

Town of Enfield
Town Board Meeting
Wednesday, May 12, 2021
6:30 pm
Virtual Meeting via Zoom Meeting

Present: Town Supervisor Stephanie Redmond, Town Councilperson Jude Lemke, Town Councilperson Robert Lynch, Town Councilperson James Ricks, Town Highway Superintendent Buddy Rollins, Town Code Enforcer Alan Teeter, Town Clerk Mary Cornell.

Supervisor Redmond called the meeting to order at 6:30 pm.

Privilege of the floor: Ed and Helen Hetherington led the assemblage in the Pledge of Allegiance to the Flag. Ed mentioned that he is worried about the shape of the flags on the street lights and was wondering if they would be replaced? Ed & Helen sent quotes for new flags to Supervisor Redmond. Helen would like confirmation that it falls under the beautification committee. Ann Rider spoke to thank Cassandra Hinkle for her quick response in handling the wood chuck issue at the Christian Cemetery. A very nice rededication of the Formation of the Town of Enfield at the Country faire which was held at the new Enfield Community Center, she thanked the board for their help. The Bi-Centennial committee is working on upcoming activities throughout this year. The board thanks her for her efforts. Beth McGee led the assemblage in the Earth pledge. She commented on the Salt Barn RFP and spoke of her previous work on this process. The salt barn for Enfield should not cost 700,000 because the town does not need a 9,000 capacity. RFP does not include building material's, she would like to know if the board knows of any of the expenses after construction. She is asking that the board not vote on this tonight and asks that the board be transparent on all costs and why it is to the extent that it is. She would like the last 5 years of vouchers for cost of sand/salt evaluated. She would like the town to do due diligence on this project. She wants the board to justify the expenses they are asking for. James Rick commented that his neighbor informed him that someone wanted to know why he wears a mask? James says that he is black and black people die at a higher rate than white people. He does not want to get caught off guard due to virus variant's, he is worried about another pandemic down the road. In the upside down illogical political issues we are in trouble. In light of our history not to question someone wearing a mask and should ask those without masks to answer why they are not wearing them. He wished he was comfortable with saying Pledge of Allegiance, but his experiences have been different and he is uncomfortable with saying the pledge.

Additions and Removals from the Agenda:

Robert Lynch would like to allow Rick Snavelly to speak on the Family Life Network Tower.

Correspondence: No correspondence was received.

Tompkins County Legislature Monthly report – Anne Koreman:

Covid number infections are dropping, they are about half and are in the 40's. Two people are currently hospitalized. There have been 31 deaths in Tompkins County from COVID to date. She thanks everyone for doing what they have been doing in being careful. She thanks the food pantry and their numerous volunteers and individuals that have helped others during this pandemic. Almost 62 % in the county have had at least their first dose. They want this to be closer to 80%. It is hard to encourage new people to get vaccinated. She encourages individuals to have conversations with others to encourage them to get vaccinated. Offer assistance if you are able. The county budget retreat spoke of targets for this year and they aware that their funding is still down even with potential federal dollars (federal dollars are limited in

use.). They passed a resolution designating this area as a national heritage area. This is a federal designation, which will help with obtaining funds for tourism projects and historical knowledge. Anne would like the town to fly the pride flag next month. She spoke of having hybrid meetings, with the possibility of board members attending remotely. Anna Kellis is looking into this possibility. Anne shared the benefits of having this model. Councilperson Lynch spoke of the pop-up clinic was successful. However the Health Dept. only brought 40 doses and he spoke with Jean Owens and she is going to request another pop-up clinic and ask them to bring more vaccines. This will be posted on the website. Councilperson Bryant mentioned that the Enfield Food Pantry is a good pantry and offers many options to the public. Anne mentioned that the turnout has been low at other pop-up clinics. Councilperson Lynch thanks Judge Poole for allowing her chambers to be used as a vaccination site.

Approval of minutes:

Town Supervisor's Monthly report: Supervisor Redmond reports. Attended zoom meetings with other town supervisors, she attended the Planning Board Meeting. Worked with Renovus, working with HeatSmart on a scoping document and is working on a webinar and hopes to get that out shortly. She drafted a RFP for salt barn, she drafted the grange contract, attended the 200th year celebration and thanks ECC for putting on a great event and portrayed the town very well. Hazard mitigation plan and was able to discuss some of the Enfield issues. She performed the daily and monthly tasks of the Town Supervisor

Town Clerks Monthly report: The Clerk's office sold cemetery plots, issued dog licenses, marriage licenses, and collected funds for Building Permits, and Culvert Permits. Clerk Cornell reported that she attended the Virtual 2021 NYSTCA conference.

Highway Superintendents Monthly report: Superintendent Rollins was absent.

