

The Seneca Falls Town Board held a Special Meeting on Wednesday, September 14, 2016 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Gregory Lazzaro; Councilpersons Annette Lutz, David DeLelys, Mary Sarratori and Vittorio Porretta . Also Present was Patrick Morrell, Attorney for the Town (arrived at 6:15 P.M.).

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

New Business:

Resolution – Apply for Justice Court Assistance Program Grant: The Legislature of the State of New York amended the Judiciary Law to establish a Justice Court Assistance Program which will be administered by the Office of Court Administration. The Town Court will be relocating to a new Town Municipal Building in the near future, and it is the desire that the Town Court efficiently and safely service the Community.

A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following Resolution: RESOLVED, that the Seneca Falls Town Board does hereby authorize the Seneca Falls Town Court to file an application for funds from the New York State Unified Justice Court, in accordance with the provisions of the Justice Court Assistance Program, in an amount not to exceed \$30,000.00 for a Court improvement project, and upon arrival of said request, to enter into and execute a project agreement with the State for such financial assistance to the Town of Seneca Falls.

Mrs. Lutz asked if this would cost the Town anything (matching funds); Mr. Lazzaro replied it does not appear to. Mr. DeLelys mentioned that prior grants of this nature did not cost the Town additional monies. Mr. Lazzaro said it is stipulated that if at some point between now and the October Board Meeting, it is found that there will be a cost to the Town, a motion will be made to bring this up again and discuss the issue.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to adopt the above Resolution authorizing the Town Court to file an application for funds from Justice Court Assistance Program was carried 5 ayes, 0 naves.

At 6:08 P.M., a motion was made by Greg Lazzaro and seconded by Annette Lutz to take a five minute recess to await Mr. Morrell's arrival. Motion carried 5 ayes, 0 naves.

A motion was made to reconvene the Special Meeting at 6:15 P.M. by Greg Lazzaro and seconded by Annette Lutz. Motion carried 5 ayes, 0 naves.

Route 414 Sewer Agreements: Mr. Morrell explained that this has to do with the del Lago Resort and Casino. Last year, this was discussed with the Town of Tyre and Seneca Falls, as well as the end-users of the sewer service that are outside the Town of Seneca Falls. When the Petro Station was put in place in the Town of Tyre, there was a new sewer line that connected into the Town's system which was a project undertaken by the Seneca County IDA. That line is still owned by the IDA and they would like to transfer it to the Town. There are a few places where that line is on private property, and we have been in the process of trying to obtain easements from those property owners which has to be done before the Town takes ownership of the sewer line. Del Lago Resort and Casino is moving forward at a very rapid pace, and they would like to have an agreement which is being offered this evening. The end agreement would include the Town of Tyre as their involvement is that it is in the Town of Tyre, and they agree that they will relevy any unpaid sewer bills onto the taxes.

Mr. Morrell said in the meantime, with the Casino construction proceeding, the Casino backers are very interested in assuring that they have a place for their sewage to go. In speaking with the Representative of the Casino, they proposed that this agreement be signed. Tyre is not ready yet because the transfer of the IDA line hasn't been completed. The agreement refers to two attachments which are the rate schedule from the Water Department and a section of our Code concerning payments. Mr. Morrell stated this is on the Agenda this evening so the Board could authorize entering into an agreement directly with the Casino to service their sewage that is generated.

A motion was made to enter into a Service Agreement with del Lago Resort and Casino as agreed upon last year by Greg Lazzaro and seconded by Dave DeLelys.

Mrs. Lutz asked about waiting for easements; Mr. Morrell confirmed that they were and that is part of this. Mrs. Lutz asked what if the right-of-way is not agreed to. Mr. Morrell replied the line is operating now and is owned by the IDA; if that doesn't happen, then the IDA remains the owner which is something they do not want. Mrs. Lutz asked the age of the line, and it was determined that they were put in place for the Petro project in 2004. Her concern was to make sure the lines were not 75 years old or more since the Town will be responsible to maintain the lines. Further discussion followed.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to enter into a Service Agreement with del Lago Resort and Casino as agreed upon last year was carried 5 ayes, 0 naves. Mr. Lazzaro was authorized to sign the Agreement.

At 6:22 P.M., a motion was made to enter into Executive Session relative to proposed litigation and to discuss a matter that would impact the fair market value of real property 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 10:55 P.M. by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 naves.

Mr. Morrell read the following Resolution:

Based on verbal and written comments already submitted to the Town to date, and in order to properly comply with the requirements of the New York State Environmental Review Quality Act by completing an Environmental Assessment Form, and in order to allow the Town's Engineers a more complete opportunity to review the facts and circumstances underlying the draft findings of fact stated in the proposed local law, upon advice and recommendation of the Town's Attorneys, the Town Board will be temporarily adjourning the Public Hearing on proposed Local Law No. 7 that is scheduled for September 28, 2016.

The Town instead will hold a Community Forum on the same date, Wednesday, September 28, 2016 from 6:00 P.M. to 10:00 P.M., location to be determined. The purpose of this Community Forum is to solicit public comment on proposed Local Law No. 7. The Board requests that comments be limited to that subject. Copies of the proposed Local Law No. 7 are available for review at the Town Clerk's Office.

A motion was made by Greg Lazzaro and seconded by Mary Sarratori to adopt the above Resolution as a Press Release regarding proposed Local Law No. 7.

Kyle Black said, to be clear, the Board is adjourning the Public Hearing. Mr. Morrell explained that in order to adopt a local law, one of the legal requirements is to have a public hearing that has specific types of notice that must be done. The Board would not be doing that. Instead, another Community Forum (as the Town has had for other matters) would be held specifically for this local law.

The above motion made by Greg Lazzaro and seconded by Mary Sarratori to adopt the above Resolution as a Press Release regarding proposed Local Law No. 7 was carried 5 ayes, 0 naves.

Resolution – 60 State Street, Seneca Falls: Mr. Morrell read the following Resolution:

WHEREAS, the Town of Seneca Falls owns property located at 60 State Street; and  
WHEREAS, 60 State Street currently houses the Seneca Falls Police Department and the Town has built a new facility for the Police Department and other Town operations; and  
WHEREAS, the Town has solicited proposals for the sale of 60 State Street; and  
WHEREAS, the Town received one proposal in response to this solicitation; and  
WHEREAS, the proposal received would involve the sale of the property to 5Star Medical, a global medical device company based in Seneca Falls, which would place the property back on the tax rolls, create jobs and contribute to the local economy.

NOW, THEREFORE, the Town Board of the Town of Seneca Falls hereby accepts the proposal submitted by 5 Star Medical to sell the 60 State Street property to 5Star Medical for the purchase price of \$90,000.00; and  
FURTHER, the Town Board hereby agrees to negotiate the specific terms of the purchase and sale contract to transfer 60 State Street to 5Star Medical; and  
FURTHER, that this Resolution is subject to permissive referendum and will take effect 30 days from the date of adoption or after the permissive referendum process is completed.

A motion was made to adopt the above Resolution relative to the sale of 60 State Street by Dave DeLelys and seconded by Mary Sarratori. No questions. Motion carried 5 ayes, 0 naves.

There was a question from the floor concerning the date of the Forum and if it was possible to change it. After discussion, it was determined that this was a Forum only concerning the local law, and no decision would be made. The September 28, 2016 date will remain.

Being there was no further business, a motion was made to adjourn the Meeting by Dave DeLelys and seconded by Annette Lutz. No questions. Motion carried 5 ayes, 0 naves.

Meeting adjourned at 11:04 P.M.

Respectfully submitted,

KATHRYN A. LANKFORD  
Deputy Town Clerk

