

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, October 1, 2019 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Gregory Lazzaro; Councilmen Vittorio Porretta, Douglas Avery and David DeLelys. Also present were David Foster, Town Attorney; James Spina, Commissioner of Parks & Recreation; James Peterson, Highway Superintendent; Joseph Tullo, Chief WWTP Operator; Stuart Peenstra, Police Chief; Marshall Foster, IT Network Administrator; Peter Baker, Town Engineer and a member of the local media.

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

Presentations:

Police Officers Accommodations/Lifesaving Awards:

Chief Peenstra read a portion of the Letter of Commendation issued to Sgt. Sebastian Gentile for his actions on August 17, 2019 regarding the report of a woman unconscious, covered in blood. He located the vehicle that the suspect was reported to have fled the scene with the victim and children inside the vehicle, and confronted the suspect who was holding a knife, threatening self-harm. When the suspect began to self-harm himself utilizing the knife, Sgt. Gentile and Deputy Vongphouthone bravely stepped in to prevent the suspect from continuing to harm himself and placed the suspect in custody. Once in custody, Sgt. Gentile began lifesaving measures to ensure the suspect did not succumb to his injuries. He then worked effectively and efficiently with multiple agencies to secure the scene and gather essential evidence. Chief Peenstra stated Sgt. Gentile's actions during the incident and investigation to follow proved calm and extremely professional. The lifesaving measures he provided on-scene ensured that the suspect survived and will face criminal prosecution.

Chief Peenstra read a portion of the Letter of Commendation issued to Officer Jacob DeChick for his actions on August 17, 2019 regarding the report of an unconscious woman, covered in blood. Once on the scene, he quickly and efficiently assessed the situation and began lifesaving measures to ensure the victim with multiple life threatening stab wounds did not succumb to her injuries. Once the scene was secure and the victim was turned over to the appropriate medical professionals, he worked effectively with multiple agencies to gather essential evidence. Chief Peenstra stated Officer DeChick's actions during the incident and investigation to follow proved calm and extremely professional, well beyond his years of service.

Chief Peenstra further commended Officer DeChick for having the drive to further educate himself as a certified EMT for the past three years, and Sgt. Gentile for the past eight years. He added they also purchased and equipped themselves with additional medical supplies that were proven necessary on this day to help save the life of the victim. The Chief presented Sgt. Gentile and Officer DeChick with lifesaving pins as a sincere thank you for a job well done. Their actions on this day went above and beyond to prevent a tragic event from becoming a fatal one. Chief Peenstra stated they are a great representation of this Agency, and he is proud to have them on his team. He added this is Officer DeChick's second lifesaving pin since his start in 2018, and Sgt. Gentile's fifth lifesaving pin since his start in 2013.

Chief Peenstra referred to the Brandon Burgess incident on September 17<sup>th</sup> where they were looking for the suspect in two different counties who committed an armed robbery in Phelps. They received information that he may be headed to Seneca Falls, and Officer DeChick took the information he had and went down to Route 89 where he thought he was heading. He located the vehicle Burgess was in, initiated a traffic stop, and Burgess fled the scene. A perimeter was set up and they trapped Burgess in and apprehended him. Chief Peenstra stated Office DeChick is the Officer that located the vehicle and Burgess which ultimately apprehended the individual and ended the search for a very dangerous individual in our area. He said Officer DeChick also received a letter of commendation from Ontario County Sheriff Henderson.

Kristine Hanford – US 2020 Census: Martin Toombs, President of the SF Library Board, spoke on behalf of Ms. Hanford who arrived later in the Meeting. He said people need to be aware that the Census is going to take place on April 1<sup>st</sup>, 2020, the first time the Census is going to be largely conducted online. Cards will be mailed out to give people their options – they can do it by filling out a paper form, by telephone or online. Mr. Toombs noted that all five libraries will have additional computers available for people to come in and do the Census and their staff will be able to provide support.

Mr. Toombs stated it is important to have a complete count for purposes of Federal and State aid – in order to get our fair share of Federal and State aid, we need everybody counted. He went on to explain the process and said there is a website set up for information which is [senecacensus.org](http://senecacensus.org). Mr. Toombs said they are also looking for people to work. There will be a Census Rep at the Library October 15<sup>th</sup> at 3:00 P.M. to talk about the jobs.

Ms. Hanford, Partnership Specialist from the US Census Bureau, stated her job is to educate and motivate people to respond to the Census. She said the US Census Bureau is the leading provider of data about its people and economy. The Census is important; over \$675 billion is allocated depending who responds. In some parts of Seneca County, 25% of the people did not respond - services, roads, schools, and many things are allocated through the Census. Ms. Hanford stated your resources for the next ten years are going to depend on them getting a really good response. They have the highest levels of protection in firewalls, and they do not share data with any other government agency – your information is only used for statistical information. Ms. Hanford said spread the work that the Census is very important for Seneca County. Brief discussion followed.

