

Town of Enfield  
Regular Town Board Meeting and Public Hearing Minutes  
Enfield Community Building  
Wednesday, September 14, 2016  
6:30 p.m.

Present: Town Supervisor Ann Rider, Town Councilperson Virginia Bryant, Town Councilperson Mike Carpenter, Town Councilperson Henry Hansteen, Town Councilperson Michael Miles, Town Highway Superintendent Buddy Rollins, Town Clerk Alice Linton.

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

**Public Hearing on Proposed Local Law Entitled "Procedures for Public Access to Records of the Town of Enfield Under the Freedom of Information Law":**

Supervisor Rider opened the public hearing at 6:33 p.m. and asked if anyone would like to speak. Cliff Newhart asked why this law was needed since there is already a New York State law, and how much the town paid its attorney to draft the law.

Supervisor Rider responded New York State mandates that all towns abide by the Freedom of Information Law (FOIL) and that having a local law is part of the New York State law.

No one else wished to speak. Supervisor Rider closed the public hearing at 6:35 p.m.

**Privilege of the Floor:**

Rob Tesori of Enfield stated he understands the Black Oak Wind Farm (BOWF) is going back to their original plan. He is concerned that the set-backs will cause land infringement. He will have to pay taxes on land he can't use. BOWF owes the town money and he wonders why the town board would be voting on anything until they are paid up to date.

Dawn Drake of Enfield stated the situation with BOWF has been going on for 10 years. She feels set-backs are unsafe. Although the wind farm may bring in revenues, there may be an overall negative impact on the community. She wonders how law suits and this project can be good for the community.

Theresa Guler of Enfield asked what the plan is for Enfield and BOWF. She is thinking of her family and would like to see the town move past all of this. She hopes the right decisions will be made.

Tammy Alling of Enfield thanked the town board and the wind farm advisory committee for their hard work. The BOWF has not been a simple project. She hopes the town board will consider the impact of the BOWF and how it will change the way of life of residents in the area.

Phil Wright of Enfield has seen turbines being transported through town and does not want this project to happen in Enfield.

Ron Riddle of Enfield stated he is opposed to the BOWF. It is unconscionable how BOWF has gone about the process. He feels the proposed turbines are unsafe and will soon be out-of-date. He reminded everyone to do unto others as you would like them to do unto you.

Marcus Gingerich of Enfield is amazed the town is in the same situation again with a number of resolutions and documents made available late in the afternoon before the meeting. He questioned if board members had the time to study the documents and know what was included in them. He also questioned if BOWF is not paying their bills, why is the town spending money to pass documents that can't be trusted unless they have been read and understood. He hopes the board will continue to do due diligence and consider what they are passing, or don't vote on the documents. He would like to see a law passed saying that these items must be put out a week or two in advance for transparency to the community.

Mimi Mehaffey of Enfield stated she received an e-mail on Monday accusing the town board of stalling on wind farm decisions. It stated there were only minor revisions since January of 2015. She feels thousands of hours have been spent by the town board doing due diligence, and feels the town board is doing the right thing.

Nancy Spero of Enfield stated she appreciates the many hours the town board members have put in on the BOWF project. She feels the town board is not stalling and due diligence is very important on a project of this size.

John Rancich of Enfield stated he is the originator of the BOWF project. He believes this is a wonderful thing for the Town of Enfield - there will be free renewable energy from the wind. He feels this is a good solid project that won't put any turbines close to homes. All set-back regulations have been complied with. He urged the town board to vote in favor of BOWF.

Jude Lemke of Enfield reiterated that information was provided at the last minute. There has been no time to respond. The BOWF proposal specifically states none of the turbines will be moved. The sub-station cannot go on Rich Teeter's land as he will not allow it, so that will have to be moved. She believes there has been no final approval of a permit. The health and safety of residents needs to be considered.

Jolee Carlisle of Enfield stated the BOWF proposal is for 2 turbines to be to the east of her house and 1 to the north. Her entire property will be in shadow for parts of the day. There will be 45 minutes a day of flicker. She is for alternative energy, but with health and safety being considered.

Cliff Newhart of Enfield stated he is a life-long resident of the Town of Enfield. He has been opposed to the BOWF project since day one. He feels bad smells are coming from Enfield Center.

Gretchen Herrmann of the Town of Ithaca urged the town board to support the BOWF project and thanked the town board for their efforts.

Mark Waterman of Enfield stated he opposes the BOWF due to the impact he believes it will have on residents.

