

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, August 12, 2015
6:30 p.m.

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

Supervisor Rider lead the assemblage in the Pledge of Allegiance to the Flag at 6:30 p.m.

At 6:35 p.m. Supervisor Rider opened the public hearing on Local Law #1 of 2015, **A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C.**

As no one wished to speak, Supervisor Rider closed the public hearing at 6:36 p.m.

Privilege of the Floor: No one wished to speak.

Approval of Minutes: Supervisor Rider moved, with a second by Councilperson Carpenter to approve the minutes of the February 11, 2015 regular town board meeting.

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

Supervisor Rider moved, with a second by Councilperson Carpenter to approve the minutes of the July 8, 2015 regular town board meeting.

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

Correspondence: Letter from the NYS Department of Labor stating our Unemployment Insurance costs will be going down.

Notification of a public meeting to seek input for an update of the Cayuga Lake Watershed Plan which was held July 30, 2015.

Letter from the Cayuga Lake Watershed Intermunicipal Organization asking for a representative from the Town of Enfield to join their organization to help accurately identify and reflect the needs of our community.

Booklet from TC3 listing professional development workshops for fall 2015.

June 2015 update on the Tompkins County Agriculture and Farmland Protection Plan.

Letter from Fagan Engineers asking to be considered for future projects.

Second quarterly update on Clarity Connect's ConnectNY Broadband project for Tompkins and Cayuga Counties.

Notification of dedication of fire hoses for the Enfield Volunteer Company at Firehouse Subs on Thursday, September 10, 2015 at 10:00 a.m.

Notification that the final state equalization rate for assessment will be 100% for 2016.

Letter from NYSEG acknowledging that they will start working with the Black Oak Wind Farm.

Budget Amendments: Supervisor Rider moved, with a second by Councilperson Bryant to approve Budget Amendment #2015-24.

Budget Amendment #2015-24

WHEREAS, expenses have exceeded the budget in the Highway Fund line DA5110.14 titled “ Personnel Services-Overtime”, now therefore be it

RESOLVED, that the Highway Fund Account, line item DA5140.1 titled “Brush, Weed Removal-Personnel Services” be decreased by \$400.00 and line item DA5110.14 be increased by \$400.00.

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

Audit Claims: Councilperson McGee moved, with a second by Councilperson Carpenter to authorize the supervisor to pay General Fund vouchers #232 to #261 dated August 12, 2015 in the amount of \$17,811.24 and Highway Fund vouchers #141 to #159 dated August 12, 2015 in the amount of \$9,359.09.

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

County Legislator's Report: None

Highway Superintendent's Report: Supervisor Rider thanked Highway Superintendent Rollins for removing the piles of stone across from the town hall and for the nice job done in removing the empty fuel tank from behind the highway building. She asked if the tank was sold.

Highway Superintendent Rollins stated that the tank was taken to Teets and was included in the check from the Clean-Up Days. The check for both the tank and the scrap totaled around \$600.

Highway Superintendent Rollins reported the summer chipping is completed. There were 4 roads done. The crew has been working on Hines Road as the ditch has eroded from all the water. They have been rebuilding the ditch and fixing driveway pipes. Also work has been done on Woodward Road to rebuild the shoulders. The engine went bad in the excavator. A machine was rented for a month. It will cost about \$12,000 for a replacement engine, which has been ordered.

Councilperson McGee asked if the excavator was the equipment that was recently repaired.

Highway Superintendent Rollins replied the turn box in the excavator was replaced last year. The machine has 8,600 hours on it. He will probably hold onto the machine for another year.

Supervisor Rider stated an exterminator will be at the new highway facility August 13 to take care of the worms that have been coming in the building.

Code Enforcement Report: Code Enforcement Officer Alan Teeter reported in July there were 9 permits issued or renewed, bringing the year to date total to 41. There were 3 solar permits issued, bringing the year to date total to 16. He issued 2 certificates of occupancy, completed 12 inspections and 17 progress checks, received 1 valid complaint, and a prior complaint was resolved. There were 2 fire and safety inspections done and 2 house numbers issued. He reminded the board about the furnace in the community building and that the fuel tank needs to be replaced this fall. If Ehrhart replaces the tank, they won't charge extra to remove the fuel in the old tank.

Supervisor's Report: Supervisor Rider reported she chaired a TCCOG meeting; met with the Personnel Committee, Sunstream regarding removing asbestos from the old town hall, George Breuhaus regarding problems with the new highway building, 8 land owners regarding drilling a test well on their property, USGS regarding well drilling in the town, Norm Smith regarding repairs to be done to the town hall; called the exterminator regarding Japanese millipedes at the new highway building, and TCAT regarding a lease for the Park and Ride.

