

Town of Enfield  
Regular Town Board Meeting Minutes  
Enfield Community Building  
Wednesday, November 12, 2014  
6:30 p.m.

Present: Town Supervisor Ann Rider, Town Councilperson Virginia Bryant, Town Councilperson Mike Carpenter, Town Councilperson Vera Howe-Strait, Town Councilperson Beth McGee, Town Highway Superintendent Barry Rollins, Town Clerk Alice Linton.

Supervisor Rider opened the regular meeting at 6:30 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

**Privilege of the Floor:**

Brandon McGee, of 336 Enfield Main Road, stated he has been employed by the Town of Enfield Highway Department for 6 years. He went to work for the town because the benefits were good. He believed that free health insurance would be part of his benefits package as long as he was employed by the town. He is concerned that the town is asking him to pay 5% of his health insurance next year, and that in following years he may be asked to pay 10% and then 15%.

Gabe Newhart, of 183 Griffen Road, stated he is employed by the Town of Enfield Highway Department and disagrees with employees paying 5% of their health insurance. If the town wants to charge employees, they should start with new hires.

Jon Hubbell, of 59 Harvey Hill Road, is retired from the Town of Enfield Highway Department. He knows it is important to save money, but feels there are ways to save other than charging retirees for part of their health insurance.

Betty Poole of 239 North VanDorn Road spoke on behalf of retired employees of the Enfield Highway Department. Her husband is a retiree of the Town of Enfield Highway Department. Information that the town was considering having retirees pay 5% of their health insurance was brought to their attention one week ago. The town doesn't offer any other benefits to employees. She would like the town board to reconsider their decision, and suggested that if they wish to change the town policy, they keep things the way they are for retired and current employees, and state employees hired on or after the date of the change would be responsible to pay a percentage of their health care coverage.

**Approval of Minutes:** Supervisor Rider moved, with a second by Councilperson McGee to accept the minutes of the October 8, 2014 regular meeting.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

Supervisor Rider moved, with a second by Councilperson McGee to accept the minutes of the October 22, 2014 public hearing and special meeting.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

**Budget Amendments:**

Supervisor Rider moved, with a second by Councilperson Bryant to approve Budget Amendment #2014-30.

**BA#2014-30 Highway Repairs**

**WHEREAS**, the Highway Superintendent has had unexpected repair costs to the excavator, now therefore be it

**RESOLVED**, that Highway Fund line item DA9950.9, titled "Equipment Reserve" be reduced by \$11,700.00 and Highway Fund line item DA5130.4, titled "Machinery Contractual" be increased by \$11,700.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

**Audit Claims:**

Councilperson Carpenter moved, with a second by Councilperson Howe-Strait to authorize the supervisor to pay General Fund vouchers #285 to #330 dated November 12, 2014 in the amount of \$27,366.73 and Highway Fund vouchers #180 to #198 dated November 12, 2014 in the amount of \$29,393.40.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

**Volunteers of the Month:** Lauren Saltzman, the Enfield Youth Program manager, nominated several youth who helped out at the Enfield Harvest Festival held on October 4, 2014. These youth helped from Tuesday through Friday prior to the Festival preparing pumpkins, baking and frosting cakes, washing potatoes and cooking. During the Festival on Saturday, they ran games for younger children.

Supervisor Rider stated she would be adding an item to the agenda at this time, the **Black Oak Wind Farm Final Environmental Impact Statement (FEIS)**.

Kathy Spencer of LaBella, the town engineering firm for the Black Oak Wind Farm, gave an update on the project. She stated there are four purposes of the FEIS. The first is to discuss any changes to the project since the Draft Environmental Impact Statement (DEIS) was written. The second is to talk about additional studies or additional information that has come to light since the DEIS was written. The third is to list and identify any corrections to the DEIS. The fourth is to respond to comments that were made during the public hearing, or in letters.

In accepting this FEIS tonight, if the board decides to do so, it will complete the environmental impact statement. It will be one step away from completing the State Environmental Quality Review (SEQR) regulated process. The DEIS was authored by the project applicant, Black Oak Wind Farm, LLC. The FEIS is authored by the Enfield Town Board. It was written by LaBella on behalf of the town and should reflect the board's objective analysis of the potential impacts. LaBella believes the FEIS is complete, factually accurate, and a good objective representation of potential impacts. LaBella went through the document with the town's attorney for wind farm matters, Frank Pavia, Esq., of Harris Beach. He reviewed the document, made a few comments, changes were made, and he has now accepted and approved the document before the board.

