

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, June 13, 2012
6:30 p.m.

Present: Town Supervisor Roy Barriere, Town Councilperson Chris Hern (who joined the meeting at 7:20 p.m.), Town Councilperson Vera Howe-Strait, Town Councilperson Debbie Teeter (who left the meeting at 7:40 p.m.), Town Councilperson Ann Rider, Town Highway Superintendent Barry Rollins, Town Clerk Alice Linton.

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

TCAT Presentation: Nancy Oltz spoke about bus transportation provided to Enfield. Route #20 currently comes to Enfield and with the completion of the new highway facility Tompkins Consolidated Area Transit (TCAT) feels it is a good opportunity to expand their presence in Enfield. They would like a Park and Ride at the new highway facility. This could also be a bus stop for those who would be able to walk to the facility. TCAT would be willing to purchase materials for the turn-around between the poles on Enfield Main Road.

Supervisor Barriere mentioned the board had discussed, at a previous meeting, the possibility of using the old highway facility area for a new Park and Ride which would be ready to go now.

Councilperson Teeter is concerned about space being available for a new Town Hall and traffic going in and out of the area at the new highway facility. She is also concerned that the old Park and Ride is not well maintained and would like to see improvement there before a new Park and Ride is opened. She would like the old highway facility used for a Park and Ride. She also asked if TCAT had looked at the space at the old facility. She would like to see a survey taken of riders.

Councilperson Rider mentioned there is currently a walkway along Enfield Main Road so riders don't need to walk on the road. She asked if TCAT knew where walkers originated from. She asked if there have been plans drawn up.

Nancy Oltz responded that no plans have been drawn up, she has not looked at the old facility, and no survey has been taken on ridership.

Doug Swartz, Service Development Manager of TCAT, questioned if a Park and Ride was not at the new facility, could there be a turn-around at the new facility.

Supervisor Barriere will meet with Nancy Oltz to see where parking could be at the old facility and if a turnaround would be feasible at the new facility. TCAT will take a survey of ridership.

Privilege of the Floor: Mary Jo Lovelace of 2504 State Rt. 79 stated she is pleased to see discussion of the moratorium on gas drilling on the agenda.

Margaret Bald of 4 Stone House Road stated she is in favor of a bus turn around at the new highway facility and she is in favor of the moratorium on gas drilling.

Approval of Minutes: Councilperson Rider moved, with a second by Councilperson Howe-Strait to approve the minutes of the May 9, 2012 public hearing and regular board meeting.

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

Correspondence: Broadband Internet Access for All Residents of Tompkins County, Recommendation to the Tompkins County Legislature prepared by The Tompkins County Broadband Committee.

Copy of letter to Governor Andrew M. Cuomo from the Cayuga Lake Watershed Network regarding hydraulic fracturing.

Agenda and meeting notice from Ithaca-Tompkins County Transportation Council for June 19, 2012 meeting to be held at 737 Willow Avenue from 2- 4 p.m.

Notice from Sheen Housing with information on home repair funds that are available for low income homeowners.

Tompkins County Area Development 2012 Annual Report to the Community.

State of New York Notice of Tentative State Equalization Rate for the 2012 Assessment Roll which will continue at 100%.

Budget Amendments:

Supervisor Barriere moved, with a second by Councilperson Teeter to accept Budget Amendment #2012-8.

Budget Amendment #2012-8

WHEREAS, expenses have exceeded the budget in the General Fund Account, line item A7550.4, titled "Celebrations - Contractual", now therefore be it

RESOLVED, that the General Fund Account, line item A1990.4, titled "Special Items – Contingency Account", be decreased by \$1,200.00 and General Fund Account, line item A7550.4, titled "Celebrations - Contractual", be increased by \$1,200.00.

Discussion: Supervisor Barriere explained this amendment was necessary because previously only \$600 of the \$1,800 total was moved to the Celebrations – Contractual line.

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

Budget Amendment #2012-9

Supervisor Barriere moved, with a second by Councilperson Teeter to accept Budget Amendment #2012-9.

WHEREAS, expenses have exceeded the budget in the General Fund Account, line item A1220.42, titled "Supervisor/Bookkeeper - Contractual", now therefore be it

RESOLVED, that the General Fund Account, line item A1990.4, titled "Special Items – Contingency Account", be decreased by \$2,700.00 and General Fund Account, line item A1220.42, titled "Supervisor/Bookkeeper - Contractual", be increased by \$2,700.00.

Discussion: Supervisor Barriere explained this amendment was necessary to purchase new payroll software.

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

Budget Amendment #2012-10

Supervisor Barriere moved, with a second by Councilperson Howe-Strait to accept Budget Amendment #2012-10.

