

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, December 10, 2014
6:30 p.m.

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

Supervisor Rider opened the regular meeting at 6:35 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Privilege of the Floor:

Walter Smithers of 320 Enfield Main Road stated his background is in solid waste and because of that he is aware of Host Community Agreements around the state. He has done some research regarding Wind Farm Host Community Agreements. Although information was difficult to obtain for smaller towns, the Town of Cohocton information was available. They have received a substantial sum of money for several years, and he feels Enfield should look further into the Host Agreement with the Black Oak Wind Farm before making a final determination.

Approval of Minutes: Supervisor Rider moved, with a second by Councilperson Howe-Strait to accept the minutes of the November 12, 2014 regular meeting.

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

Correspondence: Supervisor Rider reported she received an answer from the Internal Revenue Service regarding a fine for late filing in June, 2014. The issue has been resolved and no fine is due.

Budget Amendments:

Supervisor Rider moved, with a second by Councilperson McGee to approve Budget Amendment #2014-31.

Budget Amendment #2014-31 Aquifer Study

WHEREAS, line item A1620.41 titled "Buildings-Aquifer Study" was \$149.40 more than budgeted, now therefore be it

RESOLVED, that line A1910.4 titled "Unallocated Insurance" be reduced by \$149.40 and line A1620.41 be increased by \$149.40.

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

Supervisor Rider moved, with a second by Councilperson Howe-Strait to approve Budget Amendment #2014-32.

Budget Amendment #2014-32 Supervisor - Contractual

WHEREAS, line A1220.41 titled “ Supervisor – Contractual” is overdrawn by \$75.80, now therefore be it

RESOLVED that line A 1990.4 titled “Contingent Account” be reduced by \$300.00 and line A1220.41 be increased by \$300.00.

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

Supervisor Rider moved, with a second by Councilperson Howe-Strait to approve Budget Amendment #2014-33.

Budget Amendment # 2014-33 Court Clerk Salary

WHEREAS, line A1110.13 titled “Justices- Personnel Service-Court Clerk” is overdrawn by \$918.82 and there is one more payroll this year, now therefore be it

RESOLVED, that line item A1990.4 titled “Contingent Account” be reduced by \$1,850.00 and line A1110.13 be increased by \$1,850.00.

Discussion: Supervisor Rider explained the math done in January to figure monthly payroll amounts was incorrect.

Councilperson McGee questioned if this additional amount would equal what the actual annual salary was supposed to be for the entire year.

Supervisor Rider stated at the end of November this line was overdrawn by \$918.82 and there is one more payroll.

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

Supervisor Rider moved, with a second by Councilperson Carpenter to approve Budget Amendment #2014-34.

Budget Amendment #2014-34 Bookkeeper - Contractual

WHEREAS, line A1220.42 titled “Supervisor-Contractual (Bookkeeper)” is overdrawn by \$378.78, now therefore be it

RESOLVED, that line item A1990.4 titled “Contingent Account” be reduced by \$380.00 and line A1220.42 be increased by \$380.00.

Discussion: Supervisor Rider explained the bookkeeper needed to purchase more envelopes, paper and stamps.

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

Supervisor Rider moved, with a second by Councilperson Carpenter, to approve Budget Amendment #2014-35.

Budget Amendment #2014-35 Town Clerk - Contractual

WHEREAS, line A1410.4 titled “Town Clerk – Contractual” is overdrawn by \$58.89, now therefore be it

RESOLVED, that line item A1410.2 titled “Town Clerk – Equipment” be reduced by \$58.89 and line A1410.4 be increased by \$58.89.

Discussion: Supervisor Rider stated there was nothing taken from the equipment line for a new laptop. Town Clerk Linton stated the purchase of a new laptop should have come from the equipment line. Money had been transferred from Town Clerk - Contractual to Town Clerk - Equipment to cover the cost of the laptop.

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

Supervisor Rider moved, with a second by Councilperson Carpenter, to approve Budget Amendment #2014-36.

Budget Amendment #2014-36 Superintendent of Highways - Contractual

WHEREAS, line item A5010.4 titled “Supt. of Highways-Contractual” is overdrawn by \$165.00, now therefore be it

RESOLVED, that line item A5132.4 titled “Garage-Contractual” be reduced by \$165.00 and line item A5010.4 be increased by \$165.00.

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

Supervisor Rider moved, with a second by Councilperson Carpenter to approve Budget Amendment #2014-37.

Budget Amendment #2014-37 New Lawnmower

WHEREAS, the Cemetery Committee has recommended that the Town of Enfield purchase a zero-turn lawn mower for maintenance and that the General Fund contribute 1/3 of the cost and the Cemetery Fund contribute 2/3 of the cost and

WHEREAS, line item A8810.2 titled “Cemeteries, Equipment” was only budgeted for \$300, now therefore be it

RESOLVED, that line item A8160.4 titled “Refuse & Garbage” be reduced by \$1,541.00 and line item A8810.2 be increased by \$1,541.00 and \$3,980.00 from the Cemetery Fund be used to cover the cost of this purchase.