If the Enfield Town Board approves the FEIS, the last step in the SEQR process is to prepare a Findings Statement. Frank Pavia, Esq. of Harris Beach will prepare this document. The Statement of Findings will be the rationale behind the town's decision to approve or not approve the Black Oak Wind Farm Project.

Councilperson McGee stated she felt comments have been thoughtfully addressed.

Dan Walker, chair of the Planning Board, feels this is a complete analysis, but final details of the actual construction will be in the Findings Statement which will include storm water management plans and a Road Use Agreement.

**County Legislator's Report:** Dave McKenna, one of our county legislators, reported the preliminary county budget has been prepared with a 2.5% increase, and will be going to public hearing. A 1% reduction across the board resulted in the county being able to stay under the tax cap without eliminating any jobs.

**Highway Superintendent's Report:** Highway Superintendent Rollins reported the excavator has been repaired and is working after 3 weeks of being down. The crew is changing over for winter and doing routine maintenance on trucks. Delivery of logs and stumps from the flooding in 2013, that were at the highway facility, was completed on Monday with help from New York State. Wood was delivered to 11 locations. New York State will have their loader and an employee available for one more day so the remaining pile can be sorted and cleaned up.

**Code Enforcement Report:** Code Enforcement Officer Alan Teeter reported in October there were 8 building permits issued, with 3 being for solar units and 1 being for a new home, bringing the year to date total to 67 (13 new homes). There was 1 certificate of occupancy issued, 2 certificates of completion issued, 15 inspections completed, 28 progress checks completed, 1 fire and safety inspection completed for a public assembly and 2 valid complaints received with 1 being resolved. There were also 2 house numbers issued. Unity House is converting a home into semi-permanent housing with 3 bedrooms for residents.

**Town Supervisor's Report:** No report.

### **Committee Reports:**

Planning Board: Chair Dan Walker reported they had no plans to review this month and continue to work on the Sub-Division Law.

Cemetery Committee: Supervisor Rider reported a bill has been received from Agway for the new lawn mower.

Comprehensive Plan Writing Committee: Councilperson McGee reported the committee continues to work on the Land Use Section and plans to have it complete by the end of December.

Enfield Community Council: No report.

Recreation Partnership: Carolyn Tschanz reported the IPlayBook for winter is out. Registration and payments can now be submitted on-line. The Partnership has prepared their budget with a 3% increase. This was accomplished by cutting several programs that had low attendance. The contributions from Enfield will remain about the same at approximately \$5,000.

County Youth Board: No report.

Enfield Volunteer Fire Company: No report.

Tompkins County Health Insurance Consortium: Supervisor Rider reported the consortium is moving along with their new executive director and presentations.

Facilities Manager: No report.

Aquifer Study Fundraising Group: Councilperson Howe-Strait reported the group met to discuss fundraising. They hope to raise another \$1,100 to bring their total to \$10,000.

Facilities Development Committee: No report.

Tompkins County Council of Governments: Supervisor Rider reported discussions of shared services continue. Recently a meeting was held on Information Technology sharing.

**Old Business:**

Disposing of Excess Town Properties: Supervisor Rider has not heard back from T.G. Miller on surveying two town parcels. She will check with them to see what the status is. There has been preliminary talk with TCAT about a Park and Ride, but the survey needs to be completed before they proceed. There has been an offer on the old gas pumps at the Ithaca Antique Center.

Securing the Old Highway Facility: Councilperson Carpenter has a list of items to be completed to make the facility secure for winter, functional and looking good. He would like to see the procurement policy changed before moving ahead.

Procuring a New Loader for the Highway Department: Town Highway Superintendent Rollins has provided 3 estimates, that included trade-in value of the old loader, for a new loader for the highway department. The old loader was repaired at a cost of \$300 and is now running, although the transmission is slipping. If the budget passes, a new loader will be purchased next year. He will consider whether to trade-in the old loader or send it to auction in the spring.

Adopting the 2015 Final Town Budget: Supervisor Rider moved, with a second by Councilperson Howe-Strait to adopt Resolution #2014-43.

