

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, June 10, 2015
6:30 p.m.

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

Supervisor Rider opened the regular meeting at 6:30 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag. She then asked for a moment of silence in memory of Dawn George and Robbie Cornish.

Privilege of the Floor: Walter Smithers of 320 Enfield Main Road thanked the board for having the lights repaired downstairs in the Community Building. It made food distribution safer and more pleasant for everyone. He also thanked the board for providing clean-up days for town residents this year, even though it is an added expense for the town. He reported there has been no action by the Pellegrinos to remove junk cars from town property. He would appreciate the town doing what they can, so a closing can proceed on the property.

Approval of Minutes: Supervisor Rider moved, with a second by Councilperson Carpenter to approve the minutes of the May 13, 2015 regular town board meeting.

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

Supervisor Rider moved, with a second by Councilperson Carpenter to approve the minutes of the May 21, 2015 special town board meeting.

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

Supervisor Rider moved, with a second by Councilperson McGee to approve the minutes of the May 28, 2015 special town board meeting.

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

Correspondence: Notice of Pre-Retirement Seminar August 18, 2015 sponsored by the Retired Public Employees Association, Inc.

Letter from Cohen Law Group stating how a bid by Charter Communications to acquire Time Warner Cable will impact our municipality.

Report by Tompkins County to the Office of the State Comptroller regarding shared services.

E-mail from Lee Haefele stating Haefele TV will be wiring parts of Colegrove Road, Gray Road, VanDorn Road and State Route 327 for TV, internet and phone service with fiber optic to homes. Service should be available in the next two months.

Budget Amendments: Supervisor Rider stated there were no budget amendments this month.

Audit Claims: Councilperson Carpenter moved, with a second by Councilperson Howe-Strait to authorize the supervisor to pay General Fund vouchers #182 to #203 dated June 10, 2015 in the amount of \$16,147.59 and Highway Fund vouchers #103 to #120 dated June 10, 2015 in the amount of \$17,474.84

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

County Legislator's Report: No report

Highway Superintendent's Report: Superintendent Rollins presented a revised 248 form to the board, which was approved. New York State increased the CHIPS money for this year by approximately \$5,000. The work on VanDorn Road was changed to Buck Hill Road between Harvey Hill Road and West Enfield Center Road as it is in bad condition. Work is planned for parts of Enfield Center Road, Bostwick Road and Aiken Road. He is trying to preserve the work that has been done to improve roads.

He reported Haele TV has put in new poles along Colegrove Road, but one is in the center of the ditch and will need to be moved. He also reported Clean-Up Days are going good.

He noted that in the minutes of the May 13, 2015 meeting Supervisor Rider stated the Town of Enfield had not put in a grant request for stream corridor restoration and flood hazard mitigation, so the town would not be receiving a grant. However, a grant request was submitted in April and there will be a follow-up in the next 6 weeks on which projects have been chosen.

Superintendent Rollins stated the supervisor's financial report shows \$104,500 is missing from the budget.

Code Enforcement Report: Code Enforcement Officer Alan Teeter reported in May there were 4 permits issued or renewed, with none of those for solar installations. He issued 1 certificate of occupancy and 4 certificates of completion. He completed 8 inspections and 14 progress checks. He received 2 valid complaints and resolved 1. He sent 2 letters of voluntary compliance regarding garbage complaints. The variance for the barn on Harvey Hill Road has gone to the State of NY.

Supervisor's Report: Supervisor Rider stated a check was just received from the Ithaca Antique Center for \$660.00. This was for the gas pumps sold on consignment (\$1,100 less \$440 consignment fees). She also reported she attended meetings, supervised the mailing of an informational postcard to all residents regarding Clean-Up Days, held 2 special town board meetings, conducted 2 Violence in the Workplace trainings, met with Keystone Environmental Services to conduct asbestos testing on the "Pig's Ear" building across from town hall and lead testing on the town hall paint.

Committee Reports:

Planning Board: No report

Health Insurance Consortium: No report

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 for May showing 35 total calls. These included 1 grass fire, 21 EMS calls, 1 hazardous condition/gas leak, 9 service calls, 2 good intent calls and 1 false alarm. June trainings will include refresher of all tools needed on a MVA scene, MVA roll-up training and work detail.

