

Town of Enfield
Public Hearings and Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, October 10, 2012
6:30 p.m.

Present: Town Supervisor Roy Barriere, Town Councilperson Chris Hern, Town Councilperson Vera Howe-Strait, Town Councilperson Ann Rider, Town Councilperson Debbie Teeter, 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.

Public Hearing on Proposed 2% Tax Cap Override Law: Supervisor Barriere opened the public hearing at 6:31 p.m. and read the legal ad published in the Ithaca Journal regarding same. He explained that the State of New York adopted a tax cap limit last year, although there is a complicated formula that municipalities use to ascertain the exact percentage of increase they can use. Since the formula takes into account such items as retirement, a 4 to 5 percent increase may be acceptable. By passing a tax cap override law, the town is protecting itself in case they inadvertently go above the increase permitted.

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 Rider to close the public hearing at 6:34 p.m.

Public Hearing on Haelele TV Franchise Agreement: Supervisor Barriere opened the public hearing at 6:34 p.m. and read the legal ad published in the Ithaca Journal regarding same. He explained Haelele TV presented the town with a proposed Agreement which Guy Krogh, Town of Enfield's legal counsel reviewed. Revisions were sent to Haelele TV and a new proposed Agreement was returned.

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 6:37 p.m.

Privilege of the Floor:

Nancy Spero of 68 N. VanDorn Road urged the town board to move ahead with a ban on hydro-fracking. There are lawyers willing to work pro bono to draft a law that would fully protect the town.

Volunteer of the Month: Three individuals were nominated by Councilperson Rider: Sam Hubbell, Trevor Alling and Keven Morse, Jr. These three young men stepped forward to help at the Enfield Harvest Festival. Trevor helped pick pumpkins during the week and was patient with younger helpers, showing them how to use clippers. He also helped during set-up on Friday. Sam was helpful during set-up on Friday and helped run the event on Saturday. He had the idea, and followed through with it, on walking around the Festival and selling game tickets. Keven helped the firemen cook the superb chicken for the barbeque. He started at the crack of dawn to help start the fire and then helped cook the chicken and clean up. These young men helped the event to run smoothly and deserve public recognition.

Approval of Minutes: Councilperson Rider moved, with a second by Councilperson Howe-Strait to approve the minutes of the September 12, 2012 regular town board meeting.

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

Correspondence: Annual Report from Better Housing for Tompkins County.

Letter stating New York Municipal Insurance Reciprocal proposed rate adjustments for 2013. This rate will be a slight increase from 2012, but we will continue to receive a rebate check from NYMIR.

Letter from Town of Ulysses thanking the Town of Enfield for becoming a signatory to the Amicus Brief they intend to file in the Town of Dryden and Town of Middlefield cases involving the home rule law.

Audit Claims:

Councilperson Hern moved, with a second by Councilperson Teeter to authorize the supervisor to pay General Fund vouchers #266 to #288 dated October 10, 2012 in the amount of \$10,712.65, Highway Fund vouchers #160 to #172 dated October 10, 2012 in the amount of \$11,644.83 and H Fund voucher #289 dated October 10, 2012 in the amount of \$23,265.63.

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

County Legislator's Report: No report.

Highway Superintendent's Report: Highway Superintendent Buddy Rollins reported the Enfield Center Road Creek Project has been started. The county is helping with the project. The Bostwick Road Creek Project is being done by a private contractor and should be completed within several weeks. He stated the town is to pay half of the cost in labor for the Enfield Center Road Project. He is keeping records on everything and expects the cost to the town to be very little.

Superintendent Rollins stated one of the bay doors at the new facility has not worked for 2 months, and one of the overhead radiant heaters is not working right, along with exhaust fans. He spoke to the project engineer, Chuck Fezali of Resource Associates the beginning of September and has heard nothing back. There is also settling occurring - undermining around the outside perimeter of the building.

Code Enforcement Officer's Report: Code Enforcement Officer Alan Teeter reported in September there were 3 building permits issued, 3 for new houses, which brings the year to date total to 53, with 9 being new homes. There was 1 certificate of occupancy issued, 1 certificate of completion issued, 1 certificate of compliance issued. There were 22 building inspections and progress checks, 1 meeting with owners/builders, 1 complaint received, 4 fire and safety inspections, 1 property number issued, 3 property numbers installed and 1 court appearance. He also mentioned that the awning over the entrance door to the Court and Code Enforcement Office needs to be replaced by winter.

Committee Reports:

Planning Board: Councilperson Howe-Strait reported the Comprehensive Plan survey is now available on the town's website. It will also be included in the Enfield Community Council newsletter and was available at the Harvest Festival. Surveys are due back November 10 and committee members are waiting for survey results before moving forward. At the last Planning Board meeting there was agreement to keep the format of the new Comprehensive Plan the same as the old one.

Health Insurance Consortium: Supervisor Barriere reported the rates have been set for next year - there will be a 9% increase. Once the reserve is built for this consortium, the rates should not increase as much in the coming years.