**RESOLUTION #2014-43 CHANGES MADE FROM THE 2015 PRLIMINARY  
BUDGET TO THE FINAL BUDGET**

**WHEREAS**, new information has been gathered during the budgeting process, the following changes should be made to the 2015 final budget:

- A1110.22 should be increased from \$00.00 to \$7,151.44
- A1480.4 should be decreased from \$400.00 to \$00.00
- A7550.4 to be increased by \$2,000.00 to \$2,000.00
- A7555.1 to be increased by \$1,200.00 to \$1,200.00
- A7555.4 to be increased by \$1,500.00 to \$1,500.00
- A9060.81 to be increased by \$3,000.00 to \$20,050.00
- DA5110.1 to be decreased by \$1,000.00 to \$190,014.00
- Create line DA5110.14 called "Overtime" and increase by \$1,000.00

Create line DA5142.14 called "Overtime" and increase by \$3,000.00  
Increase DA5112.2 by \$23,201.80 to \$104,102.80  
Decrease line DA5142.1 by \$3,000.00 to \$28,840.00  
Create line DA5130.45 called "Diesel & Gas Fuel" and increase by \$9,000.00  
Decrease line DA5110.4 by \$9,000.00 to \$188,156.00  
Decrease line DA 9040.8 by \$25,130.00 to \$28,600.00  
Increase line DA3501 by \$23,201.80 to \$104,102.80  
Increase line SF9040.8 by \$1,520.00 to \$25,269.00  
Increase line DA9060.8 by \$6,350.00 to \$66,000.00

The amount of taxes that need to be raised will be \$1,041,722.54. This is \$ 205,022.00 more than in the Preliminary Budget.

**WHEREAS**, the Town of Enfield Board wants to present a full and realistic 2015 budget to the residents of Enfield, now

**THEREFORE, BE IT RESOLVED** that the above changes be incorporated into the 2015 Final Budget and the Final Budget be approved.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

**New Business:**

Updating Procurement Policy: Supervisor Rider moved, with a second by Councilperson McGee to approve Resolution #2014-44.

**RESOLUTION #2014-44                      Procurement Policy**

**WHEREAS**, the procurement policies of local municipalities are controlled by New York State GML § 103 and can be more restrictive but not less restrictive than this statute and,

**WHEREAS**, in 2012, the State increased the dollar limits on public works from \$20,000 to \$35,000 and

**WHEREAS**, in 2012 the State increased the individual purchase limits from \$10,000 to \$20,000 and

**WHEREAS**, the Town of Enfield has never amended its local Procurement Policy, now therefore be it

**RESOLVED**, that the Town of Enfield will adopt the current New York State GML §103 limits on public works projects and individual purchase limits.

Discussion: Councilperson Carpenter stated the town's attorney, Guy Krogh, recommended this change.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

Supervisor Rider moved, with a second by Councilperson Bryant, to approve Resolution #2014-45.

**RESOLUTION #2014-45 Procurement Policy**

**WHEREAS**, Guideline 3 of our Town Procurement policy is outdated, now therefore be it

**RESOLVED**, that the current policy will be replaced with the following:

A. All estimated purchases of:

- less than \$20,000 but greater than \$5,000 requires a written request for a proposal (RFP) and written/fax quotes from three vendors,
- less than \$5,000 but greater than \$1,000 requires the approval of the Board
- less than \$1,000 is left to the discretion of the purchaser.

B. All estimated public works contracts for:

- less than \$35,000 but greater than \$20,000 requires a written RFP and quotes/fax from three vendors,
- less than \$20,000 but greater than \$5,000 requires a written RFP and quotes/fax from two vendors, and
- less than \$5,000 are left to the discretion of the purchaser.

Any written RFP shall describe the desired goods or services, quality, quantity, timetables, and any particulars of delivery. The purchaser shall compile a list of all vendors from whom quotes are offered and/or solicited.

All information gathered in complying with the procedures of this guideline shall be preserved and the documentation supporting the subsequent purchase of goods or services or a public works contract will be filed with the Town Clerk.

Discussion: Supervisor Rider stated this policy ups the amounts that were in the policy previously, plus changes the A - less than \$5,000 but greater than \$1,000 requires the approval of the Board. It also clarifies where supporting documentation will be filed and can be changed by resolution.

Councilperson Carpenter added this shows a clear representation of the law and upgrades the town policy.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

Securing the Old Highway Facility: Councilperson Carpenter explained that the new procurement policies just passed will enable the town to move ahead with securing the old highway facility. He has a list of jobs that need to be done - some this fall and some can wait until spring. Some bids may need to be obtained for various parts of the work. He would like to go ahead and get approval for some of the repair work, and estimated purchases in the less than \$5,000 and greater than \$1,000 category and go ahead and make a list for the different people that he would hope to have do different parts of the job, at least this fall before we have to winterize things. As we get into the spring, have things that are more pressing to do for long-term work be done. Also, the town now has a credit card through the Tompkins Trust Company. Town attorney Guy Krogh has advised the

board should have a policy in place of who is authorized to use the credit card and that person(s) should be bonded.