Councilperson McGee asked if there was any response regarding removing cars from town property. Supervisor Rider stated she has had no response, but will make another friendly call. She will also direct Guy Krogh, town attorney, to write a letter to the Pellegrinos.

Committee Reports:

Planning Board: Chair Dan Walker reported the Planning Board did not meet this month.

Enfield Volunteer Fire Company: Chief Roger Lauper submitted his report showing there were 27 total calls in July as follows: 13 EMS, 1 motor vehicle accident with injuries, 1 motor vehicle accident with extraction, 3 mutual aide calls, 4 service calls, 1 vehicle fire, 3 good intent calls and 1 false alarm. Trainings for August will include new extendable cribbing, water supply/tanker relay, station maintenance and truck checks.

Comprehensive Plan Writing Committee: Councilperson McGee reported they did not meet in July, but plan to meet in August.

Tompkins County Council of Governments: Supervisor Rider reported there was a presentation by Monica Roth on the Tompkins County Ag Plan.

Old Business:

Surplus Items: Councilperson Bryant reported that the large wheel, oil pump can and Italian box are still at the Ithaca Antique Center. She will check on the other items. The one year contract will expire at the end of September.

New Highway Building Assessment: Supervisor Rider stated there appear to be two parts to the assessment. One is whether the building was built to design specifications and the other did the architect design it correctly. Then there is the section of how to make it a more functioning building. She questioned if the best approach would be to have a group meeting with potential evaluators.

Councilperson Carpenter feels that communication is a good way to start a project. That way those interested know what is needed, what the budget is, what the extent of the work will be. There may be good feedback and ideas.

Dan Walker agreed a pre-bid meeting is a good idea, which could be mandatory. There could also be individual meetings with each engineering firm where the town's desires could be expressed and ideas shared.

Councilperson McGee asked what the process is to determine if the building is designed correctly and built to design.

Supervisor Rider stated information will need to be gathered so the town attorney can make a judgment as to whether to pursue the contractors and the architect in making the building right or whether they didn't make mistakes and we're on our own. She feels that since there was taxpayer money put towards this project, and if there is a defect in the way the contract was handled, that recourse needs to be pursued.

Local Law to Override the Tax Cap Levy: Supervisor Rider moved, with a second by Councilperson Carpenter to adopt Local Law #1 of 2015.

**TOWN OF ENFIELD
LOCAL LAW #1 FOR THE YEAR 2015
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the Town Board of the Town of Enfield as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Enfield pursuant to General Municipal Law §3-c, and to allow the Town of Enfield to adopt a budget for the fiscal year beginning January 1, 2016 and ending December 31, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Enfield, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

Discussion: Supervisor Rider stated there has been a lot of talk in the media about the 2% tax cap. It is actually a tax levy limit - the amount is set by the state and there is a formula that is used. For each municipality the rate can be slightly different.

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

Paint Bid: Supervisor Rider informed the board there were no bids received for painting the exterior of the town hall. Highway Superintendent Rollins suggested if the budget could include two seasonal workers for the highway department for 2016, they could do the job. They would need to be hired as early as April, and work for less than 180 days. The board agreed this was the way to go, and Supervisor Rider will cancel the public works project.

Park and Ride Update and Razing Bid: Supervisor Rider plans to meet with Nancy Oltz of TCAT on Friday morning to discuss a contract for the Park and Ride. NYSEG has been contacted to remove two electric poles that are across the road from town hall and do not carry electricity. She will check to make sure there is no charge to remove the poles. Supervisor Rider has found that NYS Code states it is illegal to burn within 300' of a building and the Enfield Volunteer Fire Company does not want to burn the old town hall.

Supervisor Rider moved, with a second by Councilperson McGee, to enter into a contract with Finger Lakes ReUse to deconstruct the structure at 169 Enfield Main Road at a cost of \$1,200.00.

Discussion: Highway Superintendent Rollins agreed that the highway department will grade the area, once the building is removed, to TCAT specs. Supervisor Rider stated the asbestos has been removed from the building. A demolition permit will need to be obtained.

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

Solar Enfield - Update on Solar Farm Local Law: Councilperson McGee provided board members with a draft solar law for Enfield to give them an idea of what she and Code Enforcement Officer Alan Teeter have been working on. The Town of Seneca has a law in place that is similar to Enfield's needs. She asked board members to give her feedback in the next 2 weeks on the draft. She will also send the document to Dan Walker so the Planning Board can add input. Beth and Alan will meet again to make changes and then the law can be discussed at another meeting.

