

The Seneca Falls Town Board held a Public Hearing and regular monthly Meeting on Tuesday, September 2, 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; James Spina, Commissioner of Parks and 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 – Moratorium on Mining Activities: Mr. Earle opened the Public Hearing at 7:05 P.M. relative to proposed Local Law #5 – 2014, imposing a temporary moratorium on all approvals for new mineral extraction activities within the Town. He referred to an email from Karl and Joanne Elliott who would like it to be made part of the record.

Joanne Elliott asked if the current Town Law on mining and excavation is the exact same law that was part of the Village of Seneca Falls law. Mr. Morrell replied he doesn't think it was exactly brought over - for the most part, there were not any major changes made. Mrs. Elliott asked where she could find the existing Town law as it stands right now. Mr. Morrell replied it is part of the Town's Zoning Code where the Code designates certain areas of the Town where mining activity would be acceptable; as it exists right now, there is no mining heading for mining – it's within the zoned districts themselves.

Mrs. Elliott stated based on what is happening in Waterloo with the Meadow View Clay Mine, the Town needs to be very mindful of what control it truly has over mining with our current and future local zoning and land use laws. She requested that Mr. Morrell reach out to other towns that might have been part of litigation cases and see how they were able to handle it and what type of laws that they have, and if there is something there the Town could adopt. She concluded by saying Waterloo is now going through litigation, and the Town should try to avoid any litigation if possible.

Mr. Morrell stated the first step is to gather information from other municipalities and go from there. He said New York State Law will supersede anything that the Town tries to do when it comes to regulating the operation of the mine itself. Mr. Bove requested that the Town Clerk make Mrs. Elliott's email part of the record for this Hearing.

Mr. Bove asked if Mr. Morrell started the process of soliciting expert environmental counsel on this issue. Mr. Morrell replied the Town's former Firm was the Firm of Attorney Marc Gerstman which is no longer its own entity. He has tried to make contact with those who used to work with him to get what that Firm is now, and he hasn't had any response from them at this time. Mr. Bove said because of the complexity of this issue, he hopes Mr. Morrell would be employing expert counsel in environmental matters.

Since there were no further comments, Mr. Earle closed the Public Hearing at 7:10 P.M.

Mr. Earle called the regular monthly Meeting to order at 7:10 P.M.; the Pledge of Allegiance followed.

Petitioners:

Eileen Peterson – Trinity Church Fundraiser: Eileen Dyson Peterson stated she is here on behalf of the Trinity Church who is planning an evening of entertainment for October 24th - Denim and Diamonds is part of an effort to preserve this landmark built in 1865. She said 50% of the proceeds will benefit many of their local endeavors, such as collecting food for the pantry, knitting winter apparel for the House of Concern and monthly dinners which have served over 500 Individuals. The remaining 50% of the proceeds will benefit the preservation of Trinity Church, which tourists acknowledge that it is the most photographed Church in our Community. Mrs. Peterson said the Church is featured on numerous tourist publications, and is an integral part of the downtown businesses. It is also used for Community events, such as It's a Wonderful Life, concerts, etc. Mrs. Peterson requested that the Board consider purchasing an ad in their brochure, and consider putting this annual event in its Budget for upcoming years.

Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of August 5, 2014 by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays.

Reports:

Dog Control Officer: The Dog Control Officer's report states that seven dogs were impounded; six dogs were redeemed and one dog is still being held. A total of \$90.00 in fees was collected and turned over to the Town Clerk.

A motion was made to accept the Dog Control Officer's report by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: Mr. Earle stated Mr. Turkett is still unable to attend; he has submitted a monthly report.

A motion was made to approve Mr. Turkett's report by Duane Moore and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: Mr. Spina referred to the Canal Project and said they are still waiting to stripe in the back of the Center. He has been in touch with J. O'Connell & Associates to start some of the paperwork and reporting that should allow the Town to get a portion of the Grant back.

Mr. Spina recognized his Maintenance Staff for the work they did in the Park area around the Gazebo. They spent a lot of time there cleaning it up, and in the next couple of months, they will be cleaning up the bank area that sits nearest to the Trinity Church property line.

Mr. Spina stated the Summer Programs have been completed. They had a great Summer, and there were no issues in the Summer Play Program. He commended Jamie Sinicropi and Staff for a great job they did with the Summer Play Program.