Enfield Community Council: Councilperson Rider reported the Harvest Festival went well, even though it rained. The Council is thinking about next year's budget. The Youth Bureau is conducting an assessment of county youth services and how to best use public dollars to maintain services. The Youth Board did cow pie bingo at the Harvest Festival.

Enfield Volunteer Fire Company: Art Howser reported in September there were 18 calls: 13 EMS, 2 motor vehicle accidents, 1 outdoor explosion - nothing found, 1 smoke detector activation - no fire, 1 LP gas leak investigation. Training for October will include SCBA donning and doffing, SCBA confidence, truck and equipment maintenance. The EVFC completed the last 2012 highway cleanup of Enfield Main Road and is looking to continue sponsorship of the Enfield School Basketball Program. The next EVFC blood drive will be November 20 from 1:30 to 6:30 and general elections will be held at the fire house on November 6.

Facilities Manager: Councilperson Hern has called HSC to schedule the annual service for furnaces. There is an underground 1,000 gallon fuel oil tank behind the town hall that is now full. He will monitor the tank and have a smaller tank installed in the building once the larger tank is empty. Supervisor Barriere asked if the fuel could be removed from the tank and moved to the Community Building tank at this time. Councilperson Hern responded that might stir up sediment at the bottom of the tank and clog filters, so he would prefer to use the fuel this winter for heating the town hall.

The town hall front windows need to be replaced with more energy efficient ones. Councilperson Hern will obtain estimates for the window replacement and the awning outside the Community Building.

Communication Access Committee: No report

Facilities Development: No report

Personnel Committee: No report

Tompkins County Council of Governments: Supervisor Barriere reported there was discussion of shared training for mandated trainings, similar to the Workplace Violence Training where Enfield invited other municipalities to attend.

Old Business:

Update on Road Preservation Plan: Dan Walker reported work continues with other municipalities to come up with a plan. Enfield's town roads are mostly local delivery roads, while county roads are

designed primarily to carry heavier loads. The group is looking at different formats - the county format is good except the thresholds would need to be lowered for Enfield. He suggested Enfield may want to post their roads, then the weight can be regulated. No one can travel on the road with a heavier load than posted, unless they get a special permit. To get the permit, you have to sign an agreement and you have to put money up front. First you catch the project, then you bring them in, look at the strength of the road, look at what the traffic they are going to put on the road is, determine what the impact of that traffic is, and then make an assessment of what the cost is. If you have a local law, you can force them to come in. If you have a road use agreement on a voluntary basis, the roads can be fixed before the project starts in order not to cause damage.

Park-and-Ride Update: Councilperson Teeter stated there has been no success in getting TCAT to ask residents about a bus route on State Route 327. A constituent suggested that a route would not have to continue all the way to Route 13, the route could go on Gray Road, Colegrove Road, and Bostwick or Sheffield Roads. It was suggested putting information in the next ECC newsletter to see if there would be interest in an added bus route.

Highway Superintendent Rollins asked board members to take into consideration that Gray Road and Colegrove Road are town roads.

Cable Television Franchise Agreement with Haeefe TV, Inc.: Supervisor Barriere reported our town attorney has looked at the proposed Agreement and he found no problems. The proposed Agreement has been reduced from 15 years to 10 years.

At this time if Clarity Connect is awarded a state grant for extending cable service in Enfield, Haeefe TV will work with Clarity Connect. Councilperson Rider mentioned that Clarity Connect will have to follow through on this since the grant is being written to include Enfield.

Regarding the Franchise Agreement, on page 4, Councilperson Rider asked who decided 35 homes per linear mile. She feels that is dense for Enfield.

Councilperson Teeter moved, with a second by Councilperson Rider to authorize the town supervisor to sign the Agreement with Haeefe TV, Inc. for a cable television franchise in Enfield.

Discussion: Councilperson Hern questioned if 35 homes per linear mile should be left in the Agreement. Planning Board member Dan Walker stated he believes the 35 residences per mile is the minimum the Public Service Commission has set as a threshold, not that they won't provide service at less density, but they aren't required to.

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

New Business:

Schedule public hearing for Enfield Volunteer Fire Company Contract: Supervisor Barriere explained the EVFC has proposed a new contract which would extend for 2 more years, through 2017, and instead of a 2% increase each year, would have increases of 1% the first year, 1 1/4% the second year, 1 1/2% the third year, 1 3/4% the fourth year and 2% the fifth year.

Supervisor Barriere moved, with a second by Councilperson Teeter to schedule a public hearing on the proposed Enfield Volunteer Fire Company Contract from January 1, 2013 through December 31, 2017 for November 14 at 6:30 p.m.

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

Adoption of Tentative Budget as Preliminary Budget: Supervisor Barriere explained some changes have been made to the tentative budget as information on health insurance has been received. Both the general fund and highway fund line items for health insurance have been reduced. The preliminary budget would include 2% salary increases across the board. The major increases in the budget are employee benefits, which the town has no control over. The retirement benefits in the general fund increased from \$31,000 to \$33,000 and the highway went from \$22,000 to \$27,000. The health insurance increased by 9% and worker's compensation is anticipated to increase by 11%. For the highway budget line items, other than salaries, nothing has been increased other than the employee benefits.

