

The Seneca Falls Town Board held a regular monthly Meeting on Wednesday, July 5, 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, James Spina, Commissioner of Parks and Recreation; Stuart Peenstra, Police Chief; James Peterson, Highway Superintendent; Stephani Holtz, Assessor; Joseph Tullo, WWTP Operator; Laverne Lafler, Town Justice; 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 of Board Members was taken and all were present; the Pledge of Allegiance followed.

Presentations:

Barbara Reese – Composting: Mrs. Reese was unable to attend the Meeting due to an Emergency.

Ami Ghazala – Town’s Partnership with Women’s Rights National Historical Park: Ami Ghazala, Superintendent of the Women’s Rights National Historical Park, stated her goal for us, as Seneca Falls Residents, is to figure out a way to work together to benefit the Town. The National Park is a Federal Agency of the National Park Service. The National Park was established in 1980 and is prohibited from taking a stance on Federal, State or local political issues. Every National Park has a First Amendment area, and they are obligated to give permits for groups to use that space to express political views whether or not they agree. That is why the Women’s Rights March on January 21<sup>st</sup> was held on Park grounds. Ms. Ghazala said to her, that is a good demonstration of democracy. She stated it is her mandate as the Superintendent of this Park to connect history to current events.

Ms. Ghazala stated the Park receives about 55,000 Visitors annually. She said with the National observance of the 19<sup>th</sup> Amendment which granted women across the Country the right to vote in 2020, the Park’s visitation numbers will grow even more. The Federal Government is really looking to highlight the 2020 Centennial. She questioned how the Town could work together with the Park to benefit both. Mr. Lazzaro recommended that maybe a joint committee could be formed which would be made up of Town Officials, Park Officials and Members of the Community. He added we want economic development and tourism, and we need to emphasize that people are welcome here.

Anwei Law of the Idea Center for the Voices of Humanity stated they have partnered a lot with the National Rights Park. Seneca Falls history is all about promoting the value of each person. The message is that women’s rights are human rights. Mrs. Law said this year, there will be the start of a petition drive during Convention Days to establish a Federal Department of Peace. Mrs. Law highlighted some of the Events that will be taking place during Convention Days,

Mr. Lazzaro declared a 5-minute recess at 7:25 P.M. The Board reconvened the Meeting at 7:32 P.M.

Petitioners:

Doug Avery – Open Government: Doug Avery stated for the last four months, Supervisor Lazzaro has moved almost capriciously to curb public participation at Town Board Meetings. In March, no public comment was allowed; in April, yes to comment but no signs; in May, no to comment but yes to signs; in June, yes to comment but no to signs. He said tonight, we may speak, but have to pass through a metal detector to gain entry. Mr. Avery contacted Robert Freeman of the NYS Committee on Open Government who said he doesn’t believe that the Supervisor may unilaterally act to establish a rule on his own; only the Board may do so following a majority vote of its total membership. Mr. Avery said when attending Meetings, he doesn’t recall witnessing a Town Board vote regarding signs or public comment. Instead, the Supervisor took it upon himself to decide to ban whatever offends him the most that month.

Mr. Avery said Mr. Lazzaro could have stated any number of logical reasons for limiting the crowd size to 80, the room’s capacity, and he could have explained the use of the metal detector. He said instead, what he attempted to do was to paint the people who present an opposing argument as violent and a threat to public safety. It doesn’t matter that most of them abhor violence of any sort. Mr. Avery said there is no threat. All that Supervisor Lazzaro is afraid of is words – words that are contrary to his own position. He uses his Office and his own words to paint them as violent and uncivilized. He should be ashamed of himself and should apologize publicly as he offended them. Mr. Avery stated it’s time for the Town Board to take a stand and not allow the Supervisor to act on his own in these matters.

