

The Seneca Falls Town board held a regular monthly Meeting on Tuesday, April 4, 2017 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Gregory Lazzaro; Councilmen Vittorio Porretta, Thomas Ruzicka, David DeLelys and Lou Ferrara, Jr. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks and Recreation; Dean Zettlemoyer, Zoning Officer; Stuart Peenstra, Police Chief; James Peterson, Highway Superintendent; Joseph Tullo, WWTP Operator; Stephanie Holtz, Assessor; Peter Baker of Barton & Loguidice and a Member of the local media.

Supervisor Lazzaro called the regular monthly Meeting to order at 7:00 P.M. A roll call was taken of Board Members and all were present; the Pledge of Allegiance followed.

Open Bids – Highway Equipment Rental: Supervisor Lazzaro opened the following bids for Highway equipment rental:

Thurston Services, Inc., P.O. Box 518, Seneca Falls, NY 13148

Seneca Pipe & Paving, Co., Inc., 184 Ovid Street, Seneca Falls, NY 13148

Mr. Lazzaro stated Mr. Peterson and Mr. Morrell will review the bids.

Petitioners:

Allison Stokes – Waste Management Advisory Committee: Allison Stokes stated she attended a Waste Management Advisory Committee Meeting and found it interesting. She reviewed the section of the Town Code pertaining to the Waste Management Advisory Committee. She proceeded to read portions of the Code which pertain to the responsibilities of the Committee, among which are monitor compliance with regulations, recommend Code revisions and advocate for enforcement on solid waste facilities. She added this is a key Committee, but looking at what has happened, it looks like it is almost irrelevant. Mr. Lazzaro stated he did not treat this Committee as irrelevant. He started this Committee with little or no background to this Committee except what was in the Code. He thinks the Committee is trying and does a fairly good job. Mrs. Stokes suggested that the Agenda be published in advance and have the minutes on the website. She added since they are an advisory, after the Public Hearing, let them meet to give advisory opinions.

Doug Avery – Town Issues: Doug Avery reviewed who spoke at the Public Hearing. He said with the exception of two people, each and every Seneca Meadows supporter was reliant on Seneca Meadows in some way for their financial wellbeing. He asked the Board – who do you represent? The residents of Seneca Falls or do you represent Seneca Meadows and its international parent company who doesn't care about Seneca Falls as anything more than a place to dump garbage. Mr. Avery requested that the Board wait a month and let a Judge decide whether Local Law #3 is a good law or not. If it isn't, you won't even have to rescind; if it is, sadly you'll still have that option.

Anna Luisi – Local Law #3: Anna Luisi of Seneca Falls, a Music Teacher, voiced her support for Local Law #3. She said the dump is an embarrassment to the students because of the smell of the landfill. If Local Law #3 is overturned, the landfill will only get larger and smellier. There are so many reasons to be proud of our Community, such as the beautiful lakes and parks, the school district, and our rich history as the Birthplace of Women's Rights. She is willing to have property taxes go up if it means that she is breathing fresh air and drinking clean water. But taxes don't have to go up if we use the next eight years to balance the budget so that adjustments can be made. If we can attract new people and business, our tax pool will also increase. Having the largest landfill in New York State is not and should not be a point of pride. She implored the Board to uphold Local Law #3.

Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of March 7, 2017 by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer's report by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: A motion was made to accept Mr. Zettlemoyer's report by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to accept Mr. Spina's report by Dave DeLelys and seconded by Vic Porretta.

Mr. Spina mentioned that Saturday is a big day at the Community Center. The Annual Easter Egg Hunt will

be in the morning. The Chicken barbeque and Antonio Varacalli Ceremonies will take place in the afternoon, and in the evening, Wegman's employees will have a Charity Game.

The above motion made by Dave DeLelys and seconded by Vic Porretta to accept Mr. Spina's report was carried 5 ayes, 0 nays.

