

**Town of Enfield Public Hearing on a Local Law for Senior Citizens and  
Wednesday, November 9, 2022  
6:30 pm  
Regular Town Board Meeting  
6:45 pm  
In-Person and via the Zoom online meeting Platform**

**Present:** Town Supervisor Stephanie Redmond, Town Councilpersons; Cassandra Hinkle, Jude Lemke, James Ricks; Robert Lynch; Town Clerk Mary Cornell; Highway Superintendent Buddy Rollins.

Supervisor Redmond opened the Public Hearing at 6:30 pm

**Public Hearing Comments:** Councilperson Lynch – the law had permitted for the past few years seniors/disabled persons to apply for this reduction. The previous limit was set lower and this Law would allow the income limit to be increased to \$35,000. The exemptions are on a sliding fee scale. This law will take effect for tax year 2024, and would need to be applied for by March 31, 2023.

Ed & Helen Hetherington – If someone is already getting the exemption would they need to reapply. The board's response was to check with Tompkins County Assessment as they will be able to answer this question.

Supervisor Redmond closed the Public Hearing at 6:45 pm

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

**Privilege of the Floor: Robert Lynch** led the assemblage in the Pledge of Allegiance. Gary Lee passed away on the 12<sup>th</sup> of October. In the past he was a legislator and helped represent Enfield while not living in or serving Enfield directly. He was a good public servant. He last served as an US Congressman. Henry Granison a former member of the Tompkins County Legislature resigned in mid-October 2022 and was fighting a rapidly advancing cancer and passed away on November 5<sup>th</sup>. He was a good man, an attorney, and an adjunct professor at TC3. He had graduated from Cornell Law school and was an admission officer at the Cornell Law School. He did a lot for those in our area communities.

**Marcus Gingerich** – Wanted to comment about the last board meeting in regards to the Public Hearing. He wanted to thank the Town Board for being sensitive to community residents and trying to keep taxes low. A lot of things were said that did not make sense and things that were questionable. It seemed like the Fire Department had spent their monies on nice things and were looking for the Town Board to give them more money. This is not something that would work in our private lives and stated that they should follow their budget. Wanting to have safety equipment is important and he would like to know who makes the decisions at what they spend their monies on. He thanked the Town Board for being firm and not bowing to pressure.

**James Ricks** – He felt uncomfortable when everyone stood for the Pledge of Allegiance. His grandson has asked him why he needs to stand for the pledge, as it is not Liberty and Justice for All. Does he have to say it because it is not true. To say this is what we have now is not okay. He can't put his hand over his heart because he does not feel that it is true and wanted to apologize for not standing if it offended anyone. Robert Lynch shared everyone has the right to not stand for the Pledge to the Flag if he is not comfortable doing so.

**Ed Hetherington** - He served our Country as a Marine and it didn't matter who was with you as long as they were an American. Ed was raised in a broken home and was able to overcome his issues and was able to serve his country. James Ricks thanked Ed for his service and shared his family experience of having two Uncles in the Service and one passed away while in the service.

**Additions and Changes to the Agenda:** Supervisor Redmond - A motion to use an interfund transfer loan from the general fund savings in the amount of \$16,801.89 to pay for Salt Barn expenses until grant monies from the DEC are received. Councilperson Lynch - an update on TCIDA's meeting regarding Norbut Solar's permit extension request.

**Correspondence:** Supervisor Redmond shared that the AOT Annual Meeting will be in NYC in February 2023, she will need to know before the next meet who wants to attend, so that she can draft the resolution.

**Monthly Reports:**

**County Legislator:** Randy Brown. The full report is on file with the Town Clerks office.

**Town Supervisor's Report:** Stephanie Redmond – In addition to the normal duties of the Supervisor's office, she attended meetings with other Town Supervisors. She attended calls with the County. She has been following up on grants that had been submitted and she has been submitting additional information as requested.

**Town Clerk Report:** Mary Cornell - In addition to the normal duties of the Clerk's Office the Clerk attended trainings with NYSTCA. Clerk Cornell will be attending an upcoming training in Corning in early Dec. The enumeration is about 1/3 of the way done, Pat has not Found a lot of people home and has been learning that Enfield has a lot of roads.