Mr. Lazzaro said Mr. Avery has never tried to meet with him in his Office, or never had a conversation with him about issues. He added these are business meetings. He told Mr. Avery people who have concerns, go to visit him or other Board Members or go to Committee Meetings. Coming here and grandstanding is not a way

to get things done; working together is. Mr. Lazzaro said the NYS Association of Towns backs up the restrictions he imposed and his right to implement them.

Mr. Lazzaro said as far as limiting this room to 80, it's a fire capacity, and it was indicated to him that we should start adhering to the capacity. These are open meetings and public participation is limited by this Board. As a Town Supervisor, if comments have become repetitive, he has the right to stop those comments. Further discussion followed between Mr. Lazzaro and Mr. Avery.

Jean Gilroy – SMI Landfill: Jean Gilroy of Gravel Road stated all Mr. Lazzaro does is gavel and yell and shut people up. She is next door to a dairy farm with 100 cows; twice a year they empty their manure pits and it stinks for two days, but mostly, she smells Seneca Meadows. Her trees are dying – trees are nature's way of cleaning toxic gases from the air. She read about a Town Meeting where about 50 people spoke about the Landfill; the Supervisor was not there – he walked out of the Meeting. Ms. Gilroy said she googles things and found that there is very little evidence that gases from a massive landfill are not harmful, or pose a threat to our groundwater, or liners break, or that methane gas explodes. She said we have no evidence because nothing this massive has ever been built. Ms. Gilroy quoted Mrs. Harold Sanderson who came to an Assembly when she was a Senior – God created the earth, the skies and the waters and He rested. He rested and put His hand upon the earth and created the FingerLakes. He saw that it was good, and in the palm of His hand was Seneca Falls. And that spot was blessed; now it's full of manure.

#### Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of June 6, 2017 by Greg Lazzaro and seconded by Dave DeLelys. 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 Greg Lazzaro 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.

Mr. Spina updated the Board on the "Your Town" designation that will air July 10<sup>th</sup> to 14<sup>th</sup>. He will let the Board know what the schedule will be.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to accept Mr. Spina's report was carried 5 ayes, 0 nays.

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

Mr. Peterson stated some time next week (depending on the weather), they will be working on Bayard Street. They will close the Street down from 7:00 P.M. and work until it's done.

Assessor: A motion was made to accept the Assessor's report by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell stated the Article 78 has been filed regarding Local Law #2 – 2017, and the Board has hired outside Counsel, Yvonne Hennessey of Barclay Damon, to assist the Town with that. She secured an adjournment so that original dates and timeline of the original proceeding has been pushed back to where the first appearance before the Judge will be in mid-August.

Town Justices: A motion was made to approve the Town Justices' reports by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Water & Sewer: A motion was made to accept Mr. Tullo's report by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Police Chief: A motion was made to accept Chief Peenstra's report by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Barton & Loguidice: Mr. Baker stated he has submitted a written report, and said he would be glad to answer any questions.

A motion was made to accept Barton & Loguidice's report by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Other Committee Reports: None.

Communications:

A motion was made to receive and file Communications numbered 1 to 12 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 12 are as follows:

1. Letter from NYS Department of State stating Local Law #1-2017 and Local Law #2-2017 have been received and filed.
2. Copy of General Project Plan of the NYS Urban Development Corporation for the Cayuga, Seneca and Wayne Counties and Seneca and Yates Counties Broadband Capital located in Wayne County from NYS Empire State Development.
3. Monthly Report of all monies received and disbursed during the month of May 2017 from Town Supervisor.
4. Check and deposits totaling \$61,656.76 representing Community Center deposits, Vince's Park deposits, copies of Police reports, Town Clerk's March and April Monthly Reports, reimbursement for Insurance claim, tower rent, Judge Lafler's May Monthly Report, Health Insurance premiums and PILOT payment for VanCleaf Apartments.
5. Statement of Accounts, January 1, 2011 to May 31, 2017, from Wilmington Trust.
6. Minutes of the Planning Board Meeting of May 25, 2017.
7. Minutes of the Zoning Board of Appeals Meeting of May 25, 2017.
8. Minutes of the Heritage Preservation Commission Meeting of May 23, 2017.
9. Checks and deposits totaling \$13,084.07 representing Vince's Park deposits, sale of burial plot, grave openings, copies of Police reports, Judge Laquidari's May Report, restitution, tower rent and Health Insurance premiums.
10. Reports and Resolutions of the Seneca County Planning Board relative to Subdivision reviews, Area Variances and a Use Variance.
11. Letter from US Department of Interior, National Park Service, congratulating Town on being a Certified Local Government and partner in the Federal Preservation Program; also inclosing a Certificate.
12. Minutes of the Zoning Board of Appeals Meeting of June 22, 2017.

