

TOWN OF ENFIELD
REGULAR TOWN BOARD
MEETING MINUTES
THURSDAY, FEBRUARY 15, 2007
7:00 P.M.

The regular monthly meeting of the Town of Enfield Town Board scheduled for Wednesday, February 14, 2007 was canceled and postponed (due to a winter snow storm) and held Thursday, February 15, 2007 at the Enfield Town Hall at 7:00 p.m. with Supervisor Owens presiding.

Present: Supervisor Jean Owens, Councilperson Peggy Hubbell, Councilperson Sandra Small, Councilperson Robert Harvey and Town Clerk Alice Laue. Councilperson Jennifer Fisher was absent.

Others Present: County Legislator Greg Stevenson, Jolee Carlisle, Diane Aramini, David Dimmick, Art Howser, and Debbie Teeter.

Pledge of Allegiance: Supervisor Owens led the assemblage in the Pledge of Allegiance to the Flag.

Privilege of the Floor: No one wished to speak.

Approval of December 13, 2006 Regular Town Board Meeting Minutes, December 19, 2006 Special Town Board Meeting Minutes, December 27, 2006 Special Town Board Meeting Minutes, December 28, 2006 Emergency Special Town Board Meeting Minutes, January 9, 2007 Executive Session Town Board Meeting Minutes, January 10, 2007 Regular Town Board Meeting Minutes, and the January 17, 2006 Special/Audit Town Board Meeting Minutes:

Motion made by Supervisor Owens, seconded by Councilperson Small that the Town Board approve the adoption of the December 13, 2006 Regular Town Board Meeting Minutes, December 19, 2006 Special Town Board Meeting Minutes, December 27, 2006 Special Town Board Meeting Minutes, December 28, 2006 Emergency Special Town Board Meeting Minutes, January 9, 2007 Executive Session Town Board Meeting Minutes, January 10, 2007 Regular Town Board Meeting Minutes, and the January 17, 2006 Special/Audit Town Board Meeting.

Discussion: Councilperson Small asked that copies of these minutes as well as future minutes be sent to Tim Mattison, the Attorney for the Town

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Communications/Correspondence: None reported.

Committees/Board Reports:

Tompkins County Legislature: Greg Stevenson

(a) Left a flyer for the Town Clerk on Tompkins RX cards, which is a prescription discount program that the Legislature negotiated for folks that do not have insurance, Medicaid or any other way to receive discount prescriptions. It saves an average of 20% on prescriptions.

(b) County Legislature's Public Information Advisory Board has worked in conjunction with the Budget Committee and are having some community forums. One of the goals is to get meetings out of the city and into the rural parts of the community. Saturday, March 10, 2007 meeting at Enfield Elementary School from 9:30 a.m.-12:30 p.m.

(c) Some additional things the County Legislature has been working on include: they are receiving a fair amount of input on wind energy, the County is working to try to keep Lakeside Nursing Home open, Tobacco 19 is being talked about but does not appear to have much support, and the Health Department Building Site Committee is still doing research on its location and affordability. Mr. Dimmick asked if there was any news with respect to Black Oak Road. County Legislator Stevenson responded that there are plans in place and it is supposed to happen. Stevenson reported that he will be serving on the Facility and Infrastructure Committee this year and that if he gets any new news, he will let Mr. Dimmick know as well as share it with the Town Board.

Beautification Committee: Jolee Carlisle (a new member to the Committee) presented to the Board a two-thirds scale model from Mr. DeGroat showing what the two "Welcome to Town of Enfield" signs would look like. Signs are to be six feet in diameter and made from white cedar. The letters, trees, fields, church, etc. will all be raised. He would like to paint the letters and leave the background natural with a protective coating. Ms. Carlisle reported that there was an error in the cost for the carving of the signs as previously presented to the Town Board. Mr. DeGroat refigured the project and also included not only painting the letters but inside the letters as well. The bid is \$1,725 for one sign with 20% off on the second sign for a total of \$3,105. A "Letter of Engagement" was presented to the Board for approval, which outlined that Mr. DeGroat needed a deposit of \$1,300 as start-up and material money, that he agrees to have the signs completed on or before May 31, 2007, that \$805 will be delivered upon completion of the first sign, and that the balance of \$1,000 is to be paid after delivery of the second sign.