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

Supervisor Rider moved, with a second by Councilperson Carpenter to approve Budget Amendment #2014-38.

Budget Amendment #2014-38 Cemeteries - Contractual

WHEREAS, line item A8810.4 titled “Cemeteries-Contractual” is overdrawn by \$78.94 now therefore be it

RESOLVED, that line item A8160.4 titled “Refuse and Garbage-Contractual” be reduced by \$78.94 and line item A8810.4 be increased by \$78.94.

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

Supervisor Rider moved, with a second by Councilperson Carpenter, to approve Budget Amendment #2014-39.

Budget Amendment #2014-39 Machinery - Contractual

WHEREAS, line item DA5130.4 titled “Machinery - Contractual” is overdrawn by \$747.88, now therefore be it

RESOLVED, that line item DA 5110.4 titled “General Repairs - Contractual” be reduced by \$748.00 and line DA5130.4 be increased by \$748.00.

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

Audit Claims:

Councilperson Carpenter moved, with a second by Councilperson Howe-Strait to authorize the supervisor to pay General Fund vouchers #331 to #358 dated December 10, 2014 in the amount of \$32,499.85 and Highway Fund vouchers #199 to #216 dated December 10, 2014 in the amount of \$28,799.74.

Discussion: Councilperson McGee asked when escrow funds would be received from the Black Oak Wind Farm to cover expenses incurred. Supervisor Rider will clarify what amount is needed from the Black Oak Wind Farm and notify them.

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

Supervisor's Report: Supervisor Rider reported she attended the November TCCOG meeting, a training on facilitating effective participation in public meetings along with Councilpersons McGee and Bryant, a TCAD board meeting, a meeting to begin drafting a local Emergency Management Plan, and a meeting regarding planned stream ameliorations parallel to Trumbulls Corners Road. She met with John Rancich, Walt and June Smithers and Nick Pellegrino to discuss purchase of

town land, TG Miller to discuss surveys of 2 town parcels, and insurance agent regarding 2015 property insurance and Worker's Compensation policy. She also reported she has sealed copies of survey maps from TG Miller showing boundary lines that determine Nick Pellegrino has 6-8 cars parked on town property.

County Legislator's Report: No report.

Highway Superintendent's Report: No report.

Code Enforcement Report: Code Enforcement Officer Alan Teeter submitted his report showing in November there were 9 building permits issued or renewed, bringing the year to date total to 75. There were 2 certificates of occupancy issued, 1 certificate of completion issued, 9 inspections completed, 18 progress checks completed, 3 fire and safety inspections completed for public assemblies, 1 fire and safety inspection for general occupancies, and 1 complaint resolved. There was also 1 house number issued.

Committee Reports:

Planning Board: Chair Dan Walker reported planning board member Dawn George's term ends December 31, 2014 and notified the town board she would like to be reappointed for another term. The planning board has recommended Dawn George be reappointed.

Supervisor Rider felt the transparent way to approach this would be to accept resumes for the position.

Dan Walker also noted they may devote a few meetings to do web-based training as a group to meet training requirements. He reported the planning board would like to move ahead with the sub-division regulations and has them ready to present to the town board. The only change they made was defining sub-divisions requiring approval as 3 lots or more.

Supervisor Rider will put the sub-division discussion on the town board agenda for January.

Cemetery Committee: No report.

Comprehensive Plan Writing Committee: Councilperson McGee reported the next meeting will be held December 11 to discuss sections and see if there are any missing. Land Use drafts are finishing up.

Enfield Community Council: No report.

Recreation Partnership: No report.

County Youth Board: No report.

Enfield Volunteer Fire Company: Fire Chief Roger Lauper submitted his report showing there were 28 total calls for November. These included 1 fire, 11 EMS, 3 MVA, 3 hazardous conditions, 4 service calls, 1 good intent, 1 false alarm, 4 mutual aide. Trainings for December include small engines and equipment; work detail; biological terrorism of Ebola, given by Homeland Security and open to all county fire and EMS personnel. The Enfield Fire Department was the recipient of a grant from the Ithaca franchise of Firehouse Subs to purchase 1,600' of 5" hose and 400' of 2.5" hose.

Tompkins County Health Insurance Consortium: No report.

Facilities Manager: No report.

Aquifer Study Fundraising Group: No report.

Facilities Development Committee: No report.

Tompkins County Council of Governments: Supervisor Rider reported next Thursday Barbara Lifton and Tom O'Mara will meet with TCCOG.

Old Business:

Disposing of Excess Town Properties: Supervisor Rider stated TG Miller has completed their survey on both properties. She would like to entertain purchase offers for both properties and have the option to employ a real estate agent. Councilperson Carpenter felt this was a good idea and felt the \$10,000 figure discussed at the last meeting was a fair value for the gravel bank property.

