

Town of Enfield  
July 13, 2022  
Public Hearing 6:30 pm  
Regular Town Board Meeting 6:45 pm  
Via the Zoom Meeting Platform

Present: Supervisor Stephanie Redmond; Town Councilperson's; Cassandra Hinkle, Robert Lynch, James Ricks, Jude Lemke (6:45); and Town Clerk Mary Cornell

**Supervisor Redmond Opened the Public Hearing at 6:30 pm.**

Supervisor Redmond shared that we hold this public hearing each year in case the town does go over the tax cap limit and by passing the Local Law the Town would avoid any associated fees that would be applied if we did not have this local law.

Councilperson Lynch stated that we do not have the tax cap at this time and should receive this information in August. The Town Board strives to not increase past the tax cap.

Supervisor Redmond closed the Public Hearing at 6:45 pm

**Supervisor Redmond called the Regular Town Board Meeting to order at 6: 45 pm**

**Privilege of the Floor:** Ed and Helen Hetherington led the assemblage in the Pledge of Allegiance.

Anne Koreman/Ada. Ada is just shy of 9 years old and is concerned with the number of accidents that are happening on Rte. 79 recently. She is worried about the safety of her friends, other people, and the animals in the area. Vehicles at Cooter's also block a clear view of the intersection. She would like a safety check to take place at the intersection of Rte. 79/Enfield Main Rd/Halseyville Rd.

Robert Lynch shared an update on where the redistricting stands. The district that represents Enfield would not change much. Anne Koreman would receive a small portion of Randy Browns' current district. The full report went to the legislature and they may vote on it at their July meeting.

**Additions and Changes to the Agenda:** Addition of a resolution to Enhance Safety at the Enfield Town Hall/Clerk's Office. The Establishment of a Local Law for Code Enforcement will be tabled until the law is completed (Alan Teeter is working with the Town Attorney).

**Correspondence:**

**Monthly Reports**

**County Legislator: Randy Brown** – Tompkins County Budget process is proceeding and all department proposed budgets are submitted. The County Administrator, Lisa Holmes submitted a plan with a tax levy increase of 1.88%; the State Tax Cap is 3.49%. At the June Legislature meeting, a vote was held to exceed the tax cap if necessary and it passed 11 to 3. I would like to see no tax increase and voted no. All three Republican's voted no; other Legislators are considering no tax increase. Virtual Public Meetings Law was passed unanimously based on the State's enacted law. Virtual public meetings will continue, but a quorum is based on the number of legislators that are physically present at the meetings. A legislator attending virtually can vote but is not included in the quorum count. Much discussion about the exceptions occurred due to concerns that people with disabilities could be negatively impacted. American Rescue Grants – The process is inching along; \$6.5 million will be available. Once grant applications are available, Anne Koreman and I will make sure all interested people in Enfield and Newfield receive them. The full report is on file with the Town Clerk's Office.

**Town Supervisor's Report – Stephanie Redmond.** She attended a Zoom meeting with other Town Supervisors. The Asbestos has been removed from the Town Court House. The Salt Barn is considered complete, Alan Teeter and Buddy Rollins have some questions about potential issues and Parklane will be consulted about the issues. She met with the department of emergency response and they viewed the grange and the ECC. Cortney Bailey and Stephanie met with the school as they would like to use the space as an emergency shelter. We have a new groundskeeper.

**Town Clerk's Report – Mary Cornell.** In addition to performing the normal tasks of the Town Clerks' office, the Clerk worked with Eastern to obtain a quote for a new copier. Clerk Cornell asked the Town Board to approve a lease of a new Copier for Town use that will be located in the Town Hall.

Supervisor Redmond moved and Councilperson Hinkle seconded.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**Highway Superintendent Report – Buddy Rollins.** Harvey Hill Rd was paved and they are working on West Enfield Ctr Rd and cutting back shoulders. He received a call that an Engine is available for the truck that broke down in March, he is hopeful to have it ready this fall. He asked the Town Board what the current status is on the Salt Barn and if we are ready for lights and the flooring. He is not sure what the electricians has specified, He called the fence company and requested a quote to put the fence back in place. They have started backfilling and putting in a retaining wall. They are working on the outside and then will work on the inside. One end to the other will require 30" of fill. Does the Town have a preference on the contractor or should he use the County Contract he obtained a quote for? Supervisor Redmond asked the dollar amount of the quote ~\$60,000. He is not sure what the increase will be. Supervisor Redmond stated that she did not think we had to go to bid if we use the state contract contractor. Buddy shared that Parklane Construction left the area in a disarray (Lots of nails, etc., around.). He shared they should be ready to pave in about a month. Supervisor Redmond will email Parklane and will reach out to Shissler for the electric needs.

