

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, March 3, 2021 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Michael Ferrara; Councilpersons (Present or by Zoom) Dawn Dyson, David DeLelys, Douglas Avery and Stephen Churchill. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks & Recreation; James Peterson, Highway Superintendent; Stuart Peenstra, Police Chief; Joseph Tullo, Chief WWTP Operator; Deborah VonWald, Assessor and Town Engineer Peter Baker.

Presentation – Police Reform and Reinvention Plan: Chief Peenstra stated he is going to describe what their plan is, tell where their Agency was at prior to the Executive Order and what they have done after the Executive Order was issued. He referred to the Department’s Mission Statement which was established in 2013, and goes along with the Governor’s Executive Order (the Police Department was complying with a lot of the things in the Executive Order). The Mission Statement reads “It is the mission of the Seneca Falls Police Department to provide department police services that exceed the expectations of Citizens and Visitors of our Community. We are committed to protection of life and property and the prevention of crime and disorder. We recognize that we are an intricate part of the Community, and, as such, we are determined to provide the highest quality of life for Citizens and Visitors, and we desire to seek strong community partnerships and intervention solutions to protect potentially safety concerns. We encourage the public to embrace the Department in a unified police approach for public safety through education, understanding and awareness.” The Chief said they have 17 sworn-in full time Officers, 2 Civilian Clerks, and they operate 24-7. They have a number of emergency services they provide, among them is crime prevention. Chief Peenstra noted the following statistical numbers to give an idea of what they do:

2019 – handled over 8,000 complaints; 2020 – 7,758

Everything that comes in through the 911 Center:

Duty related events - 2020 – just over 21,000; 2019 – just over 19,000

Those figures make the SFPD the busiest Agency in Seneca County.

Chief Peenstra said they started the NYS Accreditation process in 2013, and was fully accredited by 2014. The accreditation process takes a hard look by independent assessors that come into their agency every five years and look through every file, every policy and procedures. They have to show compliance for every single year. Chief Peenstra stated this was one of his major goals when he became Chief. It takes care of a lot of the Governor’s Order 203. He listed these points:

1. Increase effectiveness and efficiencies of law enforcement agencies utilizing equipment to the extent possible.
2. Promote increased cooperation and coordination among law enforcement agencies and other criminal justice agencies.
3. To ensure appropriate training for law enforcement personnel to promote public confidence in law enforcement.

The Chief said these are the standards set forth by accreditation standards in 1989. The SF Police Department is one of 157 agencies in New York State that is a fully accredited Department out of 514. He feels that their job is important enough to where you shouldn’t expect a law enforcement agency to provide services to the public if they are not certified or accredited.

On June 12, 2020, the Governor’s Executive Order #203, Reform and Reinvention Plan was presented; the purpose is to create changes in law enforcement policies and strategies to mitigate police involved deaths – this was after the George Floyd incident. The Chief referred to the slide presentation and said all the sections in red were already mandated by the Municipal Police Training Counsel to be included in the basic course for Police Officers prior to the Executive Order. The Governor mandated all these things – these things were already being implemented prior to the Governor’s Executive Order.

Chief Peenstra stated they discovered they needed a better way of tracking their training, their use of force reports, vehicle pursuits, internal affairs, employee complaints and things of that nature. He requested funding from the Town Board to get a software system. Everything is entered into the software system and it flags things such as any kind of use of force which is then reviewed by Police Officer, Shift Sergeant, Lieutenant and Police Chief before it’s cleared through.

The Chief stated in September, they held Community surveys and forums to get feedback from the Community. A survey was sent out, and one of the questions was “Have you had police contact within the last three years”. The second question was “If yes, were you satisfied, very satisfied, not satisfied with police contact”. 91.3% of those police contacts came back satisfied with the local law enforcement. Chief Peenstra said he is very proud of that statistic – those surveys were anonymous.

Procedural Justice: Chief Peenstra stated it's really based off being a "good cop". Procedural justice is treating people with dignity and respect, giving citizens a voice during encounters, being neutral in decision making and being in a trustworthy motive. That's what good cops do every day, and that's what they strive on in the SF Police Department. How do they comply with Procedural Justice – they continue to treat everybody as fair as they can, no matter who it is.

Transparency: The Chief said they implemented their body camera program in 2013. There are agencies that still don't have the body camera program. They are supported by the Town Board and the Community – those body cameras are an unbelievable tool with law enforcement.

They do a monthly public statistical data report and a year-end report, and they do a comparison with their current status. They have facebook and Instagram that they put their information on, they have public forums and surveys, and you can file an anonymous complaint against a police officer – good or bad (you can find this on their webpage).

Impartiality: All information is handled based on facts. They sent their Officers to racial bias and racial justice training prior to Executive Order in 2018.

Crisis Intervention: The Chief mentioned that eleven out of seventeen Officers have attended Crises Intervention Training. They looked at their policies and procedures and recognized that this is something they should do yearly.

Basic course for Police Officers updated their curriculum to include critical decision making, and they implemented yearly mandatory training of use of force for every Member. They recently sent one of their Members to a lethal training program to come back and train the Department. Chief Peenstra stated they set goals every year; three goals were set this year:

1. Establish a better less than lethal options.
2. 100% of the Police Officers CIT trained by the end of the year.
3. Law Enforcement Assistance Diversion Programs. They have many diversion programs with County resources, such as the County Health Department, Child Abuse Response Team, Safe Harbors, Veterans Outreach, domestic violence services and FLACRA.

