

The March 10, 2022 business meeting was held in person at the Newfield Town Hall and remotely via Zoom.

Present in person were: Supervisor Michael Allinger, Councilmembers- Joanne James, Christine Laughlin, Councilperson Heather McCarty, Councilperson Casey Powers, Attorney Tom Smith, Town Bookkeeper Blixxy Taetzsch, County Legislature Representative Randy Brown, Highway Superintendent Kevin Berggren, Town Clerk Karen Miller Kenerson, and four others. Attending via Zoom were Planning Board Members Leo Tidd & Jim Haustein and five others.

Supervisor Allinger called the Town Board Meeting to order at 7:05 PM, the Pledge of Allegiance was recited.

Agenda Approval- Supervisor Allinger asked to have a representative appointment to the Tompkins County Youth Services Board added to New Business.

Privilege of the Floor-

Robert Lynch- spoke regarding the Tompkins County Independent Redistricting Committee meeting and the possibility of Newfield's Legislative District being split.

Approval of February 10, 2022 and February 24, 2022 Minutes

Motion to approve the February 10, 2022 minutes was offered by Councilperson Laughlin, seconded by Councilperson James.

Vote	AYES	5	James, Laughlin, McCarty, Powers and Allinger
	NAY	0	
	ABSENT	0	

Carried

Motion to approve the February 14, 2022 minutes was offered by Councilperson Laughlin, seconded by Councilperson James.

Vote	AYES	4	James, Laughlin, McCarty and Allinger
	NAY	0	
	ABSTAIN	1	

Carried

Vouchers were audited by Councilmembers Laughlin, James, McCarty and James.

Approval of Audit and Claims of Abstract 3 Vouchers

Motion to approve the Abstract 3 vouchers was offered by Councilperson McCarty seconded by Councilperson Laughlin.

General, Fire and Lighting District Vouchers 57-88	\$238,955.58
Highway Fund Vouchers 36-55	\$69,949.17
Recreation Fund Voucher 3	\$32.32
Sewer Fund Vouchers 8-15	\$1,025.87
Water District 1 Fund Vouchers 17-31	\$7,806.78
Water District 2 Fund Vouchers 13-25	\$7,806.78
Trust & Agency Vouchers 6-8	\$7,806.78

Vote	AYES	5	James, Laughlin, McCarty, Powers and Allinger
	NAY	0	
	ABSENT	0	

Carried

Reports

Highway Department- Highway Superintendent Kevin Berggren reported they had been plowing, repairing and bringing in materials for summer projects. Superintendent Berggren reported equipment for the upcoming Street Lighting project have begun to be delivered at the Highway Department.

Water/Sewer Department- Water Supervisor Berggren reported the sewer pump at Main and Trumbull Corners Road transducer had been replaced and the water levels corrected.

Recreation- Recreation Camp Director Lauren Schumacher reported Summer Camp would be June 27 through August 5th, 8:30 to 4:30 with before and after child care will be offered. She is looking to hire 20 counselors and a life guard to supervise 80 campers. Ms. Schumacher is looking to have more swimming field trips and bringing in more activities this year. Flyers will go out to families by March 21 and applications at the end of the month.

Code Enforcement- Code Enforcement Officer Alan Teeter was absent, his report included 4 building permits were issued in February: 1 shed, 1 pole barn, 1 sign and 1 remodel permit.

Planning Board- Leo Tidd reported the Planning Board is having a hard time working with the Design Connect Plan and will be reaching out to TG Miller and Highway Superintendent Berggren for suggestions to move forward. Jim Haustein reported the FAQ's for the Hamlet have been completed and will be uploaded to the website. The Burdge Hill Solar Farm vegetation issue has been addressed with the project owner stated the screening plants will be replanted in the spring.

Finance and Personnel- Bookkeeper Blixty Taetzsch reported the February 2022 financial statements have been posted, the 2022 audit is completed and the town is anticipating draft financial statements soon. Ms. Taetzsch also reported she is working with the summer camp director for a summer camp plan.

Tompkins County Legislature- Representative Randy Brown reported County Administrator interviews were taking place, the Public Safety Building on Warren Rd is having upgrades and updates completed this year and that there are no plans to build a larger jail. The Legislature approved a resolution banning Neonic insecticides. The County is in the process of determining the process for the American Rescue Funds Grants. The County purchased two parcels on the corner of Buffalo and Tioga Streets and are working on plans for a multi-story building to house County Departments.

Climate Smart Communities- Councilperson McCarty reported the Town will need to complete 2 priority actions in order to be eligible for the Bronze Certification in the program. The Clean Energy Community

Program: advanced energy benchmarking is almost complete the information will be added to the Town Website.

EMC- Michelle Henry reported on the discussion of amphibian crossing on Ellis Hollow Road.