Melynda Tesori of Enfield feels the town board has been presented with too many small items to vote on instead of the project as a whole.

David Marsh of Enfield stated he knows of two large wind farms in Steuben County being proposed. Residents there are familiar with turbines. He suggested Steuben County residents close to those wind farms should be asked how they feel about them.

Sue Shults of Enfield asked what the set-back was in Steuben County.

**Closed Session:** Supervisor Rider moved, with a second by Councilperson Carpenter, to move into a closed session with Frank Pavia, attorney for the Town of Enfield in Black Oak Wind Farm matters, at 7:10 p.m. per Section 108 of the Public Officer's Law.

Supervisor Rider called the vote. All in favor. Carried.

The regular meeting was called back to order at 8:05 p.m.

**New Business:** Supervisor Rider stated the BOWF notified the town board they are going back to their prior plan and requested the town board to decide whether to issue a wind turbine permit. There are several steps the town board has to do to determine issuance of a wind energy permit. There are five plans listed on the agenda.

Supervisor Rider moved, with a second by Councilperson Carpenter to adopt the following resolution:

### **Resolution Regarding Black Oak Wind Farm Decommissioning Plan**

**WHEREAS**, a predecessor-in-interest of Black Oak Wind, LLC (the "Project Sponsor") filed a site plan application with the Town Board of the Town of Enfield (the "Town Board") pursuant to the Town of Enfield's Wind Energy Facilities Local Law #1 of 2009 for the development of a seven (7) turbine wind-powered generating facility (the "Project"); and

**WHEREAS**, on June 9, 2010, the Town Board passed a resolution accepting its role as Lead Agency pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617 (collectively referred to as "SEQRA"); and

**WHEREAS**, after preparation of both draft and final environmental impact statements, on December 14, 2015, the Town Board issued a Findings Statement for the Project pursuant to SEQRA; and

**WHEREAS**, the Project is choosing to withdraw their Supplemental EIS from consideration by the Town and plan to proceed with final permits for the original layout, which was approved January of 2015, and the SEQRA was amended in July of 2015 and

**WHEREAS**, as they stated clearly in their SEIS, they never gave up the right to build the original layout when they proposed changes to it and

**WHEREAS**, the original Findings Statement and the Town of Enfield Wind Energy Facilities Local Law are the guidebook for what has to be performed to comply with their permit conditions, now therefore be it

**RESOLVED** that the Black Oak Wind Farm Decommissioning Plan be approved.

Discussion: Supervisor Rider stated the Project Manager, Marguerite Wells, was available for questions.

Councilperson Carpenter questioned, in paragraph four, if anything had changed at all - are turbine locations, transmission lines and the sub-station in exactly the same places? He would like a signed letter from BOWF stating this is true.

Marguerite Wells stated she would send a letter to the Town of Enfield stating this is true.

Councilperson Carpenter asked why this is on the agenda for a vote when the understanding he had was that there should be at least one meeting before voting so the public could look at the documents. He felt it made no sense to vote at this time - he wanted time to think and digest the information, and have public input. The information was only sent out last Friday.

Supervisor Rider stated the town board has had basically this information for at least two months. Differences have been made in the amounts and sentence order.

Councilperson Carpenter feels this is a new plan. The previous was a partial plan. Supervisor Rider responded the town board has basically had this information for a couple of months.

Councilperson Carpenter stated he feels every word matters. Supervisor Rider asked if the town board would like to have the motion withdrawn.

Councilperson Hansteen stated he would like to wait until the October meeting to vote so everyone would have a chance to look at the documents.

Supervisor Rider suggested going over the first three paragraphs of this resolution now and holding a special meeting in two weeks to go over the rest of the document.

Councilperson Miles stated the BOWF escrow account is tens of thousands of dollars in the negative. At the last town board meeting BOWF stated they had no money left. He questioned why the town board is working on this at all at this time. He feels if more time and money are spent the debt will be even greater. That would not be fiscally responsible. He would like to see the account brought current and give everyone time to review and discuss the necessary documents.

Marguerite Wells stated financing is predicated on getting a permit and some of the charges assessed will not need to be paid by BOWF once the information is reviewed.

Councilperson Bryant stated it appears most of the information previously presented is in the current document but she was unclear what the differences were.

Councilperson Carpenter stated under the draft BOWF Decommissioning Plan, first paragraph "Anticipated Life of Wind Turbines" he doesn't have a clear sense of what the wind law says about changing out generators on top of towers. He wondered if the town board had any say in this process. Every detail needs to be paid attention to.

Supervisor Rider stated this has to be compared to the wind farm law.