Code Officer Monthly report - Alan Teeter for the month of May issued 4 building permits, which bring the current count to 16 for the year. He issued a new permit for a home on Hines Road. He will be working on updating Enfield's code book. He attended a virtual training on the new stretch codes, he will retake the courses to refresh and obtain more information. NYS is updating the law to Building Code enforcement officer. The town will need to update the law to give the Code officer the ability to enforce the code. A home on Iradell Road will have a house demolition this summer. There was a fire at this residence last year that did some damage. He has a situation with a land locked parcel and will bring this to the planning board next month to see if it needs to look at and bring a recommendation to the town board next month. Did the house on Hayts Road receive a variance the Planning Board did not approve it, it may come back around again. Stephanie believes that the Town of Ithaca may have passed the stretch code? Newfield is in the process of adopting it. Supervisor Redmond would like Alans input on it before the town moves forward and possibly amend the committee.

Fire Department Monthly report: Alan Teeter mentioned upcoming trainings. Hose and airbag trainings this month and a foam prepack training. Stephanie asked if Alan knew where a hazard plan may be, he said to ask Ann Rider or Debbie Teeter at the Fire Dept. Alan will ask Debbie to check with the Fire Dept.

Planning Board Monthly report – Dan Walker

Dan reported of the issue with SEQR and NYSERDA and IDA are the two involved agencies as they give approvals. NYSERDA sent documentation to AG and Markets people. The county has responded with a 239 review. He will work on

approvals from the other agencies. Public Hearing for the Radio Tower a type 1 action and the PB does not have zoning in the town that deals with height. The PB will respond to this as a type 1 action and they need to complete a long form which they are working on. The Radio tower is on the June agenda as well as the land locked parcel.

TCCOG Monthly report – Councilperson Robert Lynch

The Tompkins County Council of Governments (TCCOG) met as a whole Thursday, April 22nd. But TCCOG’s Broadband Committee, on which I serve as Enfield’s representative, met two days earlier, on April 20th. Of the two, the Broadband Committee meeting is probably the more important. So let’s begin there:

You’ll recall that Enfield, like many other Tompkins County towns, contributed \$5,000 in Town funds last October to a study, coordinated by staff at the Tompkins County Planning Department, to identify rural areas about the County in need of improved broadband Internet service and then work to provide broadband infrastructure to serve those communities. Tompkins County might own the extended services in conjunction with the Southern Tier Network (STN), a regional non-profit corporation. Staffs from a private company, Fujitsu, will contribute their expertise to the study. STN would likely eventually string the lines and then lease them to Internet Service Providers that would bring customers their end-use content.

As outlined at the April 20th kickoff meeting, the study sets an ambitious schedule. Fujitsu’s Broadband Engagement Leader, Blake Stovall, told us the study could be finished in as little as four months. The data collection phase would wrap up just 15 days after that kickoff; a market assessment completed after day 45; a “high level design” study finished a month after that; an operation and maintenance plan to follow by day 100; with the study’s wrap-up as soon as 20 days thereafter.

Yes, under that timetable, the initial “data collection,” may have already been finished. If so, I have yet to see the work product. And just how specific the data may be has, for some of us, become a latter-day question. Newfield Supervisor Michael Allinger and I shared our concerns this past Monday. Lansing’s representative had told our TCCOG meeting that his own town is conducting a “pole-by-pole” appraisal of broadband availability. Will Fujitsu’s study be that specific? Or will it rely instead on U.S. Census Block data, notoriously inaccurate? Enfield’s funding Resolution calls for a market analysis that identifies “unserved and underserved areas.” Given our Resolution’s funding language, is Census data good enough? We’ll try to get answers.

Officials made clear at our kickoff that Fujitsu’s completion of the 120-day study does not bring lines to homes immediately thereafter. Limits of time and money could delay implementation. “Rolling out the plan may have a phased approach,” Stovall advised us. I suspect we’re talking years here.

I raised to the TCCOG committee the issue of confidentiality that some County planners have requested. Planning and Sustainability Commissioner Katherine Borgella cautioned at our kickoff that with too much candor, “We might be shooting ourselves in the foot.” I inferred that planners fear that if big, private providers, like behemoth Charter-Spectrum, get wind of where STN plans to run lines, they might string them to those destinations first, picking off STN’s most lucrative customers before STN could reach them. I took a different stand. “If you don’t bring the public along, you’re dooming this project to failure,” I told the committee. So far, no one’s clamped a lid on our disclosures. We were advised the Broadband Committee will meet monthly. No one’s yet set our May meeting’s date.

At TCCOG’s April 22nd meeting, Darby Kiley of the County Planning Department gave a presentation on the Draft Tompkins County Harmful Algal Bloom Strategy. Algal blooms bring bacterial contaminations of lake waters. County planners seek to adapt an ongoing statewide action plan to Cayuga Lake. Kiley said the proximity of these blooms is

dictated partially by a lake's geometry and the prevailing winds. Though these factors alone would dictate blooms would likely proliferate at Cayuga Lake's southern end, Kiley said they tend to occur at the lake's north, maybe because it's so shallow there.

