

DRAFT  
TOWN OF ENFIELD  
REGULAR TOWN BOARD  
MEETING MINUTES  
WEDNESDAY, MAY 13, 2009  
7:00 P.M.

The regular monthly meeting of the Town of Enfield Town Board was held Wednesday, May 13<sup>th</sup>, 2009 at the Enfield community Building, 182 Enfield Main Road, Ithaca, New York at 7:00 p.m. with Supervisor Podufalski presiding.

Present: Supervisor Frank Podufalski, Town Councilperson Stephanie Gaynor, Town Councilperson Herb Masser, Highway Superintendent Barry Rollins, Town Clerk Alice Laue. Deputy Town Clerk Pat Dougherty... Absent were Councilperson Roy Barriere and Councilperson Robert Harvey.

Pledge of Allegiance to the Flag:

Supervisor Podufalski led the assemblage in the Pledge of Allegiance to the Flag.

Presentation: What Towns can do Regarding the Impending Gas Drilling Boom?

Risa Sokolsky gave a presentation regarding horizontal hydro-fracking gas drilling that is a threat to our water supply and possible chemical spills into aquifers. Thirty-eight percent of Tompkins County is leased for drilling and forty-nine percent of the Town of Enfield is leased for drilling.

Privilege of the Floor:

Supervisor Podufalski announced there would be no Privilege of the Floor tonight. He stated there was no law guaranteeing Privilege of the Floor, therefore, he has chosen not to have it. Some attendees were upset. Supervisor Podufalski asked the Sheriff's Department to attend and two persons who tried to speak with the Board members were escorted out.

Correspondence:

State of New York Office of Attorney General – Consumer Protection Forum – Wednesday, May 20, 2009 11:00 a.m. – “Home Improvement Scams” Cornell Cooperative Extension.

Greg Stevenson, Town of Enfield County Legislator letter supporting Town of Enfield Housing Rehabilitation Program.

Sprague Insurance disclosure statement required by state law.

Attorney for the Town Guy Krogh's letter in regards to a county civil service personnel matters. County Personnel offering to do a free personnel training seminar for the town. Councilperson Masser to set something up.

Tompkins County Council of Government holding three meetings, May 6<sup>th</sup>, May 14<sup>th</sup>, May 19<sup>th</sup>, 2009 at the Tompkins County Public Library at 5:30 -7:30 p.m.. Informational meetings on plans, rates and agreement.

2008 Annual Recreational Partnership report.

Notice from 911 Center of Route 79 bridge replacement. Route 79 between Halseyville Road and Podunk Road to be closed from Memorial Day until October. 911 concerned with Fish Road being under construction and emergency response time.  
Ray Bennett, Gray Road, letter of support of Highway Superintendent.

Budget Amendment:

Resolution #14 – 2009 Town of Enfield Budget Amendment #2.

Whereas, budget lines have to be amended to allocate monies where they are most needed in the 2009 Enfield Town Budget, NOW THEREFORE BE IT RESOLVED, that General Fund Account A111022 titled, “JCAP Grant Equipment” be increased by \$29.72 and General Fund Account A1110.21 titled, “Justice – Equipment” be decreased by \$29.72, General Fund Account A1420.4 titled, “Attorney - Contractual” be increased by \$5,000.00, General Fund Account A1450.4 titled, “Elections – CoOntractual” be increased by \$1,421.00, General Fund Account A1990.4 titled, “Contingency Acct. - Contractual” be decreased by \$6,421.00, General Fund Account A1910.8 titled, “Insurance – CoOntractual” be decreased by \$4,043.00 and general Fund Account A9040.8 titled, “Employee Benefits Workman’s Comp.” be increased by \$4,043.00, General Fund Account A5132.4 titled, Garage – Contractual” be increased by \$750.00 and General Fund Account A3310.4 titled, “Traffic Control – Contractual” be decreased by \$750.00, Highway Fund Account DA5142.4 titled, “Snow Removal – Contractual” be decreased by \$36.80 and Highway Fund Account DA9055.8 titled, “Disability” be increased by \$36.80.

