

Town of Enfield
Regular Town Board Meeting
Enfield Community Building
Wednesday, June 14, 2017
6:30 p.m.

Present: Town Supervisor Ann Rider, Town Councilperson Virginia Bryant, Town Councilperson Mike Carpenter, Town Councilperson Beth McGee, Town Councilperson Becky Sims, Town Highway Superintendent Buddy Rollins, Town Clerk Alice Linton. Town Attorney Guy Krogh arrived at 7:50 p.m.

Supervisor Rider led the assemblage in the Pledge of Allegiance to the Flag at 6:35 p.m.

Privilege of the Floor:

Mimi Mehaffey of Enfield stated she was in favor of Columbia University's Friend of the Court Brief (Amicus Brief), making clear the Clean Water Act General Permit for Concentrated Animal Feeding Operations that the Department of Environmental Conservation issued in January interferes with municipalities' ability to protect their citizens. She also encouraged the Town Board to pass the moratorium on commercial wind and solar energy facilities.

Marcus Gingerich of Enfield urged the Town Board to pass the moratorium on commercial wind and solar energy facilities in order to get guidelines and regulations in place.

Melynda Tesori of Enfield encouraged the Town Board to pass the moratorium on commercial wind and solar energy facilities so regulations could be put in place as a whole and not piecemeal.

Consent Agenda: Supervisor Rider asked if anyone would like an item pulled from the Consent Agenda. Councilperson Sims asked to have the budget amendments pulled. Supervisor Rider asked to have the second Resolution listed on the agenda pulled and change the first Resolution to 2017.

Supervisor Rider moved, with a second by Councilperson Carpenter to approve the **minutes of the regular meeting of May 10, 2017, the minutes of the special meeting of May 24, 2017, the audit claims and Resolution #2017-39.**

Audit Claims:

The Town Board authorizes the Supervisor to pay General Fund vouchers #143 to #168 dated June 14, 2017 in the amount of \$22,165.62 and Highway Fund vouchers #93 to #111 dated June 14, 2017 in the amount of \$85,955.26.

The following accounts have negative balances as of May 31, 2017:

A1220.41	Supervisor - Contractual	- 141.60
A1420.4	Attorney - Contractual	-1,736.48
A8020.41	Planning - Escrow Account	-2,872.50
	Plus balance unpaid from 2016	-8,073.61
DA9040.8	Worker's Comp	- 221.07

Resolution 2017-39 Standard Work Day and Reporting Resolution for Elected and Appointed Officials for 2017

Be it Resolved, that the Town of Enfield hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Town Clerk Alice Linton, standard work day 6 hours, term 1/1/16-12/31/17, 18.8 days/month;
Highway Supt. Barry Rollins, standard work day 8 hours, term 1/1/16-12/31/17, 20 days/month;
Deputy Supervisor Vera Howe-Strait, standard work day 6 hours, term 1/11/17-12/31/17, 1.68 days per quarter;
Justice Clerk Tiffany Poole, standard work day 6 hours, term 1/11/17-12/31/17, 8.89 days/month;
Code Officer Alan Teeter, standard work day 6 hours, term 1/11/17-12/31/17, 19.23 days/month;
Bookkeeper Deborah Kelley, standard work day 6 hours, term 1/11/17-12/31/17, 5.59 days/month.

Vote on Consent Agenda: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Supervisor Rider moved, with a second by Councilperson McGee to approve Budget Amendment #2017-7.

Budget Amendment #2017- 7

WHEREAS, the State Comptroller's Office states that a Town can amend its budget if unexpected revenue becomes available, and

WHEREAS, on April 21, 2017, the NYS Department of Transportation wrote the Town Highway Superintendent stating that the Town of Enfield has been awarded a SFY 17-18 PAVE NY apportionment of \$23,762.42, and further stated that the Town of Enfield has an Extreme Winter Recovery balance of \$20,137.39, now therefore be it

RESOLVED, that the 2017 Highway budget have an added revenue line DA3589 entitled "PAVE – NY" and \$23,762.42 be added to this line and a budget line DA5112.3 be added to the budget entitled "PAVE-NY" and \$23,762.42 be added to this line and further

RESOLVED, that 2017 Highway budget have an added revenue line DA3589.1 entitled EWR and \$20,137.39 be added to this line and a budget line DA5112.4 be added to the budget entitled EWR and \$20,137.39 be added to this line.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Supervisor Rider moved, with a second by Councilperson Carpenter to approve Budget Amendment #2017-8.