Chief Peenstra referred to Community based Outreach, and said it was difficult due to COVID. They normally attend events, set up booths, and try to get out there and meet people. He mentioned some of the events, such as It's a Wonderful Life, Canalfest, Yogi's Community Day, National Night Out, Job Fairs and Christmas Fill the Cruiser. Some of the services they provide are child safety seat technicians, implemented a Citizen Survey, Drug Take-Back Program, Ride-Along Program with the School for a child interested in Law Enforcement; SCAM prevention for the Elderly, DARE Program in the schools and the School Resource Officer Program.

The Chief stated the Municipal Police Training Counsel created 17 policies intended for guidance for Law Enforcement – they implemented every one long before the Governor's Order.

Department Policies: The Department currently has 105 general orders or policies, 70 rules and regulations and a 31-page Uniform Standards Manual. Accreditation reviews 111 standards that must be complied with yearly. The hiring process for Law Enforcement is all set by Civil Service – Law Enforcement has no say in that. Chief Peenstra explained the whole process which is not an easy process

Duty to Intervene: Chief Peenstra stated in their policy, if an Officer is shown to get into a high-stressed situation, other Officers have a duty now to intervene and pull that Officer back to make sure they don't do anything they are not supposed to do – it doesn't matter if it's a difference Agency or not.

Department Training & Requirements: Every Officer must have the skills and knowledge to effectively do their jobs. Every Member must complete a minimum of 21 hours of service training a year – this is mandated by accreditation. Supervisors must complete additional specialized leadership training on a yearly basis.

Use of Force Policy: The Department's use of force policy has been updated 7 times since 2014, and their taser policy program has been updated 7 times since 2013, recently just last week. Deadly physical force has been updated 6 times since 2013. These are policies that they are constantly reviewing and updating.

Citizen Complaint Process: Chief Peenstra stated they look into every complaint whether it is anonymous, by name, by phone, a face book post, and investigate it all the way through. He said anybody can file a complaint.

As to who will investigate the complaint, the Chief said it depends on the seriousness of the complaint. As far as who makes the final decision, the Chief said he does, and he advises the Town Board of his decision.

Mr. Avery stated it looks like most of the things that came out from the Governor's mandate is in place due to the accreditation. He asked if there was some change made that was most momentous. Chief Peenstra replied he thinks it's their software system that they implemented - everything starts and finishes and ends in there - it's very searchable, it does reports and they can see all those high risk situations and hopefully prevent it before it becomes an issue. Even though they have implemented most of the things from the Governor's Order, there are still things that they can implement to make their department better

Mr. Avery mentioned the complaint process and said some of the Community is probably saying - where is the civilian oversight. Chief Peenstra stated his response to that is the Town Board is really the Citizens Review Board. The Town Board is really the Police Department's review board. He added they also have a Public Safety Committee with two Board Members that sit on the Committee. Brief discussion followed.

Mr. Ferrara thanked Chief Peenstra for all his hard work - also the Lieutenant and the Department. He is very comfortable with this Plan and moving it forward for approval to send to the Governor's Office. He is most confident in leadership, and on behalf of the Community and Town Board, he thanked him for everything they have done for the Community.

Supervisor Ferrara opened the regular monthly Meeting. A roll call of Board Members was taken, and all were present (Councilwoman Dyson and Councilman DeLelys by Zoom); the Pledge of Allegiance followed.

#### Petitioners:

Kyle Black - SMI Update: Kyle Black presented the Board with a check for \$822,654.39 which represents the fourth quarter payment for 2020; annual total for the year was \$3.166 million which is down reflective of the COVID-19 effect. He said even though they had a tough year, essential workers still took care of everybody's solid waste and delivered this partnership to the Town. They have an open-door policy; anybody can come in and take a tour as to what is going on at the site.

Mr. Black referred to construction plans which include slope filling operations. They are currently filling the outside slopes on the east side which will continue for the next few months to achieve final grades. All filling is covered with soil on a daily basis as per NYS DEC permit guidance. Plans include construction of five acres of new landfill liner, and the purchasing of additional odor control equipment to minimize odor outside the relocation and placement areas. Mr. Black said they will be installing 29 acres of updated final cover area on Route 414 side - this is compacted clay, synthetic liner and soil to encapsulate final grades to prevent storm water from entering the landfill and prevent surface emissions of landfill gas. In addition, they are doing 17 acres of synthetic membrane on the inside which also helps with preventing the storm water from entering the landfill and prevents emissions of landfill gas.

Mr. Black mentioned their plans for 2021 gas installations and construction which are as follows;

- Installation of 22,500 feet of landfill gas collector pipes and 13,000 feet of vacuum line piping installed directly in the waste to extract and transport landfill gas to the gas-to-energy facility.
- Installation of 25 vertical landfill gas wells and 76 horizontal collectors, collector wells to be installed directly in the waste to extract landfill gas.
- Continued investment in their odor neutralizing systems in order to provide additional on-site odor reduction.

Mr. Black stated they have applied to the DEC to utilize the middle area Valley Infill of the existing landfill footprint. Their footprint will not change, and their long-term plans will not alter the current dimensions of the landfill. He said the area that will be developed will minimize the size of the operational areas and reduce the potential for dust and odor, resulting in approval to operate for an additional 15 years at the current tonnage limit. He added no wetlands will be impacted, and there will be no increase in noise - actually, there will be a decrease in noise. The Valley Infill will be designed, constructed and operated to meet all Federal and State requirements because they have the best team in the business - the men and women are the fabric of our Community, and they will always go above and beyond to do what's right. Mr. Black said their neighbors know of their commitment, whether it be economic, environmental or charitable. He mentioned that Seneca Meadows provides over \$4 million a year in taxes and benefits to help maintain low taxes in the area. In addition to that, they contribute another \$250,000 a year to local charities, Veterans' groups, school programs, support families in need, first responders, environmental causes, etc. They have over 100 skilled employees - they are your neighbors, and take great pride every day working safe, protecting the environment for fellow employees,

our families and our friends and neighbors.