Natural contributors cannot be controlled. But human contributors can. And most notably, Kiley said, as much as 80 per cent of the phosphorus that contributes to algal bloom formation comes from agricultural sources. Only eight per cent comes from sewage plants, and a mere one per cent stems from septic runoff. These numbers could raise warning flags for farmers in that any eventual regulations could impact their activities. Right now, planners have focused on encouraging best management practices to discourage soil runoff, including the planting of cover crops.

Similarly, the Planning Department encourages hydroseeding to slow water flow in roadside ditches so as to minimize phosphorus deposits into the lake. Ditches can be re-engineered to minimize runoff. The County's even established a ditch inventory. Identification and protection of wetlands also ties in, as does the planting of stream buffers.

TCCOG discussed New York's new marijuana laws; members often having more questions than answers. We did learn that each municipality before year's end holds the opportunity to opt-out of the law. Marijuana will only be sold in regulated dispensaries. No such dispensaries could exist in opt-out towns; but those towns would also receive no marijuana tax revenue. Municipalities could regulate dispensary locations within their boundaries through their local codes.

The 13 per cent marijuana excise tax would be split with nine per cent held by the State; the remaining four per cent divided between the county and the municipality. A municipality need not opt-into the law; only opt out, and municipalities only have until December 24th of this year to do so. An *opt-out* town could opt back in, but not the other way. Most TCCOG members predicted their municipalities would participate in the program, if only because of the financial rewards. The Association of Towns has a tutorial on the program, we were told.

Finally, TCCOG members expressed interest in participating in the selection process for the next County Administrator. We resolved to request TCCOG representation on the selection committee leading to the appointment. We also thanked outgoing County Administrator Jason Molino for his assistance to municipalities.

TCCOG next meets as a group June 24th. The Broadband Committee will presumably meet sooner.

Consent Agenda:

Audit Claims: The Town Board authorizes the Supervisor to pay:

General Fund Vouchers #97 to 112 dated May 12, 2021 in the amount of \$14,239.08, and Highway Fund Vouchers #66 to 78 dated May 12, 2021 in the amount of \$15,659.13.

Old Business:

Resolution # Tabled-2021 Bridge Reserve Account - Amended

WHEREAS, the town board did not use allocated the \$30,000 in funds for bridge repairs contractual in the 2021 highway fund budget, and

RESOLVED, at the town board authorize the town supervisor to transfer \$30,000 from DA909 Unreserved Fund Balance to the highway fund bridge reserve DA230A.

Vote: Councilperson Bryant , Councilperson Lemke , Councilperson Lynch , Councilperson Ricks , Supervisor Redmond

Paving the Community Building driveway: Supervisor Redmond has not received a bid from Conroy Construction. King Construction has come in at \$12,750, which is the lowest current bid. Councilperson Bryant asked about Conroy Construction as Superintendent Rollins had recommended them, they have told Supervisor Redmond several times that they would provide a quote and they have not done so. Supervisor Redmond would like to go with King Construction, Councilperson Lynch would like to know if we need a resolution. Supervisor Redmond presented a resolution for King Construction.

Resolution 63 -2021 ask Stephanie to send to me.

New Business:

Presentation by Sachem George of Cayuga Nation – Due to connection issues Sachem asked to move the presentation to June. Councilperson Ricks will coordinate with him for a more convenient time.

Norbut Solar Farm Discussion: Jonathan Stone from Norbut Solar Farms, he asked that Ashley Champion from Jackson Peabody be unmuted. He would like to continue with the request that the town move forward with accepting a bond a surety, as this is industry standard. He would like to ask the board to reconsider accepting the bond. Ashley's understanding is that the planning board is in agreement with moving forward with this, they were also in contact with Guy Krough was also apart of these conversation and mentioned the issued with wind farm specific and not solar specific. They understand that the acceptance is at the Towns. They are not asking the board to approve any specific type of bond, just that a bond would be acceptable. The content will be subject to board approval. There are concerns that the Town board would like to object to the acceptance ask for the statement from Guy Kraugh. He thinks there are. Once the town board delegates review to the planning board. Councilperson Lemke is not sure that she understands what Guy said and would like to have a conversation with Guy. In the sole discretion of the town board, she is not sure why he thinks that the Town board delegated this responsibility to the Planning Board. Ashley says that all approvals are handled by the town board, unless delegated. There is a provision in the solar law further down sections 6 and 12 which provides that the planning board has the authority to waive any provisions. Because the Town Board adopted a local law giving the Planning board the authority to waive authority. She believes that Mr. Krough is right, but they do not want to argue with the Town Board. Councilperson Lemke would like to know what the undue hardship is to support this waiver provision request. Reference section 3.1 states that a undue hardship. A letter of credit you are holding fund at a financial institution which is a more expense and extensive process. Dan Walker says the Town Board did not provide a waiver, so he is not sure where Guy obtained this information. Dan said this is not In their purview, it is the Town Boards. He does not want to argue with lawyers as they like to do that. The planning board is aware that other towns accept bonds. Councilperson Lemke stated that the other solar farm that was approved gave the money upfront. Ashley Champion stated that this is a very large project and the other project was much smaller. Councilperson Lemke asked what is the dollar amount that costs Norbut Solar Farm. Ashley Champion is saying that they are open to having this discussion. She asked Jonathan to disclose the difference between the bond and the letter of credit. He says that he does not have this figure as he is unable to have the bond in front of him, as the project is not to that stage. He says in respect to this they have only have had a projects accepting bonds and they have not provided a letter of credit. The upfront cost of bonds are less than the cost of the letter of credit. You are not working with a 3rd party company. It effects the company, credit worthiness, freezing of funds, etc. Councilperson Lemke stated they decided against