Budget Amendment #2017- 8

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

RESOLVED, that line A1990.4 titled "Contingent Account" be decreased by \$3,000 and line A1420.4 be increased by \$3,000.

Discussion: Councilperson McGee feels it is unrealistic to have a \$10,000 budget line for attorney fees when for the past several years expenditures have been much higher. Councilperson Sims mentioned a transfer of \$3,000 will not cover the June vouchers just approved. She was supportive of transferring a larger amount. Councilperson Carpenter suggested \$10,000 as an amount to transfer.

Councilperson Bryant moved, with a second by Councilperson Sims to amend the Budget Amendment to decrease A1990.4 titled "Contingent Account" by \$10,000 and increase A1420.4 titled "Attorney-Contractual" by \$10,000.

Vote on amendment to motion: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Vote on motion: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson Carpenter moved, with a second by Councilperson Sims to approve Budget Amendment #2017-9.

Budget Amendment #2017- 9

WHEREAS, expenses have exceeded the budget in the General Fund line A1220.41 titled “Supervisor-Contractual” now therefore be it

RESOLVED, that line A1220.2 titled “Supervisor – Equipment” be reduced by \$150.00 and line A1220.41 be increased by \$150.00.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson Carpenter moved, with a second by Councilperson Bryant to approve Budget Amendment #2017-10.

Budget Amendment #2017- 10

WHEREAS, expenses have exceeded the budget in the Highway Fund line DA9040.8 titled “Worker’s Compensation”, now therefore be it

RESOLVED, that line DA 9010.8 titled “State Retirement” be reduced by \$225.00 and line DA 9040.8 be increased by \$225.00.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson Bryant moved, with a second by Councilperson Carpenter to approve Budget Amendment #2017-11.

Budget Amendment #2017-11

WHEREAS, it has been common practice in the Town of Enfield to take the gas usage for the Code Officer’s car from the A fund, now therefore be it

RESOLVED, the Bookkeeper be authorized to deduct \$99.61 from line A3010.4 titled “Public Safety - Contractual” and add \$99.61 to DA5130.45 titled “Diesel & Gas Fuel”.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson Bryant moved, with a second by Councilperson Carpenter to approve Budget Amendment #2017-12.

Budget Amendment #2017-12

WHEREAS, the Town Board agreed that the Highway Department would charge the A fund \$50.00 per snow plowing of the Park and Ride parking lot, now therefore be it

RESOLVED, the Bookkeeper be authorized to deduct \$200.00 from line A1620.4 titled “Buildings-

Contractual” and \$200.00 be added to DA5130.4 titled “Machinery Contractual”.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson McGee moved, with a second by Councilperson Carpenter to approve Budget Amendment #2017-13.

Budget Amendment #2017-13

WHEREAS, the Highway Superintendent wishes to realign the Highway budget, now therefore be it

RESOLVED, that line DA9950.9 titled “Interfund Transfer – Equipment Reserve” be reduced by \$100,000 and line DA5130.2 titled “Equipment” be increased by \$100,000.

Discussion: Highway Superintendent Rollins stated these funds would be used to buy a 2004 Gradall and he is looking at a 550 truck to possibly purchase. Supervisor Rider asked to have it put on the record that this will deplete the equipment reserve fund so there will be nothing at the end of the year from this line to transfer into equipment reserve, which the point last year of putting this in the budget was to get more built up in the reserve which is not going to happen this year with the passage of this amendment. Highway Superintendent Rollins asked to have it put on the record that he disagrees; that money was to buy equipment for this year and it was put in the wrong line. This is what has been done the last two or three years, and the bookkeeper found out that you cannot write checks off that line. That's why it has to be put back into the "Equipment Machinery" line. The bookkeeper would like to see that done next year so there wouldn't have to be a transfer every year.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson McGee moved, with a second by Councilperson Carpenter to approve Budget Amendment #2017-14.

Budget Amendment #2017-14

WHEREAS, the Highway Superintendent wishes to realign the Highway budget, now therefore be it

RESOLVED, that line DA5120.4 titled “Bridge Repairs – Contractual” be reduced by \$15,000, line DA5110.4 titled “General Repairs – Contractual” be reduced by \$10,000 and line DA5130.4 titled “Machinery – Contractual” be increased by \$25,000.

