative suggesting dates to meet collectively.

Discussion and vote approving the Supervisor to sign the Tax Collection Agreement with the Newfield School District.

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Motion was made by Councilperson Allinger to approve Supervisor Hart to sign the agreement for School Tax Collection with the Newfield School District, seconded by Councilperson Powers.

Discussion: Councilperson Laughlin stated this was the same agreement the Town had signed in previous years adding a slight increase. Supervisor Hart added that he and the Town Clerk were in agreement of the importance of keeping the School Tax Collection in the Town of Newfield for the convenience of its residents.

Vote	AYE	4	Hart, Allinger, Laughlin and Powers
	NAY	0	
	ABESNT	1	James

Carried

Discussion and vote on the 3 year contract with the Tompkins County Animal Control.

Councilperson Laughlin noted the contract did not have an increase of price. The Town Clerk noted that TCAC would like each town to have a currant dog enumeration.

Motion was made by Councilperson Allinger to approve Supervisor Hart to sign the 3 year contract with Tompkins County Animal Control, seconded by Councilperson Laughlin.

Vote	AYE	4	Hart, Allinger, Laughlin and Powers
	NAY	0	
	ABESNT	1	James

Carried

Discussion and Vote on Resolution No. 15-2017- Appreciation to the Tompkins County Probation and Community Justice Enhanced Supervision and Sentencing Options Program

Justice Chernish spoke of the appropriateness of recognizing all the local efforts provided by the SWAP group and its Supervisor Jim Bond and read proposed Resolution No. 15- 2017 as follows:

Resolution No. 15-2017

Appreciation to the Tompkins County Probation and Community Justice Enhanced Supervision and Sentencing Options Program

WHEREAS: The Town of Newfield has greatly benefited from the efforts of the Tompkins County Department of Probation and Community Justice Enhanced Supervision and Sentencing Options Program known as Service Work Alternative Program, or SWAP, and;

WHEREAS; the SWAP program and its participants have played a major role in the rehabilitation and upgrade in the Town Court in its painting, modifying, installing, and refinishing the pews, and other essential work, thereby making the courtroom more functional, safer for the public, and the most attractive in the county, and;

WHEREAS; the SWAP program and its participants played a major role in making repairs and upgrades to the gazebo and its environs in the Mill Park for its further enjoyment of the public and for the new music series, and;

WHEREAS; the SWAP program and its participants have made major contributions to improvement and beautification of the area around the Town Hall, and;

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WHEREAS; Work Project Supervisor James Bond has demonstrated outstanding leadership and provided hands-on assistance to programs participants, anticipating needs of both persons and projects in the Town of Newfield, and;

THEREFORE BE IT RESOLVED: The Town of Newfield Salutes and Thanks the Department of Probation and Community Service and its SWAP program with special thanks to Jim Bond.

Motion was offered by Councilperson Casey Powers to approve with much gratitude of the many good works from the SWAP program and Mr. Jim Bond, seconded by Councilperson Christine Laughlin.

Vote	AYES	4	Hart, Laughlin, Powers and Allinger
	NAYES	0	
	ABSENT	1	James

Carried

Old Business

Solar Law Update

Supervisor Hart stated that at the July 27, 2017 Board Meeting the Board would be revising the proposed solar law with the changes requested by Tompkins County Planning.

Site Plan Review

Supervisor Hart added that because the Planning Board had not been able to meet due to not having a quorum the Town Board has not had any updates to the Site Plan Review Law draft. Supervisor Hart asked Attorney Smith if the Town could proceed with the Solar Law leaving the Site Plan Review provisions in the law, adding a provision that if the Town does not have a functioning Planning Board, Planning Board approval would revert to the Town Board. Supervisor Hart stated his reasoning was that the Planning Board was having difficulty having meetings with quorum. He added that an application had recently been received for Planning Board Membership. Attorney Smith commented while it was an unusual provision, it was feasible in the event the Planning Board cannot make quorum, the Town Board could act.

Approval of the Payment of the July 2017 Bills

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

General Fund	\$26,793.06
Recreation Fund	\$1,075.96
Highway Fund	\$129,446.01
Street light Fund	\$1,281.33
Sewer Fund	\$13,571.89
Water District 1 Fund	\$2,675.84
Water District 2 Fund	\$2,201.25
Fire District Fund	\$92,394.75
Capital Fund	\$374.00

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Trust and Agency \$6,389.48

Vouchers were audited by Councilpersons Laughlin, Allinger and Powers

Vote AYES 4 Hart, Allinger, Laughlin and Powers

 NAY 0

 ABSENT 1 James

Carried

At 7:50 PM a motion was made to move into an Executive Session to discuss personnel and collective bargaining issues.

At 8:47 PM, the Meeting was called back to the Regular Meeting of the Newfield Town Board. Councilperson James offered a motion to move to adjournment at 8:48 PM seconded by Councilperson Laughlin.

Respectfully Submitted,

July 21, 2017

Karen Miller Kenerson, RMC

Newfield Town Clerk