WHEREAS, expenses have exceeded the budget in the Highway Fund Account, line item DA5130.4, titled "Machinery - Contractual", now therefore be it

RESOLVED, that the Highway Fund Account, line item DA5110.4, titled "General Repairs – Contractual", be decreased by \$16,000.00 and Highway Fund Account, line item DA5130.4, titled "Machinery - Contractual", be increased by \$16,000.00.

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

Audit Claims:

Councilperson Howe-Strait moved, with a second by Councilperson Teeter to authorize the supervisor to pay General Fund vouchers #169 to #188 dated June 13, 2012 in the amount of \$17,968.91 and Highway Fund vouchers #96 to #108 dated June 13, 2012 in the amount of \$20,660.21.

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

County Legislator's Report: Dave McKenna reported the legislature has been discussing repairs to the airport and county re-districting . He thanked those who attended the meeting last week on county broadband service. Supervisor Barriere mentioned our contract with Haefele will be expiring and a new agreement will be put together. A representative of Haefele will be at next month's meeting.

Highway Superintendent's Report: Highway Superintendent Buddy Rollins presented an amended 284 form which shows plans for CHIPS expenditures. He plans to cut back on one project and change two others. He also plans to finish Enfield Center Road and work on Griffin Road. Aiken Road also has two bad spots to be repaired.

Superintendent Rollins requested permission to sell the 1987 Ford tractor with rear broom at an internet municipal auction since the new tractor has a broom and is working well. There are no charges involved for the auction. The funds will be put back into budget line DA5130.2 and insurance will be cancelled on the tractor once it is sold.

Supervisor Barriere moved, with a second by Councilperson Teeter to authorize Highway Superintendent Rollins to list the 1987 Ford tractor and rear broom on the auctions international website and leave it to his discretion on whether to accept the bid, and then put the proceeds in budget line DA5130.2.

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

Superintendent Rollins then asked the board for permission to fill in the floor drains in the old highway facility and the catch basin hole in the parking lot beside the door to the Town Clerk's Office.

Supervisor Barriere asked why the drains should be filled instead of plugging them, in case there is a need to use them in the future.

Superintendent Rollins stated they are somewhat plugged up already and don't work well. Also, they drain into the ditch. If there was a new use for the facility, a new drainage system would need to be installed.

Supervisor Barriere asked to table the issue until July.

Superintendent Rollins reported there has been a rash of road signs disappearing – a stop sign and post on Gray Road and road signs missing from Hines Road and Porter Hill Road.

Councilperson Rider asked if the missing signs had been reported to the local police department. Superintendent Rollins replied they had not been reported. Councilperson Rider will follow up with the police to see what needs to be done.

Councilperson Hern joined the meeting at this time.

Supervisor Barriere moved the new business items of the **Moratorium on Gas Drilling** and the **Site Plan Review Law** forward at this time.

Supervisor Barriere moved, with a second by Councilperson Rider to accept Resolution #2012-31.

Resolution #2012-31

RESOLUTION APPROVING LOCAL LAW #1-2012 – MORATORIUM ON AND PROHIBITION OF GAS AND PETROLEUM EXPLORATION AND EXTRACTION ACTIVITIES, UNDERGROUND STORAGE OF NATURAL GAS, AND DISPOSAL OF NATURAL GAS OR PETROLIUM EXTRACTION, EXPLORATION, AND PRODUCTION WASTES

WHEREAS, on February 8th, 2012, the Town Board of the Town of Enfield has approved to move forward with a local law to effect a moratorium and prohibition of natural gas and petroleum

exploration and extraction activities, to include underground storage of natural gas, and disposal of natural gas or petroleum extraction, exploration, and production wastes within the Town of Enfield; and

WHEREAS, a proposed final draft of such law has been duly presented to the Town Board by the Town Supervisor, in February, 2012; and

WHEREAS, a public hearing for the proposed local law has been held on the 28th day of March, 2012, and that the proposed local law has not substantially changed; and

WHEREAS, the Tompkins County Department of Planning has reviewed the proposed local law and has determined that it has no negative inter-community, or county-wide impacts; now therefore it be

RESOLVED, that the Town Board of the Town of Enfield hereby approves this local law as presented at the Public Hearing held on the 28th day of March, 2012; and further be it

RESOLVED, that the Town Clerk file this Local Law with the Attorney for the Town of Enfield and the New York Department of State.

Discussion: Supervisor Barriere asked for disclosure from town board members on the current status of whether they have gas leases on their property. Supervisor Barriere stated all his property is under a lease. Councilperson Howe-Strait stated all her property was under lease, but she is in the process of working with a lawyer to determine if the lease has expired and if not, to make it null and void. Councilperson Rider stated none of her land is under lease. Councilperson Hern stated none of his land is under lease. Councilperson Teeter stated she believes her lease expired last month, but has not looked at the lease to confirm that.

