

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

Present were Supervisor Michael Ferrara; Councilpersons Steven Churchill, David DeLelys, Dawn Dyson and Dourlas Avery. Also present were Patrick Morrell, Attorney for the Town; James Peterson, Highway Superintendent; Stuart Peenstra, Police Chief; Joseph Tullo, Chief WWTP Operator; Richard Stabinsky, Zoning Officer; Deborah Von Wald, Assessor and Peter Baker, Town Engineer.

Supervisor Ferrara opened the regular monthly Meeting at 6:00 P.M. A roll call of Board Members was taken and all were present; the Pledge of Allegiance followed.

Mr. Ferrara stated CDC has identified Seneca County as a County that is not sufficiently vaccinated. Seneca County, has four groups of the population that are not participating and never will participate in the vaccination process; that goes into the statistics. Mr. Ferrara said If you look at the population, not counting the four groups that are not participating, we are at 75% vaccinated. He encouraged people to get vaccinated if they can.

Mr. Ferrara read a letter from Jeremy Clingerman, Superintendent of Schools at SF Central School District, thanking the Board for their partnership and support over the past year by allowing them to house their transportation department at the Oak Street facility. It states that the use of the Community Center this past winter was greatly appreciated as they eliminated facilities for athletics this year due to the pandemic.

Mr. Ferrara referred to the drainage at Butler Avenue in front of the new bus garage and said it has been completed. A new 8" line has been installed to pick up the drainage from the bus garage, etc. The School District did the work and charged the Town a little of the project cost – about \$7,000. Mr. Ferrara said the project had to be completed within a timeline which the Highway Department couldn't meet.

Mr. Ferrara sent a letter to Canal Corporation regarding the Centennial fountain. The Letter states we are excited to hear that a transfer of the fountain to the Town may be possible. The transfer would ensure that we would promote visitation to the Canal. The letter stated unfortunately, the cost to install and maintain the fountain is significant between electrical requirements, site preparation and placement expenses. The Town is requesting that the fountain be transferred to the Town at no charge. Mr. Ferrara stated we will secure the fountain, and in the meantime, we will work on trying to secure finances to make it happen. NYSEG will come down to the site and give us a cost from their prospective to bring power to the site; once we have that, we will know how much it will cost to have an electrician finish the project.

Mr. Ferrara stated a crosswalk will be added from Generations Bank on E. Bayard Street, across the street to the two sets of statutes, as there is a lot of traffic in that area. He added it will create a safer place for people to park at Generations Bank and walk across the street.

Mr. Ferrara noted that the Phase II Sidewalk Program for Frank Knight is at 60% completion – things are going along as planned. The Residents and B&L are very happy with the contractor. He thanked B&L for all their involvement. He said the Board needs to have a discussion now if it is interested in going to Phase III which would be the Middle School and High School area, so that the Grant Writers can start the process. Ms. Palumbos stated the TAP Grant has come out; TAP only comes out every two years. They are offering a pre-application review which is due in about 2 ½ weeks; the whole application is due the end of September. The funding is available, and it is an 80%-20% match. Mr. Ferrara said based on the first two phases, the Town's contribution would be in the \$550,000-\$600,000 range.

Chief Peenstra referred to the first Phase and Cady Stanton and said there is a substantial amount of sidewalk that was not repaired to the northeast side of Cady Stanton that should be looked at as well.

Mr. Avery stated the Board should definitely move forward with this initial process – it makes no sense to him to not move forward. Mr. Churchill said if we apply for the grant and get accepted are we committed to the grant – the dollars are unknown; it's hard to approve things without knowing what the cost is. Mrs. Palumbos replied you do want it to show where the money is coming from. She will come back to the Board at the next Meeting with a supporting resolution – that's where that language would potentially be. She added they will have a round-about figure at that point in time which would be the official commitment. After brief discussion, Ms. Palumbos said she would keep the Board informed as to what the project cost is. Mr. Ferrara said by September, we won't have a design, but we will have a ball park idea based on Phase 1 and Phase 2. He added the Town can show evidence that it has the resources for our 20% match. Mr. Avery asked if the work that wasn't done at Stanton School should be included; Mr. Ferrara replied absolutely. Brief discussion followed.

