

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, September 1, 2015 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Donald Earle; Councilmen Emil Bove, David DeLelys and Duane Moore. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks & Recreation; Dean Zettlemoyer, Zoning Officer; Stuart Peenstra, Police Chief; Joseph Tullo, Water & Sewer Chief Operator; Donald Wood, Highway Superintendent; and John Condino and Jeffrey Rowe, Town Engineers.

Supervisor Earle called the Meeting to order at 7:00 P.M. A roll call was taken of Board Members, and Councilman Sanderson was absent from the Meeting; the Pledge of Allegiance followed.

#### Petitioners:

Casey McDonald – Follow-up on Bove Drive: Casey McDonald stated last month, he brought up a proposal of VanCleaf Park. He met with Mr. Bove and came up with a proposal for the Board to consider. He is suggesting what he calls the “Bove Trade”; if Bove Drive (deeded private) was deeded to the Town, the Town could have a public park – VanCleaf Park. Mr. McDonald mentioned that the guard rail is in disrepair, and they have restricted traffic in that area until the guardrail is fixed. Mr. McDonald said if the Town is receptive to his deeding of Bove Drive and 540’ of frontage that represents the VanCleaf Park, and all of the road that is on the lakeside of the property, in exchange for a portion of the Town’s property – the Town building and parking lot behind it. He said this trade would allow public access to the extraordinary beauty of VanCleaf Lake while providing an opportunity for developing 2 Fall Street and 10 Fall Street together which has a far greater likelihood of success than developing them separately.

Mr. Bove stated he wanted to make it clear (because Mr. McDonald called it the “Bove Trade”) that he hasn’t endorsed this in any way, He added if this Trade were executed, it would be the worst trade since the Yankees acquired Babe Ruth from the Red Sox. Mr. McDonald stated he finds it very surprising that 540’ of Lake frontage for an empty, gutted Town building is a bad trade in Mr. Bove’s eyes. He thinks it’s an excellent trade, and he is sorry Mr. Bove doesn’t support it. Mr. Bove said the Board would consider it.

#### Approval of Minutes:

A motion was made to approve the minutes of Public Hearing and Meeting of August 4, 2015 by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

#### Reports:

Dog Control Officer: The Dog Control Officer’s report states that one dog was impounded and redeemed; one Appearance ticket was issued. 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 Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Zoning Officer: Mr. Zettlemoyer stated this was his second full day, and he hasn’t come across anything that is unique while checking streets. He noted the Board has a copy of his report.

A motion was made to accept the Zoning Officer’s report by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Commissioner of Parks & Recreation: Mr. Spina stated the Board has a copy of his report. Summer programs are complete. They were very well attended, and they are now on to Soccer.

Mr. Spina stated he received a call from Lt. Snyder who received a report of the dangerous blue-green algae from a boater. Lt. Snyder called the DEC, and as a precaution, they closed the boat launch temporarily. They have not heard from the DEC yet, so they will leave it closed until the Chief or DEC says it can be opened again. Mr. Condino stated if it is blue-green algae, the DEC advises that it can be harmful to your health and wellbeing. The DEC’s recommendation is that if there is blue-green algae, people should stay out of the water and keep their pets out of the water, and wait until the algae clears up. Discussion followed.

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

Mr. Bove suggested that a meeting of the Gardeners Group be held to go over what has been done this year and has not been done. He said one of the things they did was to order signs for the perimeters of the Town; at some point, they would like them installed subject to Mr. Wood’s timeframes and the State approving them. Mr. Spina indicated that the State has approved the signs. Mr. Bove asked that one of the signs be brought in so

people could see them. Mr. Spina said the idea is to get them up before the snow.

Highway Superintendent: Mr. Wood stated two more roads have been paved – Farron Road and a small section on S. Spring Street; King Road is next. They are out of totes, and they have a list of eight that have to be delivered when they come in. They are cutting ditches, getting ready for the Fall. With two Employees out, they are trying to do as much as they can.

Mr. Bove mentioned that on weekends, the boaters fill the barrels up down along the promenade, and they sit there. One of his suggestions is that there could be more bins if available, and the Harbor Master or someone from the Museum which operates the Boater Facility would patrol and empty those barrels. After further discussion, Mr. Spina stated right now, we need to make sure that the Harbor Attendants step up a little bit to make sure the barrels are empty, and then come up with a good plan next Spring.

