

Town of Enfield  
Special Town Board Meeting  
Enfield Community Building  
Tuesday, September 24, 2019  
6:30 p.m.

Present: Town Supervisor Beth McGee, Town Councilperson Virginia Bryant, Town Councilperson Mike Carpenter, Town Councilperson Mimi Mehaffey, Town Councilperson Becky Sims, Town Highway Superintendent Buddy Rollins, Town Clerk Alice Linton.

Supervisor McGee called the meeting to order at 6:30 p.m. Town Clerk Linton lead the assemblage in the Pledge of Allegiance to the Flag.

**Changes to the Agenda:** Supervisor McGee asked if anyone had changes to the agenda. She changed privilege of the floor to be after the presentation by the Tompkins County Sheriff's Department.

**Proposal: Building Use Request – Tompkins County Sheriff's Department:** Supervisor McGee stated Darren McGee sent a proposal to Town Board members last week and Sheriff Derek Osborne was invited to speak publicly about the proposal and answer any questions at this meeting.

Darren McGee read a proposal for setting up a Sheriff satellite office at the Enfield Town Hall. He arranged a meeting with Sheriff Osborne and Supervisor McGee and they concluded the old highway facility would meet their needs by using the Town Historian's space, a bathroom and one of the bays with an automatic door. Benefits to Enfield could include reduced response times, involvement with schools and community groups, and a strong sense of safety in Enfield. Some of the tasks the Town would need to complete before a satellite office could be situated at Town Hall would be to replace existing office window, replace wooden office door with a fire-proof door, have Haefele install free cable in the office, provide access to the existing internet connection, install a new LED light fixture in the office, find an energy efficient option for heating/cooling, replace the sink fixture in the restroom, install CO2/smoke detectors outside the office, install key pads on the office door and exterior door leading to the garage, purchase paint for the restroom, garage bay area and office, and promote a community clean-up effort to clean and prepare the space.

Councilperson Mehaffey asked how many hours would be involved. Sheriff Osborne stated the office would be more of a work place - a place for deputies to start their shift at. The space would provide the possibility of one or two shifts starting from Enfield. The deputies would be able to phone in to the main office for debriefing.

Councilperson Bryant feels their presence there, and comingling with the community members would be great. This location would be close to the school. Sheriff Osborne stated this will be a benefit to Newfield and Ulysses also.

Councilperson Sims asked if the Sheriff's Department is currently operating any other satellite stations in the county. Sheriff Osborne stated no they are not.

Councilperson Carpenter mentioned the space is a highway garage. He asked if there would be any significant drawbacks that would need to be remedied. Sheriff Osborne stated not a lot is required for a satellite office. There is a place to park a patrol car, there is an office and restroom. He doesn't feel any major renovation would be needed.

Supervisor McGee stated there is a window available for replacement, but that new window would not be able to have an air conditioner in the window. Councilperson Carpenter stated a heating/cooling unit similar to the one in the Town Clerk's Office could be installed.

Town Historian Sue Thompson suggested checking the electricity in the office as sometimes the light doesn't come on at all.

Although County Legislator Anne Koreman was not present, she had suggested smoke detectors and CO2 detectors. The fuel line to the furnace that is in the garage should be capped.

Councilperson Sims stated she appreciated Darren McGee bringing this to the Town Board. She questioned the cost sharing on this. She asked if there had been discussion about set up and operation and maintenance, and cost sharing with other municipalities? Sheriff Osborne stated a desk, computer, and phone would be provided, and possibly signage. If the Town wanted to present the plan to Tompkins County public safety they might help with expenses. Legislators suggested we ask for a match for an over-target request. That might help pay for an air source heat pump with a cost of around \$3,000 and keypads for doors instead of keys.

Councilperson Sims liked the idea of an overall presence by the Sheriff's Office by adding something like this in the community. Enfield has historically been one of the poorest areas of the county, so this could be a benefit, but that being said not everybody sees law enforcement as friendly. She feels that needs to be acknowledged and she would hate to see this further compound criminal justice processing that might otherwise be happening. She'd like to see other services in this community, such as WIC. A little bit of everything would be good so as to have all needs met. She asked how this might make a positive impact. Sheriff Osborne stated he doesn't want deputies to look at this as an opportunity to target anyone. Ulysses, Enfield and Newfield would be covered by one person per shift. They are looking at this as having a presence in Enfield, and don't think there is more crime here than other places. Their motivation is not to make anyone uncomfortable.

