

Town of Enfield
Public Hearing and Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, November 14, 2012
6:30 p.m.

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

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 Town of Enfield Fire Protection Contract: Supervisor Barriere opened the public hearing at 6:31 p.m. and read the legal ad published in the Ithaca Journal regarding same. Supervisor Barriere asked if anyone would like to speak at the public hearing. As no one responded, Supervisor Barriere moved, with a second by Councilperson Hern to close the public hearing at 6:32 p.m.

Presentation by TCAT regarding survey: Doug Swartz, Service Development Manager of Tompkins Consolidated Area Transit presented findings from a survey that TCAT conducted. Route 20 currently serves Enfield and TCAT is considering several changes. One would be to extend the route to the new highway facility at 475 Enfield Main Road and the other would be to increase the Park and Ride capacity. There is currently a Park and Ride at the corner of Route 79 and Route 327, which would be kept open, but the capacity has been strained. About 100 surveys were handed out, between mid-September and mid-October, door-to-door on Enfield Main Road and on the bus, and the survey was published in the most recent edition of the Enfield Newsletter. There were 27 responses. Three questions were asked. The first was how many would be interested in using a new Park and Ride at the new highway facility; 12 responded yes, 12 responded no, and 3 non-response to that question. The second question was how many would be interested in using a Park and Ride located at the town hall; 16 responded yes, 7 responded no, 2 maybe, 3 non-response to that question. The last question was how many would be interested in using the bus if it traveled further along Enfield Main Road (Route 327); 18 responded yes, 5 no, 4 non-response.

TCAT would be interested in extending the route to the new highway facility if they can find a way to turn around. One of the reasons residents would be interested in a new stop is they are uncomfortable walking along Enfield Main Road to catch the bus at its current stop and they would be more comfortable catching the bus outside of their home. TCAT is open to a new Park and Ride either at the town hall or the new highway facility, depending on the town's preference.

Park-and-Ride Discussion:

Councilperson Rider asked if TCAT knew how much space was needed for a turn-around at the new highway facility. Doug Swartz responded that information was available, but he didn't have it with him. Before the new facility was built, there was no place to turn around, but now there may be adequate space. Councilperson Rider stated TCAT would need a written lease from the town before they could use space at the new highway facility to turn around.

Supervisor Barriere suggested someone from the town board, along with Highway Superintendent Rollins, should meet with a TCAT representative and go to both the town hall and the new highway facility to look at the space. For a Park and Ride, space would have to be determined where the cars could park, and decide if there was adequate lighting.

Highway Superintendent Rollins stated there would be adequate space at the new highway facility for a turn-around. He stated to make a Park and Ride at the new facility it would require a little time from the highway department and TCAT had said they would supply materials.

Supervisor Barriere moved to have a Park and Ride at the town hall, with a shelter provided by TCAT, and a TCAT turn-around at the new highway facility, 475 Enfield Main Road; seconded by Councilperson Hern.

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

Privilege of the Floor:

Barbara Coman of 658 Bostwick Road stated she was in favor of a ban on hydrofracking for this area. She feels more research needs to be done on hydrofracking and there are other possibilities for clean, alternate energy.

Marsha Sundman of 215 Connecticut Hill Road stated she would like to see the town move forward with a ban on hydrofracking in Enfield.

John Tavares of 2192 Mecklenburg Road stated he feels the sentiment in Enfield is overwhelming for a ban on hydrofracking and urged the board to move forward.

Mary Jo Lovelace of 2504 State Route 79 stated she would like the town to move forward with a ban on hydrofracking, since the sentiment is residents don't want hydrofracking in Enfield.

Art Godin of 96 Woodard Road urged the town to begin legal work on a ban of hydrofracking in Enfield.

Approval of Minutes: Councilperson Rider moved, with a second by Councilperson Howe-Strait to approve the minutes of the October 10 regular town board meeting and public hearings and the minutes of the October 24 public hearing on the town budget.

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

Correspondence: Notice of 2013 training school and annual meeting of the Association of Towns in New York City. Supervisor Barriere encouraged at least one board member to attend.

Budget Amendments:

Supervisor Barriere moved, with a second by Councilperson Howe-Strait to approve Budget Amendment #2012-16.

BA #2012-16

WHEREAS, expenses have exceeded the budget in the Highway Fund Account, line item DA9060.81, titled "Employee Benefits – Medical Insurance", now therefore be it

RESOLVED, that the Highway Fund Account, line item DA5142.1, titled "Snow Removal – Personnel Services", be decreased by \$8,000.00 and Highway Fund Account, line item DA9060.81, titled "Employee Benefits – Medical Insurance", be increased by \$8,000.00.