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

Assessor: A motion was made to accept Mr. Collins' report by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Mr. Bove asked how it is determined how many recycling bins are given to a particular property – is there a fee on the annual tax bill for that. He added there are some properties that have been changed to multi-use – who keeps track of that so that the property is charged the right number of recycle bins. Mr. Morrell replied that is a County Program and they determine how many units appear on a tax bill. He said a single family home can have up to three – you can't just count up the bins and that tells you how many units are in a particular structure. Brief discussion followed.

Attorney for the Town: Mr. Morrell stated he has nothing to report as far as legal actions during the past month. There are several matters on the Agenda including a couple of local laws that have made it through Committee.

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

Water & Sewer: Mr. Tullo stated the transfer of the Water Department is going smoothly, thanks to Mr. Wood and Mrs. Havelin. They have a new sludge truck which is up and running, and they started hauling today.

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

Police Chief: Chief Peenstra noted that their Police Agency was very busy this past month – 833 complaints and 72 criminal arrests. He thanked all the Members of the SF Police Department for working very hard. He has been working with Law Enforcement, Department of Justice, on the ever-developing Cayuga Nation issues, both in Seneca and Cayuga County, and he will continue to work on that. The Chief thanked the Waterloo Rifle and Pistol Club for opening their facility to the Department at no charge so that the Department could qualify with pistols and tasers.

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

Mr. Moore asked if everything went well with the Hall of Fame festivities yesterday. Chief Peenstra replied everything went well - Lt. Snyder reached out to them, and they were very appreciative of that.

Barton & Loguidice: Mr. Condino referred to the Hardship Grant Application form, and said he got some further guidance today from the funding sources as to the status of these applications. It has become a very popular program, and unfortunately, this project is not ready to qualify with all the details that need to be done.

Mr. Rowe stated the program called Water Grants was announced in July; based on discussions with some of those who administer the program, they are looking for projects that are ready to go for construction. The project the Town is referring to is making improvements to the Town's sewer system. He said some of the steps that need to be completed before we are ready to go for construction will be done in the next couple of months. He added based on discussions with those at the funding program, they felt there may be another funding round in the future; at that point the Town's project will be more ready to go. Discussion followed.

Building Committee: Mr. Condino stated the building project is well underway. There are some good contractors working on the project. They have been in touch with some of the neighbors – there is a lot of activity going on, and it's a big change for them. He said they made it very clear that if there are any issues, they need to bring them up. Mr. Condino stated every indication is that it is going to be on schedule.

Other Committee Reports:

Personnel: Mr. Bove stated the Committee met with Mr. Tullo who had a couple of proposals, one was rationalizing the Grade 6 schedule at the WWTP employees. They requested that Mr. Tullo and Mr. Earle communicate with the County Personnel Office to give advice on how to implement this – there are no salary changes; it's generally titles that more fit the jobs people are doing.

Recreation: Mr. DeLelys stated they met with Mr. Spina on Christmas decorations downtown. They hope to have a meeting with the Downtown Committee and Barton & Loguidice relative to the lighting on the banners. He said the inspection of the lighting on the buildings is bad.

Main Street Grant: Mr. Bove stated another Main Street Grant application was submitted by Jean O'Connell. He said the area selected was the intersection of Bridge and Bayard Streets.

Water & Sewer: Mr. Condino stated the Committee reviewed the suggested alternatives to help alleviate the drainage problems on Noble and Farron Roads. They will be meeting with the residents on September 11<sup>th</sup>.

Technology Committee: Mr. Earle requested that the Technology Committee meet before the next Board Meeting and maybe make some recommendations. He mentioned that there have been a number of IT needs that have been ongoing. We also have to look ahead as to moving and getting set up in the new building.

