

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, February 4, 2014 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Deputy Supervisor Emil Bove and Councilpersons Chad Sanderson, David DeLelys and Duane Moore. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks and Recreation; Steven Turkett, Zoning Officer; Stuart Peenstra, Police Chief; Michael Pickard, WWTP Operator; Philip Griswold, Acting Assessor; Jeffrey Rowe and John Condino of Barton & Loguidice and a Member of the local media.

Deputy Supervisor Bove called the Meeting to order at 7:00 P.M. Supervisor Earle was absent from the Meeting; the Pledge of Allegiance followed.

Mr. Bove stated in talking with the Tax Collector/Town Clerk, tax collection has gone very smoothly this year; he thanked them for their efforts.

Petitioners:

Dan Babbitt - Landscaping and Trees: Daniel Babbitt, 32 Pleasant Street, made a request regarding the trees on the south end of State Street which look like they will become a problem pretty soon. He would like to see if the ground beneath them could be adjusted as there is not much room for them to grow. He would like to see them as they are on Fall Street where there is a larger area for them to grow. Mr. Babbitt would also like to see if a professional arborist or reasonable facsimile could trim the trees away from the buildings and clean the excess branches back. He feels the trees are an asset to downtown, not just for looks but because they will keep it cooler. Mr. Babbitt mentioned that there are some trees in Seneca Falls that are split and need to be cabled to hold them in place; otherwise the whole tree will have to be taken out. He would like to see a better effort to preserve what we have and keep the downtown area and the living area looking good. He thinks it would be really nice if the businesses on Fall Street would clean their sidewalks.

Mark James: Mark James, 40 Center Street, stated he is concerned about notification of residents when there is a major issue in the Town. There were two watermain breaks recently within the Town, one more isolated and the big one was a major one that affected the entire Town. He added there should be some mechanism in place to notify residents if there is a water advisory, maybe something similar to what the School District uses to notify parents of important, timely news. He would appreciate the Town Board looking into this matter to remedy this for the future so there isn't a potential for people getting sick or hurt.

Mr. Bove thanked the Employees of the Water & Sewer Departments and the Highway Department who had to deal with the two water problems, one of which was a huge problem. He and Mr. Earle met with Chief Peenstra who proposed that the Town, either with the County or on its own, participate in a program where we would be able to send out a notice on landlines and cell phones. Mr. DeLelys said in June, the Police Chief had an article in the Finger Lakes Times about an alert system if residents would sign up. The Water Department tried to do the best they could to get it out there by way of the Internet, television and radio. He added maybe a community message board can be investigated. Mr. Turkett mentioned that there is a facility to notify people that is called nixle.com which is on the Police Department's web page. Brief discussion followed.

Approval of Minutes:

A motion was made to approve the Minutes of the Year-End Meeting of December 30, 2013 and the Reorganizational and regular monthly Meeting of January 7, 2014 by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 naves.

Reports:

Dog Control Officer: The Dog Control Officer's report states that four dogs were impounded; two redeemed and two dogs still being held. A total of \$10.00 in fees was collected and turned over to the Town Clerk.

A motion was made to accept the Dog Control Officer's report by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 naves.

Zoning Officer: Mr. Turkett stated he has nothing additional to report other than the monthly report filed with the Board. Mr. Bove asked about the sidewalks that are not completed on Balsley Road. Mr. Turkett replied there is a stretch that is not complete, and the owners have identified a contractor and will be working on it as soon as possible.

A motion was made to accept Mr. Turkett's report by Duane Moore and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 naves.

Commissioner of Parks and Recreation: Mr. Spina noted the Board has a copy of his report. He had a request from the Seneca Museum that is held in the Visitor's Center. They would like to do a fundraiser and have scheduled a pre-Oscar party on March 2nd; at that pre-Oscar party, they have arranged for beer tasting and wine tasting. He would like some input from the Board and Mr. Morrell as to how to handle this. Mr. Spina's recommendation is to spend some time to develop a comprehensive Townwide plan as to how to deal with these kinds of requests. At the present time at Vince's Park, alcohol is allowed through a permit process, but there is not a policy in place for other Town properties. He asked what to do about this event which is just tasting.

