

Town of Enfield
Public Hearing and Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, November 18, 2015
6:30 p.m.

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

Supervisor Rider opened the public hearing and regular meeting at 6:30 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Supervisor Rider read the meeting guidelines as printed on the back of the agenda.

Supervisor Rider opened the public hearing on the 2016 Town of Enfield Budget at 6:35 p.m. As no one wished to speak, Supervisor Rider closed the public hearing at 6:37 p.m.

Privilege of the Floor:

Mimi Mehaffey of 115 West Enfield Center Road stated she had thought the Black Oak Wind Farm was a done deal, but found out the location of the substation was being changed along with the location of one of the turbines. She questioned at what point another environmental impact statement would be needed.

Theresa Guler of 738 Black Oak Road stated she is concerned with the setbacks and is worried about safety issues and what is going on with the whole project. She feels even if the town received a large sum of money by having the wind farm in Enfield, they should be more concerned about safety.

Mike Haldeman of 691 Black Oak Road recently saw signs up in his neighborhood and wondered what was going on with the wind farm.

Elizabeth Allen of 759 Black Oak Road asked for an explanation of what is going on with the wind farm.

Steven Tanner, no address given, would like to see solar panels instead of the wind farm. There are a lot of children in the area and he is worried about safety.

Maria Ortiz of 717 Black Oak Road knew nothing of the wind farm project until someone knocked on her door asking her to sign an agreement so she could get free power. She doesn't know much about turbines, but feels this is a very bad way to work with people - by knocking on doors.

Mary Soboleski, not a resident of the Town of Enfield, is trying to help people understand the positives and negatives of the wind farm project.

Kenneth Donley of 789 Black Oak Road stated he feels the project has been misrepresented. He feels the access roads were just clear cut - there was no forest management in the way the logging operation was done. The shale pit is now mosquito infested. The information has not been presented publicly. The quality of life in the neighborhood will be impacted.

Dawn Drake of 105 Griffin Road feels the contract she was asked to sign with the wind farm was a sham. She feels the wind farm will affect everything on Connecticut Hill.

Sue Wagner of 682 Black Oak Road stated she has a seizure disorder and wonders if the light reflection will cause a seizure. She questioned where the green energy is. Trucks of firewood have been hauled out constantly over the past few weeks to make more money.

Mark Waterman of 543 Harvey Hill Road asked why the compliance of GE standards and Enfield standards are different. He is concerned about the setbacks.

Theresa Guler spoke again and asked if the environmental studies were done for specific turbines. Since the project started, larger turbines are planned. All levels of noise, etc. will be different. She feels the setbacks are not sufficient. She would be happy to come together as a community to raise money to fill budget gaps or build a new building.

Supervisor Rider stated she would like to explain the process that the wind farm has gone through. She feels the history of the project should be presented. The town board has been involved in wind farm business for 10 years. The board crafted a local law regarding wind farms. It gives the process that any developer must follow to build a wind farm in Enfield. The previous board looked at setbacks and there were public hearings. There have now been changes in the configuration of the wind farm. The town's attorney for the wind farm was not available this afternoon so the board doesn't know what further studies may be needed.

Marguerite Wells, Project Manager of the Black Oak Wind Farm, of 863 Hayts Road addressed some of the previous comments. She stated there is likely to be another public comment period, but before that, studies will be revised. The minimum setback distance required by GE from any turbine is 1,000 feet, but proposed locations are more than that. There are many studies that show there is no effect on health due to wind turbines.

Councilperson Carpenter feels there are many different issues to be considered, but this is not the venue where problems can be solved. He asked those with concerns to submit them in writing to the town board.

Judith Lemke of 215 Connecticut Hill Road feels there are changes being made in the project. She would like to know what the next legal steps are.

Mimi Mehaffey stated that previously it seemed residents wanted to have the wind farm. When she recently saw signs in the area, she realized that most residents in the area don't want a wind farm. She believes wind farms should be on ridges, not in neighborhoods. She feels another public hearing is a positive decision.

Marguerite Wells stated resident's concerns are valid and can be responded to by changing things. More studies will be done with proposed maps available. There will be another comment period.

Councilperson Bryant asked those in attendance to write down their concerns regarding the Black Oak Wind Farm project and submit them to the board.

Approval of Minutes: Supervisor Rider moved, with a second by Councilperson Carpenter to approve the minutes of the October 14, 2015 regular town board meeting.