accepting the bonds, so they would not need to work with the 3rd party company directly. Ashley Champion says the verbage can be created by the town. It needs to be a bond and not a letter of credit as it would not be a marketable project. Councilperson Lemke thought this was not going to be a sold project. Jonathan mentioned that it is a more general comment and not specific. Ashley Champion stated it makes the project moveable with a bond and not a letter of credit. Councilperson Lemke would like to speak with Town Counsel to make sure she understands the legal implications. Councilperson Lynch stated he was a supporter of the Solar Farm before joining the Board. This bond would have a 30 year term and the costs are paid up front. Ashley Champion stated that the decommissioning bond is paid up front and is paid to the town. This is a bond that is paid to the town in case of arising issues. Councilperson Lynch relates this as similar to a homeowners insurance. He thinks that it is unfair to ask that these funds need to be held. Councilperson Lemke is not willing to pass on this unless she speaks to Guy about this more, before moving forward. Councilperson Lynch is in favor of the bond and has no issue with speaking with the Town Counsel. Councilperson Bryant agrees with this. Ashley Champion asks that the Town Counsel attend the next board meeting. Supervisor Redmond suggested that this be put on a special meeting towards the end of this month. Councilperson Lemke also suggest reached out to the same lawyer that assisted with the Solar Law. Councilperson Lynch would also like to address documentation from the meeting he attended today.

Industrial relation committee was waiting to hear what happened at our town board meeting this evening. Pilot agreement and host agreement. They have put it back in the Town Boards hands in view of everything they are hearing today he would like to go back to the enfield town board for a thumbs up or a thumbs down. A traditional agreement 2, 400- 2. 800 per mega watt. Norbut Solar Farms can only offer 3,000 + 1 , 200. The IDA would rather the funds to go the piolet and not the community host agreements. Add Councilperson Lemkes comments here. Councilperson Lemke \$4,200 bare minimum and then \$1,200 to the Town. Jonathan Stone should understand with the negotiation process with the IDA says it is a pretty well thoughtout historical presentation. Which includes information from NYSERDA, etc. The economics involved. NY Sun project was exhausted 45 days ago, the economics of the project have changed. Due to reduced funding/financing due to timing. These projects are not large income generators. The real property assessments have changed. Energy projects were assessed on unrealistic tax assessments. There will be an adoption to base on income flows. They are profitable based on what incentives are currently being offered. Pilot payments our Town tax rate may be even higher than the county. IDA would like it to all be allocated through the Pilot verses being allocated. Dave Norbut says that the building costs have increased with financing has gone down. Councilperson Lynch has asked what if we wait a year. Will the building costs come down, will more incentives be replenished. Jonathan mentioned that cost of materials do not go down that quickly, when they do come down they come down slowly. Norbut has already invested substantial funds already. The longer the wait the less likely the project will be successful. Councilperson Lemke is not sure we have seen the same data that the IDA has seen, can Norbut pass this information on to the Town. Ashley has said that they will share the application with us. Councilperson Lemke says that Norbut can decide to pay additional funds. Ashley Champion states that they are being upfront. No provision that requires a town to accept a community host agreement. Norbut Solar Farms wants to be fair and is willing to allocate between IDA and community host agreement. Supervisor Redmond asked if they asked for more than \$4,200 would this project not move forward. IDA has approval of the pilot. Councilperson Lemke would like to see the numbers, Ashley asked Jonathan to pass on a copy of the project to the IDA. He will pass this information on. Councilperson Lynch believes that we may already have a copy that he sent to the Town Board last Thursday.

Pump Track Proposal discussion: Joseph is the team leader for Finger lakes crank spinners. Kids 6th grade – 12 th grade. Mountain bike races held similar to track races held at high schools. Supervisor Redmond mentioned that we have land near the highway department that could be used for a small park. She asked Joseph if they know of any funds available to use for this. In regards to funding it is not super expensive. The total cost is around \$5, 000- 10,000. The funds are raised through fundraising. The towns themselves initiative the fundraising and seek volunteers. Their bicylists would be willing to help with fundraising ideas. This would be a good opportunity for Enfield Families to have a safe area to ride. Supervisor Redmond asked if they had corresponded with the Highway department to see if they could be of assistance. The first step of the proposal is the presentation to the Town Board tonight. Liability has to be covering under individual