Mr. DeLelys said in the Spring, the Board asked about an emergency generator for the Rec Center; have they heard anything; Mr. Condino replied we should be seeing FEMA money coming through very soon.

Mr. Earle asked about those folks coming up from Cornell relative to the People's Park area. Mr. Spina replied they came up Saturday and met with Mr. Sanderson. They were very interested in our Project, and we should be hearing from them soon. He added it looks promising.

A motion was made to accept Mr. Spina's report by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Highway Superintendent: Mr. Wood stated they re-did lower Fall Street; the area looks very nice. They did quite a bit of paving - upper Clinton Street from Porter Street to Black Brook Road, Oak Street, E. Bayard Street (small section which was not done), White Street, Farron Road from Noble to Garden Street and a small section of Peterman Road. Mr. Wood said now he has a limited Crew since many of the Employees are taking their vacation time, so they are doing small jobs.

A motion was made to accept Mr. Wood's report by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Assessor: Mr. Collins noted the Board has a copy of his report. He is updating sales files and looking at sales and building sales files by neighborhood. Mrs. Sloan is getting STAR exemptions ready for mailing, and updating tax maps. Mr. Collins mentioned that he still needs to update zoning. He would like to purchase a GIS extension for the desktop software of Image Mate which he has used in other towns. It uses GIS technology to determine landowners in the requested area, and can print out the addresses. After brief discussion, Mr. Bove stated he and Mr. Sanderson are on the Assessment Committee. They will meet with Mr. Collins and discuss this.

A motion was made to accept Mr. Collins report by Emil Bove and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell stated there are matters on the Agenda which will be discussed as they come up. Mr. Bove asked about the agreement relative to the private sewer line. Mr. Morrell replied in speaking with the Attorney for the Town of Tyre, it was decided that they would have the necessary easements going from the property owners to the Town of Tyre, and then the municipalities can work together; they would assign the easements to the Town and our Highway and Sewer people to do the actual work. He spoke with Barton & Loguidice regarding the specifics of the easements that is going to be required from Seneca Meadows as there was a change in the plans in relation to the pump station there. Mr. Morrell said the other easements with residents of the Town of Seneca Falls have been taken care of.

Mr. Earle mentioned that a municipal agreement with the Chiropractic College is needed to make sure that if there is a call, it is clear between the Town Police Department and their Security force what the protocol is. Mr. Morrell stated that was completed and will be a part of the Chief's report.

Town Justices: Mr. Earle noted that the Board has a copy of the reports. A motion was made to accept the Town Justices' reports by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Water & Sewer: Mr. Pickard stated the WTP Filter Media replacement is coming up; the project start date is September 22nd. He noted in his report, he included the Water System Operation Report that goes to NYS Department of Health, and the Wastewater Treatment Plant Report which goes to the NYS DEC.

A motion was made to accept Mr. Pickard's report by Duane Moore and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Police Chief: Chief Peenstra noted the Board has a copy of his report. He said the Police Department received four new Grants, two of which were from the Office of the Attorney General (OAG):

Community Overdose Prevention (COP) Program - \$1,140.00 for reimbursement of 19 kits and \$821.75 in costs associated with training relative to overdoses.

Bullet Proof Vest Partnership – the OAG will reimburse 50% of the purchase of four protective vests or up to \$3,000.00.

Federal Bulletproof Vest Partnership - \$1,878.79. This will be used to reimburse the Town up to 50% of the purchase of new and replacement body armor for Members of the Department.

NYS Local Government Records Management Improvement Fund – \$16,321.00 to inventory 300 cubic feet of case files, as well as to purge materials that have passed their retention dates.

Chief Peenstra stated the Department received \$3,637.60 for STOP DWI enforcement for the first half of 2014. The reimbursement comes from fines paid from prior DWI Offenders. He said they replaced two radar units in patrol vehicles at a cost of \$5,748.00 – STOP DWI paid for them. Mr. Earle asked about the radar trailer that was broken. Chief Peenstra stated he has been working with the STOP DWI Committee; the funds currently through STOP DWI will not pay for repairs on that trailer. He said the four different Agencies in the County decided to split the cost which will be about \$900.00 – they are in the process of doing that now.

