

Town of Enfield
Public Hearing and Regular Town Board Meeting
Wednesday, September 8, 2021
Town Courthouse and via the Zoom Platform
6 p.m.

Present: Supervisor Redmond, Councilperson Lynch, Councilperson Lemke. Councilperson Bryant, Highway Superintendent Rollins, Town Clerk Mary Cornell.

Excused: Councilperson Ricks

Public Hearing was called to order by Town Supervisor Stephanie Redmond at 6 pm.

Supervisor Redmond read proposed Local Law #4 A Local Law to Override the Tax Levy limit established in General Municipal Law §3-C.

Ann Rider – 77 Halseyville Road – Previous Town Supervisor and she is familiar with this routine and stated it is wise for the town board to complete each year. This is a precaution if an unforeseen change needs to happen to the budget before the end of the year. This is a routine procedure and is not giving the Town Board permission to go over the tax cap that has been set it is merely a paperwork thing.

Marcus Gingerich – He understands that this is a formality and is glad to hear this does not mean that we will necessarily have the tax cap breached and stated addressing an accurate budget down the road will allow it to be addressed later if needed.

Public Hearing closed at 6:30 pm

Town Board Meeting called to order: Supervisor Redmond – 6:30 pm

Privilege of the floor:

Ed & Helen Hetherington led the assemblage in the Pledge of Allegiance. He read the letter from the Board of Supervisors and concurs with Seneca County Board of Supervisors' opinion. He does not agree with the violent destruction that has been done. Helen asked how the beautification committee is going. – Supervisor Redmond stated that it is currently defunct.

Vanessa Greenslee – She is a candidate to represent lower Enfield and the town of Newfield. NYS Climate-Smart communities program – she has had conversations in Enfield and what comes to mind for her in NYS Climate Smart (It is a volunteer program that municipalities participate in) then municipalities can qualify for funding. The Enfield Pantry – she heard Councilperson Lynch present at the TC Legislature, she wanted to make sure that the board is aware of NYS rural grant opportunity – emergency rural health care grant. One of the eligible components is facilities cost – she is willing to share the information with these types of grants and is willing to assist with them.

Marcus Gingerich – Mask mandate at this time is not a great idea and that you can educate people and they can make an educated decision. The mandate has a number of things that do not make sense to him. Assuming a very important approach that is missing – a proof of vaccination, and someone who has had covid and has immunity is better than if vaccinated. If it states town properties, does it include the cemeteries? How do you enforce this and is it legal, how long does it last, should it be something that needs to be reviewed?

Dave Norbut – He is talking about the Solar Project that was approved on 6/2/2021. He is asking to have the ENB posted and he wants to know if something petty and strategic is happening on the towns behalf? He wants to know what the real issues are and can we talk about them as he is having a hard time understanding where we are.

Discussion: Decommissioning agreement, there has been a delay – Councilperson Lemke stated that attorneys have been on vacation. Supervisor Redmond is working with the planning board on uploading the ENB. Dave came because he is trying to understand where we are at.

Councilperson Robert Lynch – Attended the Tompkins County Legislature meeting last night in his role as Councilperson, he discussed the use of American Rescue plan funds. He felt that he can speak for those on this board. He stated the County can help the food Pantry and work with director Jean Owens to assist with funds to build a new food pantry. He spoke for the purpose of being a voice for the people – community or social ills and instead chose a different choice to assign future fund balances. Item 1 – financial aid to construct a larger food pantry – 325-570 families are served weekly and are open two days a week, we do more than other food pantries. A new facility will cost between \$1,250,000- \$1,500,000.

Additions or changes to the agenda: Supervisor Redmond would like to switch tonight’s order for new business to go before old business. Two resolutions being recommended by Councilperson Lynch, Supervisor Redmond stated she would put these under New Business.

Correspondence: Increase from Community Science Foundation of \$250. – second notice from ARPA funds – we will receive an additional allocation of funds for this year and will.

Quarterly report:

NY Association of Councils – Supervisor Redmond attended the meeting. EMC throughout NYS, Draft logging and a proposed moratorium on Crypto currency. A county forest survey. Staff reports the TMDL total maximum daily load for Cayuga Lake and is under review by several local environmental groups. Sending a recommendation to the state for TCAT to convert all of TCAT’s fleet to electric and expand the on-demand service to remote communities.

