

The Seneca Falls Town Board held a Special Meeting on Monday, December 11, 2017 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Gregory Lazzaro; Councilmen Vittorio Porretta, Thomas Ruzicka and Louis Ferrara. Also present was a Member of the local media.

Supervisor Lazzaro called the Special Meeting to order at 4:00 P.M. A roll call of Board Members was taken and Councilman DeLelys was absent from the Meeting. The Pledge of Allegiance followed.

New Business:

Resolution – Restore NY Grant Application: Mr. Lazzaro read the following Resolution:

WHEREAS, the Town of Seneca Falls intends to apply to the New York State Empire Development Corporation for a Restore New York Grant in an amount not to exceed \$1,000,000; and

WHEREAS, if awarded, funding will be used by the National Women's Hall of Fame to relocate HVAC systems from the basement of the old stone mill building to a new power house building; repair the limestone stem wall for incorporation into the new building; fully complete the buildout of the first floor; conduct exterior site work; provide access to public utilities and repair and restore the historic industrial smokestack; and

WHEREAS, the proposed project is consistent with the Town of Seneca Falls Comprehensive Plan, has received all required approvals and is recognized as a vital component of the Town's overall economic development strategy; and

WHEREAS, the award of a \$1 million Restore New York Grant forms a portion of an appropriate financing package, helping close a \$1.2 million funding gap due in large part to the unanticipated need to relocate HVAC systems because groundwater elevation in the old stone mill building basement was recently discovered to be three feet higher than the proposed basement excavation level of 426 feet; and

WHEREAS, the proposed project facilitates both effective and efficient use of future public resources by promoting both economic development and preservation of community resources; and

WHEREAS, the award of a Restore New York Grant will allow the National Women's Hall of Fame to occupy the former Seneca Knitting Mill building by the close of 2018, favorably positioning the Hall of Fame to celebrate in 2020 the 100th Anniversary of the passage of the 19th Amendment to the Constitution of the United States which gave women the right to vote; and

WHEREAS, the proposed project develops and enhances an important facility of national historical significance in a manner that will enhance the local economy by attracting visitors from all over the world which will create and sustain local and regional employment opportunities; and

WHEREAS, the Hall of Fame will contribute the required local ten percent match; and

WHEREAS, a Public Hearing was held on December 5, 2017 for the purpose of receiving comments in favor of, or in opposition to, the proposed project; and

WHEREAS, no comments in opposition to the project were registered.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board authorizes the submission of an application to the New York State Empire Development Corporation requesting \$1 million in funding from the Restore New York Program; and be it

FURTHER RESOLVED, that the Town Supervisor is authorized and directed to execute all forms, letters and documents in connection with the preparation and submission of the Restore New York application.

A motion was made to adopt the above Resolution authorizing the submission of a Restore New York Grant Application by Greg Lazzaro and seconded by Tom Ruzicka. No questions. Motion carried 4 ayes, 0 nays.

Appoint IT Network Administrator: A motion was made to take the appointment of an IT Network Administrator off the table and re-introduce it by Greg Lazzaro and seconded by Lou Ferrara.

Mr. Ruzicka asked if all protocol was followed in this hiring; Mr. Lazzaro replied yes. Mr. Ruzicka asked if it was advertised; Mr. Lazzaro replied yes. Mr. Ruzicka asked if the County IT can do this. Mr. Lazzaro spoke with them and they told him they are not manned enough for those shared services. He said the Civil Service test will be given and they will have to score in the top three.

Mr. Avery asked what the comparison was as far as contracting the service or hiring a person with salary and benefits. Mr. Lazzaro replied contracted out was about \$38,000 plus and over-cost of 10% for purchases made. He added this will be a little more expensive because it will have benefits and it will be about the mid-range - \$47,000 a year. That person will be full time with a backup person which is no extra cost to the Town. Mr. Foster stated this is a 24-7, 365 day job; if the system goes down and someone is on vacation, there has to be a provision that someone is covering. Lengthy discussion followed.