Facilities Manager: Councilperson Carpenter stated his items will be under old business.

Comprehensive Plan Writing Committee: Councilperson McGee reported the committee continues to work on four sections of the Plan. Their next meeting is scheduled for June 25.

Aquifer Study Fundraising Group: No report

Tompkins County Council of Governments: Supervisor Rider reported there was a presentation by the deputy county administrator on compliance in the municipal workplace. They discussed possible options for cooperation in training. She asked board members if they had suggestions for cooperative trainings. Councilperson McGee suggested town training on budgets at a county level.

Old Business:

Dog License Fees: Supervisor Rider stated she met with Councilperson Bryant and Town Clerk Linton. Their recommendation was to continue educating the public on the importance of licensing dogs and not altering license fees at this time.

New Highway Building Assessment: Supervisor Rider presented a draft Request for Proposals (RFP) for a facility condition assessment. This included a description of the building with some prior concerns. Councilperson McGee asked about heating and cooling issues. Councilperson Carpenter suggested this was written with an older building in mind. The roof probably doesn't need to be assessed, but heating, ventilation, and looking at attic space would be important. He feels the scope of services should be specific. He asked if there was a commissioning when the building was complete to see if all conditions were met. Supervisor Rider stated there was money withheld since the work was incomplete. As far as she knows the work is still incomplete. Councilperson McGee suggested looking at similar buildings that work well and note how they are different from Enfield's highway building. Supervisor Rider would like to see the problems defined and then prioritized. Councilperson Carpenter would like a description of what would likely be the future result of leaving things unfixed. The town can prioritize work themselves.

Supervisor Rider will change the overview to be more specific. She will re-word the scope of services, and then send it to board members for comments.

Highway Superintendent Rollins suggested going back to the contractor and engineer and explain the problems and see what they have to suggest. The engineer, Chuck Fezali, was to have taken photos of every step of the process.

Supervisor Rider will meet with Chuck Fezali, of Resource Associates, the project engineer and project manager, and ask for photos of the building while it was being constructed and drawings of electrical and septic systems.

Park & Ride Update: Supervisor Rider informed the board asbestos samples were taken a week ago and it will take 10 to 14 days to get the results back. A proposal was received from Finger Lakes Reuse to deconstruct the building for \$1,200. Councilperson McGee asked if it might be possible to have a controlled burn of the building. Alan Teeter will check with the Enfield Volunteer Fire Department to see if they would be interested.

Solar Enfield: A special town board meeting was held May 21, 2015 to start work on a Solar Farm Law. Councilperson McGee and Code Enforcement Officer Teeter will meet to discuss wording of the law. There will be a meeting to further discuss the proposed law at the end of July.

Repairs to Town Hall: Supervisor Rider reported the lab results taken show there is no lead in the paint currently on the town hall. Supervisor Rider presented a draft bid format for painting of the town hall/old highway facility. It was suggested a few more details be added to the bid, such as the metal siding shouldn't be painted and miscellaneous carpentry repairs will be done before painting. The measurements of the building will need to be recalculated. The overhead doors should not be excluded. The color of paint should be stated. Supervisor Rider will ask town attorney Guy Krogh about Worker's Comp and NY Disability for the project. Councilperson Carpenter asked about submission requirements and how information will be available to contractors. Supervisor Rider stated she had the names of 5 painters and would e-mail or mail hard copies to those. Councilperson Carpenter suggested the painters could possibly do the outside repairs before painting.

Sub-Division Regulations: Supervisor Rider reported the town attorney has looked at the regulations and they are not in a format for a local law. He has only focused on policy and structural issues. Overall it is well written. There are many definitions that are not referred to in the document and he has other concerns about wording.

Councilperson McGee suggested the Planning Board could make the necessary changes with recommendations from attorney Guy Krogh.

Supervisor Rider stated she would meet with Dan Walker and would forward the letter she received from Guy Krogh to Councilperson Carpenter and Councilperson McGee.

Councilperson Carpenter thinks the Comprehensive Plan and Sub-Division Regulations could be on parallel tracks. They could be worked on together. Guy Krogh should be consulted for the formatting to make the document a local law.

