

**Town of Enfield**  
**Public Hearing and Regular Town Board Meeting**  
**Wednesday, October 13, 2021**  
**6:00 p.m.**  
**Virtual Meeting Via Zoom Meeting Portal**

**Present:** Town Supervisor Stephanie Redmond, Councilperson Jude Lemke, Councilperson Robert Lynch, Councilperson Virginia Bryant, Councilperson James Ricks, Town Clerk Mary Cornell.

Public Hearing opened by Supervisor Redmond at 6 pm.

Enfield Community Council Contract Discussion:

Shelly Western is the Rural youth Coord. for Tompkins County at the Cornell Cooperative Extension and supervises the teen worker for the ECC. They have a long-standing youth worker Eric Carter who has been working with Enfield for ~5 years. The ECC has its own space makes it easier to have programs and Eric has been essential.

Megan G Lyons. Coordinator for Tompkins County youth services and is the liaison for Enfield. Enfield Community Council is unique and what is so dynamic with the ECC is their willingness to always try to better itself. It is inspiring to see how the group works together.

Cortney Bailey – ECC has been a staple of the community for a long time. The ECC has made efforts during the pandemic to encourage youth contact/interaction due to the negative effects of COVID on teens this last year. They look forward to working with the town. Enfield Seniors group meets at the ECC, they were using the pavilion this summer.

Councilpersons Lynch and Bryant thanked the ECC for all of the work that they have been doing.

Art Godin asked what the ECC does. Cortney stated that they support 3-5<sup>th</sup> grade basketball at Enfield Elementary. They have an iron chef program for youth which mirrors the “Iron Chef Tv Program”. They are hoping to reinstate exercise programs in the community. It has been suggested that they have an “adult prom”. The Library is open 4 days a week and is run by volunteers. They sponsor the Harvest Festival and the Country Faire as fundraisers and community engagement events. Art thanked them for what they do and spoke on the appreciation of having the pavilion for use and is hopeful that they will offer meeting space in the building as the weather turns cooler.

Supervisor Redmond asked them to explain what can be rented and the fees. Does the Enfield Seniors group pay to use the facility. In the past they paid a small fee for the year.

Ann Rider – Check out the ECC website for more information.

Councilperson Lynch motioned to close the public hearing and Councilperson Bryant seconded.

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

**Privilege of the floor:**

Ed Hetherington – Led the assemble in the pledge of Allegiance.

Marcus Gingerich – There is a lot on the agenda. He is focusing on two notices, the resolution for a vaccine mandate he is concerned with this resolution. He wants to know if the town is going to take the responsibility and are they going to

recognize their legal duty and should not copy the actions of others. Is the town making itself liable for those that have adverse reactions? As for the mask mandate he has concerns, are you going to make sure guidelines are being followed and purchase the appropriately fitted masks that you will require?

James Ricks – Good evening, at times when persons of authority speak they are confident in their speech. Sachem George spoke on the original leaders of the sovereign Cayuga Nation. The supreme court interceded in determining who is the “leader, of the Cayuga Nation”. When Sachem George came to him for help, he thought it was then our problem as well. If working with Sachem George is not something we all think we should do then we need to work through the issue.

**Additions or changes to the agenda:** New Business will go first. Discussion on opting out of the new marijuana law.

**Correspondence:** Councilperson Lynch read a letter from town resident Diane Aramini

**Monthly Reports:**

**Supervisors Report:** Attended Zoom Meetings, Bi-weekly calls, attended the planning board meetings. Finalized documents for the solar work at the highway department, she met with the finance committee meeting, environmental council, called the DOT of the many roads that need to be reviewed. Met with shared services panel, met with the new town bookkeeper.

**Town Clerks Report:** The clerk’s office issued new dog licenses and renewed dog licenses, accepted funds for building and culvert permits, and sold cemetery plots. In addition to the normal duties of the Clerks office.

