

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, September 8, 2010
6:45 p.m.

Present: Town Supervisor Roy Barriere, Town Councilperson Stephanie Gaynor, Town Councilperson Chris Hern, Town Councilperson Jean Owens, Town Councilperson Debbie Teeter, Town Highway Superintendent Barry Rollins, Town Clerk Alice Linton, Mark Tayrien of LaBella Associates

Town Supervisor Barriere opened the meeting at 6:45 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Review, revise and approve the Final SEOR Scope for the Wind Farm

Supervisor Barriere summarized that at the August 11, 2010 meeting the draft scoping document was presented. There was a 30 day public comment period where comments could be heard from the public, along with involved and interested agencies. These comments were taken into consideration and LaBella Associates put together a final scoping document.

Mark Tayrien of LaBella Associates explained the purpose of the scoping document is to define and specify the content of the draft environmental impact statement. If the final scoping document is approved tonight, the next step would be preparation of an environmental impact statement which is most commonly prepared by the project sponsor. After the document is compiled and submitted back to the town board, the board will determine whether it is complete and sufficient for public review purposes. Once this is complete, a notice will be filed to begin the public comment process. When the comment period is closed, a final impact statement will be prepared. The project sponsor has the option to prepare the draft impact statement, but the town board has the responsibility to prepare the final statement. Once the final environmental impact statement is done, the very last step in the SEQRA process is called issuance of findings, which is also the town board's responsibility. At that point the project can be approved, disapproved or approved with modifications.

With respect to the final scoping document, seven written comments were received. The draft was then edited to address the points brought up by those agencies.

Councilperson Teeter asked about several items in the final scoping document.

Councilperson Teeter moved to accept the SEQRA DEIS Final Scoping Document with a change on page 11, removing the first three sentences of the first paragraph "The analysis presented in the DEIS will assess, characterize and describe specific visual contrasts. Visibility will be demonstrated through view shed mapping, line of sight analysis and photo simulation. The evaluation of visual impact will be made on the basis of a description of each affected inventoried resource, in order to establish whether or not visibility of the new element in the landscape ((wind turbines and/or other project components)) would reduce the public's enjoyment of that resource). Motion was seconded by Councilperson Gaynor.

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

Resolution # 2010-48

SEQRA FINAL SCOPE RESOLUTION FOR BLACK OAK ROAD WIND FARM PROJECT

WHEREAS, Enfield Energy, LLC (the “Applicant”) has submitted an application pursuant to the Town of Enfield’s Wind Energy Facilities Law (the “Wind Energy Law”) proposing to develop a commercial site at Black Oak Road and at various other locations within the western portion of the Town of Enfield for the purpose of constructing a commercial-scale wind farm (the “Project”); and

WHEREAS, the Project is subject to an environmental assessment pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”); and

WHEREAS, on or about June 9, 2010, the Town Board of the Town of Enfield (the “Town Board”) declared itself Lead Agency in order to complete a coordinated review of the Project pursuant to SEQRA, and issued a Positive Declaration requiring the preparation of an environmental impact statement; and

WHEREAS, the Town Board, pursuant to its June 9, 2010 resolution, further required that a Draft Scoping Document be prepared; be sent to all involved and interested agencies for review and comment; and made available to the public for review and comment for a minimum period of thirty (30) days; and

WHEREAS, the Draft Scoping Document was subject to both a written public comment period and a public meeting held on August 11, 2010 at the Town Hall for purposes of receiving comments from the public on the Draft Scoping Document; and

WHEREAS, a Final Scoping Document has been prepared for adoption by the Town Board which incorporates all of the relevant comments received from the involved and interested agencies, as well as the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF ENFIELD TOWN BOARD AS FOLLOWS:

Section 1. The Town Board accepts the Final Scoping Document and directs that a Draft Environmental Impact Statement be prepared consistent with its requirements.

Section 2. The Town Board further directs that the Final Scoping Document and/or notice of this resolution shall be filed and circulated to the extent required by any applicable ordinance, statute or regulation.

Supervisor Barriere moved to accept Resolution #2010-46. Second by Councilperson Teeter.

