

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, February 11, 2015
6:30 p.m.

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

Supervisor Rider opened the regular meeting at 6:33 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Privilege of the Floor: No one wished to speak.

Approval of Minutes: Supervisor Rider moved, with a second by Councilperson McGee to accept the minutes of the January 14, 2015 regular meeting.

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

Supervisor Rider moved, with a second by Councilperson Howe-Strait to accept the minutes of the January 15, 2015 audit meeting.

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

Budget Amendments:

Supervisor Rider moved, with a second by Councilperson Howe-Strait to approve Budget Amendment #2015-13.

Budget Amendment #2015-13

WHEREAS, expenses have exceeded the budget in the General Fund Account, line item A1910.4, titled "Unallocated Insurance", now therefore be it

RESOLVED, that the General Fund Account, line item A1990.4 titled "Contingent Account", be decreased by \$365.00 and General Fund Account, line item A1910.4 be increased by \$365.00.

Discussion: Supervisor Rider stated the budget line is for a one-time per year payment for insurance on property. There should be no further funds taken from this line in 2015.

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

Supervisor Rider moved, with a second by Councilperson Howe-Strait to approve Budget Amendment #2015-14

Budget Amendment #2015-14

WHEREAS, the budget line in the General Fund Account, line item A8020.2, is incorrectly titled “Personnel (Comp Plan Clerk)”, now therefore be it

RESOLVED, that the General Fund Account, line item A8020.2, be decreased by \$550.00 (to zero) and General Fund Account, line item A8020.12 titled “Personnel (Comp Plan Clerk) be increased by \$550.00.

Discussion: Supervisor Rider stated she is requesting this change based on the bookkeeper's recommendation.

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

Supervisor Rider moved, with a second by Councilperson Howe-Strait to approve Budget Amendment #2015-15.

Budget Amendment #2015-15

WHEREAS, expenses have exceeded the budget in the Highway Fund Account, line item DA5130.45, titled “Machinery Diesel & Gas Fuel”, now therefore be it

RESOLVED, that the Highway Fund Account, line item DA5110.4 titled “General Repairs Contractual”, be decreased by \$45,000 and Highway Fund Account, line item DA5130.45 be increased by \$45,000.

Discussion: Supervisor Rider stated this budgeted amendment was requested by the highway superintendent. Line DA5130.4 is a new line this year to more accurately show expenditures for diesel and gas. However, more funds will be needed in this line for the year than were originally budgeted.

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

Audit Claims: Councilperson McGee moved, with a second by Councilperson Howe-Strait to authorize the supervisor to pay General Fund vouchers #45 to #76 dated February 11, 2015 in the amount of \$16,901.05 and Highway Fund vouchers #23 to #43 dated February 11, 2015 in the amount of \$20,392.03 and Special Fire Fund voucher #77 dated February 11, 2015 in the amount of \$242,372.00.

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

County Legislator's Report: No report.

Correspondence: Notice of community solar power project.

Notice from Tompkins County Planning Department of funds available for stream corridor projects. The deadline to apply is April 3, 2015. Highway Superintendent Rollins suggested a request for funds to complete the Bostwick Road/Enfield Creek project.

Order granting in part petition to modify electric safety standards from the State of New York Public Service Commission.

Notice of opportunity by the Association of Towns to offer a municipal energy program.

Notice of Privacy Practices from the Tompkins County Health Consortium.

Information Session with Thomas DiTullio, RA, Sr. Building Construction Engineer, NY Department of State: Mr. DiTullio shared information about code enforcement, including property maintenance code. In New York State one unlicensed, unregistered motor vehicle is allowed for each residential premises. Auto repair garages have different regulations. Town of Enfield Local Law #1 of 2007 gives our code enforcement officer authority to enforce building codes. The town board should adopt a new law to encompass changes made to New York State Law in 2010. It is very important to enforce the law equally. Usually a code enforcement officer will give a time to remedy violations, such as 30 days. After that time a violation would go to the court.

Councilperson McGee would like to start an information program with ideas to help residents get rid of junk cars and be aware of the property maintenance code. This information could be included in quarterly town newsletters over the next year so as to reach all residents.