Councilperson Carpenter would like to see a purchase offer from any interested parties, and then a price can be discussed once relevant details have been presented. Any offer would need to be subject to a permissive referendum.

Supervisor Rider will meet with John Rancich again to discuss sale of property across from the town hall and a possible TCAT Park and Ride. If the town feels the building on this lot is historic, it will need to be moved before a Park and Ride can be established on that property. Councilperson Howe-Strait feels the length of a lease with TCAT is also an issue that needs to be addressed.

Councilperson Carpenter noted that the assessed value of the property across from the town hall is \$5,000. Supervisor Rider feels it needs to be clearly stated the town board is entertaining purchase offers on these 2 parcels.

Councilperson McGee suggested the town might want to keep the property and make arrangements with TCAT for a Park and Ride. Supervisor Rider stated she has not yet asked Trevor McDonald, who owns adjoining property, if he is interested in purchasing the property.

If the town kept the property and allowed a Park and Ride, Supervisor Rider would make sure there was a lease signed between the Town of Enfield and TCAT. There were concerns expressed about who would be responsible for plowing snow in the Park and Ride area, no matter who the owner of the property is.

Securing the Old Highway Facility: Councilperson Carpenter stated Norm Smith plans to install a new door and frame at the town hall next week. He plans to use the panic bar from the old door on the new door. A heat lamp is now being used to heat a box around the hot water heater, but an old furnace still needs to be removed. An alarm system has been installed at town hall.

Black Oak Wind Farm Community Host Agreement: Councilperson McGee stated she would like more research before moving ahead with an agreement. Councilperson Carpenter questioned if \$15,000 was a fair value. Supervisor Rider reminded everyone that it is not mandatory for the Black Oak Wind Farm to give the town anything. Councilperson McGee will research other communities with wind farms in New York State and see what their Community Host Agreements and annual

Payments In Lieu of Taxes (PILOT) are. After the research is done, the town board can discuss what they would like to ask the Black Oak Wind Farm for in terms of a Community Host Agreement.

New Business:

Findings Statement for the Black Oak Wind Farm: Supervisor Rider stated the draft Findings Statement has not been received by the town yet. Cornell University will be the purchaser of power from the Black Oak Wind Farm.

2015 Program of Work: Supervisor Rider asked board members to comment on what they would like to see accomplished in 2015.

Councilperson Howe-Strait would like to see enough funds provided for the Aquifer Study so the contract doesn't have to be extended.

Supervisor Rider would like to complete a local emergency management plan.

Councilperson McGee would like a FEMA plan completed. She would also like to see the old highway facility painted, the town clerk's office updated, selling of town property completed, an audit completed by the New York State Comptroller's Office or a private accounting firm, the handbook and policies book updated, a building use policy put in place and research started for potential grants and cost for a new municipal services building.

Councilperson Carpenter would like to look at the two old buildings (old highway facility/town hall and community building) and get a sense of how to get the most bang for the town's buck - improve or build new. He would also like to see the Comprehensive Plan completed by the end of 2015.

Local Junk Car Law: Councilperson McGee was advised by a local resident to contact the New York State Code Enforcement Regional Director for information. It appears the Town of Enfield Local Law of 1994 has been superseded by New York State Law. Our local law can only be more strict than the state. By not doing anything, the town has accepted the state code. It appears the Enfield Code Enforcement Officer can issue a notice of violation if a complaint is filed with him. If violations can be observed from a public way, then the Code Officer can issue a violation and follow state and local procedures on enforcement without a complaint being filed.

Councilperson Carpenter feels the town must be careful about selective enforcement. He would like to see the Enfield Code Enforcement Officer instructed on how to proceed. He will check with town attorney, Guy Krogh, to see if the town's junk car law should be rescinded, even though it is no longer valid.

Town Newsletter: Currently the Town of Enfield newsletter is sent with the Enfield Community Council newsletter. The post office has sent notification that the town's portion cannot be sent at the not-for-profit rate.

Councilperson Carpenter moved, with a second by Councilperson McGee to continue sending the Town of Enfield newsletter with the Enfield Community Council newsletter and pay the additional postage of approximately \$118 per newsletter.

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

Planning Board: Councilperson Carpenter asked the town board to decide how to deal with the opening on the planning board as of January 1, 2015. Supervisor Rider stated she would like to proceed the same as last year by asking anyone interested to submit a letter of interest by January 7, 2015.

Haefele Franchise Fee: Councilperson McGee contacted Jeff Golden at Haefele. It appears at this time there is a 0% franchise fee in exchange for free service. There is a discrepancy of how they describe free service. Haefele feels only free cable service is to be provided, not phone and internet. At this time the Town of Enfield pays about \$6,000 per year to Haefele for service.

Adjournment: Supervisor Rider moved, with a second by Councilperson Carpenter to adjourn at 9:30 p.m. Carried.

Respectfully submitted,

Alice Linton, Enfield Town Clerk