

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, February 8, 2012
6:30 p.m.

Present: Town Supervisor Roy Barriere, Town Councilperson Chris Hern, Town Councilperson Vera Howe-Strait, Town Councilperson Ann Rider, Town Councilperson Debbie Teeter, Town Highway Superintendent Barry Rollins, Town Clerk Alice Linton.

Town Supervisor Barriere opened the meeting at 6:30 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Public Hearing on the Proposed Enfield Community Council Contract 2012-2016: Supervisor Barriere read the Notice of Public Hearing that was published in the Ithaca Journal and opened the public hearing at 6:32 p.m. He explained the new contract would be a 5 year contract with the same budgeted amount for 2012 as 2011 and a 2% per year increase for each remaining year.

Barbara Place of Rothermich Road complimented the ECC on providing a valuable summer camp and life skills experiences and would like to see the programs continue.

Tammy Alling of Hines Road stated the basketball program has provided a great opportunity for her son and supports the ECC.

John Gordon of Rothermich Road said he enjoys the ECC programs. He has made friends at camp, played sports and generally had fun.

Supervisor Barriere moved, with a second by Councilperson Teeter to close the public hearing at 6:35 p.m.

Privilege of the Floor: Beth McGee of 173 Tucker Road is a member of Enfield Neighbors for Safe Air and Water. She understands that the board may be considering a ban or moratorium on hydraulic fracturing and would encourage the board to put a ban in place as it provides the greatest protection against drilling. She reminded the board there are many in the community willing to help, as everyone is in this together.

Chris Martelli of 57 Rothermich Road thanked the board and ENSAW for organizing presentations on hydraulic fracturing. He supports a ban and would like our water protected by the state the same as New York City and Syracuse. We need to protect ourselves and a ban sends a clear message.

Cris McConkey of 402 Aiken Road called the board's attention to an article in the Oneonta Daily Star about a 911 responder who is concerned about the spreading of fracking fluid/brine on roads. The NYS Department of Transportation has been spraying a liquid on Route 327, but it is unknown what the solution is. He feels Enfield will feel the impacts of gas drilling that occurs elsewhere.

Shelley Lovelace of 2504 State Route 79 stated how proud she has been with the town leadership in moving forward with a ban. Some politicians have turned deaf ears on the situation, but Enfield has listened.

Mary Jo Lovelace of 2504 State Route 79 echoed Shelley's statement that she is pleased Enfield is joining other municipalities in working towards a ban to protect water resources for homes, farms and industries.

Martha Fischer of 772 Bostwick Road has volunteered to be a liaison between the town and cooperative extension regarding energy conservation measures in our homes. One side of the coin is hydrofracking, but the other side is making our homes more energy efficient. Cooperative Extension has various programs and presentations available. They also offer guidance for energy teams which are small groups of homeowners working together to help each other improve their homes.

Jon Gordon of Rothermich Road stated "ban fracking".

Barb Place of Rothermich Road encouraged the board to ban fracking. We have one earth, one place to live, and if we mess it up we don't have it.

Approval of Minutes: Councilperson Teeter moved, with a second by Councilperson Rider to approve the minutes of the January 11, 2012 regular board meeting and the January 18, 2012 audit meeting.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Correspondence: Annual notice of tentative special franchise full value for town assessment roll to be filed in 2012. Units in Enfield are NYSEG, Verizon, Trumansburg Telephone Company and Haele TV.

Copy of letter from Enfield Community Council to Legacy Foundation of Tompkins County returning grant of \$3,000 for installation of bathroom in the Community Building as the bathroom cannot be installed at this time.

Annual notice of NYSEG Gas/Electric Department Emergency Call List. This will be furnished to the Enfield Volunteer Fire Department also.

Letter from Cooperative Extension of Tompkins County reminding Enfield of the Tompkins County Community Beautification Program grants that are available.

Letter from Cornell University Graduate Field of City and Regional Planning notifying Enfield of summer internships.

Enfield Community Council Quarterly Reports for the last three quarters of 2011.

Budget Amendment #2012-2

WHEREAS, expenses for death benefits were not anticipated for the 2012 budget, now therefore be it

RESOLVED, that the Highway Fund Account, line item DA5110.1, titled "General Repairs – Personnel Services", be decreased by \$601.40, and Highway Fund Account, line item DA9089.8, titled "Employee Benefits – Other (Death)", be increased by \$601.40.