Enfield Community Council Report – Ann Rider. We had the Country Faire in May which was the first public event in their new facility. It went well, because of covid they had to restrict their food consumption and it went well. Summer camp went for 6 weeks and it was the first event that was held in the building and put strains on the building. They received several responses from the parents who were happy that the kids were able to go to camp here in Enfield. One neighbor allowed them to use his property where the creek runs through to have water events. In the past they have had over 100 children however the smaller amount was right for the first time out. They hired several teenagers and returning staff. They sponsored the community yard sale at the end of August, they did a lot of tours of the building. There was no breakfast due to covid concerns. There are some water quality issues and they are working through them. The 47th Harvest festival will be held on Sept 18 at 162 Enfield Main Road. More advertising is on the ECC website, the town website, and posters are out around town. Newsletter submissions are due on Sept 11, if you have news of a community nature please submit.

Cemetery Committee Report – Cassandra Hinkle – Possible removal of the tree from the Presbyterian Cemetery. She will call a committee meeting. It may be more cost-effective to just have the tree removed and she will speak to the committee on options.

Cayuga Lake Watershed IO – Supervisor Redmond. Fees are going up and the will increase from \$900 to \$1,100 – the reason for the increase in dues is to hire more staff, which will help with grant funding, etc. They are working on finding a watershed manager and they are getting assistance from Ian Smith, they have a job description up. They are working in Interlaken to access FEMA funds to assist with local funding.

Health Consortium –Supervisor Redmond. They are focusing on mental health and are having a promotion for the flu season. They are slightly below budget on both expenses and income.

Water Protection Committee – Nancy Spero It has been a while since they have met as a committee and the water laws have been sent on to the planning board. They have had a couple of meetings to go over this. Steven Winkly just attended the last planning board meeting and had a really good discussion and decided to wait until Dan is back next month before going forward with it. They will wait until after the next planning board meeting to have another meeting.

Monthly Reports:

Tompkins County Legislature -Anne Koreman. They purchased two properties next to each other and the purpose of those buildings is to have a center of government. If they look at building a new center of government it will be in a few years. They might be able to do geothermal for new buildings as well as old buildings. They put almost \$10,000,000. into savings. They are looking for ways to use the recovery funds and they are in the process of how many \$\$ and the application process. Next meeting 9/15 at 4:30. COVID update positive numbers as of today 354 - a good majority of positives are Cornell and most of these individuals are vaccinated. Out of those numbers and they have a robust system at the health department (242 are vaccinated) The county is following the science closely. Discussion: Councilperson Lynch how is Cornell University and Ithaca College verifying that they are vaccinated. Anne Koreman, Cornell has a process how to figure out if there are fake cards, are they checking with the state to verify.

Town Supervisor – Stephanie Redmond. She attended zoom calls with other town supervisors, she attended the planning board meetings. Worked on the Decommissioning agreement. As well as performing the many normal duties of the Office of Town Supervisor.

Town Clerk Report – Mary Cornell. The Clerk's office issued new and renewal dog licenses, hunting permits, accepted funds for building and culvert permits. Provided handouts to the Enfield Food Pantry on the upcoming SPCA Drive-Thru Rabies Vaccine clinics, these clinics are also posted on the Town Website. As well as performing the many tasks of the town clerk's office.

Highway Superintendent Report – Buddy Rollins. They are behind on completing summer road projects and should hopefully complete them by the week of September 20th. He ordered a new mower tractor, this a multi mower and tractor and can-do brush and can convert to regular mowing. It is supposed to be delivered sometime in November. COVID they are almost at a 100% vaccination rate at this time.

Code Enforcement Report – Alan Teeter. In August, 5 building permits were issued. He worked with a town resident on a variance for a pool cover and all is completed and submitted. There was a controlled demolition on Iradell road that involved asbestos.

Volunteer Fire Department Report – Greg Stevenson 14 calls. Bus training will happen this week, next week will be initial arrival on a fire scene. On the 4th Thursday fire training, last EMS. Hose training on 9/23. Will schedule the quarterly meeting this month.

