

The Seneca Falls Town Board held a Public Hearing and Special Meeting on Thursday, November 16, 2021 in the Town Hall Meeting Room, 130 Ovid Street, Seneca Falls.

Present were Supervisor Michael Ferrara; Councilpersons Steven Churchill, Douglas Avery, Dawn Dyson and David DeLelys (by phone). Also present were Patrick Morrell, Attorney for the Town; Peter Baker, Town Engineer; Beverly Warfel, Principal Account Clerk and Sara Wright, Senior Account Clerk.

Public Hearing – Equalization Tank Project: A motion was made to open the Public Hearing at 5:00 P.M. by Dawn Dyson and seconded by Doug Avery relative to the proposed increase and improvement of facilities of the Seneca Falls Sanitary Sewer System consisting of replacing an existing 2.8 million gallon equalization tank with a new 3 million gallon equalization tank and associated connection piping incidentals thereto at an estimated cost of Six Million Eight Hundred and Forty Thousand Dollars (\$6,840,000.00). Motion carried 5 ayes, 0 naves.

Mr. Ferrara asked if there was anyone who would like to speak relative to this matter. Since there were no comments from the Public, a motion was made to close the Public Hearing at 5:05 P.M. by Dave DeLelys and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 ayes.

Supervisor Ferrara opened the Special Meeting at 5:05 P.M. A roll call of Board Members was taken and all were present (Councilman DeLelys by phone); the Pledge of Allegiance followed.

New Business:

Appoint Bernard P. Donegan - Financial Consulting Services for Equalization Tank Project: A motion was made to appoint Bernard P. Donegan for Financial Consulting Services relative to the Equalization Tank Project by Doug Avery and seconded by Dawn Dyson.

Mr. Churchill asked what they are going to be doing. Rhonda Desinto of MRB replied there are some finance pieces and they will be working on finance applications through EFC which all of the grant components are going through. She added these are all things that are required through the grant process. Brief discussion followed.

A roll call vote was taken relative to the above motion to appoint Bernard P. Donegan for Financial Consulting Services relative to the Equalization Tank Project which resulted in the following:

Supervisor Ferrara – Yes	Councilman Churchill – Yes
Councilman Avery – Yes	Councilman DeLelys – Yes
Councilwoman Dyson – Yes	

Motion carried 5 ayes, 0 naves.

Appoint Bernard P. Donegan – Financial Consulting Services for Kingdom Road Pump Station Project: A motion was made to appoint Bernard P. Donegan for Financial Consulting Services relative to the Kingdom Road Pump Station Project by Doug Avery and seconded by Dawn Dyson.

A roll call vote was taken relative to the above motion to appoint Bernard P. Donegan for Financial Consulting Services relative to the Kingdom Road Pump Station Project which resulted in the following:

Supervisor Ferrara – Yes	Councilman Churchill – Yes
Councilman Avery – Yes	Councilman DeLelys – Yes
Councilwoman Dyson – Yes	

Motion carried 5 ayes, 0 naves.

Appoint Bernard P. Donegan – Municipal Advisor Services for Equalization Tank Project: A motion was made by Dawn Dyson and seconded by Dave DeLelys to appoint Bernard P. Donegan for Municipal Advisor Services relative to the Equalization Tank Project.

A roll call vote was taken relative to the above motion to appoint Bernard P. Donegan for Municipal Advisor Services relative to the Equalization Tank Project which resulted in the following:

Supervisor Ferrara – Yes	Councilman Churchill – Yes
Councilman Avery – Yes	Councilman DeLelys – Yes
Councilwoman Dyson – Yes	

Motion carried 5 ayes, 0 naves.

Appoint Bernard P. Donegan – Municipal Advisor Services for Kingdom Road Pump Station Project: A motion was made by Doug Avery and seconded by Dawn Dyson to appoint Bernard P Donegan for Municipal Advisor Services relative to the Kingdom Road Pump Station Project.