Mr. Black said they invite all stakeholders to keep an open mind during the permitting process. For anyone with questions, they encourage them to take a tour of the facility to allow an open dialogue to fully understand all of the facts.

Mr. Ferrara stated when it was reported that there was a blowout at the landfill, he contacted Mr. Black who explained the situation. He then contacted the Town Engineer Peter Baker who did an extensive review of the process which verified what Mr. Black had explained to him (Mr. Ferrara). Mr. Ferrara said he would be happy to share that report with anyone.

Mr. Ferrara stated in November 2020, the DEC sent him the initial review of the Valley Infill process. He contacted the Town's environmental Attorney who recommends that the Town should start reviewing that process, as well as be prepared for the public comment. He requested that the Board start the process with Peter Baker to make sure the Town is protected, as well as all our Citizens.

Mark Pitifer – Landfill Update: Mark Pitifer, Director of Community Relations for Bonadent, stated Seneca Meadows has been operating without a permit for a year. The Board tabled giving them a permit because of their failure to control odor issues. He said in an effort to work with Seneca Meadows toward an approved permit, the Waste Management Advisory Committee requested an updated, reliable and new odor monitoring system that the public could trust. Seneca Meadows response to this request was simply no.

Mr. Pitifer said it should come as no surprise that offensive odors derived from the landfill continue to be problematic. When he spoke last August, complaints were recorded 25% of the days in July 2020. In the past 60 days, they have had to call in odor complaints 15 times or 48% of days in January, and 8 times or 29% of days in February. Phone records indicated 15 calls were reported in January, but only 10 were filed; of those 10 reports, only 4 indicated that there was odor on site. Mr. Pitifer stated clearly, the Landfill's odor reporting system is flawed, yet when the Board voted 4-1 to request a better odor monitoring system, Seneca Meadows' response was no.

Mr. Pitifer mentioned that the schools in the Community where children spend a significant portion of their days, and where teams come to visit in competitive sports, are affected. He said this is not a way that we as a community want to be represented. Mr. Pitifer referred to the Host Community Agreement and said Seneca Meadows made a commitment to address odor issues, and to not do so is a violation of the Host Community Agreement. He requested that the Board continue to hold Seneca Meadows accountable to the Host Agreement by withholding their operating permit until they have significantly reduced the odors they generate, and to deny any request for future expansion.

Mr. Ferrara stated a Sub-Committee was formed, along with Mr. Morrell and the Waste Advisory Committee input, and they put together a proposal and sent it to SMI. We just received a response from SMI and their position is they are following the conditions of the Host Agreement. One of the things that have to happen is to sit down with SMI and discuss the odor issues. He added SMI's position is they are following all the guidelines put out by the DEC which the DEC verifies.

Mr. Churchill said it's not just the Host Community Agreement that they are violating. The Town has Landfill codes (Section 185) which clearly states conditions in order for them to get their permit. He added they are violating the codes – that's why they don't have a permit; essentially, they are operating illegally because they don't have a permit.

Jean Gilroy: Jean Gilroy of 1872 Gravel Road stated she is in the direct path of the Landfill smell every day. She thanked the Town Employees and the Police Department for keeping the Town running smoothly the past year during COVID; people of the Town are grateful for their efforts. She referred to the Landfill and said garbage is a dirty business. She invited everybody to go out to Route 414 north and watch the trash that is deposited on top of the mountain, watch it fall down the hill, watch the seagulls fly and surround the dump. Monster trucks go through downtown; these trucks are not sealed, and they sit in a parking lot – she can smell them at 2:00 AM. Mrs. Gilroy said when she files a complaint and when the truck comes to investigate, it's there for ten seconds; is that an investigation? Two months later she gets the odor report that is negative.

Mrs. Gilroy said we are coming into a very divisive political season. We can expect massive political donations to any candidate running for office. Why? Because SMI wants 15 years more of dumping – they want to fill in the Valley Infill which is the Tanello super-toxic hazardous site that sits in the middle of the landfill. Mrs. Gilroy stated time is up in 2025, and let's keep it that way, because Waste Connections is a dirty business.

Brad Jones: Brad Jones told Kyle Black that this is not pointed towards him – it is pointed towards SMI. He said landfill Officials have been telling us for years that they are getting control of the smell. The smell coming from the landfill is atrocious. Mr. Jones gave examples of many areas where you can smell the odor. He told Mr. Black that the message to SMI and its parent company is that the smell is worse today than ever before. He said if you read some of SMI's advertisement, it's always about trusted neighbor, valued partner. Their recent decision to have 19-wheelers drive through our Community each work day carrying cover from Seneca Stone to SMI, with fumes from the trucks permeating our businesses and residents – why not go up Route 89 and 318. Mr. Jones requested that the Board not grant an operating permit to Seneca Meadows in 2021 or any of the future years between now and its 2025 closure.