Communications:

A motion was made to receive and file Communications numbered 1 to 18 by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays. Communications numbered 1 to 18 are as follows:

1. Certificate of Final State Equalization Rate for the 2015 Assessment Roll (81.00) from NYS Department of Taxation and Finance, Office of Real Property Services.
2. Email from Time Warner Cable stating agreements with programmers and broadcasters to carry their services and stations routinely expire, and they may be required to cease carriage of one or more of the services/stations.
3. Newsletter, August 2015, from Seneca Falls Historical Society.
4. Section 504 Compliance Handbook, August 2015, from LRP Publications.
5. Checks totaling \$25,612.24 representing Community Center receipts, copy of Police reports, Bid deposits (Town Hall), Vince's Park deposits, trash tote purchase, Justice Lafler's monthly report, delinquent mowing charge, returned check reimbursement, HSA reimbursement, Health Insurance premiums, and credit due – change in vehicles.
6. Statement of Accounts, January 1, 2011 to July 31, 2015, from Wilmington Trust.
7. Notice to Occupant of intention to discontinue service supplied to Landlord or Rental Property Owner by NYSEG.
8. (Hand Delivery) Notice of Public Hearings and Town of Tyre Town Board Meetings concerning Lago Resort and Casino applications and proposed Local Law No. 5 of 2015 from Bond Schoeneck & King.
9. Monthly Report of all moneys received and disbursed during the month of July 2015 from Town Supervisor.
10. Monthly Report for the month of July 2015, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
11. Reports and Resolutions relative to Site Plan Review, Subdivision and Area Variances from Seneca County Planning Board.
12. Letter from Kathleen Wright, Inspector, NYS Dept. of Agriculture & Markets, inclosing copy of the Municipal Shelter Inspection Report which was completed August 13<sup>th</sup>, and which states dog shelter services were rated Satisfactory.
13. Checks totaling \$481,483.51 representing Community Center receipts, Vince's Park receipts, retirement overpayment, fuel reimbursement, Disability reimbursement, Town Clerk's July Report, Boat pump-out, Impoundment fees, Health Insurance Premiums and Seneca Meadows 2<sup>nd</sup> Quarter payment (\$474,400.00).
14. Minutes of the Zoning Board of Appeals Meeting of July 23, 2015.
15. Notice of Cancellation of Public Hearings on August 27, 2015 relative to Lago Resort and Casino Project from Elizabeth Sutterby, Town of Tyre Town Clerk.
16. Letter thanking Board for its continued support of the Seneca Falls Classic Car Show from Mary White, Chairperson.
17. Letter from National Women's Hall of Fame stating they deeply appreciate the Board's purchase of an ad for their Induction Weekend Commemorative Program Book.
18. Seneca Falls Historian's Report for the first six months of 2015 from Historian Frances T. Barbieri.

Old Business:

Sale of Condominium & Surplus Real Properties: Mr. Morrell stated there have been some proposals submitted

to the Town regarding some of the various properties, and there is the listing Agreement to discuss for 115 Fall Street. He noted all of those matters would be appropriate for Executive Session as they could impact the value of real property. He strongly urged the Board to consider having any discussion in Executive Session.

Auburn Road Sewer Extension: Mr. Condino stated he has nothing further to report. He said in order to make it affordable for residents on Auburn Road, there needs to be some development so that it can alleviate some of the cost to the landowners. As soon as some development is generated, he thinks it would be an affordable and feasible project for the people.

Write-Of Uncollectable Receivables: Mr. Morrell said he has nothing to report. Brief discussion followed.

Route 414 Sewer Line Transfer from IDA to Town: Mr. Morrell stated the Town of Tyre is in the process of getting their PUD, both the Law and the Project passed; there has been progress, but it's not at the point of transferring everything. He added there is also the Seneca Meadows easements that are still pending. Mr. Condino stated he spoke with the Seneca Meadows Engineer and inquired as to what was going on with the easements. They expect to hear something this week from their Corporate Lawyers.

Mr. Bove asked how the PUD is involved with the acquisition of the sewerline. Mr. Morrell responded that it has to do with Tyre and the Agreements that were crafted together. The PUD is the Casino Project and the specific way the Casino Project is laid out. The Agreements are designed, in a sense, for that Project – it's part of the whole process of what Tyre needs to get together in order to move forward with this.

Mr. Bove said every month it never gets done – it is something that absolutely needs to get done. Mr. Morrell stated he is not going to tell the Town to accept a sewerline where there is an active trespass. He is not going to put the Town in that situation, and that is a situation the IDA has been in for the past ten years. Mr. Earle suggested setting a goal for an actual transfer date before the next Meeting. Brief discussion followed.

