

Town of Enfield

PUBLIC HEARING- TOWN OF ENFIELD, TOMPKINS COUNTY, NEW YORK LOCAL LAW #3 OF 2022 A LOCAL LAW EXTENDING THE MORATORIUM UPON CERTAIN LARGE-SCALE SOLAR ENERGY APPLICATIONS, REVIEWS, AND FACILITIES AT 6:00 PM

**Regular Town Board Meeting
Wednesday May 11, 2022, 6:30p.m.
Virtual Meeting via Zoom Meeting**

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

Town Supervisor Redmond opened the Public Hearing at 6:05 pm.

Councilperson Lemke - Gave an update on where the committee is currently at and what the steps are at this time and they should have something for the board to look at soon.

Marcus Gingerich – He is in favor of extending the moratorium so that we can get this done and get it done right.

Supervisor Redmond closed the Public Hearing at 6:30 pm

Call to Order: Supervisor Redmond opened the meeting at 6:30 pm.

Privilege of the Floor:

James Ricks spoke on comments made at the last Town Board meeting by members of the Town Board.

Councilperson Lynch led the assemblage in the Pledge of Allegiance. He spoke on three municipal updates within Tompkins County Government.

Jude Lemke -Gypsy Moth season is coming. If you can scrape the eggs off of your trees and think of spraying them, we are in the third year of the three-year cycle.

Ed & Helen Hetherington led the assemblage in the Pledge of Allegiance.

Additions or Changes to the Agenda: Councilperson Lynch mentioned adding the updated 284 Highway agreement, and paving the parking lot at the Town Courthouse. Supervisor Redmond shared she will need to get updated quotes for the paving as the previous ones are no longer valid.

Correspondence: Tracy Saulsgiver – It has come to my attention that the town board did not allow a respect of life flag to be flown, and does allow other flags to be flown. – The full letter is on file with the Clerk's office.

Monthly Reports

County Legislator – Randy Brown. The Tompkins County Budget planning process is underway and they have a long way to go. The Tompkins County Board of Assessment will hold a local hearing for Enfield on May 19th, from 3-6 pm at the Enfield Town Courthouse. Randy's full report is on file with the Town Clerk's Office.

Town Supervisor's Report: Supervisor Redmond reported she attended a zoom meeting with other Town Supervisor's from Tompkins County; she participated in monthly calls with Tompkins County; she attended the Town Planning Board Meeting; she met with the new planning intern; she met with NYSDOT and The Fingerlakes Land Trust to discuss pedestrian safety along Rte. 79 (Between Sandy Creek Trailer Park and the Dollar General); in addition to the monthly tasks of the Town Supervisors' office.

Town Clerk's Report – Clerk Cornell reported that for the month of April the Clerk's office issued new and renewal dog licenses. Clerk Cornell attended NYSTCA's 40th annual conference at the Desmond Hotel in Albany, NY.

Highway Superintendents Report – Buddy Rollins. The highway department is starting on summer projects. Superintendent Rollins would like approval to sell pieces of equipment that are no longer being used and have the profits deposited into the equipment line. He has not had any applicants for the Motor Equipment Operator position.

Code Enforcement Report – Alan Teeter. He issued new building permits and has been working with a homeowner who would like to change her business to a Bed and Breakfast. Alan shared that all buildings in the Town require a building permit, which includes the Town's Salt Barn.

Volunteer Fire Company – Alan Teeter shared they had a total of 22 calls, and will have the following trainings in May; SCBA refresher, brush fire training, and EMS rescue training.

Tompkins County Council of Govts – Robert Lynch reported that they had a long, but productive meeting. The meeting focused on presentations and no resolutions were passed. The full report is on file with the Town Clerk's Office.

Consent Agenda:

- Audit Claims – Dated May 11, 2022, General Fund vouchers #105-123 in the amount of \$13,491.87. Highway Fund Vouchers #75-94 in the amount of \$21,753.02

Supervisor Redmond moved and Councilperson Hinkle seconded to approve the Audit Claims.

