

The regular Newfield Town Board Meeting was called to order at November 14, 2014 at 7:00 by Supervisor Driscoll. Present were Council Person Trask, Council Person James. Council Person Laughlin and Councilperson Powers were absent. Also present were: Highway Superintendent Kevin Berggren, Water Sewer Manager: Rob Brewer, Code Enforcement Officer Harry Wright, and Town Atty. Ed Hooks.

Supervisor Driscoll opened the meeting with the Pledge of Allegiance.

Opening Privilege of the Floor

David Kingsbury: voiced concerns of a building development that is being built on Towline and Blakeslee Hill Road. He passed out to the Board a list of the community's concerns and a copy of the lease agreement for rental properties in question to the Board.

Bob Seely: suggested that for future elections there be a forum so that issues in the Town could be discussed.

John Fry: inquired about the proposed local law for road use and preservation. Because of gas drilling to the east and west, he feels that there may be a possibility of an increase of traffic in our area. He stressed there is a need for urgency to pass this law.

Glenn Caslick: asked the Board to consider setting aside some ground behind the Town Hall to revitalize a Veterans Memorial area. Mr. Caslick came on behalf of his father who served in WWII. He would like to see the Newfield Honor Roll rebuilt to recognize the individuals who have served. Mr. Caslick has offered some seed money toward this project.

Mr. Caslick offered to help toward establishing the memorial if the Town were to consider it.

Brenda Lapp: asked to have the recorded minutes put online. She felt, the work session minutes and organizational chart should be online as well. Ms. Lapp felt, as part of the personal policy, there should be a social media policy as well. She also felt the Code of Ethics should be updated. She mentioned she has a neighbor who teaches at Binghamton University whose students could possibly help draft a Code of Ethics.

Agenda Changes:

Supervisor Driscoll added to New Business as item 1: rescheduling of the December Board Meeting.

Adoption of the Previous Meeting Minutes:

Motion to adopt the October 10, 2013 minutes was made by Councilperson Trask, seconded by Councilperson James. Carried.

Vote: AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
NAY 0

Correspondence:

None

Reports:

Highway: Superintendent Berggren reported the Department had replaced part of the roof to the Town Barns and did repairs as well. He reported that they had been ditching, trimming brush, salting and sanding.

Water/Sewer: Water/Sewer manager Rob Brewer reported that things were back to normal after the power outage that caused damage to the #1 pump.

Recreation: Director Reid Hoskins provided a written report. Supervisor Driscoll read the highlights.

Code Enforcement: Code Enforcement Officer Harry Wright reported there had been progress in most cases. He reported there was a new complaint in the VanBuskirk Road area that he would be addressing.

County Representative: absent

Supervisor: Supervisor Driscoll reported that most of his topics will be addressed in the resolutions. He added that the Board had completed a very heavy budget season since the last meeting.

New Business:

Supervisor Driscoll stated that the December 2013 meeting needs to be rescheduled as Councilperson James will not be able to attend on December 12th. Supervisor Driscoll proposed to move the meeting to Tuesday December 10, 2013 at 7:00 p.m. Councilperson Trask made the motion to change the December Regular Meeting date motion was seconded by Councilperson James.

Resolution 41-2013

The Regular Town Board Meeting of the Town of Newfield will be held Tuesday December 10, 2013 at 7:00 p.m.

Vote AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
NAY 0

Carried.

Supervisor Driscoll read proposed Local Law # 3 -2013 to Override the New York State Tax Cap:

Local Law No 3 of the year 2013
Town of Newfield, County of Tompkins

A local law to override the tax levy limit established in General Municipal Law 3-c for fiscal year 2014.

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Newfield, County of Tompkins pursuant to General Municipal Law § 3-c, and to allow the Town of Newfield, County of Tompkins to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Newfield, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

Motion was made by Councilperson James to adopt Local Law No. 3-2013, and then seconded by Councilperson Trask.