Councilperson Carpenter stated under the draft BOWF Decommissioning Plan, second paragraph "Estimated Cost of Decommissioning" he feels there is a significant range of facts that weren't referenced previously. The BOWF may not have looked far for more published research. If turbines have to be replaced at some point in time, does the town have any say in this? Is another plan needed?

Councilperson Carpenter stated under the draft BOWF Decommissioning Plan, third paragraph "Ensuring Decommissioning and Site Restoration Funds" it is clear that prior to approval of the project they will provide a surety bond or financial security instrument. However, there is a

contradiction where the wind farm law is referred to. He feels if something is unclear in a legal context, it leaves it open to be interrupted in a different way.

Supervisor Rider moved, with a second by Councilperson Carpenter to withdraw her motion.

Supervisor Rider called the vote with all in favor. Carried.

### **Resolution Regarding Black Oak Wind Farm Landscaping Plan**

Supervisor Rider moved, with a second by Councilperson Carpenter to adopt the following resolution:

**WHEREAS**, a predecessor-in-interest of Black Oak Wind, LLC (the “Project Sponsor”) filed a site plan application with the Town Board of the Town of Enfield (the “Town Board”) pursuant to the Town of Enfield’s Wind Energy Facilities Local Law #1 of 2009 for the development of a seven (7) turbine wind-powered generating facility (the “Project”); and

**WHEREAS**, on June 9, 2010, the Town Board passed a resolution accepting its role as Lead Agency pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617 (collectively referred to as "SEQRA"); and

**WHEREAS**, after preparation of both draft and final environmental impact statements, on December 14, 2015, the Town Board issued a Findings Statement for the Project pursuant to SEQRA; and

**WHEREAS**, the Project is choosing to withdraw their Supplemental EIS from consideration by the Town and plan to proceed with final permits for the original layout, which was approved January of 2015, and the SEQRA was amended in July of 2015 and

**WHEREAS**, as they stated clearly in their SEIS, they never gave up the right to build the original layout when they proposed changes to it and

**WHEREAS**, the original Findings Statement and the Town of Enfield Wind Energy Facilities Local Law are the guidebook for what has to be performed to comply with their permit conditions, now therefore be it

**RESOLVED** that the Black Oak Wind Farm Landscaping Plan be approved.

Discussion: Councilperson Carpenter stated he has not had sufficient time to read this document and it is beyond his expertise level. He would like to wait until the next regular meeting to discuss this.

Councilperson Bryant stated she would like these documents to be looked at as a whole instead of piecemeal.

Councilperson Miles stated he would like to table this resolution and the other three BOWF Plans on the agenda, until another meeting. It would give BOWF time to resolve their finances and give the public and town board members more time to review the documents.

Supervisor Rider moved, with a second by Councilperson Hansteen to withdraw this motion.

Supervisor Rider called the vote with all in favor. Carried.

### **Motion to Defer Discussion of BOWF Resolutions to Next Regular Meeting**

Councilperson Miles moved, with a second by Councilperson Bryant to defer action on the Black Oak Farm Invasive Species Plan, the Black Oak Wind Farm Fire and Emergency Plan and the Black Oak Wind Farm Community Relations and Dispute Resolution Plan to the next regular meeting.

Discussion: Supervisor Rider stated she felt waiting a month was too long. Councilperson Miles stated time was needed to work out the financial situation. Councilperson Carpenter stated it is a long time, but time is needed to work out the billing for the Black Oak Wind Farm and questioned whether the wind farm will be able to pay even then.

Marguerite Wells, Project Manager of the Black Oak Wind Farm stated the town possibly can get paid when there is a clear line of site for permitting this project. She felt \$30,000 could be paid in September if the charges are viable and progress is being made.

Councilperson Miles stated the Town of Enfield is on the hook for tens of thousands of dollars and he feels uncomfortable with the town proceeding. He requested another Notice of Payment be issued to Black Oak Wind Farm once the billings are straightened out.

Councilperson Carpenter would like a letter from Black Oak Wind Farm stating there are no changes to the original plan before proceeding any further.

Supervisor Rider called the vote with Councilpersons Bryant, Carpenter, Hansteen and Miles in favor. Supervisor Rider was opposed. Motion carried.

Councilperson Hansteen asked if a resolution should be considered to stop work on this matter until the BOWF escrow account is brought current. Councilperson Miles feels the town needs to figure out what is actually billable. Supervisor Rider stated she is in the process of figuring this out. Councilperson Miles asked what charges were in question.