Councilperson Teeter asked what the public information line item was for. Supervisor Barriere replied that is the cost of our website. Councilperson Teeter stated she is in support of an aquifer study, but does not want to obliterate our capital fund for a new town hall. She suggested if we increase this year's budget by \$5,000, next year that same \$5,000 will be in the budget without increasing it any; so another \$5,000 could be added with only the same small increase as this year. The third year, the \$10,000 would be in the budget without increasing it any; so another \$5,000 could be added with only a small increase to bring that line item to \$15,000 by that third year. In the interim, if fundraising is successful, more could be spent on the aquifer study.

Supervisor Barriere stated he would like to look at this as a five year project.

Councilperson Teeter stated she realizes money is very tight this year, but if the town proceeds with her plan, money would not be pulled out of the capital reserve fund. She also suggested dropping the contingency fund a little bit, dropping the joint youth project for a year, dropping the refuse and garbage line item for the community clean-up day for a year.

Councilperson Rider asked how much money was left in the fund to build the new highway facility. Supervisor Barriere replied there was no money left at all. The money set aside now for the capital fund is for a new town hall. Councilperson Rider asked how much had been put into the new highway facility capital fund each year. Supervisor Barriere replied \$50,000 each year.

Supervisor Barriere stated \$5,000 could be left in the aquifer study and \$5,000 put back in the capital reserve line item so the overall budget would not be changed.

Councilperson Hern asked if anyone would like to discuss the \$40,000 hole in the highway department's budget. He stated work can't be done without fuel and that line item hasn't been increased.

Councilperson Teeter asked how expenses more than doubled between 2009 and 2011.

Highway Superintendent Rollins stated the price of fuel went up from about \$2 per gallon to about \$4 per gallon. Diesel fuel is more expensive than regular gasoline. He also stated the cost of materials have increased over \$1 per gallon for stone and oil. Blacktop has gone from \$40 per ton up to \$68 per

ton. Repairs were estimated at \$46,000 and have already amounted to \$52,000 in 2012. An estimate to repair the excavator is \$18,000. There will also be added expenses for the new highway facility, such as pumping out the drain tank since there have to be laboratory tests at a cost of almost \$2,000 per pump. This is an expense that was not at the old facility. Most of the major road work will need to be done with CHIPS money.

Councilperson Teeter would support, if the payroll line is inflated, and if projected employee benefits might be a little over, she would be supportive of taking that figure and reallocating funds to wherever the highway superintendent felt he needed it the most.

Supervisor Barriere stated he would rather leave the funds in payroll at the beginning of the year, as that is when most of the overtime is used and it is best not to move any money until the summer. He also mentioned by reducing the aquifer study line item this year, it will impact future budgets quite a bit.

Councilperson Teeter moved with a second by Councilperson Howe-Strait to move the tentative budget to the preliminary budget.

Discussion: Supervisor Barriere stated he will send out copies of the preliminary budget showing a change of \$5,000 from the Aquifer Study line item to the Capital Reserve line item, new health insurance figures, and total assessed values under the fire protection district.

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

Setting Date for Public Hearing on Preliminary Budget: Supervisor Barriere moved, with a second by Councilperson Hern to schedule a public hearing on the preliminary budget for October 24 at 6:30 p.m. at the Community Building.

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

Appointment of Planning Board Member: Supervisor Barriere stated the Planning Board has submitted a recommendation of Dawn George to complete the term of Mike Carpenter who has resigned.

Supervisor Barriere moved, with a second by Councilperson Teeter to appoint Dawn George to the Planning Board with a term to expire December 31, 2014.

Vote: Councilperson Hern aye, Councilperson Howe-Strait aye, Councilperson Rider no, Councilperson Teeter aye, Supervisor Barriere, aye. Carried

Appointment of Marriage Officer: Supervisor Barriere stated Jean Owens has asked the Town Board to appoint her as a Marriage Officer for the Town of Enfield. He contacted the Association of Towns and found anyone can be appointed for up to 4 years as long as they are 18 years of age and a resident of the town.

Supervisor Barriere moved, with a second by Councilperson Teeter to appoint Jean Owens as a Marriage Officer in the Town of Enfield for a term of 4 years beginning November 1, 2012.

Discussion: Councilperson Hern asked if the Marriage Officer's role was to perform marriage ceremonies.

Supervisor Barriere responded yes.

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

Announcements: Councilperson Rider announced there will be a flu clinic October 23 from 3:00 - 5:00 p.m. at the Community Building sponsored by the Enfield Community Council. It will be free to anyone receiving Medicare benefits.

Councilperson Rider announced 48 people came to the Medication Disposal Day and there were 3 large bags of medications turned in.

Councilperson Rider also mentioned she received a request for a shredding day in Enfield. She will look into this.

Adjournment: Supervisor Barriere moved, with a second by Councilperson Teeter to adjourn at 8:47 p.m.

Respectfully submitted,

Alice Linton
Enfield Town Clerk