

The Seneca Falls Town Board held a Public Hearing and regular monthly Meeting on Tuesday, June 5, 2018 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Gregory Lazzaro; Councilmen Vittorio Porretta, David DeLelys and Louis Ferrara. Also present were David Foster, Town Attorney; Dean Zettlemyer, Zoning Officer; James Spina, Commissioner of Parks & Recreation; Stephanie Holtz, Assessor; James Peterson, Highway Superintendent; Joseph Tullo, WWTP Operator; Lt. Timothy Snyder; Marshal Foster, IT Network Administrator; Peter Baker, Town Engineer and a Member of the local media.

Public Hearing – Bonding for Sanitary Sewer System Improvements: Supervisor Lazzaro opened the Public Hearing relative to bonding for the Sanitary Sewer System Improvements at 5:50 P.M.

Town Engineer Peter Baker stated this is a project that Barton & Loguidice has been working on for some time. It is approximately a \$3 million project which is the first step to improve the sanitary sewer system within the Town. They have applied to the NYS Environmental Facilities Corporation for a grant, and in January, the Town was in receipt of the grant, and also was in receipt of a 0% hardship loan with EFC. Mr. Baker stated this is necessary work that needs to be done to repair aging sewer system infrastructure. He said with this 0% financing, it will be about a \$75,000 per year project for the Town to pay for over the next thirty years. He noted this is a separate project from the Ludovico Trail.

Brad Jones stated the \$3 million bond – there is perception in the Community that it is taking care of the \$3 million equalization tank that has major leaks, so we are not only talking about a \$3 million bond but we are also talking about a \$3 million expenditure. Mr. Baker stated the Town has received another grant to look at the Wastewater Treatment Plant itself; equalization tank is part of that. This project is addressing infiltration and flow and will ultimately reduce the size of that tank.

Jean Gilroy, Gravel Road, stated she read an email of October 30, 2017 sent by the Wastewater Treatment Plant calling it an actual environmental alert as this tank was leaking; wastewater was being dumped into VanCleaf Lake.

Chris Lytle, 36 Cayuga Street, stated Mr. Baker mentioned that this is phase 1; obviously, there are more phases. He asked when will those phases be articulated. Mr. Baker stated they did an investigation and looked at the Town as a whole. This is stage one – he can't answer what the next stage would be.

Stan Praszkowicz of Ken-Mor Estates stated he understands that bonding is a rational way for municipalities to do this. He doesn't understand why we have a \$747,000 grant and we are bonding \$3 million. He added there are other communities that have received substantial grants. Mr. Praszkowicz asked – why did we only get one-third, and why are we bonding the entire \$3 million. Robert Magill of Waterloo stated most of the cities in the Country that have infrastructure over 100 years old are going through the same thing. He added as far as grants, you can only apply for what is available.

Valerie Sandlas of 2 Greenbelt Circle stated there are a lot of financial questions, such as how are we planning on paying back the interest free loan – would it be with increased water/sewer rates or would it be a tax increase. She said at some point, it makes sense to have their questions answered. She suggested that perhaps there could be a financial presentation from the Treasurer, Mr. Lazzaro as the Chief Financial Officer. Mrs. Sandlas stated the article in the Finger Lakes Times mentioned the Route 414 Corridor – does this include the Route 414 Corridor. Mr. Baker said there are two distinct projects – Route 414 Corridor and the Ludovico Trail, and the Sewer Rehabilitation project which is completely independent. He added the grant they applied for is the Water Infrastructure and Improvement Act Grant; when you apply for these grants, you apply for the maximum amount of money you can get.

Brad Jones stated everything that is discussed tonight doesn't come from taxes; it comes directly from water and sewer bills. He said Barton & Loguidice is the largest vendor in the Town of Seneca Falls. One of the Officials said in 2017, they were paid \$500,000 in engineering fees. He added Barton & Loguidice was lead engineer on the water reservoir tank and it came in over budget; the Town Hall came in over budget. Mr. Jones requested that an outside consultant, a CPA, give the residents a revenue cost analysis.

Since there were no further comments, Mr. Lazzaro closed the Public Hearing at 6:20 P.M.

A motion was made by Greg Lazzaro to adopt the Bond Resolution dated June 5, 2018 of the Town Board of the Town of Seneca Falls, New York, authorizing General Obligation Serial Bonds to finance sewer system Capital Improvements within the Town, authorizing the issuance of Bond Anticipation Notes in contemplation thereof, the expenditure of sums for such purpose, and determining other matters in connection therewith. Since there was no second to the motion, the motion failed.

Mr. Lazzaro stated he received a statement from a large group of concerned Seneca Falls taxpayers which was

not signed. He is not accepting it as a comment.