Planning Board Report – Supervisor Redmond. Most of the meeting was on the site plan with comments from Steve Winkley.

Tompkins County Council of Govts – Robert Lynch The town of Enfield had pledged \$5,000 last year to the broadband study. In light of TCOGS discussion 8/26, they have tentatively scheduled a broadband meeting next Thursday. They may end the broadband study early. Councilperson Lynch may ask to rescind a resolution from last year. The fijitsu report

was grossly inaccurate, it really didn't represent actual numbers and appeared to be set up from the get go. It is a long shot that we will be funded to the low amount of need.

Consent Agenda:

Audit Claims: General fund vouchers numbered 197 to 207 dated September 8, 2021, in the amount of \$8,784.46.

Highway Fund Vouchers numbered 130 to 151 dated September 8, 2021, in the amount of \$130,128.45.

Approval of Minutes

Supervisor Redmond moved and Councilperson seconded. No discussion

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

New Business:

Enfield Community Council Contract. Contract changes were made and sent to the ECC and Town Council. We would like to set a Public Hearing. Public Hearing to be set for October 13th, 2021 at 6 pm

Councilperson Lynch moved and Supervisor Redmond seconded. No further discussion.

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

RESOLUTION # 2021- 80 LOCAL LAW TO OVERRIDE THE 2022 TAX CAP LIMIT

WHEREAS, according to New York State's Property Tax Cap legislation, if a town government decides to adopt a budget with a property tax levy that exceeds the level set by the State, the town government must pass a local law to override that cap, and;

WHEREAS, adopting said local law is not predictive of the final tax levy but will provide the Enfield Town Board flexibility to exceed the Property Tax Cap if it is deemed necessary, and to ensure that any State recalculation of the applicable limit will not make the Town inadvertently out of compliance, and;

WHEREAS, a public hearing was held before the Enfield Town Board on September 8th, 2021 to hear all persons interested in proposed Local Law No. 4 of 2021, now therefore be it

RESOLVED, That Local Law No. 4 of 2021 Local Law Overriding Tax Levy Limit for 2022 is hereby adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Enfield Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Enfield Town Board,

RESOLVED, further, that the Enfield Town Clerk shall publish in the official newspaper of the Town a notice of adoption containing a synopsis of said local law and shall within twenty days file one certified copy in the Office of the County Clerk, and one copy with the Secretary of State.

TOWN OF ENFIELD LOCAL LAW #4 of 2021 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Be it enacted by the Town Board of The Town of Enfield as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real

property taxes that may be levied by the Town of Enfield pursuant to General Municipal Law §3-C, and to allow the Town of Enfield to adopt a budget for the fiscal year beginning January 1, 2022 and ending December 31st, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-C.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-C, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of at least 60% of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Enfield, County of Tompkins, is hereby authorized to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-C.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date: This Local Law shall take effect upon adoption.

Supervisor Redmond moved and Councilperson Lynch seconded. Discussion – Supervisor Redmond corrected a minor error and moved the amended Resolution and Councilperson Lemke seconded.

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

RESOLUTION # 2021- Tabled Mask Mandate

WHEREAS, the emergence of the novel coronavirus, SARS-CoV-2, that causes the disease COVID-19, can result in serious illness or death and can easily be spread from person to person, and

WHEREAS, the most current local data relating to COVID-19 as provided by the Tompkins County Department of Public Health (“TCDH”) show that the Tompkins County continues to experience significant community spread of this disease, and

WHEREAS, the Center of Disease Control (“CDC”) and TCDH have determined and encouraged that face coverings are an critical tool in the fight against COVID-19 that could reduce the spread of the virus particularly when used universally within a community, and

WHEREAS, the TCDH guidance advises that members of the public consider the use of cloth face coverings when distancing is not possible because wearing a face covering in public places where social distancing measures are difficult can help slow the spread of COVID-19, Now therefore be it