**Highway Superintendent Report:** They finished up their summer work. Supervisor Redmond asked him on behalf of Cassandra Hinkle if he thought it would be best to just have the tree removed in the Presbyterian Cemetery or if we should have the cemetery surveyed first. He thinks that sooner or later it should be surveyed. Superintendent Rollins contacted Kings construction to see if he can get a date for the paving in front of the courthouse. He is having conversations with the state regarding the lights for the school and is working with them on getting it fixed. The state sent him documentation stated the town owns the lights and needs to do the maintenance on them. Superintendent Rollins asked for a survey of the dump site. Supervisor Redmond stated the DOT stated that we could not continue to dump at this site. Superintendent Rollins stated that the DOT said they could dump dirt and brush there. Councilperson Lynch asked if Tompkins County has a record of the survey. Superintendent Rollins stated that he would be willing to put more permanent stakes when it gets staked. Councilperson Ricks wanted to know is any attention being giving to the paving in front of the Enfield Courthouse. Superintendent Rollins stated it was supposed to be paved in September, with the weather it can delays projects. He does not know if it can happen this year.

**Code Enforcement Report: Alan Teeter** – For the month of September he issued 5 new building permits. He attended the planning board meeting. He is still working on the variance for the pool cover and should be submitted next week. He was supposed to attend a training, but it was rescheduled for November. He had communications with Jon Stone from Norbut Solar who was confused with the fee and Alan explained it to him. Councilperson Lynch asked if he knows when they will start the Norbut Solar Project, Alan does not know but it could potentially be next spring.

**Volunteer Fire Company – Alan Teeter.** There were a total of 26 calls for the month. Trainings this month, tomorrow night is on Narcan (NYS instructor) they will start carrying it on their rescue calls. They should have that in the next few days. The following week will be winter preparation preparedness, the following week station maintenance. Councilperson Lynch – one comment that came up from the quarterly meeting. The radios that firefighters use, that

were bought 12 years ago are starting to fail and Motorola is demanding they be replaced. He spoke with Rick John (Safety Coord. Tompkins Co Legislature). They may be able to assist with replacing some of them.

**Planning Board Report – Dan Walker.** At the regular planning board meeting two subdivisions were discussed. They discussed the water law and water usage.

**TCCOG - Councilperson Lynch.** TCCOG has not met as a group since his Oct 8<sup>th</sup> report. The broadband committee met on September 16<sup>th</sup>. The County has dismissed the Fitjitsu study. Legislatures voted to repurpose funds which will provide a survey to the County. They have rescinded the agreements from municipalities and schools. Hopefully the County funded survey will provide better knowledge.

**Consent Agenda:**

Councilperson Lynch moved and Supervisor Redmond seconded. Discussion: Councilperson Lynch submitting minor recommended changes.

General Fund Vouchers #208 to 231 dated October 13, 2021 in the amount of \$37,933.67

Highway Fund Vouchers #152 to 173 dated October 13, 2021 in the amount of \$164,126.46

Minutes – September 8<sup>th</sup>, 2021 and October 4<sup>th</sup>, 2021.

All Aye, carried.

**Resolution #2021 – Tabled.** A Resolution calling for the Town Board of Enfield, Tompkins County, New York to recognize the traditional Cayuga Nation’s Council of Chiefs and Clan mother’s as the rightful governing body of the Cayuga Nation.

Supervisor Redmond moved and Councilperson Lemke seconded. Discussion: Art Godin read parts of the letters from 2020 and 2021 as well as the resolution. Councilperson Lemke stated that the town should refrain from interfering or writing a letter of agreement. Councilperson Lynch and Councilperson Bryant stated that they would like to hear both sides of the story. Supervisor Redmond stated that the town could write a letter of support stating that the state needs to let Cayuga Nation work out this issue on there own without interference from the state DOI.

**RESOLUTION calling for the Town Board of Enfield, Tompkins County, New York to recognize the traditional Cayuga Nation’s Council of Chiefs and Clanmothers as the rightful governing body of the Cayuga Nation.**

WHEREAS, the Town of Enfield, New York is located within the traditional territory of the Gayogohó:nq’ (Cayuga Nation) of the Haudenosaunee Six Nation Confederacy (Mohawk, Oneida, Onondaga, Cayuga, Seneca and Tuscarora), and

WHEREAS, in the aftermath of the Revolutionary War, the Canandaigua Treaty of 1794, signed by President George Washington’s agent Colonel Timothy Pickering and Chiefs representing the Grand Council of the Six Nations of the Haudenosaunee Confederacy, begins by stating in Article 1, that “Peace and friendship are hereby firmly established, and shall be perpetual, between the United States and the Six Nations” and