TCCOG- Councilperson James reported on the County Administrator search, the energy committee is working on electric infrastructure in Tompkins County and the Transportation Committee is investigating the possibilities of a bus station in Ithaca.

Supervisor's Report- Supervisor Allinger reported on the discussion of Newfield Hazard Mitigation Grant program, involving a property on Cayuta Road. Broadband in North and Mid-Newfield installations are moving forward. County Sheriff Sub-Station- Officer Humble has picked up the keys to the building and sub-station room. Met with County Legislature Representative Brown, Eric Hartz and Sue Chaffee about County grants. NYSEG is planning on replacing gas and electric meters countywide with Smart meters. Newfield Recreation Program, George Taylor has reached out on behalf of the Rec Committee to help with the continuity of the Rec Programing. Supervisor Allinger also attended the Association of Towns annual meeting and training virtual sessions.

Communications- Supervisor Allinger was contacted by a gentleman who purchased property on Rt. 13 with his desire to erect a billboard. He was advised the of the Town's local law prohibiting billboards. It is felt he intends to move forward with the proposal and request a variance.

Action Items

Resolution No. 31-2022 202b Water Districts 1 & 2 Facilities and Improvements

The following resolution was offered by Councilperson Laughlin, who moved its adoption, seconded by Powers, to-wit:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK (THE "TOWN") PURSUANT TO SECTION 202-b OF THE TOWN LAW DETERMINING THAT IT IS IN THE PUBLIC INTEREST TO UNDERTAKE CERTAIN IMPROVEMENTS TO TOWN OF NEWFIELD WATER DISTRICT NO. 1 AND WATER DISTRICT NO. 2 FACILITIES

WHEREAS, the Town Board (the "Town Board") of the Town of Newfield, Tompkins County, New York (the "Town") is considering authorizing certain improvements to the facilities serving Town of Newfield Water District No. 1 and Water District No. 2, as set forth and described in a certain engineering report as prepared by Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC (the "Engineer") dated September 2020 as revised October 2021 (the "Project"), and on file in the office of the Town Clerk; and

WHEREAS, the Town's Engineer has estimated that the maximum cost of undertaking the Project is \$4,828,253; and

WHEREAS, by Resolution No. 50-2021, adopted October 28, 2021 at a regular meeting of the Town Board held on such date, the Town Board determined pursuant to the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part

617.5(c)) (collectively, “SEQRA”), that said public improvement and purpose constitutes a “Type I” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”) and based on its coordinated review determined that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA, and (d) such determination constitutes a negative declaration for purposes of SEQRA; and

WHEREAS, by Resolution No. 28-2022, adopted February 10, 2022 at a regular meeting of the Town Board held on such date, the Town Board directed that a public hearing be held on whether to authorize the Project, and to hear all persons interested in the subject matter thereof concerning the same on March 10, 2022 at 7:00 p.m. at the Town of Newfield Town Hall, 166 Main Street, Newfield, New York 14687; and

WHEREAS, notice of said public hearing certified by the Town Clerk was duly published and posted as required by law, to wit: a copy thereof was published in *Ithaca Journal*, the official newspaper of the Town, on February 21, 2022 and a copy of such notice was posted on the signboard maintained by the Town Clerk on February 18, 2022, and on the Town’s website, pursuant to Town Law Section 193; and

WHEREAS, said public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. Based in part upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to undertake the Project as hereinabove described at the estimated maximum cost of \$4,828,253. The Town is hereby authorized to undertake the Project at such estimated maximum cost.

SECTION 2. The Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be duly recorded in the office of the County Clerk, County of Tompkins, New York within ten (10) days after the adoption hereof, in accordance with Section 195 of the Town Law.

SECTION 3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	AYES:	NAYS:
Councilperson McCarty	X	
Councilperson Laughlin	X	
Councilperson James	X	
Councilperson Powers	X	
Supervisor Allinger	X	

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Resolution NO 32-2022 Bond Resolution – Water Districts 1 & 2 Facilities Improvements

The following resolution was offered by Councilperson Laughlin, who moved its adoption, seconded by McCaraty, to-wit:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF UP TO \$4,828,253 IN SERIAL BONDS OF THE TOWN TO FINANCE CERTAIN IMPROVEMENTS TO TOWN OF NEWFIELD WATER DISTRICT NO. 1 AND WATER DISTRICT NO. 2 FACILITIES