Motion made by Councilperson Small, seconded by Councilperson Hubbell that the Town Board authorizes the Supervisor to sign the proposed "Letter of Engagement" with Mr. DeGroat in the amount of \$3,105.

Discussion: Councilperson Harvey suggested that the Committee explore staining the letters as opposed to painting them. Councilperson Small asked Ms. Teeter if Cooperative Extension had ever reimbursed the Town for the \$750+ from 2006. Ms. Teeter said she believed so. Neither she nor Supervisor Owens knew for sure and both indicated they would check on it. Supervisor Owens to forward the engagement letter and deposit to Mr. DeGroat.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Cemetery Committee: Councilperson Hubbell reported the need to increase cemetery plot fees and will propose something at a later date. Enfield looks to be the lowest in the County.

Code Enforcement: No one present, no report.

Enfield Community Building: Councilperson Harvey reported work is moving along. Downstairs is open for use. Restrooms are not open and are anticipated to be open by March 1. ECC may be able to move back in at that time. Supervisor Owens added that the asbestos has been removed and air quality tests cleared.

Enfield Community Council: No one present, no report.

Enfield Volunteer Fire Company: Deputy Fire Chief Art Howser presented the Town Clerk with the Fire Company's January 2007 Call List and a list of trainings for the months of February, March and April and highlighted on same. Town Clerk Laue to make copies and circulate to Board members. He added that Alan and Debbie Teeter are new Fire Company members.

Ethics Committee: Committee Chair, David Dimmick reported that the Committee met in January. Committee members are Doris Rothermich, Diane Aramini, David Dimmick, Virginia Bryant, and Tom Gunningsmith. It was reported that Marnie Kirchgessner had expressed interest in serving on the Committee but when contacted, she declined. The Committee is working on redrafting the Town's Code of Ethics Local Law and a new disclosure statement. The Committee expressed interest in changing the name of the Committee to Board of Ethics, which will be in the draft document soon to be presented to the Board.

Highway Department: No report - pretty obvious they have been busy plowing.

Personnel Committee:

(a) Typist and Cleaner Positions: Councilperson Small reported that a correction needs to be made on the Tompkins County's Payroll Certification submitted last month for Typist Leslie Phelps who had been hired in November for indexing of Town Board meeting minutes. The January 10, 2007 Organizational Resolution indicates the hourly rate of \$16/hour and it was approved back at the November 8, 2006 regular Town Board meeting for \$20/hour. Also, the Town's Cleaner position was left off the Payroll Certification.

Motion made by Councilperson Small, seconded by Councilperson Hubbell that Wayne C. Snyder be reappointed on a temporary basis as the Town's Cleaner to clean the Town Hall for 2007 at the rate of \$10.00 an hour.

Discussion: Councilperson Small said these two titles should be included in the future on the January Organizational Resolution. Councilperson Harvey said cleaning needs to be done on a regular basis and suggested that once the Community Building is finished, the Town should consider a professional cleaner/custodian. He added that once the Courts open up at the Community Building, the Board needs to revisit the situation.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Motion made by Councilperson Small, seconded by Councilperson Harvey that the Payroll Certification salary rate for Typist Leslie Phelps be changed from \$16 to \$20 an hour and that Councilperson Small can verbally notify the Tompkins County Personnel Office of such change.

Discussion: Councilperson Small noted that the 20 hours already submitted and paid at the rate of \$16 would need to be adjusted. Councilperson Small asked Supervisor Owens to inform Bookkeeper Podufalski of change as well as to include an additional \$80 in Ms. Phelps' next paycheck (\$4 x 20 hours). Town Clerk Laue will notify Ms. Phelps of correction.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

(b) Health Insurance Informational Meeting: Councilperson Small reported that on February 8, 2007 she arranged for an Excellus BC/BS account consultant to come out to explore different options for full-time highway employees. She reported that it was a very good meeting and it looks like the Town can lower its premiums and yet offer pretty much the same services. Small is looking into having another representative come out to discuss health insurance options for retirees and added that once these meetings have taken place, then the Committee will look over the options and make recommendations to the Board.

