

Town of Enfield
Regular Town Board Meeting Minutes
Enfield Community Building
Wednesday, August 11, 2010
6:00 p.m.

Present: Town Supervisor Roy Barriere, Town Councilperson Jean Owens, Town Councilperson Debbie Teeter, Town Highway Superintendent Barry Rollins, Town Clerk Alice Linton, Frank Pavia, Esq. of Harris Beach PLLC
Absent : Town Councilperson Stephanie Gaynor, Town Councilperson Chris Hern

Town Supervisor Barriere opened the meeting at 6:00 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

Public comment session on the Draft Scoping Document for the Wind Farm:

Supervisor Barriere opened the public comment session by reading the legal ad that was published in the Ithaca Journal notifying the public of the session and also the opportunity to submit written comments to the town clerk between July 16 and August 15, 2010.

Frank Pavia, attorney for the town in Wind Farm matters, reviewed the background leading up to the public comment period. The town board adopted a resolution passing a positive declaration under SEQRA for the proposed Wind Farm project. As a result of that action, the town board has required that an environmental impact statement be prepared by the project sponsor for the project. The first step towards that is preparing a draft scoping document which is like a proposed table of contents. It lists everything that will be analyzed and examined in the environmental impact statement. Under the SEQRA regulations there is a requirement of a period for the public to comment on the draft scope. After all comments are received, a final scoping document will be prepared. That final document will be adopted and that will basically be the document by which the draft environmental impact statement is prepared.

John Rancich, project developer, asked if he could request removal of the requirement that he provide a survey of avian species within the project area since existing surveys, done by Cornell University's Laboratory of Ornithology, may fulfill the State Department of Environmental Conservations' requirement.

There being no one else who wished to speak, the public comment session was closed at 6:07 by Supervisor Barriere.

Frank Pavia explained that the next step will be to get all comments to LaBella. They will prepare a final scoping document that should be ready for the next town board meeting, September 8, 2010. At that meeting the town board can agree or not agree with the comments and walk through the changes. The board can pass a resolution adopting the final scoping document "as revised", it would be finalized, and the process can begin for preparing the draft environmental impact statement.

At this point Frank Pavia left the meeting.

Letter of Intent for a Long Term Power Purchase Agreement

Marguerite Wells, Black Oak Wind Farm project manager, explained one of the steps to get financing for the project is to show that there is interest in purchasing power from the wind farm. Therefore, they are

asking local municipalities to sign a Letter of Intent. The letter would be non-binding and would not include a price for the power. The wind farm has also approached the Tompkins County Council of Governments along with Ithaca College and Cornell University. Town attorney, Guy Krogh has been asked for comments on the proposed Letter of Intent and has a few concerns that can be worked out.

John Rancich, project developer, would like to be able to present letters to financiers from local community businesses and municipalities showing that there are a lot of people who want this electricity, and this will also help in efforts to have this truly be a community owned project.

Supervisor Barriere suggested changes be made to the Letter of Intent as proposed by Guy Krogh and then bring it to the town board next month for a vote.

Correspondence:

State of NY Office of the Attorney General - Notice that Assistant Attorney General Michael Danaher will be a guest presenter at Cornell Cooperative Extension of Tompkins County on Wednesday, August 18 at 11:00 a.m. speaking on the subject of "Landlord/Tenant Rights and Responsibilities". This is open to the public.

Town of Barker, Castle Creek, NY – Memo requesting town board to consider joining them in urging the approval of horizontal gas drilling in New York State.

Notice from Carolyn Tschanze resigning as president of the Enfield Community Council effective July 26, 2010.

Letter of resignation from Pat Dougherty as Enfield Deputy Town Clerk effective August 11, 2010.

Letter from Alice Linton requesting appointment of Susan D. Thompson as Enfield Deputy Town Clerk effective August 16, 2010.

Tompkins County Water Resources Council – Seeking applications for representatives from the Town of Enfield.

Tompkins County Environmental Management Council – Seeking applications for representatives from the Town of Enfield.