A roll call vote was taken relative to the above motion to appoint Bernard P. Donegan for Municipal Advisor Services relative to the Kingdom Road Pump Station Project which resulted in the following:

Supervisor Ferrara – Yes	Councilman Churchill – Yes
Councilman Avery – Yes	Councilman DeLelys – Yes
Councilwoman Dyson – Yes	

Motion carried 5 ayes, 0 naves.

2022 Preliminary Budget:

Susan Porter thanked the Board for their service to the Town, because in the last year, she witnessed the number of hours the Board put in - she recognizes it and appreciates it. She thanked Mr. Ferrara for allowing her to sit on the Budget Committee that explored the Landfill's funding role and the Town's operating budget, as well as Committee Members Brad Jones and Beverly Warfel. Mrs. Porter said she is here tonight as someone who lives in the Town who voted and tried to understand over the past year how the Budget works. She added unfortunately, being a part of that Committee never stood a chance this year because of the Election when the Landfill's future was front and center at the ballot box. Obviously, the voters are willing to survive with the Landfill in exchange for financial support.

Mrs. Porter encouraged all the Board Members going forward, and the new ones, to think about multi-year plans, look at the use of designated reserve funds and tax stabilization which the Town has utilized in the last two years to stabilize the tax rate. Mrs. Porter said she would still argue that it's a good practice not to stack the operating budget with Landfill revenue.

Mr. Ferrara thanked Mrs. Porter. He said as everyone knows, Mrs. Porter and Mr. Jones spent many meetings with him and Mrs. Warfel, working on a comprehensive plan to move the Town away from Landfill revenue in the next four years. He added it didn't necessarily happen this year, but there is a plan in place. He told Mrs. Porter that she made some valid points, and thanked her for her service.

Mr. Ferrara said the Budget has to be adopted tonight. He noted the Budget is down to about \$12,000 above and beyond the tax cap limit. If spending can be reduced by \$12,000 or revenue is increased by \$12,000, then it will be under the tax cap. He mentioned that one major decision that has to be made tonight is the Zoning Officer which was put in the Budget going to a full time position vs. the current status.

Mr. Avery said he would like that money left in the Budget to turn that position to full time. A determination still needs to be made as to whether we need a full time Code Enforcement person. He said if the money is taken out of the Budget, they will never get to that study to see if it's needed. Mr. Avery said he would rather leave that money in the Budget and have that option to do a study as to whether or not we need a full time person. Mr. Avery asked why it was so important to get under the tax cap. Mr. Ferrara replied it's something that if the Board has the opportunity to do that, it should do that. Mr. Avery said it depends on where those cuts are made – the Board can approve a budget that is above the tax cap. Mr. Ferrara said if the Board goes in that direction, there is another step that has to be taken – the local law has to be adopted. Brief discussion followed relative to the tax cap.

Mr. Avery stated one of the people who will be sitting on this Board ran on a campaign of taking taxes back to pre-2018 level, which means more or all of the Landfill revenue is going to go back into the Budget. He added the Board diminished the Landfill revenue down by \$300,000. Mr. Ferrara noted it's down to \$1.1 million in the operating budget; the plan was to reduce it by \$300,000 up until 2025. Discussion followed.

Mr. Ferrara stated he is not opposed to the Zoning Officer being full time. He thinks it's something that needs to be closely monitored. There is a level of work that needs to be done, and there is a lot more things out there that needs to be addressed in a timely way.

Mr. Churchill stated he would like to leave the position part-time; the Zoning Officer has not been in that position very long. He noted that next year, money can be taken out of Contingency and that position can be changed to full time. He suggested leaving it part-time, taking full time out of the Budget and staying under the tax cap. If you want to change it to full time next year, it doesn't affect what you did to the tax cap.

Mr. Ferrara stated in the Budget, there is a fee of \$2,100 to Finger Lakes Television to broadcast the Town meetings. With the new website, we have three social media accounts; right now, Mrs. Lankford posts the meetings on the YouTube account - people can go on it and watch the meetings. He doesn't believe this is necessary – it's a waste of \$2,100.