Highway Superintendent: A motion was made to accept the Mr. Peterson's report by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Assessor: A motion was made to accept Mrs. Holtz's report by Vic Porretta and seconded by Dave DeLelys.

Mrs. Holtz stated one of the BAR Member's first term expired; she wants to know how to proceed. Mr. Lazzaro stated current Members can serve for two terms; after the first term ends, in the past and since he has been here, we posted that for interested parties so we have a playing field that is fair. He said it will be advertised so that all interested people can apply.

Mrs. Holtz said out of the ten applications she received for the Real Property Tax Service Aide position, seven were approved by the County. The County has scheduled the exam for that position which will be June 10<sup>th</sup>, and they have to sign up to take the exam by May 5<sup>th</sup>. They will be doing Interviews at the end of the month; the Personnel Committee will be involved.

The above motion made by Vic Porretta and seconded by Dave DeLelys to accept Mrs. Holtz's report was carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell requested that the Board take action on a Year 2000 Community Development Block Grant loan which was made to BonaDent. A mortgage was put in place to secure the loan; the loan was paid, but a discharge of mortgage has not been filed.

A motion was made authorizing the Town Supervisor to execute the Discharge papers relative to the BonaDent Community Development Block Grant loan so that it can be recorded at the County by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Town Justices: A motion was made to accept the reports of Judge Laquidari and Judge Lafler by Dave DeLelys and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays.

Water & Sewer: A motion was made to accept Mr. Tullo's report by Vic Porretta and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Police Chief: A motion was made to accept Chief Peenstra's report by Lou Ferrara and seconded by Dave DeLelys.

Chief Peenstra stated he completed the 2016 Year End Report which will be on their website and facebook shortly. The Seneca Falls Police Department will be participating in a DEA National Drug Take-Back Day on April 29<sup>th</sup>, 10 AM to 2 PM, at Kinney Drugs. He applied for a grant a few months ago to receive a prescription drug collection box. They received that grant which paid for the drug collection box which is in their Main Lobby. The Chief mentioned some of the cases they were involved in, one being the arrest of a local drug dealer – they seized over \$2,000 worth of cocaine, a small sum of money and a vehicle. He gave kudos to all of his Officers who were involved in these cases, and said he was very proud of them.

The above motion made by Lou Ferrara and seconded by Dave DeLelys to accept Chief Peenstra's report was carried 5 ayes, 0 nays.

Barton & Loguidice: Mr. Baker stated they had a very productive Meeting of the Water/Sewer Committee. The Rt. 414 pump station is operating and they are close to wrapping up that project. They will be making a report in a couple of weeks on the Sewer Rehabilitation Project.

Other Committee Reports: There were no Committee Reports.

Communications:

A motion was made to receive and file Communications numbered 1 to 12 by Lou Ferrara and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 12 are as follows:

1. Monthly Report for the month of January 2017, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
2. Statement of Accounts, April 1, 2011 to February 28, 2017, from Wilmington Trust.
3. Checks and deposits totaling \$121,202.64 representing Fayette water relevies, Judge Laquidari and

4. Judge Lafler's reports, 2017 PILOTs, health and dental Insurance premiums, tower rent, Community Center deposits and Vince's Park deposits.
5. Section 504 Compliance Handbook, March 2017, from LRP Publications.
6. Minutes of the Town Planning Board Meeting of January 26, 2017.
7. Minutes of the Town Zoning Board of Appeals Meeting of January 26, 2017.
8. Minutes of the Heritage Preservation Commission Meeting of January 24, 2017.
9. Minutes of the Town Planning Board Meeting of March 23, 2017.
10. Minutes of the Town Zoning Board of Appeals Meeting of March 23, 2017.
11. Checks totaling \$17,144.79 representing Health Insurance premiums, refund of AFLAC premium (Baity), background check, Town Clerk's February report, tote purchase, DWI reimbursement for overtime, restitution, Judge Laquidari's February report, fuel reimbursement and copies of Police reports.
12. Network News from Cayuga Lake Watershed Network.
13. Letter from Robert & Lorraine Bishop, Fayette, relative to increase of water rates for outside Town users.

