

**TOWN OF NEWFIELD
TOWN BOARD MEETING
AUGUST 12, 2010
7:00PM**

AGENDA

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE
2. APPROVAL OF THE MINUTES FROM THE JULY 8, 2010 BOARD MEETING
3. PRIVILEGE OF THE FLOOR
4. CORRESPONDENCE
5. NEW BUSINESS
 - A. July Financial Report
 - B. Amend 2010 Budget – ACTION
 - C. Resolution Regarding Road Use Agreement VIZ State Municipal and DOT Law - ACTION
6. OLD BUSINESS
 - A. Authorization to Enter Into Contract With Delta Engineering - ACTION
 - B. Resolution Adopting Fee Structure for Stormwater Law - ACTION
8. APPROVAL FOR PAYMENT OF THE FEBRUARY 2010 MONTHLY BILLS
9. REPORTS
 - Supervisor
 - Highway Superintendent
 - Water/Sewer Supervisor
 - Code Enforcement Officers
 - Recreation
 - County Board Representative
10. ADJOURNMENT

AUGUST AGENDA NOTES

5B. Line A3001 of the 2010 General Fund Revenue indicates a receivable of \$26,000 from New York State, DEC specifically. This was added as revenue during the 2010 budget process in anticipation of the continuation of financial support from the DEC for Stormwater efforts. However, there will be no such revenue from the DEC for 2010. The \$28,000 we received in the fall of 2009 was, in fact, a reimbursement of expenses incurred by the Town over the previous 3-5 years for the establishment of our Stormwater law and attendant activities. A resolution to amend the budget will allow us to reflect actual revenues.

5C. NYS Municipal and DOT Law is silent on the ability of Town's to adopt a Road Use Agreement law. This does not mean a Town cannot do so but, if it does, it could leave the law open to challenge in court. Having said that, the DEC in its dGEIS is requiring that gas drillers applying for drilling permits from the DEC must obtain an RUA permit from the municipality where the drilling will occur.

This resolution asks the Legislature to correct this disparity between State Law and a State Agency regulation.

6A. At our last regular meeting, I distributed the contract with Delta for your review. This measure authorizes the Supervisor to make a contract with Delta.

7A. At our work session, you approved the fee structure for our Stormwater permits. The answer to the question about fees for Frandsen and Bury projects is that it is legal to impose these fees on these two projects even after the filing of a SWPPP.