Supervisor Lazzaro called the regular monthly Meeting to order at 6:20 P.M. A roll call of Board Members was taken and Councilman Avery was absent from the Meeting; the Pledge of Allegiance followed.

Bid Openings:

Annual Heavy Equipment Bid – Mr. Lazzaro opened and read the following bids which were hourly rates:

Excavator - Seneca Pipe & Paving - \$132.15; Thurston Services - \$120.00. Low bid Thurston Services.

Bulldozer – Seneca Pipe & Paving - \$156.15; Thurston Services - \$145.00. Low bid Thurston Services.

Items #3, 4, 5, & 6 were not bid by Thurston. Bid goes to Seneca Pipe & Paving.

Backhoe/Mini Excavator – Seneca Pipe & Paving - \$120.15; Thurston Services - \$110.00. Low bid Thurston.

Paver – Seneca Pipe & Paving - \$270.35; Thurston Services did not bid.

Labor rates – Seneca Pipe & Paving – \$74.75; Thurston Services - \$70.00.

Mr. DeLelys asked if proof of insurance was submitted with bids. Mr. Lazzaro read a portion of the bid requirements which states all bidders must submit with their bid proof of insurance; any bid not accompanied by proof will be considered incomplete. Mr. Foster said the documents should be there; if it's not there, the bid is excluded.

A motion was made to award the bid for the annual rental of heavy equipment to Seneca Pipe & Paving Co. Inc., bid prices to be effective from July 1, 2018 to June 30, 2019, by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Shallow Excavation Services: Mr. Lazzaro noted there was one bid for shallow excavation services which was received from Thurston Services.

A motion was made to accept the bid of Thurston Services for emergency shallow excavation services by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Porretta asked if proof of insurance had to be submitted with the bid. The Town Clerk said the bid requirements do not mention that the insurance has to be submitted with the bid, but there are insurance requirements.

A motion was made by Mr. Lazzaro and seconded by Lou Ferrara to amend the above motion to accept the bid of Thurston Services for emergency shallow excavation services by adding as long as appropriate insurance is in place.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to award the bid for emergency shallow excavation services to Thurston Services was carried 4 ayes, 0 nays.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to amend the original motion to accept the bid of Thurston Services for emergency shallow excavation services by adding as long as the appropriate insurance is in place was carried 4 ayes, 0 nays.

Deep Excavation Services: Mr. Lazzaro noted there was one bid for deep excavation services which was received from Thurston Services.

A motion was made to accept the bid of Thurston Services for deep excavation services with appropriate insurance submittals by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Electrical Contract Services: Mr. Lazzaro noted there was only one bid for Electrical services which was received from Caratozzolo Electric LLC. Bid specifies that the hourly cost for licensed electrician is \$100.00, and mark-up is 10%.

A motion was made to accept the bid of Caratozzolo Electric LLC for electrical services with appropriate insurance submittals by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Sale of Mower/Rear Flail Mower: Mr. Lazzaro noted one bid was received for a John Deere Z810A riding mower with 48" deck. Bid of \$350.00 was received from Joseph Wyatt of Waterloo, NY.

A motion was made to accept the bid of \$350.00 from Joseph Wyatt for the John Deere Z810A riding mower with 48" deck by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Mr. Lazzaro noted one bid was received for the Alamo rear flail mower with a 3-point hitch and 7'6" cutting

width. Bid of \$200.00 was received from Joseph Wyatt of Waterloo, NY.

A motion was made to accept the bid of \$200.00 from Joseph Wyatt for the Alamo rear flail mower with a 3-point hitch and 7'6" cutting width by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

#### Presentation:

David Baker Volunteer of Year Award: Mr. Spina stated the David Baker Youth Sports Volunteer Award is given to long time volunteer personnel who give up their time above and beyond what others do. This year, the recipient has been involved with Seneca Falls Recreation activities since 2000, volunteering his time coaching kickball, boys and girls basketball, boys and girls lacrosse, Little League t-ball and Little League baseball. He has had the greatest impact when he was tasked with assisting the coordination of the entire program of youth lacrosse which required a lot of his personal time from February until June. On behalf of some of the Members of the Recreation Commission present, Mr. Spina introduced this year's Award winner – Steve Sandroni.

Mr. Sandroni thanked everyone for all the assistance they gave him in the programs. He said it's a great honor to be associated with Dave Baker for everything he has done.

