

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, September 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 David Foster, Attorney for the Town; Dean Zettlemoyer, Zoning Officer; James Spina, Commissioner of Parks and Recreation; Stuart Peenstra, Police Chief; James Peterson, Highway Superintendent; Stephanie Holtz, Assessor; Joseph Tullo, WWTP Operator; Peter Baker of Barton & Loguidice and a Member of the local media.

Supervisor Lazzaro called the regular monthly Meeting to order at 6:00 P.M. A roll call was taken of Board Members and all were present; the Pledge of Allegiance followed.

Councilman Ruzicka made a motion that a forensic audit be done on all the books of the Town of Seneca Falls relative to all policies and procedures and all moneys received and disbursed, audit to be done by an Independent Agency. Councilman Ferrara seconded the motion. Motion carried 5 ayes, 0 nays.

Mr. Lazzaro said it will be good to see exactly where we are in terms of the Budget, expenditures and revenues. He requested that Mr. Foster contact an accounting firm, and mentioned that the Bonadio Group has worked with the Town in the past.

Presentations:

SFPD Recognition- Menzo Case and Generations Bank: Chief Peenstra stated Generations Bank has supported the DARE Program for 15 years. Approximately 1,500 5th Grade Students benefit from the Program each year. In addition, the Bank is committed to the Safe Child ID Card Program, a service provided by the Police Department team. Due to funding and grant restrictions the new equipment needed could not be purchased. Generations Bank committed to purchase the \$6,500.00 of equipment so the service can continue. Chief Peenstra stated Members of the SF Police Department would like to thank Menzo Case, the Board of Directors and all the Employees of Generations Bank for making this happen.

Menzo Case thanked the SF Police Department for bringing them this initiative through their Insurance Agency, and said the Waterloo Police Department and the Interlaken Police Department will share the use of the equipment. He said this is what they do, and their Board of Directors stands behind the Town. They appreciate the service that the Police Department has for our children - it's making a difference, one kid at a time.

Chuck Genco – Rehab Stairway Iron Railings: Chuck Genco, Director at Bonadent Laboratories, mentioned the iron arch over the stairway from Water Street to the parking lot behind the stores, and said when looking closer at the arch, he noticed the iron is deteriorating and it's becoming a hazard. He would like to look into the restoration of the archway, and asked for direction. Mr. Lazzaro suggested that he start with the Historic Preservation Commission. Mr. Spina offered to help with the project.

Petitioners:

Tree Planting in People's Park – Workers Memorial Day: Mr. Lazzaro stated he was approached by the CSEA at the County who said they would like to plant a tree in Seneca Falls in recognition of Workers Memorial Day. He suggested People's Park.

A motion was made to have a tree planted in People's Park to celebrate Workers Memorial Day on April 28, 2018 by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Michael Ferrara – Community Center: Michael Ferrara, representing the Seneca Falls Country Club, stated the SF Country Club is no longer a private Club; it is now a semi-private Club. Like many other small businesses, it is a struggling business. He said the Club pays more than \$3,500 a year in water/sewer usage, \$2,600 in cable TV fees and \$30,500 in property taxes. They are a major contributor to the Seneca Falls Community. Mr. Ferrara stated moving forward, he is requesting that the SF Recreation Commission Golf Tournament reconsider having the Golf Tournament at the SF Country Club versus having it in the Town of Waterloo; it should be in Seneca Falls to support a Seneca Falls business.

Mr. Spina stated the Golf Tournament is not a Recreation Commission event. It is sponsored by the Seneca Falls Recreation Booster Club which is a 501c3 and a separate organization which he nor the Recreation Department has any control over – they make the decisions. He added Mr. Ferrara being here is a good way to get that switch started. A good way to start is to go to one of the Booster Club Meetings and discuss it with them as a group. Mr. Spina agreed with Mr. Ferrara that the Tournament should be in Seneca Falls, and said he would help him any way he can.

Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of August 1, 2017 by Dave DeLelys and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Reports:

Dog Control Officer: No report.