Discussion: Highway Superintendent Rollins stated this is for repair of equipment. After paying vouchers this month, this line would have been in the minus, so he transferred enough money to take care of that, and hopefully the rest of the year.

Discussion ensued regarding preparing an accurate budget for 2018. Councilperson McGee proposed putting together a committee that would include the Supervisor, a Town Board member, maybe 2 or 3 residents. If there is budget discussion, the process starts mid-year rather than September or October, and everybody is part of it - recommendations are made, trends are watched, capital spending is projected, there is a reserve fund plan. Sometimes taxes need to be raised, and if part of the public is involved in the process, understanding it and having buy-in will help the process.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Correspondence: No correspondence.

County Legislator's Report: Dave McKenna reported Tompkins County purchased the Tompkins Trust Company building on The Commons. The plan for this building is to house the History Center and other non-profits such as the Tompkins County Visitor Center.

Highway Superintendent Report: Highway Superintendent Rollins reported Clean-Up Days were about the same as last year. There were three 30 yard dumpsters of trash and one 40 yard dumpster of steel filled, along with 20-30 tires with wheels recycled.

The fans have been installed at the highway department and the outlets have been moved. The garage door repairs have been completed. The only thing left to complete are the doorways. The Town of Ithaca had an 04 Excavator/Gradall with 2,700 hours that went to auction and Enfield was able to purchase for \$14,000 which, on the market, is a \$30,000 to \$50,000 machine. This piece of equipment should last 5 or 6 years. The old excavator will be kept for awhile and may be sold at the Empire Farm Days Auction in September. Superintendent Rollins will get permission from the Town Board before selling any equipment.

He questioned why money that was left in the highway fund account at the end of 2016 was put in savings instead of the bridge and equipment reserve line where the Town Board had voted to put the money. Supervisor Rider stated she will discuss this with the bookkeeper.

PESH recently did a safety check at the highway facility. The representative stated that the Highway Superintendent was required to wear steel-toed boots, as does anyone on a job site.

Supervisor Rider stated last year she noticed 2 different companies doing fire extinguisher inspections. G&H is doing the highway building and trucks. Fulton is inspecting Town Hall and the Community Building. Highway Superintendent Rollins stated he prefers G&H for the highway building and equipment. Supervisor Rider stated she will call Fulton and ask them not to service Town fire extinguishers any longer. Superintendent Rollins stated if he was given a key, he could let G&H into the Community Building and Town Hall so they could service all the extinguishers during one trip.

Code Enforcement Report: Code Enforcement Officer Alan Teeter reported there were 12 building permits issued in May with 2 being for new homes. He received payment from the Dollar General Store and Delaware River Solar for their permits, and expects to receive paperwork soon from Verizon for their permit, although the tower won't be built until next year or later. He will be meeting with the Department of Social Services about some code issues.

Supervisor's Report: Supervisor Rider reported she attended a TCCOG meeting, two meetings regarding consolidation of services as mandated by Governor Cuomo, two Tompkins County Health Consortium meetings, a TCCOG energy roadmap task force meeting and a Tompkins County Area Development Board of Director's meeting. Councilperson Bryant has been working with her on updating the Policies and Procedures Manual - Councilperson Sims will look over the updates.

Supervisor Rider stated the new cleaning person has resigned. She is looking for someone to clean the Community Building. The job would be about 2 hours each week.

Committee Reports:

Planning Board: There was no meeting this month.

Recreation Partnership: No report.

Enfield Volunteer Fire Company: The submitted report showed there were 22 calls in May of which 19 were EMS calls, 1 MVA, and 2 service calls. June trainings will include fire training, truck maintenance

and a first aid class on June 22. Councilperson McGee stated the contract with EVFC needs to be renegotiated this year and she would like to start talking about their contract. She would like to see updated copies of everything that is required in the current contract and a copy of the annual audit of its records by an independent certified public accountant or an independent public accountant that is required under NYS General Municipal Law section 209z.

Comprehensive Plan Writing Committee: Councilperson McGee reported at the last meeting the committee finished going over the vision statements. They will now go through the entire document to find all the information that needs to be sited or updated. There has been very good input all along and residents seem interested in the future of Enfield. The next meeting is scheduled for June 22 from 7 - 8:30 p.m.

Tompkins County Council of Government (TCCOG): Supervisor Rider stated the last meeting focused on the energy roadmap task force and what the county and other municipalities are doing to be more energy efficient and greener. The other focus is consolidating services to reduce the tax levy.