Mr. Ferrara stated the waste management permit to make the Highway Department a transfer station has been submitted. Hopefully, in the near future, we can offer the residents a place to bring their organics. He thanked Mrs. Reese and the Committee for all their hard work – this has been a long time coming.

Mr. Ferrara mentioned that Canal Days is coming up in August, and the Town sponsors the fireworks every year. Usually, we have the Canal Corps barge, but we are not going to get it this year. He thanked the Sessler Company who is going to provide the Town with a barge.

Mr. Ferrara stated he, Melissa Jones, the Chief and Mr. Peterson met to look at the Community Center traffic situation; it's not only a vehicle problem, it's kids on bikes as well. They have made the parking lot one way going in and one way going out, and have added a stop sign at the base of Water Street that flashes. It's been done five weeks, and the electric components have been sabotaged twice. There are cameras, and they are trying to find the last person who did it.

#### Petitioners:

Frank Sinicropi: Frank Sinicropi referenced the flashing stop sign at the Community Center and said why doesn't Mr. Peterson put it in plastic conduit. Mr. Peterson replied it has already been done.

Kyle Black: Kyle Black, SMI, presented a check in the amount of \$837,000 for the second quarter. He said things are rolling on with their projects. With capping, they have about 7 ½ acres done, and another 20+ to go. South construction is continuing, and odor complaints have been in pretty good shape – they have had 24-15-29 over the last few months. Mr. Churchill remarked that it was pretty bad on Sunday. Mr. Black said to call the Complaint line. Mr. Churchill asked if there were any plans on fixing the smell; Mr. Black replied they are continuing the landfill gas installation and capping projects. Mr. Churchill said it doesn't seem to have improved much since 2016. Mr. Black replied he begs to differ – the data says it has improved quite a bit.

#### Approval of Minutes:

A motion was made to approve the minutes of the Town Board/Citizens Advisory Committee Meeting of June 30, 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 Public Hearing and Meeting of July 6, 2021 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

#### Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer's reports for the months of June and July 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.

Parks & Recreation: A motion was made to accept Mrs. Jones' report by Dawn Dyson and seconded by Doug Avery.

Mr. Ferrara complimented Mrs. Jones as she has a full load and a short staff due to some illnesses. He said it's difficult trying to get work done; with the post-COVID situation, vendors don't have the staff and don't have the materials. He added Mrs. Jones has a lot going on, and he tries to help her.

The above motion made by Dawn Dyson and seconded by Doug Avery to accept Mrs. Jones' report was carried 5 ayes, 0 nays.

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

Mr. Peterson referred to the stop sign at the Community Center and said it was vandalized twice; the first time they pulled the wires out and the second time they snipped the wires. He stated it is very expensive, and he hopes that this time they fixed it so they can't get to the wires.

Mr. Avery stated because of the process of getting the transfer station site recognized with the DEC, the Highway decided not to take batteries anymore. Mr. Peterson said they took car batteries and rechargeable batteries off the list – basically, they are hazardous waste. Mr. Ferrara stated the area at the Highway Garage will become

an official transfer station. It may have to be monitored on a regular basis; if that's the case, the only time it's monitored on a regular basis now is Saturdays and Sundays. There is a possibility that it might not be open Monday-Friday.

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

Assessor: A motion was made to accept the Assessor's report by Steve Churchill and seconded by Dawn Dyson.

Mrs. Von Wald said they don't have a contract yet with Mr. Zukowski. Mr. Ferrara asked if she added that to her 2022 budget; Mrs. Von Wald replied yes, she added it to her budget – worst case scenario without her help. Mr. Ferrara said Mrs. Von Wald searches current sales; house are going for much more than they are assessed for – she does a great job of tracking that down and building a database for that. Discussion followed.

The above motion made by Steve Churchill and seconded by Dawn Dyson to accept the Assessor's report was carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell said there were no new actions to report other than what is on the Agenda.

