

Town of Enfield
Public Hearing A Local Law on Solar Moritorium
Public Hearing Opt-Out Law Cannabis
Regular Town Board Meeting
Wednesday, December 8, 2021, at 6:00 p.m.
Virtually via Zoom Meeting Portal

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

Local Law #5 proposed of 2021 – A Local Law on Solar Moritorium

Public Hearing opened by Supervisor Redmond 6 pm.

ORES regulations and how they affect our solar law
This will not be a long-term moratorium.

Sue Webster – North Van Dorn Road. She is interested in learning more about the moratorium. She is worried that more solar farms may come to the area and use existing agricultural land. What is the process now, a moratorium on this so that the Town board can study this further? What is the role of the community in this? The renewable energy committee with review the 457 agreement and whether or not the Town should opt-out.

Jude Lemke - This is a moratorium introduced by Councilperson Lynch and the Board has supported it. This is in reference to a pilot agreement that would help the town as it did not with the previous dealings with the IDA. Enfield does not have zoning and stated that a lot can not have more than 60 % of the lot with solar panels. One of the areas that the renewable energy committee can explore is the feasibility of the town creating their own IDA (other municipalities have done so).

Supervisor Redmond - Stated that the solar and wind laws can be found on the Town Website.

Councilperson Lynch - stated that this would be a sixth month moratorium and is mainly for the purpose of Enfield pursuing viability of the town possibly receiving more revenue out of any future proposals.

Nancy Spero – Is it definite the Norbut Solar Farms is exempt from this Moratorium. This Moratorium would last for a maximum of 6 months but can end earlier.

Marcus Gingerich – This public hearing is whether or not the Town community supports the moratorium? He is in support of the Town implementing this moratorium to review possible future projects, etc.

Councilperson Bryant – It was disappointing at how the Town was treated by the IDA.

Public Hearing closed at 6:28 pm.

Proposed Opt-out Law Public Hearing

Supervisor Redmond opened the public hearing at 6:28 pm.

Supervisor Redmond heard from Councilperson Ricks today and he is not in support of opting out.

Town Supervisor Stephanie Redmond read an email sent to her from Former Councilperson Becky Simms. Good afternoon I may not be able to attend tonight's meeting and I am submitting my comments here. She is concerned that residents are not able to access the copies of the laws and encourages the Town to have access the public hearing and this meetings notices. She would like the town to not opt-out as Enfield has minimal opportunities to create revenue. Is it not obvious the residents if not youth grow and sell cannabis in the town. The obvious revenue should be an obvious benefit to the town. -Supervisor Redmond stated that the mentioned items were available on the Town Website and at the Town Hall.

Councilperson Lemke – She wants to be clear that opting out at this time, will afford the Town more time to gather information. There is no real downside to waiting at this time. By Opting out at the moment it gives us more time and we would not be giving up revenue and no revenue can be collected until permits are issued. There are two opt-out options, purchase and onsite use. You can get a license to grow it, or a license to sell it as a dispensary, or on-site use. If we were to opt out, then it would be possible for a resident to ask for a referendum. The Board could simply take a vote to change it's position.

Jason Beizavi. He has been growing hemp in the last few years. One problem he sees with opting back in in the future is there will be a finite amount of permits and the worry is if you opt out then you may not be able to get a permit. The most significant issue with opting out is the limited amount of permits and it will be a very real concern that we would not be ready for the residents/business to establish a meeting. 3% of the retail revenue would go to the local municipality. There is a micro license (NYS www.nycdga.org).

Stephen Lamberti – He has experience from living in other areas. He sees an opportunity here to learn from challenges that Townships in Michigan found that it was more difficult than they had anticipated to opt back in. The process for getting the license is more in-depth then may be anticipated. The Town can take a slower approach by not opting out. It will be hard for the community members to plan if they are uncertain where it will end up. He is part of a cannabis guild and they are looking at what the process could be here. The Town may lose opportunities if they opt-out now. Think of dispensaries and on site consumption as a safe access site. Does the board have a timeline on when they could possibly opt back in?