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

Supervisor Redmond moved and Councilperson Hinkle seconded to approve Highway Superintendent Rollins request to sell unused equipment.

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

Supervisor Redmond motioned to purchase insurance through Parklane for the Salt Barn Project, and Councilperson Lynch seconded.

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

New Business:

Discussion: Bostwick Rd stream re-alignment/culvert replacement. Angela from Tompkins County Soil & Water– Shared they have surveyed the area, existing culverts and the downstream area. The proposal for the grant funding is to realign the stream and replace the culverts. They will provide a conceptual design and a cost estimate. The Hazard Mitigation grant (90%, town would be 10%) would apply to this project if awarded. The grant deadline is June 1. Councilperson Lynch had several questions that were answered.

Councilperson Lynch motioned and Supervisor Redmond seconded the following. The Enfield town board supports the efforts to seek a grant application for the re-channeling of the creek at Bostwick Rd and land improvements in the immediate area.

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

Resolution #54-2022 Town of Enfield, Tompkins County, New York Local Law #3 of 2022 A Local Law extending the Moratorium upon certain large-scale solar Energy Applications, reviews, and facilities.

WHEREAS, upon proper notice a Public Hearing was held on the 11th day of May, 2022, where all persons wishing to speak regarding proposed Local Law #3 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 #3 of 2022-Local Law Extending Moratorium Upon Certain Large-Scale Solar Energy Applications Reviews and Facilities; so now therefore it be

RESOLVED: that the Town Board of the Town of Enfield hereby enacts, adopts and approves Local Law #3 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.

Supervisor Redmond moved and Councilperson Lemke seconded. Discussion: Councilperson Lynch is concerned that we only allow up to 60% of the parcel have solar panels and if the rest of the land is not used, then farmland (Agricultural land) is lost. Councilperson Lemke shared she will explore this concern with the committee and is not sure that we can do anything about it as we do not have zoning. Supervisor Redmond would like the discussion extended to include tree lots.

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

Supervisor Redmond introduced the Intern from the Cornell Summer Internship Program, Xiqian Zhang. It is her honor to join the team for the Town of Enfield. She is looking forward to working with us and learning from us. She has previous experience with connecting rural areas to commerce (Rural Town Planning in China).

Discussion: EV charging station (Presentation by Greenspot and NYSEG) – Tabled.

American Rescue Plan Act Advisory Committee Update: Supervisor Redmond shared her screen, which showed her spreadsheet of possible projects. The committee is looking for grant funding to see what is available to potentially cover projects. They are looking to see if organizations are 501C eligible. There are some nuances to the rules that they need to work on and are still in the planning stages.

RESOLUTION #2022-Tabled A Resolution to Revise Town of Enfield Procedures for the Receipt of Sales Tax Revenue

WHEREAS, Tompkins County has experienced rapid and unprecedented growth in Sales Tax revenue in recent years, and continues to set records in Sales Tax receipts during the months of economic recovery from the COVID-19 pandemic; and

WHEREAS, local municipalities, including the Town of Enfield, stand entitled to a portion of the four per cent (4%) local share of Sales Tax revenue, that local share apportioned outside the City of Ithaca on the basis of population under terms of a two-tiered Sales Tax Distribution Agreement adopted by the County and City of Ithaca in 1998; and

WHEREAS, on July 14, 2010, by Resolution #2010 -35, the Enfield Town Board resolved to take its assigned portion of Tompkins County Sales Tax as a Tax Warrant Credit, said money applied to reduce the County's Property Tax rate, rather than to be taken as a direct payment to assist this Town in meeting its own budgetary obligations; and

WHEREAS, the concerns voiced by this Town Board in 2010 that an "unstable and unpredictable" economic climate and a feared continued decline in Sales Tax revenues could leave this Town in an "insecure position," unable to provide its residents basic services, are concerns no longer relevant under present economic conditions; and

WHEREAS, current inflationary challenges now dictate that the wise and prudent course of action is for the Town of Enfield to receive its apportioned Sales Tax receipts as a direct payment, enabling this Town to meet its budgetary obligations without overburdening taxpayers; therefore, be it