WHEREAS, pursuant to proceedings undertaken by the Town Board (the “Town Board”) of the Town of Newfield, Tompkins County, New York (the “Town”) under Section 202-b of the Town Law, including in particular a resolution adopted on March 10, 2022 immediately prior to the consideration of this resolution (the “Approval Resolution”), the Town Board (a) determined it was in the public interest to undertake certain improvements to the facilities serving Town of Newfield Water District No. 1 and Water District No. 2, as set forth and described in a certain engineering report as prepared by Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC (the “Engineer”) dated September 2020 as revised October 2021 (the “Project”), and on file in the office of the Town Clerk; and, at an estimated maximum cost of \$4,828,253 and (b) authorized the Town to undertake the Project at such estimated maximum cost; and

WHEREAS, by Resolution No. 50-2021, adopted October 28, 2021, at a regular meeting of the Town Board held on such date, the Town Board determined pursuant to the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”), that said public improvement and purpose constitutes a “Type I” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”) and based on its coordinated review determined that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA, and (d) such determination constitutes a negative declaration for purposes of SEQRA; and

WHEREAS, the Town Board now wishes to authorize the issuance of the Town’s serial Bonds and bond anticipation notes in anticipation thereof in order to finance the Project.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to issue up to \$4,828,253 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law of the State of New York, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the Project, as hereinabove described.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$4,828,253, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$4,828,253 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the assessment, levy and collection of assessments upon the benefited properties within Water District No. 1 and Water District No. 2; and, to the extent necessary, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 1 of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond

anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Supervisor"). Further, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to contract with and sell bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the Town Supervisor. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of this Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 9. The Supervisor of the Town is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipating thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 13. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	AYES:	NAYS:
Councilperson McCarty	X	
Councilperson Laughlin	X	
Councilperson James	X	

Councilperson Powers	X
Supervisor Allinger	X

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Resolution No. 33-22 202-b Sewer District Improvements

The following resolution was offered by Councilperson Laughlin, who moved its adoption, seconded by Councilperson Powers, to-wit:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK (THE “TOWN”) PURSUANT TO SECTION 202-b OF THE TOWN LAW DETERMINING THAT IT IS IN THE PUBLIC INTEREST TO UNDERTAKE CERTAIN IMPROVEMENTS TO TOWN OF NEWFIELD SEWER DISTRICT NO. 1 FACILITIES

WHEREAS, the Town Board (the “Town Board”) of the Town of Newfield, Tompkins County, New York (the “Town”) is considering authorizing certain improvements to the facilities serving Town of Newfield Sewer District No. 1, as set forth and described in a certain engineering report as prepared by Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC (the “Engineer”) dated May 2021 as revised October 2021 (the “Project”), and on file in the office of the Town Clerk; and

WHEREAS, the Engineer has estimated that the maximum cost of undertaking the Project is \$1,113,485; and

WHEREAS, by Resolution No. 52-2021, adopted October 28, 2021, at a regular meeting of the Town Board held on such date, the Town Board, as lead agency, determined pursuant to the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”), that the Project constitutes a “Type I” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”) and based on its coordinated review determined that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA, and (d) such determination constitutes a negative declaration for purposes of SEQRA; and

WHEREAS, by Resolution No. 29-2022 adopted February 10, 2022, at a regular meeting of the Town Board held on such date, the Town Board directed that a public hearing be held on whether to authorize the Project, and to hear all persons interested in the subject matter thereof concerning the same on March 10, 2022 at 7:05 p.m. at the Town of Newfield Town Hall, 166 Main Street, Newfield, New York 14687; and

WHEREAS, notice of said public hearing certified by the Town Clerk was duly published and posted as required by law, to wit: a copy thereof was published in *Ithaca Journal*, the official newspaper of the Town, on February 21, 2022 and a copy of such notice was posted on the signboard maintained by the Town Clerk on February 18, 2022, and on the Town’s website, pursuant to Town Law Section 193; and

WHEREAS, said public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK HEREBY RESOLVES, AS FOLLOWS:

SECTION 4. Based in part upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to undertake the Project as hereinabove described at the estimated maximum cost of \$1,113,485. The Town is hereby authorized to undertake the Project at such estimated maximum cost.

SECTION 5. The Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be duly recorded in the office of the County Clerk, County of Tompkins, New York within ten (10) days after the adoption hereof, in accordance with Section 195 of the Town Law.

SECTION 6. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	AYES:	NAYS:
Councilperson McCarty	X	
Councilperson Laughlin	X	
Councilperson James	X	
Councilperson Powers	X	
Supervisor Allinger	X	

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Resolution No. 34-2022 Bond Resolution- Sewer District Improvements

The following resolution was offered by Councilperson Laughlin, who moved its adoption, seconded by McCarty, to-wit:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$1,113,485 IN SERIAL BONDS OF THE TOWN TO FINANCE CERTAIN IMPROVEMENTS TO TOWN OF NEWFIELD SEWER DISTRICT NO. 1 FACILITIES