#### Petitioners

Andy Coleman – Road Resurfacing: Andy Coleman stated he is here at the request of the Highway Superintendent to discuss the treatment that happened on Leland Drive. He explained that it might have been characterized as a low-end treatment when, in actuality, it is a high-end treatment in the pavement preservation world. It has been a State approved process that has been growing every year; last Fall they did 3 million square yards of that process on State highways, Interstates and residential roads. Mr. Coleman said he understands the concerns of the residents because it doesn't look like their driveway. It's not made to look like their driveway – it's designed to be slightly open-grated, but the road is a solid road and will be there for a long time. Mr. Coleman stated there is one small spot that is related to an equipment issue which they will take care of. Mr. Ferrara asked why it was coming up. Mr. Coleman replied it's coming up in one spot - he continued to explain why it was coming up. Mr. Sandlas said he thinks it's the best street they have had in 15 years. Brief discussion followed.

Kyle Black – Spring Construction & Operations Update: Kyle Black gave an overview of what they are doing this year during the construction season. They are adding on another 13 acre cell to the north as they continue to fill out that footprint. They are continuing filling on the east side; as they fill, they put in horizontal and vertical landfill gas collection as the waste is going in to extract any landfill gas or odor residue to get over to their energy facility and flare facility. There is another 50+or- vertical wells being drilled in this year. As they bring that area to grade, they put cover on and seed it so you will continue to see grass along the Route 414 side. They are putting up a new two million gallon leachate tank for some additional storage and operational flexibility.

Mr. Black explained a 12-month odor chart which shows a very steady decline in odor complaints. With all that capping work and natural gas work, they have seen a very significant decrease in odors which is a good thing for a whole lot of reasons.

Chris Lytle – Town Governance: Chris Lytle of 36 Cayuga Street asked about the Seneca Meadows Host Agreement fees and where they are being held; Seneca Meadows fees are being paid but they were not budgeted in the 2018 Budget. He said since it was not budgeted, he has to assume it's being held in a separate fund, and it's not going into the General Fund and turning into a slush fund of some kind. Mr. Lytle said New York State requires that if that money is going to be used it has to be subject to an amended Town Budget and the Town Board has to vote on that amendment to the Town Budget. He asked where the money is going, who has authority over it, how is it being used and has there been an amendment to the Budget. Mr. Lytle stated he hopes the Board is following the Law regarding where that money goes, because he is hoping there will be a \$3 + or – million surplus at the end of the year rather than having it just disappear.

Mr. Lazzaro stated he will put on the Agenda for next month an accounting of that – where it's going. Mr. Lytle mentioned that they never have a financial report. Mr. Lazzaro mentioned that Mrs. Warfel keeps a month-to-month running account of where the Budget is at, and he will give that at next month's Meeting. Mr. DeLelys stated the Board gets an email from Mrs. Warfel on where we are at.

Jim Sandlas – Town Finances: Jim Sandlas gave a nod of thanks to Town Employees – Chief Peenstra and Town Police Officers for keeping Seneca Falls safe; Jim Peterson and Highway Employees; Jim Spina and Recreation Staff; Joe Tullo and the Water Department and the rest of the Town Employees. He commented on

Town expenses, comparing this year to last year. The Town had an IT Company doing network administration and phone support for \$35,000; a full time Network Administrator was hired for \$54,461, an increase and a waste of \$19,461. The Town had a Town Attorney on contract to the Town for approximately \$50,000; a full time Town Attorney was hired for \$79,036, an increase of \$29,036. The Town Attorney brought in outside Counsel for legal help for Eminent Domain in regard to the sewer system proposal – Barclay Damon has billed the Town \$41,367 for the first three months of 2018. Additional legal help has been brought in for defense of SMI Article 78 lawsuit; Boylan & Code has billed the Town \$38,353. August to December 2017, and figures are unavailable at this point for 2018. Total cost is \$158,756. Mr. Sandlas said these positions should be eliminated and the Town should go back to contracting out.

Mr. Sandlas referred to Barton & Loguidice and said 2017 expenses were \$317,620; the average salary for a civil engineer in Central New York is \$68,000 a year. He asked if the Town has explored having a full time engineer and contracting out for extra services.

Mr. Sandlas stated it is his understanding that SMI has paid the first quarter tonnage fees of approximately \$600,000. He asked what is being done with the surplus of approximately \$2.4 million or so for 2018, and what is the potential plan – returning the money to the taxpayers; investing in the Town or more spending.

Jean Gilroy – Ten Questions: Jean Gilroy stated asking questions gives transparency and legitimacy to the work the Board is doing; not allowing questions leads to misinformation and rumors. She said we need a healthy exchange between the Board and the audience. She referred to the SMI lawsuit and said we were given a false choice of negotiate or be sued, when the true choice is drop the lawsuit or lose the lawsuit. She asked if we were negotiating away our home rule law; are we being manipulated by a mega corporation; and is the entire Board invited to negotiations. She asked if a permit was going to be issued to SMI when they are in violation of their odor controls and staging of trucks before the hours of operation. She asked if SMI can legally withhold payments to the Town, as it is a violation of the Host Agreement to threaten or stop payment.