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

Mr. Tullo stated they had reports of algae blooms; they tested twice and found no micro-cystins in either test. Mr. Ferrara stated they are adding to the water/sewer budget cleaning the water intake pipe which is about \$140,000. A decision will be made at budget time whether to add it to the regular water budget or use reserves.

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

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

Mr. DeLelys stated he talked with the Court; they have a very heavy caseload going on in the summer months. Mr. Ferrara asked if there was any feedback from the three Court Clerks going to training. Mr. DeLelys replied they haven't gone yet – it's next month.

The above motion made by Dave DeLelys and seconded by Doug Avery 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 Dave DeLelys and seconded by Michael Ferrara.

Mr. Avery asked about the numbers for DWI – his report compares them to last year when no one was out; it seems high. Chief Peenstra replied it seems high because they went from one last year in July; they had 4 or 5 in July – trending is as in the past, nothing abnormal. The Chief referred to the Court and said the reason why they have been so busy is bench warrants are coming in for failures to appear because of bail reform. It's a process that is occurring throughout all court systems and police departments in the State. He added you are going to see a larger case load happening in courts, as well as police, as this continues.

The above motion made by Dave DeLelys and seconded by Michael Ferrara 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 there are two items on the Agenda later in the Meeting.

Mr. Churchill asked about the secondary clarifier perimeter skirts; they are asking for two for about \$69,000 – it's pretty expensive. He said during routine maintenance, a portion of the aluminum skirt was sheared off – can it be repaired. Mr. Baker explained the clarifier is the last treatment unit process in the plant. They have reason to believe the second clarifier is going to be the same thing; this is why they recommended replacing both of them. Mr. Baker went on to further explain the process. Mr. Churchill asked if the pricing includes installation; Mr. Tullo replied no – that's just materials; they are going to bid out installation. Mr. Churchill said this could be \$100,000. Mr. Tullo stated we don't have a choice. Mr. Churchill said we do have a choice of doing

one now. Mr. Tullo replied we need two – if the other one fails, we will have it, and it's going to. Mr. Baker further explained the process.

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 Dave DeLelys.

Mrs. Palumbos stated last Friday, the Consolidated Funding application closed. She said the Town had two submissions – the resubmission of the (GiGP) Green Innovation Grant Program which is for water meters, and the Local Waterfront Revitalization Plan. The grants are usually released in December; that may change.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept the report of MRB was carried 5 ayes, 0 nays.

SF Development Corporation: Mr. Avery stated they didn't meet this month. He noted the Board did receive a report. He said the preparation for the new statute, Ripples of Change, is underway.

Citizens Advisory Committee: Mr. Ferrara stated the contract with CGR has been signed, and they will start the game plan to look into the Town's government efficiency.

Planing/Zoning Committee: Mr. Ferrara stated the Planning/Zoning Committee meets regularly with MRB. He reached out to the Board for their input – the major focus is the renewable energy moratorium that was passed. They are working on those types of recommendations to move it forward. Mr. Ferrara said they are looking at other communities and common stuff that they have adopted that may be suitable for the Town. When that is done, they will bring it to the Board for approval or not.

Mr. Avery stated from Mr. Ferrara's email, it seems like they are looking at how to make this legal and somehow how to regulate it, but there is not the conversation about whether these projects are good for Seneca Falls and should be moving forward in Seneca Falls. He added we have to look at that – that has to be part of it. Mr. Ferrara said Mr. Avery is right – there has to be that component.

Mr. Morrell stated we are approaching this from amendment of the Zoning Code. When you have a particular use that you are trying to regulate, you are looking at it as a function of which areas of the Town would this be most appropriate and under what conditions would it be more appropriate. He added usually, you are not looking at banning an entire industry from your entire Town. We are looking at it as a function of the Zoning Code itself. Further discussion followed.