Old Business:

Sale of Condominium & Surplus Real Properties: Mr. Morrell stated he has been in contact with the Attorney for 10 Fall Street who has prepared all their title documents; we should be able to close that shortly. The property at 60 State Street should be closing shortly as well.

Write-Off Uncollectable Receivables: Mr. Morrell said this is an ongoing matter; there has been no change in the past month.

Route 414 Sewer Line Transfer from IDA to Town: Mr. Morrell said he has been in contact with the Attorneys for the Town of Tyre and has been working with the IDA. It is a matter of getting everything straightened out before the Town accepts it.

Annual Renewal – SMI Permit: Mr. Morrell stated the odor issue came to the forefront last year, and in response to the complaints, Seneca Meadows has undertaken a large project to address those odors. The most recent letter to them was to let the Town know when they are done, and the Town's Engineers will inspect all the work that was done and the operation. The Town will then consider the permit at that time.

A motion was made to table action on the Permit by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Highway – Repair Side Flail: Mr. Peterson stated he would like to take the money out of the Capital Equipment line item (DA5130.201) for repair of the side flail; the quote is \$3,723.00. Mr. Morrell stated this was discussed last month. He wanted to research the Capital Reserve Fund to make sure all the procedures are followed. This is the type of equipment that the Reserve Fund was set up for, so everything is in place for the Town to do this.

A motion was made authorizing the repair of the side flail at a cost of \$3,723.00, money to be taken out of the Capital Reserve Fund line item DA5130.201, by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Local Law #1 – 2017 – Increase Highway Superintendent's Salary: A motion was made to table action relative to proposed Local Law #1 – 2017 by Tom Ruzicka and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Local Law #2 – 2017 – Rescind Local Law #3 – 2016: A motion was made to table action relative to rescinding Local Law #3 – 2016 by Lou Ferrara and seconded by Tom Ruzicka.

Mr. DeLelys said he reviewed the packet the Board received from Scott. Local Law #3 - 2016 protects the environment by requiring the landfill to shut down in 2025. Proposed Local Law #2 -2017 creates a huge environmental impact by allowing the landfill to operate beyond 2025. They have tried to correct the odor and they haven't been able to do so yet. Our Attorneys said Local Law #3 is okay. The landfill Attorneys can say what they want; as far as he is concerned, they were wrong in Waterloo and they are wrong here, too. He thinks the Board should go to Article 78.

The above motion made by Lou Ferrara and seconded by Tom Ruzicka to table action relative to rescinding Local Law #3 – 2016 was carried 5 ayes, 0 nays.

Lease of Space for Court Records: Mr. Morrell stated as part of the transfer of 10 Fall Street, there is a Metal Building behind 10 Fall street that is used for storage of Town records. He negotiated with the future owners of 10 Fall Street, and proposed an arrangement where they would allow the Town to continue to store records there for a period of two years. In that time, maybe the Board can come up with a better idea for storing our

records that doesn't involve renting space on property it doesn't own. After brief discussion, Mr. Lazzaro suggested forming a Committee to work on this during this month; Dave DeLelys and Mr. Lazzaro will look into this and come back with a suggestion.

A motion was made for the Committee consisting of Dave DeLelys and Greg Lazzaro to look into a space for the Court records in a secure area and come back to the Board with a suggestion by Dave DeLelys and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays.

New Business:

Approval of Special Events: There are no Special Events.

Appoint Account Clerk – W/S and Accounting/Payroll: A motion was made to appoint Cassandra Gibbons as full time Account Clerk for Water/Sewer and Accounting/Payroll at \$14.82 an hour by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Resignation of Court Clerk (Full Time) Meghan Langley: A motion was made to accept the resignation of Meghan Langley as full time Court Clerk by Dave DeLelys and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Appoint Meghan Langley Part-Time Court Clerk: A motion was made to appoint Meghan Langley as part-time Court Clerk at the rate of \$15.20 per hour by Dave DeLelys and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays.