RESOLVED, that the Town of Enfield hereby RESCINDS afore-referenced Resolution #2010 – 35, and hereby states that the Town of Enfield no longer wishes to use Sales Tax monies to offset the County Tax Warrant, but rather directs its Supervisor to request that the Town of Enfield's municipal share of Sales Tax revenues be paid directly to the Town, beginning with the budget year that commences on January 1, 2023; and be in further

RESOLVED, that the Enfield Town Clerk will provide the Tompkins County Administrator, the Tompkins County Director of Finance, and any other parties involved in Sales Tax distribution matters a copy of this resolution as approved by the Enfield Town Board at its regular meeting held on May 11, 2022; and be it further

RESOLVED, that the Enfield Town Clerk or Supervisor shall include an explanation of the impact of this change as it affects residents' Town and County taxes as an enclosure to residents' 2023 tax bills, to whatever extent the law permits.

Discussion: Jay Franklin from Tompkins County Finance attended the meeting. Supervisor Redmond asked several questions. Jay explained that the majority of Enfield homeowners would receive a tax increase. Those receiving a decrease would be those with exemptions already. This would potentially have a decrease in revenue from any solar farms. He suggested that the Town ask the Tompkins County Administration how this would affect our tax cap. Councilperson Lynch shared this could change the impact of solar farms and revenue that we receive from them. This would allow more flexibility to keep some of the monies and not give it back to the residents directly in a reduction of rates. This would be a way to create more revenue for the Town. It is not a simple question and we need to look at it more. Councilperson Lynch would like to forward this to our finance committee for further review.

Councilperson Lynch motioned that we refer this matter to the Enfield Finance Committee and Cassandra Hinkle seconded.

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

Resolution #55-2022 Authorize Supervisor to Sign Contract with Kascon for Asbestos Mitigation in the Town Courthouse

WHEREAS, Kascon Environmental Services will provide asbestos mitigation in the Enfield Courthouse, and

WHEREAS, The Town Board has reviewed a proposal from Kascon, therefore be it

RESOLVED, The Town Board authorizes the Supervisor to engage the services of Kascon Environmental Services for asbestos mitigation in the Enfield Courthouse.

Supervisor Redmond moved and Councilperson Lemke seconded. Discussion: Councilperson Lynch wants to put on the record that he as a board member have reservations about putting these kind of funds into this building. It is to him an investment that we haven't really decided if it is worth it. Councilperson Lemke shared that it is covered mainly by a grant. Supervisor Redmond shared we may receive some funds back from the company that had produced the insulation with the asbestos in it.

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

Resolution #56-2022 Authorize Supervisor to Sign Contract with Atlantic Environmental Consulting for Monitoring during the Asbestos Mitigation in the Town Courthouse.

WHEREAS, Atlantic Environmental Consulting will provide monitoring during the asbestos mitigation in the Enfield Courthouse, and

WHEREAS, The Town Board has reviewed a proposal from Atlantic Environmental Consulting, therefore be it

RESOLVED, The Town Board authorizes the Supervisor to engage the services of Atlantic Environmental Consulting Environmental Services for monitoring during the asbestos mitigation in the Enfield Courthouse.

Supervisor Redmond moved and Councilperson Lemke seconded.

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

Resolution #57-2022 Authorize Supervisor to Sign Contract with Robert Card for cellulose insulation in the Town Courthouse.

WHEREAS, Robert Card will install cellulose insulation in the Enfield Courthouse, and

WHEREAS, The Town Board has reviewed a proposal from Robert Card, therefore be it

RESOLVED, The Town Board authorizes the Supervisor to engage the services of Robert card to install cellulose insulation in the Enfield Courthouse

Supervisor Redmond moved and Councilperson Lemke seconded. Discussion: Councilperson Lynch Is this blown in insultation? Will it be contained in the attic? Supervisor Redmond shared that it will be contained.