Councilperson Rider stated the board has had input over the past months and it is her believe that the community wants a ban on gas drilling, but the correct step is to start with a moratorium.

Councilperson Teeter feels that many gas leases are expiring and there are mixed opinions on what the future of gas drilling will be in the State of New York.

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

Supervisor Barriere moved, with a second by Councilperson Hern to accept Resolution #2012-32.

Resolution #2012-32

RESOLUTION DECLARING INTENT TO ACT AS LEAD AGENCY FOR SEQRA REVIEW, CLASSIFYING THE ACTION, IDENTIFYING INVOLVED AND INTERESTED AGENCIES, AND SETTING PUBLIC HEARING UPON PROPOSED LOCAL LAW #_ OF 2012 - THE TOWN OF ENFIELD SITE PLAN REVIEW LAW

WHEREAS, since 2008 the Planning Board and the Town Board have been working cooperatively to develop a site plan review local law for the Town of Enfield to review certain land uses and applications so as to preserve and protect the Town, its environment, and residents from the potential negative impacts that certain developments can present or cause; and

WHEREAS, a proposed final draft of such law has been duly presented to the Town Board by the Town Supervisor, as drafted, reviewed, and revised by the Planning Board; and

WHEREAS, the New York State Environmental Quality Review Act (“SEQRA”) expresses a desire that projects, including laws and rules that impact land use planning, be subject to review as soon as is practicable; and

WHEREAS, Part I of the LEAF, together with supporting information, has been submitted for review in relation to the proposed Site Plan Review Local Law and such LEAF is deemed complete; and

WHEREAS, as this Local Law seeks to regulate, among other things, the site planning of certain land uses and applications so to mitigate and prevent negative community and regional impacts, the Town Board believes it is best situate to conduct the environmental review as Lead Agency; and

WHEREAS, the Town Board hereby classifies the proposed action of adopting this Local Law as a Type I SEQRA action pursuant to, *inter alia*, 6 NYCRR Part 617.4(b)(1); and

WHEREAS, even though a strict reading of who and what constitutes an “Involved Agency” and/or an “Interested Agency” could or would show, by virtue of the fact that this action only envisions passage of a local law, that there are few or no such Involved or Interested Agencies, the Town Board none-the-less desires to achieve maximum input on this Local Law from all sources and thus opts to identify, as set forth below, a broad range of potential Interested and Involved Agencies; and

WHEREAS, the public hearing for the proposed local law has been held on the 9th day of May, 2012, and that the proposed local law has not substantially changed; and

WHEREAS, upon due deliberation and in consideration of these matters, the Town Board of the Town of Enfield has duly

RESOLVED, that the Town Board of the Town of Enfield hereby declares its intent to act as Lead Agency for SEQRA review; and it is further

RESOLVED AND DETERMINED, that

1. This action is classified as a Type I Action pursuant to 6 NYCRR Part 617.4(b)(1); and
2. The Town Board of the Town of Enfield proposes to be the Lead Agency for coordinated environmental review, subject to the consent of, or any requests by, Involved or Interested Agencies relative to input upon the SEQRA review or as to what Agency should coordinate or conduct the environmental review as Lead Agency; and
3. The Involved Agencies are determined to be the Tompkins County Planning Department and the New York State Department of Agriculture and Markets;
4. The potential Interested Agencies are determined to be: the United States Army Corps of Engineers; the New York State Department of Environmental Conservation; the New York State Department of Parks and Historic Preservation; the Towns of Ithaca, Ulysses, and Newfield in Tompkins County, and the Towns of Hector and Catherine in Schuyler County; the Counties of Tompkins and Schuyler; the Tompkins County Health Department; the Tompkins County Agriculture and Farmland Protection Board c/o Cooperative Extension; the Tompkins County Water

Resources Council c/o the Tompkins County Planning Department; the New York State Department of Transportation; the Ithaca City School District; the Enfield

Historical Society c/o Enfield Town Historian; and the Town of Enfield Planning Board;

and it is further

RESOLVED AND ORDERED, that the Town Clerk promptly deliver copies of this resolution, the SEQRA LEAF Part I, the proposed Local Law, and a SEQRA Notice of Intent to all Interested and Involved Agencies for review and comment; and it is further

RESOLVED AND ORDERED, that the Town Clerk promptly deliver the above materials to the Tompkins County Planning Department together with a request that the Planning Department conduct its review and make proposals and recommendations under General Municipal Law §§ 239-1, -m, and -n, as applicable; and it is further

RESOLVED AND ORDERED, that the Town Clerk deliver a completed § 305-a Review Form to the NYS Department of Agriculture and Markets with such SEQRA materials and a copy of the proposed Local Law.

