

Town of Enfield  
Public Hearing and Special Town Board Meeting  
Enfield Community Building  
Tuesday, November 19, 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 Clerk Alice Linton.

Supervisor McGee called the Public Hearing to order at 6:35.

**Public Hearing on Wind Energy Facilities Local Law:** Supervisor McGee stated this is the second public hearing on the proposed local law. Notice has been posted on the Town website and at the Town Hall. It was sent to Tompkins County for a 239 review. Responses were received from the County and the Town has prepared responses to the County.

Elizabeth Allen of Enfield stated she supports the revised wind farm law.

Robert Lynch, Enfield Councilperson-Elect, stated one week ago at a Town Board meeting he urged compromise. He urged the Board to adopt, in their entirety, the ten recommendations advanced by Tompkins County's Department of Planning and Sustainability. He felt they would moderate the Law's more extreme elements and bring it into closer conformance with "inter-community and county-wide" renewable energy priorities. If all recommendations were embraced, he would support the law. The Town Board did not embrace all the changes, so he doesn't support the law. He feels this law would be an effective ban. No one in Enfield should be forced to sell their home because the turbine makes them sick. He recommends a professional consultant be retained to determine a safe distance from turbines. He asked the Town Board to think carefully as there is still room for compromise.

Melinda Tesori of Enfield stated she is one of the people who would have been imposed on if the Black Oak Wind Farm was approved. This does affect her and her home. She supports the adoption of the wind law wholeheartedly. She believes this will be a good law to protect everyone and everything.

Theresa Guler of Enfield is in support of the new wind law that will protect residents from health risks of wind turbines. It is not enough to measure setbacks from homes, they need to be from property lines. There should be no restrictions on land use by an owner. This law sets out clear rules for decommissioning so the Town is not responsible and is protected from extra costs. This new law protects homes, properties and landowners. This is what this Town needs. She thanked the Town Board for all the time and hard work they put into this law.

Gabe Newhart of Enfield stated he is in full support of the law

Cliff Newhart of Enfield stated he is in full support of the law. Adjustments needed to be made to the old wind law.

Jude Lemke of Enfield stated any wind energy facility will disproportionately impact the Connecticut Hill neighborhood. Residents that have come from that area have been overwhelmingly in support of the law. This law has strong setbacks, noise, and enforcement provisions. It also addresses many of the administrative problems with the old law. The County has largely failed to provide support for its recommendations regarding this law other than to indicate that it makes it harder for a developer to build a project. The Board's role is to protect the Town and its residents; not help the developer build a project. Adopting the County's recommendations in full is not compromise; it is capitulation. She further stated she felt the Town had produced a fair and just law and thanked them for the support given to the community.

Marcus Gingerich of Enfield stated he is in support of the proposed law. He thinks the old law had some serious deficiencies. He thinks that the Town Board's first and foremost priority should be the health and safety of residents. The concept of making the law fit the needs of industrial installation goes against that, and it doesn't make sense to have a law made to do that. There are more and more municipalities in the news who are realizing there is a problem, and they are increasing the setbacks and making them more stringent. This law improves things such as decommissioning. This law is strengthening protection for the residents. He thanked the Town Board for all their hard work.

Nancy Spero of Enfield is in support of the law as it is currently written. She does not live in the neighborhood of Connecticut Hill. She does support the idea of wind turbines, but is also in support of this law. She has been to many Town Board meetings and has seen compromise as the law was rewritten. It is amazingly well researched. Changes in technology are happening. Waivers and variances are built in. She is in support of the law, and she doesn't like hearing it is created as a ban as she doesn't believe that.

Ron Riddle of Enfield is in strong support of the wind law. He thinks the people that should have the vote should be the people who will be affected by it.

Carolyn McMaster of Enfield stated this Town has gone through an enormous amount of work and research already. She is fully in favor of this wind law and does not think the Town should have to go through all this research again with an expert in the field as the Town has already done that. She lives on Griffin Road, so she may have been impacted by the Black Oak Wind Farm, and she feels this addresses all the concerns the community had.

Beverly Gingerich sent an email thanking the Town for all the time they – and the Renewable Energy Committee members – have invested into making much-needed updates to the Local Wind Law. From what she has read and heard, living near Wind Turbine Generators causes negative health effects in more than a few people, so she sincerely appreciates the increased setbacks that are specified in the proposed new Law. She supports the revisions and encourages the Board to vote to pass the new Wind Energy Facilities Local Law.

Supervisor McGee closed the public hearing at 6:58 p.m.

**Special Meeting:**

Supervisor McGee called the special meeting to order at 6:58 p.m. Town Clerk Linton led the assemblage in the Pledge of Allegiance to the Flag.

**Privilege of the Floor:** No one wished to speak.

**Old Business:**

Supervisor McGee stated that last week she moved to adopt the Capital Plan and Fund Balance Policy, but since these are significant policies, and it is much easier to search for resolutions than motions, she would like to adopt these as resolutions.

**Capital Plan:**

Supervisor McGee moved, with a second by Councilperson Bryant, to adopt Resolution #2019-59.