Discussion:

Vote: Councilperson Gaynor aye, Councilperson Masser aye, Supervisor Podufalski aye. Councilperson Barriere and Councilperson Harvey were absent. Motion carried.

Audit Claims:

After reading correspondence from the State Comptroller’s Office in regards to 284 Agreement to Spending Highway Funds Superintendent Podufalski announced that the highway budget stands at zero and legally highway bills cannot be paid at this time, therefore, highway bills not to be paid. A committee chaired by Councilperson Masser is to be appointed to meet with Highway Superintendent to determine and reach a 284 Agreement so bills can be paid ASAP.

Motion made by Councilperson Gaynor, seconded by Councilperson Masser authorizing Superintendent Podufalski to pay General Fund vouchers #113-142, dated 5-13-2009, in the amount of \$16,234.35.

Discussion: Vote: Councilperson Gaynor aye, Councilperson Masser aye, Supervisor Podufalski aye. Councilperson Barriere and Councilperson Harvey were absent.

Resolution #15- 2009 – Town of Enfield Resolution Authorizing Expenditures by Highway Superintendent Without Town Board Approval. Supervisor Podufalski read – Please note that Association of Towns Attorney Cole – Town Highway Law 142 – Subdivision 1A gives the authority to Town Boards to purchase tools, equipment for highway departments. Resolution authorizing the Highway Superintendent to make purchases up to a certain dollar amount without board approval, anything over \$500.00 needs board approval. This resolution was written by an Association of Towns attorney and Supervisor Podufalski reviewed the past three months highway bills \$500.00 was an appropriate amount.

Resolution #15 – 2009 – Town of Enfield Resolution Authorizing Expenditures by Highway Superintendent Without Town Board Approval.  
Whereas, 142 – Subdivision 1A of the Highway Law authorizes the Town Board to adopt a resolution permitting the Town Superintendent of Highways to purchase equipment, tools and implements without prior approval of the Town Board in an amount to be affixed by it from time to time, and  
Whereas, it is determined by this board to be reasonable and proper, and  
In the Best Interest in the efficient functioning of the Highway Department that the Town Superintendent of Highway of the Town be granted permission to purchase such items without its prior approval in an amount not to exceed Five hundred (\$500.00) dollars,  
Now Therefore Be It Resolved, that the Town Superintendent of Highway be herefore authorized to spend an amount not in excess of \$500.00 for the purchase of equipment, tools and implements without the approval of this board.  
Moved by Councilperson Gaynor, seconded by Councilperson Masser.  
Discussion:  
Vote: Councilperson Gaynor aye, Councilperson Masser aye, Supervisor Podufalski aye. Councilperson Barriere and Councilperson Harvey were absent.

Committees/Reports:

Tompkins County Board of Representatives – No report.

Highway Department – Superintendent Rollins

Clean-up Week going a hundred miles an hour. Tire issues – no tractor tires – will be charged extra for tractor tires received. Running over number of dumpsters scheduled, but Casella working well with picking up full dumpsters and bringing empties. Five, three thirty yard and two twenty yard, dumpsters of tires picked up to date by Casella. Two full dumpsters of tires with rims going to Teeter's. Scrap metal one huge dumpster and five, twenty yard, dumpsters filled with trash to date. Jack Hubbell has been volunteering his help.

Fish Road: - DEC checked complaint made about work being done and found work not a problem, town didn't get into the water, pushed dirt where water had eaten out where road was. It is to be seeded and mulched by Soil and Water free of charge.

CHIPS money increased to \$80,000.00 from \$64,000.00.

Applied for and received a \$479.00 grant from 3M to upgrade signs. All signs after 2012 – 2015 to be replaced by high intensity reflectivity signs.

Sent an e-mail to board members asking to meet and received only one reply.

Code Enforcement – Alan Teeter

Reviewed written report – 6 Building Permits issued or renewed, 20 Building Permits year to date, 3 Certificates of Occupancy Completion, 14 Building Inspections, 3 Complaints received, 3 Complaints valid, 0 Complaints resolved, 0 Faxes Received/Sent, 2 Orders To Remedy, 0 Property Research, for mortgage/finance/Real-Estate/ owners, 54 Phone Calls Received, 4 Fire and Safety Inspections Public Assembly, 9 Fire and Safety Inspections Multiple Residents, 0 Fire and Safety Inspections Businesses, 0 Operating Permits Issued or Renewed, 2 House Numbers Issued, 2 House Numbers Installed.

