

Approved December 10, 2008

Enfield Town Board Regular Meeting
December 10, 2008 at 7:00 PM
Enfield Community Building -- 182 Enfield Main Road

Meeting called to order by Supervisor Frank Podufalski

Present: Supervisor Frank Podufalski

Councilperson Stephanie Gaynor

Councilperson Roy Barriere

Councilperson Rob Harvey

Councilperson Herb Masser

Town Clerk Alice Laue

Also present: Tim Ashmore - Ithaca Journal

Mark Butler - Attorney for EVFC

Pledge of Allegiance:

Supervisor Frank Podufalski led the assemblage in the Pledge of Allegiance.

7:05 p.m. Public Hearing on Fire Department Contract Canceled:

Supervisor Podufalski noted that he canceled the public hearing on the fire department contract because Enfield is moving forward tonight toward becoming a fire district. As a result we will be acting on an inter-municipal agreement with the fire company to pay for their services during the time lapse from the first of the year (2009) until the fire district goes into effect.

20-minutes presentation by Rick Manning, Finger Lakes Trails, was rescheduled to January 2009.

20-minutes presentation by Dwight Mengle (DSS) and Deana Bodnar re: feeder bus:

Mengle spoke of a pilot feeder bus service (similar to a jitney) for TCAT buses in Enfield and Newfield. Mengle helped develop rural transportation services in Tompkins County and notes that only about 20% of Enfield residents have easy access to TCAT...the other are off the main highway. There would be about 5 trips per day by the small operator at no cost to the town. (They have a 2-year grant that will pay for the bulk of the start up.) Riders would pay about \$1 to be picked up and taken to a TCAT bus route. Advanced notice needed. Marketing effort in the hopper to cover every resident via direct mail, website, food bank, churches, etc. Possibly start around early March 2009.

Supervisor Podufalski recognized Jim Varricchio and Betty Poole who were in attendance. Justice courts will be moving to the Community Building. No exact moving time given. Varricchio explained grant monies used to purchase chairs, desks and other furniture.

Approval of Minutes:

A motion was made to approve the November 12, 2008 Town Board minutes.

Motioned: Councilperson Barriere

Seconded: Councilperson Harvey

Discussion

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

A motion was made to approve the minutes for the Special Town Board Meeting December 3, 2008.

Motioned: Councilperson Barriere

Seconded: Councilperson Harvey

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Communications/Announcements/Correspondence:

- ** Tompkins Co. Dept. of Assessment -- increased max for senior citizens -- a nice tax break
- ** Assoc. of Towns Meeting -- February 15, 2009 in NYC
- ** Attorney General Outreach Program -- Dec. 17th at Cornell Cooperative Ext. from 11 am to 1 pm
- ** Ithaca Youth Bureau -- Ithaca Youth Council -- Requested \$1,000 from Enfield
- ** CU City and Regional Planning internship available
- ** TCCOG -- Resolution calling on the governor and state legislature to end the practice of passing costs for state programs to local and county governments
- ** NYMIR -- Loss Control Survey of Town Barn found no recommendations generated as a result of an inspection at this time

Budget Amendments:

Resolution 2008 - No. 33

*Allocate monies where most needed
Budget Amendment Number 13*

Whereas, budget lines have to be amended to allocate monies where they are most needed in the 2008 Enfield Town Budget, NOW THEREFORE BE IT

RESOLVED, that General Fund Account A1460.41 titled, "Records Management Contractual" be decreased by \$250.00, General Fund Account A9950.4 titled, "Interfund