Newsletter from Family and Children's Center – Celebrating 125th anniversary.

Approval of Minutes:

Councilperson Teeter moved to accept the minutes of the July 14th regular town board meeting, the special town board meeting of July 28th and the workshop meeting of August 4th. There was no second to the motion as Supervisor Barriere asked that the paragraph referring to the chart of days worked be removed from page 7 of the July 14th minutes. The corrected paragraph is included with the chart that is attached to the minutes.

Councilperson Teeter amended her motion to include the change recommended by Supervisor Barriere. Motion seconded by Councilperson Owens.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

Audit Claims:

Councilperson Teeter moved, with a second by Councilperson Owens to authorize the town supervisor to pay General Fund Vouchers # 201-218 dated August 11, 2010 in the amount of \$8,025.51 and Highway Fund Vouchers #120-137 dated August 11, 2010 in the amount of \$8,482.41.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

County Legislator's Report:

Dave McKenna stated there have been presentations from various departments on the budget. There has been discussion on widening Pine Tree Road so bicycles can ride safely.

Presentation on Ithaca Youth Council:

Jen Handy explained the Ithaca Youth Council is a self-directed group of teens who are charged with representing youth to Ithaca's city government and advocating for youth throughout the community. As a collaborative effort between the Ithaca Youth Bureau, the Greater Ithaca Activities Center and the Southside Community Center, Youth Council has four main objectives: developing future leaders, giving formal voice to youth, engaging in civic education and improving conditions for local youth. The Youth Council is made up of 14 teens, grades 9-12, living within the Ithaca City School District. The Youth Council would like to have Enfield teens apply – applications will be available at the Town Hall.

Privilege of the Floor:

Beth McGee – Appreciates the town's efforts to be thorough with the wind farm process and requests the town board be as thorough with all energy development in Enfield.

Dan Sepos – Supports green energy and hopes the town board will go slowly on the wind farm project and do research before replacing habitat with concrete and steel. He feels there will be a very limited return for the long term.

County Legislator's Report:

Jim Dennis reported the CAD Emergency Response Systems towers are in – they will enable all emergency responders to communicate with each other. The Health Insurance Consortium will probably be up and running by November 1. The county administrator is working with departments for a 5% levy increase which will mean about a 6.9% decrease for departments. A \$50,000 grant has been received from the Park Foundation for an employee to attempt to help the county think of and answer questions regarding hydraulic gas drilling.

Highway Superintendent's Report:

Buddy Rollins reported the highway department has been working on regular ditching and shoulder work. They are prepping Harvey Hill and Rothermich Road – a grinder is coming in next week to grind the roads. The material that is ground up is mixed with magnesium and then laid back down. That will give a base and after two to three weeks it will cure and then two layers of oil and stone will be put down. That is one reason magnesium was used in the spring – to stabilize the gravel and make it a good hard base. Three pipes on Harvey Hill Road and three on Rothermich Road have been replaced; some have been in the ground over 30 years. The backhoe has been working great – about 100 hours on it already. The miles that are being rebuilt are Harvey Hill Road – Rothermich to Black Oak and Rothermich Road - Fish to Route 79.

Update on Enfield Center Road bridge – John Lampman is looking at September to start. Buddy has heard nothing on the creek job.

Code Enforcement:

Alan Teeter, code enforcement officer, reported 10 building permits were issued in July. Also 10 certificates of occupancy or completion were issued, 24 building inspections and 11 progress checks were completed. One complaint was received, which was valid, and 6 new house numbers were issued. The Muse Fest event has been cancelled this year due to financial difficulties and will probably not take place again. Also, fire inspections have begun – with about 10 or 12 to be done – about half are completed.

Enfield Volunteer Fire Company:

Alan Teeter handed in the monthly report showing 22 EMS calls, 3 motor vehicle accidents, 1 structure fire, 1 mutual aid to Interlaken for a barn fire and 1 public assist. August training will consist of station and truck maintenance, small equipment training, driver training and EMS training. The Tompkins County Emergency Response Department has the EVFC building on a list of available locations that could be used in the case of heat emergencies.