**Code Enforcement Report – Alan Teeter.** Last month he issued 5 building permits, which brings the total to 25. He wrote a resolution for the fireworks fee. He drafted the code law and it was sent to the town attorney who had many questions, he is working with him on it. He assisted with asbestos removal from the Town Courthouse and learned a lot in the process. Supervisor Redmond shared she had sent Alan an email on grants available for homes in need of repair. Alan and Stephanie will work together

**Volunteer Fire Company – Alan Teeter.** There were a total of 19 calls last month – Trainings for the month of July; Hose line advancement training, next week NYSEG will do a gas leak training. They will do another CPR training at the end of the month and those that are not taking that training will take truck training. Supervisor Redmond asked if the Department will provide CPR training to the public. Alan shared that Ellen Woods is a certified CPR training and provides it for free for the fire department. Ellen has shared that she is interested in offering CPR training to Town residents.

**Planning Board Report –** The planning board did not meet during the month of July. There was one subdivision request for the Stonehouse which has been donated to the Fingerlakes Land Trust. They would like to separate the house from the land. Dan spoke with Jude Lemke about Zoning and will discuss it in more detail later in this meeting.

**Tompkins County Council of Govts – Robert Lynch.** The Tompkins County Council of Governments (TCCOG) met on June 23rd. If someone was looking for a newsworthy revelation, it came from County Administrator Lisa Holmes, who revealed that Tompkins County plans to end its policy of mandatory COVID-19 testing for those of its employees who decline to vaccinate against the disease. The mandate's lifting has since taken the form of a Resolution endorsed, without discussion, by the County Legislature's Government Operations Committee on July 7th. The committee forwarded the resolution to the full Legislature for adoption July 19th. Holmes conveyed the mandate's lifting to TCCOG

because some municipalities—most notably, the Town and City of Ithaca; of course, not Enfield—adopted similar employee mandates following Tompkins County’s lead. Ending the County directive, said Holmes, might also terminate the County policy of paying for the municipalities’ employee testing. “We’re fine,” responded Ithaca Town Supervisor Rod Howe, who said his Town Board “was already thinking about ending” it’s vaccinate-or-test mandate. The full report is on file with the Town Clerk’s Office.

**Consent Agenda:**

Audit Claims – General Fund Vouchers #144-174 dated July 13, 2022, in the amount of \$38, 796.80. H – Fund Highway Facility Project Voucher numbers 144, 171-172 in the amount of \$699,598.00. Fire Department Fund Voucher 153 in the amount of \$6,032.50. Highway Fund Vouchers numbered 110-129 dated July 13, 2022, in the amount of 186, 452.22.

June 8, 2022, and June 24, 2022 Minutes.

Supervisor Redmond moved and Councilperson Lemke seconded. Discussion: Councilperson Lynch shared he had sent a couple of minor corrections to the Town Clerk for the minutes. Councilperson Lynch asked a question about the Highway Facility Project total being as high as it was. Clerk Cornell shared that the voucher which was approved at the Special Meeting on June 24, 2022, is included on Abstract 7 and has been paid, and will not be disbursed again.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**New Business:**

**Podunk Solar Farm** - Wendy De Wolf (East Light Partners) Will Bliss (East Light Partners). They shared a slide presentation of the project which is a 30-acre lot with some wetlands. They are hopeful to start with local permitting this fall with construction to begin in the spring of 2023. Councilperson Lemke asked how many megawatts they are proposing. They are currently proposing a 5-megawatt project. Councilperson Lynch asked is this at the southwest corner of Aiken/Podunk (It is West of Podunk). Do they believe they have the NYSEG Connection as a 5-Megawatt system. The Town Board had approved another project last year and they had to downgrade from the original 20 megawatts to a 15 megawatt. They have not finalized their study yet with NYSEG and if there is not space then they will not submit the proposal to the Town Planning Board.

Councilperson Lemke shared the Town renewable energy committee is looking into whether or not to opt-out of 487 (OPT out will not allow a pilot agreement). They are closer to recommending opting out. They are also looking at the option of the Community Host agreement and they are suggesting that the Town Lawyer look over the documents. Agriculture use. Councilperson Lynch shared the Town’s experience with the Tompkins County IDA and the negative impact it had to the town.