Discussion: Councilperson Trask commented that that he has been outspoken in the past concerning the tax cap and the override of the tax cap. This year he took a different outlook on it. He does believe the Town should follow the tax cap as best it can to it. He does not like the State imposing upon municipalities that do a good job with the taxpayer's money. Councilperson Trask feels the tax cap is not sustainable. One of the reasons being the Town needs to use fund balance each year in order to maintain the tax cap. Making it difficult for the Board to put together a responsible budget, in the end he the Town may have cut its self-short. There may need to for potential tax increases. Councilperson Trask stated he would support the Tax Cap Override Law for the first time since he has been on the Town Board.

He added that he felt it was the responsible thing to do with close budgets with narrow margins in order to protect the Town.

Councilperson James commented that this was basic housekeeping and that the budget would come in within the cap. She concurred with everything Councilperson Trask said as being absolutely true. Supervisor Driscoll added that what the Tax Cap Override Law it protects the Town against any errors made during the budget process. Supervisor Driscoll also referred to shaving the budget as self-cannibalization. There will not be anything left (referring to Fund Balance) with potential that there will need to be a spike in taxes because of this practice.

Vote: AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
 NAYE 0

Carried

Resolution 43-2013

Motion was made by Councilperson James to adopt the 2014 Newfield Town Budget, and then seconded by Councilperson Trask.

Discussion: Councilperson Trask commented that the process even though somewhat easier, it was still lengthy. The Board started out with a 14% gap with the initial budget. He was looking at a responsible budget coming in at 4%, with the tax cap limit at 3.1. He was very happy with the outcome. He stated that a little fund balance was used from the General Fund that he was comfortable with and has not been before. There were key reasons contributed to that: an

increase in revenues and few other minor items. Councilperson Trask added that each fund was scrutinized what was requested. In the end it showed that the Board can work together when it wants too. He was pleased how it turned out in the end and the tax cap was met.

Councilperson James seconded Councilperson Trask's comment of the Board working together amicably.

Supervisor Driscoll gave the example of one of the expenses that had to be faced was the employee retirement. It had an increase of 14%, those kinds about of costs there is nothing that can be done. These types are costs he referred to as "shaving to the bone" those being part of essential services. He added that in essential services the Board was able to budget for the replacement of an aging loader and snow plow. Highway Superintendent Berggren brought the Board a 5 year plan for road maintenance as well as an equipment replacement schedule. The Board was able to have a sense to be able to plan for the future in a way to not have a spike in the tax rate, but still meet the both the maintenance and improvement of the roads as well as maintaining the Highway equipment.

Vote: AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
 NAYE 0
 ADOPTED

RESOLUTION NO. 44- 2013

RESOLVED that Budget Modifications as specified in the document attached hereto shall be made to the 2013 Town of Newfield Budget.

Supervisor Driscoll explained this was an activity make corrections to the way some funds are allocated to some accounts to more accurately reflect cost centers where an account has gone over its budget line. This was reviewed at the work session from information provided by the Bookkeeper.

Motion was made by Councilperson Trask accept the budget modification and then seconded by Councilperson James.

October statements		2013	
General		Highway	
A1110.481	\$ 1,450.00	12 DA-5110.452	\$ 4,414.74
	\$ 725.00		
	A1110.201		
	\$ 725.00	13 DA-9040.8	\$ 6,830.36
	A1110.202		\$ 11,245.10
A1220.4	\$ 1,501.51		DA-9010.8
	\$ 1,502.00		
	A1990.4		
A1320.4	\$ 1,500.00		
	\$ 1,500.00		
	A1990.4		
A1330.4	\$ 889.97	14 SW1-8340.1	\$ 40.00
	\$ 890.00		
	A1990.4		
A1610.413	\$ 351.94	15 SW1-9040.8	\$ 129.76
	\$ 352.00		\$ 110.34
	A1990.4		\$ 59.42
A1620.415	\$ 32.00		SW1-8340.4
	\$ 32.00		
	A1990.4		
A1620.499	\$ 104.38		
	\$ 105.00		
	A1990.4		
A1670.41	\$ 236.83	16 SW2-9040.8	\$ 129.76
	\$ 237.00		\$ 48.86
	A1990.4		\$ 178.62
A1910.4	\$ 406.50	17 SW2-9055.8	\$ 48.86
			\$ 178.62
			SW2-8340.4