Zoning Officer: A motion was made to accept Mr. Zettlemyer's report by Lou Ferrara and seconded by Vic Porretta. 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 Tom Ruzicka. No questions. Motion 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.

Assessor: A motion was made to accept Mrs. Holtz's report by Vic Porretta and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Foster stated there are several things that have to be done, such as getting files and documents from prior Counsel. They are in the process of locating and getting everything transferred here.

Town Justices: 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 5 ayes, 0 nays.

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

Chief Peenstra said on August 2nd, they held a National Night Out which was a collaborative effort between all Police agencies in the Community; it was a very successful event. He thanked Liz Petrowski of the Council on Alcoholism, and thanked Mr. Spina and his Staff who was a huge help in making this a success. They plan on doing this again next year.

The above motion made by Greg Lazzaro and seconded by Tom Ruzicka to accept Chief Peenstra's report was carried 5 ayes, 0 nays.

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

Other Committee Reports: No reports.

Communications:

A motion was made to receive and file Communications numbered 1 to 17 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 17 are as follows:

1. Checks and deposits totaling \$20,701.75 representing Community Center deposits, Vince's Park deposits, tower rent, disability reimbursements, Health Insurance premiums, copies of Police reports and dumpster fees.
2. Section 504 Compliance Handbook, August 2017, from LRP Publications.
3. Seneca County Chamber of Commerce Quarterly Report, July-September 2017.
4. Statement of Accounts, April 1, 2011 to July 31, 2017, from Wilmington Trust.
5. Notice of Complete Application relative to the Scepter, Inc. Project from NYS DEC.
6. Checks totaling \$953,955.86 representing 2nd quarter payment from Seneca Meadows, Inc., PILOT payment, disability reimbursement, Health Insurance premiums, dumpster fees and sale of surplus tools.
7. Email from Charter Communications notifying Town of its changes in programming.
8. Checks totaling \$17,713.64 representing 2017 Town/County tax interested collected, copies of Police reports, Education advance reimbursement, Judge Lafler's July Report, Health Insurance premiums, boat pumpout fees and dumpster fees.
9. Report and Resolution relative to a Minor Subdivision review from Seneca County Planning Board.
10. Checks totaling \$11,401.07 representing dumpster fees, Judge Laquidari's July Report, disability reimbursement, copies of Police reports and Health Insurance premium.
11. Newsletter, Fall 2017, from Seneca Falls Historical Society.

12. Certificate of Final State Equalization Rate for the 2017 Assessment Roll from NYS Department of Taxation and Finance, Office of Real Property Tax Services.
13. 2016 Town Historian's Report from Frances Barbieri, Town Historian.
14. Section 504 Compliance Handbook, September 2017, from LRP Publications.
15. Checks and deposits totaling \$49,759.32 representing Community Center and Vince's Park deposits, dumpster fees, personal charge payments, Health Insurance premiums, disability reimbursements, School Resource Officer reimbursement, buy/crash/crimes, copy of Police report and sale of Highway scrap.
16. Email from Charter Communications notifying Town on or after October 1, 2017, Charter will cease carriage of Spectrum Sports.
17. Statement of all monies received and disbursed during the months of April and July 2017 from Town Supervisor.

Old Business:

Sale of Condominium & Surplus Real Properties: No report.

Write-Off Uncollectable Receivables: No report.

Roue 414 Sewer Line Transfer from IDA to Town: Mr. Foster noted we are awaiting the receipt of all prior files from Counsel.

New Business:

Approval of Special Events: Mr. Spina stated the SF Business Association are requesting approval for Locktoberfest which will be held October 6th and 7th along the Canal Promenade. The only thing pending is proper insurance submittal.

A motion was made to approve the Locktoberfest Event on October 6th and 7th pending proper insurance submittal by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ruzicka asked if there will be alcohol; Mr. Spina replied he is working with the Chief on that. The Chief said there will be a sectioned off area similar to Canalfest.