Mr. Porretta asked if the backup person would have access to all the computer files. Mr. Foster replied no – any person that is in IT can't just take off for two weeks; if something goes down, they do it by remote or someone needs to come in and turn on or off a switch or set something. The correction to most problems will be by remote.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to take the appointment of an IT

Network Administrator off the table and re-introduce it was carried 3 ayes, 1 nay; Councilman Porretta with the dissenting vote.

A motion was made by Greg Lazzaro and seconded by Lou Ferrara to adopt the following Resolution: WHEREAS, it was determined by the Town Board that a position of Network Administrator was necessary to meet the growing needs of the Town and was thereby created at the November Town Board Meeting; and WHEREAS, a successful candidate has been found to fill the vacancy. NOW, THEREFORE, BE IT RESOLVED, that Marshall Foster be appointed as Provisional Network Administrator, to be placed in the salary matrix as determined by his qualifications and experience provisionally, based upon his successful passing and completion of the Civil Service exam.

Mr. Ferrara stated we have thousands of dollars worth of computer equipment and we need to have someone to step up. There have been computer and phone issues on the Police side and this side. We can't stand by and let something happen without doing something about it. Mr. Porretta commented that he had a problem with the way it was advertised – he spoke with Mr. Lazzaro and advised him of his concerns. Discussion followed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to adopt the above Resolution appointing Marshall Foster as Provisional Network Administrator was carried 3 ayes, 1 nay; Councilman Porretta with the dissenting vote.

Resolution – Retain Services of Boylan Code: A motion was made by Greg Lazzaro and seconded by Lou Ferrara to adopt the following Resolution:

WHEREAS, the Town of Seneca Falls is the Defendant in a Seneca County action entitled: Seneca Meadows, Inc. v. Town of Seneca Falls, et al; and WHEREAS, the Town of Seneca Falls prior Council has announced a conflict of interest wherein members of its expanded Firm represent the Plainteiff's parent company; and WHEREAS, the Law Firm of Boylan Code has previously represented the Town of Seneca Falls in an earlier proceeding of the same matter; and WHEREAS, Seneca Falls Attorney David Lee Foster, Esq., has selected and recommended Boylan Code to appear "of counsel" for the matter and has obtained and attached hereto an Engagement Letter dated December 8, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls hereby ratifies, adopts and approves the terms and conditions of December 8, 2017 Engagement Letter, and retains Boylan Code to provide such legal services as necessary for the within proceeding and such other proceedings as the Town Attorney may engage Boylan Code for in representing the Town of Seneca Falls.

Mr. Ferrara mentioned that his motivation was not to go with Boylan Code again since they had carte blanche the last time. Since then, Mr. Foster has reached out to them, and this time it will be a little different. Mr. Foster spoke with Attorney Yvonne Hennessey who indicated the Law Firm picked up another Law Firm; one of the Clients in that Law Firm was also counsel for the Landfill's parent company, which would then be a conflict of interest. He spoke with Boylan Code who would like to represent the Town. They agreed to a discounted rate of \$225.00 per hour. Mr. Foster asked if they would come on board as "of counsel" which means they are of counsel to him representing the Town. Prior to Ms. Hennessey, Boylan Code represented the Town and had the original answer to the Article 78, which makes it much easier to update the new answer that is required. Mr. Foster said under the circumstances, it appears to be prudent and economical to engage Boylan Code. Discussion followed.

The above motion made by Greg Lazzaro and seconded by Lou Ferrara to adopt the above Resolution retaining the services of Boylan Code was carried 4 ayes, 0 naves.

Appoint Board of Assessment Review Members: A motion was made to appoint Stephen VanKirk as a Member of the Board of Assessment Review by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 naves.

A motion was made to appoint Wayne Brewer as a Member of the Board of Assessment Review by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion did not carry as the vote was 2 ayes and 2 naves; Supervisor Lazzaro and Councilman Ferrara voting yes, and Councilmen Porretta and Ruzicka voting no.

Being there was no further business, a motion was mad to adjourn the Meeting by Greg Lazzaro and seconded by Lou Ferrara. No questions. Motion carried 4 ayes, 0 naves. Meeting adjourned at 5:00 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