#### Petitioners:

Susan Sauvageau – Signs: Susan Sauvageau stated for the last 25 years or so, previous Town Boards have allowed political signs on Town property. Her question is what happened – she hasn't found any new legislation that was passed or a printed policy. She said it is not legal to restrict signs based on content. Ms. Sauvageau thinks elections are important to democracy and signs are part of that election process. She is concerned that the Town's policy doesn't meet the State's standards, and it's not written down for people to actually know about it ahead of time. She noted that commercial signs are still allowed on Town property; according to the Department of State, restrictions must be justified, not on content. Ms. Sauvageau urged the Board to rescind this unwritten policy and go back to the traditional allowance of signs on Town property.

Mr. Avery reiterated Ms. Sauvageau's concern that distinction is being made between the signs. He said with the specific space at the island downtown at the corner of Fall Street and Cayuga Street, he doesn't think it belongs to the Town. They used to put signs for a musical there, and New York State contacted the School and said take it down. They didn't allow any signs there, but gradually, they have come back. After further discussion, Ms. Sauvageau said it's okay – business as usual. Mr. Foster replied from his prospective it should be business as usual.

#### Approval of Minutes:

A motion was made to approve the Minutes of the Special Meeting of August 28, 2019 and the Public Hearings and Meeting of September 3, 2019 by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

#### Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer's report by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

Zoning Officer: A motion was made to accept Mr. Zettlemoyer's report by Greg Lazzaro and seconded by Dave DeLelys.

Mr. Avery stated there are 12 pages – almost 200 violations. He thinks Mr. Ferrara brought up the fact that the Town needs to do something about houses that have junk in their yards and zombie homes. Citing people because they are a little behind in mowing their lawns goes well beyond the spirit of what was intended. Mr. Avery said some people who got a letter found it very intimidating. After further discussion, Mr. Avery stated somehow, this has to be done in a more friendly manner.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to accept Mr. Zettlemoyer's report was carried 4 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to accept Mr. Spina's report by Greg Lazzaro and seconded by Vic Porretta. No questions. Motion carried 4 ayes, 0 nays.

Highway Superintendent: A motion was made to accept Mr. Peterson's report by Greg Lazzaro and seconded by Dave DeLelys.

Mr. Peterson informed the Board that the Fall Leaves and Brush Pickup will be held on November 12<sup>th</sup>. He stated Nick Sperlazza has resigned as he has moved on to another job; he thanked him for all the hard work he did for the Town. He added David Olsowske retired after 23 years working for the Town. He wished Mr. Olsowske the best, and said he was a great employee.

Mr. Avery asked if there was any update on Bayard Street. Mr. Peterson replied no – they haven't been in touch with him – it's still up in the air from the last Meeting they had.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to accept Mr. Peterson's report was carried 4 ayes, 0 nays.

Assessor: A motion was made to accept Ms. Waite's report by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

Town Attorney: Mr. Foster stated there has been a notice of claim filed for an Individual who tripped over a bench at or about 73 Fall Street; she received injuries when she slipped and fell at that location by the protruding legs of a park bench.

Mr. Foster said there were several assessment cases; hearings were scheduled in Waterloo at the Court House for residential and some scheduled in Rochester, both at the same time. He said the ones scheduled for commercial are basically resolved. The assessment issue on The Gould has been settled. Mr. Foster stated in all of these cases, the common denominator is if we are going to do a reduction, there will not be any refunds. He added our challenged assessments may be resolved – he will know better by the next Meeting.

Water& Sewer: A motion was made to accept Mr. Tullo's report by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

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 4 ayes, 0 nays.

Police Chief: A motion was made to accept Chief Peensra's report by Greg Lazzaro and seconded by Dave DeLelys.

Chief Peenstra stated this month, they received a Federal Grant in the amount of \$1,311.00 which goes towards purchasing new or replacing body armors which are five years old or older. On September 5<sup>th</sup>, he and Lt. Snyder went to Albany where they officially received their 5-year accreditation. On September 21<sup>st</sup>, they held a safety car seat child restraint seat checkpoint with the Waterloo Police Department, Seneca County Sheriff's Department and the Seneca County Health Department. They replaced car seats that were aging or no longer useful.

Chief Peenstra stated October 26<sup>th</sup> is the National Drug Take Back Day; they will be at Kinney Drugs and Wal-Mart. He reminded all that they have a prescription drug take back box in the Police Lobby.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to accept Chief Peenstra's report was carried 4 ayes, 0 nays.

Barton & Loguidice: A motion was made to accept Town Engineer Peter Baker's report by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

IT Network Administrator: A motion was made to accept Marshall Foster's report by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

#### Communications:

A motion was made to receive and file Communications numbered 1 to 8 by Greg Lazzaro and seconded by Vic Porretta. No questions. Motion carried 4 ayes, 0 nays. Communications numbered 1 to 8 are as follows:

1. Checks and deposits totaling \$1,064,443.70 representing 2<sup>nd</sup> quarter Landfill revenue; Retirees Insurance; copies of Police reports; Judge Lafler's July Report; Vince's Park deposits; dumpster fees; burial fee; Insurance refund; Judge Laquidari's July Report; National Night Out contributions; Community Center deposits; unclaimed exonerated bail; disability reimbursements; mortgage tax; Bridgeport fuel reimbursement; culvert pipe reimbursement; payment for purchase of lawn mower; DWI overtime reimbursement and background check.
2. Email from Charter Communications notifying Town that Time Warner Cable Northeast has changed its name to Spectrum Northeast.
3. Letter from Donald L. Groner relative to Women's Hall of Fame Inductees.
4. Minutes of the Seneca County Planning Board Meeting of August 8, 2019.
5. Copy of remediation check received from NY Municipal Insurance Reciprocal and given to Fire & Water Restoration, LLC (Mold at old Village Hall).
6. Letter from Cayuga Lake Watershed Network thanking Town for its 2019 donation.
7. Notice of Submission of Preliminary Scoping Statement relative to construction of a solar facility in the Town of Waterloo.