car insurance which will assist in deferring liabilities from the Town. They would like to look into this further depending on the interest of the Town Board. Councilperson Lemke says this type of thing, that area towns have these. A pump track is a lift track for bicycles (A small loop track, it would contain small hills.). Ask Stephanie for the proposal that was sent to her. James Martinez helped build three tracks in areas in Geneva, Naples . She thinks that there are enough families in this area that would be interested in attending this type of tracks. Councilperson Bryant said that Enfield has a competitive motor cross track and thought it was a fun family thing to do. This would be a good opportunity for Enfield kids getting involved outside. Councilperson Lynch suggests that this be brought to the ECC. Supervisor Redmond suggests that they also reach out to the Highway Dept. She asked for a presentation from James Martinez on his experiences with the towns that he had worked with they can be added to a future town board meeting. Councilperson Lemke asked if they had an idea on maintenance fees. Maintenance is usually performed by volunteers with a possible small material costs, projected in a couple of hundred after the initial cost. Use would be similar to other baseball fields, playgrounds, etc. They will collect more data and be in touch.

Rick Snavely from Family Life Network. FLN is not just a radio ministry. They have a performing arts department that works with young people in the summer with 14 youth camps set up for this summer. They have a full time hope and healing counseling department. Marriage and individual an events included dinners, comedy nights. They are a number of things in additional to the radio. They work with kids to produce Saturday morning kids corners. They have programs for family, they create drama with family drama. Programing is focused on marriages, families, finances. They have invested monies into a technological set ups with 8 different regions. Even though they broadcast out of one site they try to keep what is heard local. A lot of effort is gone into programming a personal contact with individuals. They have made a commitment to grow bigger than they can handle locally. They just obtained a new network yesterday, they traded stations that had to be divested for stations that FLN no longer used. The proposed station is 3,500. Councilperson Lynch wanted to know why they chose Enfield. Rick stated that they have to prove to the FCC, they will approve If you can show that a particular community does not have a currently licensed station. The best tower site was found in Enfield, as service was lower in Enfield. Councilperson Lynch asked if this was really for Ithaca. First local station in Enfield. Councilperson Lynch has a problem with a first local station in Enfield, when broadcasting in Bath, NY. RS- No other radio stations that can be started in this area. The FCC is opening up a non-commercial area. A lot of commercial stations are picking up small areas. Councilperson Lynch states that local station may be able to pick up this network instead FLN is just purchasing another station that is broadcasting information from Bath NY. Councilperson Lynch thinks this radio station should be local and project on the Town of Enfield. RS says there will not be a commercial entity that can compete against the big boys in the market, that is what has happened to radio. Councilperson Lynch checked into FML radio stations and they do not broadcast on the local area. RS says every radio station has its own news and information and states that FML does not provide local news, that is not there focus. Most radio stations do not do this. Councilperson Lynch will encourage people from this town contacting FLN to speak on behalf of Enfield residents. Beth McGee says she was a former religious person and previous Town Supervisor. She is against FLN as she believes they are not diverse and against families of LBGQT. RS does not apologize for being a Christian Network and states that different individuals will have different viewpoints and this is what this country is about.

Town Hall discussion for resident input regarding the proposed New Laws for the extension of terms for the Town Supervisor, Town Clerk and Highway Superintendent:

This not a discussion to tell us if you would like to vote, it is to designate if you would like to see this on the ballot. This will help to decide if we should have a public hearing. Councilperson Lemke says she is not sure if she would support this law. She thinks two years is short, but NY does not have a recall law. Supervisor Redmond says the law would not take place until the 2022 or 2023 elections, etc. This law would go into place after this election and for future elections. Beth McGee says none of these elections would take place until the next election. She believes 2 years is too short for these positions. She says vote on this and let the people that live here make that choice. Just as they did last year with of the proposal of Town Clerk and Highway Superintendent positions appointed or elected. Stephanie stated it would not take

place until after the next general election. Councilperson Bryant thinks that two years is too short and it should be brought to the voters to decide. Councilperson Lemke states that it is a steep learning curve for the individuals in these roles. Stephanie thinks it is great that there are others that know who knows key players in this town. She thinks that keeping people in these positions that are experienced and stay with the town. She thinks that it is hard on a town with a 2 year turnover, while recognizing it could be a challenge to have a difficult person in any of these roles. Councilperson Lemke would like to know what the timeline is to have this on the ballot. Councilperson Lynch says we need a decision by early August. We need to have a public hearing and then the town to vote on have it settled the first week of August. Another Town Hall at next month's meeting and distribute a non-biased "White paper". Councilperson Lynch has suggested "Dave Bock" be the point person. Councilperson Virginia Bryant has stated she will assist with this process as she is not running for re-election. Virginia Bryant will reach out to Dave Bock.

Resolution #64-2021 Community Building Name Change

WHEREAS, the Enfield Community Council has purchased a new building which has been designated as the Community Building, and

WHEREAS, this designation has caused confusion with the Town's Community Building,
Therefore

BE IT RESOLVED, the Town's Community Building will be designated the Enfield Courthouse from this day forward.