Mr. Morrell stated there is a procedure for allowing alcohol at Vince's Park. When he was asked about this, his advice was to use the same procedure that is used at Vince's Park - this is his suggestion to the Board as to how handle things like this. Mr. Spina noted there is a fee for an alcohol permit that coincides with the permitting process. Brief discussion followed.

A motion was made to allow the Seneca Museum of Waterways and Industry to hold the Event on March 2, 2014 using the same procedure that is used for Vince's Park, along with charging the \$50.00 fee by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Mr. Bove requested that Mr. Spina, Mr. Morrell and the Recreation Committee meet relative to putting a policy in place and report back to the Board.

A motion was made to accept Mr. Spina's report by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Highway Superintendent: Mr. Bove indicated that Mr. Wood has submitted a report to the Board.

A motion was made to accept Mr. Wood's report by Duane Moore and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

Assessor: Mr. Bove stated the Town of Seneca Falls has appointed Phil Griswold as Acting Assessor who will serve until July 1st because there are many important assessment tasks that have to be completed during that period of time. The Town of Fayette also appointed Mr. Griswold.

Mr. Griswold stated he has been on the job for six days. He said getting familiar with the Office atmosphere, he can honestly say it is very well organized which makes his job a lot easier. He is working on apportionments of split parcels and basic STAR program which deadline has been extended. His job is to contact people to try and get them to apply for the basic STAR program. Mr. Griswold said next week, he will be doing field review.

Mr. Bove stated representatives of our Town and Town of Fayette will be meeting with Mr. Griswold to discuss what is going to happen over the next few months. He added one of the things they are going to ask Mr. Griswold to do is to help in finding a permanent Assessor.

A motion was made to accept Mr. Griswold's report by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

Attorney for the Town: Mr. Morrell stated two weeks ago, he was in Seneca County Supreme Court arguing motions on the matter of Hackney vs. the Town of Seneca Falls. There was a motion to dismiss and we were successful, so the entire matter has been dismissed. He added it was dismissed without prejudice, meaning it cannot be re-filed. However, if they were to do so, the Statute of Limitations has run out, so there will be a defense there as well.

A motion was made to accept Mr. Morrell's report by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Town Justices: Mr. Bove stated Town Justices Lafler and Laquidari have put their first month in. They are very busy cleaning up a number of matters that were left over, and filed reports with the Board. He congratulated them for a good start. Mr. DeLelys said that he and Mr. Bove have met with the Judges who are trying to take care of past issues from the former Judge. They have someone training the Clerks and helping the Judges; things are going very well.

Mr. Moore stated the retired Judge attended Board meetings; is it necessary for the Judges to attend Town Board Meetings. Mr. Bove said the Board has required written reports from Department Heads which they have done. It is helpful when Department Heads are present so that they can make presentations and answer questions, and sometimes they have matters on the Agenda. He added with the Judges, it might be a different situation. Mr. Morrell stated there is no requirement for them to appear; it has just been the Board's policy for all Department Heads to come to meetings when they can. He added the function of the Town Board is to oversee the Town Court, and that includes all the information that is presented in these reports. The idea of

having this monthly report helps to keep on top of that, but their physical presence at a Board Meeting is not required by anybody. Mr. Moore stated if they have any issues that come up, he would like them to be present at a Board Meeting to discuss them with the Board. Mr. Bove said that he and Mr. DeLelys will meet with the Judges and discuss this with them.

A motion was made to accept the reports of Town Justices Lafler and Laquidari by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Water & Sewer: Mr. Pickard stated on January 15th, they had a pipe separation at the Water Plant which was a serious problem. They issued a boil water and water conservation notification because if the volume and pressure were to drop to a point too low, then you may have contaminates. He noted all the contaminates were held in the Water Plant and nothing was discharged to the distribution system; therefore, it was precautionary. Mr. Pickard said they opened up the inter-connection between Waterloo which helped to supply the volume. The County Health Department was notified, and notices went out at 8-9 AM. to the radio, television and website. He gave special thanks to the Village of Waterloo, Canoga Fire Department, Mr. Wood and his Crew, Town Water/Sewer Crew and Caratuzzolo Electric, Vellano and various Town Crews for their services to help restore the water services to the Community. Further discussion followed.