Councilperson Lynch – Please make sure that everyone identifies themselves, this would help commenters being easily identified. Councilperson would have no problem putting a six-month review clause in the law, where the town would re-evaluate.

Henry Hansteen – He fails to see the downside especially if you see the use of alcohol versus cannabis. This opting out preventing the sale and use of cannabis does not make sense unless the Town will also ban alcohol. He stated he is not sure what we would be stuck with, he does not understand the downside. He doesn't think onsite consumption is something we should pursue, but dispensaries should not be opted out.

Supervisor Redmond stated that December 31 is the deadline for the Town to opt-out. If we do not opt out then Town has more leeway in identifying guidelines, etc.

Cassandra Hinkle – She respectfully disagrees, putting this off by a couple of months will negatively affect the town. Hector and Watkins Glen already have stores. If there is a reason that a dispensary is in violation it would be a law enforcement issue.

Terry Bloom from Stone Farm – I think opting out at this stage would be making an uneducated decision. We need to wait to see what the state imposes. This may be an option to preserve agricultural land, that may benefit the town in revenue, jobs etc.

Nancy Spero – She is in favor of not opting out of the dispensaries, she sees it as supporting small business and agrees that it takes a while to create and implement business plans. It will have ramifications and she doesn't know how it will all unfold. Her only concern with onsite consumption sites, is that we need to look at how do we monitor alcohol and cannabis use?, who will monitor it. She thinks as a town how do we want to keep people safe at both alcohol and cannabis establishments.

Marcus Gingerich – He stated if we opt out then we can opt in at a later date. He understands that if we don't opt out then we can't opt out after December 31.

Barbara Sadovnic – We are not making a decision by ourselves. In our county the Town of Ithaca, Village of Cayuga Heights and the Village of Trumansburg are not opting out, The Village of Watkins Glen and the City of Horseheads are not opting out either. It will be happening around us. We will be limiting the Towns option of receiving Tax Revenues. Other municipalities can use zoning regulations and we would still have the option of passing our own local laws to restrict sales.

Anonymous resident of Enfield – He is opposed to having cannabis in Enfield. He thinks it will encourage thefts and vandalism.

Councilperson Lynch read comments submitted to him by former Town Clerk Ellen Woods – She urges caution as the legalization use of using recreational marijuana would cause more responses needed from First responses. With the continued use of vaping and marijuana she strongly oppose the legalization use of marijuana.

Meg Veley – She opposes opting out, she has spent the last few years living in legal cannabis states. She was estastic to see it was being legalized in NYS. The children are less at use of using it because it is a legal product and it is easier for them to obtain it. "Out of their mouths, they didn't care to use it as much". Whether it is legal will not stop the use. However, in a safe way you need education in your schools, etc. This provides an opportunity for revenue for the town and it would be silly to opt out as it will be readily available around us.

Supervisor Redmond closed the public hearing at 7:13 pm

Supervisor Redmond opened the Regular Town Board meeting at 7:13 pm

Privilege of the Floor: Edward and Helen Hetherington led the assemblage on the Pledge of Allegiance.

Becky Simms: Thanked Supervisor Redmond for reading her comments and she encourages the Towns to pass the Water Protection Law. – Supervisor Redmond stated the presentation would be tonight and a public hearing to pass the law will be held at the January 12th Town Board Meeting.

Councilperson Lynch would like the board to take a moment to thank Councilperson Bryant for her eight years of service.

Supervisor Redmond read a letter to Councilperson Bryant thanking her for her service.

Nancy Spero – She wants to second that she will miss having Virginia Bryant on the board. She was always willing to listen and she made her feel heard. She was happy to be a part of the public hearing and she learned a lot from those who spoke as she was not as clear on her position before individuals spoke and had a better understanding and is not in favor of the Town opting out.

Additions or changes to the Agenda- she would like to move the fire department resolution directly after correspondence, then Steve Winkly, Nicole Sereboni from NYMIR, and Randy Brown. Councilperson Lynch would like to propose a discussion and a discussion only.

Correspondence:

Haefele – Will increase fees effective January 1.