Highway Superintendent's Report: Highway Superintendent Buddy Rollins asked the board if they had any questions on the 284 form for summer work. He reminded board members this plan is subject to change in the spring. Notification of CHIPS funds should be received in March or April.

The highway garage pit drain tank was pumped again in January. Superintendent Rollins has called Clean Earth, and with a 3 year contract, they will pump each time for \$800. This would include all permits. The tank will need to be emptied about 2 times a month in the winter and 1 time a month in the summer. This will allow for adequate cleaning of the trucks and floors. He will also check with Drain Brain to see what kind of price they can offer, and may run a legal ad for sealed bids to try and get the best deal for the town.

Councilperson McGee would like to deal with a local business if at all possible.

Lee Hubbell has been at the highway facility to look into installing overhead fans and installing two new outlets. He hasn't submitted a written estimate yet, but he feels fans will help with condensation on interior walls and help push heat down. Installing new fans and repairing heaters are two different jobs.

Supervisor Rider stated she researched repair of the overhead heaters. HALCO hasn't gotten back with an estimate. Earl Rose could repair these heaters, but does not have a lift. He could rent one from Duke Rental or Rick's Rental. Lloyd Shisler has a bucket truck, so could probably repair the Robert Gordon propane overhead heaters and install the paddle fans.

Supervisor Rider moved, with a second by Councilperson McGee to contact an insured, licensed, heating person to fix the overhead radiant heaters in the highway building and service the propane boiler in the highway building in an amount not to exceed \$5,000.

Discussion: Supervisor Rider will find a person for this job.

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

Highway Superintendent Rollins stated he found a used 2008 Mack 10 wheel truck at the Tracy Road equipment dealer in Syracuse, which is similar to the 2004 truck that the highway guys like. It has 96,000 miles and is priced at \$107,000, which is less than half the price of a new truck. He would like approval from the board to take \$110,000 from the equipment reserve savings to purchase this truck with the additional \$3,000 to do work on it. The old truck could be sold, or made into a water truck at a cost of about \$4,000. The old plow would be junked. There is currently \$132,520 in the equipment reserve savings.

Supervisor Rider moved, with a second by Councilperson McGee to authorize the highway superintendent to spend up to \$110,000 on the purchase of a used 2008 Mack Granite Gu713 Tandem axle dump truck that is available from the Tracy Road Equipment dealership in Syracuse, New York, which will include necessary tweaking to Town of Enfield highway specifications.

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

Highway Superintendent Rollins then reported that he purchased a CAT loader for \$146,781 and was able to get \$35,000 for the old loader, so the final cost will be \$111,781. A purchase order was prepared and the loader was delivered the week before Christmas and it was the wrong loader. The serial number on the purchase order was wrong. CAT took the wrong loader back because it had an \$18,000 detachable bucket on it that wasn't ordered. In the meantime, CAT loaned the town another loader until the correct loader is received, which should be in the next couple of weeks. The town is signed up for the turnover program where a usage cost of \$10 per hour will be charged, but at the end of the year this is optional.

Supervisor Rider asked Highway Superintendent Rollins if the salt, aggregate, grit on the side of Harvey Hill Road contained any chemicals.

Highway Superintendent Rollins replied, no there are no chemicals. He stated he believes it is highly unethical for the supervisor to call an employee's grandmother to discuss a highway department matter. Superintendent Rollins stated he was elected to run the highway department. He asked that the following be made part of the record: a generator is needed for the highway department for emergency purposes, two of the road lights through the center of town haven't worked for over a year, the flag light at the old highway facility doesn't work, the underground fuel tank by two water wells hasn't been pulled out in three years, the door at town hall hasn't been replaced, the heat at the new highway facility hasn't been fixed, the water has frozen at the old highway facility, the new highway facility has numerous problems that haven't been addressed, there is no TCAT contract for the Park and Ride, the wooden town signs need to be re-varnished and taken care of because they are peeling, along with the community building and the old highway, and the 2013 and 2014 town budget problems have not been corrected. He would like the supervisor to take care of these issues and leave the highway department alone.