8. Resolutions adopted by the Board of Directors of Preserve Seneca Falls, Inc. regarding the designation of the Historic District and general support of proposed reuse of Koch building.

Old Business:

Write-Off Uncollectable Receivables: Mr. Foster stated a previous Board stopped any collection on this matter by their actions of forgiving or writing off anything they owed. When he got the paperwork from Mr. Morrell, he indicated that he had gone forward with it but then stopped when the previous Board decided to take whatever action they did. After brief discussion, Mr. Foster said he would meet with Mr. Morrell and confirm it.

Sale of Surplus Property: Mr. Avery stated at his request last month it was tabled getting out the RFPs for sale long enough to hopefully get a response on the DRI Grant. As of last week, four of the ten DRIs have been announced; our region has not yet.

Resolution – Grant Writing Services: Mr. Avery stated 6-7 requests for the RFPs were mailed out or faxed – we have a fair amount of interest. He said hopefully, we will get 4 or 5 responses.

Moratorium – Short Term Vacation Rentals: Mr. Avery stated with the AirB&B, usually the owner is onsite, where others are buying up homes and renting them out - other communities are struggling with the same thing. Mr. Foster said it's an area that needs regulation. Brief discussion followed.

New Business:

Approval of Special Events: No requests this month.

Mr. Avery asked what is happening on the last Saturday before Halloween. Mr. Spina replied it's their annual Halloween Fest (October 26<sup>th</sup>). There will be Trick or Treating downtown with all the merchants from 2:00-2:30, and from 2:45-4:00 there will be games, inflatables, entertainment for the kids and families at the Community Center.

November Town Board Meeting Date: The Board agreed to hold the November Meeting on Wednesday, November 6, 2019 at 6:00 P.M.

2020 Tentative Budget: The 2020 Tentative Budget was presented to the Board.

Schedule Budget Workshops: Budget Workshops were scheduled as follows:

Thursday, October 10<sup>th</sup> at 5:00 P.M.

Tuesday, October 15<sup>th</sup> at 5:00 P.M.

Wednesday, October 23<sup>rd</sup> at 5:00 P.M.

Tuesday, October 29<sup>th</sup> at 5:00 P.M.

Mr. Lazzaro requested that the Town Clerk send the schedule to the press.

Set Public Hearing Date for 2020 Preliminary Budget: A motion was made to hold a Public Hearing relative to the 2020 Preliminary Budget at 5:00 P.M. on November 6, 2019 by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 naves.

W/S Resolution – Purchase Pump: A motion was made by Greg Lazzaro and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department is in need of a spare pump for Ken-Mor pump station, and there is money available in the Budget; and

WHEREAS, the Water/Wastewater Department received two bids for a pump. Ground Water Systems in Bloomfield was the low bidder at \$4,363.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize the purchase of a pump from Ground Water System for \$4,363.00.

No questions. Motion carried 4 ayes, 0 naves.

Budget Modifications for September 2019: A motion was made to approve the Budget Modifications for the month of September 2019 by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 naves.

Changes to Employee Handbook: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, a permanent part-time employee is an employee regularly scheduled a minimum of twenty or more hours per week (or at least 1,000 hours per year); and

WHEREAS, the Town of Seneca Falls Town Board recognizes that permanent part-time employees make the same commitment to the Town as a full-time employee but their scheduled hours are modified for the convenience of the Town; and

WHEREAS, it is the desire of the Town Board to show its appreciation to the permanent part-time employee by granting paid leave based on each employee's daily scheduled average hours per week.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does adopt the attached changes to the Employee Handbook which will grant the addition of paid personal leave and paid sick time accrual leave at the same rate as full-time employees but prorated to their average scheduled work day.

No questions. Motion carried 4 ayes, 0 nays.

W/S Resolution – Adjust Salary of J. Varricchio: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Seneca Falls Town Board wishes to acknowledge the accomplishment of James Varricchio in obtaining his Water Treatment Plant Operator's license and CDL driver's license; and

WHEREAS, the Town Board realizes obtaining these licenses required substantial training and dedication in which James has excelled in every aspect; and

WHEREAS, having obtained these licenses, James Varricchio is now qualified to be promoted in the wage and salary matrix from Water Treatment Plant Operator trainee to Water Treatment Plant operator, thus requiring a change in his position in the salary matrix.

THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board authorizes making James Varricchio a Water Treatment Plant Operator and increasing his salary to \$26.50 per hour retroactive to August 19, 2019.

Mr. Tullo stated James is doing a great job in everything at the Water Plant. He received his 2A Water Treatment Plant Operator license which is a pretty big step from going from a trainee to an Operator. Mr. Avery stated he is not a trainee anymore – he got is Operator's certification and should be placed accordingly on the matrix.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to adopt the above resolution adjusting the salary of James Varricchio was carried 4 ayes, 0 nays.