Appoint Full Time Court Clerk: A motion was made to appoint Ashley VanDoren full time Court Clerk at \$12.95 per hour by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Authorization to Sign Checks: A motion was made authorizing Louis Ferrara to sign checks by Tom Ruzicka and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer – Transfer of Funds – Rumsey/Miller Project: A motion was made to transfer funds from the Contingency line item to line item F8340.212 by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer – Transfer of Funds – Equipment: A motion was made to transfer funds from line item G8130.202 to line item G8130.205 by Tom Ruzicka and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer – Purchase Road Saw Attachment for Skid Steer: A motion was made authorizing the purchase of a road saw attachment for the skid steer from Bobcat of the Finger Lakes at a cost of \$18,356.80 by Dave DeLelys and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer – Purchase Reversible Tamper – A motion was made authorizing the purchase of a reversible tamper from Admar Supply at a cost of \$8,777.00 by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer – Advertise Laborer Position: A motion was made to advertise for temporary Laborer position in the Water/Sewer Departments at \$14.82 per hour by Greg Lazzaro and seconded by Tom Ruzicka.

Mr. Tullo said this position was budgeted for six months knowing that they were going to be very busy with the tower projects and flushing of mains. Brief discussion followed.

The above motion made by Greg Lazzaro and seconded by Tom Ruzicka to advertise for temporary Laborer position at \$14.82 per hour was carried 5 ayes, 0 nays.

Water/Sewer – Declare Surplus List of Parts: A motion was made to declare surplus the list of parts as listed by Mr. Tullo in his April 1, 2017 Memo by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Bids – Highway Equipment Rental: Mr. Peterson said he reviewed the bids; his Committee Members have not had a chance to look at this yet.

A motion was made to table action on the bids for Highway equipment rental so the Highway Committee can review the bids by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Highway – Purchase LED Lights and Globes: Mr. Peterson stated the quote is from Jacomb, LLC. These are

custom made lights so that is why there is only one quote. These lights are part of a five year plan to change all the lights to led lights. The cost for these lights is \$17,700.00, and it is a budgeted item.

A motion was made authorizing the purchase of 55 retro-kit lights and 10 globes from Jacomb, LLC at a cost of \$17,700.00 by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

July Town Board Meeting Date: Mr. Lazzaro stated the July Meeting date has to be changed because July 4<sup>th</sup> is the first Tuesday.

A motion was made to hold the July Town Board Meeting on Wednesday, July 5, 2017 by Tom Ruzicka and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Planning & Zoning – Attendance at Regional Government Workshop: A motion was made authorizing the Planning Board Members and the Zoning Board of Appeals Members to attend the Regional Government Workshop on May 19<sup>th</sup> at a cost of \$75.00 per person registration fee and mileage, by Dave DeLelys and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays.

Contribution – SF Historical Society: A motion was made to contribute the budgeted amount of \$7,000.00 to the Seneca Falls Historical Society as it is a benefit to the Town by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Highway – Advertise for Bids – Tree Removal: Mr. Peterson stated some of the trees around Town have to be taken down. He would like to advertise for tree removal for the year so that he only has to deal with one contractor.

A motion was made to advertise for bids for tree removal for the year by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer Credits: A motion was made to approve a water/sewer refund of \$58.16, and an account credit due of \$349.74, as per information submitted by Dusti-Lee Provencher on March 31, 2017, by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Payment of Bills:

A motion was made by Lou Ferrara and seconded by Tom Ruzicka to approve and order paid the following bills:

General Fund - \$179,904.67 (Abstract #4)

Recreation Fund - \$35,089.49 (Abstract #4)

Miscellaneous Fund - \$50,607.63 (Abstract #4)

Vince's Park Fund - \$1,305.42 (Abstract #4)

Highway Fund - \$40,949.72 (Abstract #4)

Sewer Fund - \$85,699.02 (Abstract #4)

Water Fund - \$56,366.18 (Abstract #4)

No questions. Motion carried 5 ayes, 0 nays.