WHEREAS, the Canandaigua Treaty remains in force to this day, as evidenced by the continued payment by the United States of an annual sum of \$4500 in the form of treaty cloth to the Six Nations peoples, affirming the ongoing obligations of the United States under this treaty, and

WHEREAS, Article VII of the Canandaigua Treaty establishes a process for resolving conflicts, stating that “complaint shall be made by the party injured, to the other; by the Six Nations or any of them, to the President of the United States...and such prudent measures shall then be pursued, as shall be necessary to preserve our peace and friendship unbroken...” and

WHEREAS, the “federal representative” recognized by the Bureau of Indian Affairs has caused injury to the Cayuga Nation people, as reported in detail by the accompanying letters from the traditional Cayuga Nation Council of Chiefs dated Feb 23, 2020 and May 15, 2021, and

WHEREAS, the Bureau of Indian Affairs, by its continued recognition of a “federal representative” long-since removed from that role through internal Cayuga Nation governance processes, undermines the Cayuga Nation’s sovereignty to act and govern without interference as a sovereign nation.

BE IT THEREFORE RESOLVED, the Town of Enfield recognizes the traditional Cayuga Nation Council of Chiefs and Clanmothers as the singular, longstanding and rightful governing body of the Cayuga Nation, with which all levels of the United States government, including the Town of Enfield, should engage in a Government-to-Government relationship, and

BE IT FURTHER RESOLVED that the Town of Enfield dispatch a letter to the Bureau of Indian Affairs urging it to remove its “federal representative” designation from Clint Halftown, and instead recognize and heed the decision making authority of the traditional Cayuga Nation Council of Chiefs and Clanmothers.

**Supervisor Redmond Moved and Councilperson Lynch seconded:** Councilperson Lynch stated it was a very good contract and the increase in spending is at 2 % per year. Supervisor Redmond stated that we have \$1,000 for the library that maybe we should give to the community council.

**Resolution #2021-83** Enfield Community Council Contract 2022-2026

WHEREAS, the Town desires to have certain community recreational and youth services provided to the residents of the Town and

WHEREAS, the Enfield Community Council desires to provide such services to the Town and its residents, now therefore be it;

RESOLVED, the Enfield Town Board authorizes Supervisor Redmond to sign a contract with the Enfield Community Council

All Aye, carried.

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

**Resolution #2021-84** SPCA Contract 2022-2024

WHEREAS, the Town is required to provide animal control services to the residents of the Town, and;

WHEREAS, the Tompkins County SPCA has presented the Board with a three (3) year contract to provide animal control service, and,

WHEREAS, they are offering this service at no increase in cost, now therefore be it;

RESOLVED, the Enfield Town Board authorizes Supervisor Redmond to sign a contract with the Tompkins County SPCA

All Aye, Carried.

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

**Resolution #2021-85** TOMPKINS COUNTY HAZARD MITIGATION PLAN ADOPTION RESOLUTION

Town of Enfield

Enfield Town Board 168 Enfield Main Rd

RESOLUTION WHEREAS, Town of Enfield has gathered information and prepared the Tompkins County Hazard Mitigation Plan; and

WHEREAS, the Tompkins County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Town of Enfield is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Town of Enfield have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Enfield Town Board that the Town of Enfield adopts the Tompkins County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 13th day of October, 2021 at the meeting of the Enfield Town Board.

All Aye, carried.

### **Resolution#2021-Tabled Solar Moratorium**

**Water Protection Law** – Supervisor Redmond asked Nancy Spero to offer an update. The Committee drafted the law and worked with the Planning Board. They would like to have a public hearing and move forward with the law. Councilperson Lemke has three changes that she would suggest. The Town Board would intercede if it is a larger company. Councilperson Bryant stated that if it is this significant that it should go back to the Town from the Planning Board. Councilperson Lynch read the first law and thought it was appropriate for the Town of Enfield. When he opened his email from the Councilperson Lemke while well intentioned it seems to have been lawyered up and thinks it needs to go first back to the planning board for further review. Supervisor Redmond would like it to go back to water committee and then resent to the planning board and have them weigh in on it and then it can return to the Town Board and potentially be back at the Town Board by the November meeting. Councilperson Lynch moved that it be sent back as Supervisor Redmond suggested. The board is in agreement. Section 5, paragraph 7 seemed to have the most concern re: water consumption. Councilperson Lynch read the aforementioned section of the proposed law. Nancy Spero mentioned that she will call a water protection committee meeting. Dan Walker stated that he is willing to add to the November agenda.