Councilperson Carpenter moved, with a second by Councilperson Bryant to authorize the town supervisor and deputy town supervisor to use the town credit card for town purchases that are in keeping with current policies.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

Councilperson McGee would like to have several bids for work that needs to be done.

Supervisor Rider asked if Councilperson Carpenter would now be able to go ahead with getting some work accomplished, in particular the water heater. Councilperson Carpenter stated he would.

Employees Paying 5% of Insurance Premium: Supervisor Rider confirmed that employees will not be asked to pay 5% of their health insurance premium this year. She spoke with county personnel who suggested a policy be developed where new employees would pay a portion of their health insurance premium, but current and retired employees should be grandfathered in and not pay a portion of their premium.

Betty Poole stated she would be happy to serve on a committee to revise the employee manual.

#### Acceptance of Final Environmental Impact Statement of the Black Oak Wind Farm

Supervisor Rider moved, with a second by Councilperson Bryant to accept Resolution #2014-46.

#### **Resolution #2014-46      SEQRA FINAL ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, a predecessor-in-interest of Black Oak Wind Farm, LLC (the "Project Sponsor") filed a site plan application with the Town Board of the Town of Enfield (the "Town Board") pursuant to the Town of Enfield's Wind Energy Facilities Local Law #1 of 2009 for the development of a wind-powered generating facility to be located on leased private lands located within the Town of Enfield (the "Project"); and

WHEREAS, on June 9, 2010, the Town Board passed a resolution accepting its role as Lead Agency pursuant to the New York State Environmental Quality Review Act, and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), in order to complete an environmental impact assessment of the Project; and

WHEREAS, pursuant to its June 9, 2010 resolution, the Town Board issued a positive declaration pursuant to SEQRA requiring the preparation of a Draft Environmental Impact Statement ("DEIS") for the Project; and

WHEREAS, on June 12, 2013, a DEIS was accepted by the Town Board as complete; and

WHEREAS, the Town Board conducted the requisite public comment period pursuant to the SEQRA regulations in order to receive public input on the DEIS and the Project; and

WHEREAS, upon completing the public comment period for the DEIS, the Town Board authorized the preparation of a Final Environmental Impact Statement ("FEIS") for the Project; and

WHEREAS, a FEIS has been prepared for the Project which has been reviewed and deliberated upon by the Town Board.

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

Section 1. Pursuant to 6 N.Y.C.R.R. § 617.9 of the SEQRA regulations, the Town Board accepts the FEIS as complete and directs that copies of the FEIS be provided to all involved and interested agencies, as well as to any individual requesting a copy. The Town Board further directs that copies of the FEIS be posted on the website located at *www.blackoakwindny.com* and maintained at the Town Hall offices for public review.

Section 2. The Town Board shall prepare, file, and publish a notice of completion of the FEIS in accordance with 6 N.Y.C.R.R. §§ 617.9(a)(6) and 617.12 of the SEQRA regulations.

Section 3. Pursuant to 6 N.Y.C.R.R. § 617.11 of the SEQRA regulations, interested and involved agencies, as well as the public, shall be afforded ten (10) calendar days to consider the FEIS prior to the Town Board adopting its SEQRA findings statement for the Project.

Section 4. The Town Board further directs that notice of this resolution shall be filed and circulated to the extent required by any applicable ordinance, statute or regulation.

Section 5. This Resolution shall take effect immediately upon adoption.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Howe-Strait aye, Councilperson McGee aye, Supervisor Rider aye. Carried

Host Community Agreement: Councilperson McGee reminded the board that she feels a one-time payment of \$15,000 could be negotiated. She would like a time to discuss possibilities for using these funds at a future meeting. Supervisor Rider has some ideas for the \$15,000, but would like to hear ideas from others. She will put this on the next agenda for discussion.

Additional Employee Benefits Offered by Colonial: Supervisor Rider has been asked for permission to have highway employees hear a presentation by Colonial, on company time, on additional benefits they can purchase.

Highway Superintendent Rollins reminded the board during working hours he assigns the work for highway employees. If someone would like him to pass information on to employees, he will do that and employees can meet with representatives on their time.

**Adjournment:** Supervisor Rider moved, with a second by Councilperson McGee to adjourn at 9:38 p.m. Carried.

Respectfully submitted,

Alice Linton, Enfield Town Clerk