**Highway Superintendent Report:** Buddy Rollins. They have been doing regular Fall maintenance and they are starting to prepare for winter. Buddy would like to sell the Austin Western grader which is cost prohibitive to fix and he would like to sell it. The new 10-wheeler is at the dealership and will be getting the plow and box on it soon. The salt barn is complete and the highway had ~\$40,000 into it with materials and labor/use of equipment they did themselves. He would like to have a personnel committee meeting next year and look at pay-scales for highway. He has some ideas that he would like to discuss further. They are getting ready to do some tree work and this would be a good time to also do the work around the Town light poles. After the approval is given to sell the old equipment, he would like the monies to go into equipment reserve. Councilperson Ricks asked Superintendent Rollins if the floor to the salt barn was Asphalt as Salt is corrosive. Buddy responded they do not use much salt and mostly use sand and they have protected the floor with an oil mix. The highway department does not use straight salt, they use a sand salt mix 5/1 ratio. 5 parts sand to 1 part salt.

**Code Enforcement Report:** Alan Teeter - last month he issued 5 permits. One solar permit and one permit for a heat pump. He was working on the Restore NY grant. He has had a couple of complaints of trash and he is following up on them.

**Volunteer Fire Company Report:** Alan Teeter- the Fire Dept had 36 calls for the past month. Trainings this month, OSHA make up for those unable to attend the last training, Fit testing for SCA masks, Truck checks, and Rescue training. They are waiting to hear on the AFG grant and they just applied for a DEC grant for boots that they usually are awarded every other year. Supervisor Redmond asked when the burn ban takes effect. The ban is usually in the spring. The burn ban is from ~March 1 to ~May 1. Councilperson Hinkle asked if the Fire Dept. can teach CPR or Narcan?, Supervisor Redmond shared that Ellen Woods is working on this.

**Planning Board Report:** No Meeting last month.

**Tompkins County Council of Govts:** The full file is on file with the Clerk's Office. The TCCOG met on October 27<sup>th</sup>, and on October 24<sup>th</sup> the County Energy committee had a Solar Seminar.

**Consent Agenda:**

Minutes were postponed until the December meeting.

Audit Claims: H-Fund voucher# 251 dated November 9, 2022 in the amount of \$50,218.64. General Fund vouchers #248-266 dated November 9, 2022 in the amount of \$13,752.22 Highway Fund vouchers #180-193 dated November 9, 2022 in the amount of \$25,842.57.

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

**New Business:**

Supervisor Redmond motioned and Councilperson Lynch seconded to give authority for Superintendent Rollins to sell the 2007 F250 Pickup, the 2016 Austin Grader and the liftgate, all monies received will go ~~in~~ into the highway equipment reserve.

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

**Resolution #88-2022 Move to Adopt LOCAL LAW # 7 2022 SENIOR AND DISABLED CITIZENS' REAL PROPERTY PARTIAL TAX EXEMPTIONS**

WHEREAS, upon proper notice a Public Hearing was held on the 9th day of November 2022, where all persons wishing to speak regarding proposed Local Law #7 of 2022 were heard by the Enfield Town Board, and

WHEREAS, after consideration of all information presented and available, it is the determination of the Enfield Town Board that the Town will be best served adopt Local Law #7 of 2022- "SENIOR AND DISABLED CITIZENS' REAL PROPERTY PARTIAL TAX EXEMPTIONS", so now therefore it be

RESOLVED: that the Town Board of the Town of Enfield hereby enacts, adopts and approves Local Law #7 of 2022 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.

BE IT FURTHER RESOLVED, that said Local Law shall take effect immediately upon filing with the Secretary of State.

**TOWN OF ENFIELD, TOMPKINS COUNTY, NEW YORK  
LOCAL LAW # 7-2022**

**SENIOR AND DISABLED CITIZENS' REAL  
PROPERTY PARTIAL TAX EXEMPTIONS**

**SECTION 1: Repealed and Effective Date:** All prior local laws, ordinances, resolutions and other prior legislation of the Town of Enfield relating to senior citizen and disabled citizen tax exemptions, as allowed under and pursuant to the authority granted to the Town of Enfield as a taxing authority by and through the New York State Real Property Tax Law § 467, be and hereby are repealed and superseded hereby. In the event of any irreconcilable conflict between this local law and the New York State Real Property Tax Law, such state statutes shall govern. This local law shall take effect immediately upon adoption.