Ms. Gilroy stated the Host Agreement states that legal fees accrued during litigation and negotiations with SMI can be charged back to SMI – is the Town receiving these reimbursements. At the May 21<sup>st</sup> Special Meeting, the Supervisor made a motion to not repair the pool floor at Vince’s Park; as he stated we don’t know what we will do with the Park in the future. It has also been rumored many times that the Supervisor plans to close the Seneca Falls Police Department – does he support the health and safety of Town residents. Ms. Gilroy said how can we have economic development growth and tourism with stinking trucks going through our town, no recreation facilities and no Police Department. She asked if we were going to have an Ethics Board. She stated we need new, creative leadership and we need our home rule back.

#### Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of May 1, 2018 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to approve the minutes of the Special Meeting of May 21, 2018 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

At 7:10 P.M., Mr. Lazzaro declared a five minute recess. The Meeting reconvened at 7:15 P.M.

#### Reports:

Dog Control Officer: A motion was made to approve the Dog Control Officer’s report by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Zoning Officer: A motion was made to approve the Zoning Officer’s report by Greg Lazzaro and seconded by Lou Ferrara.

Mr. DeLelys commented that his report contains quite a list of violations this month. He said on the Agenda is adding an extra part-time person to do this, and he thinks it should be done.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to approve the Zoning Officer’s report was carried 4 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to approve Mr. Spina’s report by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Highway Superintendent: A motion was made to approve Mr. Peterson’s report by Greg Lazzaro and seconded by Dave DeLelys.

Mr. Peterson noted that the Townwide Spring pickup will be on June 18<sup>th</sup>. He will be losing two employees – Mike Booth and Bill Gladis will be retiring. He commended them for doing a great job for the Department.

Mr. Lazzaro asked about setting up a meeting with the DEC and Soil and Water. Mr. Peterson replied he has that in the works now – he is trying to get a meeting towards the end of this month.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to approve Mr. Peterson's report was carried 4 ayes, 0 nays.

Assessor: A motion was made to approve Mrs. Holtz's report by Greg Lazzaro and seconded by Vic Porretta. No questions. Motion carried 4 ayes, 0 nays.

Town Justice: A motion was made to accept the reports of Judge Lafler and Judge Laquidari by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Water & Sewer: A motion was made to accept Mr. Tullo's report by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Tullo said they had another watermain break last Thursday at Daniels and Clinton Streets; five men worked from 9 PM to 6 AM. Mr. Lazzaro thanked the men for their hard work in doing that.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to accept Mr. Tullo's report was carried 4 ayes, 0 nays.

Police Chief: A motion was made to accept Chief Peenstra's report by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Barton & Loguidice: A motion was made to accept the report of Town Engineers Barton & Loguidice by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Baker stated in March, they applied for and received a grant from EFC on the Wastewater Treatment Plant. Part of that process is to submit contract documentation and Town Board Resolutions. The original agreement Barton & Loguidice had with the Town for the Wastewater Treatment Plan Improvements was \$25,000; the revised agreement is for \$24,960 – it is an 80% reimbursement, and it will cost the Town \$4,160.

Mr. Baker stated a Resolution for the Safe Routes to School TAP Grant is on the Agenda for later in the Meeting. That work is underway; it will be bid in a couple of weeks.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to accept the report of Town Engineers Barton & Loguidice was carried 4 ayes, 0 nays.

Town Attorney: Mr. Foster referred to the closing of two Town properties - offering by Longley Jones and offering by George Tilton. He has been in contact with George Tilton (60 State Street property) who indicated that he may not be able to go through with the purchase of the property due to the fact that their business has been slow and their business plans have changed significantly. They requested that the Town give them until June 27<sup>th</sup> to finalize the closing on the building or mutually agree to have the Town put the property back out for bid

Mr. Foster referred to the 10 Fall Street property and stated they met with representatives of Longley-Jones awhile ago, but have not heard back from them. He said the Town is holding \$1,000 in escrow on each one of these properties. Time is of the essence with regard to closings, and he will send that notice to each group indicating they have until the next Meeting in July to either close on the property or to forfeit their deposits and the properties will be put back out for bid.

A motion was made to approve Mr. Foster's report by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

#### Communications:

A motion was made to receive and file Communications numbered 1 to 8 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays. Communications numbered 1 to 8 are as follows:

1. Notice of Class Change regarding their liquor, wine, beer and cider license from Vannelli, Inc. (Little Italy).
2. Notice to Occupant of intention to discontinue service supplied to Landlord or Rental Property Owner from NYSEG.