W/S Resolution – Purchase Lawn Mower: A motion was made by Greg Lazzaro and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department is in need of a lawn mower; and

WHEREAS, the Water/Wastewater Department received two bids for a 52" Ferris mower. Martins Small Engine in Clyde was the low bidder at \$7,099.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize the purchase of a 52" Ferris mower from Martins Small Engine for \$7,099.00.

Mr. Tullo stated this is out of the Bridgeport funds – they indicated they wanted a lawn mower purchased this year. He said they held off purchasing a mower until the very end in case there was an emergency.

The above motion made by Greg Lazzaro and seconded by Doug Avery to adopt the above resolution authorizing the purchase of a lawn mower was carried 4 ayes, 0 nays.

Highway Resolution – Resignation of N. Sperlazza: A motion was made by Greg Lazzaro and seconded by Doug Avery to adopt the following resolution:

WHEREAS, Nicholas Sperlazza was hired August 8, 2018 and has been employed with the Town's Highway Department for one year; and

WHEREAS, Nicholas has submitted his notice of his intent to resign on September 5, 2019; and

WHEREAS, the Town is appreciative of Nicholas's commitment to this position and his positive work ethic.

THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby accept Nicholas Sperlazza's letter of resignation and wishes him the best in his future endeavors.

No questions. Motion carried 4 ayes, 0 nays.

Highway – Advertise for Laborer Position to Fill Vacancy: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Highway Department would like to advertise for a Laborer position as to fill a vacancy; and

WHEREAS, this will fill the vacancy left by the resignation of Nicholas Sperlazza.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the advertising for a laborer position so this position can be filled.

No questions. Motion carried 4 ayes, 0 nays.

Highway Resolution – Retirement of David Olsowske: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, David Olsowske was hired on November 18, 1996 and has been employed with the Town's Highway Department for almost 23 years; and  
WHEREAS, David has submitted his notice of his intent to retire on September 27, 2019; and  
WHEREAS, the Town is appreciative of David's commitment to his position and his positive work ethic.  
NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby accept David Olsowske's letter for retirement, and wishes him the best in his retirement.  
No questions. Motion carried 4 ayes, 0 nays.

Highway Resolution – Fill MEO Vacancy: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the retirement of David Olsowske has created a vacancy in the Town of Seneca Falls Highway Department; and  
WHEREAS, Eric Bush has successfully been filling in this position as a temporary MEO since David left on disability; and  
WHEREAS, is has been deemed appropriate by the Seneca County Personnel Department to promote to fill the MEO vacancy from within.  
THEREFORE, BE IT RESOLVED, that Eric Bush will be promoted to the position of MEO to begin his probationary period at the starting wage of \$20.66 an hour.  
No questions. Motion carried 4 ayes, 0 nays.

Resolution – Purchase Copier for Court: A motion was made by Greg Lazzaro and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the copier in the Court Offices is outdated and maintenance is costly; and  
WHEREAS, the parts to maintain the copier are becoming scarce and obsolete; and  
WHEREAS, it has been determined that the cost savings monthly for maintaining the copier would lower from \$133.00 to \$27.50 per month.  
NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the purchase of a copier not to exceed \$4,050.00. The funds will be paid from line A1110.200 which will include a budget transfer of up to \$2,750 from line A1110.400.  
No questions. Motion carried 4 ayes, 0 nays.

Resolution – Support/Authorize Justice Court to Apply for Grant: A motion was made by Greg Lazzaro and seconded by Doug Avery to adopt the following resolution:

WHEREAS, THE Legislature of the State of New York amended the Judiciary Law to establish a Justice Court Assistance Program; and  
WHEREAS, the Office of Court Administration will administer the program; and  
WHEREAS, the Seneca Falls Town Court requests the opportunity to apply for a JCAP Grant to assist in the improvement, efficiency and operation of the Court; and  
WHEREAS, the Town Board of the Town of Seneca Falls also desires the Town Court to continue to make improvements, and improve on the efficiency and operations in the Court.  
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Seneca Falls hereby authorizes the Town of Seneca Falls Town Court to apply for funding up to the maximum amount allowed of \$30,000.00 under the Justice Court Assistance Program with no matching funds required on the part of the Town, and authorizes the Town Supervisor to sign the grant application.  
No questions. Motion carried 4 ayes, 0 nays.

Leaves & Brush Pickup – November 12, 2019: Mr. Lazzaro stated the Leaves and Brush pickup will be held on November 12<sup>th</sup>. He read the Notice which will be published in the Finger Lakes Times and on the website.