Councilperson McGee will talk to Dan Walker about how this could work with the Comprehensive Plan and how they could complement each other. The law should reflect what the Comprehensive Plan suggests. She feels it would be helpful to know what Guy Krogh feels is irrelevant to the Town of Enfield.

New Business:

Supervisor Rider moved, with a second by Councilperson Carpenter to approve Resolution #2015-33.

Resolution #2015-33 Approval to Purchase Firefighting Apparatus by the Enfield Volunteer Fire Department

RESOLVED, that the undersigned members of the Town Board of the Town of Enfield, Tompkins County, New York upon reading the Appointment of Hearing Officer executed by Ann Rider, Supervisor dated May 13, 2015; the Notice of Public Hearing published on May 18, 2015 in the Ithaca Journal; and the Report of Hearing Officer dated June 2, 2015 for the Public Hearing held on June 2, 2015 at 7:00 p.m.; hereby approve the "Approval to Purchase" attached hereto and further direct that the Enfield Town Supervisor execute such "Approval to Purchase" on behalf of the Town Board.

**APPROVAL TO PURCHASE BY
ELECTED REPRESENTATIVE OF POLITICAL
SUBDIVISION CONTRACTING FOR FIREFIGHTING SERVICES**

I, Ann Rider, Supervisor of the Town of Enfield in accordance with the requirements of section 147 and related sections of, and regulations under, of the Internal Revenue Code, and in reliance upon certain recommendations and other information submitted to me, and subsequent to a duly conducted public hearing concerning the matter, do hereby approve borrowing and the issuance of an obligation evidencing such indebtedness by the Enfield Volunteer Fire Company, Inc. from either M&T Bank or the Bank of Greene County for the financing of the purchase by the volunteer fire department of a certain piece of firefighting apparatus.

The proposed purchase is from Toyne, Inc. The obligation is in the maximum principal amount of \$290,000.00. The piece of firefighting apparatus is to be used for the provision of fire protection service to the Town of Enfield pursuant to a contract for the period January 1, 2013 through December 31, 2017 between the Enfield Volunteer Fire Company, Inc. and the Town of Enfield. The piece of firefighting apparatus is to be garaged at 172 Enfield Main Road, Ithaca, New York.

Execution of this document in no way creates liability on the part of the Town of Enfield and the Town of Enfield is not responsible for the repayment of any bonds issued pursuant thereto.

Discussion: Councilperson McGee asked if this was new equipment in addition to what the fire department already has. Alan Teeter stated that it is an additional truck to have on fire scenes for rehab. It will also be used to transport the Kubota, that is used for brush fires and off-road rescues, instead of the trailer now used. The trailer will be sold. This is not approval to buy the truck, but approval to borrow money to finance the truck.

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 Resolution #2015-34.

Resolution #2015-34 Approval to Refinance a 2010 Pierce Fire Truck by the Enfield Volunteer Fire Department:

RESOLVED, that the undersigned members of the Town Board of the Town of Enfield, Tompkins County, New York upon reading the Appointment of Hearing Officer executed by Ann Rider, Supervisor dated May 13, 2015; the Notice of Public Hearing published on May 18, 2015 in the Ithaca Journal; and the Report of Hearing Officer dated June 2, 2015 for the Public Hearing held on June 2, 2015 at 7:15 p.m.; hereby approve the "Approval to Purchase" attached hereto and further direct that the Enfield Town Supervisor execute such "Approval to Purchase" on behalf of the Town Board.

**APPROVAL TO PURCHASE BY
ELECTED REPRESENTATIVE OF POLITICAL
SUBDIVISION CONTRACTING FOR FIREFIGHTING SERVICES**

I, Ann Rider, Supervisor of the Town of Enfield in accordance with the requirements of section 147 and related sections of, and regulations under, of the Internal Revenue Code, and in reliance upon certain recommendations and other information submitted to me, and subsequent to a duly conducted public hearing concerning the matter, do hereby approve borrowing and the issuance of an obligation evidencing such indebtedness by the Enfield Volunteer Fire Company, Inc. from either M&T Bank or the Bank of Greene County for the refinancing by the volunteer fire department of a certain 2010 pumper fire truck

The proposed refinance is of a 2010 Pierce fire truck, originally financed by M&T Bank. The remaining obligation is in the principal amount of \$377,480. The firefighting equipment is to be used for the provision of fire protection service to the Town of Enfield pursuant to a contract for the period January 1, 2013 through December 31, 2017 between the Volunteer Fire Department and the Town of Enfield. The firefighting equipment is to continue to be garaged at 172 Enfield Main Road, Ithaca, New York.

