

TOWN OF ENFIELD  
PUBLIC HEARING & REGULAR TOWN BOARD  
MEETING MINUTES  
WEDNESDAY, SEPTEMBER 12.2007  
7:00 P.M.

A public hearing on the Emergency Radio Communications Protection Law was held Wednesday, September 12, 2007 at the Enfield Community Building, 182 Enfield Main Road, Ithaca, NY at 7:00 p.m. before the regular monthly Town Board meeting with Supervisor Owens presiding.

Present: Supervisor Jean Owens, Councilperson Peggy Hubbell, Councilperson Byron Smith, Councilperson Robert Harvey and Town Clerk Alice Laue.

Absent: Councilperson Sandra Small.

Others Present: Aaron Miller, Rebecca Coulter, Bruce and Samantha Varner, Jim Varricchio, Betty Poole, Beverly Hubbard, Roy and Carol Barriere, Dean Koyongi, Ron Clark, David Owens, Mary Jo and Eugene Lovelace, Seth Cameron, Joe Parks, Marnie Kirchgessner, Amber, Gerhardt and Mildred Achilles, Pat Dougherty, Diane Aramini, Margaret and Douglas Willis, David Dimmick, Cliff and Antanina Newhart, Elizabeth Allen, Pat and Frank Podufalski, Marguerite Wells, John Rancich, Kay Callahan, Greg Stevenson, Virginia Bryant, Herb Masser.

**Public Hearing – Emergency Radio Communications Protection Law:**

Supervisor Owens opened the public hearing by reading the legal notice published in the Ithaca Journal and highlighted that the law has to do with the protection of the new 911 emergency tower systems.

After all wishing to speak had spoken the public hearing was closed. Public hearing closed at 7:05 p.m.

**REGULAR TOWN BOARD MEETING**

**Pledge of Allegiance to the Flag:** Supervisor Owens opened the regular Town Board meeting by leading the assemblage in the Pledge of Allegiance to the Flag.

**Privilege of the Floor:**

**Marguerite Wells** spoke in favor of the wind farm proposal and feels the set backs need to be removed from the proposal.

**Cliff Newhart** stated set backs need to be required. Town Board is making a law to protect the citizens in the Town of Enfield. There are health and safety issues associated with wind farms that are too near to homes. Citizens on Connecticut Hill need to be protected.

It was asked if the Newfield Town Board had been approached. (No answer).

Compared with other wind farm locations this is a very unusual site because of its location.

**Committee/Board Reports:**

**Tompkins County Legislature:** County Legislator Greg Stevenson reported that County department heads and County Administrator are busy putting budget materials together. Anticipating receipt of County Administrator's budget September 14, 2007. Administrator believes he can recommend a budget that meets the established budget goal. Beginning work to select a new County Administrator.

Condition of Black Oak Road was discussed and Legislator Stevenson to talk with County Highway Manager about plans for Black Oak Road.

**Beautification Committee:** No report.

**Code Enforcement:** Code Officer Ron Clark reported on his written report. College View North - Kevin Jacobs is opening up a new fifteen lot; double wides only, section to be called Jordan Avenue. There are no conflicting addresses in the County, for 911 purposes it will be named Jordan Avenue.

Motion made by Councilperson Harvey, seconded by Councilperson Hubbell that the Town Board recognizes Jordan Avenue as a new private drive in College View North for the purpose of the 911 emergency systems and will not be a Town road.

Discussion:

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

**Enfield Community Council:** Supervisor Owens reported that the Harvest Festival is Saturday, September 15, 2007 at the Enfield School and donations of cakes and soda are needed.

**Enfield Volunteer Fire Company:** Monthly report to be at the Town Hall before end of the week.

**Planning Board:** Virginia Bryant reported that the Planning Board met at the usual time. Worked on application for subdivision regulations. Worked on drafting of a wind farm ordinance and decided to recommend it as a local law. Talked about a noise ordinance again.

**Old Business:**

**Code of Ethics:** Supervisor Owens again suggested that Board members read the Association of Town's Code of Ethics and the Board of Ethics article in the recent Town Topics. She would like to see what the County Board of Ethics job description looks like. Owens asked Legislator Stevenson to talk to Dooley Keifer about the County's Board of Ethics.

**Emergency Radio Communications Protection Law:** Supervisor Owens presented the law for adoption.

Motion made by Councilperson Hubbell, seconded by Councilperson Smith that the Town Board approve the adoption of the Emergency Radio Communications Protection Law.

Discussion:

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

**New Business:**

RESOLUTION #2007-27  
AUTHORIZATION OF ATTENDING NYS MAGISTRATE'S  
COURT CLERK ASSOCIATION 2007 ANNUAL CONFERENCE

WHEREAS, the NYS Magistrate's Court Clerk Association will be holding their 2007 Annual Conference on September 30, 2007 through October 3, 2007, in Tarrytown, New York, and

WHEREAS, the attendance at the said conference, by Beverly A. Hubbard and Tiffany N. Poole, Court Clerks will benefit the Town of Enfield by providing additional schooling from said training session; NOW, THEREFORE, BE IT

RESOLVED, that the governing Town Board of the Town of Enfield does hereby authorize Beverly A. Hubbard and Tiffany N. Poole, Court Clerks, to attend the NYS Magistrate's Court Clerk Association 2007 Annual Conference, to be held in Tarrytown, NY, on September 30, 2007 through October 3, 2007; and be it further

RESOLVED, the cost not to exceed \$950.00 for registration, lodging, meals and travel is to be expended from A1110.400.