Frank Pavia, attorney for the Town of Enfield in BOWF matters, stated most of the questionable billings related to FOIL requests made to Harris Beach, Guy Krogh and LaBella. This is considered to be a general cost to the town and not an applicant specific cost.

Councilperson Carpenter suggested that during the next month the town board might want to get input on some of the proposed resolutions. He would like input from the Enfield Fire Chief on the Fire and Emergency Plan for example. He would also like to have LaBella look at the Landscaping Plan and the Invasive Species Plan to have some kind of oversight.

Councilperson Miles and Carpenter agreed that once the BOWF account is brought current, it would be good to get some expertise from other people, such as town attorney Guy Krogh.

**Consent Agenda:** Supervisor Rider asked if anyone would like to pull an item from the consent agenda. No one asked to have an item removed.

Councilperson Carpenter moved, with a second by Councilperson Bryant to approve items on the Consent Agenda as follows:

**Approval of Minutes of the Regular Town Board Meeting of August 10, 2016 and the Special Town Board Meeting of August 16, 2016.**

**Budget Amendment #2016- 22 Attorney Contractual**

WHEREAS, expenses have exceeded the budget in the General Fund line A1420.4 titled “Attorney Contractual”, now therefore be it

RESOLVED, that line A1620.4 titled “Buildings Contractual” be decreased by \$1,000.00 and General Fund line A1420.4 be increased by \$1,000.00.

**Budget Amendment #2016-23 CHIPS and PAVE NY Funds**

WHEREAS, the State Comptroller's Office has told the Town Supervisor that the 2016 Town budget can be amended if unexpected revenue becomes available, and

WHEREAS, on July 14, 2016 the NYS Department of Transportation wrote the Town Highway Superintendent stating that the Town of Enfield was given an extra \$40,537.49 due to a CHIPS Capital cumulative rollover and has also been awarded a SNY 2016-17 PAVE NY apportionment of \$23,760.48, now therefore be it

RESOLVED, that the 2016 Highway revenue budget line DA3501 entitled “CHIPS” be increased by \$40,537.49 and budget line DA5112.2 entitled “CHIPS” be increased by \$40,537.49, and further

RESOLVED, that the 2016 Highway budget have an added revenue line DA3501.2 entitled “PAVE – NY” and a budget line DA5112.3 be added to the budget entitled “PAVE-NY” and \$23,760.48 be added to this line.

**Supervisor's Financial Report** of moneys received and disbursed during the month of August, 2016.

Vote on Consent Agenda: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Hansteen aye, Councilperson Miles aye, Supervisor Rider aye. Carried

**Correspondence:**

NYS Department of Environmental Conservation Notice of Complete Application for work on Trumbulls Corners Road along Enfield Creek.

Invitation to unveiling of the Civil War Nurses Memorial at TC3 on September 28, 2016 at 5 p.m.

Letter from Cayuga Lake Watershed Intermunicipal Organization with updates on projects including the Cayuga Lake Floating Classroom.

NYS Department of Transportation announcement of \$98.7 million in funding to support transportation-related projects and programs.

Letter from the Tompkins County Legislature with copy of Resolution to Request a Public Hearing in Tompkins County regarding the Dominion New Market Pipeline Project and Expansion of the Borger Compressor Station.

Notice from Better Housing for Tompkins County of application to the NYS Affordable Housing Corporation for funding of home improvement projects for low-income homeowners in Tompkins County.

**County Legislator Report:** No county legislator was present.

**Highway Superintendent Report:** Highway Superintendent Buddy Rollins reported the last of the summer paving was finished today. There are a couple of miles to be oil and stoned still. They completed one mile of Enfield Center Road, one mile of Buck Hill Road and the last mile of Fish Road. The mile of Enfield Center Road was done with help from other towns, instead of hiring the work out, which saved the town approximately \$20,000. There were 3 road cross pipes 40' long and 8-10 driveway pipes installed on Enfield Center to prep for paving. He would like to oil and stone Fish Road and Enfield Center Road and if there is enough money left, chip seal Sage Road and North VanDorn Road.

Councilperson Hansteen mentioned he was impressed with the smoothness of the road.

Superintendent Rollins provided his yearly inventory of highway machinery, tools and equipment to all board members. This shows an estimated cost of repairs for next year. The last page shows suggested equipment to be purchased next year. A replacement chart was also provided which shows the miles/hours on each piece of motor equipment and salt spreader. The excavator needs to be replaced. The engine on that was replaced under warranty. The recently purchased man-lift was for tree work, in addition to being available for the building and light replacement.