RESOLVED, Effective Immediately - All Town employees and visitors who are age 2 or older are required to wear a cloth mask, surgical mask, or N95 or KN95 mask or the like that are made with tightly woven fabric that does not let light through when held up to the light regardless of vaccination status when on town premises, using town vehicles or

equipment, and while working for the town. Clear plastic masks that fit snugly against the sides of the face without gaps are also permitted. And further

RESOLVED, All masks and face coverings must cover the nose and mouth and fit snugly against the sides of the face without gaps at all times except for the following:

- Employees may remove masks and face coverings for reasonable periods of time for active eating and drinking.
- Employees who have presented proof of vaccination to the Town Supervisor may remove masks and face coverings if they are not in public spaces and appropriate social distancing measures of six feet or more are in place- i.e. working in an office; or outside away from others.
- Employees may be exempted from this mask mandate by the Town Superintendent due to a documented disability or medical condition of the employee.
- Employees who are not in public spaces nor in the presence of other employees or town visitors may remove masks and face coverings while working for the town, whether on town property or otherwise.

Employees who fail to wear face coverings when necessary under this mask mandate could be subject to dismissal and removal from town property. Town visitors who fail to wear face coverings when necessary under this mask mandate must leave town premises unless and until they agree to comply with such requirements.

Supervisor Redmond moved and Councilperson Lemke seconded. Discussion followed: Supervisor Redmond stated that she thinks it is best for the Town to have a mask mandate to limit Town liability. Town resident Marcus Gingerich suggested changes. Councilperson Lynch moves an amended Mask Resolution. The following resolution was completed after further discussion. Highway Superintendent Rollins stated that he disciplines his employees and the Town does not discipline elected officials. Councilperson Lynch moved to table the resolution until next month and Councilperson Bryant seconded. All town offices have disposable masks available to all. Supervisor Redmond stated she would like this addressed. Councilperson Lynch would like to have the tables set further apart to allow for social distancing.

(Proposed Amended) RESOLUTION # 2021- Tabled Mask Mandate

WHEREAS, the emergence of the novel coronavirus, SARS-CoV-2, that causes the disease COVID-19, can result in serious illness or death and can easily be spread from person to person, and

WHEREAS, the most current local data relating to COVID-19 as provided by the Tompkins County Department of Public Health (“TCDH”) show that the Tompkins County continues to experience significant community spread of this disease, and

WHEREAS, the Center of Disease Control (“CDC”) and TCDH have determined and encouraged that face coverings are an critical tool in the fight against COVID-19 that could reduce the spread of the virus particularly when used universally within a community, and

WHEREAS, the TCDH guidance advises that members of the public consider the use of cloth face coverings when distancing is not possible because wearing a face covering in public places where social distancing measures are difficult can help slow the spread of COVID-19, Now therefore be it

RESOLVED, Effective Immediately - All Town Employees and Visitors to Town buildings are Required, Regardless Of Vaccination Status, to wear a Face Mask when inside that building. And further

RESOLVED, All masks and face coverings must cover the nose and mouth at all times in the afore-mentioned circumstances except for the following subject to the following guidance:

For visitors:

If a visitor does not have a face mask:

- Alternative arrangements will be made which doesn't require entrance to the building.
- If that is not practical, a disposable face mask will be provided to the visitor.

Facemasks and cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or anyone who is otherwise unable to remove the mask without assistance. For these visitors, alternative arrangements should be made.

For employees:

- Employees may remove masks and face coverings for eating and drinking.
- Employees are not required to wear masks when in outdoor settings.
- Employees may remove masks and face coverings when appropriate social distancing measures are in place- i.e. working alone in an office or when sufficiently distanced from others in an office or meeting room; or outside away from others.
- Employees may be exempted from this mask mandate ~~by the Superintendent due to a documented medical condition of the employee.~~ when a face covering would inhibit or otherwise impair an individual's health and they could not medically tolerate wearing a covering. Note: An employee that feels that they cannot wear a face covering due to medical necessity must contact his or her immediate supervisor or the Town Supervisor and complete a reasonable accommodation request.