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

Supervisor Barriere moved, with a second by Councilperson Hern to approve Budget Amendment #2012-17.

BA #2012-17

WHEREAS, expenses have exceeded the budget in the General Fund Account, line item A3010.4, titled "Public Safety Administration - Contractual", now therefore be it

RESOLVED, that the General Fund Account, line item A3010.2, titled "Public Safety Administration - Equipment", be decreased by \$400.00 and General Fund Account, line item A3010.4, titled "Public Safety Administration - Contractual", be increased by \$400.00.

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

Supervisor Barriere moved, with a second by Councilperson Howe-Strait, to approve Budget Amendment #2012-18.

BA #2012-18

WHEREAS, expenses have exceeded the budget in the General Fund Account, line item A4189.4, titled "Other Public Health Emergency House Numbering - Contractual", now therefore be it

RESOLVED, that the General Fund Account, line item A1990.4, titled "Special Items – Contingency Account", be decreased by \$250.00 and General Fund Account, line item A4189.4, titled "Other Public Health/House Numbering - Contractual", be increased by \$250.00.

Discussion: Councilperson Rider asked if more signs were needed because we have more building permits to build houses.

Supervisor Barriere replied yes, these are for new houses, but house numbers are purchased every 3 to 4 years, as needed. So this line item is not used every year.

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

Audit Claims:

Councilperson Howe-Strait moved, with a second by Councilperson Hern to authorize the supervisor to pay General Fund vouchers #290 to #328 dated November 14, 2012 in the amount of \$43,262.12, and Highway Fund vouchers #173 to #192 dated November 14, 2012 in the amount of \$32,957.62.

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

County Legislator's Report: No report.

Highway Superintendent's Report: Highway Superintendent Buddy Rollins reported they are in the process of changing over for snow plowing. Only one piece of equipment was needed to remove a tree during the recent storm from Hurricane Sandy. The Enfield Center Road creek job is completed and costs are being added up. The work has been inspected and everyone is happy with the job. When extra dirt is available, it is being used to fill in the cavity along the roadway.

The Bostwick Road creek job cannot be completed before the grant funds run out at the end of the year. Large rocks can still be purchased with grant funds, but permits cannot be obtained to work in the creek after October 1. The cost to set the rock next spring by a private contractor would be about \$20,000. Enfield doesn't have the equipment to set the rocks, although Tompkins County Soil and Water would be able to advise the town on how to set the rock if they could get equipment to do the job. The large rock is the biggest expense of the job, and it could be stock piled until the work can be done to place it.

Councilperson Howe-Strait asked if part of the work could be done before the grant runs out.

Highway Superintendent Rollins stated nothing can be done in the creek now due to the trout stream. There are only 3 months of the year when work can be done.

Councilperson Hern asked if there was a time limit on using the stone if it was purchased.

Highway Superintendent Rollins will check, but he doesn't believe there is a time limit.

Councilperson Rider asked if neighbors would be upset if the rock was not put in place in the creek right away.

Highway Superintendent Rollins replied he didn't know, but once the job is completed it will keep the road from washing out.

Supervisor Barriere asked if other materials would be needed for the job.

Highway Superintendent Rollins responded more tree roots in 20 foot lengths would be needed - about 10. When the highway department removes trees, the roots can be dug out instead of cutting at stump level. The stumps can be used to push against the rock and keep it in place.

Tompkins County Soil and Water would secure the permits when needed and give advice on how to complete the job.

Supervisor Barriere stated he felt the town should go ahead and get the rock. He also asked Superintendent Rollins to provide proof that all training is up-to-date for all employees, or if not completed, when it will be completed. The information needs to be sent in to the NYS Municipal Workers Compensation Alliance. Supervisor Barriere asked Superintendent Rollins to contact PESH to see what trainings are mandatory.

Code Enforcement Officer's Report: Code Enforcement Officer Alan Teeter was not present, but his report is on file at the town clerk's office.

Committee Reports:

Planning Board: Planning Board co-chairperson Virginia Bryant reported many members of the community are interested in working on committees for updating the Comprehensive Plan, which is the Planning Board's focus for the next few months. Three of the five committees have met to start work.

Councilperson Howe-Strait asked how many surveys on the Comprehensive Plan had been returned.

Town Clerk Alice Linton responded the estimate was around 180.

Supervisor Barriere asked what the timeline for completion of the Comprehensive Plan was.

Ms. Bryant responded the hope is to have a draft completed by the end of February or early March. The template of the old Plan will be used for the new Plan.