At this time Attorney Guy Krogh joined the meeting.

Old Business:

Best Value Law or Expanded Procurement Policy: Supervisor Rider provided a copy of the Town of Lansing's Best Value Bidding Authorization Local Law which she asked Town Board members to look over. Attorney Krogh explained such a local law creates best value options. Bidders need to know what they are being judged on - lowest price doesn't always allow best value. Councilperson Sims suggested revisiting the Richmond local law which was previously provided by Attorney Krogh and looked good to her. She will modify that sample to make it relevant to Enfield and provide it before the next meeting for Board members to review.

Local Law #1 of 2017 Land Use Moratorium: Councilperson McGee read the recommended modifications received from the Tompkins County Department of Planning and Sustainability regarding the proposed local law:

To help ensure review of existing proposals, we recommend the Town modify the proposed moratorium to allow for the review and consideration of any pending wind or solar applications under current Town laws.

Councilperson McGee moved, with a second by Councilperson Carpenter to adopt Resolution #2017-40.

Resolution #2017-40

LOCAL LAW #1 of 2017 TOWN OF ENFIELD MORATORIUM ON COMMERCIAL WIND AND SOLAR ENERGY FACILITIES

WHEREAS, the Town of Enfield (the "Town"), under the laws of New York State, desires to maintain its long tradition of protecting the public health, safety, general welfare, property, and environment within its borders; and

WHEREAS, the Governing Board recognizes that regulations that oversee commercial renewable energy development are either non-existent or insufficient to provide for the promotion and protection of public health, safety, general welfare, property and environment in the Town; and

WHEREAS, the Town has participated in a rigorous exploration of public concerns through open public forums and comment periods addressing renewable energy development and the creation of a Wind Advisory Committee, all of which have resulted in a determined need and now declared desire to review, analyze, and update current regulatory oversight protocols for these activities; and

WHEREAS, New York statutes are not sufficient to protect the health, safety and well-being of Town residents, and over decades, starting with the New York Constitution, and continuing with the Statute of Local Governments and the Municipal Home Rule Law, New York has recognized that New York is a geographically and geologically diverse state, such that local regulation of local environments and land use and development is a hallmark of New York State law; and

WHEREAS, New York State Home Rule law grants the Town broad powers to adopt procedures and local laws to promote and protect the public health, safety, general welfare, property, and environment in the Town in order to protect against adverse risks and impacts of development; and

WHEREAS, moratoria are “Type II Actions” under the State Environmental Quality Review Act (SEQRA) regulations (6NYCRR section 617.5(c)(30)), and it is hereby determined that this proposed action—the adoption of a land use moratorium concerning certain alternative energy facilities—does not require further environmental impact review, a determination of significance, or the preparation of any other SEQRA documents; and

WHEREAS, a proposed final draft of such law has been duly presented to the Town Board by Councilperson McGee, in May, 2017; and

WHEREAS, a public hearing for the proposed local law was held on the 31st day of May, 2017, all comments and evidence were duly received and considered, and the proposed local law has not substantially changed such that no additional public hearings are required; and

WHEREAS, the Tompkins County Department of Planning and Sustainability has reviewed the proposed local law and has made only one official comment addressing a preference, desire, or requirement that existing or proposed alternative energy applications be exempted from the local law, presumably based upon selecting some measuring stick to differentiate between those projects that are mere ideas versus those that are the subject of completed applications or which are actually feasible, and while the Town Board believes it has adhered to such request by differentiating between those that have been issued permits and approvals and those that have not, there is an interpretation of the County recommendation that is divorced from land use regulation and application processes in that such recommendation seeks to advance a county-based green energy plan, which is a political and not land use objective and thus not properly related to General Municipal Law (“GML”) § 239-1, *et seq.*; and

WHEREAS, therefore, to the extent that the Town is not making changes to implement the County’s recommendation, this resolution shall suffice as the explanation required by said sections of the GML, and it is thus further noted that the whole point of the moratorium was to maintain the status quo and prevent damage to land and to the public health and welfare to allow the rapidly advancing technologies of alternative energy to be assessed and deleterious or potentially harmful impacts to be identified, mitigated, regulated, or prevented; and

WHEREAS, contrary to the entire purpose underlying moratoria generally, if fully implemented the County’s recommendations would actually defeat the very purpose of this moratorium, and thus the Town of Enfield has elected not to adopt a self-defeating position, and will instead proceed with its moratorium as written to protect the Town and its land and citizens; and