John Anderson, Engineer for Orson Ledger, turning in a Site Plan Review application to go before the Planning Board next month.

Scottish Games scheduled for July 11<sup>th</sup>, 2009.

Enfield Community Council – No report.

Enfield Volunteer Fire Company – Art Howser

March – 18 calls, EMS – 10, Motor Vehicle -4, Hot water heater fire – 1. Mutual Aid 3. April – 19 calls EMS – 14, Grass Fire -2, Severe Weather – 2, Mutual Aid – 1, total of date 84. Training – Auto extrication class and hands on extrication. Station and Truck maintenance. One new junior firefighter member joined. Quarterly budget report submitted. Plan an open house around Harvest Festival time.

Facilities Building Manager: Written report submitted by Councilperson Barriere and read by Supervisor Podufalski: .The Code Officers inspected the Community Building, which is due every 3 years since it's a place of assembly. There were a few issues that needed to be corrected, and all except for the fire extinguishers have been corrected. Those issues were: sealing all holes in the basement ceiling, including the furnace room, done, covering an electrical box on the outside of the building (in front), done, installing a drip tube on the water heater, done, re-certifying all fire extinguishers (2 of the 4 have expired). Work order has been submitted and should be completed within a week or two. Securing all wiring going to the water heater, done, re-certifying alarm system with fire control, done. All issues have been addressed at the Community Building, as per the building permit, so Code Officers will issue the Certificate of Occupancy.

Facilities Planning Committee – Councilperson Masser

Broadband – Meeting with county was a good meeting. Way it was explained by Carman Brocko, New Visions Power Lines Communications out of Syracuse was it could be put

in place quickly, a low cost broadband that can go any where in the county for \$28.95 a month, to use NYSEG electric poles, they are working on county wide coverage.

Planning Board – No meeting.

Tompkins County Council of Governments – Supervisor Podufalski  
Working on municipal agreement regarding the insurance program.

Old Business:

Customer Counter for Clerk's Office.

Proposal and contract submitted by Night Owl Construction in the amount of \$1,734.00 was submitted. Contract – sales tax on labor is not included in this proposal, Building Permits are the responsibility of the Town, Checks payable to Night Owl Construction, Payment Schedule; \$1,000.00 when work begins, \$734.00 when job is complete.

Proposal void if not accepted within 45 days.

Motion made by Councilperson Gaynor, seconded by Councilperson Masser that the Town Board approve and accept the Night Owl Construction proposal and contract.

Discussion:

Vote: Councilperson Gaynor aye, Councilperson Masser aye, Supervisor Podufalski aye. Councilperson Barriere and Councilperson Harvey were absent.

Clerk asked when work was to be done and how long it would take to do the work and was told probably three days when started. Clerk asked for permission to close the clerk's office completely when work was being done and permission was granted by the board members present to close the clerk's office while work is being done. (No motion was made).

Motion made by Supervisor Podufalski, seconded by Councilperson Masser that the Town Board authorize the Supervisor to sign the proposal and contract.

Discussion:

Vote: Councilperson Gaynor aye, Councilperson Masser aye, Supervisor Podufalski aye. Councilperson Barriere and Councilperson Harvey were absent.

Highway Superintendent Rollins had old business to discuss but was told by Supervisor Podufalski that he was not being recognized and to put his request in writing to be included in next month's meeting. He would not be recognized tonight.

Councilperson Gaynor left the meeting.

Adjournment :Supervisor Podufalsk announced that as there no longer was a quorum he was making a motion that was seconded by Councilperson Masser that the meeting be adjourned.

Discussion:

Vote: Councilperson Masser aye, Supervisor Podufalski aye. Councilperson Gaynor, Barriere and Harvey not present for voting on adjournment.

Meeting adjourned at 8:55 p.m...

Respectfully submitted,

Alice Laue Town Clerk