Discussion: Supervisor Barriere explained the next step for the town board is to declare lead agency and start the SEQRA review. Once the resolution is passed, all the involved and interested agencies need to be notified with a Letter of Intent to Act as Lead Agency and a copy of the proposed law. They have 30 days to respond and if there are no recommendations by any of the involved and interested agencies, the board can immediately move forward with the proposed law as written.

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

Councilperson Teeter left the meeting at this time.

Code Enforcement Officer's Report: Code Enforcement Officer Alan Teeter reported in May there were 9 building permits issued which brings the year to date total to 29, with 3 being new homes. There was 1 Certificate of Occupancy issued, 1 Certificate of Completion issued, 29 building inspections and progress checks, 1 complaint received, 3 fire and safety inspections, and 3 house numbers installed. He has been working with owners on 3 apartment conversions, and reviewed plans for possible new apartment buildings.

Committee Reports:

Planning Board: Alan Teeter reported John Rancich gave a presentation on several items he is considering, including building more apartment buildings similar to what he has on Enfield Main Road and Mecklenburg Road and the possibility of The Fingerlakes School of Message moving their school to a new building at the corner of Applegate and Mecklenburg Roads. He reminded the Planning Board that he did a study several years ago regarding public water for Enfield that would involve tapping into aquifers and running the water up Mecklenburg Road, down Applegate Road and Enfield Center Road. He would be interested in working more on this idea.

The Planning Board also discussed two site plan reviews. One was for the existing Collegeview North mobile home park. They have a planned expansion, but this was grandfathered in, so it did not need approval. The other was for one of the apartment houses on Applegate Road that is adding a one bedroom apartment.

Councilperson Howe-Strait added that she feels it is very important to get the new Site Plan Review Law in place because the old plan is still being used and clarification is needed on some points.

Marcie Finlay spoke about information that she gathered and presented previously to the Planning Board regarding an aquifer study. She spoke about an aquifer project study that the US Geological Service and Tompkins County have been doing over the last couple of years. It is a project where the US Geological Service pays part of the cost, the county pays part of the cost, and the town would be responsible for 35% of the cost. Several towns in the county have taken advantage of this, including Danby, Caroline and Newfield. The benefits are that we can have a better sense of the aquifer under Enfield, both for protection of the water supply and knowing if we have adequate water. It gives a basis to know whether too much water is being taken out or not. The town's portion would be \$90,000 which can be spread out over 5 years and it can vary from year to year based on the availability of funds. Other towns have received help for their portion from grants. If the town starts the project, they are not committed to the whole 5 year process. Marcie asked the board to start thinking about this now, as the US Geological Service budget year begins in October, so in order to look for grants there would need to be a commitment from the town. If other towns get ahead of Enfield, the funding may not be available from the county. If the town makes a commitment, there are people willing to help look for other funding. The work can be done in 3 years, but can be spread out over 5 years for budget purposes.

Health Insurance Consortium: No report

Enfield Community Council: Ann Rider reported summer camp slots are filling up. Camp begins on July 2. The ECC cooperated with the playground build at Enfield School, which was successful. The ECC is sponsoring outdoor movies at the town hall and the newsletter is coming out the first of July.

Supervisor Barriere returned to the **Planning Board** report. He stated they have a lot going on with the Comprehensive Plan, the aquifer study, and identifying critical environmental areas. If there is anyone who is interested in helping out, they should talk to Virginia Bryant or Mike Carpenter co-chairs of the Planning Board.

Enfield Volunteer Fire Company: No report

Facilities Manager: No report

Communication Access Committee: No report

Facilities Development: No report

Personnel Committee: No report

Tompkins County Council of Governments: Supervisor Barriere reported there were a few presentations, including water resources and youth services. They had a discussion on the open

meetings law. There was an update on the gas drilling task force. Cell tower discussions have been tabled at this time.

Update on Road Preservation Plan: No update

Park-and-Ride Update: The board will wait to hear back from Nancy Oltz at TCAT.

New Business:

Appoint an Assistant Bookkeeper: Supervisor Barriere moved, with a second by Councilperson Rider, to appoint Brandon Cornell as assistant bookkeeper.

Discussion: There will be no difference in salary – it would be Mary’s salary transferred over to Brandon during the time period that he is filling her position. Brandon has been involved with the bookkeeping program and is familiar with it.

Councilperson Hern asked what period this would be for. Supervisor Barriere responded at the most two months.

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

Announcements: Supervisor Barriere asked everyone to spread the word about the Volunteer of the Month program and that next month a Haefele representative will be at the board meeting to give a presentation.

Adjournment: Supervisor Barriere moved, with a second by Councilperson Rider to adjourn at 8:00 p.m.

Respectfully submitted,

Alice Linton
Enfield Town Clerk