NYSDOT – Sent a response letter in regards to the Rockwell Road speed reduction. Councilperson Lynch read the letter. He thanked Clerk Cornell and Former Clerk Woods for assistance. He will let the concerned constituents know that the speed will be reduced.

NYMIR – They received the renewal and will have an approx. 3% increase. She will check with them on the Cyber security requirements,.

Resolution #2021-96 Approval of New Member – Paulette Rosa – Enfield Volunteer Fire Co.

Supervisor Redmond moved and Councilperson Bryant Seconded. No discussion.

WHEREAS, pursuant to Not-for-Profit Corporation Law §1402, and Town Law §176, only active members of a Volunteer Fire Company are covered by the Volunteer Firefighter Benefit Law if injured or killed while performing services for the Fire Company, and;

WHEREAS, members may only be considered active members if given final approval of the Enfield Town Board, and;

WHEREAS, the Enfield Town Board wishes to honor and approve new volunteer firefighters to serve with the Enfield Volunteer Fire Company and to satisfy legal and insurance requirements for the benefit of our volunteers, and;

WHEREAS, Paulette Rosa, of the Town of Enfield, has completed all requirements for Membership, and has been approved by vote of the Enfield Volunteer Fire Company membership for a position as an active member; WHEREAS, Paulette Rosa is a resident of the Town of Enfield and a Volunteer, therefore be it RESOLVED, the Enfield Town Board hereby approves membership of Paulette Rosa into the Enfield Volunteer Fire Company, effective immediately.

All Aye, Carried.

Resolution #2021-97 Approval of New Member – Robin Wishna – Enfield Volunteer Fire Co.

Supervisor Redmond moved and Councilperson Bryant Seconded. No discussion.

WHEREAS, pursuant to Not-for-Profit Corporation Law §1402, and Town Law §176, only active members of a Volunteer Fire Company are covered by the Volunteer Firefighter Benefit Law if injured or killed while performing services for the Fire Company, and;

WHEREAS, members may only be considered active members if given final approval of the Enfield Town Board, and;

WHEREAS, the Enfield Town Board wishes to honor and approve new volunteer firefighters to serve with the Enfield Volunteer Fire Company and to satisfy legal and insurance requirements for the benefit of our volunteers, and;

WHEREAS, Robin Wishna, of the Town of Enfield, has completed all requirements for Membership, and has been approved by vote of the Enfield Volunteer Fire Company membership for a position as an active member; WHEREAS, Robin Wishna is a resident of the Town of Enfield and a Volunteer, therefore be it RESOLVED, the Enfield Town Board hereby approves membership of Robin Wishna into the Enfield Volunteer Fire Company, effective immediately.

All Aye, carried.

Resolution #2021-98 Approval of New Member – Jason Hair – Enfield Volunteer Fire Co.

Supervisor Redmond moved and Councilperson Bryant Seconded. No discussion.

WHEREAS, pursuant to Not-for-Profit Corporation Law §1402, and Town Law §176, only active members of a Volunteer Fire Company are covered by the Volunteer Firefighter Benefit Law if injured or killed while performing services for the Fire Company, and;

WHEREAS, members may only be considered active members if given final approval of the Enfield Town Board, and;

WHEREAS, the Enfield Town Board wishes to honor and approve new volunteer firefighters to serve with the Enfield Volunteer Fire Company and to satisfy legal and insurance requirements for the benefit of our volunteers, and;

WHEREAS, Jason Hair, of the Town of Enfield, has completed all requirements for Membership, and has been approved by vote of the Enfield Volunteer Fire Company membership for a position as an active member; WHEREAS, Jason Hair is a resident of the Town of Enfield and a Volunteer, therefore be it RESOLVED, the Enfield Town Board hereby approves membership of Jason Hair into the Enfield Volunteer Fire Company, effective immediately.

All Aye, carried.

Resolution #2021-99 Approval of New Member – Axel Stevens– Enfield Volunteer Fire Co.

Supervisor Redmond moved and Councilperson Bryant Seconded. No discussion.