Superintendent Rollins has applied for a grant for bridge/culvert repair from New York State for Rothermich Road. It could cost as much as \$400,000 to replace this culvert. However, it is a low volume road, so the grant may not be received. LaBella will be inspecting two bridges. There is a concern for the Rumsey Hill Road bridge in particular.

Councilperson Carpenter mentioned Craig Pyhtila had come to the last town board meeting with a concern about his property on Gray Road. Superintendent Rollins stated the Town of Enfield has a law which was passed in 2010 regarding permits for culverts and driveways and construction in the right-of-way. The requested permit was not to help drainage in the road, but for barn and driveway drainage. If the town were to install a culvert pipe, 500' of new ditch would need to be dug, and that would not take the water from his property. Tompkins County Soil and Water has looked at this, along with the Tompkins County Highway Department. They all feel it would not be an improvement for the road.

**Code Enforcement Report:** Code Enforcement Officer Alan Teeter was not present but submitted his report for August showing there were 4 building permits issued or renewed bringing the year to date total to 42 with 4 being for new homes. There was 1 solar permit issued, bringing the year to date total to 9. There was 1 certificate of occupancy issued. He completed 1 foundation inspection, 3 framing inspections, 1 plumbing inspection and 2 final inspections. He completed 12 progress checks and resolved 1 complaint. There were 3 fire and safety inspections completed and 2 house numbers installed.

**Supervisor's Report:** Supervisor Rider submitted her report showing she met with Earl Wright regarding getting set up and closing out the painting of the Enfield Town Hall; met with Norm Smith regarding final repairs to the Enfield Town Hall before and during painting; met with auditors from the State Comptroller's Office regarding their audit of the Town of Enfield books.

### **Committee Reports:**

Wind Farm Advisory Committee: Councilperson Miles reported the committee met on September 13 to work on a draft to update the town's wind law. Their goal is to eventually send recommendations to the town board to be discussed.

Planning Board: Chairperson Dan Walker reported there was no meeting this month due to the death of Enfield Planning Board member Calvin Rothermich. There is now a vacancy on the Enfield Planning Board.

Recreation Partnership: No report

Enfield Community Council: No report

Enfield Volunteer Fire Company: There were 24 calls in August of which 12 were EMS calls, 3 MVA's, 4 service calls and 2 fires (1 structure and 1 computer). There were 3 mutual aids given. September trainings will include driver/pump training, EMS, review of 601 and 602 equipment and truck training. A blood drive will be held on September 20.

Facilities Manager: Supervisor Rider reported the painting of the town hall is complete and looks good.

Tompkins County Council of Governments: No report

### **Old Business:**

Building Assessment on Highway Garage: Councilperson Carpenter reported he visited highway department buildings in Lansing and Danby to look at moisture and heating issues. He will continue to visit other buildings to research what can be done about Enfield's highway facility.

Road Protection Law: Supervisor Rider spoke with town attorney Guy Krogh who believes the first step in the process is to decide what the town wants the law to do.

Highway Superintendent Rollins stated a law was proposed in 2010 or 2011 which piggy backed off the county law. Some numbers will need to be changed. Some things to consider are how much weight and how many trips. There is a line item in the budget which is for signs to post road weight limits. Highway Superintendent Rollins would like to see all town roads posted for 5 tons. Some are posted for 8 tons now. He would like to see a law that would protect the roads. Permits can be issued, but would be denied if the road is soft in the spring. Local deliveries would not fall under the law.

Dan Walker will bring a draft copy of a proposed law to the October regular meeting.

Proposed Local Law Entitled "Procedures for Public Access to Records of the Town of Enfield Under the Freedom of Information Law:

Supervisor Rider moved, with a second by Councilperson Carpenter to adopt Resolution #2016-59.

### **Resolution #2016-59**

**WHEREAS**, a public hearing was held on September 14, 2016 to hear comments from the public regarding a proposed Local Law entitled

**“PROCEDURES FOR PUBLIC ACCESS TO RECORDS OF THE TOWN OF ENFIELD UNDER THE FREEDOM OF INFORMATION LAW “** and

**WHEREAS**, the Town of Enfield adopted a resolution regarding the Uniform Rules Relating to the Administration of Public Access to Public Records on June 12, 2002 and

**WHEREAS**, the State of New York has made several changes and additions to the Freedom of Information Law in the intervening years, including the application of strict rules pertaining to FOIL responses, such as very changing archiving rules for FOIL demands and responses, the Town Board opts to update its FOIL procedures to bring them up to 2016 standards as recommended by the Committee on Open Government, and