Supervisor McGee has spoken with both Judge Betty Poole and Jean Owens who runs the Enfield Food Pantry. She stated Judge Poole is excited about the plan. Jean works mostly with the demographics previously mentioned. She had an overwhelming sense of safety when this plan was discussed. Sheriff Osborne added if there is an office here, there will be direct contact with him so there would be some control of where the deputy's presence would be welcome.

Supervisor McGee stated she would have a better cost idea by the regular October meeting and she would ask Code Officer Teeter to look at this from a code officer viewpoint. She will put the resolution on the October meeting agenda. The historian's office would need to be moved, and this needs to be a part of the whole project. Supervisor McGee suggested displaying some materials instead of storing them. This entire project might not happen until next year. Councilperson Mehaffey suggested some money would need to be put in the budget for this. Supervisor McGee feels there is enough in this year's budget to cover expenditures.

**Privilege of the Floor:** Marc Sadovnic of Enfield questioned if it is economically feasible for a wind farm to be built in Enfield with the way the law is currently written. Councilperson Carpenter stated it would depend on many factors. Supervisor McGee stated she feels technology changes all the time. Councilperson Mehaffey had questioned if there is an area of town that is broken up into plots, would there be enough room for setbacks - probably not. One large farm in the area might have enough land to provide setbacks. Supervisor McGee stated the Town Board worked hard to set the standard, since we don't want to have a law in place that isn't enforceable.

Jude Lemke of Enfield stated Attorney Gary Abraham's office has reviewed the law. She read one paragraph from his Memorandum: "Under current law, and for the foreseeable future, Article 10 preempts a town's permitting procedures but requires a State Siting Board to apply any local substantive standards that would have applied in the absence of Article 10. A waiver of specific local substantive standards may be requested by any Article 10 applicant, but the Siting Board has consistently stated such waivers are not favored, and has stated it is the Board's policy not to approve projects where the host community is clearly opposed. Your draft local law clearly evinces an intent by your Town Board,

should it approve this local law, to regulate large-scale wind energy facilities stringently but not unreasonably.” So, as the Town Board goes through some of the comments, she felt some were about procedure and making the law more enforceable. In a discussion about an outright ban, it is critical to have a law because of what she just read. Without a law, the Town is entirely at the mercy of New York State. If the Town has no law, the State has unlimited control and could set the standards.

**Old Business:**

Highway Pickup Truck Purchase Request: Highway Superintendent Rollins stated the new pickup truck to be purchased would come with a plow mounted. This would be a package deal, since if the plow was separate it would have to be ordered through the Town’s procurement policy. The old truck would be sold with the plow, and the hope would be to get around \$25,000. The new truck is \$46,000.

Councilperson Sims asked if both the purchase and sale would happen this year? Superintendent Rollins stated yes. He further stated that he had made arrangements to purchase the truck already, although the Town Board hasn’t yet approved the transfer of needed funds. He did make arrangements with the truck dealer to cancel the purchase if the Town Board did not transfer the funds. The Superintendent of Highways can make purchases to complete department work without approval of the Town Board – this is in the town policy dated January 1, 1997. He stated the purchase of a new pickup truck was a discussion he had with the Town Board last year and everyone said it wouldn’t be a problem to make the purchase this year. It’s part of the equipment replacement plan.

Councilperson Sims clarified the Town Board has to authorize the transfer of money and not the purchase of the truck.

Supervisor McGee has a concern that the Town has not yet received the Fall CHIPS reimbursement and the savings and highway fund balance is low. Superintendent Rollins stated the CHIPS funds had not been spent by the time of the deadline to apply. She would have advised waiting until the end of the year to make the purchase so it was a flush account. The Town Board will now need to do a transfer from the General Fund in order to pay the bills at the end of December. Councilperson Mehaffey stated this is a much better time to sell the pickup with the plow.

Councilperson Sims stated she thinks Superintendent Rollins does a spectacular job managing the highway department. She’d like to move to a vote. There are cash flow concerns, but policies are being worked on so this can be managed at a larger level.