Transfer to Building Reserve” be decreased by \$30,000.00, General Fund Account A1410.2 titled, “Town Clerk Equipment” be increased by \$721.13, General Fund Account A1460.1 titled, “Records Management Personal” be increased by \$250.00, General Fund Account A1620.4 titled, “Building Contractual” be increased by \$2,000.00, General Fund Account A1920.4 titled, “Municipal Dues Contractual” be increased by \$99.00, General Fund Account A3010.2 titled, “Public Safety Equipment “ be increased by \$209.56, General Fund Account A3010.1 titled, “Public Safety Personal “ be increased by \$500.00, General Fund Account A5010.2 titled, “Highway Superintendent Equipment” be increased by \$24.45, General Fund Account A8810.4 titled, “Cemeteries Contractual” be increased by \$200.00, General Fund Account A5010.4 titled, “Highway Superintendent Contractual” be increased by \$31.25, General Fund Account A9060.8 titled, “Medical Insurance” be increased by \$200.00, and General Fund Account A1990.4 titled “Contingency Account Contractual” be increased by \$26,014.61.
(Shouldn't this last line read “decreased”?)

Motioned: Supervisor Podufalski

Seconded: Councilperson Harvey

Discussion:

Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.

Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.

Resolution 2008 - No. 34

***Machinery Equipment Account Increase
Budget Amendment Number 14***

Whereas, budget lines have to be amended to allocate monies where they are most needed in the 2008 Enfield Town Budget, NOW THEREFORE BE IT

RESOLVED, that Highway Fund Account DA5110.4 titled, “General Repairs Contractual” be reduced by \$120,000.00, Highway Fund Account DA5130.2 titled, “Machinery Equipment” be increased by \$14,957.33 and Highway Fund Account DA Interfund Transfer Equipment reserve” be increased by \$105,042.67.

Motioned: Supervisor Podufalski

Seconded: Councilperson Harvey

Discussion:

Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.

Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.

*Resolution 2008 - No. 35**Transfer of Fund to Equipment Reserve
Budget Amendment Number 15*

WHEREAS, the Town of Enfield 2008 Highway Fund Budget appropriated \$150,042.67 in Highway Fund Account DA9950.9 titled, " Interfund Transfer Equipment Reserve",
NOW THEREFORE BE IT

RESOLVED, that the Town Board approves the transfer of \$150,042.67 from Highway Fund Account DA9950.9 to the Equipment Reserve Fund.

Motioned: Supervisor Podufalski

Seconded: Councilperson Harvey

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Audit Claims:

It was motioned that Supervisor Podufalski, on behalf of the Town Board of the Town of Enfield, be authorized to pay the following:

- General Fund vouchers #243 - #273 dated December 10, 2008 in the amount of \$35,405.92
- Highway Fund vouchers #90 - #102 dated December 10, 2008 in the amount of \$72,881.44

Motioned: Councilperson Gaynor

Seconded: Councilperson Barriere

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

COMMITTEES/BOARDS REPORTS**Tompkins County Board of Representatives:**

There was no representative from the Board of Representatives.

Code Enforcement:

A written report was submitted. 80 building permits issued to date.

Enfield Community Council [ECC]:

Carolyn Tschanz called Supervisor Podufalski saying she would be unable to attend to present her report. Husband at a fire on Bostwick and she's watching her three kids.

Enfield Volunteer Fire Company:

Larry Lanning present but had no report. Firemen at a fire.

Facilities Building Manager:

Councilperson Barriere said there were no major updates. Door needing to be installed does not fit. New door will cost around \$650. Barriere asked the Board if they were still interested in rekeying the Community Building. Board members said yes. Barriere will contact ACE security...he has a bid.

Facilities Planning Committee:

Councilperson Masser said there was nothing to report due to the holidays.

Highway Report:

There was no report. Deputy Superintendent Owens was at the fire.

Planning Board:

No report.

Recreation Partnership:

Councilperson Gaynor said that she can't make their regular meetings. Asked Marnie K. if they might consider changing their meeting date. Marnie said Enfield participation is very strong.

Tompkins County Council of Governments (TCCOG):

Supervisor Podufalski read TCCOG Resolution No. 004-008 calling on the governor and state legislature to end the practice of passing costs for state programs to local and county governments. There was no discussion at the TCCOG November meeting (and no December meeting was held) regarding dog control.