Solicitors: Mr. Morrell stated the Board has a copy of a new proposed Chapter 213 which has been reviewed by Committee. He noted this is proposed amendments to the existing statute in the Town Code. He said it is designed to simplify the Town Code as well as provide more tools for the Town Clerk and the Police to deal with those coming into our Town and wanting to go door-to-door to offer their services or sell their goods. Mr. Morrell requested that the Board review this and set a Public Hearing for the October Meeting. He said on the Agenda is moving the October date, which he suggested discussing now. Discussion followed.

October Meeting Date: The Town Clerk stated the reason for changing the date of the Meeting is the Tentative Budget has to be presented to the Board by October 5<sup>th</sup>; the next scheduled Board Meeting is October 6<sup>th</sup>.

A motion was made to reschedule the October Town Board Meeting to Monday, October 5, 2015 at 7:00 P.M. by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to hold a Public Hearing at 7:00 P.M. on October 5, 2015 relative to proposed Local Law #2 – 2015, a local law amending Chapter 213 of the Town Code regarding Vending and Soliciting by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Mr. Bove mentioned the 15-minute loading zone which has been discussed by some of those who work downtown. He mentioned changing one space on the west side of the crosswalk that runs from the Chemung Bank over to in front of Seneca Office Supply on the south side of the street to a 15-minute loading zone.

A motion was made to hold a Public Hearing at 7:00 P.M. on October 5, 2015 relative to proposed Local Law #3 – 2015, a local law amending the parking regulations to add the 15-minute loading zone by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

RFP – Consulting Services: Mr. Morrell stated they have received some proposals, but they have not set up any meetings to interview any of the potential applicants. He suggested tabling this until next month.

A motion was made to table this matter by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Bandstand Renovations: Mr. DeLelys stated at the last Meeting, it was discussed that maybe the HPC should be looking at this. He has been in contact with Sauders who is putting together another packet. Barton & Loguidice gave him some material information for renovations of the Bandstand, and he is contacting some people for the cost of that. Mr. DeLelys hopes to have all the information by the next Meeting. Mr. Bove mentioned that the HPC meets the 4<sup>th</sup> Thursday of the month; Mr. DeLelys should go through Mr. Zettlemyer and Mrs. Draheim to get on the Agenda. Mr. Earle requested that Mr. Condino send a copy of the recommendations to Jean O'Connell to see if there is any grant money for renovations or reconstruction.

Canal Harbor Usage by Commercial Operators: Mr. Morrell stated this will be another proposed local law. There is a section of the Town Code that deals with Town Recreation facilities. This will be another local law amendment to include a section authorizing the Town Board to set fees for usage by Commercial Operators of Town Canal facilities; actual fees will be adopted each year by the Town Board. Brief discussion followed.

A motion was made to hold a Public Hearing at 7:00 P.M. on October 5, 2015 relative to proposed Local Law #4 – 2015, a local law authorizing the Town Board to set fees for usage by Commercial Operators of the Town Canal facilities; fees to be enacted each year, by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Re-Finish Community Center Gym Floor: Mr. Spina stated the floor is usually refinished every 10 years. In researching going out to do it, one of Mr. Morrell's concerns was that there was only one quote. The reason they had only one quote is they were the only ones submitting a quote that could meet their specs on the calendar time frame. Mr. Spina said because the gym floor is used all summer, they have a very short window to do that. Mr. Morrell stated with that explanation of the process that was followed, this falls within the Town's Procurement Policy and is properly before the Board for action.

A motion was made authorizing the refinishing of the Community Center Gym Floor at a cost not to exceed \$15,000.00 by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Christmas Lighting: Mr. Spina stated the Downtown Business Association is interested in keeping the lights on the buildings; the concern is if they work or not. He thought there should be a meeting to get everyone involved so that everybody is on the same page. Mr. Spina said we have to make sure that we get some electric to the swags that go across Fall Street. He had conversations with Mr. Condino and Mr. Fuller in regard to getting the cables tested to make sure they are going to be there long term. They hope to have a report by the next Meeting as to what the plan might be and what the Town Board's involvement will be. Discussion followed.

#### New Business:

Approval of Special Events: There are no Special Events.

September Budget Transfers: A motion was made to approve the September 2015 Budget Transfers by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Plowing – Route 5 & 20 Sidewalks: Mr. Wood stated if the Town is going to enforce the Code on sidewalks, he has to notify the property owners and businesses on Route 5 & 20 before they sign contracts with plowing contractors as they will be responsible to clean their sidewalks. He said the Town Code says that whoever fronts sidewalks is responsible for cleaning them.