Engineering Services – Equalization Tank Improvements: A motion was made authorizing the Town Supervisor to sign the Agreement between the Town and Barton & Loguidice for engineering services relative to the equalization tank improvements by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

Resolution – Purchase “Stop Arm Cameras”: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, Governor Cuomo signed into law on August 6, 2019 legislation that amends the school board powers and duties section of the Education Law effective September 5, 2019, to authorize a school district board of education in its discretion to pass a resolution authorizing the entering of an agreement with a county, city, village or town within the school district; and  
WHEREAS, the Town Board wishes to pass a resolution authorizing the entering of an agreement that has established a demonstration program imposing monetary liability on the owner of a vehicle for failure of the operator to stop when a school bus has its stop-arm extended – for the installation and use of a school bus

photo violation monitoring system pursuant to the Vehicle and Traffic Law; and WHEREAS, the Vehicle and Traffic Law was also amended to provide that the total cost to the district of the installation, maintenance and use of the school bus photo violation monitoring system shall be borne entirely by the municipality within the school district which is a party to an agreement with the school district for the installation, maintenance and use of school bus photo violation monitoring systems on school buses; and WHEREAS, the frequency of vehicles passing stopped school buses continues to increase. The Town Board feels that partnering with the Seneca Falls School District is vital to the safety and security of our children; and WHEREAS, the Town Board would like to enter into an agreement with the Seneca Falls Central School District to purchase and install the "stop arm camera" equipment. The SFCSD will agree to maintain the system and forward all necessary evidentiary material to the necessary law enforcement agency for prosecution. THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board enter into an agreement with the Seneca Falls Central School District to purchase four (4) "Stop Arm Cameras" in 2019 to retrofit four (4) of the Seneca Falls School District's current buses at the price not to exceed \$2,180; and be it FURTHER RESOLVED, that the Seneca Falls Town Board enter into an agreement to purchase "stop arm cameras" in the future when buses are ordered from the factory at a cost of \$200 per bus. Pursuant to New York State Legislative action 4950-B.

Chief Peenstra stated there has been new legislation about stop-arm cameras on school buses. He discussed this with the School Superintendent and discovered that the cost to upfit a bus lies with the municipality where the School is because it is utilized for vehicle and traffic purposes. They recognized four buses to retrofit, and the cost to retrofit is more than double than to purchase a bus with it already equipped. The Chief stated for the cost, he thinks it's very appropriate to purchase these cameras.

Mr. Avery asked if we would be looking at retrofitting more next year; Chief Peenstra replied yes – if it's a desire of the Board we can do more. He suggested getting these four now and discuss it at Budget time.

The above motion made by Greg Lazzaro and seconded by Dave DeLelys to approve entering into an agreement with the SF Central School District to purchase four "stop arm cameras" to retrofit four school buses and purchase "stop arm cameras" in the future when buses are ordered from the factory was carried 4 ayes, 0 naves.

Resolution Designating the Town of Seneca Falls Historic District: HPC Chairman Chris Lytle explained that this is a motion related to the Huntington Building issue and Mr. Koch who came to the HPC to demolish his building and it was turned down. Mr. Koch decided to sue the Town and the HPC and Members. He said the suit wasn't about the Huntington Building as such – he was suing the Town because when the Village dissolved, everybody thought that codes from the Village with regards to the Historic District transferred over to the Town. Mr. Lytle said because of sequencing and timing there was some technicalities that made that invalid. Judge Doyle ruled in his favor very specifically that the Historic District technically did not transfer and therefore there was no Historic District. The HPC filed an appeal to that which froze everything in place. Mr. Lytle stated the HPC has passed a recommendation to the Town Board to establish the Historic District exactly as it was when it existed under the Village. He added in the meantime, Mr. Koch has found a buyer who does not want to demolish the building.

Mr. Avery stated the HPC held a Public Hearing last night and all were in favor of re-establishing and reaffirming the Historic District. He added both Attorneys are waiting for the Board to act so everyone can back away from pursuing the appeals. He noted Attorney Wendy Marsh said for the purpose of establishing the outline of the Historic District, it's the boundaries that are more important than the structure on the specific parcel. Mr. Avery stated SEQR is not necessary as it is a Type 2 action and does not require SEQR.

A motion was made by Doug Avery and seconded by Dave DeLelys to adopt the following resolution: WHEREAS, the Heritage Preservation Commission ("HPC") is in receipt of the decision issued by Judge Doyle in George Peter Koch v. Town of Seneca Falls, Town of Seneca Falls Heritage Preservation and Lorrilyn Bove, Christopher Lytle, Charles Genco, Virginia Konz, Sean Painter and Domenica Catalano, as Members of the Town of Seneca Falls Heritage Preservation Commission, each in his or her official capacity, Index No. 2018170 ("Doyle Decision"); WHEREAS, the said decision held that the Town failed to properly create a Historic District to designate landmarks and historic districts in the Town of Seneca Falls, as set forth in the Historic District and Buildings Map ("Historic District Map") attached as Exhibit 1; WHEREAS, the Historic District Map is found in the Town of Seneca Falls Zoning Code at Chapter 300d of the Town of Seneca Falls Code, which was enacted by resolution of the Town Board of the Town of Seneca Falls on October 1, 2013; WHEREAS, in accordance with the Doyle Decision, the HPC seeks to comply with Chapter 173 to recommend the official designation of the property contained within the Historic District Boundary in the Historic District Map attached as Exhibit 1, as the "Town of Seneca Falls Historic District" pursuant to Chapter 173;

WHEREAS, the HPC reviewed the background documents related to the original creation of the Village of Seneca Falls Historic District in July 1980, which boundaries are identical to the District as set forth in the Historic District Map attached as Exhibit 1;