WHEREAS, pursuant to Not-for-Profit Corporation Law §1402, and Town Law §176, only active members of a Volunteer Fire Company are covered by the Volunteer Firefighter Benefit Law if injured or killed while performing services for the Fire Company, and;

WHEREAS, members may only be considered active members if given final approval of the Enfield Town Board, and;

WHEREAS, the Enfield Town Board wishes to honor and approve new volunteer firefighters to serve with the Enfield Volunteer Fire Company and to satisfy legal and insurance requirements for the benefit of our volunteers, and;

WHEREAS, Axel Stevens, of the Town of Enfield, has completed all requirements for Membership, and has been approved by vote of the Enfield Volunteer Fire Company membership for a position as an active member; WHEREAS, Axel Stevens is a resident of the Town of Enfield and a Volunteer, therefore be it RESOLVED, the Enfield Town Board hereby approves membership of Axel Stevens into the Enfield Volunteer Fire Company, effective immediately.

All Aye, carried.

New York Rural Water Association Presentation.

Braden Savage, Martin Zartarian – 18 wells were sampled by the NYSDOH , 6 samples were mailed and 5 were returned. They saw a total of 25 exceedances, an average of over 1.09 per well. The most common exceedance was Coliform Bacteria.

Steve Winkley NY Rural Water Association - The perimeters they look for are the most common ones found in well water. The County notified the homeowners.

In Enfield over 90% of wells are completed in shale bedrock. Sand and gravel wells are confined to the Enfield Creek Valley. It appears that of the sampled wells all but one were drilled wells in shale. One was a dug Well in Till. No sand and gravel wells were sampled due to the limited number of these wells and the lack of willing landowners. More than 85% of wells in Enfield were drilled before 2000, when NYS adopted water well construction standards. The median depth of bedrock (shale) well in Enfield is 130 feet. The median depth to bedrock in Enfield is 25 ft.

Nitrate with one exception were pretty low in this range in town The drinking water standard is 10 mg/L. Levels found were (<0.05 to 1.3 mg/L).

¾ of the wells did not have detectable levels of Arsenic. In Tompkins County, 21% of sampled wells have moderate to elevated levels of arsenic. The lack of wells in deeper, confined sand and gravel aquifers is the likely cause.

Comments from the Town Board. Councilperson Bryant would like to thank them for the presentation. Supervisor Redmond thanked them all. Comments from Town Residents.

Ed Hetherington asked if testing was done for Sulfur? What did they have for Sulfate (Order and Taste). Martin stated it is not harmful, the ways to remove are carbon or chlorine.

Nancy Spero- There have been times that a summary was put on the website. She asked if we would be able to do so. The water protection committee is hoping to meet the beginning of January before the Public Hearing. They will talk of the law and what projects they want to do in the future.

Supervisor Redmond stated that if we receive the presentations they will be posted to the Town Website.

NYMIR – Annual review will be postponed until January.

Tompkins County Legislature Randy Brown – Thanked the Town Board for letting him introduce himself. He would like to have a dialogue with Enfield residents and the Town Board. His focus will be on the children, seniors and agricultural areas. He should have a County email address soon and will notify the town when he has it. He already has an office in Newfield and is currently very active in the Town of Newfield. He would like to make a similar commitment to Enfield.

Quarterly Reports:

EMC – Stephanie Redmond. They just celebrated their 50 yr anniversary. Many members have joined the NYS EMC throughout the state and was set up much like a video game. The Bell station has been preserved and is being obtained by the Fingerlake land trust.

Enfield Community Council – Virginia Bryant. They have been very involved in expanding the library and they are involved with the Town's Deck the Halls on December 12th, 2021. Councilperson Lynch had helped with reflooring and within two hours (Cortney Bailey, Norm Smith and Councilperson Lynch) took up the old carpet and new carpet it to be laid soon.

Lisa Monroe – Tompkins County Youth Board. The floor is going along, her husband is doing the flooring and it is a vinyl planking. She thanks everyone hear for the discussion tonight. Glad that she was able to meet Randy, Children and older

adults. Nov 16th when the legislature passed the budget for 4 target requests, they restored some of the funding that was cut for 2021 (CCE was able to make it up for them) and is an ongoing request. TCAT provide free fares for ppl under 18, tentative roll out fall of 22. DIE with Fatima Banister in Oct of 2021. Offered it to all youth commissions across TC. They didn't have a youth training retreat in Oct. They are having continued talks for RFP process for 2022-2023. AYR for ppl to apply to that, next meeting is Dec 13th.