Dan Babbitt: Dan Babbitt stated as he understands it, Gov. Cuomo wants to push forward with something that is very important to all of us, and that is the smell. If these communities can take care of their own smell or food waste, that would be an extremely big help to the problem. He talked about the smell on Route 414 and at Wal-Mart. Mr. Babbitt said if the Governor can force these communities to not bring in these materials to us it would be a tremendous help. He would like to see this Board be a little more open and he would like to see a survey of the people in Seneca Falls to find out their opinion. The contract with the Town is up in 2025; they would like to push for another 15 years. Mr. Babbitt would like to see the Town prepared; it's an obvious conflict. Mr. Babbitt stated he would like to know what the Town of Seneca Falls is thinking on all levels and wants to make sure that the people are told.

Mr. Ferrara stated the Waste Management Committee will be giving a report – they have been working on some of those issues. Barb Reese will be talking about Seneca Falls starting its own removal of organics from the landfill.

#### Approval of Minutes:

A motion was made to approve the minutes of the Town Board/Citizens Advisory Committee Meeting of January 12, 2021 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to approve the minutes of the Public Hearing and regular monthly Meeting of February 2, 2021 by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to approve the minutes of the Special Meeting of February 8, 2021 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

#### Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer's report for the month of February 2021 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: A motion was made to accept the Zoning Office report by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to accept Mr. Spina's report by Michael Ferrara and seconded by Dave DeLelys.

Mr. Spina stated the filters will be installed for the Fitness Room area tomorrow, and the Fitness Room will open Thursday morning. He is trying to set up with the Staff to get roof information before he leaves, as well as Vince's Park renovations.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept Mr. Spina's report was carried 5 ayes, 0 nays.

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

Mr. Avery stated the Highway employees have done a great job plowing snow this winter. He mentioned that the dumping area that was closed due to truck problems is now open

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept Mr. Peterson's report was carried 5 ayes, 0 nays.

Assessor: A motion was made to accept Mrs. VonWald's report by Michael Ferrara and seconded by Dave DeLelys.

Mrs. VonWald stated they lost a few Senior/Aged exemptions because of unemployment from the pandemic. Next year, there should be an increase in the program with the new scale being in place. Mr. Ferrara asked about the reval. Mrs. VonWald replied she met with Mr. Churchill today and talked about it. She made copies of the sales to see how the State will mandate the ratio study; we are currently at 89%. Mr. Avery asked how long will it take; what are the steps taken and what is the cost. Mrs. VonWald replied it will take two years; expenses will be higher because we have to hire an appraisal company. She doesn't think pictures are needed for all the properties. There are 4,006 parcels – residential, businesses, vacant land. She wants to go through every single file with the appraiser. Mr. Avery stated whatever has to be done prior to the Board making a budget decision in 2022, the Board has to know what those are. Mr. Ferrara said the recommendation from the Committee is to bring to the Board all the things she is asking for. Mrs. VonWald said it will be between \$300,000 and \$350,000.

The above motion made Michael Ferrara and seconded by Dave DeLelys to accept Mrs. VonWald's report was carried 5 ayes, 0 nays.

Water & Sewer: A motion was made to accept Mr. Tullo's report by Michael Ferrara and seconded by Dawn Dyson.

Mr. Avery said they met last week. There is a resolution on the Agenda to sell parts that are not being used. He mentioned that several Water/Sewer personnel attended training – some are very close to getting certification.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to accept Mr. Tullo's report was carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell stated within the past month, the Court entered their decision on the matter of the Town's parking Local Law which deals with parking on E. Bayard Street Ext. as well as Garden Street. The Cayuga Nation filed an Article 78 after the Board adopted the Law; that Article 78 has been dismissed. They have filed a notice of appeal. This is a Law on the books and fully enforceable.

Town Justices: A motion was made to accept the reports of Judge Lafler and Judge Kelley by Michael Ferrara and seconded by Dave DeLelys.

Mr. DeLelys stated he talked to Judge Lafler who said they are waiting to get space for storage of records in the Metal Building. Mr. Ferrara said Judge Lafler got the interpretation from the Seventh Judicial Court, and the current records will go back to Oak Street for the time being until we can construct something in the Records Building similar to what the Police have.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept the reports of Judge Lafler and Judge Kelley was carried 5 ayes, 0 nays.

Police Chief: A motion was made to accept Chief Peenstra's report by Michael Ferrara and seconded by Dave DeLelys.

Chief Peenstra stated during his presentation earlier, he failed to thank the Criminal Justice Board who spearheaded this for all Law Enforcement in Seneca County. He personally thanked Rob Shields who personally volunteered his time through this whole process. The Chief said next month, he will have his Year-End Report completed for 2020, and will be presenting some Officers with awards.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept Chief Peenstra's report was carried 5 ayes, 0 nays.

Barton & Loguidice: A motion was made to accept Town Engineer Peter Baker's report by Michael Ferrara and seconded by Doug Avery.

Mr. Baker stated the generator at the Auburn Road Water Tower will be delivered in April and will be up and running. He mentioned there are things on the Agenda that will be discussed.

The above motion made by Michael Ferrara and seconded by Doug Avery to accept Mr. Baker's report was carried 5 ayes, 0 nays.

MRB Grant Writing Services: A motion was made to accept the report of MRB for grant writing services by Michael Ferrara and seconded by Dawn Dyson.

Ms. Palumbos stated they submitted the Green Renovations Grant for water meter replacements. Mr. Ferrara said she was going to start doing something with the Police Department. Ms. Palumbos said she will start that tomorrow.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to accept the report of MRB for grant writing services was carried 5 ayes, 0 naves.

SF Development Corporation: A motion was made to accept the report of the SF Development Corporation by Doug Avery and seconded by Steve Churchill.

Mr. Avery stated the Board Members have a packet which includes the SFDC key accomplishments for 2020. He mentioned the additional Welcome to Seneca Falls Signs, and said the packet is on the Seneca Falls website and the Town website.