Mrs. Gibson stated when the road was built, they were assured that the sidewalks would be taken care of by the Town. She is not allowed to shovel snow and her husband cannot. It has been plowed up until two years ago when they started having trouble. Mr. Wood said the State would plow all of Route 5 & 20 on the sidewalk and they couldn't keep up with it; when it gets to be 3', 4' or 5' deep, there is nowhere to put it. He added it's been plowed every year until last year when we had all the snow. Lengthy discussion followed.

Mr. Morrell stated when the Town Board enacted the Town Code on October 1, 2013, they took the Town Code and the Village Code and put it together, and tried to take the best parts of each. He said coming from the Village Code which now applies to the Town, it gives the responsibility of the property owner that owns the property adjacent to the sidewalk the responsibility to clear the sidewalks. That now applies to the entire Town including the gentleman the Board just heard from. Mr. Wood previously cleared the sidewalks as a courtesy, but that has limits based on the weather and the rest of his job. Mr. Morrell stated under the Town Code, that responsibility lies with the property owner.

Matthew Blair asked what the enforcement protocol would be. He noticed in the past, it hasn't been enforced, particularly with absentee landlords and bank owned properties. He hopes that going forward, the Town would be more energetic about enforcing the Code. Mr. Morrell replied generally, it is treated as a property maintenance issue similarly to overgrown lawns. He added after contact with the Highway Department to address the problem and clear the sidewalk, the bill will be sent to the homeowner, and if they don't pay, it goes on their taxes. Further discussion followed.

A motion was made to follow the Code which gives the responsibility to the property owner to clear the sidewalks by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Appoint Dog Control Officer: A motion was made to appoint Dallyn Jenkins as Dog Control Officer by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Award Administrative Services Contract – TAP Grant: Mr. Bove stated the Town was awarded a Grant by the NYS DOT; it requires administration services and engineering services. He said an RFP went out, and three proposals were submitted. The recommendation of the TAP Committee is to select J. O'Connell & Associates to perform the administrative aspects of this Grant.

A motion was made to award J. O'Connell & Associates the administrative services contract for the TAP Grant by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Senate bill – Amend June 18, 1934 Act to Reaffirm Authority of Secretary of Interior to take Land into Trust for Indian Tribes: A motion was made opposing Senate Bill S.732, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Mining Moratorium: Mr. DeLelys stated this law was adopted September 2, 2014 and it was good for one year. He asked if this can be extended. Mr. Morrell stated to extend it, it would be a local law which would require a Public Hearing. He said more importantly, the purpose of the moratorium is for the Town to devise a regulatory scheme to address whatever mining issue is present here – this is something that should be done by a Committee of the Town Board. Mr. DeLelys said behind Tarjac's, they are pushing topsoil back and hauling out clay, which is mining to him. Mr. Earle said he was informed by Seneca Meadows' Manager that the soil is being stored there because they are required to construct a retention pond. Discussion followed.

Mr. Bove said he thinks we need a report on this - we would like to know what is being done out there. Mr. Condino replied that anything they do falls under their solid waste DEC permit. Everything they do is done per an approved plan and approved permit. After discussion, Mr. Bove asked if the moratorium can be extended.

A motion was made to schedule a Public Hearing at 7:00 P.M. on October 5, 2015 relative to proposed Local Law #5 –2015, a local law extending the mining moratorium that was adopted in 2014, by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Mr. Earle requested that Mr. DeLelys and Mr. Sanderson be part of a Committee to come up with a plan. Mr. Morrell stated it's not as if there is nothing in our Town Code to address mining at all – it would be to change the restrictions however the Board wants to do.

Code Amendment – High Volume Sewer Users: Mr. Morrell stated this is amending the current Code which contains a discount for high volume sewer users, and conditions the discount upon the user being a consumer of Seneca Falls Town water. He said what is being proposed is to change that to open it up to users who are not using Town water, but was using enough water to generate a lot of sewage; the discount should apply to those folks as well. He added it does restrict that discount so it does not apply to significant industrial users. Mr. Morrell noted that this was recommended by the Water & Sewer Committee. Brief discussion followed.

A motion was made to schedule a Public Hearing at 7:00 P.M. on October 5, 2015 relative to proposed Local Law #6 – 2015, a local law amending the Town Code concerning High Volume Sewer Users by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 3 ayes, 1 nay; Councilman Moore with the dissenting vote.