The Chief thanked Mr. Spina and Mr. Babbitt for doing such a great job with the landscaping in sprucing up the Police Department. He also thanked the Waterloo Rifle and Pistol Club for allowing the Department to conduct firearms and taser training at their facilities on August 26th and 27th.

Chief Peenstra stated on September 18th, he and Sgt. Snyder will be going to Albany for the official Accreditation Ceremony; after September 18th, the Department will be officially NYS Accredited.

The Chief stated he and Mr. Morrell have been working with the NY Chiropractic College on an MOU for violent felonies and missing people; this is something that the College needs to submit to the State. He noted it was completed today.

A motion was made to accept Chief Peenstra's report by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Barton & Loguidice: Mr. Rowe referred to the Sewer Study, and said several sections of the existing sewers have been televised, thanks to Town Staff; Mr. Wood has provided video logs to them which they will be looking at. He said today, continuous flow meters were installed in six different locations; they will be collecting data on a continuous basis for a period of four weeks. Mr. Rowe said once they have that data, in addition to the video logs, they can develop a plan going forward.

Mr. Sanderson mentioned the rainstorm a few weeks ago that flooded out Noble Road residents and washed out across Farron Road, and said remedies to that were discussed. Can the Town go forward with that and write a letter to the two property owners requesting an easement to address the issue. Mr. Morrell replied that can be done - they should meet and discuss specifics.

Building Committee: Mr. Condino stated at the last Meeting, they were assigned additional tasks, one was purchasing and renovating 60 Fall Street for administrative offices. Another was to get more detail on renovating 60 State Street for administrative offices or Police Department; both tasks were completed. He said the third task was to further explore, with some additional input from Staff, updating the space needs, the cost and potential of a building that might house the Police Department, Court and possibly administrative offices on Town-owned land on Ovid Street. Mr. Condino stated they are currently in the process of completing that, and it should be completed by the end of next week; then they can report to the Board and possibly set up another public session to review all the details. Mr. Bove requested that these reports and drawings be provided to each Board Member (PDF version) so they have a chance to review them. After discussion, Mr. Earle said there will be a Special Meeting in September to introduce the Tentative Budget, so that will be an opportunity for this item as well.

Other Committee Reports:

Public Safety: Mr. Bove stated he, the Supervisor and the Police Chief met with three Members of the School Board and Superintendent McKeveny to discuss a proposal to have a School Resource Officer. The general

consensus of the Meeting was that this was a positive idea. It is going to take some work as far as studying how this is done in other School Districts. Mr. Bove said the idea would be that the School District and the Town would share the cost; this will require an additional Police Officer if we do this. He indicated that the Police Chief is applying for some grants perhaps to defray some of the cost. He added the Police Chief, those from the School Board and the Superintendent feel this is important for the School District – it has been done in many other School Districts with good results. Mr. Bove said it will be a continuing process. Discussion followed.

Personnel: Mr. Bove stated the Personnel Committee met and recommendations will be made as the Items come up later on the Agenda.

Mr. Earle stated there is a Parking Study Committee; with that grant, they are asking to have a Steering Committee. He requested that the Parking Study Committee recommend people to be on a Steering Committee. Mr. Sanderson stated they are specific and require certain people to be on it. He spoke with Members of the Planning Board, the Police Chief and some downtown merchants. He noted that it is moving along.

Mr. Earle reported that Standard and Poor raised its rating on the Town from “A” to “A+”. He proceeded to read the Outlook of Seneca Falls as stated by Standard and Poor.

Mr. Earle stated Joe Calarco from AFLAC would like to present a new program to the Employees. He asked if there was any objection from the Board; there were no objections.

Communications:

A motion was made to receive and file Communications numbered 1 to 17 by Emil Bove and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 17 are as follows:

1. Checks totaling \$5,223.78 representing copies of Police reports, gross receipts tax, HSA advance repayment, health Insurance premiums, tower rent, disability reimbursement and Insurance refund.
2. Copy of letter to Calgon Carbon Corporation from Barton & Loguidice stating the Board has accepted their bid for the WTP filter media replacement.
3. Certificate of Final State Equalization Rate for the 2014 Assessment Roll (83.00) from Office of Real Property Tax Services.
4. Statement of Accounts, April 1, 2011 to July 31, 2014, from Wilmington Trust.
5. Network News from Cayuga Lake Watershed Network.
6. Checks totaling \$39,367.95 representing Vince’s Park receipts, Community Center receipts, health Insurance premiums, refund of electricity overpayments and copies of Police reports.
7. Independent Accountant’s Report for the year ended December 31, 2013, pursuant to the Host Community Agreement between the Town and Seneca Meadows, Inc., from Buffington & Hoatland CPAs.
8. Minutes of the Seneca County Planning Board Meeting of July 10, 2014.
9. Section 504 Compliance Handbook, August 2014, from LRP Publications.
10. Notice to Occupant of intention to discontinue service supplied to Landlord or Rental Property Owner from NYSEG.
11. Reports and Resolutions from the Seneca County Planning Board relative to two Area Variances and proposed Local Law #5 – 2014.
12. Monthly Report for the month of July 2014, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
13. Email from Time Warner Cable stating agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time, and they may be required to cease carriage of one or more of these services.
14. Letter from NYS Department of Transportation relative to a road resurfacing project on Route 5 & 20 during the 2015 construction season.
15. Municipal Shelter Inspection Report completed on August 15, 2014 from NYS Department of Agriculture and Markets.
16. Checks totaling \$10,041.52 representing Vince’s Park receipts, copies of Police reports, burial fees, utility gross receipts tax, reimbursement for lawn mowings, HSA reimbursement, Town Clerk’s monthly report, Insurance premium payments, tote sale and sale of surplus trailer.
17. Minutes of the Heritage Preservation Commission Meeting of July 22, 2014.

Old Business:

Sale of Condominium: Mr. Morrell stated he spoke with a Member of the Firm conducting appraisals, and they expect to be here some time this week to physically go into the space and look around. He also will be speaking with him when he is in town about other surplus properties the Town would be marketing in the future. Mr. Sanderson mentioned that in the Agreement, he specified a length of time - 40-50 days; are we out of that Agreement time. Mr. Morrell replied we are probably right about there. Brief discussion followed.

Auburn Road Sewer Extension: Mr. Morrell said this relates to the work that Mr. Rowe spoke about earlier in the Meeting regarding testing of the sewer lines. Mr. Earle asked if this line was one of the lines that was videoed; Mr. Rowe replied he believes the Auburn Road sewer section was not televised. Mr. Wood added everything on the list was televised. Mr. Earle asked if they can get that line cameraed. Mr. Wood said it wasn't on the list, but they can do that. Mr. Bove said check out the condition of the line closer to the Village so a decision can be made as far as a recommendation for the extension on Auburn Road. Mr. Wood said we know it is only a 6" line and we know it's clay; it won't handle the flow that we bring in from the outside, so cameraing it will only tell if it's falling apart inside, if it's clay tile or if it's cracked or the seams are leaking. Mr. Earle said according to minutes from the last Meeting, Mr. Rowe reported that the 6' sewer and pump station had available capacity to add additional flows from extension down on Auburn Road. Mr. Rowe said what he reported on at the last Meeting was that they looked at the operation of the existing pump station – the run times from the pump station that feeds that section of sewer as well as the capacity of that existing sewer. After brief discussion, Mr. Earle said cameraing is important to see if there is a problem that is creating excessive maintenance and flushing of that. Mr. Bove asked other than that, are we moving forward with planning and specs on the extension; Mr. Rowe replied if that is what the Board would like, they can do that. Mr. Earle stated money is in the Budget; part of that was designated for that section of pipe for replacement or for whatever needed to be done.

After further discussion, Mr. Sanderson said his understanding is that by later this month, the Board will have a recommendation to either repair or replace a line or go ahead with the extension; Mr. Condino said that is correct.

Ritmer Lane Sewer: Mr. Earle stated it has been determined that that Lane is not Town owned. He added it is in poor condition, and Nicoletta Corporation needs to be contacted to see if they have any records other than the Town has – anything to show that that is a private Lane. He said the Town will not extend sewer on a private lane. Mr. Bove requested that Mr. Earle contact Nicoletta, and Mr. Earle said he would. Mr. Bove said there should be more discussion than just the sewer – the condition of the road is an issue.