#### Communications:

A motion was made to receive and file Communications numbered 1 to 6 by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 6 are as follows:

1. Letter from NYS Department of State stating Local Law #6 – 2021 has been received and filed.
2. Checks and deposits totaling \$150,599.85 representing Vince's Park deposits; copies of Police reports; Judge Kelley's June report; Retirees insurance; dumpster rentals; mortgage tax; July rent for 60 State Street; Judge Lafler's June report; Community Center deposits; refund of vehicle insurance and unemployment insurance refunds.
3. Letter from Kirk Casey American Legion Post 366 notifying Town they are in the process of renewing their liquor license.
4. Minutes of the Town Planning Board Meeting of June 9, 2021.
5. Minutes of the Town Zoning Board of Appeals Meeting of June 9, 2021.
6. Monthly report of all monies received and disbursed during the month of June 2021 from Town Supervisor.

#### Old Business

Sale of Surplus Property (115 Fall Street): Mr. Morrell stated the sale of 115 Fall Street is ongoing. He has been in contact with the other attorneys through this past month, and they are hoping to get everything together the way it needs to be to transfer that property to the new owner. Mr. Morrell stated it's a unique situation, and they want to make sure they get things right for the new owners. Brief discussion followed.

Town Demands Related to SMI License to Operate Landfill: Mr. Morrell stated he has been in contact with

Attorney David Hou to get a framework going forward. The HCA talks about a dispute resolution process, so they are trying to get the parameters together of what they think would be the best way to go about it. They will then present that to Seneca Meadows and move forward with that.

Security Cameras – Veterans Bridge: Mr. Churchill stated he went down and looked at it, and it certainly can be done for a lot less than the estimate they had last month. He said cameras just help you catch the person that vandalizes; what we really want to do is prevent anybody from vandalizing. Mr. Churchill said one of the ideas is to put a fence around those areas so they can't get to them and paint them – it will be lot cheaper than a camera system – it's a preventive measure. You could put cameras up; you could put what looks like cameras up. M. Churchill said we certainly can do it for a lot less than \$20,000. Mr. Ferrara asked if Mr. Churchill had a recommendation; Mr. Churchill replied he doesn't at this time. He will meet with Mr. Peterson and put together a proposal for the cameras, but he doesn't know if that's going to be the solution. He thinks the Board should consider a fencing option. Chief Peenstra mentioned that where the cameras were going to be placed was up above the bridge where they couldn't be damaged easily. Brief discussion followed.

New Business:

Approval of Special Events: A motion was made by Michael Ferrara and seconded by Dawn Dyson to approve the following scheduled Special Events:

- Music in the Park sponsored by Seneca Museum of Waterways & Industry – 7/29, 8/5 and 8/12
- WR2R Annual Women's Music Festival sponsored by Legott Productions – September 24, 2021
- Family Fall Festival sponsored by Cavary Chapel – September 25, 2021

No questions. Motion carried 5 ayes, 0 naves.

Highway – Surplus Various Items: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Highway Department would like to surplus the following items: fuel containment bin; 2013 Chevy pickup; 2012 F550 dump truck with plow equipment; 618 front mount grasshopper mower with snowblower;

WHEREAS, these items will be put on Auction International or sale. These items are no longer used.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the surplus of these items to be auctioned off through Auction International.

Mr. Avery stated perhaps we should be saving a truck for the use of Code Enforcement. Mr. Ferrara said they had a discussion about having an identifiable vehicle for zoning. Mr. Avery noted that was a meeting with Mr. Tullo – not Mr. Peterson. Mr. Tullo referred to the truck that was discussed and said it was best to get rid of it – best to put it on auction rather than keep it and maintain it.

Mr. Ferrara asked about the Highway 2013 Chevy pickup. Mr. Peterson replied it is in pretty good shape. Mr. Ferrara said the Town doesn't have an identifiable vehicle for Mr. Stabinsky and Mrs. Rose, plus the Town compensates mileage for them in their own vehicles. He agrees with Mr. Avery that we should have an identifiable vehicle for planning and zoning and we could use that. He asked if it is doable; Mr. Peterson replied yes. Mr. Ferrara asked Mr. Stabinsky if it's something he thinks is a good idea; Mr. Stabinsky replied yes, it's definitely needed.

A motion was made by Michael Ferrara and seconded by Dawn Dyson to amend the above resolution to not put the 2013 Chevy pickup up for auction. No questions. Motion carried 5 ayes, 0 naves.