**Resolution #2019-59 Adoption of 2020-2029 Capital Plan**

WHEREAS, in the coming years, equipment and buildings owned and operated by the Town of Enfield will require substantial capital investments as costs to obtain and maintain these assets at both a substantial and an unpredictable rate; and

WHEREAS, too often, local governments have not properly prepared to ensure that capital is available for the acquisition and maintenance of the large assets leaving those municipalities to acquire additional, and sometimes unnecessary debt; and

WHEREAS, the Town Board of the Town of Enfield recognizes the importance of planning for the Town's future capital costs, in an effort to prevent additional debt.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Enfield hereby adopts the Capital Plan for the ten-year period of 2020-2029.

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

Fund Balance Policy:

Supervisor McGee moved, with a second by Councilperson Carpenter to adopt Resolution #2019-60.

**Resolution #2019-60 Fund Balance Policy**

**A RESOLUTION OF THE TOWN OF ENFIELD, NY, PROVIDING FOR A FUND BALANCE POLICY RELATING TO GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54; ADOPTING A FUND BALANCE POLICY COVERING THE GENERAL FUND AND HIGHWAY FUND**

**WHEREAS**, the Town of Enfield may not expend funds in excess of their appropriations, (NY Town Law §117); and

**WHEREAS**, the Town Supervisor must make prompt payments of debts and obligations, (Town Law §125); and

**WHEREAS**, the New York State Comptroller's Office recommends maintaining a fund balance that enables the Town to meet debts and obligations when due; and

**WHEREAS**, the Governmental Accounting Standards Board (GASB) has adopted Statement 54 (GASB 54), a new standard for governmental fund balance reporting and governmental fund type definitions that became effective in governmental fiscal years starting after June 15, 2010; and

**WHEREAS**, the Town Board has determined minimum and maximum fund balance needs for the Town of Enfield General Fund and Highway Fund to meet financial obligations in accordance with the law, now therefore be it

**RESOLVED**, that the Town of Enfield hereby adopts the Town of Enfield Fund Balance Policy, adopted in Resolution #2019-60. Further,

**RESOLVED**, this Resolution shall be in full force and effective immediately upon its adoption and approval.

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

Supervisor McGee gave an update on the highway fund and the importance of building fund balance to make sure all payroll can be met at the end of the year. At this time there is \$78,206 left in the highway fund savings. There are 3 payrolls of over \$10,000 to be met, plus other bills to be paid. She expects this fund to be very close to empty by the end of the year.

Councilperson Mehaffey asked when CHIPS funds were expected to be received. Supervisor McGee stated if the electronic transfer goes through, they should be received by December 15.

Tree Estimate: Supervisor McGee obtained estimates for tree removal in Presbyterian Cemetery. She checked to see if the estimates included cleaning up the tree and removing all debris. The estimate received from KJ's Property Care included cleaning the area. They would need access to the neighbor's property. That estimate was for \$2,475.00. The other estimate did not include cleaning up the tree and removing all debris and was for \$2,200 to \$2,400.

Councilperson Sims moved, with a second by Councilperson Bryant to hire KJ's Property Care to remove the tree in Presbyterian Cemetery according to the estimate received.

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

Wind Energy Facilities Law SEQR Long Environmental Assessment Form: Supervisor McGee pointed out that this Board agreed to complete a full environmental assessment form to determine if an Environmental Impact Statement was needed.

Councilperson Mehaffey stated a lot of the form was filled in by the Town Attorney, Guy Krogh. Supervisor McGee added that Attorney Krogh has made recommendations about what should be considered with these answers. Some pages don't need an answer.

The Town Board went through the Part I – Project and Setting form and made minor changes. Mapping corresponds with items mentioned in Section E. Supervisor McGee stated flood mapping isn't complete and Councilperson Sims suggested answers relating to that should be no.

Councilperson Mehaffey stated that because the Town Board members didn't have the draft wind law in their hands for at least 7 days prior this meeting, there won't be a vote tonight on the wind law. There will be another meeting in order to do the vote.

Part 2 – Identification of Potential Project Impacts – was then reviewed. Answers to all questions was no, and comments from Attorney Krogh were noted.

Supervisor McGee stated this document will be filed with the Department of Environmental Conservation and a copy needs to be kept in the Town Clerk's office for 10 years. Including comments will help to understand why the Town answered as they did.

Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance. It was determined this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

Supervisor McGee moved, with a second by Councilperson Mehaffey to make a negative declaration of the SEQR for the wind energy facilities law.

Vote: Councilperson Bryant aye, Councilperson Carpenter, Councilperson Mehaffey aye, Councilperson Sims aye, Supervisor McGee aye. Carried  
Councilperson Mehaffey prepared a draft resolution to adopt and approve the Town of Enfield Wind Energy Facilities Local Law. She stated she had questions on two things in particular. Do the Town Board need to establish why they needed to rewrite/or revise the law, and where to place comments.

Discussion followed regarding how to arrange paragraphs to make the most sense. Councilperson Mehaffey will reword the resolution and have it available for the Town Board to review.

The Town Board set a meeting for November 26, 2019 at 6:30 p.m. in order to vote on a resolution to adopt the proposed wind law.

**New Business:**

**Executive Session – Personnel Issue**

Supervisor McGee moved, with a second by Councilperson Sims, to go into executive session at 8:27 p.m. to discuss a personnel issue.

Vote: All in favor.

The Town Board moved out of executive session at 9:11 p.m.

**Announcements:** None

**Adjournment:** Supervisor McGee adjourned the meeting at 9:12 p.m.

Respectfully submitted,

Alice M. Linton, RMC  
Enfield Town Clerk