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

Letter of Intent for a Long Term Power Purchase Agreement

Councilperson Owens moved, with a second by Councilperson Teeter to authorize Supervisor Barriere to sign a letter of intent with Enfield Energy.

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

Resolution for replacement of highway vehicle/equipment

Resolution #2010-49

RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT HIGHWAY EQUIPMENT

WHEREAS, the Town Board authorized the Highway Superintendent to auction off the 1984 1-ton GMC, and

WHEREAS, the Highway Superintendent indicated that if the said vehicle is sold, a replacement would be needed, and

WHEREAS, the Highway Superintendent also indicated that the mower/broom tractor is due for replacement and one will be available at the auction, now therefore be it

RESOLVED, if replacement vehicles/equipment are available and suitable for replacements, the Town Board authorizes the Highway Superintendent to submit a bid up to \$44,000.00 above the amount received for the two items taken to the auction (1984 1-ton GMC and 1968 loader).

Supervisor Barriere moved, with a second by Councilperson Owens to accept Resolution #2010-47.

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

Resolution for electronic payment of federal withholding taxes

Resolution #2010-50

RESOLUTION FOR ELECTRONIC PAYMENT OF FEDERAL WITHHOLDING PAYROLL TAXES

WHEREAS, the Federal Government is mandating electronic payment of all Federal withholding payroll taxes as of January 1, 2011, now therefore be it

RESOLVED, that the Town Board of the Town of Enfield authorizes the Town Bookkeeper to pay those funds electronically, starting immediately.

Supervisor Barriere moved, with a second by Councilperson Hern to accept Resolution #2010-48.

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

Resolution on the Animal Population Control Fund

Resolution #2010-51

WHEREAS, the New York State 2011 Budget contains new legislation concerning dog licensing and Animal Population Control Funds, and

WHEREAS, the new legislation gives a county the authority to create its own Animal Population Control Program, thereby receiving the Animal Population Control Funds collected within such county, and

WHEREAS, the Tompkins County SPCA and the Tompkins County Town Clerks Association have expressed a desire to create a plan for Tompkins County Animal Population Control, and

WHEREAS, the Tompkins County Administrator has indicated that the County would be in favor of such a plan, and

WHEREAS, the Town of Enfield is in favor of such a plan, therefore,

BE IT RESOLVED, that the Town Board of the Town of Enfield designates Alice Linton, Town Clerk, to represent the interests of the Town of Enfield in the creation of a Tompkins County Animal Population Control Program, with the understanding that final determination and approval rests with the Town Board.

Supervisor Barriere moved, with a second by Councilperson Hern to accept Resolution #2010-49.

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

At this time Councilperson Owens left the meeting.

Presentation on County Youth Services

Nancy Zahler, Director of the County Youth Services Department, gave a presentation on how the proposed Tompkins County budget would affect youth services. The proposal, if approved by the Legislature, would eliminate all County matching funds for every municipality's local youth development programs effective January 1, 2011. Enfield's portion of these funds is \$16,415.00. This program gives our rural youth more options and opportunities than they would otherwise have.

Privilege of the Floor

Ann Rider of Halseyville Road urged the board to move forward on the highway facility. She mentioned bond rates are low now, so the town has the opportunity to borrow money at a good rate.

Correspondence

Ithaca-Tompkins County Transportation Council meeting will be held September 21 from 10 a.m. to noon at the Transit Center on Willow Avenue.

Ithaca College is hosting a Clean Energy Summit on Friday, September 17 from 9 to 12:15 p.m. Caregivers Conversations, a monthly support group for those caring for elderly relatives or friends, will be held September 15 from 7 to 8:30 p.m. at Lifelong, 119 W. Court Street.

Tompkins County Coalition for Safe Medication Disposal is hosting a collection for unwanted household pharmaceuticals on October 16 from 9 a.m. to 3 p.m. at Tompkins Consolidated Area Transit on Willow Avenue.

Audit Claims:

Councilperson Gaynor moved, with a second by Councilperson Hern to authorize the town supervisor to pay General Fund Vouchers #219-242 dated September 8, 2010 in the amount of \$19,620.66 and Highway Fund Vouchers #138-150 dated September 8, 2010 in the amount of \$45,895.36.