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

Supervisor Rider moved, with a second by Councilperson Carpenter to approve the minutes of the November 4, 2015 special town board meeting.

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

Correspondence: None

Budget Amendments: Supervisor Rider moved, with a second by Councilperson Carpenter to approve Budget Amendment #2015-28.

Budget Amendment #2015-28 Correction to Abstract #10

WHEREAS, on General Fund Abstract #10, dated October 14, 2015, the wrong budget line number code was put on Voucher #301, now therefore by it

RESOLVED, that the General Fund Abstract #10, Voucher #301 be corrected to read A1670.4 and the Bookkeeper is directed to charge this voucher against line item code A1670.4 instead of A1460.4.

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

Supervisor Rider moved, with a second by Councilperson Bryant to approve Budget Amendment #2015-29.

Budget Amendment #2015-29 Bookkeeper Funds

WHEREAS, expenses have exceeded the budget in Line A1316.41 titled "Bookkeeper - Contractual", now therefore be it

RESOLVED, that General Fund line A1990.4 titled "Contingent Account" be reduced by \$435.00 and General Fund line item A1316.41 be increased by \$435.00.

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

Audit Claims: Councilperson Carpenter moved, with a second by Councilperson Bryant to authorize the supervisor to pay General Fund vouchers #318 to #352 dated November 18, 2015 in the amount of \$37,649.93 and Highway Fund vouchers #196 to #217 dated November 18, 2015 in the amount of \$47,126.34.

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

County Legislator's Report: No representative was present.

Highway Superintendent's Report: Highway Superintendent Rollins reported the excavator has been repaired, but about 30 days of work were lost during the breakdown. The crew has started the winter changeover.

Code Enforcement Report: Code Enforcement Officer Alan Teeter reported in October there were 4 permits issued or renewed with 1 for a new home, bringing the year to date total to 65. He completed 7 inspections and 14 progress checks, received 3 valid complaints, and resolved 3 complaints. There were 3 address numbers issued. He alerted the board to the fact that a new solar farm is being built on Mecklenburg Road. Dan Walker, Planning Board chair asked if this construction would trigger a site plan review. Alan will look into this and let the board know his findings.

Supervisor's Report: Supervisor Rider reported she has been working with USGS and Frey Well Drilling on the process of drilling test wells.

Committee Reports:

Planning Board: Chair Dan Walker reported the Planning Board had no meeting in November.

Enfield Volunteer Fire Company: Chief Roger Lauper submitted his report showing there were 27 total calls in October as follows: 2 fires (1 vehicle and 1 trash); 13 EMS and rescue; 2 service calls; 6 MVA's; 4 mutual aid. October trainings include work detail, SCBA, Extrication and EMS. All fire ladders have been tested and had new heat sensors placed on them. A blood drive was held November 17th, the next officer's meeting will be December 1, and EVFC is researching a CPR class for January 2016.

Comprehensive Plan Writing Committee: Nancy Spero reported the committee is slowly moving forward using google docs.

Tompkins County Council of Governments: Supervisor Rider reported the county is doing a culvert inventory of towns for the purpose of flood mitigation. The court committee on shared services is still gathering information.

Old Business:

Aquifer Study Update: Supervisor Rider reported 5 test wells have been drilled. The first well drilled on town property by the new highway facility yielded so much water that another test well was drilled close to it. All wells will be used for testing for 2 years, then they can be used by the landowners. A 6th well will be dug in the spring on Weatherby Road.

Finalize 2016 Budget: Councilperson Carpenter asked about the urgency of replacing the culvert pipe on Rothermich Road. Highway Superintendent Rollins responded he has been working with Cornell Local Roads and found that there has been continued erosion since a 2013 photo. There is no road shoulder left and the pipe is separating. The main pipe was put in after the 1935 flood and extensions were added later. The job of replacing the pipe will cost approximately \$300,000. There are a lot of small cross pipes that need to be replaced also. Superintendent Rollins stated he has a culvert inventory.

When there is an increase in assessed value, it brings the tax rate down. Councilperson Carpenter wants to keep budget increases down, so feels more work should be done before the budget is finalized.

Supervisor Rider stated our fund balance has gone down significantly in the last two years. Our current fund balance is less than 50% of our total budget.

Supervisor Rider scheduled a special meeting to complete 2016 budget work for Friday, November 20 at 5:45 p.m.