Planning Board: Did not meet this month.

Health Insurance Consortium: No report from Herb Masser or Stephanie Gaynor.

Enfield Community Council: Councilperson Teeter stated they are working on the Harvest Festival which is scheduled for September 25.

Facilities Manager: Councilperson Hern notified Supervisor Barriere he had nothing to report.

Communication Access Committee: Councilperson Hern notified Supervisor Barriere he had nothing to report.

Facilities Development: Councilperson Owens reported the August 4 workshop was very productive and the board is waiting for a draft of the final plan from Resource Associates.

Personnel Committee: Councilperson Teeter met with Highway Supervisor Rollins and Town Clerk Linton regarding the employee handbook.

Resolution #2010-42

Be it resolved, the following changes to the Town of Enfield Employee Manual are approved:

In section 501, Departmental Hours:

Change: **Flex-Time** – An employee may begin and/or end a given workday at a time requested by the employee and approved by the Department Head. Such “flex-time” must normally be during the time the department is open and available to the public. The employee’s use of “flex-time” will be governed by the mutual needs and consent of the Department Head and the Employee. The Town Supervisor and the Town Board reserve the right to approve all “flex-time” schedules.

To: **Flex-Time** – An employee may begin and/or end a given workday at a time requested by the employee and approved by the Department Head. Such “flex-time” must normally be during the time the department is open and available to the public. The employee’s use of “flex-time” will be governed by the mutual needs and consent of the Department Head and the Employee. In the absence of the

department head, the Town Supervisor and the Town Board reserve the right to approve all “flex-time” schedules.

In Section 809, Short-Term Disability Benefits:

Change: Use of Sick, Leave Credits – An employee may draw from the employee’s sick leave credits in conjunction with Disability payments to equal, but not exceed, the employee’s regular daily rate of pay.

To: Use of Sick, Vacation and other Accrued Leave Credits – An employee may draw from the employee’s sick, vacation and other accrued leave credits in conjunction with Disability payments to equal, but not exceed, the employee’s regular daily rate of pay.

In Section 810, Workers’ Compensation Benefits:

Change: Use of Sick, Leave Credits – An employee may draw from the employee’s sick leave credits in conjunction with Workers’ Compensation payments to equal, but not exceed, the employee’s regular daily rate of pay.

To: Use of Sick, Vacation and other Accrued Leave Credits – An employee may draw from the employee’s sick, vacation and other accrued leave credits in conjunction with Workers’ Compensation payments to equal, but not exceed, the employee’s regular daily rate of pay.

In Section 907, Smoking:

Change: Restrictions – Smoking is prohibited in all Town buildings.

To: Restrictions – Smoking is prohibited in all Town buildings and vehicles.

Councilperson Teeter moved, with a second by Councilperson Owens, to accept Resolution #2010-42.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

Councilperson Teeter asked if the board would be interested in providing permanent, part time employees with pro-rated benefits, i.e. paid vacation and holidays. After discussion, Councilperson Teeter agreed to look further into this and report back to the town board.

Tompkins County Council of Governments:

Supervisor Barriere reported there is a lot of discussion on road preservation. Several municipalities in Tompkins County have signed on with Delta to help them with their plans. Another issue being discussed is cell towers. A group of municipalities have requested an RFP to develop cell towers. Although there is no proposed resolution yet, there should be one soon.

Old Business:

Road construction permits:

Councilperson Teeter presented a draft Culvert and Driveway/Entrance Paving Permit. Supervisor Barriere reminded the town board that culvert permit fees go directly to the general fund for reimbursement for some of the town’s costs. The permit basically insures that the culvert is put in correctly – it only covers a part of the actual cost incurred putting the pipe in. If the town disrupts a private homeowner’s driveway or a farmer’s driveway, the town pays the expense. If someone is putting in a new driveway or their old pipe collapses, then the owner has to get a permit.