~~Employees who fail to wear face coverings when necessary under this mask mandate could be subject to dismissal. Employees are expected to act honestly and ethically and to observe required health and safety measures in all workplace settings. Town of Enfield Leadership will not routinely check whether individuals are not wearing masks in their workplace settings absent complaints or in rare cases where precise documentation is needed to provide appropriate accommodations. However, the Town retains the right to undertake compliance review as needed to protect the community, and any employee found in non-compliance with this policy may be subject to appropriate discipline.~~

This masking policy will remain in force only until such time as Federal, State and/or Local Officials, including the Enfield Town Board, determines that the protection of public health and safety no longer demands its imposition; and in no instance will this policy extend for longer than six months from the date of its enactment, absent the affirmative consent of this Town Board; nor will it extend beyond the point when comparable masking guidance is lifted by the Tompkins County Health Department.

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[Editorial note: ~~Strikeouts~~ indicate language deleted from the originally-proposed Resolution. Underlined text indicates language inserted by this Amendment.]

Councilperson Lynch moved to Table this resolution and Councilperson Bryant seconded.

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

Supervisor Redmond mentioned that Sue Thompson received an award from NYS Museums for her work on the Town's 200th Anniversary celebration. Sue would like to thank everyone who assisted as this was a group effort.

Cayuga Nation Discussion – Tom Joyce. To bring forth the correct leadership of the Cayuga Nation. This is in regard to the Seneca County Board of Supervisors' vote to write a formal letter to the department of the interior. The DOI needs to review the tribal history and alternate leadership to consider the Cayuga Nation Sachem and Clan mothers as the official leadership. Picking sides and more clearly the town board needs to acknowledge being part of the government entity that we have picked sides. In some sense, we don't have a choice and to understand the internal conflict in the Cayuga Nation and to be proactive to the issues that make sense. The Town of Enfield has no legal land issues within this town. This letter was originally written as a resolution and they can make a suggested resolution if this is needed. Supervisor Redmond would like a clear idea of what the ARE is asking of the Town Board. Councilperson Lynch would like to hear both sides of the issue before making a decision. He would like both sides to present the issue with the town and whether we should take a stand. The Seneca Board of Supervisors had invited both parties and Clint Halftown did not attend. Supervisor Redmond will add the resolution to the October 13, 2021 board meeting.

Remote Meetings - Supervisor Redmond – The governor has announced that we can go back to virtual meetings. Councilperson Lynch stated the Town Board worked as a collective and we were able to send a letter and it was addressed by the governor and was adopted quickly. Many local municipalities and TCOG all sent letters that mimic our verbiage. A Town constituent brought it to Councilperson Lynch's attention that we need to have a transcript of the meetings. Clerk Cornell stated that the Clerk's office has a program that will not cost the Town any additional funds.

Supervisor Redmond moved and Councilperson Bryant seconded. No further discussion:

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

A Resolution to Rescind the Town of Enfield's Financial Pledge to the Tompkins County Broadband Planning Study

RESOLUTION #2021-Tabled

Whereas, on October 14, 2020, the Enfield Town Board adopted Resolution #2020-65, whereby the Town Board supported a one-time Over Target Request of not more than \$80,000 to fund a study into potential expansion of broadband Internet service within Tompkins County, including to areas within the Town of Enfield; and by that Resolution the Town pledged \$5,000 toward that purpose; and

Whereas, the Tompkins County Department of Planning and Sustainability, in conjunction with the Southern Tier Network (STN) and Fujitsu Corporation, commenced this study in April 2021, the study's objectives to identify a possible path forward for a county-wide buildout of both middle and last mile fiber optic cable in Tompkins County, the study to include a Market Assessment, project design, a business and operations model, an operations and maintenance plan, and a financial analysis; and

Whereas, by her memorandum of August 6, 2021, Katherine Borgella, Commissioner of the Tompkins County Department of Planning and Sustainability, advised Tompkins County Legislators and municipal officials that her department would "pause" the STN/Fujitsu study following completion of only its Market Assessment phase; the Commissioner concluding that the Market Assessment found that the public-sponsored buildout would likely serve too few households to assure its financial viability, and that alternative means to expand broadband through private Internet Service Providers should be pursued instead; and

Whereas, the County Planning Commissioner's change in direction for this initiative stands at odds with the study's original intent and with the representations on which the Town of Enfield based its October 2020 pledge of financial assistance; and