Supervisor Barriere moved, with a second by Councilperson Teeter to accept Budget Amendment #2012-2.

Discussion: Supervisor Barriere explained these funds will be used to pay for all unused vacation of David Owens.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Budget Amendment #2012-3

WHEREAS, expenses have exceeded the budget in the General Fund Account, line item A9055.8, titled "Employee Benefits - Disability", now therefore be it

RESOLVED, that the General Fund Account, line item A1990.4, titled "Contingency Account", be decreased by \$150.00 and General Fund Account, line item A9055.8, titled "Employee Benefits – Disability", be increased by \$150.00.

Supervisor Barriere moved, with a second by Councilperson Rider to accept Budget Amendment #2012-3.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Budget Amendment #2012-4

WHEREAS, expenses anticipated for the 2012 bond payment for the highway facility were incorrectly coded in A1620.41, now therefore be it

RESOLVED, that the General Fund Account, line item A1620.41, titled "Buildings – Contractual Bond Payment", be decreased by \$99,611.13, and General Fund Account, line item A9710.6, titled "Serial Bond Payments – Principle", be increased by \$30,000.00, and General Fund Account, line item A9710.7, titled "Serial Bond Payments – Interest", be increased by \$69,611.13.

Supervisor Barriere moved, with a second by Councilperson Rider to accept Budget Amendment #2012-4.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Resolution #2012-20 Resolution to Amend Warrant #1 for the General Fund and the H-Fund

WHEREAS, voucher #34 for warrant #1 of the General Fund was recorded in the wrong fund, now therefore be it

RESOLVED, that warrant #1, voucher #34 of the General Fund be deleted and reduce the total sum of all vouchers approved in warrant #1 of the General Fund to \$41,852.43, and further be it

RESOLVED, that warrant #1 of the H-Fund, be amended to add voucher #13, in the amount of \$34.74, which was voucher #34 of General Fund warrant #1, and increase the total sum of all vouchers in the H-Fund to \$110,159.78.

Supervisor Barriere moved, with a second by Councilperson Teeter to accept Resolution #2012-20.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Audit Claims:

Councilperson Howe-Strait moved, with a second by Councilperson Hern to authorize the supervisor to pay General Fund vouchers #38 to #71 dated February 8, 2012 in the amount of \$15,412.88; Highway Fund vouchers #25 to #39 dated February 8, 2012 in the amount of \$16,522.32; Fire Department Fund voucher #3 dated February 8, 2012 in the amount of \$231,312.00; and H-Fund vouchers #14 to #18 dated February 8, 2012 in the amount of \$6,237.13.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Mary Cornell, Town of Enfield bookkeeper, presented quotes for **new software** from both Williamson Law Book Company and Red Wing Software for general accounting and payroll. Mary felt the Williamson Law Book software would be more suitable for the town as it is state specific and Red Wing is more generic. By having both payroll and the general accounting on the same system, they will be compatible and reports will be generated easily.

Supervisor Barriere stated that even though funds were not budgeted for the purchase of this software, they could come from the contingency fund. He feels that, after being audited, the town really needs to move forward to computerizing its financial records.

Councilperson Teeter moved, with a second by Councilperson Rider to purchase the Williamson Law Book Company Municipal Accounting Software and Payroll Software for \$5,900.00 along with a one year support contract, installation and training in accordance with the quote recently received.

Discussion: Councilperson Howe-Strait asked if information would be entered back to January 1, 2012 on the new program. Bookkeeper Cornell responded that it would.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Highway Superintendent's Report: Highway Superintendent Buddy Rollins reported that the good weather has allowed the crew to have time to move to the new facility. There are still repair parts to be moved and then clean-up at the old facility.

Code Enforcement Officer's Report: Code Enforcement Officer Alan Teeter reported in January there were 4 building permits issued; 6 inspections completed; 8 progress checks; 1 complaint received and resolved; 1 house number installed and 7 hours spent in training. The annual report was completed and submitted to the state. He attended the annual Tompkins County Assessment meeting and attended a 1 day training in Dryden on new energy codes.