Old Business:

Sale of Condominium & Surplus Real Properties: Mr. Morrell stated he has been in contact with the Purchasers of the 10 Fall Street Building. He expects to conduct a closing prior to the next Town Board Meeting. He has also been in contact with the Purchaser of 60 State Street, and expects to have the closing if not prior to the next Town Board Meeting, then shortly thereafter. He explained that the Purchaser's original Attorney is not currently available, so he has to find different Counsel.

Write-Off Uncollectable Receivables: Mr. Morrell said this is a work in progress and requested it be carried over until the next Meeting.

Route 414 Sewer Line Transfer from IDA to Town: Mr. Morrell requested that this also be carried over until the next Meeting

Reimburse Petro – NYSEG Bills: Mr. Lazzaro read a letter which states that Petro Waterloo has been paying the electric bill for the pump station located at 1684 Mound Road which belongs to the Town. Petro is requesting reimbursement for payments made in the amount of \$2,282.76. Mr. Morrell stated this is the pump station that is owned by the Town and the Town does the operation and maintenance of that pump station. He added for some reason, NYSEG was billing Petro, and the bills should have been coming to the Town.

A motion was made to reimburse Petro \$2,282.76 for their payments to NYSEG which the Town was responsible for by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

New Business:

Approval of Special Events: There were no Special Events.

W/S – Declare Surplus 2002 Vac Trailer: A motion was made to declare surplus the 2002 Water & Sewer Department Wachs Vac Trailer by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Resignation of Part-Time Court Clerk: A motion was made to accept the resignation of Meghan Langley as

part-time Court Clerk with regret by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Mr. Lazzaro stated Miss Langley has worked for the Town for 7 ½ years. She was a great Employee and a pleasure to know and work with.

Schedule Meeting with Department Heads: After brief discussion, the Meeting with Department Heads will take place on Wednesday, August 7<sup>th</sup> at 11:00 A.M. at the Community Center.

Budget Transfers: A motion was made to approve the attached Budget Transfers by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Sharing of Leave Time: A motion was made to table action regarding the Leave Share Program by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Salary Adjustment – Water Account Clerk: A motion was made to increase the salary of Dust-Lee Provencher from her current wage of \$16.86 an hour to the starting wage for Senior Account Clerk of \$17.49 an hour, effective as of February 8, 2017, by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

New Paid Family Leave Law: Mr. Lazzaro requested that this also be tabled so the Board has a better understanding of the Law. Mr. Morrell mentioned that the change in the Town's policy will reflect the change in the State's policy. He added this will keep the Town in line with the State policy which does not take effect until January 1, 2018.

A motion was made to table action regarding the paid Family Leave Law by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Salary Adjustment – WWTP Operator: A motion was made to adjust the salary of Joseph Tullo, WWTP Operator, from his current salary of \$72,114.00 to \$78,000.00 beginning with Payroll #14 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Assessor & RPTS Aide – Education Advance: A motion was made to approve an Education advance of \$300.00 each for the Assessor and her RPTS Aide by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Contribution – SF Rotary Club: A motion was made to contribute \$150.00 to the SF Rotary Club's Wine and Music Event by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Ehrlich Pest Control Services for Municipal Building: A motion was made to approve Ehrlich Pest Control Services for the Municipal Building at a cost of \$190.00 for the initial service and \$95.00 for maintenance service monthly by Greg Lazzaro and seconded by Lou Ferrara.

