

Town of Enfield  
Public Hearing and Special Town Board Meeting Minutes  
Enfield Community Building  
Wednesday, September 30, 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 special meeting at 6:30 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

**Public Hearing on Repeal of Local Law #1 of 2014 - A Local Law Overriding the Tax Cap Levy Limit of 2015:**

Supervisor Rider opened the public hearing at 6:33 p.m.

Michael Miles of 326 Aiken Road thanked the town board for considering repealing the law so taxpayers could receive a refund from New York State. He also thanked the town board for continuing their efforts to provide a Park and Ride. He asked the status of the project.

Supervisor Rider replied the town has entered into a contract with Fingerlakes Reuse to take down the old town hall building. Once that is done the area will be graded and a new structure will be put in place for the use of those waiting for a TCAT bus. She will contact the Department of Transportation to notify them the bike racks will be removed from the corner of Routes 327 and 79. They will then be placed at the new Park and Ride site.

The public hearing was closed at 6:37 p.m.

**Approval of Well Driller Contract:**

Supervisor Rider moved, with a second by Councilperson McGee to approve Resolution #2015-42.

**Resolution #2015-42      Contract with Frey Well Drilling**

WHEREAS, the Town of Enfield entered into a contract with USGS on December 4, 2013 to conduct an Aquifer Study and,

WHEREAS, this is the year to drill test wells in the Town and,

WHEREAS, RFPs were sent out in July with responses due on August 19, 2015 and,

WHEREAS, 2 proposals were received and,

WHEREAS, William Kappell of the USGS, Vera Howe-Strait, Town Councilperson and Ann Rider, Supervisor rated the proposals on August 25, 2015 and Frey Well Drilling was the best proposal, now therefore be it

RESOLVED, that Supervisor Rider be authorized to sign a contract to perform this service in the Town of Enfield.

Discussion: Councilperson McGee asked if the order of drilling would ensure that a well was drilled on the property owned by the Town of Enfield where a proposed new town hall would be built. Supervisor Rider responded that a well would be drilled on that property, and would be placed as close to Route 327 as possible. Supervisor Rider has an appointment with the Ithaca City School District to discuss the drilling of a well on the Enfield Elementary School property.

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

### **Tentative 2016 Budget Discussion:**

The 2016 tentative budget was presented to the board. A public hearing will need to be scheduled, probably at the November regular town board meeting. Supervisor Rider said the tentative budget reflected some, but not all requests. She asked Highway Superintendent Rollins how many bridges are owned by the town.

Highway Superintendent Rollins stated the town owns 2 1/2 bridges - a bridge on Rumsey Hill Road, a bridge on Leonard Road, and the deck of the bridge on Enfield Center Road East. Tompkins County owns the foundation of that bridge. He mentioned the 6' pipe on Rothermich Road is collapsing and on Bostwick Road there are two pipes together that act as a bridge that will need to be replaced. He would like to make that one solid opening instead of two individual openings. He estimates the cost for the Bostwick Road bridge to be approximately \$500,000 and the Rothermich Road bridge to be about \$100,000 or more. Both jobs will need to be contracted out.

Superintendent Rollins stated there is about \$6,000 in bridge reserves now, but questioned where the \$4,500 that should have been put in bridge reserves last year went. None of that money was spent in 2014. There was \$2,000 rolled over from 2013, which traditionally would have been put in the bridge reserve account. There was \$2,500 from 2014 that should also have gone into the bridge reserve account.

Superintendent Rollins reminded the board that CHIPS money should be the same as last year, unless New York State adds more in the spring. This amount needs to be put into the budget or it can't be spent. He is requesting 2 seasonal workers at 40 hours a week for summer work. This will enable the town hall building to be painted and other seasonal work to be completed.

Councilperson McGee reminded the board that no funds need to be in line item A1480.4 this year for the website. Approximately \$350 per year will be needed in the future.