Councilperson Lynch moved,

Resolution #65-2021 Extra Cemetery Mowing through August 1st

WHEREAS, the Cemetery Committee has requested biweekly mowing for the Town of Enfield Cemeteries, therefore

BE IT RESOLVED, the Town Board authorizes the Town Supervisor to extend the Cemetery Maintenance Contract to include a second monthly mowing, at the discretion of the Cemetery Maintenance Contractor, through August 1st for an extra fee of \$900 per mowing.

Cassandra Hinkle brought up this matter.

Resolution #Strike Down-2021 Horticultural Services

WHEREAS the Town Board designated the Town Supervisor as the Facilities Manager at the Regular Town Board Meeting on January 13, 2021, and

WHEREAS the discussions of the Town Board at the Regular Town Board Meeting on April 14, 2021 clearly indicated agreement by Town Board members to solicit horticultural services for the Town grounds, therefore

BE IT RESOLVED the Enfield Town Board ratifies and affirms the actions of the Town Supervisor

to draft a Request for Bid and post the request on the Town Website.

The bid was above what the town could accept.

RFP for Salt Barn: Tabled

RFP for Town of Enfield Salt Barn

 , 2021

Introduction

The Town of Enfield (the “Town”) will construct a covered building for the storage of salt and sand on municipal property, using funds granted by the New York State *Department of Environmental Conservation* Water Quality Improvement Program (WQIP). The Town uses approximately 9,000 tons of salt and sand annually. The Town is seeking to reduce salt and sediment runoff through the construction this storage building.

Scope of Work

The Town is requesting proposals from qualified NY contractors to design and install a salt and sand storage building on Town property located at 475 Enfield Main Road. Building design and construction is the bidder’s responsibility. Proposals must be in adherence with these bid documents.

Project Specifications

- The total cost of the project’s base bid shall not exceed \$700,000.
- The building must have a 9,000 ton storage capacity with a side entrance.
- The building must have a metal roof over 5/8” plywood roof decking.
- The Contractor shall strictly follow all public works and prevailing wage rules and shall abide by the PRC number and its stated requirements for this project.
- The Contractor specifically agrees to follow the provisions of the Workers’ Compensation Law and all requirements of Article 15 of the Executive Law relating to discrimination in employment.
- This bid is not and shall not be subject to New York State Sales Tax or local sales taxes.

Project schedule

 : Deadline for submission of bids/proposals *Dates subject to change dependent upon Covid-19 pandemic restrictions

*Proposed deadline for Notice of Award 30 days after submission deadline

*Proposed deadline for signed project contract 30 days after Notice of Award

*Proposed deadline for project completion 30 days after project contract signed

Proposal Submittal deadline and process

Interested and qualified contractors must submit a proposal no later than [REDACTED]. Proposals shall be mailed to Mary Cornell, Town Clerk, at Town Clerk's Office at 168 Enfield Main Road, Ithaca, NY 14850.

It is the responsibility of each bidder before submitting a bid: to consider federal, state and local laws and regulations that may affect cost, progress, performance or furnishing of the work and services; to study and carefully correlate bidder's knowledge and observations with the bid as submitted; and to promptly notify the Town of all conflicts, errors, ambiguities or discrepancies which bidder has discovered within any bid notices, documents, or requirements.

On request, the Town will provide each bidder access to the site to conduct such examinations, investigations, explorations, tests, and studies as each bidder deems necessary for submission of a bid. The bidder must clean-up and restore the site to its former condition upon completion of such explorations, investigations, tests and studies. No destructive testing is allowed. If there is a bid or price condition or variable required as based upon the inability to perform destructive testing or disassembly, then such shall be clearly stated and labelled as such in each submitted bid.

All questions about the meaning or intent of the bid requirements and documents are to be directed to the Town Supervisor, and any interpretations or clarifications considered necessary in response to such questions will be issued by bid addenda and delivered to all parties having received bid documents. Questions received less than two days prior to the date for scheduled bid opening may not be answered. Only questions answered by formal written addenda will be binding, and oral and other interpretations or clarifications, including at site visits, will be without legal effect. Addenda may also be issued to modify the bid documents, requirements, or timelines, as determined by the Town.

Bids may be modified or withdrawn by an appropriate document duly executed and delivered to the place where bids are to be submitted at any time prior to the opening of bids. If, within twenty-four hours after bids are opened, any bidder files a duly signed, written notice with the Town and promptly thereafter demonstrates to the reasonable satisfaction of the Town that there was a material and substantial mistake in the preparation of its bid, that bidder may be permitted to withdraw its bid, but thereafter, that bidder will be disqualified from further bidding on this project and any future bidding for the same.