**SECTION 2: Authority and Purposes:** Pursuant to the provisions of § 467 of the Real Property Tax Law of the State of New York, real property located in the Town of Enfield, County of Tompkins, owned by one or more persons, each

of whom is 65 years of age or over, or real property owned by husband and wife, one of whom is 65 years of age or over, or real property owned by persons with disabilities, shall be partially exempt from taxation by said Town of Enfield for the applicable taxes specified in said § 467 based upon the qualifications and income of the owner, or the combined income of the owners, pursuant to the provisions of this local law as set forth herein.

**SECTION 3:**                   **Exemption Tables:** Such partial exemption shall be to the extent set forth in the following schedule:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation of Property Subject to Exemption</u>
Up to \$35,000	50%
More than \$35,000 but less than \$36,000	45%
More than \$36,000, but less than \$37,000	40%
More than \$37,000, but less than \$38,000	35%
More than \$38,000, but less than \$38,900	30%
More than \$38,900, but less than \$39,800	25%
More than \$39,800, but less than \$40,700	20%
More than \$40,700, but less than \$41,600	15%
More than \$41,600, but less than \$42,500	10%
More than \$42,500, but less than \$43,400	5%

**SECTION 4:**                   **Qualifications:** The partial exemption provided by this local law shall be limited to such property and persons as meet the conditions, qualifications, exclusions, and limitations set forth in § 467 of the Real Property Tax Law of the State of New York. This Local Law shall be administered in accordance with the Real Property Tax Law, as now adopted and as may be amended from time to time.

**SECTION 5:**                   **Application Procedures:** Application(s) for such exemption(s) must be made by the owner or all of the owners of the property on forms prescribed by New York State as furnished by and to the Tompkins County Assessment Department. All of said owners shall furnish the required information and execute the forms in the manner required by in such forms. Such completed form(s) shall be filed in the Tompkins County Assessment Department’s office on or before the appropriate, applicable, or required taxable status date.

**SECTION 6:**                   **False Statements and Penalties:** In addition to any other provision of law generally, or the New York State Penal Law specifically, any willfully false statement made in (or in relation to) any application for an exemption shall also be punishable by a civil penalty of not more than \$500.00 to be recovered by the Town in a civil action. For purposes of this local law the Justice Court of the Town of Enfield is hereby vested and imbued with jurisdiction to hear and adjudicate allegations relating to the civil violation of this local law. In addition: (i) making any willfully false statement in connection with any application for an exemption shall disqualify the applicant(s) from seeking any of the exemptions provided by this local law for a period of five years; and (ii) the making of any false statement in connection with any application for an exemption may disqualify the applicant(s) from seeking any such exemptions for a period of five years. Such determinations shall be reasonably made and, without creating any right of review or action that does not already exist in law or equity, such determination may be subject to review under Article 78 of the Civil Practice Laws and Rules. Nothing herein precludes the imposition of other actions, determinations, penalties, losses, or sanctions from other governmental agencies arising from or in relation to the making or transmittal of any false information in or in relation to

any application, and no remedy or penalty specified in this local law shall be the exclusive remedy available to address any violation of, or non-compliance with, the requirements of this local law.

**SECTION 7: Effective Tax Years and Amendments:** This Local Law shall apply to each of the several next successive tax years, and the exemption levels for this local law may be updated by the Town of Enfield by amending the tables or schedules of this local law in any manner as allowed by law.

Supervisor Redmond moved and Councilperson Lemke seconded. Councilperson Lynch there was no opposition at the Public Hearing they must like it.