Enfield Food Pantry Report – Report was submitted to Clerk Cornell by Pantry Director Jean Owens

The Enfield Food Pantry serves over 400 households per week.

In order to mitigate the impact of so many vehicles on our community parking areas, the pantry has added an additional day and time.

Distributions are now:

Saturday 9-11

Sunday 9-11

Monday 11-1

Moving from a charity model to an empowerment model for our operations requires a lot of work.

Therefore, we have enlisted the help of several teams of graduate students and faculty from the Cornell Institute of Public Affairs (CIPA) and the Cornell Engineering's School of Operations Research and Information Engineering (ORIE) to help us develop best practices to apply in our new facility.

Tompkins Health Consortium: Update by Supervisor Redmond the group RX will allow them to get cheaper prescriptions from overseas and will insure safety measures. No gain for the holidays and Addition of Pharmacy options for vaccines be covered.

Cemetery Committee – Cassandra Hinkle. No update at this time.

Monthly Reports:

Water Protection committee – Nancy Spero. Nothing further to add. She was thankful for the free services from NYS and Steve to the Town. The Board thanked her for the through report.

County Legislature: Dave McKenna - He thanked everyone for the support over the last 12 years. He thinks Randy will do a good job. After 10 months they are at 96.6 % of what was budgeted. \$33,673,770. They may end \$5,000,000 over budget by the end of the years and will help fund programs at the county level. Increase of County waste fee to \$70. Recycling is starting to come back, but they are not making enough monies to cover expenses.

Town Supervisor's Report – Supervisor Redmond. Attended meetings with other Town Supervisor's, prepped for the Deck the Halls event, Salt Barn Storage. Councilperson Lynch wants to thank Isabell for the Deck the Halls Event.

Town Clerks Report – Clerk Cornell. The clerk's office issued new and renewal licenses, accepted funds for building permits, we are busy prepping for the 2022 tax seasons. All this in addition to performing the many tasks of the Town Clerks office.

Highway Superintendent Report – Superintendent Rollins. Received notification for Rockwell Rd speed reduction. A surprise inspection from PESH (like OSHA but for municipalities). The truck that was ordered was upgraded to a newer model and will cost ~\$7,500 more the anticipated. Electrical systems, etc. were improved. We don't have to do anything different with the financing and if there is a difference that it can be paid out of the equipment line. Town Board members are in agreement with the changes. The Highway department (Him and 5 guys), take care of 86 miles of road and shoulders and ditching. They have 155 crosspipes under the roads and then they have 257 road signs, they take care

of close to \$5,000,000 of equipment, 220 marker signs and take care of a million-dollar building. Everyone talks of plowing and they do a lot more than just plowing snow. There is maintenance to signs and regulations that need to be followed.

The Board thanked Buddy and the Highway Department for all of the work that they do. Councilperson Bryant stated the highway department is important and is run well. Santa is running through the Town in a Plow truck between 2:30-3 at the deck the halls event. He mentioned the one item that he asked to be put on the agenda for tonight and would like to know if the Town would like to discuss it tonight. Supervisor Redmond stated that she would mention it during the ARPA discussion.

Code Enforcement Report – Alan Teeter. For the month of November he issued 3 building permits. He made up three house signs and installed them . Subdivision maps stamped for homeowners. He received three complaints, he doesn't have jurisdiction over all of the issues. Councilperson Lynch asked if construction had started on the Family life tower? Alan stated he has put the foundation for the tower this summer and the parts for the tower were already there. He expects it is done but may not be online yet.

Volunteer Fire Company – Alan Teeter. Station cleaning and maintenance for the annual banquet. Nothing is scheduled for trainings for the end of the month.

Planning Board Report – Alan Teeter. They had a subdivision request. Discussed a land lock parcel should have a decision soon and will then send it on to the Town Board.