Tabled until the November meeting. Supervisor Redmond moved and Councilperson Lemke seconded.

### **Councilperson Lynch moved, no second.**

A Resolution to Ensure Openness and Transparency among Enfield Town Advisory Committees

RESOLUTION #2021-\_\_\_\_\_

Whereas, the Town of Enfield has long relied upon citizen advisory committees to provide this Town Board valuable public input as to issues affecting this Town as well as to how this Town Board should respond to those issues; and

Whereas, these advisory committees, established from time to time as the need arises, often find their membership comprised as a hybrid of Town Board members, Town employees, and unelected Enfield residents; and

Whereas, these advisory committees often address substantive issues of public concern, matters in which Town Board member presence on said committee(s) and/or participation in committee discussion carries the potential for actions or recommendations that would constitute actions to “conduct public business,” as defined by, and thereby triggering the provisions of, the New York State Open Meetings Law; and

Whereas, this Town Board owes an obligation to provide its residents the highest degree of openness and transparency in Town governance and to dispel any suspicion that its leaders, elected or otherwise, conduct Town business in secret;

Therefore be it Resolved, that the Enfield Town Board hereby adopts the following policy to be known as the "Policy to Ensure Openness and Transparency among Enfield Town Advisory Committees." And that to enact the provisions of this policy, be in further Resolved, that the Enfield Town Board hereby declares and reaffirms that all scheduled meetings of its Board-established advisory committees, including but not limited to, the Finance Committee, the Personnel Committee, the Cemetery Committee, the Renewable Energy Advisory Committee, the Water Protection Committee, and any such other advisory committees this Board may in the future establish, are to be considered Public Meetings, their attendance open to all, including to any and all members of this Town Board;

and be it further

Resolved, that to ensure the openness and transparency of said advisory committee meetings; this Town Board establishes the following procedural requirements and protocols for all said committees: • That meetings of each advisory committee shall be publicized in advance in accordance with the rules New York State law and also the policies this Board has established for meetings of the Enfield Town Board; rules that require advance notice of said meetings at a minimum of at least 48 hours of their occurring, with said notices to include a committee meeting's designated time, place, and manner of meeting, with said information posted at the Town Hall and made available in an appropriate location on the Town's website as determined by the Town Clerk;

- That each advisory committee shall designate a secretary, whose responsibility shall be to record minutes of each meeting held, meeting minutes to include, but not necessarily limited to: the date and time of each meeting held; the attendance by committee members as well as by Town elected and appointed officials; a brief summary of the matters discussed; the text of any Resolutions presented for action; and a record of any recorded votes taken, including how each committee member voted on a particular Resolution; 2
- That in rare instances of the secretary's absence, the advisory committee may request the Town Clerk or his or her designee record said minutes, depending upon the Clerk staff's availability;
- That recorded minutes of an advisory committee, when properly approved by committee membership at a subsequent meeting of the committee, shall be made available for public review and inspection in a manner to be determined by the Town Clerk; and
- That no advisory committee shall exert its authority in such a manner or to such a degree that would supplant the normal governing power State Law properly vests in this Town Board. And be it further Resolved, that these afore-stated policies and procedures shall take effect immediately upon this Resolution's adoption by the Town Board.

Councilperson Lynch moved, no second

**Supervisor Redmond moved and Councilperson Lemke seconded.**

**Resolution #2021-86 RESOLUTION TO APPROVE MCA**

Approval of the 2022 Amendment to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

WHEREAS, the Town of Enfield is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010),

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review and upon acceptance of any new Participant hereafter, and

WHEREAS, by motion 001-2021 the Consortium's Board of Directors recommends approval of the 2022 Amended Agreement, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board,

WHEREAS, the Town of Enfield is in receipt of the proposed amended Agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2022 Amended Municipal Cooperative Agreements, now therefore be it

RESOLVED, that the Town of Enfield approves and authorizes the Chief Executive Officer to sign the 2022 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Town of Enfield is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

All Aye, carried.

**Supervisor Redmond moved and Councilperson Lemke seconded.** Discussion: Supervisor Redmond stated that while Norbut Solar may have been able to offer the town an incentive, this resolution ratifies Supervisor Redmond to sign the agreement. Councilperson Lynch asked Councilperson Lemke to state whether or not we have any leverage to require a host community agreement. Councilperson Lemke stated that we do not have any right to demand it. Councilperson Lynch fears that it will be something we regret for the next thirty years.