Councilperson Owens moved for the Culvert Permit to set the culvert fee at \$200 and require reimbursement for warning signs if they are required; for the Driveway/Entrance Paving Permit to set the fee at \$25. Motion seconded by Councilperson Teeter.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

Deferred Compensation Update:

Councilperson Teeter had no update.

Replacement of some Highway Department Vehicles and Equipment:

Highway Superintendent Rollins spoke with the auctioneer – they get 10% of the selling price and guarantee that the town will get their money. The auctioneer will be getting back to Buddy with an estimate of what the loader will bring. If the town sells the old 1984 GMC, Buddy would like to get a replacement for \$10,000-\$15,000. If no replacement is possible, he'd like to just keep the GMC.

2011 Budget Process:

Supervisor Barriere had no update.

New Business:

Municipal Cooperation Agreement – Health Insurance Consortium

Supervisor Barriere reported the municipalities that are going to sign on will be asked to pass a resolution soon. Councilperson Teeter mentioned a typographical error on page 5 of the Agreement – the Labor Representatives shall be entitled to one vote each.

Councilperson Teeter moved to authorize Supervisor Barriere to sign the Health Insurance Consortium Agreement with a second by Councilperson Owens.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

Letter of Intent for a Long Term Power Purchase Agreement will be tabled until the next meeting.

Deputy Town Clerk Appointment and Custodian Appointment:

Resolution #2010-43

WHEREAS, the current Deputy Town Clerk will be resigning her position as soon as a replacement is appointed, but no later than the 1st of September, 2010 and

WHEREAS, the Town Clerk is recommending the Town Board to consider Susan D. Thompson, now therefore it be

RESOLVED, that the Town Board appoints Susan D. Thompson to the position of Deputy Town Clerk until 12/31/10, at the rate of \$9.88/hour

Supervisor Barriere moved, with a second by Councilperson Owens, to accept Resolution #2010-43.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

Resolution #2010-44

WHEREAS, the current Town Facilities' Custodian will resign his position as soon as a replacement is appointed, now therefore it be

RESOLVED, that the Town Board appoints Paul Thompson to the position of Town Facilities' Custodian until 12/31/10, at the rate of \$9.88/hour.

Supervisor Barriere moved, with a second by Councilperson Teeter, to accept Resolution #2010-44.

Vote: Councilperson Owens aye, Councilperson Teeter aye, Supervisor Barriere aye. Carried.

Announcements:

Farm City Day will be Saturday, August 14.

Pam Whittaker will become the new president of the New York State Ladies Auxiliary Fireman's Association. This is an honor for Enfield and Pam.

Supervisor Barriere introduced a new program, **The Volunteer Recognition Program**: As we all know, volunteers are the heart of this Community. We are so fortunate to have so many individuals who take time out of their busy schedules, to help their neighbors and their Community. As a small token of our appreciation, at least once per quarter, a volunteer will be recognized as the "Volunteer of the Quarter". The selected individuals will be nominated by the public and selected by the Town Board. If the nominations become overwhelming, the recognition program will increase to once a month. The following criteria and guidelines will be followed:

~ The candidate(s) being nominated must have volunteered their time for the benefit of the Town of Enfield and its citizens.

~ Awardees will be announced at the last Town Board meeting of each quarter (ie. March, June, September, and December), will receive a Certificate of Recognition from the Town Board, along with a copy of the nomination letter, and both will be on display in the Town Hall and on the Town's website.

~Nominations must be sent to the Town Supervisor or Deputy Supervisor, and received no later than one week prior to the Town Board meeting at which announcements will be made.

Supervisor Barriere thanked Pat Dougherty for serving 6 years as Deputy Town Clerk and 4 years as Town Councilperson.

Adjournment: Councilperson Barriere moved with a second by Councilperson Teeter to adjourn at 8:07 p.m.

Respectfully submitted,

Alice M. Linton
Enfield Town Clerk