WHEREAS, upon consideration of all of the foregoing, all of which shall be and be deemed a material part of this resolution, and upon due deliberation hereupon, the Town Board of Enfield adopts the following resolutions; so now therefore be it

RESOLVED, that the Town Board of the Town of Enfield hereby enacts, adopts and approves this local law in the form as presented to this meeting, being the same as was presented at the Public Hearing held on the 31st day of May, 2017; and further be it

RESOLVED, that the Town Clerk file this Local Law with the Attorney for the Town of Enfield and the New York Department of State; and it is further

RESOLVED, that the Town Board shall hereafter create, and populate by appointment, a citizen advisory committee to be named the "Renewable Energy Advisory Committee," as a standing committee for the duration of this Local Law, unless earlier dissolved or as may be hereafter extended by the Town Board, and the goals and purposes of this committee will be to gather and substantiate relevant information concerning alternative energy impacts and regulations, particularly in the fields of wind and solar power, and to make recommendations to the Town Board in furtherance of the intent and purpose of this Local Law.

Discussion: Attorney Krogh explained the purpose of Section 239-l, -m and -n of the New York State General Municipal Law is to have the County Planning Department have oversight or guidance of a region, not just a town. They are to look at inter-municipal impacts of land use. The comment from Tompkins County is not a land use comment in his opinion.

Councilperson Carpenter mentioned that even though Black Oak Wind Farm has a pending application, they have shown no progress in many months even though a letter has been sent to them requesting further information and payment.

Supervisor Rider stated she does not see the point of spending energy on this. She believes Black Oak Wind Farm has vested rights and the chances of another wind energy facility coming to Enfield is zip to nil. She felt in the past the Town Board had shown no interest in working on a solar law.

Councilperson Carpenter understands the Town Board has done some work on a solar law, and although the law wasn't completed it was not for a lack of interest. The Town Board needs the time to complete a solar law. He feels Black Oak Wind Farm has shown no interest in going forward. In October of 2016 they were asked for information that has not yet been provided.

Councilperson Bryant feels if the moratorium passes, the Town Board will have a year to revise or amend the wind law, complete a solar law and finish the revisions to the Comprehensive Plan.

Councilperson McGee feels prior statements have misrepresented the work on a solar law. A discussion was started in April of 2015; she worked with Councilperson Carpenter and there were discussions on net metering for the Town's electric supply; she met with Code Officer Teeter regarding the unified solar application; a special meeting of the Town Board was held to discuss issues relating to solar regulations in the Town of Enfield; in September of 2015 she left the information with Supervisor Rider when a move precipitated her resignation from the Board. After that time, most meetings focused on Black Oak Wind Farm. At the January 2016 Town Board meeting Supervisor Rider stated she would e-mail Town Board members a working copy of the draft solar law. She had stated the Town of Seneca law was close to what Enfield was looking for. In April 2016 Supervisor Rider stated she sent the information on a draft law to Town Board members. Councilperson McGee asked Supervisor Rider to once again send Town Board members a copy of the draft solar law. She feels minutes don't reflect a disinterest, and indeed reflect a great interest. She would also like to look into PILOT agreements and the Industrial Development Agency and figure out if there is a way to protect the Town more adequately.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider nay. Carried

Councilperson Carpenter stated he would like to volunteer to be part of a group to work on revisions to the wind law and the solar law if there was not a conflict of interest. Attorney Krogh stated there would be no conflict of interest unless there was a contract between the Town and a relative. He also recommended an emphasis on the Comprehensive Plan as it could drive land use regulations. Councilperson Bryant feels the Comprehensive Plan is very important, especially for grant purposes.

Councilperson Carpenter moved, with a second by Councilperson Bryant to create a Renewable Energy Advisory Committee, populate it with Councilperson Carpenter, and start immediately.

Supervisor Rider moved, with a second by Councilperson Sims to amend the motion to state the purpose of the committee will be to gather and substantiate relevant information concerning alternative energy impacts and regulations, particularly in the fields of wind and solar power, and make recommendations to the Town Board.

Discussion: Attorney Krogh suggested setting forth charges, deadlines, goals, objectives and rules of procedure.

Vote on amendment: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Councilperson McGee moved, with a second by Councilperson Carpenter to amend the motion to include a budget for a recording secretary of \$750.00 with funds coming from the Contingency Fund, A1990.4.