3. Statement of Accounts, April 1, 2011 to April 30, 2018, from Wilmington Trust.
4. Letter from Monica Kuney, SF Central School District Clerk, listing those that were elected for three year terms to the School Board.
5. Copy of Resolution adopted by the Seneca County Board of Supervisors relative to renewal of Cayuga Indian Nation's application for Land to Trust.
6. Letter from Senator Pamela Helming acknowledging receipt of Town Clerk's letter and copy of resolution adopted by the Town Board concerning the proposed waste-to-energy incinerator.
7. Copy of letter sent to Supervisor Lazzaro from Harriet Haynes, Planner, Seneca County Department of Planning and Community Development, relative to recommending appointments to the Seneca County Planning Board.
8. Letter from Melanie Wickham, Manager of Empire Farm Days, requesting the service and cooperation of the Town during Empire Farm Days.

Old Business:

Sale of Condominium & Surplus Real Properties: Mr. Lazzaro requested that this be taken off the Agenda.

Write-Off Uncollectable Receivables: Mr. Foster stated it appears there was a judgment by default that was granted. He will follow up on this with Mr. Morrell.

Route 414 Transfer from IDA to Town: Mr. Foster stated that this will be the subject of a County Meeting coming up with regard to the actual documentation, easements, transfers and part of the potential construction project.

Installation of Fire Hydrant – Lake Road Spur: Mr. Tullo said this is something that is being discussed with the Water/Sewer Committee.

Resolution – Standard Work Day: A motion was made to approve the resolution for the standard work day for the Town Attorney by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Foster stated the standard work day for anyone who is appointed by the Board, the State requires that they do a sample amount of time, generally for a calendar quarter, to establish the amount of time that is being spent; it tries to reflect that there is a lot of off hours to work, such as this Meeting. They ask the time for this be kept and quantify. He keeps a breakdown of what he does as an Attorney. Mrs. Warfel requested that he do a 3-month time estimation for a sample 3-month period. Mr. Foster said he already had that, and the months of January through March was selected. If you go through from January through March, it shows a breakdown of the work actually performed which is more than what would be considered a full time person. He previously supplied the information from July to the end of last year to the Supervisor and Deputy Supervisor. Mr. Foster said this request is not from him – it is from the State of New York and is something that is a compliance requirement; the request was made to Ms. Warfel.

Mr. DeLelys read a statement from the Comptroller's Office which stated that the record of 3-month calendar of activities for the Town Attorney was not adequate based on the NYS SLR Employees Guide. The information required by the Employees Guide was lacking, therefore, this record should not be approved in its current form. Mr. Foster stated for the past 38 years that he has done this, this is the exact format that has been used and accepted. He added if the Comptroller has an issue with it, they should contact the State Agency that requested it. He would be happy to give it to them in whatever format they want. Further discussion followed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to approve the resolution for the standard work day for the Town Attorney was carried 3 ayes, 1 nay; Councilman DeLelys with the dissenting vote.

Lease of Space at Condominium: Mr. Lazzaro stated two women from Women's Institute for Leadership and Learning (WILL) requested the use of space at the Condominium. He checked with the Insurance Company who said as long as they were volunteers in the Community they could have that space, but they would have to check with the Board for other uses when they wanted to bring other people in. He said as per Code, he has not gotten a clear indication of whether it's up to Code; some of the things need to be fixed.

A motion was made to allow the Women's Institute for Leadership and Learning to use the space at the Condominium once it is understood that it is up to Code by Greg Lazzaro.

Mr. Foster recommended that the Town request a release from them for any claim or liability. Mr. Lazzaro said since he didn't get a second to his motion, he would work with the Insurance Carrier on writing up a motion for next month. Brief discussion followed.

New Business:

Approval of Special Events: Mr. Spina stated there are four Events, all of which have been reviewed by him, Chief Peenstra and the Recreation Committee:

1. SF Business Association Canal Fest July 6<sup>th</sup> to 8<sup>th</sup>. Everything is the same as last year. Requesting approval with property insurance submittal.
2. Parks & Trails of New York Cycling the Erie July 10<sup>th</sup> and 11<sup>th</sup>. They camp at the School, and they use People's Park for a couple of Events. Insurance has been submitted.
3. Council on Alcoholism National Night Out August 1<sup>st</sup>. This is held at the Community Center in conjunction with the Police Department. Insurance has been submitted.
4. SF Block Party August 11th. Mr. Spina said this is something new that he, the Chief and Bill Weston at The Gould have been working on. The Gould would like to host a SF Block Party Event. Their plan is to block off State Street from Fall Street to the back entrance to their parking lot from 2 PM to 11 PM with, bands, vendors, etc. Insurance is pending, as well as proof that all building owners affected have signed off.