At 8:05 P.M., a motion was made to go into Executive Session for an Article 7, a personnel issue and possible Attorney/Client privilege by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reconvene the regular Meeting at 9:10 P.M. by Lou Ferrara and seconded by Dave DeLelys. No question. Motion carried 5 ayes, 0 nays.

A motion was made to appoint Patrick Russo Deputy Chief WWTP Operator in the Water/Sewer Department at a salary of \$62,000.00 a year by Lou Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Resolution Providing for Eminent Domain Public Hearing: A motion was made by Dave DeLelys and seconded by Lou Ferrara to adopt the following Resolution:

WHEREAS, the Town Board of the Town of Seneca Falls believes that it would be advantageous to the Town to modify the Town's sewer system by placing a pipe under land currently owned by the Friends of the Ludovico Sculpture Trail.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a Public Hearing pursuant to the Eminent Domain Procedure Law at the Town Offices, 130 Ovid Street, Seneca Falls, New York at 4:00 P.M. on Wednesday, May 10, 2017; and BE IT

FURTHER RESOLVED, that the Town Clerk publish or cause to be published a notice of said Public Hearing in the Official newspaper of the Town pursuant to Eminent Domain Procedure Law Section 202.

Mr. Lazzaro stated it might have to be changed to another location if a big crowd will be expected.

The above motion made by Dave DeLelys and seconded by Lou Ferrara was amended to add “with an alternate site if necessary” relative to location of the Hearing. Resolution adopted with amendment, 5 ayes, 0 nays.

Being there was no further business, a motion was made to adjourn the Meeting by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Meeting adjourned at 9:15 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, May 2, 2017 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Gregory Lazzaro; Councilmen Louis Ferrara, David DeLelys, Thomas Ruzicka and Vittorio Porretta. Also present were Patrick Morrell, Attorney for the Town; Stuart Peenstra, Police Chief; Wendy Caraher, Assistant Recreation Director; Laverne Lafler, Town Justice; James Peterson, Highway Superintendent; Joseph Tullo, WWTP Operator; Stephanie Holtz, Assessor; John Condino and Peter Baker of Barton & Loguidice and a Member of the local media.

Supervisor Lazzaro called the regular monthly Meeting to order at 7:00 P.M. A roll call was taken of Board Members and all were present; the Pledge of Allegiance followed.

Petitioners: There were no Petitioners.

Mr. Lazzaro announced that (F) Local Law #2 -2017 will be moved to the end of the Meeting.

Presentation:

Joseph Calarco – Energy’s Reverse Auctions: Joseph Calarco from AFLAC stated they have a partnership where they can do what they call Reverse Auction for municipalities and companies that have higher energy usage. With the Board’s permission, they are asking for the opportunity to take the Town’s energy bills; they go online and companies get to bid on the Town’s energy. Nothing is agreed to until the auction is complete, and then the Board is given the opportunity to either lock in the lower rate or pass on it. Mr. Calarco quoted several companies in town and throughout the Finger Lakes who have saved money by going with Reverse Auction. After brief discussion, Mr. Lazzaro said he would get back to Mr. Calarco.

Approval of Minutes:

A motion was made to approve the minutes of the Public Hearing of March 29, 2017 and the regular monthly Meeting of April 4, 2017 by Dave DeLelys and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer’s report by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: A motion was made to accept Mr. Zettlemyer’s report by Lou Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to accept Mr. Spina’s report by Greg Lazzaro and seconded by Lou Ferrara.

Mrs. Caraher mentioned an Event that will take place from June 1<sup>st</sup> to August 31<sup>st</sup> at People’s Park – Music in the Park sponsored by the Seneca Museum of Waterways and Industry as a fundraiser. It has been reviewed by Mr. Spina and the Chief, and they recommend approval.