Flagged Bridge Report – Bridge Street Bridge Evaluation Proposal: Mr. Condino stated on August 6<sup>th</sup>, the DOT did a bridge inspection on the Bridge Street Bridge, and found some deterioration in one element of the structure. Originally, this Bridge was designed with a load rating of 17 tons; at some point, it was reduced to 6 tons, and because of that, the DOT was able to avoid red flagging the Bridge which would require immediate attention in remediation, and yellow flagged the Bridge. Mr. Condino stated their bridge engineers looked at the report and put together a proposal for a full evaluation of the Bridge. He explained what the report will entail. Discussion followed.

A motion was made authorizing Barton & Loguidice to do a condition assessment of the Bridge Street Bridge at a cost not to exceed \$18,500.00, per their August 31, 2015, proposal by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Reminder for Departments Heads – Budgets due September 20<sup>th</sup>: Mr. Earle stated Budgets are due September 20<sup>th</sup>. He requested that initial submissions for each Department be a 5% reduction overall.

Town Logo Design Contest: Mr. Earle stated this is something Mr. Sanderson thought would be a fantastic idea as the Town does not have a specific logo. Information as to how to enter the Contest and requirements will be publicized.

A motion was made to hold a Town Logo Design Contest by Duane Moore and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Resignation of HPC Member: Mr. Earle stated Lisa Garigen has submitted a letter of resignation as she is moving out of Seneca Falls.

A motion was made to accept Lisa Garigen's letter of resignation and thanking her for her years of service, by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to advertise for members to fill vacancies on the Historic Preservation Commission by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Parking Study Public Meeting: Mr. Earle noted that the Parking Study Public Meeting will be held on September 15<sup>th</sup> from 5:30 PM to 7:30 PM at the Visitors' Center.

Police – Computer Related Equipment for Vehicle: Chief Peenstra stated this is to up one of the patrol vehicles with a proper computer, printer, scanner mounting equipment; total cost is \$5,813.00 which is budgeted.

A motion was made to approve the expenditure of \$5,813.77 to outfit a computer in a patrol vehicle assigned to the School Resource Officer, and also utilized at times he is not assigned to the Schools, by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Backfill Vacant Sergeant's Position: Chief Peenstra stated there are two current vacancies in that role. A Civil Service exam was held for these vacant positions, and he and Lt. Snyder conducted interviews. The Chief's recommendation is to promote Officer Anderson and Officer Gentile to Sergeant. Mr. Moore asked if we are getting too top heavy; Chief Peenstra replied no. He explained these are two vacant positions – they still have four Sergeants, one for every shift (there are 4 shifts); it is not creating two additional Sergeants positions.

A motion was made to promote Officer Angela Anderson and Officer Sebastian Gentile to Sergeant effective September 1, 2015 by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Inspector's Position – Municipal Bldg. Project Construction: Mr. Morrell stated this would be creating the position of Clerk of the Works for the Town's Building Project. Generally, this type of position is a competitive position that would ordinarily need to be appointed from a Civil Service list. He added because this is a temporary appointment for a project that will be less than 18 months, it is allowable to not be appointed from a list. Mr. Morrell stated at this point, the Board is looking at creating the position with the job description from Seneca County Personnel; it would be part-time at 30 hours per week. Mr. DeLelys asked about the salary; Mr. Condino replied ballpark for this position is \$35.00 an hour for 30 hours per week. Mr. Morrell noted that this position will expire when the Building Project expires. Mr. Bove asked if this would be paid out of the construction cost; Mr. Condino replied it will be out of the Town's Budget for construction costs.

A motion was made to accept the job description from Seneca County Personnel and to create the position of the Clerk of the Works for the Town's new Municipal Building Project by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Support Lago Gaming License: A motion was made by Duane Moore and seconded by Emil Bove to adopt the following Resolution:

WHEREAS, the New York State Legislature passed the Upstate New York Gaming Act in the Fall of 2013 and by Statewide voter referendum on November 5, 2013, the electorate approved a constitutional amendment to permit "Class 3", or what is considered full casino gaming operations; and

WHEREAS, the 2013 Gaming Act called for establishing "four destination resort casinos in upstate New York" through a competitive process whereby up to four (4) gaming licenses will be awarded in what was identified as Region 1, Region 2 and Region 5; and