Councilperson Mehaffey moved, with a second by Councilperson Sims to adopt Resolution #2019-51.

**Resolution #2019-51 Authorizing Funds to Be Moved from Equipment Reserve for Purchase of a Pickup Truck for the Highway Superintendent**

**WHEREAS**, the Town Highway Superintendent has requested a new pickup truck be purchased for his use to replace the 2016 model currently for his use, and

**WHEREAS**, the purchase price exceeds the amount budgeted for equipment purchases, therefore be it

**RESOLVED**, the Town Board authorizes the Town Supervisor to decrease Equipment Reserve, DA231 by \$15,000.00 and increase Machinery-Equipment DA5130.2 by \$15,000.00.

Discussion: Highway Superintendent Rollins stated the current pickup truck has 43,000 miles and is 3 years old. The truck represents the Town, and he feels he needs something dependable. When he goes out after hours, he isn’t calling others in for extra pay. The new Chevy pickup from state contract and is a one ton, since he was able to piggy back off Chenango County.

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Supervisor McGee feels cash flow is an issue, and she wanted to bring that to the Town Board's attention. It is challenging to manage the end of year funds. She is fully in support of making the highway a priority.

Councilperson Mehaffey stated the Town Board is working towards having CHIPS being part of next year's budget instead of this year's, so our fund balance would need to be 100% of CHIPS at the beginning of the year.

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

Highway Superintendent Rollins stated there have been a lot of repairs this year. The Town Highway Department is a business. Repairs are expensive. The excavator and loader really get worked, and a lot can get done, but takes money to do the work. The truck will be a 2020 and arrive in November.

Wind Law: Councilperson Mehaffey stated Attorney Gary A. Abraham, who reviewed the draft Wind Law and prepared a Memorandum of his comments, thought the law was well put together. He made the Town's job a whole lot easier by not only saying what to change, but how to change it.

The Town Board went over Attorney Abraham's Memorandum, which was attorney-client privileged information. Both Councilperson Mehaffey and Jude Lemke went over the recommendations and explained some of the information.

The committee working on the law will be putting together an appendix which will be part of the law. Some of the recommended changes will help to make the language clearer.

Supervisor McGee will ask Town Attorney Guy Krogh to send the draft law to Tompkins County for review and prepare the documentation for a public review, SEQR, resolutions, and reiterate the timeline. The Board agreed to have the most recent draft posted on the Town website so residents can start to review it, with the understanding that it's still a draft and more changes may be made. Councilperson Mehaffey and Jude Lemke will work to compile a bibliography to be part of the law.

### **New Business:**

Set Special Meeting Date for October 2, 2019: Supervisor McGee stated the tentative budget needs to be to the Town Clerk by September 30, and the Town Clerk needs to present the tentative budget to the Town Board before October 5. She would like a meeting for presentation of the tentative budget to the Town Board prior to the sexual harassment training on October 2. A special meeting was scheduled for 6:00 p.m. on October 2, 2019.

The October regular meeting will be October 9 at 6:30 p.m. October 16 at 6:30 p.m. was scheduled for a public hearing on the proposed wind law, with a budget meeting after the public hearing. Other budget meetings were set for both October 22 and October 23 at 6:30 p.m. A public hearing was set for November 6 at 6:30 p.m. on the budget, and the regular November meeting is scheduled for the 13<sup>th</sup> at 6:30 p.m., with the possibility of moving the preliminary budget to the final budget.

Supervisor McGee stated, during the budget meetings, a Capital Plan draft and Fund Balance Policy draft will be presented to the Town Board. The tentative budget needs to be moved to the preliminary budget by October 30, and then a public hearing is needed prior to November 7.

### **Announcements:**

Sexual Harassment trainings have been scheduled for October 2 at 7:00 p.m. and October 4 at 7:00 a.m. at the Community Building.

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There will be an Old-Time Square Dance Night, Friday, September 27, 2019 at 7:30 p.m. to benefit the Enfield Valley Grange, 178 Enfield Main Road, with live music by The Rhiners.

**Adjournment:** Supervisor McGee adjourned the meeting at 8:58 p.m.

Respectfully submitted,

Alice M. Linton, RMC  
Enfield Town Clerk