Councilperson Howe-Strait questioned the \$1,000 budgeted for deputy supervisor. Supervisor Rider stated the deputy supervisor will be doing more work in 2016.

Councilperson McGee asked about the legality and ethics of giving the Court Clerk position an annual 2% increase based on both the clerk's and the judge's salary each year. Because some of that raise is 2% of the salary for the position of Judge, it comes out to nearly 10% increase for the Clerk position, which has a smaller salary. Other employees in the town are limited to a 2% increase, which is given at the discretion of the Board based on budgetary needs and constraints. Going forward, the Board needs to consider this issue and if they feel it is appropriate practice. If the Judge determines she would like to forego her salary increase, the Court Clerk should still be eligible for the same increases other employees get that year if warranted. Continuing this practice

can artificially inflate the salary the Town should pay another Court Clerk, should they ever need to hire one.

There will be further discussion of the tentative budget at the regular October board meeting.

**Resolution to Rescind Local Law #1 of 2014:** Supervisor Rider moved, with a second by Councilperson McGee to adopt Local Law #2 of 2015.

**TOWN OF ENFIELD, TOMPKINS COUNTY, NEW YORK**

**LOCAL LAW NUMBER 2 OF 2015**

**A LOCAL LAW TO REPEAL LOCAL LAW NUMBER 1 OF 2014 AND TO REPEAL THE OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

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

**SECTION 1:**                   **LEGISLATIVE INTENT:** This Local Law shall be known as “Local Law Number 2 of 2015”. It is the intent of this Local Law to repeal Local Law Number 1 of 2014, and to thus reinstate the limits on the amount of real property taxes that may be levied by the Town of Enfield pursuant to General Municipal Law §3-C.

**SECTION 2:**                   **EFFECT:** This Local Law hereby thus repeals in its entirety said Local Law Number 1 of 2014, and declares the same of no force or effect, and thus the Town of Enfield repeals the prior tax cap override local law of the Town of Enfield and reinstates the tax levy limits imposed by General Municipal Law §3-C.

**SECTION 3:**                   **SEVERABILITY:** If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

**SECTION 4:**                   **EFFECTIVE DATE:** This Local Law shall take effect immediately.

Discussion: Supervisor Rider stated the Tax and Finance Office of the State Comptroller's Office called and said they want to return property tax rebates, but in order to do that the town must repeal Local Law #1 of 2014. Although usually this would have to be done by December 31 of the year the law was enacted, New York State is allowing this retroactively this year.

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

**Authorization to Purchase Highway Pick Up Truck:**

Councilperson McGee moved, with a second by Councilperson Howe-Strait to authorize the supervisor to pay \$31,660.00 to Maine Motorcar for a new highway pickup truck from the 2015

budget.

Discussion: Highway Superintendent Rollins stated a plow and lights will be installed on the truck before it is delivered.

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

**Discussion of Proposed Local Solar Farm Law:**

Supervisor Rider spoke with the Code Enforcement Officer in the Town of Seneca about their solar farm law. This is the model that Enfield is using for their proposed law. He gave Supervisor Rider the background of why they passed a law - it was primarily for aesthetics and land usage. The Town of Seneca wanted to keep properties in farmland, so they restricted acreage and ultimate wattage.

Councilperson McGee stated as solar farms become smaller and more efficient, they require less space, but the grid needs to be part of the discussion. The minimum setback needs to meet New York State building codes. Code Officer Teeter stated a structure needs to be 5 feet from the property line.

The Town of Seneca has found decommissioning regulations to be a problem. Their code officer advised Enfield not to use the language from their law. The Town of Ulysses has language that states if a solar farm ceases operation, the developer has the obligation to take down the farm within 90 days. If this is not done, the town can take it down and place a levy against the developer.

Supervisor Rider thanked Councilperson McGee for the work she has done for the town.

**Adjournment:** Supervisor Rider moved, with a second by Councilperson McGee to adjourn at 8:10 p.m.

Respectfully submitted,

Alice Linton, Enfield Town Clerk