Health Insurance Consortium: No report.

Enfield Community Council: Councilperson Rider reported the Council is working on their 2013 budget. They have rented the pavilion at Treman State Park for next summer's camp. The Council is investigating building a Community Building. The 4th and 5th grade basketball program will start practices next week with games to begin after Christmas. There is a new program manager for Rural Youth Services who will begin programming after Thanksgiving.

Recreation Partnership: Carolyn Tschanz reported the Recreation Partnership Board met on October 23. The 2013-2017 five year agreement between municipalities and the Recreation Partnership has been signed and includes a 2% increase. Officers will be elected in January. The role of the board is to represent individual municipalities and to make sure there is good use of the funds for recreation activities for youth. They will do an inventory of all programs offered to youth in the county and see what students are looking for. They will then be able to have more collaboration between communities and see what can be done for students in the next year. She provided information on the number of Enfield residents that participated in youth programs. For 2011 there were 85 unduplicated students who participated.

Councilperson Howe-Strait asked why Enfield's numbers were so low and if the cost of equipment to participate in the programs might be prohibitive.

Ms. Tschanz replied she thought it could be accessibility. Most programs take place downtown after school or Saturday and Sunday when there is no bus service. She also reported that instead of a written annual report, the Recreation Partnership would like to give a presentation to the town board, possibly in February, 2013.

Youth Board: Councilperson Rider reported they have contracted with an outside firm to do an assessment to help in planning for the future. Their next meeting will be November 15.

Enfield Volunteer Fire Company: Art Howser reported in October there were 30 calls: 24 EMS, 1 motorcycle accident, 4 severe weather, 1 mutual aid to Trumansburg. Training in November will include extrication training with new equipment, structure fire/reading smoke, chimney fires. Auto extrication training with Newfield was held at Teet's with a bus and two cars. New extrication equipment has been purchased and used during training. The next blood drive will be held November 20 from 1:30 to 6:30 at the fire station.

Facilities Manager: No report

Communication Access Committee: No report

Facilities Development: No report

Personnel Committee: No report

Tompkins County Council of Governments: Town Councilperson Rider reported the Council is working on contracts with Time Warner. Supervisor Barriere reported there was an update on the open space and development program from the Planning Department. The core group from the Gas Drilling Task Force met with the DEC Commissioner. The TCCOG budget was received and will be available at the town clerk's office.

Old Business:

Update on Road Preservation Plan: Supervisor Barriere reported Dan Walker attended the last meeting in Caroline.

Discussion and Possible Approval of the Local Law to Override the Tax Levy Limit: Supervisor Barriere stated this law would allow the town to go above the limit. If the town chooses not to pass this local law, the budget would have to be reduced by about \$28,000.

Councilperson Rider moved, with a second by Councilperson Howe-Strait to pass the Local Law to Override the Tax Levy Limit.

Discussion: Councilperson Rider feels not all line items have exact figures yet. She questioned if everything has been figured in. Supervisor Barriere replied that everything is complete and the report had been sent to the State Comptroller's Office.

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

Discussion of 2013 Budget and Possibly Approve as Final Budget for 2013: Supervisor Barriere stated the preliminary budget has not changed since the public hearing. The budget needs to be finalized by November 20, 2013.

Councilperson Hern stated he would like to discuss the highway department material budget. He suggested that Councilperson Teeter's idea of not having spring clean-up week in 2013 could save the town \$2,500 that could go to the highway department.

Councilperson Rider understood that the 2012 spring clean-up week was not well attended.

Supervisor Barriere felt the community would rather have the clean-up week which benefits the public. This year's cost was lower than past years where the cost had been closer to \$4,000.

Councilperson Howe-Strait asked if the cost depended on how many days the clean-up ran. Highway Superintendent Rollins stated the cost was dependant on how many times the dumpsters were emptied. He felt this year there was about half the amount collected as the past few years. Some weren't aware of the week it was held and some were used to seeing the dumpsters as they drove by to remind them. At the new facility the dumpsters were not as visible. More time was added this year, including 1/2 day on Saturday.

Councilperson Howe-Strait asked about the Joint Youth Partnership - the Recreation Partnership.

Ms. Tschanz responded the 2013 figures for Enfield were received in September, \$4,951. Every municipality is different. The amount paid is figured using participation numbers, tax records, and other town formulas.

Supervisor Barriere stated the board might want to consider increasing line item A3310.4 for signs. Currently there is \$2,000 in that line item and only half of that has been used this year. If roads are posted for weight limits next year, the estimate for signs is \$5,000. All the roads might not have to be done next year, but at least the main roads should be done. So \$2,000 to \$3,000 would be a good amount to increase the line item.