Moved by Councilperson Hubbell, seconded by Councilperson Harvey.

Discussion: None

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

RESOLUTION #2007-28  
AUTHORIZATION FOR ATTENDING NYS MAGISTRATE'S  
ASSOCIATION 2007 ANNUAL CONFERENCE

WHEREAS, the NYS Magistrate's Association will be holding their 2007 Annual Conference on September 30, 2007 through October 3, 2007, at Tarrytown, NY, and

WHEREAS, the attendance at the said Magistrate's Conference will benefit the Town of Enfield by providing additional schooling from said training sessions, and

WHEREAS, Town Justice Betty Poole has accepted one of four appointments in the State of New York by the President of the New York State Magistrate's Association to be a member of the At-Large Nominating Committee to select candidates for positions of newly elected officers and directors at the 2007 NYS Magistrate's Association Annual meeting; and

WHEREAS, members of the New York State Magistrate's Association registered for the conference and attending NYS Unified Court System will reimburse the municipal corporation for one (1) night of lodging and mileage at the current State rate

WHEREAS, in the event the clerk is not awarded the scholarship, sufficient funds exist in the court's contractual budget line to cover the expenses; NOW, THEREFORE, BE IT

RESOLVED, that the governing Town Board of the Town of Enfield does hereby authorize Town Justice Betty Poole to attend the NYS Magistrate's Association Annual Conference, to be held in Tarrytown, NY. Lodging will be at the Comfort Inn & Suites, 20 Saw Mill River Rd., Hawthorne, NY, and be it further

RESOLVED, the cost is not to exceed \$650.00 for registration, lodging, meals, and travel and is to be expended from A1110.400 and that the Town of Enfield will be reimbursed approximately \$365.00 from the NYS Unified Court System, consisting of \$139.50 for one nights lodging and approximately \$225.00 for mileage.

Moved by Councilperson Harvey, seconded by Councilperson Smith.

Discussion: None

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

RESOLUTION #2007-29  
TOWN OF ENFIELD BUDGET AMENDMENT NO. 6  
TRANSFER OF APPROPRIATIONS – COURT CLERKS/JUSTICE  
ATTENDANCE AT CONFERENCE

WHEREAS, the Town of Enfield has authorized attendance for Town Justice Betty Poole and Court Clerks Tiffany N. Poole and Beverly A. Hubbard to attend the 2007 NYSMA and NYSMCCA 2007 Annual Conference in Tarrytown, New York, NOW, THEREFORE BE IT

RESOLVED that General Fund Appropriations account A1110.21, titled "Justices Equipment" be reduced \$1,000.00 and General Fund Appropriations account A1110.4, titled "Justices Contractual" be increased \$1,000.00.

Moved by Supervisor Owens, seconded by: Councilperson Harvey.

Discussion: None

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

**Recreational Partnership Agreement:** Supervisor Owens presented the 2008-2012 Intermunicipal Partnership Agreement.

Motion made by Councilperson Smith, seconded by Councilperson Hubbell that the Town Board authorizes the Supervisor to sign the 2008-2012 Intermunicipal Partnership Agreement on behalf of the Town of Enfield provided there are no subsequent changes subsequent to its approval.

Discussion: None

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

**Audit Claims:**

Supervisor Owens presented bills and vouchers for payment.

Motion made by Councilperson Smith, seconded by Councilperson Hubbell that the Town Board authorizes the Supervisor to pay:

General Fund Vouchers # 172-191 in the amount of \$8,090.58

Highway Fund Vouchers # 67-78 in the amount of \$70,999.41

Discussion: None

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

**Announcements:**

Supervisor Owens reminded the assemblage of the Harvest Festival September 15<sup>th</sup>.

**Privilege of the Floor:**

**Cliff Newhart** asked what could be done about the recycling being done at Teeter's Junkyard. People are draining car fluids, etc., from junk cars along the roadside. Supervisor asked the Code Officer to look into the matter. Code Officer is to write up an Order to Remedy and contact DEC.

**David Dimmick** would like the Board to make a resolution in reference to Black Oak Road that can be passed on to the County Highway Manager. Consensus of the Board was they first need to find out what the County is going to do on Black Oak Road before making a resolution. Town Highway Superintendent to be asked to evaluate condition of Black Oak Road.

**Bruce Varner** would like the Board to uphold strong set backs so that Mr. Rancich would be forced to litigate his own impacts on this project.

**Adjournment:**

Motion made by Councilperson Hubbell, seconded by Councilperson Smith that the September 12, 2007 regular Town Board meeting adjourn.

Discussion: None

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

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Alice Laue, Town Clerk