Mr. Spina stated the SF Environmental Action Committee would like to hold an environmental rally, marching from Academy Square to People's Park on October 14th, 10 AM to Noon. He noted it is properly submitted, and they have spoken with the Chief.

A motion was made to approve the SF Environmental Action Committee rally on October 14th by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Water – Renewal of WaterPoint Network Plan: A motion was made by Greg Lazzaro and seconded by Tom Ruzicka to table action on the renewal of the WaterPoint Plan. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer – Purchase of Backflow Preventer: Mr. Tullo stated at the Wastewater Treatment Facility, the backflow preventer is leaking and needs to be replaced. They received two bids which were opened at the Water/Sewer Committee Meeting; Blair Supply was the low bidder at \$1,514.62. It is a budgeted item.

A motion was made to accept the low bid of Blair Supply Corporation in the amount of \$1,514.62 to replace the backflow preventer at the Wastewater Treatment Plant by Lou Ferrara and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes. 0 nays.

Water/Sewer - Extend Temporary Laborer Position: Mr. Tullo stated the temporary position was going to end October 1st. They have been getting so much work done with this Individual, and it's freeing up others to do projects that need to be done.

A motion was made to extend the temporary Laborer Position until December 1, 2017 by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Resignation – Asst. Recreation Director: A motion was made to accept the resignation of Assistant Recreation Director Wendy Caraher by Greg Lazzaro and seconded by Dave DeLelys.

Mr. DeLelys thanked Mrs. Caraher for all her years of service with the Town.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to accept Mrs. Caraher's resignation was carried 5 ayes, 0 nays.

Vince's Park Pool Repairs and Vince's Park Poolhouse Floors: Mr. Spina stated there are not a lot of people that do pool repairs, so they need more time to get estimates. Mr. Lazzaro moved these two items to the October Meeting.

Visitors Center – Summer Staffing: A motion was made to contribute the budgeted amount of \$5,000.00 for Summer Staffing at the Visitors Center by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Highway – Purchase Totes: Mr. Peterson stated they are all out of the large totes. He spoke with Mr. Lazzaro, and it will take 4 to 6 weeks to get the totes. They went with J & J Equipment and the total cost is \$4,987.00 which is a budgeted item. He added the reason they go with them is because they stamp the Town of Seneca Falls on the totes, and they continue the numbering of the totes. Discussion followed.

A motion was made to approve the purchase of 80 large totes at a cost of \$4,987.00 from J & J Equipment by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Pest Control Contract for Municipal Building: Chief Peenstra stated Ehrlich does pest control for the Community Center. When he reached out to them in reference to the carpenter bees, they talked about having a service contract and lowered the price. A service contract would be \$150.00 for initial service and a maintenance service of \$90.00 per month.

A motion was made to contract with Ehrlich for pest control at a cost of \$150.00 for initial service and \$90.00 per month by Dave DeLelys and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Purchase Used Motor for Police Vehicle: Chief Peenstra stated vehicle 855 has a blown motor. They can get a used motor with 32,000 miles on it for a total cost of \$2,636.00; to put a new motor in, it would cost \$4,600.00. The other proposal was a used motor with 112,000 miles for \$2,435.00.

A motion was made to purchase the used motor with 32,000 miles for vehicle 855 at a cost of \$2,636.00 by Dave DeLelys and seconded by Vic Porretta. No questions. Motion carried 5 ayes, 0 nays.

