

**Town of Enfield
Special Town Board Meeting Minutes
Enfield Community Building
Wednesday, September 22, 2010
6:00 p.m.**

Present: Town Supervisor Roy Barriere, Town Councilperson Chris Hern, Town Councilperson Jean Owens, Town Clerk Alice Linton, Deputy Town Clerk Sue Thompson

Town Supervisor Barriere opened the meeting at 6:00 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Supervisor Barriere explained that the Ballot Proposition No. 1 for the new highway buildings and equipment has been prepared by town attorney Guy Krogh. Once this has been approved by the town board, it will be submitted to the Board of Elections to be placed on the ballot November 2, 2010.

Resolution #2010-52

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ENFIELD,
IN THE COUNTY OF TOMPKINS, NEW YORK, CALLING FOR A SPECIAL TOWN
ELECTION TO BE HELD ON NOVEMBER 2, 2010, AND MAKING CERTAIN OTHER
DETERMINATIONS IN CONNECTION THEREWITH**

At a Special Meeting of the Town Board of the Town of Enfield, held in and for the Town of Enfield at the Enfield Town Hall upon the 22nd day of September, 2010, the following members were present and voting throughout:

Roy Barriere, Town Supervisor
Chris Hern, Councilperson
Jean Owens, Councilperson

The following Town Board members were absent: Stephanie Gaynor, Councilperson, Debbie Teeter, Councilperson.

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, by Resolution dated July 28, 2010, the Town Board conditionally approved a bond resolution for the construction of certain specified highway facilities. Said resolution set forth a maximum estimated construction cost for such facilities of \$1,604,000, which estimate included all professional costs, including legal advertising and legal services, equipment, machinery and other necessary appurtenances and all other necessary costs incidental to such work. The plan for financing for the project was to fund the project by (i) using \$504,000 from the Town's Capital Improvement Reserve Fund, and (ii) the issuance of up to \$1,100,000 of serial bonds of the Town of Enfield, or any bond anticipation notes issued in anticipation of the issuance and sale of the bonds; and

WHEREAS, the Town Clerk caused to be posted and published a notice setting forth the date of the adoption of the aforesaid Resolution, concisely stating the purpose and effect of such resolution, and that said resolution was adopted subject to a permissive referendum pursuant to Town Law Article 7 and the Local Finance Law, and the said Resolution so stated the same; and

WHEREAS, on August 25, 2010, petitions in due form were duly presented to the Town Clerk, and signed and acknowledged by the requisite number of qualified electors of the Town requesting that a referendum be called and held by the Town Board on the question of the proposed bond resolution; and

WHEREAS, under the Town Law, such referendum must be scheduled and held not less than 60 days, nor more then 75 days, from the date of filing of the petitions; and

WHEREAS, upon due deliberation upon the same, it is hereby RESOLVED as follows:

Section 1. The Petitions requesting a referendum on the question of the proposed bond resolution are hereby determined to be sufficient.

Section 2. A Special Town Election of the Town of Enfield will be held on November 2, 2010, between the hours of 6:00 AM and 9:00 PM, or as much longer as may be necessary to enable the voters then present to cast their votes, at which Special Town Election the proposition contained in the notice hereinafter set forth shall be submitted to the electors of the Town of Enfield. The polling place for said Special Town Election for Town of Enfield voting districts 1 and 2 shall be at the Enfield Elementary School, 20 Enfield Road, as located within the Town of Enfield.

Section 3. The Town Clerk is hereby authorized and directed to publish at least once in the Ithaca Journal, a newspaper published in Ithaca, New York, in the County of Tompkins, hereby designated the official newspaper of the Town for such publication, and to post on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, notice that the Town Board will submit the proposition upon the bond resolution for the approval or disapproval of the voters; said publication and posting to be at least ten (10) days before such Special Town Election. Said notice shall be in substantially the following form:

**TOWN OF ENFIELD, NEW YORK
NOTICE OF SPECIAL TOWN ELECTION
TO BE HELD UPON NOVEMBER 2, 2010**

NOTICE IS HEREBY GIVEN that a Special Town Election will be held on November 2, 2010, and the polls shall remain open from 6:00 AM until 9:00 PM, or for such longer period of time as may be necessary to enable the voters then present to cast their votes at the following polling places:

Election District

1

Polling Places

Enfield Elementary School, 20 Enfield Road

2

Enfield Elementary School, 20 Enfield Road

At said Special Town Election the following proposition is to be voted upon:

PROPOSITION 1:

Shall the Town of Enfield bond resolution entitled “BOND RESOLUTION OF THE TOWN OF ENFIELD, TOMPKINS COUNTY, NEW YORK, ADOPTED ON JULY 28, 2010, AUTHORIZING THE CONSTRUCTION OF A 14,000 SQUARE FOOT POLE FRAME HIGHWAY GARAGE, ACCESS ROAD, PARKING AREA AND ASSOCIATED SALT STORAGE BUILDING, AREAS FOR GRAVEL STORAGE, STORM WATER TREATMENT SYSTEM, AND SEPTIC SYSTEM AT AN ESTIMATED MAXIMUM COST OF \$1,604,000, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTHORIZING THE USE OF \$504,000 FROM THE TOWN’S CAPITAL IMPROVEMENT RESERVE FUND AND THE ISSUANCE OF UP TO \$1,100,000 OF BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE TOWN TO PAY THE COST OF THE PROJECT”, BE APPROVED?