The above motion made by Doug Avery and seconded by Steve Churchill to accept the report of the SF Development Corporation was carried 5 ayes, 0 naves.

Citizens Advisory Committee: Gerald Macaluso stated in July 2020, the Committee on potential employment of a town manager and/or an alternative governance for the Town of Seneca Falls was implemented. The purpose of the Committee is to examine whether or not the Town has a governance to meet the sustainability, the effectiveness and the future in terms of the conditions that this particular Town will meet. They met about six times, and each of those times, they not only gathered information of the history of the Town of Seneca Falls, but also to examine case studies of other towns that may or may not have a town manager.

Mr. Macaluso said in 2008, there were two forms of government – the Town and the Village. The Village of Seneca Falls was dissolved, and it became the Town of Seneca Falls. As a result, the demands placed on the Town of Seneca Falls governmental model was huge. All of the departments, such as Highway Department, Assessment, Recreation Director, Police Department, were all under the same model – Supervisor and four Board Members. Mr. Macaluso said the Committee believes we are at a crossroad in terms of efficiency and whether or not we can deliver the services that this Community demands, as well as the future issues.

Mr. Macaluso stated there are a number of issues that are demanding to be balanced all at the same time. Supervisor Ferrara and the Town Board provide quality service to this Town above and beyond what most people realize. Mr. Macaluso said at the last meeting, the Board listened to what the Committee had discussed, and charged them with facilitating a couple of proposals that would provide them with needed information to make an informed decision. He said Individuals on this Board want this Community to succeed – that is the No.1 issue. Mr. Macaluso urged the Town Board to focus on the two proposals and determine whether or not one of the two proposals will give them the tools that would enable them to do what this Community needs, and that is to continue to provide a quality life not only for this generation, but the generations at the various schools in our town.

Mr. Ferrara said he appreciates everything Mr. Macaluso and the Committee have been doing. He stated a scope was put together in collaboration with the Committee, looking for some specific things to address. He mentioned some of the things in the scope:

1. Assess all the departments of the Town to determine if operations are appropriate and inline to meet the day-to-day needs of the Town.
2. Benchmark Seneca Falls organizational structure relative to services, expenses, etc.
3. Make recommendations for improvement based on the analysis.
4. Determine if the Town is addressing planning to address long term needs.
5. Identify and outline Town government structure to help address future needs.
6. If the town manager model is a viable option, identify how the position can best be structured.
7. Estimate the potential cost of a town manager and identify how the position can be implemented.

Mr. Ferrara stated it's a very extensive scope and sequence, and he thinks it would be less expensive.

Mr. Ferrara made a motion that the Town Board approves a comprehensive study of the Town efficiency, and to solicit an RFP for that study to be completed. Motion seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

Mr. Ferrara said he would put together an RFP. He will find potential companies or organizations that do this type of work and put a two-week deadline so that we can get started as quickly as possible.

Waste Management Advisory Committee: Barbara Reese stated she is here on behalf of the Committee to ask the Board to support this organic recycling program in the Town. She said the Committee has been working on this for several months – looking for ways to reduce what goes to the Landfill. They think it will help to reduce odors at the landfill if we take food waste out and help to reduce methane.

Mrs. Reese stated they would use the Natural Upcycling Program. They have biodigesters where they take the food waste and they break it down in the digesters and they can turn it into electricity. They do that very efficiently, and they are a hauler that services this area. Mrs. Reese noted there are two phases of this:

1. Phase 1 – They can start collecting food waste starting April 1<sup>st</sup> from restaurants in the Town. They could see if restaurants are interested – their food waste would be collected and picked up by the hauler.
2. Phase 2 – Introduce, about a month later, a food waste drop-off site for Town residents. A drop-off site could be at the Highway Department.

Mrs. Reese stated they are trying to put together some surveys to see what restaurants and what residents are interested.

Mrs. Reese stated she is asking the Board to support this PILOT Program by paying for the fee which is \$150.00 to set up the Program, and \$15.00 per tote for service. They thought by starting with a small scale with restaurants, they can see how it's going, and then open it up to Town residents. Mr. Ferrara stated the goal would be to have all of our residents participate; the Town would supply one-gallon containers to residents and have one or two locations to empty the containers. He added it's the environmental approach to solid waste, and he hopes we can get a lot of participation – this is supposed to be happening in 2022 Statewide. Mr. Avery stated the 2022 Law is going to start with big producers first. He said this is basically going to be a garbage tote like we have. There won't be a pile of stinking scraps at the Highway Department, and they will come every week to empty it. Mr. Avery stated once we get to the part where residents are involved, it's going to make more information involved. He added it's not terribly expensive, and hopefully, it will be an effective program.

Mr. Morrell stated you have a contract which calls for a one-time fee of \$150.00 and \$15.00 per tote per pickup. Brief discussion followed relative to the number of totes and number of pickups. Mr. Morrell suggested allocating \$2500 to the Program

A motion was made to enter into a contract with Natural Upcycling to begin the organic removal process for the Town at a cost not to exceed \$2,500 for the year 2021 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Seneca Meadows: Mr. Ferrara stated SMI has made application with the DEC to expand the center part of the landfill. He thinks it's important that the Town's Engineer makes sure everything is being followed.

A motion was made authorizing Barton & Loguidice to provide technical review service for the SMI expansion process by Michael Ferrara and seconded by Dave DeLelys.