Whereas, Tompkins County has not yet billed the Town of Enfield or otherwise sought to collect on this Town Board's October 2020 financial pledge; and

Whereas, this Town Board believes the funds initially pledged can be better invested locally in other ways toward enhancing broadband Internet opportunities for Town residents; therefore be it

Resolved, that the Enfield Town Board hereby RESCINDS Resolution #2020-_____, and WITHDRAWS its pledge of \$5,000 toward the Tompkins County/STN/Fujitsu Broadband Planning Study; and be it further

Resolved, that the Enfield Town Board directs the Town Supervisor or her designee to communicate the substance of this Resolution to the appropriate officials within Tompkins County Government.

Councilperson Lynch moved and Councilperson Lemke seconded. Discussion: Councilperson Lemke needs more information and stated that we need to look at the contract to determine if we need to pay. Anne Koreman stated that Newfield was looking into the matter further. Councilperson Bryant stated we need more information before proceeding. Councilperson Lynch moved to table and Supervisor Redmond seconded.

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

Resolution# 2021-81 A Resolution to Authorize Drafting a Local Law to Establish a Moratorium on New Commercial Solar Energy Installations.

Whereas. The Enfield Town Board, on August 27, 2019 adopted Local Law #2 of 2019. The Town of Enfield Addendum to the Site Plan Review Law (hereinafter, the 'Solar Energy Law Addendum"), said law establishing new requirements to be met and satisfied by applicants for new commercial solar energy systems in their seeking approval under this Town's Site Plan Review Law; and

Whereas, subsequent experience has proven this Solar Energy Law Addendum inadequate in providing the Town of Enfield sufficient compensation for Payments in Liew of Tax under the so-called Pilot Agreements reviewed and approved by the Tompkins County Industrial Development Agency (TCIDA), the TCIDA's review and approval process proven to stand beyond this Town Board's control; and

Whereas, this Town Board's responsibility to its residents and taxpayers demands that additional legal protections be put into place that provide the Town sufficient revenue from commercial solar energy installations; therefore be it

Resolved, that the Enfield Town Board directs the Town's Renewable Energy Advisory Committee, in conjunction with the Town's legal counsel, to draft a proposed Local Law establishing a Moratorium on the application for and subsequent approval of future new or expanded commercial solar energy systems, said systems as defined by the current Solar Energy Law Addendum, with said Moratorium to last longer than six months, and imposed for the purpose of enabling amendment of the Solar Energy Law Addendum to include, among other things, additional, assured revenue to the Town of Enfield from the developers of commercial solar facilities, revenue including but not limited to mandatory compensation to the Town under plans commonly referred to as "Host Community Agreements;" and be it further

Resolved, that the text of this proposed Local Law to establish such Moratorium to be submitted to this Town Board no later than its October 13, 2021, Regular Meeting, at which time the Town Board may set a Public Hearing date for said Local Law's review, and be it further

Resolved, that the Enfield Town Board directs the Town's Renewable Energy Advisory Committee to convene promptly and periodically during the period prior to the expiration of any said Moratorium to prepare amendments to the Solar Energy Law Addendum that would further this Board's objective for enhanced revenue, and that the Advisory Committee then submit these proposed amendments to the Town Board for adoption.

Councilperson Lynch moved and Supervisor Redmond seconded the amended resolution. Discussion: Dave Norbut – The Town can opt back into the 487 and then can therefore negotiate its pilot agreement. The host agreement is meant to assist the town in recouping funds for damages to roads, etc. that the town has occurred. A separate third party can be NYSERDA (recommended by Dave Norbut). We can use the model of what we used in 2017, which was more for land use. Our issues are more with Solar Farms rather than Wind farms, and we need to have the expert committee look at it. This is a starting point.

Councilperson Bryant AYE, Councilperson Lemke AYE, Councilperson Lynch AYE, Supervisor Redmond AYE, carried.