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

**RESOLUTION #89-2022 A Resolution in Support of Enfield Food Distribution’s Application before the Tompkins County Community Recovery Fund**

**Whereas**, Enfield Food Distribution (EFD), parent organization of the Enfield Food Pantry, performs a vital and valuable service to this community by distributing food and related necessities to deserving local residents of limited economic resources; and

**Whereas**, EFD’s Enfield Food Pantry currently serves, on average, more than 500 families each week, and has outgrown its current, cramped quarters on the first floor of the Enfield Courthouse; and

**Whereas**, EFD has filed a grant application with Tompkins County through its Community Recovery Fund (TCRF) for \$1,660,000, said funding to enable EFD to construct a new, modern, 6,800 square foot food distribution center, a facility that would become, in the applicant’s words, “a place where community members can feel empowered and in control of their food decisions;” and

**Whereas**, EFD in its application has stated that an award of \$1.2 Million from the TCRF would provide minimum support to enable it to complete its proposed project, providing it made certain, although “not ideal” design adjustments to its plans; and

**Whereas**, this Town Board believes that the facilities Enfield Food Distribution proposes would enhance the well-being of Enfield’s residents and reflect the proper use of TCRF moneys fully consistent with and in the spirit of the funding program’s purpose and guidelines; therefore be it

**Resolved**, that the Enfield Town Board hereby endorses the application by Enfield Food Distribution for grant assistance under the Tompkins County Community Recovery Fund for the full \$1,660,000 amount of its grant request, but also if necessary, for whatever lesser amount of support that the Tompkins County Legislature deems adequate and appropriate to further this project to its completion; and be it further

**Resolved**, that this Town Board directs the Clerk to forward a copy of this Resolution to the following: the Hon. Shawna Black, Chairwoman of the Tompkins County Legislature; the Hon. Daniel Klein, Chair of the Tompkins County Legislature’s Community Recovery Fund Advisory Committee; Ms. Catherine Covert, Clerk of the Tompkins County Legislature; and Ms. Tracy Verrier, Senior Economic Analyst, the MRB Group, Tompkins County’s Community Recovery Fund program consultant.

Councilperson Lynch moved and Supervisor Redmond seconded. Discussion: Councilperson Lynch shared that this resolution could assist the Food Pantry by showing the Town Board’s support. Councilperson Lemke asked the facility could be built without receiving the 1.2 million minimum. Mary Cornell responded that many organizations are involved and there may be other funding available to assist in the building of the facility.

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

**Discussion - Norbut Solar Extension:** Councilperson Lynch briefed the Town Board on action earlier that day by the Tompkins County Industrial Development Agency (IDA) Board affecting the proposed Norbut solar farm off Applegate Road. Because of the shortage of solar panels and supply chain problems Norbut was unable to start building this year. Therefore, the town had not received funds for the building permit. Norbut asked the IDA for a one-year extension of the IDA's earlier-authorized Payment in Lieu of Tax (PILOT) Agreement. Following its discussion, the IDA Board approved the Norbut PILOT extension, five votes to two. Councilperson Lynch stated that before the IDA's vote, he was granted the privilege to speak at the IDA meeting and told the IDA Board that contrary to Norbut's written assertion, he believed Norbut had, indeed, commenced construction. Shortly after the authorization came through, Lynch told the IDA, Norbut subcontracted and stripped the land of all of the trees. Councilperson Lynch shared that currently-proposed changes to the Enfield solar law may impact this project. A town resident asked how this project would affect the (Delaware River Solar) Aiken Rd project. Councilperson Lynch shared that it would not have an impact on the existing solar farm as they already have a pilot. The pilot for Applegate Rd has not kicked in yet which is why it can be changed at this time. The resident asked about the new potential project on Aiken Rd. Supervisor Redmond shared that she has not been contacted by them again and an application has not been submitted to the planning board at this time. The resident asked how she can find out more about the law and Supervisor Redmond hared that we would be talking about the changes tonight.