Mr. Churchill stated it seems a little contrary to engage in this process when the Board passed a resolution in December requesting that the DEC deny their application. He added based on the fact that we did that, he is not going to support this. He said if anything, the Board should pass a resolution sending a second request to the DEC. Mr. Ferrara said he doesn't think the DEC will flatly deny the Permit – there is a SEQR review process and a public comment process. Mr. Avery stated he thinks it's a good idea to have Barton & Loguidice monitor this as far as what is going on as far as the application accuracy, etc., but when it comes to developing the Town's response, that is what the Board did last month – that is not an engineering decision. Mr. Ferrara mentioned that this is the recommendation of the Town's Environmental Attorney, David Hou.

A motion was made to table action in reference to the above motion until next month since the Board didn't have a chance to review the email from Mr. Hou by Steve Churchill and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

#### Communications:

A motion was made to receive and file Communications numbered 1 to 5 by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 5 are as follows:

1. Town Clerk/Tax Receiver Audit Report for year ending December 31, 2019 from Bonadio & Co., LLP.
2. Minutes of the Heritage Preservation Commission Meeting of January 26, 2021.

3. Minutes of the Town Planning Board Meeting of January 28, 2021.
4. Minutes of the Zoning Board of Appeals Meeting of January 28, 2021.
5. Checks and deposits totaling \$5,569,555.95 representing dumpster rentals; Retirees Insurance, Community Center deposit; restitution; SRO reimbursement; fuel reimbursement; disability reimbursements; copies of Police reports; 2020 water relevy charges and penalties; Judge Lafler's January report; Judge Kelley's January report; FOIL charges; tower rent; tote payments; SFPD surplus vehicle payment; excavation bond; sale of scrap; reimbursement for overtime; Judge Erway's December 2020 report and full payment of Town taxes collected.

Old Business:

Sale of Surplus Property: Mr. Morrell stated there some rehabilitations that need to be done at 115 Fall Street prior to the transfer of the sale of the property. The Board needs to decide – is this something to be handled inhouse or by local contractor. After brief discussion, Mr. Ferrara stated fixing things inside will be done by Town Employees.

Town Demands Related to SMI License to Operate Landfill: Discussed earlier in the Meeting.

Bayard Street Culvert Legal Update: Mr. Ferrara stated the Board discussed applying for a Bridge NY Grant. If we were able to get up to \$1 million for this project, he thinks the Board would be less reluctant to move forward with the project. Mr. Horn explained Bridge NY has specific procurement for writing of the grant. They are recommending that two applications be written – the Veterans Bridge and Bayard Street Culvert, and they are recommending the Board issue two RFPs – one for Veterans Bridge and one for Bayard Street Culvert. Mr. Ferrara stated in the Bridge NY grant, there is language that the State wants the same people writing the application to do the work. Mr. Horn stated because of Federal dollars in play, the Town retains the option of doing the engineering services. Mr. Churchill said he is hearing that whoever writes the application has to do the work. Mr. Horn replied no – you can write into the request for proposals the option for the Town to do the design work. After further discussion, Mr. Ferrara said he would do an RFP for the application process; the Board was in agreement.

RFPs – Engineering Services: Mr. Ferrara stated this was tabled in February. The Board held a Special Meeting where a zoom interview was done with one of the engineering firms.

A motion was made to appoint the MRB Group as Town Engineers for the 2021 fiscal year by Michael Ferrara.

A motion was made to appoint Barton & Loguidice as Town Engineers by Steve Churchill and seconded by Doug Avery.

Mrs. Dyson said she had seconded the motion to appoint the MRB Group as Town Engineers. After brief discussion with Mr. Morrell, Mr. Avery withdrew his second to the motion to appoint Barton & Loguidice.

The motion reads – A motion was made to appoint the MRB Group as Town Engineers for fiscal year 2021 by Michael Ferrara and seconded by Dawn Dyson.

Mr. Avery stated this is difficult because he has a great deal of respect for the personnel and both companies. After the zoom Meeting, MRB made the Board a great offer, but there are things that are very difficult to overlook. He said last July at a Special Board Meeting, the Board approved an agreement with MRB to work on Zoning/Code Enforcement audit/re-writes at a cost not to exceed \$15,000. In today's packet, both the Planning and Zoning Board minutes have the same paragraph where it states that Laura Brabant and Jane Nicholson of MRB Group will provide a technical review for this application for the applicant and assist in the SEQR process. Mr. Avery said the Town is paying MRB to do something that was not authorized by the Board. Mr. Ferrara said the part where Mr. Avery said the Town is paying for it is not true. He asked if the Town Clerk informed him that the applicant gave the Town \$6,000 to put in escrow. Mr. Avery replied yes, she did, and that is another concern he has – money from Revlmg and going to MRB is going through the Town. Mr. Ferrara stated they made an escrow deposit with the Town; MRB is working on the project because we don't have a Zoning Officer and this is a very complicated project. Mr. Avery said he is not disputing that they are helpful; he is disputing that they were not hired by the Town Board. Lengthy discussion followed.

Mr. Churchill mentioned that Last month, the Board had a resolution that said the SEQR process was prepared by Town Engineer MRB Group; they were not the Town Engineer. Mr. Ferrara asked if he was talking about the SEQR with the water meter replacement grant. Mr. Churchill said Barton & Loguidice is our Town Engineer. But it seems like MRB is doing some of the Town's work. Mr. Ferrara replied MRB is not doing any of the Town's

engineering work – they are doing grant work – B&L is currently doing all of the Town’s engineering work. Mr. Horn mentioned that the SEQR process is part of the grant – they will work with B&L.