(c) Councilperson Small reported that since the Town no longer has any employees receiving money in lieu of health insurance, she recommends the Town Board consider discontinuing that option and read the following resolution for consideration:

RESOLUTION NUMBER 2007-9
DISCONTINUANCE OF TOWN OF ENFIELD’S MONEY IN LIEU OF HEALTH INSURANCE
POLICY 200.3 OF THE POLICIES & PROCEDURES MANUAL AND
SECTION 806 MEDICAL INSURANCE BUY-OUT OF THE EMPLOYEE HANDBOOK

WHEREAS, the Enfield Town Board has determined that since no employees are currently receiving money in lieu of health insurance, it wishes to discontinue its offering.

NOW, THEREFORE, be it

RESOLVED, that effective February 15, 2007, the Town of Enfield Employee Handbook, Section 806 entitled “Medical Insurance Buy-Out” is deleted in its entirety; and it is further

RESOLVED, that effective February 15, 2007, the Town of Enfield Policies and Procedures Manual Policy 200.3 entitled “Money in Lieu of Health Insurance” is deleted in its entirety; and it is further

RESOLVED, that the form entitled “Affidavit of Intent to Participate in the Health Insurance Buy-Out” associated with said policies is no longer valid.

Resolution moved by Councilperson Small, seconded by Councilperson Hubbell.

Discussion: Councilperson Harvey asked for clarification. Supervisor Owens explained that if a spouse has insurance through their place of employment then the Town will reimburse \$250 to the Town’s employee if that person elects not to go on the Town’s insurance. Councilperson Small said it works out to be an additional \$3,000 a year as extra income for the employee.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Resolution carried.

Planning Board: There was no Planning Board meeting this month, nothing to report.

Tompkins County Council of Government (TCCOG): Councilperson Harvey reported that the meeting was a continuation of previous discussions. Next meeting February 22, 2007 at the Town of Ithaca Town Hall.

Old Business:

Housing Rehabilitation Grant Application 2007: Supervisor Owens reported that the Board needs to decide if it wants to resubmit the Housing Rehabilitation Grant Application for an amount up to \$2,000. Two public hearings need to be set. The first public hearing is on community improvement projects, housing rehabilitation and the second focuses on activities to be included in the 2007 Small Cities Application. Better Housing to publish notices of public hearings. Deadline is April 2, 2007. Supervisor Owens reported that it is basically the same application with issues and statistic addressed and updated and that it benefits at least 20 homeowners. Councilperson Hubbell said she would like to know what the issues are and felt Better Housing should do a better job at screening individuals.

Motion made by Supervisor Owens and seconded by Councilperson Harvey that the Town Board approve the resubmission of the Housing Rehabilitation Grant 2007 and that the cost for resubmission be no more than \$2,000.

Discussion: Supervisor Owens explained that it is a \$400,000 grant. The Town hires Better Housing to administer the program. The Town does not have the staff to take the applications. Better Housing have construction managers that go out and monitor the progress and make sure the punch list takes place but no housing rehab is done until it goes to the Oversight Committee that is comprised of individuals from the Town Board, Better Housing and County Planning. Better Housing does all of the information gathering from the homeowners. The Town keeps files and authorizes payment. The money passes through the Town. Local Enfield contractors are kept in the loop so they can put in bids. When there is a problem with the contractor's poor workmanship, the complaint goes before the Oversight Committee and, if proven, the contractor is deleted from the list. Supervisor Owens encouraged any board member to participate on the Oversight Committee.

Vote: Councilperson Hubbell no, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Motion made by Councilperson Harvey, seconded by Councilperson Hubbell that the Housing Rehabilitation Grant Application 2007 Public Hearings be scheduled for March 14, 2007. First hearing to be at 7:00 p.m., second hearing to be at 7:15 p.m. Better Housing to advertise public hearings.

Discussion: Supervisor to check with Better Housing to see if its possible to hold two public hearings on housing rehabilitation the same night.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

New Business:

(a) A Local Law Providing for the Administration and Enforcement of the NYS Uniform Prevention and Building Code was discussed. The consensus of the Board was to send it to the Attorney for the Town, Tim Mattison for his review and if okay, to hold a public hearing at the Town Board's April meeting. Councilperson Small said she would forward a copy to the attorney since Supervisor Owens was leaving to go on vacation. Public hearing to be set at the March meeting.