Proposal and bid requirements

Each proposal or bid shall (1) specify the correct gross or lump sum, and (2) the unit prices for each of the separate items (including each of the Options). In case the amounts shown in words and the equivalents in figures do not agree, the written words shall be considered binding. Bidder's acknowledge that there may be Town employees and other contractors on site, and that part of the project is to coordinate access and project sequencing. Bidders are encouraged to visit the work site. Bidder also agrees to furnish, with each bid, copies of all licenses and permits allowing it to provide the work services bid upon. In order to be considered, proposals must include the following:

- Company information, including the primary contact person, and list of key team members and personnel, including qualifications of each
- Specification of proposed size, location, required components, and layout
- An itemized budget for the project and a total project cost
- Proposals may not exceed 10 pages in total length.

The contract is subject to competitive bidding under General Municipal Law § 103 on the basis of lowest responsible bidder standards, specifically including compliance with project bidding requirements and based upon the selection of

the base bid plus any one or more of the approved or selected options. The overall savings and total production of each site or proposal are proper bid review and bid award considerations.

In submitting a bid, the bidder automatically warrants and represents that:

- Bidder has examined copies of all the bid information and documents, and all official addenda issued by the Town.
- Bidder has familiarized itself with the nature and extent of the project and work site, its locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or furnishing of the work and services.
- Bidder has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and studies which pertain to the site or otherwise may affect the cost, progress, performance or furnishing of the work and services as bidder considers necessary for verification of the bid price.
- Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the bid, and the bidder has given the Town written notice of all conflicts, errors or discrepancies that it has discovered in the bid documents, and any written resolution thereof issued by Town is acceptable to bidder.
- The bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid; bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and bidder has not sought by collusion to obtain for itself any advantage over any other bidder or over the Town.

General and reserved rights of the Town

The Town reserves the right to reject any or all bids or proposals received in response to this RFP, and to withdraw the RFP at any time, at the agency's sole discretion and including for mere convenience. No bid or bid award is binding upon the Town until a contract is approved and executed by the Town, and any inability or substantial delay in approving or executing a contract will result in disqualification of such Bidder and allowing the Town to proceed with negotiations with the next qualified bidder with the next lowest price relative to the base bid and selected Options. The Town may seek clarifications of any bid and require updated proposals from any or all bidders, including upon issuance of any addenda or in the event of any needed project update or clarification. The Town may use information obtained through proposals, site visits, management interviews, and investigation of a bidder's qualifications, experience, ability, or financial standing, and any material or information submitted by the bidder in response to the agency's request for clarifying information, in the course of evaluating and issuing any notice of award under this RFP. The Town also reserves the right to extend the dates of performance after the issuance of a notice of award for just cause, to negotiate change orders and extras, and to eliminate non-material specifications when doing so is in the best interests of the Town and does not otherwise materially violate applicable laws.

Evaluation Criteria

Bids will be opened and read aloud publicly at the place where bids are to be submitted. An abstract of the amounts of the base bids and Options will be made available to all bidders after the opening of bids. All bids that the Town believes to have a reasonable chance of receiving the award will remain subject to acceptance for 60 days after the day of the bid opening and the Town may, in its sole discretion, release any other bid prior to that date.

In evaluating bids, The Town will consider the qualifications of bidders, bid compliance, and the price submitted with or without any one or more selected project Options. The Town reserves the right to reject any or all bids, including without limitation the rights to reject any or all nonconforming, non-responsive, or conditional bids, and further including the rights to disregard any non-material non-conformity or error. The Town reserves the right to waive all informalities not involving price, time, or changes in the project.

Proposals will be also evaluated by the Town Board of Enfield based on the size, efficacy, location, and overall design and utility of the system.

Councilperson Lynch would like to postpone until he can review this further and does not want to take any action tonight. Supervisor Redmond is in agreement. Councilperson Lemke would like Superintendent Rollins to have input, in light of Former Supervisor McGees comments. Councilperson Bryant agrees with this statement. Councilperson Ricks asked if there is a matching grant that has a time limit. Supervisor Redmond says that it has to be built by March 2023. It will be tabled until the June Meeting. The board will review in the meantime.

Resolution#66-2021 Emergency Operations Committee

WHEREAS, the Town of Enfield is required to have an Emergency Operations Plan, and

WHEREAS, the Plan would benefit from input from several community organizations, therefore

BE IT RESOLVED, that the Town of Enfield will form an Emergency Operations Committee,

BE IT FURTHER RESOLVED, the committee will update the Emergency Operations Plan annually
Membership on this committee shall include the Town Supervisor, one member of the Enfield Town Board, the Enfield Town Clerk, a member of the Planning Board a member of the Enfield Fire Company, the Code Enforcer, the Highway Superintendent, a member of the Enfield Community Council, the Director of the Enfield Food Pantry, and may include other town officials and community members.

Supervisor Redmond spoke with Jean Owens and she is assisting in trying to find a copy.