OLD BUSINESSCemetery:

Councilpersons Barriere presented a resolution outlining rates and procedures for cemetery plot sales and procedures for opening and closing cemetery plots for burial.

*Resolution 2008 - No. 36 Setting rates and procedures for
Cemetery plot sales and procedures for opening and closing cemetery plots for
burial*

Whereas the Towns current rates and procedures for cemetery plot sales and closing and opening of same are outdated, and the Town wishes to update the towns policy in regard to these procedures,

Be It Resolved that the rates and procedures proposed by the Cemetery rates Committee are accepted as written and Towns policy manual be updated to reflect these changes.

*Motioned: Supervisor Podufalski
Seconded: Councilperson Barriere*

Discussion: Councilperson Masser asked if monies would be collected in advance. Councilperson Barriere says monies are collected by funeral directors who, in turn, pay it to Enfield. A Town burial policy manual will be created/maintained/updated by the committee. Sue Thompson is the committee chairman. Wayne Snyder is the cemetery coordinator.

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
 Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

NEW BUSINESS

Supervisor Podufalski read the following Resolution:

Resolution 2008 - No. 37

Awarding Bids on Surplus Equipment

*WHEREAS, truck #19, a 1986 Mack is no longer able to pass NYS inspection,
and*

*WHEREAS, the 1984 1-ton Chevrolet truck is no longer needed for service,
and*

*WHEREAS, the Town Board authorized a BID notice for the sale of this
equipment, NOW THEREFORE BE IT*

*RESOLVED, that the Town of Enfield Town Board authorizes the Deputy
Highway Superintendent and the Town Supervisor to publicly open sealed bids for
the equipment on Thursday, December 18, 2008 at 5:00 PM at the Town Hall and
further authorizes the Deputy Highway Superintendent and the Town Supervisor
to award the winning bids.*

Motioned: Supervisor Podufalski

Seconded: Councilperson Barriere

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

SPCA Contract:

Supervisor Podufalski received a contract from the SPCA for 2009 for \$10,608. The SPCA will be totally out of the dog control business after 2009. Councilperson Masser suggested getting in touch with the person who is handling the dogs in Ulysses. Supervisor Podufalski agreed. No action was taken as to who would contact Ulysses.

A public hearing on the SPCA contract was not set. Supervisor Podufalski will talk with Abigail Smith at the SPCA regarding partial payments starting January 1, 2009, until the contract can be honored. (Supervisor Podufalski said there would be no year-end Board meeting; therefore, the partial payment proposal was suggested.)

Wind Energy Facilities Local Law Resolution:

Supervisor Podufalski read the following resolution:

2008 Resolution No 38 Naming the Town as Lead Agency for the SEQRA review of the proposed Wind Energy Facilities Local Law and Scheduling Public hearing thereupon

Whereas the Town of Enfield Town Board sent out Notices of Intent to all identified Involved and Interested Agencies in regards to Lead Agency status for SEQRA purposes for the proposed Wind Energy Facilities Local Law, Town of Enfield Local Law Number 3 of 2008, and more than 30 days has passed and no parties have objected to the Town's declaration of intent to be Lead Agency, now

Be It Resolved that the Town of Enfield be and hereby is declared to be Lead Agency to conduct the environmental review of the proposed Wind Energy Facilities Local Law, Town of Enfield Local Law Number 3 of 2008, and it is further determined and re-declared that this action is classified as a Type I Action pursuant to 6 NYCRR Part 617.4; and it is further

Resolved, that a Public Hearing will be held at the Enfield Town Community Building, 182 Enfield Main Road, Ithaca, New York, being in the Town of Enfield, on the 7th day of January, 2009, at 6:30 o'clock P.M., to consider a SEQRA review and the environmental impacts of the proposed project known as the Wind Energy Facilities Local Law, Town of Enfield Local Law Number 3 of 2008, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

Resolved, that the Town Clerk of the Town of Enfield, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Enfield at least 14 days before such hearing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk at least 14 days before such hearing, in accord with law; and it is further

Resolved, that the Lead Agency shall promptly prepare Parts I and II of the Long Form Environmental Assessment Form and assure that it is accurate and complete so that the final Long Form Environmental Assessment Form is available for review at the time and place set forth above.