Write-Off Uncollectable Receivables: Mr. Morrell stated the one relating to the Gould Hotel (a prior enterprise) was subject of a proceeding – there was a suit filed and a preliminary deposition. It was then stalled out and the defendant changed location a few times. He requested that that continue because that matter can be continued if the Individual is located and it gets back into the Court. Brief discussion followed.

SEQR Process – New Town Hall Facility: Mr. Earle indicated that the Board cannot move forward on this now.

Certified Local Government Program: Mr. Bove asked if the Supervisor and Mr. Caraccilo signed the Agreement; Mr. Earle replied he is pretty sure he did. Mr. Bove said hopefully, Mr. Caraccilo can get the Town back into a recognized certified local government.

Parking Issues: Mr. Bove stated the Board discussed in emails some parking situations where parking spaces are being marked in spaces where the Town Code specifically prohibits parking; the two spaces in particular that are in question are at 39 Bridge Street. He thinks the confusion was that at some point, the Board passed a resolution authorizing parking there; the Town Code was adopted after that. Mr. Morrell stated the Board specifically decided to not put signs up; in order to issue tickets, you have to have notice that there is no parking there. He said the feeling was that the Board did not want to prohibit parking at that location, so signs were not put up. The Code still controls, so if the Board wishes to unmark it, nothing further needs to be done other than for the Board to do a resolution to direct that the markings be removed and signage be put in place. Brief discussion followed.

A motion was made to remove the parking spaces and install appropriate signs at 39 Bridge Street by Emil Bove and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

New Business:

Approval of Special Events: Mr. Spina said there are no new Events. He did mention that the St. Anthony Italian Festival was postponed and was moved to Columbus Day Weekend.

A motion was made to carry over the application of the St. Anthony Italian Festival to the Columbus Day Weekend – October 10, 11 and 12, by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Agreement – Beverly Animal Shelter: The Town Clerk stated according to NYS Agriculture and Markets, the Shelter cannot accept any dogs unless this Agreement is in place. The Agreement states that the Town will pay the Shelter \$10.00 per day for each dog that is seized for a maximum of seven days. The Agreement will be effective for this year and next year. Brief discussion followed.

A motion was made authorizing the Supervisor to sign the Agreement with Beverly Animal Shelter relative to the impoundment of dogs, said Agreement to expire December 31, 2015, by Duane Moore and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays.

Proposed Local Law – Moratorium on Mining Activities: Mr. Morrell stated the Board has a copy of the proposed Local Law which was reviewed by the Seneca County Planning Board who recommended approval and left it solely to local determination. The Town Planning Board reviewed this matter and recommended approval, and also recommended that the term of the moratorium be one year rather than six months. Mr. Morrell stated also in the Board’s packet is the SEQR form that has been prepared by Barton & Loguidice. This Evening, the Board held a Public Hearing in which there were comments, both written and in person; as the Board is considering taking action, he requested that the Board keep the comments in mind.

A motion was made designating the Town Board as lead agency relative to SEQR by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Mr. Morrell referred to the SEQR form which Barton & Loguidice has gone through and identified areas of potential environmental impact with regard to any action of adopting this moratorium. In reviewing Part 2 on Page 3, Mr. Morrell noted that Barton & Loguidice has reviewed this and they have found either no or small impact may occur with all of the areas of review except for No. 2 – “Will the proposed action result in a change in the use or intensity of use of land?”. Their comment is that “the proposed action will result in a change in the use or intensity of use of the land. Mineral extraction activities can significantly modify land uses and land characteristics in a community. Placing a temporary moratorium on mineral extraction activities in the Town of Seneca Falls would disallow such land-altering activities from taking place in the short-term (6 months). Therefore, the proposed action will not result in any significant adverse environmental impacts to land use within Seneca Falls”. Mr. Morrell said if the Board has any other areas of concern or would like to discuss in relation to the potential environmental impacts of the action of adopting this moratorium, this would be the time to discuss that.

Mr. Bove referred to the SEQR review that was overturned last year, the reason being the Board didn’t make specific findings on various questions presented to the Board. He gets the distinct impression that the Board is required to answer each question, either with some discussion or indicate some reason for making that decision. Mr. Bove said he is reluctant to handle this in a fairly superficial manner. Mr. Morrell stated he is not recommending that this be done in a superficial manner; however, this has been reviewed by the Town’s Engineers, but the Board can go through this in a more specific manner. Part 2, No. 1 states – Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Mr. Bove said it would be conflicting with our zoning as it would be suspending mining activities. Mr. Morrell replied it would have a conflict with the zoning regulations, but the Board is taking this area of our regulations and putting them on hold. He said the Board needs to decide if it is a no or small impact or moderate or large impact – there hasn’t been any applications in the last ten years. Brief discussion followed.