**Discussion: Local Law #2 of 2019 Town of Enfield Addendum to the Site Plan Review Law (Solar Energy Law Addendum):**

Councilperson Lemke, the things that we are looking at are putting a term on the permit (Projects will not be able to be delayed) The committee is putting together what this might look like and more importantly they are putting new requirements to have a community host agreement and changing the waiver restrictions. During the Norbut project the law had left the authority with the Planning Board to waive requirements, decommissioning agreements without having to obtain the Town Board's approval. The Environmental Lawyer (The town had hired) made changes and cleaned up the definition of farm land. If the owner of the property is not the project owner than they will need to sign off. Councilperson Hinkle asked if there will be language for clean-up or land offset. Councilperson Lemke shared that the Planning Board should include this in the permit application and that we should give the planning board some flexibility in doing so. Councilperson Lynch shared that last Friday, there had been a discussion with the Environmental Attorney and it was allowed to be confidential. He asked if we should call an executive session to bring the other two board members that were absent up to speed on what had transpired. Councilperson Hinkle only had the one question and it was answered. Members saw no need for an executive session, and none was called. There is one other set of changes Councilperson Lynch would like added. That if there is part of the property that is not being used and is farmland then it continued to be farmed, Councilperson Lemke shared that requirement would be un-enforceable. You can regulate the development of the solar farm, but you can't enforce farming. Councilperson Lynch does not see why you can't enforce it, as it will defeat the whole purpose of the 40% left undeveloped. If the piece is purchased then they can't use more than 60%. And if they sell off the other 40% then they would be using 100%. Supervisor Redmond shared that is not allowable as they would need to have a subdivision and need a new permit, which would not be approved because it would not follow the guidelines. Supervisor Redmond asked if we can put a stipulation in that they can't put solar farms on green land. Councilperson Lemke will check into this. Councilperson Lynch asked if there is a way to put in restrictions for the permit that work can't be done until a building permit has been issued. A town resident asked if area residents had a say in regards to the solar farm. Councilperson Lemke shared that notice will be given when an application has been submitted.

Supervisor Redmond motioned with a second by Councilperson Hinkle to set a Public Hearing for the proposed changes to the Solar Law for December 14<sup>th</sup> at 6:00 pm.

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

**Discussion: Restore NY** Supervisor Redmond shared there is another round coming up and she has the intention to submit an intent to apply by the end of November. She will reach out to the property owners first and then will submit the intent to apply. Councilperson Lynch asked if there are any monies that can be applied for to restore the Old Baptist Church. Supervisor Redmond shared that she is not sure as Restore NY is just for homes.

**Deck the Halls Event:** The flyer is approved with one correction from a town resident. Town Clerk Cornell will print the flyers for distribution at the Elementary School and the Food Pantry. The event will be posted on the Town Website.

**Old Business:**

**Resolution #90-2022 Turn Out Gear appropriated from ARPA Funds**

WHEREAS the Enfield Volunteer Fire Company needs additional sets of Protective Equipment/Turn Out Gear, and

WHEREAS the Town Board of the Town of Enfield is charged with dispersing American Rescue Plan Act (ARPA) funds to cover eligible expenses, now therefore be it

RESOLVED the Town Board authorizes the disbursement of \$25,000 of ARPA funds to cover the cost of Turn Out Gear.

Supervisor Redmond Moved and Councilperson Lemke seconded.

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

**Interfund Loan** – Supervisor Redmond motioned and Councilperson Lemke seconded to borrow \$16,801.89 from the A fund to pay the remaining Salt Barn expenses and will be paid back once the DEC grant monies are received.

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

**Privilege of the Floor:** Marcus Gingerich – regarding the Fire Company. when they commented if we don't use all of our money that our budget gets cut. He has seen this with agencies that he has worked for. If planning is taken into consideration than monies can be saved to purchase these capital assets. Supervisor Redmond realized that the real blame is the lack of a policy and that the Fire Company should draft a fund balance policy in effect. Supervisor Redmond would like to see them put a stipulation into the contract that they put for example \$5,000 a year to build their balances and this will help them have empowerment and ownership over their funds. Buddy Rollins shared that the fire company is their own company, not government, and they get a set contract which has a set budget. Councilperson Lynch shared yes, they are separate and not a Town Fire Dept. Discussion then turned to the Town's own capital plan. Councilperson Lynch recalled that before he came on board, that when the town prepared its annual budget in 2019, a capital plan was done at the same time. Supervisor Redmond shared that they are in the third year of this capital plan and said that she would be working with department heads to update it.

**Adjournment:** Supervisor Redmond motioned to adjourn, Adjourned at 8:34 pm.

Respectfully submitted,

*Mary Cornell*

Mary Cornell  
Town Clerk