A motion was made to accept Mr. Pickard's report by Chad Sanderson and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Police Chief: Chief Peenstra noted the Board has a copy of his report. He has been working with the Community Center on a program they will be offering on February 19th at 1:00 P.M. for ages 60 and over to learn Identity Theft crisis and current and past scams so they will be educated.

Mr. Bove stated there was a Petitioner who spoke about notification - he was speaking in connection with the problems at the Water Plant. Chief Peenstra stated when he took over as Chief, he realized that there was no good way to notify the public of any kind of incidents that took place in the Town or Countywide. He mentioned there is a new program called Fipher Reach - it is a company based out of Rochester. This Company could give the 911 Center the ability to send out mass telephone communications, texts, tweets - pretty much everything. The Chief is working with the Head of the 911 Center in trying to get the County to accept this project. Chief Peenstra said currently, he is using a free version of Nixle, but he is having difficulty getting people to sign up for that. Brief discussion followed.

A motion was made to accept Chief Peenstra's report by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

Town Engineers: Mr. Condino stated they do not have much to report other than what is on the Agenda later to talk about environmental studies that was discussed with the Building Committee.

Building Committee: Mr. Bove stated the Building Committee met with the Town Engineers and various Board Members with information about the various sites that the Town is considering. He added tonight the Board will consider the recommendation that for one of the sites an environmental study be performed. He said as far as a timetable for making a decision of the site, they are nearing that time - he is hoping it will be next month.

Communications:

A motion was made to receive and file Communications numbered 1 to 16 by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays. Communications numbered 1 to 16 are as follows:

1. Checks totaling \$2,481.69 representing burial fees, tote purchase, sale of signs, leaf bag sales, copies of Police reports, tower rent, cylinder replacement and gross utility tax.
2. Digest of 2013 Laws affecting Towns from Association of Towns.
3. Report and Resolution relative to the Site Plan Review for Buckeye Partners from Seneca County Planning Board.
4. Checks totaling \$36,342.51 representing Insurance premium payments, Cobra Insurance payment, CDBG/Hud payment, restitution payment, Town Justice December Report and Community Center receipts.
5. List of monies paid to the Town Supervisor during the fiscal year 2013 from Nicholas Sciotti, Seneca County Treasurer.
6. Monthly Report for the month of December 2013, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
7. Statement of Accounts, April 1, 2011 to December 13, 2013, from Wilmington Trust.
8. Pledges of Collateral from Wilmington Trust.
9. Section 504 Compliance Handbook, January 2014, from LRP Publications.
10. Checks totaling \$808,649.38 representing gross utility tax, copies of Police reports, Insurance premium

payments, PILOT payments, Town Clerk's December report, tower rent and SMI's 4th quarter payment (\$793,400.00).

11. Town Clerk's 2013 Annual Report.
12. Copy of Resolution from the Town Board of the Town of Covert relative to supporting the construction of seven casino resorts and the bid of Wilmorite to build a facility in the Town of Tyre.
13. Letter from NYS Environmental Facilities Corporation notifying Town that the Town of Seneca Falls Wastewater Engineering Study project has been selected to receive up to \$30,000.00 for the Engineering Planning Grant through the NY Clean Water State Revolving Fund Program.
14. Note thanking Town for their membership renewal from Cayuga Lake Watershed Network.
15. Copy of Notice that will be sent to all subscribers relative to rate changes from Time Warner Cable.
16. Checks totaling \$14,382.66 representing Community Center receipts, copies of Police reports, restitution payment, Police equipment sale, Insurance premium payments and CDBG/Hud payment.

Old Business:

Authorize Payment - National Women's Hall of Fame: Mr. Bove stated the Town is not ready to do that. He added the Town has signed an Agreement with the Hall of Fame, and they are following up on whether they have signed it. The report is that the Hall of Fame has signed a contract with Engineers to be the construction manager on the first stage. They have received documentation from the State and signed it accepting the State grants which are over \$500,000.00. Mr. Bove said when all the pieces are together, the Town will consider authorization of the payment.

Amend Personnel Policy - SFPD Compensatory Time: Mr. Bove is recommending that this matter not be considered by the Board. He thinks it's a matter that might be part of contract negotiations with the Police Union.