Tompkins County Council of Govts – Robert Lynch. The TCCOG met Dec 2, they will next meet Feb 24, 2022. The search for a new county administrator did not result in any candidates to bring forward and they will proceed with a new search with the new legislature in 2022. They are promoting electric vehicle charging facilities. Danby, Caroline and Cayuga Heights have installed EV charging Stations. He suggested it might be something that we could investigate. It is possible that it can be charged via a credit card to those who want to use it.

Consent Agenda:

Supervisor Redmond moved and Councilperson Lemke seconded. No discussion.

Audit Claims

General Fund Vouchers #257-279 dated December 8, 2021 in the amount of \$12,695.73
Highway Fund Vouchers #192-210 dated December 8, 2021 in the amount of \$46,704.95
Fire Department Voucher #266 dated December 8, 2021 in the amount of \$6,032.50

Resolution #2021-100 2022 Agreement for Legal Representation with Guy Krogh, Esq.

WHEREAS the Town of Enfield has need of an attorney, and waives the requirement that the Town attorney be a resident, and;

WHEREAS attorney Guy Krogh, Esq. has provided a renewal agreement for his legal services at a rate of \$270.00 per hour, and;

WHEREAS the Town Board is satisfied with Guy Krogh's legal counsel for the Town, therefore be it; RESOLVED, the Town Board authorizes the Supervisor to sign the agreement for legal counsel provided by Guy Krogh for 2022.

All Aye, Carried.

Old Business:

Deck the Halls Event – Update from Supervisor Redmond.

TOWN OF ENFIELD- Resolution #2021-101 LOCAL LAW #5-2021 TOWN OF ENFIELD MORATORIUM ON CERTAIN LARGE-SCALE SOLAR ENERGY APPLICATIONS, REVIEWS, AND FACILITIES

WHEREAS, the Town of Enfield (the “Town”), under the laws of New York State, desires to maintain its long tradition of protecting the health, safety, general welfare, property, and environment within its borders; and

WHEREAS, the Governing Board recognizes that regulations that were recently adopted to oversee large-scale commercial solar energy development have been affected and potentially superseded by a state-mandated regulatory scheme (ORES) that provides some tools for the town to utilize, but the guidance for the same are not in the state laws or regulations and should thusly be authorized by and within the town’s local regulatory system, duly implemented by local law; and

WHEREAS, the Town has participated in a rigorous exploration of public concerns through open public forums and comment periods addressing solar energy development, and needs time to implement the changes driven by the ORES process and regulations recently released, which are under judicial challenge, still being amended, and under which solar siting reviews have already commenced; and

WHEREAS, the New York State Municipal Home Rule Law grants the Town broad powers to adopt procedures and local laws to promote and protect the public health, safety, general welfare, property, and environment in the Town in order to protect against adverse risks and impacts of development; and

WHEREAS, moratoria are “Type II Actions” under the State Environmental Quality Review Act (SEQRA) regulations (6NYCRR section 617.5(c)(30)), and it is hereby determined that this proposed action—the adoption of a land use moratorium concerning certain large-scale solar energy facilities— does not require further environmental impact review, a determination of significance, or the preparation of any other SEQRA documents;

and WHEREAS, a proposed final draft of such law has been duly presented to the Town Board by Councilperson Lynch on November 10, 2021; and WHEREAS, a public hearing for the proposed local law was duly scheduled and held on December 8, 2021, and all comments and evidence were duly received and considered, and the proposed local law has not substantially changed such that no additional public hearings are required; and WHEREAS, the Tompkins County Department of Planning has reviewed the proposed local law under General Municipal Law (“GML”) § 239-I et seq., and noted _____, and the Town

Board’s response is to _____, and let service of this resolution upon County Planning suffice as the explanation required by said sections of the GML; and WHEREAS, upon consideration of all of the foregoing, all of which shall be and be deemed a material part of this resolution, and upon due deliberation hereupon, the Town Board of Enfield adopts the following resolutions; so now therefore it be RESOLVED: that the Town Board of the Town of Enfield hereby enacts, adopts and approves Local Law #5of 2021 in the form as presented to this meeting, being the same as was presented at the Public Hearing; and further be it RESOLVED, that the Town Clerk file this Local Law with the New York Department of State.