A motion was made to approve the SF Business Association Canal Fest, the Parks & Trails of New York Cycling the Erie, Council on Alcoholism National Night Out and the SF Block Party, pending proper insurance submittals by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Modify 2018 Budget – Insurance Proceeds for Damage to Lightpole: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, on September 21, 2017, the Town of Seneca Falls received damage to one of its lightpoles; and  
WHEREAS, settlement from the Insurance Company has been received to cover the loss.

THEREFORE, BE IT RESOLVED, that the Town Board does modify the 2018 Budget as follows: A debit to insurance proceeds (A2680) and a credit to Lighting Miscellaneous (A5182.403) to reflect the expenditure and the insurance proceeds.

No questions. Motion carried 4 ayes, 0 nays.

Appoint Cassandra Gramling & Sarah Wright Senior Account Clerks: A motion was made by Greg Lazzaro and seconded by Lou Ferrara to adopt the following resolution:

WHEREAS, Cassandra Gramling and Sarah Wright were appointed to the position of Provisional Senior Account Clerks, subject to passing the Senior Account Clerk Exam; and

WHEREAS, Cassandra Gramling and Sarah Wright have successfully passed the Senior Account Clerk Exam and are within reach on the Certification of Eligibles.

THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Cassandra Gramling and Sarah Wright to the position of Senior Account Clerks with a probationary status of six months.

No questions. Motion carried 4 ayes, 0 nays.

Change Title of Recreation Attendant to Recreation Aide: A motion was made by Greg Lazzaro and seconded by Lou Ferrara to adopt the following resolution:

WHEREAS, the job title of Recreation Aide and Recreation Attendant have the same basic job description; and  
WHEREAS, this confusion of titles has long created confusion with regard to reporting payroll certifications with the County.

THEREFORE, BE IT RESOLVED, that the Town Board does change the title of Recreation Attendant to Recreation Aide for the Community Center positions which currently have the title Recreation Attendant.

No questions. Motion carried 4 ayes, 0 nays.

Vince's Park – Authorize Use of Pool by Seneca County Youth Bureau: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

BE IT RESOLVED, that the Town Board approves the use of the Vince's Park pool by Seneca County Youth Bureau for their annual County Swim Program. Dates of use will be Monday through Friday July 9<sup>th</sup>-20<sup>th</sup>. The County will supervise the program and will be invoiced \$2,000 for the use of the pool. County will provide proof of insurance prior to dates of use.

No questions. Motion carried 4 ayes, 0 nays.

Modify 2018 Water/Sewer Budget: A motion was made by Greg Lazzaro and seconded by Lou Ferrara to adopt the following resolution:

WHEREAS, it is the desire of the Town Board to utilize landfill revenue received for repair and/or maintenance of infrastructure; and

WHEREAS, utilizing landfill revenue for infrastructure is in complete agreement with the Host Community Agreement.

THEREFORE, BE IT RESOLVED, that the town Board hereby modifies the 2018 Sewer Budget to increase expenditure account G8120.204 and increase and/or add account G5031 by \$20,000 to reflect the Daniels Street sewer separation. The funds to be appropriated from revenue received from the landfill for the first quarter of 2018 and to be brought over from General A Fund by a modification of the A Fund revenue code A2130, and create the expenditure code A9901.903 by \$20,000.

Mr. Ferrara asked if the landfill money can be used for that. Mrs. Warfel explained that it's appropriate to transfer General Fund landfill money to allow for Capital improvements for the Water/Sewer fund.

Mr. Porretta asked why the money isn't taken out of the Water/Sewer fund; Mr. Tullo replied because it wasn't budgeted for this year. Mr. Lazzaro stated they have been working on infrastructure improvements which is well needed for many years. Mr. DeLelys indicated that he spoke with the Comptroller's Office who said it can be done. Brief discussion followed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to adopt the above resolution relative to the Daniels Street sewer separation was carried 4 ayes, 0 nays.

A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:  
WHEREAS, it is the desire of the Town Board to utilize landfill revenue received for repair and/or maintenance of infrastructure; and

WHEREAS, utilizing landfill revenue for infrastructure is in complete agreement with the Host Community Agreement.

THEREFORE, BE IT RESOLVED, that the Town Board hereby modifies the 2018 Water Budget to add expenditure account F8140.214 and increase and/or add account F5031 by \$25,000 to reflect the repair of the asphalt and road damage at the Water Treatment Plant due to the Halloween water main break. The funds to be appropriated from revenue received from the landfill for the first quarter of 2018 and to be brought over from the General A Fund by a modification of the A fund revenue code A2130 and creating the expenditure code A9901.904 by \$25,000.

No questions. Motion carried 4 ayes, 0 nays.