WaterPoint Network Plan - Backup & Support - 3 yrs. \$4,000.00: This will remain tabled as Mr. Wood is not present to give further information.

Purchase Pickup Truck - Recreation Department: Mr. Spina said he met with his Committee regarding the purchase. There is \$28,000.00 in the Budget, but there was confusion when this was put together at Budget time; when they looked at it in the Fall, they didn't have a plow on it. The cost of the truck with a plow is \$29,858.00; there is Contingency money that can be transferred over. Mr. Spina noted it is a State contract bid.

A motion was made authorizing the Recreation Department to purchase a 2014 Ford F250 pickup truck with a plow package at a cost of \$29,858.00, amount over the \$28,000.00 budgeted to be transferred over from the Contingency Fund, by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

Authorize Environmental Studies - Town Building Sites: Mr. Bove indicated this will be discussed in Executive Session.

New Business:

Approval of Special Events: Mr. Spina stated Boy Scouts of Troop 88 are requesting approval to have their annual Spring Camporee April 25th and April 26th in People's Park. They will be submitting insurance from Boy Scouts of America within the next few weeks. Chief Peenstra has signed off on this. Mr. Bove asked how many Scouts will be involved; Mr. Spina replied it depends how many sign up - they are hoping for 100-125 which includes adult leadership.

A motion was made to approve the Boy Scouts Spring Camporee by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Year-End Budget Transfers: A motion was made to approve the Year-End Budget Transfers for the year 2013 by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Approve Advance for Expenses - Association of Towns Meeting: A motion was made to approve an advance of \$500.00 for expenses for each person representing the Town at the Association of Towns Meeting by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Report - 5 & 20 Pump Station Vehicle Damage: Mr. Rowe gave an assessment of work items that need to be addressed which total \$49,700.00. Mr. Pickard stated Matt Fuller of B&L looked at the building which needs major repair; his recommendation is to demolish and replace the existing building - the cost is \$49,700.00. He said the Insurance Company has been notified and are waiting for a number. Mr. Pickard said he would like direction from the Board as this has to be bid; also, in replacing the building, there will have to be detailed

specifications to bid. Mr. Morrell asked if this is going to be entirely covered by insurance - are they going to follow the recommendations for a complete reconstruction. Mr. Pickard replied he hasn't presented that to them yet - he told them it would be a major repair and he would be forthcoming with the numbers and details. Mr. Morrell stated if this is to be completely covered by insurance, there is no need to go out to bid. He said at this point, the Board can authorize the Water & Sewer Department to pursue this with the Insurance Company and arrange for the repair through the Insurance Company; if it comes to a situation where they will only cover something less than what is being recommended, then that is a different issue. After further discussion, the Board authorized Mr. Pickard to solicit estimates and confirm the extent of coverage with the Insurance Company.

Sewer - Declare 2003 Dodge 2500 Pickup Truck Surplus: Mr. Pickard stated he has replaced the truck, and would like to declare this truck surplus and sell it.

A motion was made to declare the Sewer Department's 2003 Dodge 2500 Pickup Truck surplus by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Resignation of Officer Daniel Jacobsen: Chief Peenstra stated on January 26th, Officer Jacobsen resigned from the SF Police Department and has taken a full time position with the Seneca County Sheriff's Department. He would like to remain as a part-time Police Officer. He requested that the Board accept Officer Jacobsen's resignation, and also reappoint him as a part-time Police Officer. Brief discussion followed.

A motion was made to accept Officer Daniel Jacobsen's resignation with many thanks for his fine service by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to appoint Daniel Jacobsen as a part-time Police Officer with the Seneca Falls Police Department by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Place Sale of Surplus Items into P.D.'s Vehicle Equipment Reserve Account: Chief Peenstra mentioned the items that were sold on auction which totaled \$958.00.

A motion was made to place the proceeds from the sale of surplus items totaling \$958.00 in the Police Department's Vehicle Equipment Reserve Account by Emil Bove and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

Purchase Lawn Mower - Recreation Dept.: Mr. Spina stated he spoke with his Committee and was going to hold this off until next month, but was informed by Lakeland Equipment that the State contract was going to be renewed in March which mostly likely will incur a 2% to 3% increase on all pricing. He noted the initial quote was not to exceed \$6,600.00 for a 2014 John Deere Z930R commercial mower.