A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution as amended:

WHEREAS, the Highway Department would like to surplus the following items: fuel containment bin; 2012 F550 dump truck with plow equipment; 618 front mount grasshopper mower with snowblower;

WHEREAS, these items will be put on Auctions International for sale. These items are no longer used.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the surplus of these items to be auctioned off through Auctions International.

No questions. Motion carried 5 ayes, 0 naves.

Resolution – ARPA Funding Compliance Assistance: A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Town is slated to receive \$880,301 in Federal Assistance through the American Rescue Plan Act, created as a response to the ramifications of the COVID-19 outbreak, and having already received the first half;

WHEREAS, the Town is in need of professional services to ensure compliance with all requirements of the Act.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the Town

Supervisor to sign the contract for professional services related to the ARPA funding with MRB at the terms stipulated in the contract.

Mr. Ferrara stated the Town received \$440,000, and the other one-half will be received next year. He said this would be to administer that money and help with the determination as to what it can be applied to. There is also a lot of paperwork that has to be filed – it's too much for the Staff we have to handle.

The above motion made by Michael Ferrara and seconded by Doug Avery to adopt the above resolution for ARPA funding compliance assistance was carried 5 ayes, 0 nays.

Appoint Cleaner for Town Offices: A motion was made to appoint Peter White as Town Offices Cleaner effective August 4<sup>th</sup> for 25 hours per week at a rate of \$14.28 per hour by Michael Ferrara and seconded by Doug Avery.

Mr. Ferrara stated our Cleaner decided to retire. Mr. White is a seasonal employee at the Community Center, and has been cleaning here in the interim. He will still be working at the Community Center to help out.

The above motion made by Michael Ferrara and seconded by Doug Avery to appoint Peter White as Town Offices Cleaner was carried 5 ayes, 0 nays.

W/S Resolution – Pay Adjustments: A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Town Board realizes that Operator/Trainee Mason Hawker and Ed Thurston have received their 2A Plant + D distribution Water Operators Licenses and have received a CDL B driver's license since becoming an Operator/Trainee.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize a raise of \$2.00 an hour to a salary of \$25.93 per hour for each Mason Hawker and Ed Thurston for obtaining all of these certifications.

Mr. Churchill asked how many Water Plant Operators do we need – just because a person gets certifications doesn't necessarily mean they get a raise. It doesn't happen in private sector and there is no reason it should happen in public sector. He added if raises were given to all employees, then they would fall into that category.; or if there was a position that was opening and they stepped into it, then they would get the salary of that respective position. The Board needs to decide how many Water Operators they need; if it's two, then they pay the salary for two water operators. Mr. Churchill asked if this would be in addition to whatever raise employees received this year; Mr. Ferrara replied correct; this was built into the budget. He added as people completed their training in different levels of certification, there is an increase in salary to that. Mr. Avery stated that's in the program as they set it up. He said if we are going to stop that, the Board needs to do that – this happened under that program. Mr. Tullo noted they need four operators. Mr. Churchill asked how many are in the Waterloo Treatment Plant; Mr. Tullo replied at least 3 or 4 – maybe 5, maybe more. Mr. Avery stated at some point, Mr. Churchill is right; at some point moving forward we need to look at that. After further discussion, Mr. Ferrara suggested that the Personnel Committee revisit the matrix, look at other communities and come up with recommendations.

Mr. Churchill made a motion to table action on this as he would like to see the policy that the Town has, talk to other municipalities and talk to Mr. Tullo. Since there was no second to the motion, the motion failed.

Mr. Avery stated Mr. Churchill is right that we probably have enough if you have four people to cover – are there more trainees in the works. Mr. Tullo replied no. He added those licenses will be Assistant Operators – he is the only Operator. They are operators; they are not the operator – he is 1A and they are 2As.

The above motion made by Michael Ferrara and seconded by Doug Avery to adopt the above resolution authorizing pay adjustments for Mason Hawker and Ed Thurston was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Mr. Ferrara strongly recommended, moving forward before the Board comes up with a policy, that before Mr. Tullos sends anybody further, there is Board approval for classes. Mr. Tullo suggested that the Board check with the County before deciding anything to see what their rights are as a trainee. He added at some point, if they are trainees they are entitled. Mr. Ferrara said he will have the County Manager check with Civil Service.