A motion was made by Greg Lazzaro and seconded by Lou Ferrara to adopt the following resolution:

WHEREAS, it is the desire of the Town Board to utilize landfill revenue received for repair and/or maintenance of infrastructure; and

WHEREAS, utilizing landfill revenue for infrastructure is in complete agreement with the Host Community Agreement.

THEREFORE, BE IT RESOLVED, that the Town Board hereby modifies the 2018 Water Budget to add expenditure account F8140.215 and increase and/or add account F5031 by \$80,000 to reflect the replacement of water main valves on Fall Street due to their being inoperable at this time. The funds to be appropriated from revenue received from the landfill for the first quarter of 2018 and to be brought over from the General A Fund by a modification of the A Fund revenue code A2130 and creating the expenditure code A9901.904 by \$80,000.

No questions. Motion carried 4 ayes, 0 nays.

Resignation of Patrick Russo: A motion was made to accept the resignation of Patrick Russo, acknowledging his years of service to the Town, by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Highway – Letter of Retirement – William Gladis: A motion was made by Greg Lazzaro and seconded by Lou Ferrara to accept the letter of retirement from William Gladis, acknowledging his years of service to the Town and Village. No questions. Motion carried 4 ayes, 0 nays.

Post Retirement Insurance Benefits – William Gladis: Mr. Lazzaro stated he is going to refer this to the Attorney, and he will get an answer to Mr. Gladis as soon as possible. Mr. Foster indicated that this has come up before with another employee; it was unclear as to whether there was an entitlement to post-insurance benefits or not. Brief discussion followed.

Highway – Declare Surplus & Advertise Curb Machine: Mr. Lazzaro said this will be held over until next month until there is an appropriate motion for this.

Highway – Advertise for Two Part-Time Laborer Positions: A motion was made to advertise for two part-time Laborer positions for the Highway Department by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Peterson stated he has two men retiring, and he is down to a four-man crew right now. He would like to get these part-time employees until the full time positions are filled.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to advertise for two part-time Laborer positions for the Highway Department was carried 4 ayes, 0 nays.

Advertise for MEO Position: A motion was made to advertise for a Motor Equipment Operator position for the Highway Department by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Spring Pickup June 18<sup>th</sup>: A motion was made to hold a Spring Pickup on June 18<sup>th</sup> by Greg Lazzaro and



seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Create Second Part-Time Zoning Code Enforcement Officer: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, it has been determined that the Town of Seneca Falls Zoning Office is in need of a second part-time Zoning Enforcement Officer to work April 1<sup>st</sup> to October 1<sup>st</sup> each year; and

WHEREAS, the duties of this Officer would be to enforce zoning violations under the Seneca Falls Code/Zoning Laws and would report to the current Zoning Enforcement Officer.

THEREFORE, BE IT RESOLVED, that the Town Board does hereby create a second part-time Zoning Enforcement Officer; and be it

FURTHER RESOLVED, that a position duty statement will be submitted to Seneca County Personnel to properly create said position; and be it

FURTHER RESOLVED, that this Enforcement Officer would be employed four hours a day at a pay rate compensatory with the salary matrix and experience to be approved by the Town Board, but not to exceed \$17.50 per hour.

Mr. Zettlemoyer stated as of right now, there are more violations; last month there were 39 violations cited plus over 30 zoning reports. In addition to all these, it has become overwhelming for one person to keep up with the violations. The purpose of this position would be for the Individual to be out there writing violations every day - Monday through Friday, four hours a day from April 1<sup>st</sup> to October 1<sup>st</sup>, the busiest time of the year. Mr. Zettlemoyer said he would handle the permits and assist him when he can.

Lt. Snyder stated lately, they have had a lot of complaints on code enforcement which has taken away from their regular duties. He would like to see something like this so they won't have to worry about code enforcement issues. Mr. Ferrara mentioned that it has been a sore spot with him. There are a lot of rentals on Fall Street and Business District who put out to the road all sorts of items and move out in the middle of the night. Brief discussion followed.

Mr. Zettlemoyer stated when the Town had the free dumpster program, the streets were pretty well clean. Now that we have started charging for dumpsters, the renters are not allowed to call for a dumpster – the landlord has to do it himself. He suggested not charging for the dumpsters anymore. Mr. Foster said he strongly concurs with that. Mr. Ferrara disagreed and said these people that are leaving Town are not going to spend the \$25; the landlord is going to charge a deposit and pass that on to them. Mr. Lazzaro said this will be discussed further in the month with the Highway Department and then come to a resolution. Mr. Ferrara stated he endorses the idea of a part-time Code Enforcement Officer.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to adopt the above resolution creating the position of second part-time Zoning Code Enforcement Officer was carried 4 ayes, 0 nays.