A motion was made authorizing the purchase of a 2014 John Deere Z930R commercial mower at a State bid price not to exceed \$6,600.00 by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

Mr. Bove asked Mr. Spina to give an update relative to the Canal Improvement Project. Mr. Spina stated they are in the process of finalizing all permits and insurances, and updating the Canal Corporation on the Project. He said there is a potential issue for the dropping of the Canal as far as schedule goes. Mr. Rowe stated they have been communicating with the Canal Corps to pin down exactly when the lowering will occur, and they are waiting to hear back from them. He said the Pre-Construction conference with the Contractor was held in January, and once the permits are in place, he is scheduled to do the work which should be complete by the end of April. Brief discussion followed.

Water & Sewer Credits: A motion was made to approve the Water and Sewer Credits totaling \$655.20 as prepared by Anne Havelin and dated January 31, 2014 by Duane Moore and seconded by Chad Sanderson. No questions. Motion carried 4 ayes, 0 nays.

At 8:22 P.M., a motion was made to go into Executive Session to discuss personnel matters regarding prospective employees in the Police Department, discuss litigation strategy, one being Article 78 filed against the Town and ongoing assessment challenge by Seneca Meadows, Inc., and to discuss matters that could impact on the value of real property, by Chad Sanderson and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to reconvene the regular Meeting at 9:20 P.M. by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Payment of Bills:

A motion was made by Emil Bove and seconded by Duane Moore to approve and order paid the following bills:
General Fund - \$166,846.09 (Abstract #2) Recreation Fund - \$26,911.66 (Abstract #2)
Miscellaneous Fund - \$40,775.91 (Abstract #2) Vince's Park Fund - \$681.09 Abstract #2)
Highway Fund - \$24,562.84 (Abstract #2) Sewer Fund - \$33,960.14 (Abstract #2)
Water Fund - \$29,746.16 (Abstract #2)
No questions. Motion carried 4 ayes, 0 nays.

Provisional Appointments - Police Recruits: A motion was made by Dave DeLelys and seconded by Duane Moore to appoint five recruits to attend the Finger Lakes Police Academy pending successful results of psychological evaluations; recruits are Bradley Clouston, Thomas B. Cleere, Matthew Burlew, Bethany Kidd and Dustin Nuttall. No questions. Motion carried 4 ayes, 0 nays.

Chief Peenstra said there are two full time vacancies and three part-time vacancies. Mr. Bove noted that the Board is not adding any numbers to the Police Department - the number has not gone up since the Town took over the Police Department.

Being there was no further business, a motion was made to adjourn the Meeting by Chad Sanderson and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Meeting adjourned at 9:30 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

The Seneca Falls Town Board held a Special Meeting on Wednesday, February 26, 2014 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Donald Earle; Councilmen Duane Moore, David DeLelys, Chad Sanderson and Emil Bove. Also present were Patrick Morrell, Attorney for the Town; John Condino of Barton & Loguidice and a Member of the local media.

Supervisor Earle called the Special Meeting to order at 7:00 P.M. All Board Members were present; the Pledge of Allegiance followed.

Mr. Earle stated the reason for this Special Meeting is because he will not be in Town next Tuesday as he will be at the annual National Association of Counties Conference. Also, the Board has to approve payment of bills.

Old Business:

Building Project Progress: Mr. Earle stated the Committee has done a lot of work and would like to report on the progress that has been made. John Condino will give an update to let the public know where we are and what we are doing.

Mr. Condino stated the Building Committee, working with the Town Board and its Consultants, has expended considerable time and effort over the last several months exploring available options for the new Town Hall. A total of 10 sites were identified, which Mr. Condino proceeded to name. The Committee and Board identified that the optimum building/location would have the following attributes:

- Provide approximately 8,000 sq.ft. of useable space in an efficient building envelope.
- Have the room to add approximately 4,000 sq.ft. of useable space for the Police Department - either initially or in the future.
- Have room on the site for a minimum of 50 parking spaces.
- Be located as close as possible to the business district.
- Maximize long-term operation and maintenance cost-effectiveness.
- Have a total initial cost of no more than \$2.5 million.