Vote on amendment: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Supervisor Rider moved, with a second by Councilperson Carpenter to amend the motion to appoint Councilperson McGee to the Committee.

Vote on amendment: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Vote on motion: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye. Carried

Highway Building Problems: Supervisor Rider asked for names of two people who could fix the steel doors at the highway building. Councilperson Carpenter stated he would provide these.

Salt Storage Plans: Highway Superintendent Rollins reported he found two possible grants for this project, but the deadlines were fast approaching. He would like the storage building to have a 5,000 to 6,000 ton capacity. Sand can only be purchased during the summer so there needs to be storage room for a year's supply (unless some is stored outside), while salt can be purchased during winter months. He mentioned the price of sand went up \$2 a ton this year.

Building Problems: Code Officer Teeter reported there are light problems in the food pantry area of the Community Building. The food pantry is asking the Town to install new lights. Norm Smith estimated \$1,115 in materials (10 lights) and \$1,000 in labor to install new LED lights.

At this time, 9:35, Councilperson Bryant left the meeting.

Supervisor Rider moved, with a second by Councilperson McGee to authorize moving forward on the replacement of all the fluorescent lights with new LED lights in the food pantry area of the Enfield Community Building using Norm Smith as the contractor with the understanding this is a public works project and he will need proper paperwork.

Vote: Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye, Councilperson Bryant excused. Carried

New Business:

Credit Card for Highway Department: Supervisor Rider is to get a credit card for the highway department from Tompkins Trust Company.

Public Hearing for Local Law # -2017 Override the Tax Cap Limit:

Supervisor Rider moved, with a second by Councilperson McGee to adopt Resolution #2017-41.

Resolution # 2017-41 Public Hearing on 2% Tax Override Law

WHEREAS, New York State has instituted a law that local municipalities should not adopt a budget increasing property taxes more than 2% and

WHEREAS, the cost of employees benefits is increasing, the Highway building needs renovation and the Highway Superintendent has concerns about equipment, culvert and bridge replacement, cold storage and salt storage facilities and

WHEREAS, it is unknown at this time what our 2018 budget will look like, therefore be it

RESOLVED that a local law be passed allowing there to be more than a 2% increase in local property taxes and that a public hearing on the matter be scheduled for Wednesday, July 12, 2017 at 6:30 PM for the purpose of the public to comment on the following draft Local Law # -2017 for the purpose of being acted upon by the Enfield Town Board. The Town Clerk is directed to do the mandatory public notices as required in MHRL §20.

TOWN OF ENFIELD LOCAL LAW #__ FOR THE YEAR 2017

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C**

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

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Enfield pursuant to General Municipal Law §3-c, and to allow the Town of Enfield to adopt a budget for the fiscal year beginning January 1, 2018 and ending December 31, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Enfield, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

Discussion: Supervisor Rider stated that passing this law is an administrative measure and purely precautionary in case the Town's 2018 budget doesn't come under the tax cap.

Councilperson McGee would like to put off voting on this resolution. There are a lot of questions about the budget process and how bills are paid. She would like the Board to attend some training meetings or webinars to learn what their responsibilities are in order to put together a budget. She would also like tax cap information before passing a law and a better understanding of the process, as voting without understanding isn't responsible.

Attorney Krogh stated the law needs to be passed early enough to take into account the budget process. If the Town doesn't go over the cap, the law can be repealed.

Councilperson Carpenter feels passing the law without knowing why it is being done is problematic. The Board needs a better understanding of next year's budget. However, if the law needs to be passed it should be done in a timely manner, and it will be hard to keep within the tax cap this year.

Councilperson Sims would like to see the budget process begin before starting the tax cap override process. She would rather start with the budget and then override the tax cap if necessary.

Highway Superintendent Rollins stated he feels the paragraph about the highway department is unfair - it is the Town's business and not the Superintendent's decision.

Councilperson Sims moved, with a second by Supervisor Rider to amend the Resolution to take out "the Highway Superintendent has concerns" and insert "there are concerns".

Vote on amendment: Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye, Councilperson Bryant excused. Carried

Vote on motion: Councilperson Carpenter aye, Councilperson McGee aye, Councilperson Sims nay, Supervisor Rider aye, Councilperson Bryant excused. Carried

Joining the Amicus Brief from Columbia University's Environmental Law Clinic: Supervisor Rider stated there was no resolution for this. Councilperson Sims stated she would want more specifics before voting on this. She will follow-up to get more information and translate to something that is easier to understand.