Highway Superintendent Rollins added that other road signs need to be replaced.

Councilperson Rider asked if the suggested increase would be specifically for weight limit signs.

Councilperson Hern asked if putting up the signs would trigger a permit process.

Supervisor Barriere stated that process would be part of the Road Preservation Plan.

Councilperson Rider asked if it was ascertained how many signs would be required to post the roads.

Supervisor Barriere stated possibly as many as 60, depending on what roads and intersections need to be posted. Since other signs need to be upgraded, \$3,000 would be a recommended amount to add to the line item A3310.4.

Highway Superintendent Rollins stated he asked for about \$500 for upgrading signs. The 2013 time limit previously imposed has been lifted, but the town needs to continue with a plan to update the signs. Also, posts need to be purchased plus labor to install the signs needs to be considered.

Supervisor Barriere moved, with a second by Councilperson Rider to increase line item A3310.4 from \$2,000 to \$5,000 leaving \$2,500 for road classification signs and \$500 for upgrading current signs.

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

Councilperson Howe-Strait moved, with a second by Councilperson Rider to forego the clean-up week for 2013, reducing line item A8160.4 by \$4,500, leaving \$2,000 for normal trash expenses.

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

Councilperson Hern moved, with a second by Councilperson Howe-Strait to increase line item DA5110.4 by \$1,500 for a total of \$189,500.

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

Supervisor Barriere stated these changes will not change the total of the preliminary budget, and the tax rate increase will remain 6.81%.

Councilperson Rider moved, with a second by Councilperson Hern to move the 2013 preliminary budget to the 2013 final budget.

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

Discuss the Enfield Volunteer Fire Company contract and possibly approve: Councilperson Rider moved, with a second by Councilperson Howe-Strait to authorize the supervisor to sign the 5 year contract with the Enfield Volunteer Fire Company as proposed.

Discussion: Councilperson Rider felt the fire company looked at everything closely and determined a 1% increase this year, 1.25%, 1.5%, 1.75% and 2% in subsequent years was acceptable and they do quite a service to the community.

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

New Business:

Discuss proposal to possibly move forward on a ban against hydrofracking: Supervisor Barriere stated he contacted the town attorney, Guy Krogh, and he felt it would take approximately two to four months, and the process would be fairly straight-forward at this time since other municipalities have already passed a ban. The Slottjes have agreed to draft a local law and Guy Krogh would review it, just as he did for the moratorium.

Councilperson Hern asked if Guy Krogh had given an estimate of what the legal fees would be for this ban.

Supervisor Barriere stated no, but the fees should be less than for the moratorium based on the fact that the Town of Caroline recently passed a ban and ours will be very similar to theirs.

Councilperson Rider moved, with a second by Councilperson Howe-Strait to authorize the Slottjes to produce a draft law banning hydrofracking in the Town of Enfield and direct Guy Krogh to review and give his legal opinion on a law to ban hydrofracking in the Town of Enfield.

Discussion: Councilperson Howe-Strait asked when the process of drafting the law would begin. Supervisor Barriere replied as soon as the board votes to move forward, but it depends on how much time the board wants to spend reviewing the law.

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

Agreement with Social Ventures, Inc.: Nancy Spero, the town's contact with Social Ventures, explained the group is a 5013c based in Tompkins County. The group has agreed that donations for the Enfield Aquifer Study would be a project within their parameters and 100% of the amount donated through them would go to the Aquifer Study.

Councilperson Howe-Strait asked how the process would work.

Nancy Spero replied the volunteer Enfield Aquifer Study Group would do the fundraising and Social Ventures, Inc. would get the checks and pass the funds on to the town. Ms. Spero also stated the group is hoping to get funds from outside of Enfield since our aquifer drains downhill to the Town of Ithaca and pollution to our aquifer would affect everyone downstream from us.

Councilperson Rider moved, with a second by Councilperson Hern to authorize the supervisor to sign the Agreement between the Town of Enfield and Social Ventures, Inc. for the purpose of collecting private donations for an aquifer study in the Town of Enfield, unless there are substantial changes that the town attorney wants to make to the draft Agreement.

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

Announcements: Supervisor Barriere announced that within the next two to three weeks he will be submitting a letter of resignation. He will stay until the end of the year, but someone new will need to be appointed by the board as supervisor for 2013. He is willing to help transition whomever is appointed.

Adjournment: Supervisor Barriere moved, with a second by Councilperson Howe-Strait to adjourn at 8:27 p.m.

Respectfully submitted,

Alice Linton
Enfield Town Clerk