**WHEREAS**, the Town Clerk and the Deputy Town Clerk have met with the Town Attorney, Guy Krogh, regarding this draft Local Law, and

**WHEREAS**, a draft of the proposed Local Law has been on file with the Town Clerk for public review and has been provided to Town Board members for review and discussion, and

**WHEREAS**, this proposed Local Law would be a Type II SEQRA and not require the preparation of an EAF0, now therefore be it

**RESOLVED** that the proposed Local Law entitled "PROCEDURES FOR PUBLIC ACCESS TO RECORDS OF THE TOWN OF ENFIELD UNDER THE FREEDOM OF INFORMATION LAW ", as set forth in the draft that has been on file with the Town Clerk be enacted to take effect immediately and the Town Clerk is directed to file a certified copy with the State.

Discussion: Supervisor Rider stated a public hearing was held on this matter. She further stated New York State wants municipalities to pass a local law which can be more restrictive than New York State law.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Hansteen aye, Councilperson Miles aye, Supervisor Rider aye. Carried

Sale of Excess Equipment: Highway Superintendent Rollins reported he was pleased with the auction where excess equipment was sold. The old highway pickup brought approximately \$3,500, the roller \$4,000, the spreader \$1,000 and the Blazer (old code vehicle) \$2,600. A consignment fee was charged.

Councilperson Bryant was excused at this time.

**Privilege of the Floor:**

Jude Lemke of Enfield stated Article III, Section 1, A2 of the permit application requirement for wind farms in Enfield has a requirement that the wind farm provides name, address and telephone number of any property owner of a proposed site of any wind energy facility. That would include the sub-station. If that owner is not the applicant, the application needs to include some sort of written permission from the property owner that confirms they're familiar with the proposed application and authorizes submission of the application or easement, lease or other agreement relative to the siting of that wind energy facility. In that regard, the July 2015 resolution which approved the change to the turbines, BOWF said they were not moving any turbines, but in order to put in 2.3 megawatt turbines, they would have to move the turbine on Donny Gunning's property, they would have to move the turbine on Doug Everhart's property and her property. The sub-station has to be moved because Rich Teeter won't allow it on his property. It appears BOWF hasn't submitted required

information, but if the town did have this information, they would see that this project no longer complies with the application requirements.

Nancy Spero of Enfield thanked the board for tabling discussion on the BOWF for a month to give them time to look over the plans. This was respectful of residents. The town board needs to look carefully to see if anything is different from before. She also questioned where the public can see items on the consent agenda prior to the meeting, so board members can be contacted if they have questions.

Mimi Mehaffey of Enfield thanked the town board for looking at information and applauded Councilperson Miles for presenting a motion to stop incurring more expenses until BOWF brings their escrow account current. She suggested brain storming issues with the public.

Carol Woods of Enfield asked why private meetings were scheduled during the public meeting. Supervisor Rider stated the public can be excluded from private discussions, but all actions have to be taken in public. Usually this is done so a board can receive advice from a lawyer. The discussion was held at the beginning of the meeting so the lawyer did not have to stay until the end of the meeting.

Tammy Alling of Enfield asked if a Road Use Agreement would exempt local deliveries. Highway Superintendent Rollins stated they would be exempt.

Joe Dawson of Enfield thanked the board for today's wisdom. He asked what the procedure was for elected officials when they take office. Supervisor Rider stated a certification is received from the Board of Elections and an Oath of Office is filled out.

Theresa Guler of Enfield thanked the board for their time. She is confused because the original BOWF plan had the sub-station located on Teeter's property. The sub-station is not going on that property. Marguerite Wells stated there would be no changes, but it appears the sub-station location will be changed.

Marcus Gingerich of Enfield stated he appreciated the time the board took to deal with BOWF thoughtfully. Agreements need to be read carefully. He feels BOWF has not been straight-forward. There is no clarity of where the wind farm is going. The Enfield wind law states construction can't be started, but he feels this has been violated. BOWF has stated they have started construction. He asked the town board to make sure they know what they are dealing with and make sure BOWF is following the plan.

**Announcements:** Supervisor Rider announced the Enfield Community Council Harvest Festival will be held on October 1, 2016 at the Enfield Elementary School.

**Adjournment:** Supervisor Rider moved, with a second by Councilperson Carpenter, to adjourn at 10:45 p.m. Motion carried.

Respectfully submitted,

Alice Linton, Enfield Town Clerk