Budget Amendment # 8-2021 Move funds for Highway Department

WHEREAS, the Enfield Town Highway Superintendent requested funds to be transferred to General Repairs Contractual, therefore be it

RESOLVED, the Enfield Town Board authorizes the Town Supervisor to transfer \$300 from Unallocated Fund DA599 to line DA5110.4 General Repairs Contractual

Resolution #Table-2021 Authorize Supervisor Redmond to Sign the Enfield Valley Grange Contract

WHEREAS, local residents built a Grange hall in 1925; and

WHEREAS, the Enfield Valley Grange is the only grange hall still officially functioning in Tompkins County, New York; and

WHEREAS, the Grange protects the heritage of the Enfield agricultural community by offering educational workshops and speakers on agricultural topics relevant to Town farmers and other residents; and

WHEREAS, the Town encourages membership to the Enfield Valley Grange; now therefore be it

RESOLVED, the Enfield Town Board authorizes Supervisor Redmond to sign the 2021 contract with the Enfield Valley Grange.

Table until the special town board meeting. Would political events be allowed? 90 day factor if there is a limit in getting out of the contract. Councilperson Lynch is looking for lesser time limit. What if a future town board would rescind the contract.

Discussion regarding in person meetings. Councilperson Lynch asked if anyone had viewed the video of going to a hybrid meeting. Councilperson Lemke asked Councilperson Lynch to elaborate. Councilperson Bryant states more issues may present themselves. Councilperson Lynch says some issues may be a county level and will be different to Town level. In a public meeting you still need to be 6' apart, unless you have a plexiglass barrier between board members. If you have to separate ppl. Electronics and production model. Mask usage and cleaning. How would ppl/board members be protrade on the screen. Everyone can't login in the same room at the same town. If a town board member is at home their home address would need to be published. Town board members should be in person and residents would attend at home. Councilperson Bryant wants is unsure of tech needs, how will individuals be seen. She does not want her address to be publicized. Former Supervisor McGee – She appreciates these concerns, but elected officials home addresses are already published. Renee Carver. This system was well thought out, if the limit is met, someone can use the wifi (as it is freely available) Open meetings law has already ruled on board members being a vulnerable person. These are some thoughts on knowledge that was already gathered. Stephanie is concerned that she gets texts from residents during the meeting which is why she is checking the phone while on the meeting. Councilperson Lynch says that the supervisor can't be video monitor/engineer while at an in person meeting. Supervisor Redmond said the current recommendation from the health department is to stay remote as much as possible. She suggests that we have board members and 3-4 volunteers we could see how the logistics might work, with additional individuals zoom in. She will reach out to Renee.

Privilege of the floor: Beth McGee approaches the Town board putting the breaks to the talks on FLN. The grange contract should be the same as we think of the ECC. She is afraid that they may be displaced. She asks for a way to do a contract with the grange similar to what is provided to the ECC. Anne provided additional information on the hybrid session. TC legislature has a system already in place. She is trying to broadcast committee meetings. She stated it takes some planning but could be doable. The county attorney has given guidance if they are going to a training or testing out equipment is not considered a meeting or vote on matters and everyone could be present. You do not have to have the public attend any meetings, however we can do or consider hybrid where the board is in person and the community attend virtually. Councilperson Lemke mentioned that residents want to be in person and are pushing for it to happen. Extra staff and space requirements are a challenge. Councilperson Lynch hopes in the next few months that some of these rules can be released. Marcus Gingerich, he heard one resident speak out against the radio station and he is speaking out in support of a radio station. If you do not like what the station broadcasts then don't listen to them that is what a deflector is used for. He understands that everyone has there own prospective. The town should be mindful of individuals beliefs/understanding. He stated that having local news from Enfield may not be realistic. Ed Hetherington spoke on the radio tower on FLN, he does not think there should be any issues with it, there are a lot of programs that are not against these various ppl and that FLN does not propose any particular ideas towards one group against another.

They may have at times a program or speaker with a syndicated radio host that may have a different approach and feels that this something that the board should consider. Councilperson Lemke does not think the we have any control over the FCC control. She asked councilperson Lynch to opion if the Town Board had say. WMTPFM. If the board really thought that a radio station they could lodge a complaint with the FCC they would most likely dismiss them. He states that any opinion from the town board would not carry. Supervisor Redmond thinks that the town should draft a letter to the FCC, her personal opinion is that she does not support the radio station. Councilperson thinks that the town board should speak individually. Nancy Spero was wondering if it would block out another radio station. One of the station that she listens to gets blocked out by a Christian radio station. Councilperson does not believe that this radio station would interfere. Julie wants to reiterate of any bleed over that may happen, when it does bleed over it is typically the family life network. She thinks that they go over her limit. Councilperson Lynch stated that radio stations are pretty well monitored. Julie would like to know if there is a way to check to see if they do go over? Councilperson Lynch states that it would be set by FCC rule. Beth McGee would be proud of a board that would stand up to FLN (radio network) that the town is not promoting conversion therapy. Supervisor Redmond thinks that we should look into this more.

Announcement: there is a heatsmart webinar on June 16th. This will be posted on the Town Board. Special Town Board meeting proposed June 1, 2021. 6:30 pm

Norbut Solar Farm, Highway Superintendent, executive session.

Adjournment

Secoded Councilperson Lemke, Adjourned 10:19 pm.

Respectfully submitted,

Mary Cornell
Enfield Town Clerk