Mr. Ferrara said he thinks the two engineering firms are equal, and they have a level of expertise that is comparable. MRB was the Village’s engineers for many years, and they understand the infrastructure of the old Village. Mr. Ferrara said for him, it comes down to thousands of dollars. The Town’s charges are significantly less – it comes down to financial decision and nothing more. Mr. DeLelys stated he would like to stay with B&L.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to appoint the MRB Group as Town Engineers for fiscal year 2021 did not carry as the vote was 2 ayes, 3 naves; Supervisor Ferrara and Councilwoman Dyson with the yes votes, and Councilmen Avery, Churchill and DeLelys with the no votes.

A motion was made to appoint Barton & Loguidice as Town Engineers by Steve Churchill and seconded by Doug Avery.

Mr. Ferrara stated he will oppose this motion because of finances. You people are making decisions that are costing this Community extra money for no reason at all. Mr. DeLelys said the Board doesn’t know what it will be spending on either one. Mr. Ferrara responded we do – we know what hourly rate we will be spending and we know what digital rates are. Mr. Avery stated it’s not for no reason at all. He doesn’t know who is pushing, but it is something that MRB is doing things without the Board being told – funds being shifted from one task to another. He added there is something out of sorts with this relationship putting the cart way before the horse. Mr. Ferrara said there is nothing strange or out of sorts – don’t blame the firm. This project has been going on for 5-6 months, and if something doesn’t happen, they are going down the road. He added in the interest of development in Seneca Falls, he reached out to MRB to help in this project. Mr. Avery stated he is not blaming MRB – it’s a lack of communication. Mrs. Dyson said Mr. Ferrara is trying to save the taxpayers money. Mr. Ferrara responded that’s his goal. He thinks he is as open as he can be as far as communication. He added this was in conjunction with what was going on in planning and development and it wasn’t costing the Town anything; that’s why he moved forward – sometimes you have to do that.

The above motion made by Steve Churchill and seconded by Doug Avery to appoint Barton & Loguidice as Town Engineers was carried 3 ayes, 2 naves; Councilmen Churchill, Avery and Delelyes voting yes and Supervisor Ferrara and Councilwoman Dyson voting no.

Kingdom Road Sewer Main Update: A motion was made authorizing Barton & Loguidice to prepare an RFP for the Kingdom Road Sewer Main Project by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

Code Red Service: Mr. Ferrara stated in February, he bought a proposal to the Board for a notification system for the Town residents; cost is \$2,000. He did the research and checked with Melissa Taylor at the County who said they were not interested – they have the 911 system.

A motion was made to employ Code Red Service as a notification program for the Town of Seneca Falls at a cost of \$2,000 by Michael Ferrara and seconded by Dawn Dyson.

Mr. Churchill asked who would administer the service for the Town. Mr. Ferrara replied they will administer it, and there will be people designated to put out messages, such as Joe Tullo, Jim Peterson and the Police Chief.. He added Board Members could do it, and he would be doing it.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to employ Code Red Service as a notification program for the Town of Seneca Falls at a cost of \$2,000 was carried 5 ayes, 0 naves.

#### New Business:

Approval of Special Events: There were none this month.

Budgeted Contribution – FL Television: Mr. Ferrara read the letter from Finger Lakes Television requesting payment to support the operation of FL TV to allow for broadcasting of Town Board Meetings. Brief discussion followed.

A motion was made to contribute the budgeted amount of \$2,100 to FL Television to broadcast Town Board Meetings by Michael Ferrara and seconded by Dave DeLelys.

Mr. Avery suggested paying it this year, and discontinue it next year.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to contribute \$2,100 to FL Television to broadcast Town Board Meetings was carried 3 ayes, 2 naves; Supervisor Ferrara and Councilwoman Dyson with the dissenting votes.

Approve Police Reform and Reinvention Plan: A motion was made to approve the Police Reform and Reinvention Plan as presented this Evening by Chief Peenstra by Michael Ferrara and seconded by Dave DeLelys.. No questions. Motion carried 5 ayes, 0 naves.

Resignation of Dan Babbitt – Waste Management Committee: A motion was made to accept the resignation of Dan Babbitt as a Member of the Waste Management Committee by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

Mr. Ferrara thanked Mr. Babbitt for volunteering and for all his time and efforts.

Appoint Virginia Konz to Waste Management Committee: A motion was made to appoint Virginia Konz as a Member of the Waste Management Committee, said term to expire December 31, 2023, by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

Reappoint Frank Sinicropi to Assessment Review Board: A motion was made to reappoint Frank Sinicropi as a Member of the Assessment Review Board, said term to expire September 30, 2025, by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

Retirement of James Spina – Commissioner of Parks & Recreation: A motion was made to accept James Spina's notice of intent to retire as Commissioner of Parks & Recreation for the Town effective March 15, 2021, by Michael Ferrara and seconded by Dave DeLelys.

Mr. Spina stated 22 years of serving this Community has been a privilege of his career. He wasn't looking for a job – it just fell in his lap and came to him. He thanked everybody, and said he knows of the financial hardships and budgeting, but he hopes you will remember that recreation is a unique and important part of what we do in Seneca Falls. He said ask yourself – can we afford to do this – ask can we afford not to do it. He thanked everyone for their support and the many opportunities afforded him throughout his 22 years as Commissioner.

Mr. Ferrara presented Mr. Spina with a plaque for his many years of service to the Town. Chief Peenstra also presented Mr. Spina with a plaque in appreciation for all he has done for the SFPD. At this time, the Board declared a 10-minute recess.