		\$				
	A1990.4		406.50			
A3620.4	\$	612.97		Sewer		
	A1990.4		\$			
			613.00	18	SS1-8110.4	\$
						169.40
A5132.499	\$	243.62		19	SS1-9040.8	\$
						64.92
	A1990.4		\$			
			244.00			\$
					SS1-8130.4	234.32
				Recreation		
						\$
				20	CR7020.41	576.00
						\$
					CR9010.8	576.00
						\$
				21	CR7310.12	2,842.89
						\$
					CR7310.11	2,842.89
						\$
				22	CR7310.13	21,568.07
						\$
					CR7310.11	19,874.67
						\$
					CR7020.1	1,693.40
						\$
				23	CR7320.405	775.60
						\$
					CR9010.8	775.60
						\$
				24	CR9040.8	64.92
						\$
					CR9010.8	64.92

Vote: AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
NAY 0
Carried

**Resolution 45-2013
TOWN OF NEWFIELD**

**TO ADD UNPAID WATER AND SEWER FEES TO 2013
TAX COLLECTION**

WHEREAS, the Town of Newfield Water and Sewer Funds state on the October bills that any delinquent balance after November 7, 2013 will be re-levied on the 2014 Town and County tax bills, and

WHEREAS, a courtesy reminder letter with the balance of \$20.00 or more for the water and sewer charges to the account is sent out to all homeowners and tenants, and

WHEREAS, after November 7, 2013 the collector will reduce said delinquent amounts from accounts in order that they be re-levied on the 2014 Town and County tax bills,

RESOLVED, that the collector will re-levy the unpaid water and sewer account charges on all accounts with a balance of \$20.00 or more to the 2014 Town and County tax bills.

BE IT FURTHER RESOLVED that all unpaid water and sewer account charges under \$20.00 will be carried over to the next water and sewer billing cycle.

Motion was made by Supervisor Driscoll to adopt proposed Resolution 45-2013, and then seconded by Councilperson Trask.

Vote: AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
NAY 0

Adopted

RESOLUTION 46- 2013

Whereas the Newfield Town board is considering enacting a local Law on Road Use and Preservation designed to protect the Town’s roads and attendant infrastructure from high impact activities that have the potential to adversely impact roads and public and non-public property; and,

Whereas the Town Board has reviewed and approved a draft of the Local Law intended to implement this purpose; and,

Whereas the Town Board is presenting for public review and comment a final working draft of a Local Law on Road Use and Preservation in a form and content as that submitted with and made a part of this resolution.

Now, therefore, be it RESOLVED that the Town Board shall convene a Public Hearing on December 10, 2013 at 6:45 p.m. at the Newfield Town Hall for the purpose of receiving public comment concerning the proposed Local Law on Road Use and Preservation; and be it further

RESOLVED, that the Town Clerk be and hereby is directed to notice and advertise this resolution as required by Law.

There was a friendly amendment offered to correct the date and time by Atty. Hooks and agreed upon.

Motion was made by Councilperson Trask to accept the proposed Resolution and then seconded by Councilperson James.

Discussion: Councilperson Trask asked that the Road Preservation Law be reviewed at the work session. Supervisor Driscoll agreed adding Atty. Hooks has reviewed it as well as the Tompkins County Planning.

Vote: AYE 3 Supervisor Driscoll, Councilperson Trask, Councilperson James
 NAY 0

Carried

Approval of October Expenses

Motion was made by Supervisor Driscoll and seconded by Councilperson James to approve the October Expenses.

ADOPTED AYES 3 Supervisor Driscoll, Councilperson Trask, Councilperson James,
 NAYES 0

Vouchers were reviewed by Councilpersons Trask and James; the Board authorized the payments of the following amounts:

General Fund	\$20,431.93
Recreation Fund	\$5,808.72
Highway Fund	\$24,209.57
Street Light Fund	\$1,454.09
Sewer Fund	\$1,725.69
Water District1 Fund	\$10,613.14

Water District 2 Fund	\$3,742.81
Trust and Agency	\$3,362.31

Work Session: November 20, 2013 at 6:00 p.m.

With no further business, on a motion from Councilperson Trask the meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

November 20, 2013

Karen Miller Kenerson, Town Clerk