Supervisor Rider stated there is municipal law that puts the town board in charge of town property, including equipment. Supervisor Rider stated Superintendent Rollins' tone of voice and accusations were out of order.

Code Enforcement Report: Code Enforcement Officer Alan Teeter reported in January there were 5 building permits issued or renewed, with 1 for a new home and the other 4 for solar installations. He issued 2 certificates of completion, completed 12 inspections and progress checks. He received 2 complaints, 1 of which was resolved. There were 21 permits for solar installations issued in 2014.

Supervisor's Report: Supervisor Rider reported she had furnaces in the community building and town hall serviced, discovered sales tax had been charged on NYSEG bills for the highway facility and had them taken off retroactively, worked with the bookkeeper to close the 2014 books, conducted an emergency planning meeting with local stakeholders, chaired the January TCCOG meeting, attended a meeting regarding Association of Town proposed by-laws, worked with Alan Teeter, Norm Smith and Ehrhart's to troubleshoot community building furnace, started documentation on the town vehicle incident on 2/5/15, researched fixing the overhead heaters in the highway building.

Committee Reports:

Planning Board: Chair Dan Walker reported there was a preliminary site plan sketch review for 2 parcels on Podunk Road. A real estate broker came in to discuss several ideas on how to sub-divide the lots. One plan would be sub-dividing into 4 lots, one into 2 lots, and another into 5 lots. One parcel now has 3 residential units on it. The smallest lot would be 1-2 acres where the ranch house is. The biggest impact would be breaking up 100 acres into 20-30 acre parcels. Another impact is Haefele has a distribution point, with 3-4 satellite dishes and antennas, on the property.

Dan will be attending a meeting in Newfield regarding a local law to ban transfer stations. There is a transfer station that has received a DEC permit. The county is concerned about truck travel on Trumbull's Corners Road since the main route would be from Newfield to Trumbull's Corners Road and onto State Route 327, which bring the trucks through Enfield Center. It is expected there would be 3-4 large tractor trailers coming through Enfield daily.

Dan has spoken with Marguerite Wells and realizes there is a lot of work to be done on the Black Oak Wind Farm approval process for a permit.

Health Insurance Consortium: Supervisor Rider stated the Town of Enfield, along with many other municipalities, has a 5 year contract with the consortium. At the end of 2015, the Town of Enfield has to sign up again if they want to continue with the consortium.

Enfield Community Council: No report.

Recreation Partnership: Carolyn Tschanz reported the Recreation Partnership has set their meeting dates for 2015. The new I-Play book is out and has details of a new program with Alternatives Federal Credit Union. The Recreation Partnership is one of the charities of choice that can be selected when new accounts or new loans are opened with AFCU. The Partnership discussed how to advocate for recreation at a time when budgets are being cut. A key area is the importance of parks. They are also trying to find a way to identify recreation areas in each town.

County Youth Board: No report.

Enfield Volunteer Fire Company: Fire Chief Roger Lauper submitted his report:

Total Calls for January were 21, as follows: Fire 1, EMS calls 8, Motor Vehicle Accidents 6, Mutual Aide Calls 3, Hazardous Conditions 1, Service Calls 2. Trainings for January included Gear Inventory and Mandatory OSHA Training.

Facilities Manager: Supervisor Rider reported there have recently been 5 service calls on the furnace in the Community Building that heats the upstairs. This is a 3-year old furnace. She will be calling to speak with the office manager at Ehrhart's to see what the next steps are. The two furnaces at the Community Building and one furnace at town hall have recently been serviced. The door at town hall has not yet been replaced, although the new door has been purchased.

Comprehensive Plan Writing Committee: Councilperson McGee reminded the town board that the agriculture open house will be held February 21st from 9-1 at the Community Building. This will be a time to share experiences and opinions about agriculture in Enfield. This event is being held in February as it is a comfortable time for people involved in agriculture to attend, but it will be about April before the next section can be started, and that is not a good time for farmers to participate. The committee would like to wait until around October to start work on the agriculture section. Therefore, a projection for the Plan to be submitted to the town board would be January or February of 2016.

Aquifer Study Fundraising Group: No report.