Aquifer Study Update: Supervisor Rider has been working to get test wells committed to. As of now, there are 2 wells committed. The bids on the well drilling are due August 19. Councilperson Howe-Strait has been asked to evaluate the bids according to a grid and then the board will get together to discuss who will be the best well driller.

Revised Standard Work Day: Supervisor Rider moved, with a second by Councilperson McGee to approve Resolution #2015-39.

Resolution #2015-39 Revised Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Town of Enfield hereby establishes the following as revised standard work days for elected and appointed officials for 2015 and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (y/n)	Days/Month (based on record of activities)
Elected Officials					
Town Clerk	Alice Linton	6	1/1/14-12/31/15	n	16.42
Councilperson	Vera Howe-Strait	6	1/1/12-12/31/15	n	0.94
Highway Supt	Barry Rollins	8	1/1/14-12/31/15	n	30.21
Appointed Officials					
Justice Clerk	Tiffany Poole	6	1/14/15-12/31/15	n	13.17
Code Enforcement	Alan Teeter	6	1/14/15-12/31/15	n	19.23
Deputy Highway Supt.	Charles Sinclair	8	1/14/15-12/31/15	y	
Bookkeeper	Deborah A. Kelley	6	1/14/15-12/31/15	n	5.93

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

New Business:

Flood Insurance: Supervisor Rider stated people who want to buy property in Enfield sometimes have trouble getting financing because the Town of Enfield does not belong to the National Flood Insurance Program. Supervisor Rider has a list of requirements to join the program.

Planning Board Chair Dan Walker stated there are no identified regulated flood plains in Enfield since they have not been mapped. If Enfield wants to participate in the program, the flood plans must be mapped.

Councilperson McGee spoke with FEMA when there was flooding in Enfield two years ago. They expressed surprise that Enfield did not attend the meeting held earlier that year on mapping. The mapping often incorporates areas that have already been mapped. If mapping has been done for the county or state, then it may not cost much since it has already been done for other entities.

Dan Walker suggested checking with Tompkins County Soil and Water to see if any money is available for mapping. He will also check with Scott Doyle of the Tompkins County Planning Department. He has signed up for two workshops in September on flood mapping that the county is holding.

Supervisor Rider would like to continue investigating the process.

Office for Children and Family Services State Aid for 2015: Supervisor Rider stated the Tompkins County Youth Bureau will get \$877, which they will forward to the Town of Enfield, if we agree we want it. The money will need to be used for youth services.

Supervisor Rider moved, with a second by Councilperson Bryant to authorize the supervisor to sign the contract with the Youth Services Bureau to receive reimbursement of \$877 towards youth programming, specifically summer camp in the Town of Enfield.

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

Membership in the Cayuga Lake Watershed Intermunicipal Organization: Supervisor informed the board the town has been invited to join this organization at a cost of \$300.

Supervisor Rider moved, with a second by Councilperson Carpenter to join this organization to show support for keeping Cayuga Lake clean.

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

Supervisor Rider amended the motion to authorize the supervisor to pay the voucher, with a second by Councilperson Carpenter.

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

Amendment to the Municipal Cooperative Agreement for the Greater Tompkins County Health Insurance Consortium: Councilperson McGee moved, with a second by Councilperson Carpenter to approve Resolution #2015-40.

Resolution #2015-40 Approval of the 2015 Amendment to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

APPROVAL OF THE 2015 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

WHEREAS, the Town of Enfield is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and Amendment (2014) that provides for the operation and governance of the Consortium, and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth (5th) anniversary of the Effective Date and on each fifth (5th) anniversary date thereafter (each a "Review Date"), and

WHEREAS, by motion 005-2015, adopted on May 28, 2015, the Consortium's Board of Directors recommends approval of the 2015 amended agreement based on review of the document by the Municipal Cooperative Agreement Review Committee, the New York State Department of Financial Services, and the Consortium's legal counsel, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board, and

WHEREAS, the Town of Enfield is in receipt of the proposed amended Agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2015 Amended Municipal Cooperative Agreement, now therefore be it

RESOLVED, that the Town of Enfield approves and authorizes the Supervisor to sign the 2015 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Town of Enfield is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Discussion: Supervisor Rider stated the town was asked if they wanted to continue in the Consortium for 2016 and if we wanted to make any change to our plan. She wrote back to say we didn't want to make any changes and we wanted to stay in.

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

Adjournment: Supervisor Rider moved, with a second by Councilperson McGee to adjourn at 8:35 p.m.

Respectfully submitted,

Alice Linton, Enfield Town Clerk