Resignation – Officer Bradley Clouston: A motion was made to accept the resignation of Officer Bradley Clouston, thanking him for his service to the Town by Greg Lazzaro and seconded by Lou Ferrara.

Lt. Snyder stated he has been a great asset to the Department for the time he served here. Officer Clouston has had several life saves since he has been here. Lt Snyder mentioned that he is leaving to go to the Brighton Police Department.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to accept the resignation of Officer Clouston, thanking him for his service to the Town was carried 4 ayes, 0 nays.

Attendance at Chiefs of Police Training Conference: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, it has been requested by the Police Chief to attend the 2018 New York State Association of Chiefs of Police Training Conference to be held on July 15<sup>th</sup>-18<sup>th</sup> in Glen Cove, NY; and

WHEREAS, the Town Board feels that it will benefit the Town for the Chief to attend the Conference.

THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Police Chief to attend this Conference. Total cost to attend this training to include hotel, conference, meals and incidental expenses which shall not exceed \$1,236.00. Monies to attend this Conference was budgeted for in the 2018 Budget.

No questions. Motion carried 4 ayes, 0 nays.

Mr. Lazzaro stated as per last month, the Chief will receive the appropriate per diem in the County where the Conference is held.

Court Clerks – Attendance at Annual Fall Conference: A motion was made authorizing the two Court Clerks to attend the NYS Court Clerks Annual Fall Conference in Lake Placid, New York at a cost of \$759.00 each for lodging and meals and registration fee of \$50.00 each by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Bids – Repairs for Restvale Cemetery: Mr. Lazzaro stated the Cemetery Commission requested two bids from area contractors for repairs to 69 sites. Fegley Construction's bid was \$20,625.00 to repair monuments. The second contractor did not bid as this job was too big for his staff. The Commission recommends and supports the awarding of the bid to Fegley Construction.

A motion was made by Greg Lazzaro and seconded by Lou Ferrara to accept the bid of Fegley Construction for the repair of the monuments at a cost of \$20,625.00. No questions. Motion carried 4 ayes, 0 nays.

Advertise for Bids – Safe Routes To School Project (TAP Grant): A motion was made by Greg Lazzaro and seconded by Lou Ferrara to advertise for sealed bids for the Cady Stanton Elementary Safe Routes to School Safety Project, bids to be received by the Town Clerk until 2:00 PM on June 28, 2018, at which time and place they will be publicly opened and read. No questions. Motion carried 4 ayes, 0 nays.

Modify Highway Budget for Damage to 2018 Chevy Truck: A motion was made by Greg Lazzaro and seconded by Lou Ferrara to modify line item DA5130.402 in the Highway Budget by \$3,070.05 for damage to the 2018 Chevrolet truck. Trombley Tire's Insurance Company has already made the check out to the Town of Seneca Falls in the amount of \$3,070.05.

Smartphone App Service & Maintenance Renewal: A motion was made to approve \$960.00 for the Smartphone App Service & Maintenance renewal with FingerLakes1.com by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Water/Sewer Credits: A motion was made to approve the Water/Sewer credits totaling \$2,488.89 as per letter to the Town Board dated June 5, 2018 from the Water Account Clerk by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Payment of Bills:

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

General Fund - \$114,804.54 (Abstract #6)

Recreation Fund - \$21,460.70 (Abstract #6)

Miscellaneous Fund - \$31,142.81 (Abstract #6)

Vince's Park Fund - \$2,029.80 (Abstract #6)

Highway Fund - \$8,688.96 (Abstract #6)

Sewer Fund - \$94,292.62 (Abstract #6)

Water Fund - \$48,860.55 (Abstract #6)

Mr. DeLelys stated in reviewing the bills, he came across one for litigation retainer for the Ludovico Trail appraisal in the amount of \$3,500. A check was already cut – are these people licensed in New York State. Mr. Foster replied yes, they are. Mr. DeLelys said the Comptroller's Office is questioning that there is no contract with this – how much more is it going to cost the Town. Mr. Foster replied the \$3,500 has not been released – we are waiting for Counsel to send the Town the signed contract. He asked Mrs. Warfel to cut a check that day because there was an indication that Mr. McNamara had the retainer agreement in his position; it turned out he did not have the agreement in his possession, so Mr. Foster did not release the check.

Mr. DeLelys questioned the bill from Barclay Damon for \$13,000 as to the hours and the cost. Mr. Foster replied the meetings have either been with the Board itself or with opposing Counsel. He attended one meeting in Rochester and one here. Mr. Foster added when he meets with the Board, he is prepared to go through the billing and itemizations with the Board. Brief discussion followed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to approve and order paid the above bills was carried 4 ayes, 0 nays.

Being there was no further business, a motion was made to adjourn the Meeting by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Meeting adjourned at 8:25 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