Tompkins County Council of Governments: Supervisor Rider reported they continue to focus on shared services. There was a recent meeting to discuss whether there are training modules that can be done as shared services. TCCOG voted to go forward with an in-depth study of court consolidation shared services in the hope of increasing quality in the county justice system.

Old Business:

Review of Health Consortium By-Laws: Supervisor Rider stated the complete by-laws can be found on the internet, but there was one issue that was brought to her attention that she wanted to address. If a member of the board of directors is not there, and there is a quorum, and they pass whatever is before them, the absent member of the board of directors has 15 days to put in a dissent. However, since it would be passed by a quorum, it doesn't change the outcome of the item that was legally passed at the board meeting.

Supervisor moved, with a second by Councilperson Howe-Strait to ask the By-Laws Committee to revisit Section R, #5, Representations and Warranties of Participants and streamline #5 to be more in keeping with reality, i.e. the action that is passed by a legal quorum stands, which is under Roberts Rules of Order and NYS Incorporation Law, and take away 15 days of giving written notice to dissent.

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

Supervisor Rider asked if any board member felt the town should look elsewhere for health insurance. No one felt that was necessary.

Update on Excess Town Properties: Supervisor Rider noted a legal ad was printed in the Ithaca Journal on January 24 giving residents 30 days, until February 23, to file a request for a permissive

referendum. If no signatures are received, the town board can move forward to close on the old gravel pit property.

Town Hall Parking: Supervisor Rider has not yet checked with TCAT on the Park and Ride. Councilperson McGee understood the town needs to find out what TCAT needs done to the property if we are to keep it and provide a Park and Ride.

Supervisor Rider has given a schematic drawing to Highway Superintendent Buddy Rollins, Town Clerk Alice Linton and Deputy Town Clerk Sue Thompson asking for ideas on how parking should be planned out near the town hall.

Highway Superintendent Rollins asked if lawyers had been asked what the town's liabilities are for a Park and Ride and what a Park and Ride is doing for the town. Supervisor Rider has not asked about the liability issue, but it is public property and the town has insurance. A Park and Ride provides residents with a more environmentally friendly and economical way to get to their employment. Supervisor Rider believes about 2 of the cars parked belong to Town of Enfield residents and the rest come from Schuyler County.

Highway Superintendent Rollins feels a lot of time and effort has been spent, along with going without a contract, for TCAT.

Supervisor Rider stated it is environmentally sound practice to encourage mass transit and it is one of the very small things the Town of Enfield can do for the greater good.

Councilperson McGee feels TCAT has decided they want to serve this side of Ithaca. It is not only Park and Ride people, but others along their route that take advantage of TCAT's service. She is not opposed to a plan for the bus to continue down Route 327 and turn around at the new highway facility. Before putting a Park and Ride across the road, TCAT needs to tell the town what needs to be done with the piece of land to make it acceptable for them to use. She would like TCAT to consider a Hold Harmless Agreement until a lease is signed.

New Business:

Dog Enumeration Issues: Town Clerk Linton stated in 2010 there were 837 licensed dogs in the Town of Enfield, while in 2014 there were 739. The income was about the same, but the rates in 2010 were \$7.50 for an altered dog and \$11.00 for an unaltered dog. In 2014 the rates were \$10 for an altered dog and \$20 for an unaltered dog. If the trend continues, the income from dog licenses will go down. This may not be a problem, but she felt the town board should be aware of the issue.

Councilperson McGee suggested an educational piece in the town newsletter, although Supervisor Rider did have an article in a past issue. Councilperson Howe-Strait asked if there was any way to enforce the licensing of a dog. If someone receives a ticket and comes to court, they can be fined.

Town Clerk Linton stated if the town conducted an enumeration, someone would likely go door to door and owners would be asked to license their dog if they weren't already licensed. If they didn't comply, a letter would be sent to them from the town clerk, then a letter would be sent from the SPCA, and finally they would be issued a ticket to appear in court if they didn't license their dog. How many owners come to court for unlicensed dog tickets can be tracked from the judge's monthly report.

Adjournment: Supervisor Rider moved, with a second by Councilperson McGee to adjourn at 10:28 p.m.

Respectfully submitted,

Alice Linton, Enfield Town Clerk