WHEREAS, as set forth in the Historic District Map attached as Exhibit 1, the following is a list of the majority of the properties which are contained within the boundaries of the proposed Historic District:

Auburn Road: No odd; to and including 10 even  
East Bayard Street: To and including 63 odd, 50 even  
West Bayard Street: To and including 125 odd, 108 even  
Beryl Avenue: All  
Bridge Street: To and including 29 odd, 22 even  
Bove Drive: All  
Canal Street: All  
Cayuga Street: To and including 103 odd, 96 even  
Clinton Street: No odd, to and including 26 even  
Fall Street: To and including 245 odd, 240 even  
Jefferson Street: All odd  
Johnston Street: To and including 23 odd, 24 even  
Latham Street: All  
Mumford Street: All  
Mynderse Street: To and including 29 odd, 40 even  
New York State Barge Canal and NYS Barge Canal Power Station  
North Park Street: All  
South Park Street: All  
Ovid Street: No odd; 6-8 even  
Powell Place: No odd, to and including 4 even  
Prospect Street: All  
Seneca Falls Hydroelectric Plant  
Seneca Street: To and including 11 odd, no even  
State Street: To and including 133 odd, 144 even  
Trinity Lane: All  
Troup Street: All  
Van Cleef Lake  
Washington Street: All  
Water Street: All

WHEREAS, the HPC reviewed Blue Form Survey, an Architectural and Historical Inventory of the Village of Seneca Falls Historic District, Seneca Falls, New York, 1989 ("Blue Form Survey Book"), which contains the Blue Forms that were completed in the late 1970s and early 1980s for the properties located in the Village Historic District; WHEREAS, the Blue Forms contain the summaries of the relevant historical and architectural details for the properties proposed to be located in the Town of Seneca Falls Historic District;

WHEREAS, the proposed Town of Seneca Falls Historic District is identical to the boundaries of the New York State Heritage Area created pursuant to Chapter 36-B of the Parks, Recreation and Historic Preservation Law, and is specifically referenced at Section 35.03(1)(J) as "the cohesive geographical area of the Village of Seneca Falls, Seneca County, associated with and revealing of the community's place in the development of the women's rights movement";

WHEREAS, the NYS Heritage Area for Seneca Falls is shown on the map attached as Exhibit 2;

WHEREAS, as part of the establishment of the New York State Heritage Area, the Village of Seneca Falls created the Village Historic District and the local Historic District Commission through the enactment of Local Law #2 of the Village of Seneca Falls in or about July 1980;

WHEREAS, the HPC is fully familiar with the Seneca Falls Urban Cultural Park Management Plan, which was prepared as part of the creation of the New York State Heritage Area and provides the relevant background on the significance of the properties located within the Historic District, as well as the details associated with the creation of both the Village Historic District and the New York State Heritage Area;

WHEREAS, the HPC held the required Public Hearing on the proposed designation of the Town of Seneca Falls Historic District on September 30, 2019 beginning at 6:00 P.M.;

WHEREAS, the HPC, owners and interested parties presented testimony and documentary evidence at the Hearing regarding the architectural or cultural importance of the proposed Historic District;

WHEREAS, the HPC incorporates into the record the Blue Form Survey Book, the Seneca Falls Urban Cultural Park Management Plan, the meeting minutes from the Village Historic District Commission, and all records compiled by the Village Historic District prior to the Village's dissolution on December 31, 2011;

WHEREAS, the HPC incorporates into the record the Town's enactment of the consolidated Town of Seneca Falls Town Code on October 1, 2013, which included the Historic District map attached as Exhibit 1;

WHEREAS, the HPC now desires to provide the necessary recommendation pursuant to Chapter 173-4 to the Town Board to recommend it establish the Town of Seneca Falls Historic District in accordance with Chapter 173

with the boundaries set forth in Historic District Map set forth in Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN OF SENECA FALLS HERITAGE PRESERVATION COMMISSION AS FOLLOWS:

- A. The HPC Members are fully familiar with the proposed Town of Seneca Falls Historic District boundaries, as well as the history of its creation and the relationship with the identical boundaries in the New York State Heritage Area.
- B. The HPC has reviewed the documents related to the creation of the former Village of Seneca Falls Historic District in 1980, which is identical to the proposed Town of Seneca Falls Historic District, as well as the creation of the New York State Heritage Area, which is identical to the proposed Town of Seneca Falls Historic District, including, but not limited to:
  - a. The Blue Form Survey, an Architectural and Historical Inventory of the Village of Seneca Falls Historic District, Seneca Falls, New York 1989 ("Blue Form Survey Book"). Although the full Blue Form Survey Book is incorporated herein by reference, attached hereto as Exhibit 3 is a copy of the first chapter, which provides:
    - i. A Brief History of Seneca Falls
    - ii. Seneca Falls Historic District, and the
    - iii. Survey Methods
  - b. The Seneca Falls Urban Cultural Park Management Plan, which is incorporated herein in its entirety by reference. Attached hereto as Exhibit 4 is a section of the Plan that describes the relationship with the Village's Historic District and the associated map.
  - c. The meeting minutes from the Village Historic District Commission, which are incorporated herein in their entirety by reference.
  - d. The records compiled by the Village Historic District prior to the Village's dissolution on December 31, 2011, which are incorporated herein by reference in their entirety.
  - e. The legislative history of the Town of Seneca Falls Town Board's passage of the resolution on October 1, 2013 seeking to create the Historic District as set forth in the map attached as Exhibit 1, which is incorporated by reference in its entirety.
- C. The HPC received and reviewed comments and documentary evidence from owners and interested parties related to the proposed creation of the Town of Seneca Falls Historic District during the public hearing, including, but not limited to, a summary of the history of the Village Historic District and Heritage Area from Francis Caraccilo, who was the Planner for the Village of Seneca Falls and instrumental in both.
- D. Upon reviewing the background details associated with the creation of the Village of Seneca Falls Historic District, which contained the same boundaries as the current New York State Heritage Area, including, but not limited to the Blue Form Survey Book, as well as the HPC's personal knowledge of the proposed Historic District, the HPC finds that the proposed Town of Seneca Falls Historic District (as shown on the map attached as Exhibit 1 and contained as Town of Seneca Falls Zoning Code at Chapter 300d, which was enacted by resolution of the Town Board of the Town of Seneca Falls on October 1, 2013) contains a majority of properties that:
  - a. Possess special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation;
  - b. Are identified with historic personages;
  - c. Embody the distinguishing characteristics of an architectural style;
  - d. Are the work of a designer whose work has significantly influenced an age; or
  - e. Represent an established and familiar visual feature of the neighborhood because of a unique location or singular physical characteristic.
- E. The HPC further finds that the proposed Town of Seneca Falls Historic District is a distinct section of the Town even though it includes properties or structures that, while not of such historic and/or architectural significance to be designated landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the Historic District.
- F. The HPC recommends that the Town of Seneca Falls reaffirm the resolution passed on October 1, 2013 to create the Town of Seneca Falls Historic District using the boundary set forth in the attached Historic District and Buildings Map dated October 2013, attached as Exhibit 1, which is identical to the prior Village of Seneca Falls Historic District and the current New York State Heritage Area in the Town of Seneca Falls.
- G. This Resolution shall take effect immediately.

Mr. Lazzaro said he thinks the Board is acting a little hasty on this since we are still in litigation. Mr. Foster stated what happened in 2013 affected more than just one set of laws; what is being done here will not address the other statutes and the other regulations. He thinks there is a perception that this cures the issue that was identified by Judge Doyle. He believes that by going this route, you are not really curing the issue on the district, and the only way you will know that is if someone challenges it for very much the same reason. Mr. Foster said he doesn't believe this resolves the issue. He thinks it requires some crafting of some very good legislation that

has the history in it and the development of the district itself. He added the requirements of doing a district now are very different. Mr. Foster encouraged the Board to seek the advice of legislative counsel who is familiar with this and note that whatever they come up with as a solution should affect all of the statutes. Lengthy discussion followed.

Mr. Avery stated the Board needs to do this; if there is more work that needs to be done down the line we can do it – right now, the Board needs to vote on the motion before them.

A motion was made by Greg Lazzaro to table action on the above resolution designating the Town of Seneca Falls Historic District. Since there was no second to the motion to table action, motion failed.

The above motion made by Doug Avery and seconded by Dave DeLelys to adopt the above resolution designating the Town of Seneca Falls Historic District was carried 3 ayes, 1 nay; Supervisor Lazzaro with the dissenting vote.

Resolution – IT Services: A motion was made by Doug Avery and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Town of Seneca Falls has a responsibility to examine the most cost-effective means of providing goods and services to its own operation and to the residents of Seneca Falls; and

WHEREAS, the Town of Seneca Falls has, in the past, contracted with an outside vendor to serve the Town's IT needs; and

WHEREAS, the Town of Seneca Falls has had a full time IT staff member since 2017; and

WHEREAS, the Town of Seneca Falls, having experienced both means of receiving these services, is aware of the benefits and pitfalls of each.

NOW, THEREFORE, BE IT RESOLVED, that the IT Committee of the Seneca Falls Town Council is hereby authorized to explore currently available part-time, contractual, and inter-municipal solutions to its information technology needs as it determines the most effective way to procure these needed services in the future; and be it FURTHER RESOLVED, that the committee will provide a report and recommendation in time for consideration as part of the 2020 Town Budget.

Mr. Lazzaro asked who is on the IT Committee. Mr. Avery replied he was – Mr. DeLelys is – if Mr. Lazzaro wants to stick with that, he will step aside. Mr. Lazzaro stated it's his ruling- he has the right to appoint and take people off committees. He ruled this motion out of order because there was no IT Committee. Mr. Avery stated Mr. Lazzaro didn't disband the IT Committee - the IT Committee is Mr. DeLelys. Mr. Lazzaro said no – he said he will replace people on the IT Committee. He added he was not informed of this resolution or an IT Committee Meeting, and he believes other Members of the Board were informed of this resolution – therefore, it's an illegal meeting. He is ruling this motion out of order. Mr. Avery stated this is just giving them the authority to start discussions; the Board needs to make a qualified decision at Budget time – we can either make an educated decision or we can make a guess.