Motion by: Supervisor Redmond

Motion seconded by: Councilperson Bryant

All Aye, carried.

Resolution # 2021__ Opt Out Law

Councilperson Lynch moved and Councilperson Lemke seconded.

Discussion: Councilperson Lemke stated that she does not think waiting will hurt. Councilperson Lynch suggested an amendment to the resolution to review again in 3 months time – March 31 2022. Councilperson Bryant and Supervisor

Redmond were not in favor of opting out. Supervisor Redmond had spoken to Councilperson Ricks and he was not in support of opting out. Discussion on the amendment.

Councilperson Bryant – Nay, Councilperson Lynch – Aye, Councilperson Lemke – Aye, Supervisor Redmond – Nay. Did not carry.

Councilperson Lynch moved and Councilperson Lemke seconded to accept the resolution as amended. Councilperson Bryant - Nay, Councilperson Lemke – Aye, Councilperson Lynch - Aye, Supervisor Redmond – Nay. Did not carry.

American Rescue Plan Act Discussion/Survey.

Highway Superintendent asks that some of these funds be used as a bonus for the Highway Department Employees. Supervisor Redmond had sent a survey around and shared the survey will the Town Board. She is meeting with a company to look at the HVAC system for the Enfield Courthouse on Dec 14th.

Paving in front of the food pantry ~\$25,000.00

Mental Health Services

Library Services and/or Computers at the Enfield Community Center

Outdoor Facilities/park at the Town owned parcel adjacent to the Enfield Highway Garage

None of the above

Other box for residents.

Councilperson Lemke stated that the survey is a good idea and Councilperson Bryant agreed. Councilperson Lemke will get an updated list from the Community Council on their needs. She will get back to the Town Board. Highway Superintendent Rollins asked for a bonus for his highway crew. The bonus will \$1,000 for each member of the crew including all temp workers and the Highway Superintendent.

Councilperson Lynch moved and Councilperson Bryant seconded giving the bonus. No further discussion. All-Aye, Carried.

Cayuga Nation - A brief update on ongoing issues, etc. Update from Enfield's Black Lives Matters committee Art Godin and Tom Joyce.

New Business:

Resolution #2021-102 Authorization to Sign the New York State Municipal Workers' Compensation Alliance Agreement

Supervisor Redmond moved and Councilperson Bryant seconded. No discussion.

WHEREAS the Town of Enfield is required by New York State law to provide workers compensation and employers liability coverage, therefore be it;

RESOLVED, the Town Board authorizes Supervisor Redmond to renew the New York State Municipal Workers' Compensation Alliance Agreement for 2022.

Supervisor Redmond Moved and Councilperson Bryant seconded. No Discussion.

All-Aye, Carried

Salt Barn RFP

Supervisor Redmond moved and Councilperson seconded. RFP – Deadline submission of Proposal by February 2022. Review at the March Town Board Meeting. All in agreement on the proposed deadlines. No further changes on the RFP

RFP for Town of Enfield Salt Barn December 8, 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

February 28, 2022: 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 February 28, 2022. 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.
- goal to increase MWBE participation in State contracting to 30% Construction contracts valued at \$100,000 or more and service and commodity contracts valued at \$25,000 or more require good faith efforts to meet MWBE goals

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.

All Aye, carried.

Resolution #2021-103 Appointment of councilpersons to attend the NYS Association of Towns (AOT) Newly Elected Officials Training and Approval of Funding for Attendance

WHEREAS, the Town of Enfield is a member of the Association of Towns of the State of New York, and;

WHEREAS, the Newly Elected Officials Training is being held on January 6-8, 2022, and; WHEREAS, Cassandra Hinkle, James Ricks and Jude Lemke will attend the Association of Towns Newly Elected Officials Training, now therefore be it; RESOLVED, the Enfield Town Board authorizes attendance and funding for Cassandra Hinkle, James Ricks, and Jude Lemke to attend the AOT Newly Elected Officials Training.