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

Resolution #58-2022 Authorize Supervisor to Sign Contract LaMorte for heat-pumps in the Town Courthouse

WHEREAS, LaMorte Electric Heating and Cooling will install heatpumps in the Enfield Courthouse, and

WHEREAS, The Town Board has reviewed a proposal from LaMorte, therefore be it

RESOLVED, The Town Board authorizes the Supervisor to engage the services LaMorte Electric Heating and Cooling to install heatpumps in the Enfield Courthouse.

Supervisor Redmond moved and Councilperson Hinkle seconded. Discussion: Councilperson Lynch sought bids from three companies, he shared the quote from one company simply installs. Helco has an office in Enfield (Bought Snug Planet) They knew what was required and he has yet to receive a quote from their estimator. Daily Electric, the soonest they could have provided an estimate was 5/22. Based on his information LaMorte electric is competitive and the best option at this town.

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

Resolution #59-2022 Flag and Banner Display Policy Update

WHEREAS, the Town Board believes adding the word “or” in section #7 of the Flag Policy would better reflect the intentions of the policy, therefore be it

RESOLVED, section #7 of the Flag Policy now reads “In the event a Flag is the subject of a permit application and not upon the list of approved Flags, the Town Clerk shall forward the application to the Town Board, which shall determine whether such Flag is (i) generally recognized on a national or international level or: (ii) is or was created or issued as an officially recognized Flag of the United States; or (iii) is or was created or issued in relation to a national observance month proclaimed by Act of Congress, Presidential Proclamation, or Executive Order. If affirmatively so determined and the Flag and permit application demonstrate compliance with this Flag Policy, the Town Board shall approve the application and the Town Clerk shall issue the permit.”

Supervisor Redmond Moved and Councilperson Lemke seconded. Discussion: Councilperson Lemke shared this will clarify the policy and we are not saying yes or no to any particular flag. Councilperson Lynch shared the verbiage indicated that if a flag is permitted that it must also be permitted under NYS Executive Order. Is the State Pride Flag included under an NYS Executive Order? Supervisor Redmond shared that it is.

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

#60-2022 EMS Week Proclamation week.

EMS Week Proclamation To designate the Week of May 15 - 21, 2022, as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, the Enfield Town Board in recognition of this event do hereby proclaim the week of May 15-21, 2022, as EMERGENCY MEDICAL SERVICES WEEK With the EMS Strong theme, EMS WEEK: Rising to the Challenge, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

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

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

Heat Pump Flyer Discussion: It will cost approx. \$917.00 to print flyers to send to Town Residents with NYSERDA offering a match at 50%. After a brief discussion the Town Board will not print flyers, it will be posted on the website and emailed to residents.

Highway 284 agreement amendment.

Councilperson Lynch motioned to approve the amended 284 agreement and Councilperson Lemke seconded. Discussion: Where the Town authorizes the Road Work that will be completed by the Highway department in this town. Councilperson Lynch shared that General repairs have gone down (drop of 20.3%), Major Repairs - Harvey Hill Rd had a 71.4% increase over the last 4 months. Enfield Center Rd increase of 20,000. (40%). With a budget up a total of 27.9%. Per Superintendent Rollins last year it was \$100,000 to pave a mile of rd. and this year it is \$140,000. Superintendent Rollins commented that he has these funds in his budget and he will not go over his budget.

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

Paving in front of the Town Courthouse – Councilperson Lynch shared that he had spoken with Food Pantry Director Jean Owens and shared there is a logistical problem and asks that they scrub the project at this time. The issue is that the Food Pantry serves ~500 families a week and when it is being paved out front, neither the overhead or front door would be usable, only the side door is available. Supervisor Redmond will speak with Superintendent Rollins to see if Oil and Stone can be used instead.

Privilege of the Floor – No Comments

Announcements - Cemetery cleanup is this Saturday. Highway Clean-Up is coming up.

Adjournment: Motion to adjourn Councilperson Ricks motioned and Councilperson Ricks seconded, adjourned 9:12 pm.

Respectfully Submitted,

Mary Cornell

Mary Cornell
Town Clerk