Mr. Foster stated whoever is appointed for the Committee, there should be some discussion. He doesn't feel comfortable in giving advice on this particular matter. He thinks they should get outside counsel advice. Mr. Foster said his obligation is to protect the Board from liability, and that is what he is trying to do. He added before any Committee goes forward, he thinks it should be discussed with outside counsel.

Mr. Avery stated the exploration of these options are still going to go forward by individual Board Members and they are allowed to do that. He added the decision will be made at Budget time as to how the Board is going to proceed in 2020. Mr. Avery said don't read too much into this – this is about knowing what all of our options are – the entire spectrum from contracted services (which the Board experienced), to full time staff member (which we have now) and everything in between. After brief discussion, Mr. Lazzaro stated he believes it's about an employee, and he is ruling it out of order.

Water/Sewer Credits: A motion was made to approve the Water/Sewer credits as per Memo dated October 1, 2019 and in the amount of \$1,002.24 by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 nays.

Payment of Bills: A motion was made by Greg Lazzaro and seconded by Dave DeLelys to approve and order paid the following bills:

General Fund - \$195,069.59 (Abstract #10)

Recreation Fund - \$49,970.98 (Abstract #10)

Miscellaneous Fund - \$78,971.45 (Abstract #10)

Vince's Park Fund - \$2,315.32 (Abstract #10)

Highway Fund - \$60,649.43 (Abstract #10)

Sewer Fund - \$48,360.43 (Abstract #10)

Water Fund - \$182,791.80 (Abstract #10)

No questions. Motion carried 4 ayes, 0 nays.

Being there was no further business, a motion was made to adjourn the Meeting by Greg Lazzaro and seconded by Doug Avery. No questions. Motion carried 4 ayes, 0 naves.

Meeting adjourned at 7:55 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

SENECA FALLS TOWN BOARD BUDGET WORKSHOP & MEETING OCTOBER 10, 2019

The Seneca Falls Town Board held a Budget Workshop and Meeting on Thursday, October 10, 2019 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Deputy Supervisor T.J. Casamassima; Councilmen Vittorio Porretta, Douglas Avery and David DeLelys. Also present was Beverly Warfel, Principal Account Clerk.

Deputy Supervisor Casamassima opened the Budget Workshop and Meeting at 5:00 P.M. A roll call of Board Members was taken and Supervisor Lazzaro and Councilman Ferrara were absent from the Meeting; the Pledge of Allegiance followed.

Resolution – Health & Dental Insurance Offerings: A motion was made by Doug Avery and seconded by Dave DeLelys to accept the health care recommendations as proposed in the document, Resolution Health Insurance and Dental Insurance Offerings 2020, and submitted by Beverly Warfel which adds the Silver Plan and adjusts the HRA amounts. No questions. Motion carried 3 ayes, 0 naves.

Mr. Casamassima signed the documents as acting Deputy Supervisor.

HIGHWAY BUDGET

Administration: Mr. Peterson stated Equipment (A5010.200) stays the same, and Office & Computer Supplies (A5010.400) was increased from \$450.00 to \$700.00. Postage (A5010.401), Ads & Legal Notices (A5010.402) and Telephone (A5010.403) remain the same as this year. He added \$500.00 to the Budget under Education (A5010.405) for Weed Killer Training. Dues and Fees (A5010.406) was increased to \$300.00, and Miscellaneous (A5010.407) remains at \$200.00.

Garage: Mr. Peterson stated Electricity (A5132.400) was increased to \$9,900.00 as per Mrs. Warfel. Mrs. Warfel said the reason for that is when she took what has been spent through July and divided it by seven and multiply it by twelve, he will be over budget. She added every single NYSEG bill has gone up this year. Mr. Peterson said Custodial Supplies (A5132.402) was increased by \$200.00, and Buildings and Grounds Maintenance (A5132.403) stays the same as this year at \$14,000.00.

Street Lighting: Mr. Peterson said Equipment (A5182.200) stays the same, and Electricity (A5182.400) was increased from \$160,000.00 to \$180,000.00. Electrician (A5182.401) stays the same, and Ornamental Lighting (A5182.402) went down to \$12,000.00 from \$18,500.00. Mr. Peterson said they had a five-year program which is now over. He is now budgeting just for led bulbs throughout the town which are now cheaper. Miscellaneous (A5182.403) and Christmas Lighting (A5182.404) remain the same as this year.

Sidewalks: Mr. Peterson stated Sidewalk/Curb Rehabilitation (A5410.401) remains the same as this year - \$3,500.00. He referred to Snow Removal (A5410.402) and said this can be zeroed out as they do it anyway with the bobcat; \$500.00 was taken out of this line item and it was zeroed out.

Storm Sewers: Mr. Peterson said Equipment (A8140.200) remains at \$2,000.00, and Shop Tools (A8140.201) was increased from \$500.00 to \$700.00. Miscellaneous Projects/Noble Road (A8140.401) and Grates, Basins, Pipes (A8140.402) remain the same as this year. Mr. Peterson said the Noble Road project is done so Noble Road can be deleted from the line item title.

Shade Trees: Mr. Peterson increased Tree Cutting (A8560.400) from \$15,000.00 to \$17,000.00. He said there

