

The Seneca Falls Town Board held a Special Meeting on Monday, September 29, 2014 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Donald Earle; Councilmen Duane Moore, David DeLelys, Chad Sanderson and Emil Bove. Also present were Patrick Morrell, Attorney for the Town; Stuart Peenstra, Police Chief and John Condino and Amy Daley of Barton & Loguidice.

Supervisor Earle called the Meeting to order at 7:05 P.M. A roll call was taken of Board Member and all were present; the Pledge of Allegiance followed.

New Business:

2015 Tentative Budget: Mr. Earle stated the Board has a copy of the 2015 Tentative Budget which will also be available to the public. Mr. Bove asked about scheduling Budget Workshops. Mr. Earle replied they will be scheduled, and dates will be announced at the next Board Meeting. He noted Budget Workshops are open to the public. Mr. Bove mentioned that the process is reviewing the Tentative Budget and making some changes before it is adopted.

Municipal Building Plans: Mr. Condino stated two Meetings ago, they were tasked with looking at three basic issues. They were tasked with looking at renovating 60 State Street, and as a result, put together a fairly detailed assessment of that building, which he proceeded to review. The second task was to look at the layout of 60 Fall Street which he also reviewed. The third task was to take a closer look at Ovid Street to house the Administrative, Police and Court functions. Mr. Condino stated based on further input from the Staff for space needs analysis, they came up with a footprint for a building on Ovid Street that would be about 11,400 sq.ft. Ms. Daley referred to the drawings and explained the layout of the building. All functions will be in one building, but will be separated for security purposes.

Mr. Condino stated this layout option on the lot puts it on the north end of the lot which is currently utilized for recreational field. By re-orienting the building and recreational field, it gives you better access and utilization of the storage building on the site, and takes it away from adjacent residences on the south side. Mr. Condino stated the estimate for the building itself is about \$2.853 million with a 10% contingency. In addition to that, there are some site work issues that need to be taken care of which are probably things that the Town can do with the help of the Highway Department to help preserve the cost. Mr. Condino stated it is a fairly detailed estimate, but obviously, it is subject to be further refined if this is the Board's decision.

Mr. Bove said if the decision was to go to 60 Fall Street, the Board will still need to do something about the Police and the Court; what was the cost of that. Mr. Condino replied it was just under \$2 million.

Mr. Moore said would it be fair to say an average cost overrun on a project such as this could be as high as possibly 10%. Mr. Condino replied that is why you put in 10% contingency for those reasons. He added this particular project is a pretty straight-forward project and a very straight-forward site. He doesn't see any outstanding issues, and doubts it will be more than that. Mr. Condino stated you never know exactly what a project such as this is going to cost until you put it out to bid. Mr. Moore asked about the parking. Mr. Condino replied they didn't spend a lot of time on the actual parking lots, but there is room for more than adequate parking for the facility.

Mr. Sanderson asked if there was room for expansion down the road if there was need to add on. Mr. Condino replied yes, they did anticipate that; there is room to the south if you had to add a wing on for expansion.

Mr. Moore asked if the Police vehicles would be parked outside as they are now. Mr. Condino replied they would be – in this particular layout, they have a separate parking lot. He referred to the building that is on the lot, and said the thought process was you may want to do an upgrade to the building and possibly use it for police vehicle storage to some extent. In talking about storage, Mr. Condino said they looked at the current storage building at 10 Fall Street which is a very usable building, and which could provide much needed storage for the Town; it is climate controlled and a very secure building. Brief discussion followed.

Mr. Earle said with this design and the way it's fashioned on the property, is there enough room on the roof if the Board wanted to put solar panels up there. Ms. Daley replied yes, there is. Mr. Condino said once they are doing a final design, they will be exploring that part of the program to see what kind of energy efficiencies the Town will be eligible for.

Joanne Elliott of Cayuga Street said the amount available for a building is \$2.5 million; the initial cost without the 10% built in was \$2.853 million and with the 10% built in, it is \$3.1 million. She hopes the Board will take that into consideration when it makes a decision on the project.