WHEREAS, pursuant to proceedings undertaken by the Town Board (the "Town Board") of the Town of Newfield, Tompkins County, New York (the "Town") under Section 202-b of the Town Law, including in particular a resolution adopted on March 10, 2022 immediately prior to the consideration of this resolution (the "Approval Resolution"), the Town Board (a) determined it was in the public interest to undertake certain

improvements to the facilities serving Town of Newfield Sewer District No. 1, as set forth and described in a certain engineering report as prepared by Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC (the “Engineer”) dated May 2021 as revised October 2021 (the “Project”), and on file in the office of the Town Clerk; and, at an estimated maximum cost of \$1,113,485 and (b) authorized the Town to undertake the Project at such estimated maximum cost; and

WHEREAS, by Resolution No. 52-2021, adopted October 28, 2021, at a regular meeting of the Town Board held on such date, the Town Board, as lead agency, determined pursuant to the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”), that the Project constitutes a “Type I” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”) and based on its coordinated review determined that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA, and (d) such determination constitutes a negative declaration for purposes of SEQRA; and

WHEREAS, the Town Board now wishes to authorize the issuance of the Town’s serial Bonds and bond anticipation notes in anticipation thereof in order to finance the Project.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF NEWFIELD, TOMPKINS COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to issue up to \$1,113,485 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law of the State of New York, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the Project, as hereinabove described.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$1,113,485, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$1,113,485 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the assessment, levy and collection of assessments upon the benefited properties within Sewer District No. 1; and, to the extent necessary, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 4 of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of “official intent” to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the “Supervisor”). Further, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to contract with and sell bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the Town Supervisor. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of this Town Board, then the power of the Town Board to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the

Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 9. The Supervisor of the Town is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipating thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 13. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: NAYS:

Councilperson McCarty	X
Councilperson Laughlin	X
Councilperson James	X
Councilperson Powers	X
Supervisor Allinger	X

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Resolution No 35-2022 Approval of March 2022 Budget Modifications

Motion was made by Councilperson McCarty approving the March 2022 budget modifications as presented. Motion seconded by Councilperson Powers.

RESOLUTION NO. 35-2022 – March 2022 Budget Modifications

WHEREAS, it is necessary to modify the 2022 budget based on actual revenues and expenditures in 2022, and

WHEREAS, a detailed listing of each budget adjustment by Fund has been provided below, be it therefore

RESOLVED, that the Newfield Town Board approves the budget modifications as outlined below.

Account #	Account Name	Original Budget	Increase/ (Decrease)	Modified Budget
GENERAL FUND EXPENSES				
1220.4	Town Supervisor - Contractual	\$ 2,500.00	\$ 200.00	\$ 2,700.00
5132.42	Garage - Supplies	\$ 300.00	\$ 50.00	\$ 350.00
1040.4	Town Board - Contractual	\$ 500.00	\$ (200.00)	\$ 300.00
5132.499	Garage - Other Contractual	\$ 8,500.00	\$ (50.00)	\$ 8,450.00
Total Expenditure Adjustments			\$ -	

Account #	Account Name	Original Budget	Increase/ (Decrease)	Modified Budget
HIGHWAY FUND EXPENSES				
A5110.1	General Repairs - Personal Service	\$ 240,000.00	\$ (1,000.00)	\$ 239,000.00
A5110.19	General Repairs - Emergency Closing	\$ -	\$ 1,000.00	\$ 1,000.00
Total Expenditure Adjustments			\$ -	

Vote AYES 5 James, Laughlin, McCarty, Powers and Allinger
 NAY 0
 ABSENT 0
 Carried

Appointment to Tompkins County Youth Rec Partnership and Tompkins County Youth Services Boards

Motion was made by Councilperson Powers to appoint Supervisor Michael Allinger as Newfield’s Representative to the Tompkins County Youth Recreation Partnership and Tompkins County Youth Services Boards, seconded by Councilperson James.

Vote AYES 5 James, Laughlin, McCarty, Powers and Allinger
 NAY 0
 ABSENT 0
 Carried

New Business

Summer Camp Budget- Bookkeeper Taetzsch presented a draft budget for the summer camp, which was discussed by the Board.

February 24, 2022 Work Session – Critical Environmental Area presentation by Jeffner Allen
 Noise Ordinance review, Local Parking Ordinance review.

At 9:59 pm motion was offered by Councilperson Powers to move to an Executive Session to discuss a personnel issue, seconded by Councilperson James.

At 9:36 Motion to move to the Public Meeting was offered by Councilperson McCarty. The Board discussed needs for the Recreation Department.

At 9:42 pm, motion was offered by Councilperson Powers to adjourn, seconded by Councilperson Laughlin.

Town of Newfield
Town Board Business Meeting
March 10, 2022

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Respectfully Submitted,

March 16, 2022

Karen Miller Kenerson, RMC
Town Clerk