Execution of this document in no way creates liability on the part of the Town of Enfield and the Town of Enfield is not responsible for the repayment of any bonds issued pursuant thereto.

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

Black Oak Wind Farm Engineering and Monitoring Services: Supervisor Rider moved, with a second by Councilperson Howe-Strait to accept the LaBella Proposal for Black Oak Wind Farm Engineering and Monitoring Services as presented in a letter dated April 8, 2015.

Discussion: Supervisor Rider stated that since this is a professional service, it doesn't need to be put out to bid. LaBella has already been doing related work for the town regarding the wind farm and they are willing to continue through the construction phase.

Councilperson McGee asked if the contract states all costs associated with the engineering and monitoring services would be passed on to the Black Oak Wind Farm. Supervisor Rider will look at the contract to confirm this.

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

Marguerite Wells from the Black Oak Wind Farm reported they are trying to get details taken care of. The first detail is the 239M review that was sent to the Tompkins County Planning Board to which they replied in March. Now the town needs to include the county's recommendations. She is hopeful the town board will vote at their July meeting to approve Tompkins County's recommendations. The second item is the Host Community Agreement which needs to be approved. Supervisor Rider had suggested \$15,000 might be given to the Enfield Community Council for their new building the first year of the Agreement. The following two years further funds would be available as part of the Agreement. The third item is a new GE turbine model is planned for the construction. The blades would be 7 meters longer and the sound level would remain the same.

She also informed the board that the substation was planned for land owned by Richie Teeter. Since it is now larger than originally planned, they would like to move it to the southeast corner of his field. NYSEG must own the land proposed instead of leasing as originally planned. The engineering firm for the Black Oak Wind Farm, edr, will be writing a letter to Frank Pavia, attorney for the town in wind farm matters, outlining the changes; and then Frank will send a letter to the Enfield Town Board outlining the changes in the next couple of weeks. The turbines should be here sometime next summer. September 2016 is the earliest that NYSEG could allow tie-in to their system. It will take about one year to build the substation, but if the concrete could be poured in the fall for the foundation, it would give them more time to work on the substation. The turbines don't take long to erect. Each of the new turbines will make about 10% more energy than the originally planned turbines would.

Supervisor Rider mentioned Planning Board Chairperson Dan Walker is working on the Road Use Agreement and believes it will be ready for the July meeting. An assessment of the road will be done prior to construction and then an estimate of degradation and that amount will be put in escrow. There will be an evaluation after construction is complete and actual damage will be assessed. LaBella will do the assessments for the town.

Planning Board Vacancy: Due to the passing of Dawn George, there is a vacancy on the Planning Board.

Councilperson Howe-Strait asked if the position needed to be filled, or if the Planning Board could consist of fewer members. If there are 5 members they would be for 5 year terms. If 7 members, the terms would be for 7 years. Dawn was in the first year of her current term. There is probably no rush to fill the position.

Councilperson Carpenter suggested with 7 members there is a wider range of ideas and different perspectives. At the July meeting the board could decide whether to put out a notice with a possible September deadline for letters of interest.

Other: Supervisor Rider reminded the board they need to start thinking about whether they will use a bid process or a Request For Proposal for the well drilling needed for the aquifer study.

Supervisor Rider and Code Officer Teeter met with Jeff Golden of Haelele TV on how to streamline service to reduce our costs. Supervisor Rider will schedule an appointment with AlarmTech to see if better wires would mean fewer trouble calls. She will also speak to Judge Poole to see if the court can use one phone line for regular calls and the fax, which would have a distinctive ring. The board would like to see fiber optic wire run to town hall.

Adjournment: Supervisor Rider moved, with a second by Councilperson Carpenter to adjourn at 10:05 p.m.

Respectfully submitted,

Alice Linton, Enfield Town Clerk