Mr. Shaw asked what would happen with 60 State Street if the Police move out. Mr. Earle replied that, among

other surplus properties, would be marketed. He added if the Board decides on one location and the cost is above the \$2.5 million it has in the Bank, the sale of those properties would make up the difference. He said it is not anticipated that the Town would have to borrow or do a bond to cover the difference. Mrs. Elliott asked if the Town recently sold any surplus properties; Mr. Earle replied it has not. Mrs. Elliott stated it may be difficult to sell surplus properties in this economically bad situation of the real estate market. Mr. DeLelys mentioned that there was some interest in 60 State Street, and there has been inquiries about 10 Fall Street which is contingent on what is happening with the former Hospital building.

A motion was made to construct a Municipal Building at the Town's site on Ovid Street which will house the Administrative Offices, Seneca Falls Police Department and Town Court as per plans that have been submitted by Barton & Loguidice by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays.

Mr. Earle stated since the decision has been made, the Town Engineers advised that the Board could do the beginning steps of SEQR. Mr. Morrell stated the Town Board would nominate itself as Lead Agent, at which point the Board would notify all other involved agencies of the intent to do so; they would have 30 days to contest that or submit any comments on the project itself.

A motion was made by Duane Moore and seconded by Dave DeLelys to declare the Town's intent to seek Lead Agency as per the following Resolution:

WHEREAS, the Town of Seneca Falls (Town) is progressing the new Municipal Building Project (Project); and WHEREAS, the Project has been classified as an "Unlisted Action" as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2; and

WHEREAS, it is the intent of the Town of Seneca Falls Town Council to assume the role of "Lead Agency" for purposes of conducting a SEQRA review of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed and will be circulated to all Interested and Involved Agencies for purposes of establishing the Town Council as "Lead Agency" in accordance with 6 NYCRR Part 617.6; and

WHEREAS, at the direction of the Town Council, Barton & Loguidice, D.P.C. (B&L) has been authorized to proceed with planning and design services associated with the new Municipal Building Project, including assistance in compliance with the State Environmental Quality Review (SEQRA).

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Supervisor of the Town of Seneca Falls hereby is authorized to sign Part 1 of the Full Environmental Assessment Form (Page 13); and be it

FURTHER RESOLVED AND DETERMINED, that the Town of Seneca Falls Supervisor and Town Council will circulate said part 1 of the Full Environmental Assessment Form to the Project's identified Interested and Involved Agencies under cover of a "Notice of Intent to Establish Lead Agency" letter for purposes of establishing Lead Agency status under the SEQRA; and be it

FURTHER RESOLVED, that the Town of Seneca Falls Supervisor and Town Council, together with the Town Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

No questions. Motion carried 5 ayes, 0 nays.

Mr. Bove asked the Engineers for a time frame. Mr. Condino replied it's about a six month process to get a final design done and get it ready to put out to bid – it should be ready to put out to bid in March so that the Project would be ready to get into the ground as soon as possible in the Spring.

Mr. Earle mentioned that the north part of the Ovid Street property has a cumbersome deed stating forever recreational. The Town's Attorney advised that it would be best to ask the Court to remove that encumbrance, and the Town would commit to use the south part as recreational fields. Mr. Morrell stated that land is actually held in two separate parcels. When the north parcel was transferred to the Town, there was a deed restriction which stated that it was to be used for recreational purposes. He said in a situation such as this, you can apply to the Supreme Court and request that that restriction be removed, which will have to be done. He added part of that proposal will state that the Town will also include recreational areas as part of the same Project on the neighboring parcel. Mr. Morrell said it will certainly help the argument as to why the restriction should be removed from the north parcel. Mr. Sanderson asked how long would this take. Mr. Morrell replied Barton & Loguidice said it will take 5-6 months to finalize the design – this should be able to be addressed within that time frame. Further discussion followed relative to the location of the building on the site.

A motion was made authorizing Mr. Morrell to proceed expeditiously to make the application to the Court to remove the deed restriction by Don Earle and seconded by Dave DeLelys.