Mr. Bove answered questions in Part 2:

He thinks the answer to No. 1 is moderate to large impact. No. 2 - he agrees with. No. 3 - he doesn’t see how putting a moratorium on mining does not, in some way, have an impact on the quality or character of the existing community in a positive way. No. 4 – Ok. No. 5 – Ok. No. 6 – No, it doesn’t have anything to do with energy. No 7 – could be moderate. No. 8 – No. No. 9 – by prohibiting mining for six months or one year, he thinks it could be positive, so the answer should be yes. No. 10 – No. No. 11 – No. Mr. Bove said he thinks this is a discussion there should be a record of. He asked if this is enough discussion to get the Board by Court review. Mr. Morrell replied that is discussion by one Board Member. He asked how the remainder of the Board feels. The Board proceeded to review Part 2 of SEQR. Lengthy discussion followed.

A motion was made to change Part 2, No. 1 to moderate to large impact by Emil Bove and seconded by Chad Sanderson.

Mr. DeLelys said he does not agree with the motion. After brief discussion, Mr. Morrell stated there are two areas of moderate to large impact according to the motion on the floor; are there any other areas that the Board has any concern that there may be a moderate to large impact in items 3 to 11. Mr. DeLelys said everything is fine the way it is. Mr. Condino stated with respect to the environmental review as far as the action is concerned, it is always important to make sure that action is identified specifically. He said if the Board contemplates at the end of six months extending it for another six months, it would be prudent to modify the description of the action to say the Board contemplates a six month moratorium with extending it another six months so that you have taken into consideration it has looked at all the potential impacts either a six month or one year moratorium may have. He doesn’t think it affects the review process, but it does clarify what the actual action is and may be. Mr. Bove withdrew his motion and Mr. Sanderson withdrew his second.

A motion was made by Emil Bove and seconded by Chad Sanderson to adopt the Short Environmental Assessment Form with the following modifications:

Under Brief description of proposed action – inserting twelve month moratorium instead of six months;
 Changing answer to Part 2, No. 1 to moderate to large impact may occur.
 No questions. Motion carried 5 ayes, 0 nays.

Mr. Morrell requested that the Board make a specific finding of significance. Part 2 was discussed in depth, and Part 3 is the determination of significance which is whether or not the action will result in any significant adverse environmental impact. When there is a moderate to large impact, it is required to have a narrative. If the Board goes forward with a negative declaration, there has to be some type of explanation as to why that moderate to large impact is not going to result in a significant adverse environmental impact. As far as the answer to No. 1 and explaining why it is a moderate to large impact, Mr. Morrell suggested that the explanation be the moratorium is a change to the adopted use plan and will necessarily conflict with that plan, but will not result in any land altering activities, and thus will not result in any significant adverse environmental impacts.

A motion was made by Emil Bove and seconded by Don Earle to adopt Part 3 determination of significance by adding explanation for No. 1 – The moratorium is a change to the adopted use plan and will necessarily conflict with that plan but will not result in any land altering activities, and thus will not result in any significant adverse environmental impacts. No questions. Motion carried 5 ayes, 0 nays.

A motion was made by Emil Bove and seconded by Dave DeLelys to declare a negative declaration and authorize the Supervisor to sign the SEQR form and the box on Page 4 checked which states based on the information and analysis above, and any supporting documentation, the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. No questions. Motion carried 5 ayes, 0 nays.

Mr. Morrell stated if the Board is considering an additional six months, that could be added to Section 5 of the proposed Local Law by stating “the Board is specifically contemplating a further extension of six months beyond the initial term of this Local Law”. He added if the Board is considering a one year moratorium, he doesn’t see any major change in the Town Planning Board’s recommendation or the County Planning Board’s consideration of the matter and it was contemplated during SEQR review. Brief discussion followed.