Yes

No

An abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

ABSTRACT OF BOND RESOLUTION

On July 28, 2010, the Town Board of Enfield approved a bond resolution for the construction of new Town of Enfield Highway Facilities, consisting mainly of a new highway barn and offices, entitled “BOND RESOLUTION OF THE TOWN OF ENFIELD, TOMPKINS COUNTY, NEW YORK, ADOPTED ON JULY 28, 2010, AUTHORIZING THE CONSTRUCTION OF A 14,000 SQUARE FOOT POLE FRAME HIGHWAY GARAGE, ACCESS ROAD, PARKING AREA AND ASSOCIATED SALT STORAGE BUILDING, AREAS FOR GRAVEL STORAGE, STORM WATER TREATMENT SYSTEM, AND SEPTIC SYSTEM AT AN ESTIMATED MAXIMUM COST OF \$1,604,000, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTHORIZING THE USE OF \$504,000 FROM THE TOWN’S CAPITAL IMPROVEMENT RESERVE FUND AND THE ISSUANCE OF UP TO \$1,100,000 OF BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE TOWN TO PAY THE COST OF THE PROJECT.”

Said resolution set forth a maximum estimated construction cost for such facilities of \$1,604,000, which estimate included all professional costs, including legal advertising and legal services, equipment, machinery and other necessary appurtenances and all other necessary costs incidental to such work. The plan for financing for the project was to fund the project by (i) using \$504,000 from the Town’s Capital Improvement Reserve Fund, and (ii) the issuance of up to \$1,100,000 of serial bonds of the Town of Enfield, or any bond anticipation notes issued in anticipation of the issuance and sale of the bonds.

To pay and guarantee payment of such bonds and/or bond anticipation notes (or renewals thereof) the Town of Enfield will levy taxes to pay principal and interest when due and pledges the full faith and credit of the Town of Enfield. The Town Supervisor, as Chief Fiscal Officer, was authorized to negotiate and sell bonds pursuant to the authority and requirements of Local Finance Law §§ 30.00, 50.00 and 56.00 to 60.00, inclusive, and to take other related steps, such as assuring the tax-exempt status of interest earned upon such municipal bonds, assuring the bonds are in registered form, and, generally, acting as "fiscal agent" for the Town of Enfield in relation to such municipal bonds. Such bonds were authorized for amortization for up to 15 years per the period of probable usefulness as required by Local Finance Law § 11.00.

The law firm of Trespasz & Marquardt, LLP was appointed bond counsel to the Town in relation to the issuance of any bonds or bond anticipation notes issued for this project, and the required statement as to (i) challenging the validity of the bonds, and (ii) the bond resolution being subject to referendum due to the requirements of the Local Finance Law and the proposed expenditure of reserve funds, was duly contained therein.

By order of the Town Board of the Town of Enfield, in the County of Tompkins, New York

Dated: _____, 2010

Alice Linton, Town Clerk

Section 4. Such special election will be held in conjunction with the general election and the Tompkins County Board of Elections shall provide such further notices, voting machines and/or ballots, election inspectors, and ballot clerks as designated for general election purposes pursuant to the Election Law

Section 5. This resolution shall take effect immediately.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Owens, duly seconded by Councilperson Hern, and put to a roll call vote with the following results:

	Yea	Nay
Councilperson Chris Hern:	[X]	[]
Councilperson Jean Owens:	[X]	[]
Supervisor Roy Barriere:	[X]	[]

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Budget Amendment #20-2010

WHEREAS, expenses are anticipated to exceed the budget in the General Fund Account, line item A1110.4, titled "Justice Contractual", now therefore be it

RESOLVED, that the General Fund Account A1110.21, titled "Justice Equipment", be decreased by \$44.31; General Fund Account A1110.22, titled "JCAP Grant Equipment", be decreased by \$103.75; and General Fund Account A1110.4, titled "Justice Contractual", be increased by \$148.06.

Supervisor Barriere moved with a second by Councilperson Owens to approve Budget Amendment #20-2010.

Vote: Councilperson Hern aye, Councilperson Owens aye, Supervisor Barriere aye. Carried.

Councilperson Owens moved to authorize the supervisor to pay highway voucher #151 dated September 22, 2010 in the amount of \$41,500 and to pay general fund voucher # 243 dated September 22, 2010 in the amount of \$1,257.67.

Vote: Councilperson Hern aye, Councilperson Owens aye, Supervisor Barriere aye. Carried.

Announcements: Supervisor Barriere handed out copies of a draft tentative budget. Several big items have not yet been decided on – youth services and the dog control contract.

Adjournment: Supervisor Barriere moved with a second by Councilperson Owens to adjourn at 6:15 p.m.

Supervisor Barriere reconvened the meeting at 6:20 p.m.

Budget Amendment #21-2010

WHEREAS, expenses are anticipated to exceed the budget in the Highway Fund Account, line item DA5130.2, titled "Highway Machinery Equipment", now therefore be it

RESOLVED, that the Highway Fund Account DA9950.9, titled "Interfund Transfer – Equipment Reserve" be decreased by \$41,500.00 and Highway Fund Account DA5130.2 titled "Highway Machinery Equipment", be increased by \$41,500.00.

Supervisor Barriere moved, with a second by Councilperson Owens to approve Budget Amendment #21-2010.

Vote: Councilperson Hern aye, Councilperson Owens aye, Supervisor Barriere aye. Carried.

Adjournment of Reconvened Meeting: Supervisor Barriere moved, with a second by Councilperson Hern to adjourn at 6:25 p.m.

Respectfully submitted,

Alice M. Linton
Enfield Town Clerk