**Resolution #2021-87 Authorize Supervisor Redmond to Sign the Decommission Agreement**

WHEREAS, the Town Board discussed the Decommission Agreement for Norbut Solar Farms on September 8, 2021; and

WHEREAS, based upon that discussion, Supervisor Redmond then signed the Decommission Agreement on September 14, 2021; and

WHEREAS, it has come to the Supervisor's attention that formal board approval should have been obtained prior to signing the Decommission Agreement; now therefore be it

RESOLVED, that the Enfield Town Board ratifies the actions and authorize Supervisor Redmond to sign the Decommission Agreement



All Aye, carried.

**Marijuana Law:** Supervisor Redmond stated towns may receive quite a bit of money here and she would like to see farms and stores come to our town. Councilperson Lynch we only have control over the stores and other communities are considering this and we have to act quickly if we want to opt out of this.. He crafted a resolution that is only for procedure. He read the proposed resolution for the town to potentially opt out as we only have until Dec 31, 2021.

A resolution to draft MRTA – Adult use cannabis in NYS from locating within their municipalities limit and have to determine by December 31, 2021.

Councilperson Lynch moved and Supervisor Redmond seconded for discussion: Supervisor Redmond stated that she does not feel that we can move forward with this resolution. Councilperson Ricks is interested in knowing what the financial impact that the town would have. he does want to hear what people would say who are against it as he is not so himself. Councilperson Lynch stated we should have a legitimate discussion for the Town residents to chime in. Councilperson Bryant stated that she would like to see the financial impact. Blixly clarified what the two other towns she works with is doing. This is specifically for pot stores and pot bars, the state will regulate them. If you opt out you will receive no revenue from those sales in your municipality. If you do not opt out then you will see revenue from sales in your municipality. Approx. 4% would come to the town. You have one opportunity to opt out, you can however opt in again in the future. If the public does not like what you have done they have the right to do pass a petition for a public referendum. In Ulysses they are doing less formal meetings and Newfield will have more public meetings. The town of Enfield can not stop someone from opening one of these stores. Supervisor Redmond will add a public discussion to the November agenda.

**Old Business:**

Budget Discussion:

Supervisor Redmond invited Town Bookkeeper Blixly to go over the budget. Blixly mentioned her concern over using the revenue from the building permit. There is a lot of concern over using those funds in the budget. Councilperson Ricks has spoken with Highway Superintendent Rollins on adding a full time person versus two parttime employees. Blixly will review documents and give us more information. Next Budget meeting will be on Wednesday, October 20<sup>th</sup> at 6:30 pm.

Supervisor Redmond moved and Councilperson Lemke seconded: Discussion: Superintendent Rollins why are we approaching a mask mandate when individuals are out in public and not wearing masks. Will the Fire Department be required to mask during training, etc. Supervisor Redmond stated that she would like all Town departments and the food pantry to conform with this policy. Councilperson Lynch stated this policy is not as rigid as the initial policy was. Additional language was presented to accommodate safety concerns.

Councilperson Lynch moved and Supervisor Redmond seconded as amended.

**PROPOSED AMENDED RESOLUTION: Mask Mandate; Modified, October 2021 (Proposed Amended)**

**RESOLUTION # 2021- 88 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 aforementioned circumstances 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; • Employees may be exempted from this mask mandate when a face covering would inhibit or otherwise impair an individual’s health and they could not medically tolerate wearing a covering. When appropriate social distance or when sufficiently distanced from others in a office/meeting room. Highway garage-or in the case of safety concerns.

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.

All Aye,

**Privilege of the floor:**

Julie – a community notice on Bostwick Rd. Several people have had their cars vandalized. If you see something that looks concerning investigate or call the police.

Art Godin – He wanted to congratulate the Town on the meeting timelines and to ending it on time.

Marcus Gingerich – Comment on ideas for spending the monies, maybe we should consider this and keep in mind on spending it on our future generations.

Fall Craft fair at the Grange. October 23, 2021 9 am to 3 pm.

Councilperson Ricks moved to adjourn and Councilperson Lynch seconded. Adjourned 9:33 pm.