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

County Legislator's Report:

County legislator Jim Dennis reported some programs are mandatory – these cannot be cut. Therefore, some very good programs that are not mandatory will probably have to be cut in order to keep the tax levy under 5%.

Dave McKenna, our other county legislator, mentioned the county is going ahead with a high speed internet committee.

Highway Superintendent's Report:

Buddy Rollins reported next week they will be applying oil and stone on Bostwick Road, Fish Road, Rothermich Road and Havey Hill Road. This will wind up their major projects for the summer. When this work is complete, they will be finishing up ditching and other clean-up work. It looks like it will be next year before the creek job begins. The bridge job will not happen this year either, but should start next year. The loader and GMC truck are at the auction now.

Committee Reports:

Code Enforcement: Alan Teeter reported 4 building permits were issued or renewed this month which brings the total for the year to 49. Two certificates of completion were issued; 16 inspections and 8 progress checks were completed; 4 meetings with owners/builders were held; 2 complaints were received; 1 letter of voluntary compliance was sent; 3 fire and safety inspections – public assemblies were completed; 1 fire safety inspection – multiple residence was completed, along with 1 fire and safety inspection – re-inspection. The code enforcers are in the process of approving 2 new homes on VanOstrand Road and also waiting for new building codes from the state.

Planning Board: No meeting this month.

Health Insurance Consortium: The projected start date of October 1, 2010 was going to be difficult for larger municipalities, so January 1, 2011 is the new projected start date. Billings will be sent out monthly and be due the first of each month. There will be a Joint Committee that will meet several times each year.

Their job will be to go over benefits, by-laws, rules, and electing officers. Each municipality should have a representative on the committee.

Enfield Community Council: Ann Rider reported that the Harvest Festival will be held September 25 at Enfield School from 10-4. The summer camp was very successful this year. The Council will be looking at next year's budget in the coming weeks. Supervisor Barriere thanked the Council for the last newsletter.

Enfield Volunteer Fire Company: A written report was submitted showing August calls as follows: 17 EMS, 1 smoke detector activation no fire, 1 couch fire out upon arrival, 2 MA to Trumansburg Demolition Derby, 1 MA to Ithaca Central Station for stand by, 1 MA to Trumansburg Station for stand by, 1 investigation for burning none found, 1 investigation for fire found recreational fire. Training for September will include ropes & knots, small equipment, SCBA interior fire attach training, engine & tanker pumping. Tanker 622 has been repaired. The fire company is looking for vehicles to use for cutting up during training.

Facilities Manager: Chris Hern reported the radon mitigation system has been installed at the town hall. A test was performed which showed radon levels are consistent with what would be found in the outside air. Chris received a report that there are holes in sheetrock of the closet wall at the food bank in the downstairs of the Community Building. These closets can either be fixed or demolished.

Supervisor Barriere moved to demolish the closets in the downstairs of the Community Building. Motion seconded by Councilperson Gaynor.

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

Communication Access Committee: Councilperson Hern had nothing new to report.

Facilities Development: Supervisor Barriere reported that the bond resolution was petitioned and will be going for referendum at the November 2 general election.

Personnel Committee: Nothing to report.

Tompkins County Council of Governments: Supervisor Barriere mentioned the group is looking into local laws for fireworks. The Town of Ulysses has put together a law that we should be able to model ours after. September 16 a meeting will be held at the Old Jail pertaining to a Task Force for Gas Drilling.

Old Business:

Deferred Compensation update: Councilperson Teeter reported she will continue to work on this.

2011 Budget Process: Supervisor Barriere plans to have a tentative budget ready for the town board within the next two weeks.

Announcements:

Buddy Rollins reported that employee Scott George plans to be back at work by the end of next week if his doctor releases him for light duty.

Supervisor Barriere read the nomination for **Volunteer of the Quarter** from Denise Hubbell, president of the fire department ladies auxiliary. Pam Whittaker is the first recipient of the Volunteer of the Quarter Award. Sue Thompson will put the announcement of Pam's award on the web site and it will be posted at the Town Hall. The next award will be presented at the December, 2010 meeting.

Adjournment: Councilperson Teeter moved, with a second from Councilperson Hern, to adjourn the meeting at 8:53 p.m.

Respectfully submitted,

Alice M. Linton
Enfield Town Clerk