WHEREAS, the Tyre Town Board on June 12, 2014 and the Seneca County Board of Supervisors on March 11, 2014 unanimously approved the Lago Resort & Casino project and the Gaming Facility Location Board on December 17, 2014 unanimously recommended Lago Resort & Casino for a gaming license in Region 5; and

WHEREAS, Lago Resort & Casino, LLC ("Lago") has commenced construction activities and there could be employment of 1800 construction workers during the summer 2015 if the Gaming Commission acts soon; and

WHEREAS, under the 2013 Gaming Act, eighty percent (80%) of the tax on the new gaming operations will be distributed statewide to the school districts such that commencement of operations by Lago will lead to more funding for Seneca County Schools; and

WHEREAS, based on the projected payments to be received by those counties in Region 5, every month delay in the license announcement delays receipts by all Region 5 Counties and all Region 5 Schools of funding as contemplated under the 2013 Gaming Act; and

WHEREAS, the Seneca Falls Town Board desires to show support for the Lago Casino & Resort Project by calling for the Gaming Commission to issue the license to Lago as soon as possible, and to express a spirit of cooperation by support of awarding a 4<sup>th</sup> Gaming License to Tioga Downs in Tioga County such that distributions to all Region 5 tax jurisdictions are maximized; and

WHEREAS, at its meeting on September 1, 2015, the Seneca Falls Town Board approved this Resolution, with certified copies to be sent to Jeff Gural, Owner of Tioga Downs, the New York State Gaming Commission, the New York State Legislature and the Town of Tyre Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board supports the proposed development of the Lago Resort & Casino Project in the Town of Tyre, Seneca County; and be it further RESOLVED, that each Member of the New York State Legislature, the Governor of New York, all tax jurisdictions in Region 5 and the Seneca County Federal Delegation are called upon and urged to join this Seneca Falls Town Board in united support for:

- The issuance of the Lago gaming license by the Gaming Commission as soon as possible.
- The Gaming Facility Location Board recommending and the Gaming Commission issuing the 4<sup>th</sup> gaming license for a proposed development in Tioga County to maximize revenues for all tax jurisdictions in Region 5.
- The State of New York establish exclusivity zones in the ninety (90) mile region around the Lago Resort & Casino and around the 4<sup>th</sup> gaming license site in Tioga County, such that their respective consent is required to site a Class III Gaming Facility within the respective zones, so as to provide protections to the respective casino business plans in a form similar to the protections afforded non-taxpaying Indian Gaming Facilities, as the contemplated gaming taxes payable to the tax jurisdictions of Region 5 need to be protected for fiscal certainty.

No questions. Motion carried 4 ayes, 0 nays.

Bond Resolution – CWSRF and SEQR: A motion was made to table the Bond Resolution for the Clean Water State Revolving Fund and SEQR by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Water/Sewer Credits: A motion was made to approve the Water and Sewer credits in the amount of \$2,386.80 as stated in the report prepared by Mrs. Havelin on August 3, 2015, by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Payment of Bills:

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

General Fund – 103,902.72 (Abstract #9)	Recreation Fund - \$19,782.10 (Abstract #9)
Miscellaneous Fund - \$187,096.43 (Abstract #9)	Vince’s Park Fund - \$7,088.53 (Abstract #9)
Highway Fund - \$191,539.68 (Abstract #9)	Sewer Fund - \$165,669.23 (Abstract #9)
Water Fund - \$25,021.51 (Abstract #9)	

No questions. Motion carried 4 ayes, 0 nays.

At 9:35 P.M., A motion was made to go into Executive Session relative to a specific personnel matter, and matters that could affect the fair market value of real property by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to reconvene the regular monthly Meeting at 10:55 P.M. by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to appoint Frank Turo as Clerk of the Works for the Town Municipal Building Project to start immediately, at an hourly rate of \$35.00 per hour at maximum of 29 hours per week, per recommendation of Barton & Loguidice, by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

A motion was made authorizing the Town Supervisor to sign the letter of application for the Certified Local Government status by Emil Bove and seconded by Duane Moore. No questions. Motion carried 4 ayes, 0 nays.

Being there was no further business, a motion was made to adjourn the Meeting by Duane Moore and seconded by Emil Bove. No questions. Motion carried 4 ayes, 0 nays.

Meeting adjourned at 10:57 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