Old Business:

RESOLUTION #2021 Tabled A Resolution to establish a Vaccination Policy against COVID-19 in the Town of Enfield

Whereas, the Enfield Town Board recognizes its legal duty and its moral and ethical obligation to keep its community's residents safe, to protect the health and well-being of its workforce, and to ensure peace of mind among those who interact with the Town's public-facing employees; and

Whereas the novel coronavirus (COVID-19) constitutes an ongoing public health threat, the pandemic has claimed nearly 650,000 lives nationwide since the pandemic began, including the lives of several persons within this Town; and

Whereas, Federal, State, and local health authorities have advised that widespread vaccination of the eligible population serves as the most effective tool to combat the coronavirus, to prevent its spread, and to limit its mutating to even more lethal forms of the disease; and

Whereas, Tompkins County Public Health Director Frank Kruppa, in his Guidance Document of September 1, 2021, while acknowledging that COVID-19 can still occur in people vaccinated against the disease, emphatically stated that "the data still show that if you are vaccinated you are at a lower risk of getting or transmitting COVID-19;" and

Whereas, Tompkins County Medical Director Dr. William Klepack concurs with Director Kruppa's assessment, Dr. Klepack's stating that those vaccinated are "extremely unlikely to get infected," and placing the infection rate for fully-vaccinated persons at well under one percent, and

Whereas, *The New York Times*, in its reporting dated September 7, 2021, predicted the COVID-19 infection probability for vaccinated persons is only "about one in 5000 per day," indeed, perhaps only half that; and

Whereas, Tompkins County Government has indicated its willingness to consider local municipal workforces within those populations eligible to participate in the County's supported program for asymptomatic surveillance testing, a service that, when likely approved, would reduce or eliminate any burden a mandatory vaccination and testing program might place upon Town finances; therefore be it

Resolved, that the Enfield Town Board hereby establishes a Vaccination Policy against COVID-19, said Policy applicable to all Public Officers, elected Office Holders, and employees of the Town of Enfield, with said Policy's purpose that of promoting public health and safety for both its employees and the general public by encouraging the vaccination of any and all Officers and Town of Enfield employees to the fullest extent permissible under Federal and New York State law and administrative directives; and be it further

Resolved, that within sixty (60) days of this Policy's adoption, every Town Officer, elected Office Holder, and employee of the Town of Enfield shall be required to be vaccinated against COVID-19, with those who are unable to be vaccinated due to religious or medical exception or those unwilling to be vaccinated to undergo testing on a periodic (generally weekly) basis as recommended and overseen by the Tompkins County Health Department, and that compliance with this policy will be based on the good faith attestation of the Town Officer, elected Office Holder, or employee; and be it further

Resolved, that should federal, New York State, or local authorities recommend subsequent booster vaccinations for otherwise fully-vaccinated eligible individuals, compliance with this mandate shall be met by the affected individual having been vaccinated with the booster shot within six months from when he or she first becomes eligible; and be in further

Resolved, that except where superseded by this policy or otherwise deemed inapplicable, details of this vaccination and testing program shall be implemented in accordance with "Tompkins County COVID-19 Directive #6," as promulgated by the Tompkins County Administration and dated September 2, 2021, as Tompkins County may subsequently revise; and be it further

Resolved, that the Town of Enfield will seek collaboration with Tompkins County Administration and other County Departments and their associated medical partners to avail itself of testing and reimbursement opportunities which will help defray the cost of this program to the Town of Enfield and its taxpayers; and be it further

Resolved, that this Policy shall take full effect sixty (60) days following its adoption by this Town Board.

Councilperson Lynch moved the amended resolution and Supervisor Redmond seconded. Discussion: Supervisor Redmond does not feel comfortable voting for it. Councilperson Lemke stated you are less likely to give someone else COVID if vaccinated, but you may still be able to give someone COVID. A reasonable mask mandate is preferable to a vaccination policy. Councilperson Lynch stated he believes that we have to protect others. Councilperson Lemke stated that she is in favor of giving paid time off to get the vaccine and is in favor of the mask mandate.

Councilperson Bryant NAY, Councilperson Lemke NAY, Councilperson Lynch AYE, Supervisor Redmond NAY, did NOT carry.

Norbut Solar Farms Decommission Agreement, letter of credit, Host Community Agreement.