Committee Reports:

Planning Board: Mike Carpenter reported there was no meeting held in February. Some members attended the Tony Ingraffea lecture on unconventional gas drilling. Discussion has started on the Comprehensive Plan.

Health Insurance Consortium: No report.

Enfield Community Council: ECC treasurer Laurean Trenchard reported the annual meeting will be held Wednesday, February 16 at 6:30, downstairs in the Community Building. The annual report will be available. Basketball at Enfield School will be finishing up soon, but Zumba continues on Mondays when school is in session. A group continues to work on a quilt to be raffled at the Harvest Festival in the fall. The next ECC newsletter will be going out the first of April.

The Recreation Partnership has met and finds that participants in Danby, Caroline and Enfield have similar needs and will coordinate to do a report on services that each community does.

There was no report on the Youth Board.

Enfield Volunteer Fire Company: Art Howser presented the Annual Report for 2011. There are 55 active members with 13 Emergency Medical Technicians. In 2011 there were 361 responses of which 236 were EMS, 10 were structure fires, 25 were motor vehicle accidents, 34 were severe weather calls, along with other investigations and mutual aid calls. They logged 8,146 personnel hours between trainings and calls.

Art Howser also reported in January there were 43 calls including 34 EMS, 1 structure fire, 1 service call, 1 propane gas leak, 1 carbon monoxide investigation, 1 brush fire, 1 motor vehicle accident, 1 assist with fire police, 1 power line down and 1 mutual aid to Trumansburg. Training for February will include ice rescue, fire suppression, and pump training with portable ponds. NYSEG emergency contact numbers are available and the new county paging system is to take effect next week.

Facilities Manager: Chris Hern reported a new programmable thermostat and a carbon monoxide detector have been purchased for the town hall. He has 3 furnace estimates for the upstairs of the Community Building with all warranties being about the same. The Lennox unit would be \$3,750, the Hile \$2,700 and the Century \$2,200. He recommended the Century unit with a 10 year warranty.

Councilperson Hern moved, with a second by Councilperson Teeter to approve the purchase of a Century furnace with a warranty of 10 years.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Supervisor Barriere asked Councilperson Hern to take some time to go through the old highway facility and see what needs to be shut down – heat, water, etc.

Communication Access Committee: No report.

Facilities Development: No report.

Personnel Committee: Councilperson Teeter reported the committee met and started going through the personnel manual. Another meeting is scheduled for March.

Tompkins County Council of Governments: Supervisor Barriere reported two co-chairs have been elected: Herb Engman and Richard Driscoll. The Recreational Partnership is scheduled for a presentation at the next meeting.

County Legislator's Report: Dave McKenna reported new committees have been formed. There is now a focus on the Office of the Aging moving into their new facility and a new space for the legislature.

Old Business:

Update on Road Preservation Plan: Supervisor Barriere reported he met with Buddy Rollins, highway superintendent and Guy Krogh, town attorney to work on fine tuning a law. Dan Walker of the planning board will be attending the next meeting.

Unconventional Gas Drilling Discussion: Supervisor Barriere reported the Town of Caroline has a draft one year moratorium that attorney Guy Krogh has prepared. If Enfield followed that route it would save them money and give us a year in which to see how the lawsuits on unconventional gas drilling are resolved, and start an aquifer study. If a moratorium is in place, the town can move to a ban without too much additional work. He feels that a one year time-frame will keep the board focused, as a moratorium beyond one year may not hold.

Councilperson Teeter stated if the town enacts a moratorium, there should be goals. Supervisor Barriere stated a moratorium would help keep the town focused on goals such as a road preservation law, aquifer study, site plan review, comprehensive plan, and aquifer protection law.

Councilperson Howe-Strait stated she feels many controls will need to be in place for the Wind Farm and that going from a moratorium to a ban would be back-tracking. She would like to have a ban on unconventional gas drilling.

Supervisor Barriere stated there is an additional step for a ban rather than a moratorium and it would be more time consuming. It could still be done.

Councilperson Rider stated she feels if a ban is enacted, the town will still have to keep its goals regarding road preservation, comprehensive plan and aquifer study. The town can always go from a moratorium to a ban.

Councilperson Rider moved, with a second by Councilperson Teeter, to direct town attorney Guy Krogh to draft a moratorium for one year on unconventional gas drilling, in conjunction with David and Helen Slottje, for the Town of Enfield.