Proposed Local Solar Farm Law: Supervisor Rider does not yet have wording from the Town of Ulysses on decommissioning.

New Business:

Fuel Providers:

Supervisor Rider has obtained fuel oil price estimates from E&V. Their current price for fuel oil is \$2.299 per gallon and we are currently paying \$2.60 per gallon. Councilperson Carpenter suggested asking our current provider, Ehrhart, what price they could give us if we contract for the full season for a certain number of gallons.

Highway Superintendent Rollins asked why the town doesn't use the state contract bid. Griffith is providing fuel at the state bid price.

Road Use Agreement With Black Oak Wind Farm:

Supervisor Rider will get a copy of the proposed Road Use Agreement to all board members so it can be reviewed prior to the next town board meeting.

Appointment of Town Board Vacancy:

Councilperson Howe-Strait moved, with a second by Councilperson Carpenter to adopt Resolution #2015-46.

Resolution #2015-46 Appointment of Enfield Town Board Councilperson

WHEREAS, Beth McGee resigned from the Enfield Town Board effective September 30, 2015, and

WHEREAS, the Enfield Town Board can appoint someone to this vacancy until the next General Election, and

WHEREAS, Michael Miles of 326 Aiken Road, Trumansburg, NY has expressed interest in this position, and

WHEREAS, he is currently a senior software and web developer at Cornell University with previous positions in the corporate and defense sectors. Originally from the Ballston Spa, NY area, Michael lives on Aiken road where his home has been featured on the annual Green Buildings

Tour. He has served on the Tompkins Environmental Management Council and the Freeville Planning Board; now therefore be it

RESOLVED, that Michael Miles be appointed to the Enfield Town Board as a Councilperson until December 31, 2016.

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

Supervisor Rider stated she was amending the agenda to include a reduction in the Town of Enfield Planning Board from 7 to 5 members.

Supervisor Rider moved, with a second by Councilperson Carpenter to adopt Resolution #2015-47.

Resolution #2015-47 Reducing Town of Enfield Planning Board Membership

WHEREAS, under New York State law a town planning board can consist of five or seven people, and

WHEREAS, under New York State law a town board may, by local law, decrease the membership to five to take effect upon the next two expirations of terms, now therefore be it

RESOLVED, that a local law be passed decreasing the Town of Enfield Planning Board membership to five (5) people to take effect upon the next two expirations of terms and that a public hearing on the matter be scheduled for Wednesday, December 9, 2015 at 6:35 p.m. and the town clerk shall make proper notice of this public hearing.

Discussion: Planning Board chairperson Dan Walker stated his term would be ending this year, but he would be willing to fill in the unexpired term of Henry Hansteen, who was recently elected as a member of the town board, for the remaining five years of his term.

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

Contract with Tompkins County Regarding Well Drilling Money:

Supervisor Rider moved, with a second by Councilperson Bryant to adopt Resolution #2015-48

Resolution #2015-48 Contract with Tompkins County Planning Board for Well Drilling

WHEREAS, the Tompkins County Planning Department will reimburse the Town of Enfield up to \$29,000 towards the cost of well drillings for the USGS Aquifer Study which the town has done under the guidance of USGS, and

WHEREAS, a contract has to be signed for this process, now therefore be it

RESOLVED, that the Town of Enfield Supervisor be authorized to sign this contract with Tompkins County.

Discussion: Supervisor Rider stated the money must be expended before the town can be reimbursed.

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

Approval of Senior Citizen Contract:

Supervisor Rider moved, with a second by Councilperson Carpenter to adopt Resolution #2015-49.

Resolution #2015-49 Senior Citizen Contract

WHEREAS, the Town of Enfield has previously entered into a contract with the Senior Citizens group in the Town of Enfield, now therefore be it

RESOLVED, that the supervisor be authorized to sign the presented contract with the Enfield Senior Citizens for the years 2016 to 2020.

Discussion: There is a small increase in the amount of the contract, but it is reflected in the 2016 budget.

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

Executive Session:

Supervisor Rider moved, with a second by Councilperson Howe-Strait to adjourn to executive session for the purpose of discussing correspondence from the Town of Enfield attorney regarding proposed litigation at 9:50 p.m.

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

Board members returned from executive session at 10:12 p.m.

Adjournment: Councilperson Howe-Strait moved, with a second by Councilperson Carpenter to adjourn at 10:13 p.m.

Respectfully submitted,

Alice Linton, Enfield Town Clerk