(b) Lee Diminishing Lien: Supervisor Owens explained that the situation is such that it appears that the Town would receive nothing or very little on the property. The Town is not the first lienholder. The potential buyer falls within the income guidelines and the buyer is willing to assume the lien, which would allow a family to own their own housing. There is a mortgage firm that is willing to

carry them on a mortgage. The Town Board asked and has received from the Town's attorney an appropriately worded four-page resolution so that the Town's interest will be recognized in the change of the owner of the property and that the new property owner adhere to all of the requirements for a low income homeowner for a housing rehab grant. [Although the resolution was not read at the Town Board meeting because of its length, it is included in the minutes for reference.]

RESOLUTION NUMBER 2007-10

WHEREAS, the Town of Enfield entered into a Diminishing Lien Agreement through its Community Development Block Grant Program providing one Shimene Lee with funds for repairs to premises located at 2435 Mecklenburg Road, Ithaca, New York, by agreement dated September 29, 2005, and

WHEREAS, the Town of Enfield has existing as of this date a lien on said premises in the amount of eighty percent (80%) of the original grant of \$19,634.00 or \$15,707.20, and

WHEREAS, the Town of Enfield has been duly served with a foreclosure complaint in an action brought by the United States of America versus said Shimene Lee and naming the Town of Enfield as a party to such foreclosure litigation seeking to foreclose the valid first lien on said premises held by the United State of America, and

WHEREAS, the Town of Enfield has been made aware that there is a proposal made by one Lisa M. Utter to purchase the subject premises in lieu of the foreclosure action going forward, and

WHEREAS, the Town of Enfield has been informed by Tompkins County Community Housing that said Lisa M. Utter does in fact qualify under its income and asset guidelines for a grant for home repair and rehabilitation pursuant to the Community Development Block Grant Program, and

WHEREAS, the Town of Enfield is desirous of protecting its lien on the subject premises while enabling Lisa M. Utter to own and occupy said premises in the place and stead of the aforementioned Shimene Lee, and

WHEREAS, the Town Board of the Town of Enfield finds that it is in the best interest of the residents of the Town of Enfield to have property such as the subject premises rehabilitated and repaired in order to maintain the Town's tax base and the living environment of the Town's residents, and

WHEREAS, the Town of Enfield has been informed that Lisa M. Utter would be willing to assume the position of the aforementioned Shimene Lee immediately upon assuming ownership of the subject property in a like manner as provided for in the Diminishing Lien Agreement between the Town of Enfield and said Shimene Lee dated September 26, 2005, immediately upon assuming ownership of the subject premises, and

WHEREAS, the Town of Enfield has been informed that the purchase of the subject premises by Lisa M. Utter may only be accomplished if in fact the Town releases the existing balance of the lien pursuant to the Diminishing Lien Agreement aforementioned dated September 26, 2005, and

WHEREAS, the Town of Enfield agrees to release said lien only in the event, and upon the condition, that it is replaced by a subsequent lien in an amount not less than \$15,707.20 pursuant to a Diminishing Lien Agreement to be executed by the Town of Enfield and Lisa M. Utter, and

IT IS HEREBY RESOLVED:

That the Town Supervisor of the Town of Enfield is hereby authorized to execute any and all necessary documents in order to release and extinguish the lien of the Town of Enfield on premises located at 2435 Mecklenburg Road, Ithaca, New York 14850, pursuant to the Diminishing Lien Agreement entered into September 26, 2005 between the Town of Enfield and Shimene Lee, and

IT IS, FURTHER RESOLVED:

That the Town Supervisor shall execute said necessary documents in order to release the aforementioned lien only after the Town has been assured that the prospective new owners of the subject premises Lisa M. Utter will execute with and in favor of the Town of Enfield a new Diminishing Lien Agreement providing for the Town to hold a diminishing lien on said premises in an amount not less than \$15,707.20 with said lien to diminish at the same rate as that provided for by the Diminishing Lien Agreement entered into between the Town of Enfield and the aforementioned Shimene Lee on September 26, 2005, and

IT IS, FURTHER RESOLVED:

That the Town Supervisor shall be authorized to execute the aforementioned Diminishing Lien Agreement between the Town of Enfield and Lisa M. Utter, only after the aforementioned Lisa M. Utter shall sign a copy of this Resolution indicating her agreement to execute the aforementioned Diminishing Lien Agreement to be put into place replacing that of the September 26, 2005 as above referenced.

Motion made by Councilperson Harvey, seconded by Supervisor Owens that the Town Board approve the Lee Diminishing Lien and authorizes the Supervisor to send the resolution to the buyer's attorney for the buyer's signature. Lien not to be signed by Supervisor until buyer has signed same and signed lien returned to the Town.