**Discussion: NFIP (National Flood Insurance Program) – Sally Hoyt.** She is an insurance consultant in Ithaca. Flood Insurance started in the ~1960’s. Most areas have flood hazards, it also includes a lot of tributaries (Enfield is at a higher elevation) and may not have considered it necessary. We are getting more flash floodings which affects roads and how the water flows. As properties are developed and roadways are put in results in changes to the way that water is absorbed and how it runs off. If you are in the NFIP there are rules that the town needs to adhere to. You can join the CFIP if they map the area and are located in an area that FEMA declared as a flood plain. Elevations certificates need to be issued and the process is lengthy but doable. Code Enforcement would be required to keep the certificates and monitoring (The Town would need to keep the filing). Once the project is completed then the plans, etc., will need to be sent to FEMA. Enfield does not have a lot of floodplains. Only structures built in the flood plains would require the

certificates. The administration's needs are minute. For the NFIP only those in the 100-year floodplain map with mortgages would be required to have flood insurance. NYS has 5-7 private insurance companies that offer more options. Councilperson Lemke asked if we do not participate then our residents cannot get insurance through FEMA? Sally shared that if we do not participate with FEMA then private insurance cannot be purchased either. Supervisor Redmond asked Sally what the process is to sign up and suggested that the town access floodsmart.gov. Councilperson Lynch asked for information in writing. Sally asked for clarification on what information he would like. Essentially the Town would like to know what benefits the Town loses if we do not participate in the case of an emergency. Councilperson Lemke thanked Sally for attending the meeting.

**Discussion: Zoning.** Councilperson Lemke said we have talked as a board to investigate zoning while understanding that it is a controversial topic for our residents. She had asked Dan Walker to advise the Town on the Broad aspects of Zoning and share what is doable. Dan Walker shared that we have four sets of regulations. The principal purpose of a zoning ordinance is to regulate. The comprehensive plan should be the driver on areas that we would like to regulate. Dan shared that he does not believe that the town would like to have a high concentration of developments in the Town. Dan shared the memo that he had sent to the Town Board members earlier. The question to the board, do we want to encourage development in the town and encourage certain uses in certain areas. Supervisor Redmond asked a question about Seneca Meadows and she is worried that they are not going to operate much longer. If we were to have zoning how would we be able to protect the town from being covered in solar farms and having a landfill come to the town? Dan explained in his experience there are certain things that you can regulate what can happen, but they can always be challenged legally. Councilperson Lemke shared we may not necessarily want to discourage a small business from opening in a residential area. Supervisor Redmond asked what the Board Members concerns are and if we should pursue Zoning. Councilperson Lemke shared that Dan is looking for some direction so that he can take it back to the planning board and then it can come back to the Town Board.

**Discussion: Budget Presentation by Bookkeeper** – A Special Town Board Meeting to be held on Tuesday, July 26, 2022 at 6:30 pm for a budget presentation.

Supervisor Redmond moved and Councilperson Hinkle seconded.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**Discussion: Open Meetings Law** – Councilperson Lynch asked why we had postponed at the last meeting setting this public hearing and Councilperson Lemke shared it was because she needed to know more information. Councilperson Lemke shared that Councilperson Lynch was correct and she shared that Dan Walker PB Chair stated that it will be more difficult to have the PB attend in person. Councilperson Lemke shared that we do not necessarily need to handle this before September and does not think we need to be in a hurry to pass the law. Councilperson Lynch shared there was some discussion at the County Law that you may not be able to participate in the meetings virtually.

Supervisor Redmond moved and Councilperson Hinkle seconded to hold a Public Hearing which will be held on September 14, 2022, at 6:30 pm.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

## **RESOLUTION # 2022- 63 LOCAL LAW TO OVERRIDE THE 2023 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 July 13, 2022, to hear all persons interested in proposed Local Law No. 4 of 2022, now therefore be it

RESOLVED, That Local Law No. 4 of 2022 Local Law Overriding Tax Levy Limit for 2023 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 2022 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, 2023 and ending December 31st, 2023 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 2023 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 Hinkle seconded.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**Resolution #2022-64 Fund Fire Co 75<sup>th</sup> Celebration.**

WHEREAS, the Enfield Volunteer Fire Company will be hosting a community event to celebrate the 75th Anniversary of the Fire Company, and

WHEREAS, the Fire Company has request funding from the Town to cover costs of the event; now therefore it be

RESOLVED, the Enfield Town Board approves a donation of \$1,000 to the Enfield Volunteer Fire Company from the 2023 A7550.4 Celebration Contractual line to fund the Anniversary Event

Councilperson Lynch moved and Supervisor Redmond seconded. Discussion: Supervisor Redmond suggested \$1,000 and the Board was in agreement.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**Resolution #2022-65 Approval to fund attorney review of host community agreement.**

WHEREAS, the Renewable Energy Advisory Committee has drafted a Host Community Agreement, and

WHEREAS, the Agreement would benefit from legal review, therefore be it

RESOLVED, The Town Board authorizes the Renewable Energy Advisory Committee to send the Host Community Agreement to an attorney for review.