Workplace Violence Training: Supervisor Rider stated she will hold trainings on Wednesday, June 28 at 5:30 and Thursday, July 6 at 7:00 at the Enfield Community Building.

Resolution in Support of the Living Wage as the Minimum Wage in Tompkins County:

Councilperson Sims moved, with a second by Councilperson McGee to adopt Resolution #2017-42.

Resolution # 2017-42 Support of the Living Wage as the Minimum Wage in Tompkins County

WHEREAS, it is one of our most cherished values that there is dignity in work; and

WHEREAS, raising incomes is critical to providing economic mobility and opportunity for working families; and

WHEREAS, the growth in income inequality in recent years has created divisions within our society and community; and

WHEREAS, Tompkins County is becoming increasingly divided, with a portion of the population thriving while many more face low wages, growing inequality, erosion of middle-class jobs, staggering housing costs, and the low-wage service economy; and

WHEREAS, the Alternatives Federal Credit Union has conducted a Living Wage study every other year since 1994 to establish the cost for a single person working full-time to live in Tompkins County, and the subsequent wage necessary to meet this cost; and

WHEREAS, the Tompkins County Workers Center, which certifies local living-wage employers, lists currently more than 100 Living Wage entities across the county, a list that includes the Town of Enfield and five other municipalities, encompasses more than 90 employers with workforces less than 50 employees, and represents over 2,800 workers making, at least, a Living Wage; and

WHEREAS, failure of employers to pay workers a living wage is a major problem for the residents of the Town of Enfield, highlighted by the fact that 73% of students at Enfield Elementary qualify for free or reduced lunch, representing the highest rate of any school in the County; and

WHEREAS, a full-time minimum wage worker in New York State earns \$20,176 at the current minimum wage of \$9.70/hour, an income significantly below the current living wage in Tompkins County of \$29,827; and

WHEREAS, a higher minimum wage across Tompkins County can increase spending on locally produced goods and services by workers benefiting from such increased wages, which, in turn produces greater demand and helps stimulate the local economy; and

WHEREAS, a living wage can reduce the cost burden of social services in the Town of Enfield and Tompkins County; and

WHEREAS, our community has a proud tradition of advocating for worker rights and promoting economic justice; and

WHEREAS, we as a community can no longer accept wages that leave hardworking people unable to support themselves nor their families; now, therefore be it

RESOLVED, That the Town of Enfield requests that the Tompkins County Legislature pass a local minimum wage law establishing the Tompkins County Living Wage, as determined by Alternatives Federal Credit Union, (currently \$14.34/hour) as the minimum wage; phasing this new minimum wage in over a four year period; and indexing it to changes in the Tompkins County Living Wage thereafter; and, be it further

RESOLVED, That the Town of Enfield supports Tompkins County further passing a home-rule request to New York State seeking the authority to implement such a local minimum wage; and, be it further

RESOLVED, That the Town of Enfield calls on the New York State Legislature to pass promptly said home-rule request; and, be it further

RESOLVED, That a copy of this resolution be forwarded to the Tompkins County Legislature, the Tompkins County Council of Governments, New York State Assemblywoman Barbara Lifton, New York State Senator Thomas O'Mara, and New York Governor Andrew Cuomo.

Discussion: Councilperson Carpenter stated he is not in favor of this Resolution. Supervisor Rider feels governing bodies play a role in being leaders in communities and this is an important social concept that will take time, but it is better than doing nothing.

Vote: Councilperson Carpenter nay, Councilperson McGee aye, Councilperson Sims aye, Supervisor Rider aye, Councilperson Bryant excused. Carried

Privilege of the Floor:

Highway Superintendent Rollins announced he has agreed to provide space for residents to vote at the Highway Department. Supervisor Rider stated the Enfield Volunteer Fire Department no longer wishes to provide this service for residents. Councilperson Sims thanked Superintendent Rollins for being accommodating.

Marcus Gingerich of Enfield stated, regarding joining the Amicus Brief from Columbia University's Environmental Law Clinic, he is concerned how they delineate between commercial farming operations and smaller operations.

Adjournment: Supervisor Rider moved with a second by Councilperson Sims to adjourn the meeting at 10:45 p.m.

Respectfully submitted,

Alice Linton, RMC
Enfield Town Clerk