Resolution and SEQR – Water Meter Replacement Project: Mr. Ferrara stated this was tabled in February; Ms. Palumbos made some changes, and it was reviewed by Mr. Morrell.

Mr. Morrell stated this is for the project that involves meter replacement. The Town wants to move forward with a grant, and the SEQR has to be done ahead of time before the grant is done. He went on to explain the SEQR process.

Mr. Ferrara stated this is something that he, Mr. Avery and Mr. Tullo worked on; it's close to a \$2 million project. He mentioned that it's the first year that water meters were eligible for the grant. Mr. Avery asked – if the Board adopts this resolution, have we done everything we need to do for SEQR; Mr. Morrell replied yes.

A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the attached SEQR Resolution relative to the Water Meter Replacement Project, declaring that the proposed action will not result in any significant adverse environment impacts. No questions. Motion carried 5 ayes, 0 naves.

Approve Placement of Senior Pictures on Downtown Poles: A motion was made approving the placement of Senior pictures on downtown light poles by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 naves.

Adopt Revised Employee Handbook: Mr. Ferrara thanked Kim Devay, Beverly Warfel, Cassandra Gramling and Sarah Wright, and said that he and those four people updated the Handbook to be provided to all employees.

A motion was made to adopt the revised Employee Handbook by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 naves.

W/S – Purchase Alum and PACL: A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Water Department needs to purchase Alum and PaCL to run both the Water and Wastewater Plants; and

WHEREAS, the Water/Wastewater Department received two bids; Holland Company, Adams Mass. Is the low bidder at \$1.12 and \$1.88 per gallon.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize the purchase of Alum and PACL from Holland Company for two years at \$1.12 and \$1,88 per gallon.

No questions. Motion carried 5 ayes, 0 naves.

Approval to Attend Virtual Classes: A motion was made authorizing the Assessor to attend a virtual Reading and Understanding Deeds and Reassessment in a Small Community class at a cost of \$220.00 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

W/S – Sell Ammonia Parts to Village of Waterloo: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Dept. has surplus Ammonia feed equipment at the Water Plant; and

WHEREAS, the Village of Waterloo is the only Water Plant we know that uses this equipment.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the sale of these Surplus parts to the Village of Waterloo Treatment Plant for \$50.00.

No questions. Motion carried 5 ayes, 0 naves.

Resignation of Zoning Officer: Mr. Ferrara stated Mr. Zettlemyer retired as Police Officer. He became Zoning Officer when he was retired. He has had health issues and decided to resign his position.

A motion was made to accept the resignation and retirement of Dean Zettlemyer as Zoning Officer effective March 1, 2021 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

Resolution to Close Capital Project Fund for Municipal Building: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, construction on the new Town Hall Municipal Building was completed February of 2017; and

WHEREAS, the BAN the Town created to borrow from the Tax Stabilization reserve has been duly repaid; and

WHEREAS, it is now appropriate to return the remaining fund balance to the General A Fund and officially close the Capital Project for the construction of the Town Hall Municipal Building.

THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the Principal Account Clerk to transfer the remaining funds in the H account to the General Fund A account and to close out this capital project fund.

Mr. DeLelys asked how much is there; Mr. Ferrara replied he didn't know. He added it's more of an accounting thing. Mr. Morrell said the building is completed, so there is no longer a need to have the account.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution to close the Capital Project fund for the Municipal Building was carried 5 ayes, 0 naves.

Resolution Establishing Capital Reserve Fund to Finance Capital Improvements: A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as "Capital Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys from the unexpended fund balance of the General Fund to finance the cost of capital improvement.

The Chief Fiscal Officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Chief Fiscal Officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the Investment Policy of the Town Board. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by Section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this Governing Board and without such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law.

Mr. Morrell stated this type of reserve does not specify as to what that project is going to be so that when the time comes to take the money out, it may be necessary to do a resolution subject to mandatory referendum or permissive referendum, depending what the project is. He added right now, the Board is setting up the Fund to reserve some money and carry it forward.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to adopt the above resolution establishing a capital reserve fund to finance capital improvements was carried 5 ayes, 0 naves.

Water/Sewer Credits: A motion was made to approve the Water/Sewer credits totaling \$3,196.92 as per Memo dated March 2, 2021 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

At 9:00 P.M., a motion was made by Michael Ferrara, seconded by Dawn Dyson, to adopt the following resolution:

WHEREAS, the Town Board of Seneca Falls needs to discuss the medical and financial history of current employees; and

WHEREAS, the Town Board of Seneca Falls needs to discuss the proposed acquisition, sale or lease of real property.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board will conduct an Executive Session to discuss matters that are related to the medical and/or financial situation of current employees under Public Officer's Law Section 105(f); and the proposed acquisition, sale or lease of real property, Section 105(h).

No questions. Motion carried 5 ayes, 0 naves.

A motion was made to reconvene the regular Meeting at 9:42 P.M. by Steve Churchill and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

Payment of Bills:

A motion was made by Michael Ferrara and seconded by Dawn Dyson to approve and order paid the following bills:

General Fund - \$603,297.15 (Abstract #3)

Recreation Fund - \$5,301.09 (Abstract #3)

Miscellaneous Fund - \$28,068.58 (Abstract #3)

Vince's Park Fund - \$1,556.95 (Abstract #3)

Highway Fund - \$73,984.83 (Abstract #3)

Sewer Fund - \$29,652.01 (Abstract #3)

Water Fund - \$28,518.44 (Abstract #3)

No questions. Motion carried 5 ayes, 0 naves

Being there was no further business, a motion was made to adjourn the Meeting by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

Meeting adjourned at 9:45 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