Discussion: Councilperson Hern stated he feels a moratorium does enable justification for a ban later on if our attorney recommends that route.

Vote: Councilperson Hern aye, Councilperson Howe-Strait nay, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Supervisor Barriere suggested a public information session be held, with Guy Krogh present, to answer questions on the draft moratorium. A tentative date was set for Wednesday, February 29 at 6:30 p.m. at Enfield School for this question and answer session. Notice will be posted at the town hall, corner store, web site and in the Ithaca Journal.

New Business:

Assignment and Assumption Agreement for the Wind Farm: Supervisor Barriere explained this Agreement will recognize the name change of the wind farm from Enfield Energy, LLC to Black Oak Wind Farm, LLC. The developer's agreement stays the same.

Councilperson Rider moved, with a second by Councilperson Teeter to authorize the supervisor to sign the Assignment and Assumption Agreement and Consent to Assignment between Enfield Energy, LLC, Black Oak Wind Farm, LLC and the Town of Enfield as presented.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Approval of the Proposed Enfield Community Council Contract: Supervisor Barriere noted we held a public hearing. The contract hasn't changed much.

Councilperson Teeter moved, with a second by Councilperson Hern to authorize the supervisor to sign the 2012-2016 contract between the Town of Enfield and the Enfield Community Council as presented.

Discussion: Councilperson Teeter mentioned the town and community council worked together to form the new contract. The basketball program is now receiving \$1,000 per year in support from the Enfield Volunteer Fire Department. There is no indication that any programming would suffer with this new contract.

Councilperson Rider feels confident the community council can still provide programs and expand.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider recuse, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Review and Discuss Site Plan Review Law: Code Enforcement Officer Alan Teeter and Planning Board Co-Chair Mike Carpenter moved to the table with the town board for discussion on the Site Plan Review Law draft. Supervisor Barriere thanked the Planning Board for their work and the town board members for their comments on the draft.

A lengthy discussion ensued on suggested changes to the draft law.

Disposal of Bookkeeper's old laptop: Supervisor Barriere explained the old laptop has no value and all information has been removed from it.

Councilperson Rider moved, with a second by Councilperson Hern to properly dispose of the old laptop.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Close-out of Dave Owens' vacation time: Supervisor Barriere explained there were approximately fifteen days of vacation and sick time that Dave Owens used during the worker's compensation period. Two-thirds of that time will be paid back to the town and the beneficiary will be compensated for that time. This resolution is to partially pre-pay the beneficiary now and not wait until worker's compensation sends a check in the amount of approximately \$1,700. Supervisor Barriere is proposing that \$1,500 be paid to the beneficiary now and whatever the balance is later can be passed on to the beneficiary.

Resolution #2012-21

RESOLUTION TO COMPENSATE DAVID OWENS' BENEFICIARY FOR ALL UNUSED VACATION AND SICK LEAVE COMPENSATED FROM THE WORKER'S COMPENSATION BOARD AND AUTHORIZING PREPAYMENT

RESOLVED, that all funds awarded from the NYS Worker's Compensation Alliance, to compensate for all vacation and sick leave used by David Owens due to the line-of-duty injury occurring on November 15th, 2011, be awarded to his beneficiary, and further be it

RESOLVED, that a \$1,500.00 prepayment of those funds be awarded to his beneficiary immediately, and the balance to be awarded when funds are received from the NYS Worker's Compensation Alliance.

Resolution #2012-21 was moved by Supervisor Barriere and seconded by Councilperson Teeter.

Discussion: Councilperson Rider expressed confidence that all monies will be received from the state.

Supervisor Barriere stated it could take two or three months for the payment to be received from the Worker's Compensation Board.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried

Announcements: Greg Stevenson submitted the nomination for Volunteer of the Month recognizing Dave H. Owens posthumously. Dave gave countless hours of assistance with the Enfield Volunteer Fire Company, the Enfield Food Pantry and more. He never complained or asked for anything in return and his work ethic was an inspiration to many.

Adjournment: Supervisor Barriere moved, with a second by Councilperson Rider, to adjourn the meeting at 10:20 p.m. No one opposed.

Respectfully submitted,

Alice Linton
Enfield Town Clerk