Supervisor Redmond moved and Councilperson Bryant seconded. Councilperson Lynch stated that he would be in support of Supervisor Redmond attending, she respectfully declined.

All-Aye, carried.

Resolution #2021-104 Appointment of councilpersons to attend the NYS Association of Towns (AOT) Annual Meeting and Approval of Funding for Attendance

Supervisor Redmond moved and Councilperson Bryant seconded. The Board agreed to the following with no further discussion.

WHEREAS, the Town of Enfield is a member of the Association of Towns of the State of New York, and;

WHEREAS, the Annual Business Session is being held on February 20-23, 2022, and;

WHEREAS, Stephanie Redmond and Cassandra Hinkle will attend the Association of Towns Annual Meeting, now therefore be it;

RESOLVED that Stephanie Redmond be duly designated as the Town of Enfield delegate and Cassandra Hinkle as alternate in the absence of Stephanie Redmond, to the NYS Association of Towns Annual Meeting on February 20-23, 2022 and to cast the vote for the Town of Enfield, pursuant to Section 6 of Article III of the Constitution and Bylaws of said Association, and;

RESOLVED, the Enfield Town Board authorizes attendance and funding for Stephanie Redmond and Cassandra Hinkle to attend the AOT Annual Meeting.

All Aye, carried.

Supervisor Redmond moved and Councilperson Bryant seconded to amend the above resolution the Town's delegate and alternate delegate as stated above.

All Aye, carried.

RESOLUTION # 2021-105 Authorization to Include a Summary of the 2022 Budget in the 2022 Tax Bills

Supervisor Redmond moved and Councilperson Bryant seconded. Councilperson Lynch stated he wants to keep it calm and peaceful and not political.

WHEREAS, the Real Property Tax Law section 922 (1) (d) permits municipalities to include a summary of the 2022 adopted budget with the tax bills if the Town Board approves such action by resolution and

WHEREAS, all taxpayers deserve a clear and transparent explanation of how their taxes are used and the structure and changes in the Town of Enfield 2022 budget, now therefore be it

RESOLVED, that the Enfield Town Board authorizes the Supervisor and Clerk to prepare a brief summary of the 2022 Town Budget for inclusion with the 2022 tax bill and further

RESOLVED, that the Enfield Town Board authorizes the use of \$1,500 in resources in the Clerk's office for copies of the summary, envelopes and staff time to prepare such a mailing.

Supervisor Redmond moved and Councilperson Bryant seconded. Councilperson Lynch stated he wants to keep it calm and peaceful and not political.

Resolution #2021-106 Authorization to Sign the Letter to House on Expanding ARPA

Supervisor Redmond moved and Councilperson Bryant seconded.

WHEREAS the Town of Enfield will receive approximately \$348,000 in American Rescue Plan Act funds, and;

WHEREAS the expanding eligible uses and allowing for more flexibility will clear up some of the confusion that's arisen surrounding how to use these funds, and;

WHEREAS it will allow the town to better serve our communities and use the funding where it is most useful and most needed, therefore be it;

RESOLVED, the Town Board authorizes Supervisor Redmond to sign the letter to House on expanding ARPA.

Motion to do a posting on the website if they would like to be a part of the advisory review board, Councilperson Lynch seconded.

All Aye, Carried.

Advisory Board to the Assessment Review: The County is re-implementing the board after a break. The Town will need to appoint to residents. Supervisor Redmond would like to put a post on the website notifying residents of the opportunity to serve on the this board. The board is in agreement.

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

All Aye, carried.

Privilege of the Floor:

Announcements: Deck the Hall Event this Sunday, December, 12. Councilperson Lemke stated there have been break-ins on Rumsey Hill Rd and Connecticut Hill Road. It is believed the suspects have been apprehended.

Councilperson Lynch thanked the board for working through the many issues tonight civilly and thanked Councilperson Bryant for her Service.

Councilperson Bryant moved and Councilperson Lynch seconded to adjourn. Adjourned 9:53 pm.

Respectfully Submitted,

Mary Cornell
Town Clerk
Town of Enfield.