Resolution – Create Watershed Regulations: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

We, as Representatives of the Town of Seneca Falls in the County of Seneca,

EXPRESS our support for all New York State communities that are, or plan to be, engaged in the process of updating or creating Watershed Rules and Regulations for the protection of their drinking water sources, and in particular the Owasco Lake watershed communities in Cayuga County.

URGE the New York State Department of Health (NYSDOH) to expeditiously adapt updated Watershed Rules and Regulations proposed for Owasco Lake, and to establish a transparent process for the timely approval of draft Watershed Rules and Regulations proposed by other communities.

WHEREAS, Public Health Law Article II, Section 1100, allows the NYSDOH promulgate Watershed Rules and Regulations “for the protection from contamination of any or all public supplies of potable waters and water supplies of the state...and their sources within the state”.

WHEREAS, Comprehensive Rules and Regulations have been used to actively improve the management of drinking water supplies serving New York City and the City of Syracuse, to address modern sources of pollution such as urban and agricultural stormwater runoff, development and erosion.

WHEREAS, Cayuga County has drafted updated Watershed Rules and regulations for Owasco Lake, which serves as the drinking water source for 46,000 people in the City of Auburn, the Villages of Cayuga, Port Byron and Weedsport; the Towns of Aurelius, Brutus, Fleming, Throop, Mentz, Montezuma, Owasco, Sennett and Springport; the Cayuga County Water Authority and the Thruway Authority.

WHEREAS, these are the first Watershed Rules and Regulations submitted for consideration since New York State published its draft Framework for Creating a Drinking Water Source Protection Plan, which identifies Watershed Rules and Regulations as a tool for protecting and managing water supplies, “especially in watersheds that fall within several municipalities”.

WHEREAS, most of the watersheds for reservoirs, lakes and rivers that serve as drinking water sources for communities in New York State, as well as some of the recharge areas for wells serving as drinking water sources, are each located in several municipalities.

WHEREAS, drinking water source protection is a public health issue, as well as an environmental justice issue, with downstream communities reliant on, and often powerless to influence, decisions made by upstream communities affecting their drinking water sources.

WHEREAS, Watershed Rules and Regulations are established by the state, but are tailored to specific pollution concerns affecting each local water source and its watersheds.

WHEREAS, Watershed Rules and Regulations specifically empower downstream communities with certain authorities to protect their water sources.

WHEREAS, Watershed Rules and Regulations can give municipalities jurisdiction to inspect the entire watershed of their drinking water supply for violations of Watershed Rules and Regulations, issue notices of violations, and refer uncorrected violations to NYSDOH for investigation and enforcement.

WHEREAS, Watershed Rules and Regulations can work prospectively by influencing proposed projects that require local, state or federal approval, these proposed projects must be found to be in compliance with all laws, including any applicable Watershed Rules and Regulations.

WHEREAS, while other federal, state and local laws are designed to protect drinking water supplies, frequent episodes of contamination and emerging threats from unregulated contaminants, harmful algal blooms, disinfection byproducts and other water quality concerns indicate gaps in the existing protections that Watershed Rules and Regulations can help address.

WHEREAS, most Watershed Rules and Regulations in effect were last updated decades ago, and many water sources have no Watershed Rules and Regulations in effect, leaving many communities without effective protections.

WHEREAS, Cayuga Lake is the drinking water source for Seneca Falls in the Town of Seneca Falls.

WHEREAS, Cayuga Lake is also a source of drinking water, either as a primary or backup supply for Seneca Falls in the Town of Seneca Falls.

WHEREAS, the watershed for Cayuga Lake includes land in multiple municipalities, including Seneca Falls, Ithaca, Union Springs, Cayuga, Fayette, Varick, Romulus, Ovid, and many more small communities.

WHEREAS, Cayuga Lake has Watershed Rules and Regulations that are outdated.