Mr. Moore asked if this is going to interfere with where the building is located now – are we out of the restricted area on the deed; Mr. Condino replied no. Mr. Moore said Mr. Condino is saying we have to get this cleared up now if we want to put the building on the northern parcel. Mr. Condino stated if the Board wants to put it on the northern parcel – that's correct. He added it can be put on the southern parcel which is where it was in the beginning. Mr. Earle said if it is denied, it is just a matter of changing the SEQR.

Mr. Morrell stated the main advantage of being on the north parcel is access. Mr. Condino said that is correct; it also provides the neighbors with some additional buffer from activity in and around the building, and allows the usage of the current storage building out there.

The above motion made by Don Earle and seconded by Dave DeLelys authorizing Mr. Morrell to proceed expeditiously to make the application to the Court to remove the deed restriction was carried 5 ayes, 0 naves.

Being there was no further business, a motion was made to adjourn the Meeting by Emil Bove and seconded by Don Earle. No questions. Motion carried 5 ayes, 0 naves.

Meeting adjourned at 7:50 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

The Seneca Falls Town Board held a Public Hearing and regular monthly Meeting on Tuesday, October 7, 2014 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Donald Earle; Councilmen Emil Bove, Chad Sanderson, David DeLelys and Duane Moore. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks & Recreation; Stuart Peenstra, Police Chief; Donald Collins, Assessor; Donald Wood, Highway Superintendent; Michael Pickard, WWTP Operator; Jeff Rowe and John Condino, Town Engineers and a Member of the local media.

Public Hearing – Proposed Local Law – Override Tax Levy Limit: Mr. Earle opened the Public Hearing relative to a proposed Local Law to override the 2% limit on the tax levy.

Joanne Elliott of Cayuga Street read a quote from the Finger Lakes Times which states the preliminary Budget prepared by Mr. Earle shows a 6.02% tax levy increase from 2014. She asked if that percentage was thrown out there to alarm taxpayers. When the Board goes over the Budget line by line and reduces the Tentative Budget somewhat, will it still exceed the 2% tax cap. She hopes the goal is to have a clean, efficient and physically conservative budget that cuts back on Town spending and minimizes the burden on the taxpayers.

Mrs. Elliott mentioned Mr. Earle referring to the term “wish list” in discussion of the 2015 Budget. She said having each Department Head handing in a “wish list” will not get you to the goal of keeping under 2%. She referred to a Finger Lakes Times article, and said there was one example which listed an 18.8% increase for the Supervisor’s Secretary’s part-time position – was that the Supervisor’s wish list. She mentioned other increases, such as the 103.65% increase in engineering costs mostly due to the new Town Hall. Mrs. Elliott suggested that rather than requesting a “wish list” for budget purposes, why not ask each Department Head to give serious thought as to how they can cut their costs. Mrs. Elliott quoted Mr. Earle’s 2011 campaign promises, pledging fiscal responsibility and conservative spending to benefit taxpayers. She also quoted Mr. Bove’s campaign promises to reduce local real property tax burden, and to be prudent, efficient and spend only in those areas that are absolutely necessary.

Mrs. Elliott said at the last Board Meeting, Mr. Earle said the Town may need to exceed the 2% tax cap due to Seneca Meadows and Goulds Pumps. Mr. Earle stated the over-assessment of the Landfill resulted in a reduction in our tax base. He added there has also been a reduction in the tax base of all of the ITT Gould properties as well. Mr. Morrell explained that the original assessment in 2004-2005 was done by the State’s Department of Taxation - it was not contracted out. When it came to defending the assessment, they gave no assistance to the Town. Mr. Bove noted the Town hired an expert Attorney in the field of handling assessment cases; the assessment case involving the Landfill was a very complex case. With the assistance of David Linger of Hancock & Estabrook, who has handled many complex litigation involving assessments, his recommendation was to settle the case. The Board worked with the School District of Waterloo, the County of Seneca and all the parties that were affected by the assessment challenge, and they think the agreement was a fairly accurate assessment for the Landfill. Further discussion followed.

Mr. Earle stated the Board will be going over the Budget with Department Heads line by line at Budget Workshops. He said the Board has never adopted a Tentative Budget; it has always reduced it and expects to do that this time. There will be four Budget Workshops at which the public is welcome to come in and watch the

