

March 12, 2015

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room March 12, 2015 at 7:00 p.m. The meeting was called to order by Deputy Supervisor Roy Trask and opened with the Pledge of Allegiance to the flag.

Present were: Deputy Supervisor Roy Trask, Councilperson Joanne James, Councilperson Christine Laughlin and Councilperson Casey Powers. Also present: Highway Superintendent Kevin Berggren, Code Enforcement Officer Butch Wright, Atty. Hooks, and 12 attendees.

Privilege of the Floor

Gene Yaples: voiced his concern that there needed to be an Agriculture representative on the Planning Board. Mr. Yaples feels it is very important to keep the Agriculture representation especially since the Planning Board is looking into land use regulations. Deputy Supervisor Trask and Planning Board Chair Nancy Dolge assured Mr. Yaples that an Agriculture representative is being looked for and that Agriculture will have a voice and be listened to.

Gene VanZile: thanked the Town Board, Planning Board and Town Attorney for the many hours of work for the Town.

Bob Seely: commented on the discussion at the last Town Board Meeting concerning the food scrap exemption and the concern of rats. Mr. Seely reported that the TC recycling website states that containers are provided (to bring the food scrap to the drop off point and for drop off point pick up). Mr. Seely did not think there would be a problem as long as the food scraps were in the containers. He also commented that other towns were providing this service and that the food scrap program has been very successful.

Marie Terlizzy: asked what repairs were going to be done to the Bow String Bridge.

Brenda Lapp: also commented on the food scrap recycling program: the food scraps can only be dropped off at the drop off site at certain times, so the scraps would not be unattended. Ms. Lapp also noted she had sent an example to the Board Members describing how other towns were indexing their local laws on their websites.

Approval of February 12 Public Hearing and Board Minutes

Motion was made by Councilperson Laughlin to approve the February 12, 2015 Board Meeting Minutes, seconded by Councilperson James.

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

Carried

Correspondence:

None

Agenda Changes:

New Business: Joint Municipal/ School Shared Services Meeting and Healthy Neighborhood Program

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Reports:

Highway: Highway Superintendent Kevin Berggren reported that February was spent plowing, hauling in and spreading material. The wood to replace the deck of the King Bow Bridge has been purchased. Superintendent Berggren stated that a second estimate for the engineering of the Douglas Road Bridge would be needed.

Water Sewer: Superintendent Berggren commented there were 2 frozen water services on Pine Circle.

Recreation: Recreation Director Reid Hoskins was absent. Deputy Supervisor Trask read a report provided by Mr. Hoskins.

Code Enforcement: Code Enforcement Officer Harry Wright provided an annual report for the Supervisor. CEO Wright reported that the environmental issues on the farm on Millard Hill Road were progressing and the cars at another site on Millard Hill Road are waiting to be towed. He also reported he had spoken to the owner of the property on Shaffer Road concerning the junk cars.

Planning Board: Planning Board Chair Nancy Dolge reported that meetings now through May there will have date changes, they will be announced on the town website. Mrs. Dolge also added that the Town website's service organization information list had been updated. Mrs. Dolge commented that she would be meeting with Joan Jurkowich from the Tompkins County Planning Department to talk about funding opportunities and strategies for NYS consolidated funding application. Mrs. Dolge added there were funds available for consultants to help with land use regulations. Mrs. Dolge will be attending a workshop regarding the consolidated funding application. The Planning Board will also be coordinating a training roundtable to gain insight from other Town Planning Boards to include Danby, Ulysses, Caroline, Enfield, Spencer. Mrs. Dolge also gave the Board a letter asking not to be reappointed in May.

Cemetery Committee: Chairperson Marie Terlizzy reported that the committee is looking at sign options presently.

Supervisor: Deputy Supervisor Trask reported that he had spoken to Chuck Bartosh from Clarity Connect. The State still has not released the grant money. Mr. Bartosh is optimistic the funds will be released in April. The well drillers should be here on Monday, March 16 in order to complete the wells for the aquifer study. There is one application for the open position on the Planning Board. Deputy Supervisor Trask would like to conduct an interview before the Work Session on March 26th.

Tompkins County Legislature Report: Newfield Representative David McKenna reported that the Human Service Building is on schedule and budget. He stated the County passed its comprehensive plan, although he did not support it. Representative McKenna commented he was a member of the Soil & Water and the Ag & Farmland Protection Boards.

New Business

Joint Municipal/ School Shared Services Meeting

Councilperson James reported she attended the Joint Municipal Shared Services Meeting on February 26 with various municipalities and school district officials and administrators at BOCES. The group brainstormed

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efficiencies and shared services to meet the 1% efficiency plan in order to get the tax credit back to the residents. One area she has interest in is energy management in order to reduce energy costs.

Healthy Neighborhood Program

Councilperson James also reported that there is a new posting on the Town website concerning the Healthy Neighborhood Program with an updated post. This program is offered by Tompkins County Health Department. The residents can call to make an appointment for a home visit to evaluate safety and health management concerns. They will bring various free items and can perform various testing if requested. There are no income restrictions for this program.

Deputy Supervisor Trask added that there would be an Executive Session following the Regular Town Board Meeting to discuss potential litigation.

Old Business

Deputy Supervisor Trask announced the Town had received the decision from Judge Mulvey regarding the challenge to the Solid Waste Facility Moratorium. Atty. Hooks stated that word was received on March 2, 2015 concerning the suit brought by Robert Mente and AWS maintaining action against the Town and Code Enforcement Officer Butch Wright declaring the moratorium enacted in July of 2014 to be invalid because they felt it did not serve a public purpose and targeted Mr. Mente's operation alone and that the moratorium was unreasonably long. Atty. Hooks stated that the Courts decision is only restrained to the moratorium itself.

The court found that the Town did have the right to regulate waste management facilities within the Town as well as restrict or ban waste management facilities. It found the law did fulfill a public purpose as explained in the Moratorium law as consistent with the Comprehensive Plan. It was also found to not to target one property but covered all properties within the Town. Atty. Hooks cautioned this decision concerned the Moratorium itself; the Justice could not the pass a decision regarding the existing law. The fact that Mr. Mente feels his operation is exempt was not an issue considered upon by Justice Mulvey at this time.

Work Session March 26, 2015

Deputy Supervisor Trask asked that the Board members to review the Noise Ordinance in order to get a final draft.

Approval of the Payment of the March 2015 Bills

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

General Fund	\$40,286.81
Recreation Fund	\$280.89
Highway Fund	\$64,451.58
Fire District	\$181,167.00

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Street light Fund	\$1,516.62
Sewer Fund	\$783.05
Water District 1 Fund	\$2,027.57
Water District 2 Fund	\$1,356.04
Trust and Agency	\$2,578.93

Vouchers were audited by Councilpersons Laughlin and Powers.

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

Carried

At 7:47 p.m., a motion was made to move into an Executive Session to discuss possible litigation.

At 8:25, the Meeting was called back to the Regular Meeting of the Newfield Town Board, moving to adjournment at 8:25 p.m.

Respectfully Submitted,

March 18, 2015

Karen Miller Kenerson
Newfield Town Clerk