WHEREAS, Cayuga Lake communities in municipalities listed above are identified as a Potential Environmental Justice Area(s) by Department of Environmental Conservation.

NOW, THEREFORE, BE IT RESOLVED, as the Representatives of the Town of Seneca Falls in Seneca County, we urge the NYSDOH to seriously consider and adopt updated Watershed Rules and Regulations for Owasco Lake.

BE IT FURTHER RESOLVED, the Town of Seneca Falls urges the Department of Health to establish a transparent process for the timely approval of updated draft Watershed Rules and Regulations submitted by other communities.

BE IT FURTHER RESOLVED, this resolution be sent to local and state Departments of Health, Governor Andrew M. Cuomo, and state Assembly and Senate representatives whose districts include the Town of Seneca Falls and Cayuga Lake and its watershed.

No questions. Motion carried 5 ayes, 0 nays.

Resolution – Change Insurance Offered Plan: A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the cost of insurance coverage continues to escalate; and

WHEREAS, pending changes to the composition of the revenue stream received by the Town will result in less revenue; and

WHEREAS, the Town desires to continue to offer good health care coverage to its employees.

THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby change its health insurance offering and is providing 90-day notice to non-union employees and retirees currently on Town offered plans under 65 years of age, that the following changes will take place effective 12/01/2021:

1. The Excellus Blue Cross Blue Shield Simply Blue Plus Platinum 2 plan is being discontinued as a health insurance offering.
2. The Excellus Blue Cross Blue Shield Simply Blue Plus Bronze 4 plan is being designated as the Town's offered plan, with an HRA provided at \$4,500 for a single plan and \$9,000 for all other tier plans.
3. The Excellus Blue Cross Blue Shield Simply Blue Plus Standard Gold plan is being offered as a "buy up" plan, with an HRA provided at \$1,000 for a single plan and \$2,000 for all other tier plans.
4. Access to HRA funding will be provided after out-of-pocket expenditure of \$200 for a single plan and a \$400 out-of-pocket for all other tiers.
5. The Town will provide "bridge" coverage through Colonial to assist with out-of-pocket expense to the employee.
6. The Town will allow the employee to utilize a portion of the HRA for dental/vision out-of-pocket up to a maximum between dental/vision of \$1,000 annually.
7. The employee contribution rate is increased to 20% of the premium cost.

All employees will be transferred to the Bronze plan effective December 1, 2021 unless special request is made by the employee to elect the Standard Gold "buy up" plan.

Mr. Ferrara stated the goal is to try to reduce the cost to the Town and taxpayers for health insurance, and try to be fair to employees - it's a major expenditure in the Budget. He said we need to give employees 90-day notice, so a decision has to be made tonight. Sarah Wright said there will be a luncheon so Chris Kellogg can explain it to employees. Mr. Ferrara stated this would be a strong bargaining option with the Police Department and Leadership Union as we move forward. He said they did a comparison and analysis with the consortium that the County belongs to, and there are things that don't line up – there is not a cost savings going to the consortium.

The above motion made by Michael Ferrara and seconded by Doug Avery to adopt the above resolution changing the insurance offered plan was carried 5 ayes, 0 naves.

W/S – Resolution to Purchase Skirt Channel Replacement: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Town of Seneca Falls Sewer Plant uses Spiraflo Clarifier that was installed in 2003; and

WHEREAS, it has been brought to the Town Board's attention by the Water and Sewer Department and the Town's Engineers that skirts used by the Clarifier are in need of replacement; and

WHEREAS, Lakeside Equipment Corporation is the manufacturer and sole distributor of replacement parts for the Spiraflo Clarifier, as stated in the letter from Lakeside Equipment Corporation attached to and made a part of this resolution; and

WHEREAS, Lakeside Equipment Corporation has submitted a quote for replacement of the skirts for the Spiraflo Clarifier at a price of \$32,405.00 each, which is also attached to and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Seneca Falls that the purchase of two replacement skirts for the Spiraflo Clarifier is authorized at a price of \$32,405.00 each pursuant to the attached quote, without advertising for sealed bids as authorized by State Comptroller's opinions 67-558 and 83-105 in situations where items can be purchased from only one source.