Councilperson Lemke moved and Supervisor Redmond seconded. Discussion: Councilperson Lynch shared this is a good idea and he supports it. He asked Councilperson Lemke if she had an idea of funds needed, she will come back to the Town Board with the figures before moving forward with legal counsel.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**Resolution #2022-66 A resolution to implement state legislation affecting Firearms**

Whereas, on July 1, 2022, the New York State Legislature enacted and Governor Hochul signed comprehensive legislation (Senate Bill S51001 and Assembly Bill A41001) restricting the concealed carrying of firearms within the State, including within any “sensitive location” as designated under that legislation; and

Whereas, the sensitive locations so designated, include “any place owned or under the control of federal, state or local government, for the purpose of government administration, including courts;” and Whereas, the Town of Enfield has several such places under its control; and

Whereas, this Town Board seeks to implement the afore-referenced firearm regulatory measures so as to conform to State statutory requirements and to enhance community safety; therefore, be it

Resolved, that the Enfield Town Board hereby declares that within all Enfield Town-owned and operated facilities, including, but not limited to, the Enfield Town Hall, the Enfield Courthouse, and the Enfield Highway Facility, and upon the Town-owned grounds surrounding such buildings, the concealed carrying of firearms shall be prohibited, with the lone exception being those facilities, including the Sheriff's Department Substation, where authorized police officers and peace officers may carry such weapons in accordance with exceptions appropriately provided in the state legislation; and be it further

Resolved, that the Town Supervisor and Town Clerk are hereby directed to procure and post appropriate signage advising the general public of this policy; and be it further

Resolved, that this Town Board encourages all Enfield organizations and community groups with which it holds contractual or funding arrangements, whether or not those groups' premises have been declared a "sensitive location" under the statute, to voluntarily adopt, implement, and enforce a policy similar to that of this Town Board Resolution, and to post such policy conspicuously.

Councilperson Lynch moved and Supervisor Redmond seconded. Discussion: Supervisor Redmond asked Councilperson Lynch if he had found some signage while going through this information and he suggested that Supervisor Redmond ask the state for signage or where to purchase the signage. Councilperson Hinkle shared that Guthrie has vinyl signs they use. Councilperson Lemke shared that a quick search online produced several vendors. Supervisor Redmond will work with Clerk Cornell to order signage.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

#### **Resolution #2022-67 Safety at the Enfield Town Hall**

Whereas, the Enfield Town Board holds responsibility for protecting the safety of its employees and constituents, as well as safeguarding the physical and financial assets of the Town; and

Whereas, recent acts of crime and violence, both nationally and locally, have heightened this Town Board's concern about the need to enhance security at Town facilities; and

Whereas, this Town's insurance carrier has previously identified areas where building security should be enhanced and has provided recommendations toward that enhancement; therefore be it

Resolved, that the Enfield Town Board hereby directs the Town Supervisor, in consultation with the Town Clerk, to solicit proposals from various construction contractors, with plans and cost estimates to be presented this Town Board, for appropriate physical alterations at the Town Clerk's Office so as to better protect that office's staff and to provide improved protection of Town assets; and be it further

Resolved, that the Town Supervisor, in consultation with the personnel who oversee various Town facilities, shall solicit proposals and estimates from providers of building security systems toward the securing and installation of video monitoring equipment within and outside Town facilities so as to enhance those facilities' security and the safety of Town personnel who serve there; and be it further

Resolved, that these proposals and cost estimates shall be presented this Town Board for consideration no later than the Board's September 14, 2022 Regular Meeting.



Councilperson Lynch moved and Supervisor Redmond seconded. A brief discussion followed.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

**Resolution #2022-68 Fireworks permit**

WHEREAS, New York State allows for the permitting of legal fireworks displays by a NYS certified code enforcement officer; and

WHEREAS, The Town of Enfield New York has no fee schedule for issuing a fireworks permit; and

WHEREAS, The Town should charge a fee for all permits; and

WHEREAS, The towns code enforcement officer recommends the fee be set at the minimum fee of \$50.00

NOW, THEREFORE, BE IT RESOLVED, That the Enfield Town Board set the fee for fireworks display permits at the minimum permit fee of \$50.00 to be amended from time to time by resolution of the town board.

Supervisor Redmond moved and Councilperson Hinkle seconded.

VOTE: Councilperson Hinkle, Aye; Councilperson Lemke, Aye; Councilperson Lynch, Aye; Councilperson Ricks, Aye; Supervisor Redmond, Aye; Carried.

Privilege of the floor:

**Adjournment:** Motion to Adjourn James Ricks and seconded by Councilperson Lynch. Adjourned 10:09 pm

Respectfully submitted,

*Mary Cornell*

Mary Cornell  
Town Clerk