Motioned: Supervisor Podufalski
Seconded: Councilperson Barriere

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Wind Energy Facilities Local Law Public Hearing:

A motion was made to schedule a Public Hearing on the full environmental assessment form, Wind Energy Facilities Law on January 7, 2009 at 6:30 p.m.

*Motioned: Councilperson Gaynor
Seconded: Councilperson Barriere*

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Creation of the Enfield Fire District ("Fire District"):

Supervisor Podufalski reminded the Board that a public hearing on the creation of the Enfield Fire District was held on December 3, 2008 and at this point he presented (and read) a ***Resolution of Negative Declaration Under SEQRA in Connection with Consideration of the Creation of the Enfield Fire District.*** Resolution # 39 is attached. Part 3 of the short-EAR is also attached.

Resolution 2008 - No. 39 ***Resolution of Negative Declaration Under
SEQRA in Connection with Consideration of the Creation of the Enfield Fire
District***

*Motioned: Supervisor Podufalski
Seconded: Councilperson Masser*

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Supervisor Podufalski then read the ***Certificate of Resolution of Negative Declaration Under SEQRA in Connection with Consideration of Creation of Enfield Fire District.*** Resolution #40 is attached.

Resolution 2008 - No. 40

Certificate of Resolution of Negative

Declaration Under SEQRA in Connection with Consideration of Creation of Enfield Fire District

Motioned: Councilperson Barriere

Seconded: Councilperson Masser

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Supervisor Podufalski then read the *Resolutions of Approval of Creation of Enfield Fire District*. Resolution #41 is attached.

Resolution 2008 - No. 41

Resolutions of Approval of Creation of

Enfield Fire District.

Motioned: Councilperson Barriere

Seconded: Councilperson Harvey

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Supervisor Podufalski then read the Notice of Adoption of Resolutions of Approval of Creation of Enfield Fire District. The attorney for the Enfield Volunteer Fire Company, Mark Butler, noted that the certificate he was about to read did not have to be approved by the Board...but was only for Town Clerk, Alice Laue, to sign off on. Podufalski chose to read it as a matter of record. (Butler will meet with Laue at Town Hall December 16, 2008 for signing.)

Supervisor Podufalski then read the *Inter-Municipal Agreement For Provision of Fire Protection and Emergency Services*. Resolution #42 is attached.

Resolution 2008 - No. 42

Inter-Municipal Agreement For Provision

of Fire Protection and Emergency Services.

Motioned: Councilperson Barriere

Seconded: Councilperson Harvey

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Announcements:

There were none.

Privilege of the Floor:

Mark Butler responded to a question of payment to the secretary and treasurer of \$100/month saying that these offices are appointed by the Board of Fire Commissioners and may be compensated. Every Fire District in NYS pays these officers. Fire Commissioners are not compensated.

People who are interested in being appointed Fire Commissioners need to submit letters of interest to the Town Clerk as soon as possible. The Enfield Town Board will appoint the Fire Commissioners within ten days of formation of the District.

Supervisor Podufalski responded to an Ethics Committee question noting that there are no plans to do anything further...the system that is in place right now works, he said.

Maguire Ford was the low bidder on the new truck.

Adjournment:

A motion was made to adjourn at 9:10 p.m.

Motioned: Councilperson Gaynor

Seconded: Councilperson Masser.

Discussion:

*Vote: Councilperson Barriere...aye. Councilperson Gaynor...aye. Councilperson Masser...aye.
Councilperson Harvey...aye. Supervisor Podufalski...aye. Carried.*

Minutes transcribed and typed by Deputy Town Clerk N. Pat Dougherty.