Mr. Ferrara stated this has been reviewed by Mr. Morrell and put together with Mr. Baker and Mr. Tullo. It would be prudent now to buy two since the second clarifier could go bad. There is a 12-14 week window to get materials. He noted it will come out of the Sewer Contingency, not the General Fund.

Mr. Churchill thinks the resolution should be modified to reflect actual purchase cost of \$64,810; we need two at a cost of \$32,405 each. Mr. Morrell said it is written that way because that is the way the first quote came in. Mr. Baker stated they requested a quote for one; after their recommendation, they requested another quote for two. Mr. Churchill said they will purchase two and install one, and do the other one next year; this isn't budgeted. Mr. Tullo replied that's correct. Mr. Ferrara noted there is \$200,000 in the Sewer Contingency – it will come out of that. Mr. Churchill asked if this shouldn't go out to bid; Mr. Morrell replied it can only come from one place; the people we are dealing with make it, and they are the only ones that deal with those

particular things. After further discussion, Mr. Churchill stated it was not budgeted; it came out of Sewer Contingency which is landfill money.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution to purchase two skirt channel replacements at a cost of \$64,810 was carried 5 ayes, 0 naves.

Award Bid – Installation of Pumps: A motion was made by Michael Ferrara and seconded by Dave DeLelys to award Contract No.1 for the General Construction of the Auburn Road PS Improvements to John W. Danforth Company for \$17,980.00, based on the recommendation of Barton & Loguidice.

Mr. Baker stated on Auburn Road, there is a small pump station that serves most of the residential corridor on Rt. 5 & 20. The pump has been in place for a very long time. The Town has purchased everything, and in normal circumstances the Town would put it in; the Town doesn't have the ability to install it. Mr. Baker stated they reached out to four contractors, and given the current market, they received one bid. Mr. Churchill asked if it was a budgeted item; Mr. Tullo replied yes.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to award Contract No.1 for the General Construction of the Auburn Road PS Improvements to John W. Danforth Company for \$17,980.00 was carried 5 ayes, 0 naves.

Water/Sewer Credits: There were none this month.

Any Other New Business:

Mr. Churchill asked if it's the Town's responsibility to maintain the parking area on the north side behind the stores. Mr. Peterson replied the Town leased the parking lot to Mark Robinette; the rest of them are privately owned. He added the Town owns the road back there that goes from State Street to Cayuga Street. Mr. Churchill mentioned weeds growing in the medians. Chief Peenstra noted there was a map of the property that was done when they did the parking study that shows property ownership. Mr. Ferrara requested that Mr. Peterson look at the parking area and if it is Town's, please take care of it; Mr. Peterson said he would do that.

Mr. Ferrara stated the Board had a Special Meeting on July 26<sup>th</sup> regarding the budget. The Board is trying to look at different scenarios to try and reduce our dependency on landfill revenues. He said once the Board has a Tentative Budget, it will figure out exactly how it's going to be funded. He noted there are three sources of revenue: property taxes, landfill revenue and tax stabilization fund – the combination of those would make up the revenue side of the budget.

Mr. Ferrara stated in June, the Board had a presentation regarding marijuana sale and dispensary sale of marijuana. If the Board is going to opt out, a decision has to be made by the October Meeting as a Public hearing is involved. A decision has to be made by December 31<sup>st</sup>. Brief discussion followed.

Payment of Bills:

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

General Fund - \$626,096.02 (Abstract #8)

Recreation Fund - \$16,963.39 (Abstract #8)

Miscellaneous Fund - \$109,207.64 (Abstract #8)

Vince's Park Fund - \$9,696.26 (Abstract #8)

Highway Fund - \$299,004.50 (Abstract #8)

Serwer Fund - \$74,041.07 (Abstract #9)

Water Fund - \$84,268.64 (Abstract #8)

No questions. Motion carried 5 ayes, 0 naves.

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

Meeting adjourned at 7:53 P.M.

Respectfully, submitted,

NICALETTA J. GREER  
Town Clerk