Councilperson Lemke shared the documents with the Town Board members. Damon Barclay will draft a form letter to share with them as well. What kind of Host Community agreement does the board want to look for. Dave Norbut stated that he could not support the \$4,200 without going back for funding. He shared all of the funding, the IDA would not accept anything less than the \$4,200. They do not have any further funds and financial assistance. It is financially burdensome to the project itself. As time continues project costs will not immediately decrease (Materials are expensive). This project is already past the red line. The IDA has the financials, but the Town of Enfield has not seen this information. Dave Norbut stated this is not dollar for dollar and is sold at a discounted rate. The only one that can take the credits is large banks. None of these types of projects have individual investors. This project is funded on a tax equity flip. A lot goes into the funding of this project and demographics play into this. The financial models go off of sunshine and compensation rates. He stated that he will bring in funding to the town by hiring, mowing, snow removal, etc. Their mission is to assist the town and increase the benefits to the town. He is here to work with us and work with us. This is why he took and developed the solar arrays the way they are to allow future developments with the Town of Enfield. Supervisor Redmond will check with Dan Walker to make sure the ENB will be completed. Norbut Solar Farms can create an Escrow account, they have a standard agreement that they can also provide. He can share the form that they used with Danby. The Town Board thanked Norbut Solar Farms.

American Rescue Plan Act Discussion:

The town needs to document the need and the negative impact on the funding. All the video conferencing costs and the HVAC in the Town Courthouse and expand the HVAC and the air circulation.

Highway Superintendent updated on the paving – He was told September and has not gotten a date from them yet. Supervisor Redmond will contact the paving company.

Supervisor Redmond stated she spoke with Superintendent Rollins that they can recoup the funds used for the two weeks that the Town Highway Employees were paid when they didn't work last year during the initial start of the

pandemic. Councilperson Lemke is interested in using the Enfield Community Council for Mental Health. Build outdoor space or computer accessibility at ECC. Could possibly reimburse the Fire Department for COVID training. There is the possibility of using funds to reclaim lost revenue.

Highway Superintendent Rollins -spending monies for the Food Pantry and the Community Building. He asked that the Town Board evaluate the need for the use of the buildings and prioritize what the funds should be used for. Councilperson Lemke stated there are a lot of opportunities and we need to reevaluate the needs and complete a survey. Supervisor Redmond will add the Town Board to a Google Doc and Town Board members can start to put there ideas in it. Supervisor Redmond sent out more information to the Town Board on the ARPA. Councilperson Lemke can send the regulations around.

Privilege of the Floor:

Ellen Woods – Norbut Solar Farms – Tompkins County sends all of our waste to Seneca County and there is a compost site on Agard Road in Trumansburg. She thinks the town needs the funds from Norbut Solar Funds. ARPA funds could be used for the repaving of the Fire Department parking lot. In regards to the Mask mandate the Highway Superintendent is in charge of the Highway Department employees, and the Town Clerk is in charge of Town Clerk employees. Her belief is that with a mask mandate then you need to also have a vaccination policy in place as well. The Town Clerks Office currently enforces a mask mandate and celebrates what the hardworking people in our town are doing to support our citizens.

Ann Koreman – Jumping worms are an invasive species in this area and they are being transferred around the areas with people sharing compost, wood chips, etc. They can eat up the under storage of forests.

Beverly Rollins – Thank you Supervisor Redmond on your stance on the vaccine. This is something that is devastating to the public health community. Masks are the only thing that works and testing does not work, you could go home and infect others on your way home if you stop at any stores, etc.

Marcus Gingerich – He is disappointed that the vaccine mandate was not posted on the website for the public's viewing before the meeting. He didn't like Dave Norbut's stance on the Host Community Agreement and he stated it was not correct and that he hoped the town did not fall for it.

Julie – Testing for Covid is a useful thing, there are home tests kits available.

Announcements:

The Harvest Festival will be held at the ECC Building on Saturday, September 18th. A tentative budget will be presented to the Town Clerk by September 30th. Councilperson Lynch stated that we need to give the Highway Superintendent and Code Enforcement time to react to the tentative budget. The Finance Committee will meet to go over the budget.

Councilperson Lynch moved to adjourn and Councilperson Lemke seconded, adjourned 9:54 pm.