Discussion: Supervisor Owens will call buyer's attorney for buyer's signature on resolution. Owens to stop by Mr. Parks office on her way out of town.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Resolution carried.

(c) Budget Amendment No. 2 – Money in Lieu of Health Insurance Transfer: Supervisor Owens read a budget amendment that would correct a bookkeeping error with respect to an underpayment for health insurance cash in lieu of amount due Highway employee Ray Poole for 2006. Budget amendment was seconded and withdrawn. Councilperson Small interrupted that she had reworked the budget amendment into a resolution and expressed the need to explain what happened in more detail for tracking purposes.

RESOLUTION NUMBER 2007-11
TOWN OF ENFIELD BUDGET AMENDMENT NO. 2
MONEY IN LIEU OF HEALTH INSURANCE TRANSFER

WHEREAS, due to a bookkeeping error when figuring 50% of single health insurance coverage premium as outlined in the Town's policy, Highway employee Raymond Poole is due to receive the balance of \$174.24 in 2006 account code D9060.831 titled "Health Insurance Cash in Lieu – Poole",

NOW, THEREFORE, be it

RESOLVED, that the 2007 appropriation for expenditure account code DA9060.833, titled “Health Insurance Cash in Lieu underpaid – Poole 2006”, is added as a 2007 Highway appropriations account in the amount of \$174.24, and be it further

RESOLVED, that account code DA9060.831 “Health Insurance Cash in Lieu – Poole” be decreased from \$3,000.00 to \$2,825.76 and that account code DA9060.833 titled “Health Insurance Cash in Lieu underpaid – Poole 2006” be increased from \$-0- to \$174.24.

Resolution made by Councilperson Small, seconded by Supervisor Owens.

Discussion: Councilperson Small added that the 50% was calculated using the 2005 premium and had it been calculated using the 2006 premium, Mr. Poole would owe the Town money.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Resolution Carried.

(d) Beautification Committee: Motion made by Supervisor Owens, seconded by Councilperson Small.

Motion to increase General Fund appropriations account code A7550.4 titled, “Celebrations-Contractual” from \$0.00 to \$1,300.0 and decrease General Fund appropriations account code A1990.4 titled, “Contingency Account” from \$31,500.00 to \$30,200.00.

Discussion: Supervisor Owens said that when reimbursement comes back in, it goes into the Contingency account because you cannot pay out of Contingency

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion Carried

Audit Claims:

Supervisor Owens presented monthly bills and vouchers for payment. Motion made by Councilperson Hubbell, seconded by Councilperson Harvey that the Town Board of the Town of Enfield authorizes the Supervisor to pay:

- General Fund Vouchers #18-50 dated 2-15-07 in the amount of \$21,117.30
- Highway Fund Vouchers #1-4 dated 2-15-07 in the amount of \$6,972.74.

Discussion: Councilperson Small asked that the Fire Company voucher be pulled from the pile because of their lack of continuing with contract negotiations.

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Enfield Volunteer Fire Company Voucher SF-2 in the amount of \$18,750.00.

Motion made by Councilperson Harvey, seconded by Councilperson Hubbell that the Town Board authorizes the Supervisor to pay Enfield Volunteer Fire Company voucher SF-2 in the amount of \$18,750.00 with the stipulation that the check is to be mailed by the Bookkeeper to the Town Clerk for delivery to the Enfield Volunteer Fire Company no sooner than February 28, 2007.

Discussion:

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Announcements: There were none.

Privilege of the Floor:

David Dimmick (Fish Road): Expressed his unhappiness with Fire Company contract negotiations. He does not feel any headway has been made and questioned why minutes were not provided when the Board meets in Executive Session. Supervisor Owens responded that minutes of Executive Session are not required by law. If action is taken, then the Board moves out of Executive Session to vote on the action taken. That part is recorded and minutes are taken.

Adjournment:

Motion made by Councilperson Harvey, seconded by Councilperson Hubbell that the February 15, 2007 Regular Town Board meeting adjourn.

Discussion:

Vote: Councilperson Hubbell aye, Councilperson Small aye, Councilperson Harvey aye, Supervisor Owens aye, Councilperson Fisher was absent. Motion carried.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Alice Laue
Town Clerk