Chief Peenstra stated carpenter bees are drilling holes into the soffit and are damaging the wood along the soffit of the building. He requested an estimate and presented it to the Town Board to see how they wanted to proceed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to approve the services of Ehrlich Pest Control for the Municipal Building was carried 5 ayes, 0 nays.

Allocation of Budgeted \$55,000 to LDC: A motion was made to approve the budgeted allocation of \$55,000.00 to the LDC by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Contribution – SF Community Band: A motion was made to approve the contribution of \$500.00 to the Seneca Falls Community Band by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Recognition – Supt. Bob McKeveny's Award: Greg Lazzaro made a motion to congratulate Bob McKeveny of the Seneca Falls School District as he was chosen by the Rural Schools Association of New York State for the William Deming Recognition Award. This Award goes to a school administrator who is recognized for long and meritorious service to education. Motion seconded by Dave DeLelys, and carried 5 ayes, 0 nays.

Highway – Purchase of 4 Bobcats: A motion was made to table action for further discussion relative to the purchase of four bobcats by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Peterson stated these quotes are only good for 30 days. He added this is State bid pricing, and it is a

budgeted item. Mr. Lazzaro said he thinks there should be more discussion on whether we should turn these bobcats over. Brief discussion followed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to table action on the purchase of four bobcats was carried 3 ayes, 2 naves; Councilmen Porretta and DeLelys with the dissenting votes.

Police – Budget Transfers and Purchases: A motion was made by Greg Lazzaro and seconded by Tom Ruzicka to transfer funds from the following line items to the Vehicle line item A3120.201 for the purchase of a vehicle:

A3120.104 – Part-time Officers -	\$29,607.00
A3120.109 – Harbor/Parking Attendant -	2,020.00
A3120.490 – Grants -	5,000.00
A3120.412 – Vehicle Maintenance	<u>4,000.00</u>
TOTAL	\$40,627.00

No questions. Motion carried 5 ayes, 0 naves.

A motion was made by Greg Lazzaro and seconded by Tom Ruzicka to transfer funds from the following line items to the Maintenance Agreement line item A3120.413 for the purchase of 3-year extended hardware and software coverage for the existing three license plate readers:

A3120.410 – Gasoline	\$ 9,000.00
A3120.408 – Education	<u>2,000.00</u>
TOTAL	\$11,000.00

No questions. Motion carried 5 ayes, 0 naves.

Water/Sewer Credits: None.

Payment of Bills:

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

General Fund - \$270,469.52 (Abstract #7)	Recreation Fund - \$40,617.42 (Abstract #7)
Miscellaneous Fund - \$46,524.33 (Abstract #7)	Vince’s Park Fund - \$2,308.14 (Abstract #7)
Highway Fund - \$27,892.97 (Abstract #7)	Sewer Fund - \$86,972.62 (Abstract #7)
Water Fund - \$50,694.71 (Abstract #7)	

No questions. Motion carried 5 ayes, 0 naves.

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 5 ayes, 0 naves.

Meeting adjourned at 8:20 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

The Seneca Falls Town Board held a Special Meeting on Wednesday, July 12, 2017 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Gregory Lazzaro; Councilmen Vittorio Porretta, Thomas Ruzicka, David DeLelys and Louis Ferrara.

Supervisor Lazzaro called the Special Meeting to order at 5:00 P.M. A roll call of the Board Members was taken and all were present; the Pledge of Allegiance followed.

At 5:02 P.M., a motion was made to go into Executive Session regarding a personnel issue by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 naves.

A motion was made to reconvene the Special Meeting at 5:14 P.M. by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 naves.