A motion was made to extend the term of the moratorium to one year instead of six months, and to adopt Local Law #5 – 2014, a local law imposing a temporary moratorium on mineral extraction approvals, with change of term, by Duane Moore and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays.

Increase Hourly Wage – Part-Time Cleaner: Mr. Bove stated the Committee recommends a wage increase for Patricia Baity who is now a permanent part-time Cleaner to \$10.00 an hour effective September 2nd. He added all reports are that she does a very good job; this is not increasing her hours – just a wage increase.

A motion was made to increase the hourly rate of pay of Patricia Baity to \$10.00 an hour effective September 2, 2014 by Emil Bove and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Increase Hourly Wage – Deputy Town Clerk: Mr. Bove stated the Committee also recommended a wage increase for Veronica Draheim, Deputy Town Clerk. She is at \$12.70 an hour now; midpoint on the salary matrix is \$14.53. The Committee is recommending that she receive \$14.00 an hour effective September 2nd.

A motion was made to increase the hourly rate of pay of Veronica Draheim to \$14.00 an hour effective September 2, 2014 by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Sick Leave Credits: Mr. Bove stated the Committee discussed a provision of Section 800-4 of the Employee Handbook which states “An employee may use sick leave credits for personal illness or injury that inhibits the employee’s work. Sick leave credits may not be used in increments of less than one-half day”. After considering a specific employee’s situation, Mr. Bove thinks it would be more appropriate to reduce the increments to two hours.

A motion was made by Emil Bove and seconded by Duane Moore to amend the second sentence to read “Sick leave credits may not be used in increments of less than two hours”. No questions. Motion carried 5 ayes, 0 nays.

A motion was made allowing Beverly Warfel to use her accrued sick time in two hour increments effective August 19, 2014 by Emil Bove and seconded by Don Earle. No questions. Motion carried 5 ayes, 0 nays.

Mr. Bove stated there has to be a procedure to update the Handbook. Mr. Earle recommended that the changes to the Handbook be written and an insert given to each employee until the Handbook is reprinted. Mr. Bove requested that Mr. Earle’s Secretary do that; Mr. Earle replied that she would.

Sponsorship Request – Rotary’s Wine, Water and All That Jazz: Mr. Morrell stated because Rotary is fairly a widespread group with many members, he is not aware if there are any Board Members currently a member of Rotary. When you have a not-for-profit group such as Rotary, it is not necessarily a conflict of interest; unless this is a money making venture for any of the Board Members as opposed to being involved in promoting the not-for-profit works that Rotary does, this would not be a conflict of interest.

Mr. Earle asked if this was done last year; the Town Clerk replied Rotary was given \$150.00 last year. After brief discussion, Mr. Moore suggested giving the normal contribution of \$150.00 and discuss this with the new Budget. He added it’s hard to come up with \$2,500.00 - the Board needs more time to discuss this.

A motion was made to contribute \$150.00 to Rotary’s Wine, Water and all that Jazz Event by Duane Moore and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 naves.

Assessor – Purchase Image Mate GIS Extension: Mr. Earle asked what the cost would be; Mr. Collins replied the cost is \$1,500.00, and there is a yearly maintenance fee of \$500.00. He added there is money in the Budget.

A motion was made authorizing the Assessor to purchase an Image Mate GIS extension at a cost of \$1,500.00, with a yearly maintenance fee of \$500.00, by Dave DeLelys and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 naves.

Increase Hours – Supervisor’s Clerk: Mr. Earle stated originally, 20 to 30 hours were approved. He said with the extra duties from a person being out, he is requesting her hours be increased to 30-35 hours; cost would be less than \$5,000.00 a year.

A motion was made to increase the hours of the Supervisor’s Clerk to 30-35 hours by Chad Sanderson and seconded by Emil Bove.

Mr. Bove asked if this is temporary – is Mr. Earle thinking until the end of the year. Mr. Earle replied that is what he is thinking; then take another look at that.

The above motion made by Chad Sanderson and seconded by Emil Bove to increase the Supervisor’s Clerk’s hours to 30-35 hours was carried 5 ayes, 0 naves.

Special Meeting – Presentation of 2015 Tentative Budget: Mr. Earle stated the Board needs to have a Special Meeting to present the 2015 Tentative Budget, and also to discuss building issues. Mr. Bove asked if this has to be done before the next Meeting; the Town Clerk replied yes – because the next Meeting is October 7th, and the Tentative Budget has to be presented by October 5th.