Standard Work Day and Reporting Resolution: A motion was made to submit the Standard Work Day and Reporting Resolution and documentation for elected and appointed Officials of the Town as instructed by the NYS Retirement System by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Resolution Introducing Proposed Local Law: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following Resolution:

WHEREAS, the Seneca Falls Town Board believes it would be advantageous to the Town to supersede the general provisions of Town Law Section 23 providing for “elector” status and therefore residency of the appointed Town Attorney position; and

WHEREAS, Town Law Section 23 (1) provides for a waiver of elector and residency status in towns having no eligible attorney; and

WHEREAS, NYS Municipal Home Rule Law 10 (1) (ii) (d) (3) authorizes the Town Board to adopt a local law amending or superseding any provision of the Town Law in relation to property, affairs or government of the Town, or in relation to any subject matters in MHRL 10; and

WHEREAS, the Seneca Falls Town Board unanimously appointed David Lee Foster, Esq., a City of Geneva, NY resident, as Attorney for the Town of Seneca Falls; and

WHEREAS, Town Law Section 23 (1) permits such a non-resident appointment upon a determination that there are no eligible resident attorneys.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. 3 of the year 2017 entitled “A Local Law to Supersede NYS Town Law Section 23 (1) in “Providing for Eligibility of Town Officers” be, and the same hereby is, introduced before the Seneca Falls Town Board; and be it

FURTHER RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each Town Board Member; and be it

FURTHER RESOLVED, that the Town Board will hold a Public Hearing on said proposed local law at the Town Offices, 130 Ovid Street, Seneca Falls, New York at 6:00 P.M. on October 3, 2017; and be it

FURTHER RESOLVED, that the Town Clerk publish or cause to be published a notice of said Public Hearing in the Official newspaper of the Town at least ten (10) days prior thereto.

No questions. Motion carried 5 ayes, 0 nays.

Declare Surplus – Police Vehicles: Chief Peenstra stated he has two vehicles that have been replaced with other vehicles – a 2013 Ford Utility with over 158,000 miles and a 2010 Ford Crown Victoria with 126,000 miles. He will sell them through Auctions International, and requested that the money be placed in the Vehicle Equipment Surplus Account.

A motion was made to declare surplus 2013 Ford Utility and 2010 Ford Crown Victoria (police vehicles) and auction the two vehicles by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Honor Home: A motion was made to contribute \$1,000.00 to Honor Home, a transitional home for female veterans and children, by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer Credits: A motion was made to approve the Water/Sewer credits in the amount of \$172.26 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Allison Stokes – Town Concerns: Allison Stokes referred to a timeline that she prepared relative to recent Seneca Falls happenings that concern her which consists of events that occurred from September 6, 2016 to September 7, 2017. She read the facts relative to a Councilman accosting another Councilman, and a verbal threat that was made by a Resident of the Town against Supervisor Lazzaro and SMI Manager Kyle Black. Mr. Lazzaro interrupted Mrs. Stokes and said he would rather not that she speak on those alleged incidents that are ongoing. After brief discussion between Mrs. Stokes and Mr. Lazzaro, Mrs. Stokes proceeded to read the facts as she stated in her timeline. Mr. Lazzaro interrupted Mrs. Stokes and requested that she be seated. He said those were her hypothesis, and the Board has no control over those issues.

Robert McGill – Landfilling vs. Recycling: Robert McGill referred to the article from the Competitive Enterprise Institute regarding recycling vs. landfilling, and said Americans like to recycle which is indeed an important part of our integrated solid waste system. He said some processes, like recycling, are not cost-effective and not efficient and not the most environmentally friendly. Sometimes politicians make the politically correct decision rather than the environmentally friendly decision and the most economic decision. Mr. McGill stated there are a number of reasons why landfilling is more efficient and cost effective. There are a lot of issues that are not being discussed here that are possible health hazards with recycling and composting. Mr. McGill stated no one has come up with a plan as to how to do it, where to do it and how much is it going to cost.

Payment of Bills:

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

General Fund - \$174,792.32 (Abstract #9)

Recreation Fund - \$19,370.18 (Abstract #9)

Miscellaneous Fund - \$27,272.58 (Abstract #9)

Vince's Park Fund - \$4,634.89 (Abstract #9)

Highway Fund - \$38,441.91 (Abstract #9)

Sewer Fund - \$45,665.21 (Abstract #9)

Water Fund - \$142,694.75 (Abstract #9)

No questions. Motion carried 5 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 5 ayes, 0 nays.

Meeting adjourned at 7:15 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