After brief discussion, a motion was made to hold a Special Meeting at 7:00 P.M. on September 29, 2014 by Don Earle and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 naves.

Bids – Repair of Cemetery Monuments: Mr. Moore stated there is money in the Budget for this. He has no objections, and hopes the Board feels the same way as there is work that needs to be done. Mr. Bove asked if this was done properly. Mr. Morrell replied it appears it was done properly; one of the potential bidders declined to submit a bid, and there is one bid remaining.

A motion was made to accept the bid of Fegley Construction in the amount of \$18,175.00 for the repair of monuments in Restvale Cemetery by David DeLelys and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 naves.

Trinity Church Fundraiser: Mr. Morrell stated as with all these types of requests, the Board should make some kind of finding that this is a benefit to the Community as a whole, or is promoting a cultural event, or in some way benefiting historic preservation of a particular historic asset – something to justify any type of donation. Mr. Earle stated he cannot see doing this – he doesn’t see where it is really benefiting the entire Community. After discussion, there was no action taken.

Planning and Zoning – Attendance at Training Session: Mr. Earle stated there is a Land Use Training for Planning and Zoning Boards on September 17th.

A motion was made authorizing Members of the Planning and Zoning Board of Appeals to attend the Land Use Training on September 17, 2014 at the Seneca County Office Building by Emil Bove and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 naves.

Contribution – Cayuga Lake Watershed Network: Mr. Earle asked if this has been done in the past; the Town Clerk replied yes - this has been done on a yearly basis. Brief discussion followed.

A motion was made to donate \$100.00 to the Cayuga Lake Watershed Network by Dave DeLelys and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Employee Handbook Items: Mr. Earle noted this was discussed; his Secretary will make corrections and get them to the Employees.

2% Tax Cap: Mr. Earle stated due to significant items that have changed in our taxable value due to the adjusted Seneca Meadows assessment and Gould Pumps, it is possible that we may need to go over the 2% tax cap this year. He requested that a local law be prepared just in case this needs to be done. Mr. Morrell said this is something he can prepare; it requires a local law which means publication and a Public Hearing. He suggested setting up a Public Hearing for the October 7th Meeting – it needs to be done by the end of the year. Discussion followed.

A motion was made to schedule a Public Hearing at 7:00 P.M. on October 7, 2014 relative to adopting a local law to waive the 2% tax cap by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Seneca Falls Community Band: A motion was made to contribute \$500.00 to the Seneca Falls Community Band as it is a benefit to the Community by Duane Moore and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Appoint Clerk – Records Grant: A motion was made to appoint Kathryn Lankford as Clerk for the Records Grants at a salary of \$17.50 per hour by Duane Moore and seconded by Emil Bove. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer Credits: Mr. Earle stated there are two credits for a total of \$307.77.

A motion was made to approve the water and sewer credits in the amount of \$307.77 as stated in review dated September 2, 2014 and prepared by Anne Havelin by Duane Moore and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Van Cleef Lake Centennial: Mr. Earle stated a letter was received asking the Board to be part of this, whether there is a donation or just having it as a Town event. Mr. Spina stated right now, they are just asking the Board to embrace it and be prepared – they are looking for Town involvement. The Town Clerk stated Carol Ritter Wright will make a presentation at a Budget Workshop.

Payment of Bills:

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

General Fund - \$93,405.35 (Abstract #10)	Recreation Fund - \$13,635.17 (Abstract #10)
Miscellaneous Fund - \$33,524.53 (Abstract #10)	Vince's Park Fund - \$6,441.18 (Abstract #10)
Highway Fund - \$139,077.49 (Abstract #10)	Sewer Fund - \$12,748.48 (Abstract #10)
Water Fund - \$46,712.80 (Abstract #10)	

No questions. Motion carried 5 ayes, 0 nays.

At 9:25 P.M., a motion was made to go into Executive Session to discuss litigation and status of Police negotiations by Emil Bove and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reconvene the regular monthly Meeting at 10:40 P.M. by Dave DeLelys and seconded by Chad Sanderson. No questions. Motion carried 5 ayes, 0 nays.

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

Meeting adjourned at 10:40 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