Mr. Ferrara mentioned the Ludovico Trail and said there is \$4,000 in the Budget for the Trail. He mentioned that the non-profit volunteer committee of the Trail basically cost the taxpayers of the Town \$1.5 million by not allowing the Kingdom Road Sewer Project to go there. Mr. Ferrara said they are getting funds from the DRI, and he thinks it's insulting to the taxpayers of Seneca Falls to give them \$4,000 a year.

After discussion, a motion was made to keep the Zoning Officer position at part-time and make the adjustment to the budgeted salary accordingly by Steve Churchill and seconded by Dawn Dyson.

Mr. Avery said he would still like to see that decision made aside from the Budget; the Board can go this route and if a decision is made to increase it, that's fine.

The above motion made by Steve Churchill and seconded by Dawn Dyson to keep the Zoning Officer position at part-time and make the adjustment to the Budgeted salary accordingly was carried 3 ayes, 2 naves; Supervisor Ferrara and Councilman DeLelys with the dissenting votes.

A motion was made that the Board no longer contracts with Finger Lakes Television to post the Town Meeting videos by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

A motion was made to not fund the \$4,000 for the Ludovico Sculpture Trail which was requested for the 2022 Budget by Michael Ferrara and seconded by Dawn Dyson.

Mr. Churchill stated he is not going to support taking it out of the Budget. Although there is some animosity between the parties of the Town and those who run the Trail, he thinks the Trail is a great benefit and asset to the Town; there are a lot of folks that use it – those green spaces are important. Mr. Avery agreed with Mr. Churchill, and said it's too great a resource. He thinks just looking forward to help preserve that space, it should be left in the Budget.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to not fund the \$4,000 for the Ludovico Sculpture Trail which was requested for the 2022 Budget was carried 3 ayes, 2 naves; Councilmen Churchill and Avery with the dissenting votes.

A motion was made to adopt the Preliminary Budget with changes implemented this Evening (Zoning Officer remains at part-time, remove funding for Finger Lakes Television and remove funding for Ludovico Sculpture Trail) by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

Highway Resolution – Advertise for Motor Equipment Operator: A motion was made by Steve Churchill and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Highway Department would like to advertise for a motor equipment operator to be hired 01/01/2022; and

WHEREAS, one of the motor equipment operators is leaving to be the new Highway Superintendent in Tyre on 01/01/2022.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the advertisement for a motor equipment operator to be hired by 01/01/2022.

No questions. Motion carried 5 ayes, 0 naves.

Highway Resolution – Purchase Dump Truck: A motion was made by Doug Avery and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Highway Department would like to purchase a 2023 6-wheel dump truck HV507 from Regional International for the sum of \$89,782.16, and also purchase the body and plow equipment from Viking for the sum of \$92,242.43. Total cost of truck is \$\$182,024.59; and

WHEREAS, this 2023 dump truck will replace the 2010 dump truck they now have.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the purchase of a 2023 HV507 dump truck from Regional International and the plow equipment from Viking for the total sum of \$182,024.59. This truck is budgeted for 2022, and they are piggybacking off of Onondaga contract 8996.

Mr. Ferrara said if the order is put in, they are locked in with the price; based on Mr. Peterson's conversation with the vendors, prices will be going up. Mr. Peterson stated the truck will not be delivered until February or March of 2023 – that's how far out they are.

The above motion made by Doug Avery and seconded by Dave DeLelys to adopt the above resolution authorizing the purchase of a dump truck and plow was carried 5 ayes, 0 naves.

Highway Resolution – Purchase Four Bobcats: A motion was made by Dave DeLelys and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Highway Department would like to purchase four bobcats from Bobcat of the Finger Lakes for \$41,000; and

WHEREAS, these bobcats will replace the old ones which will be traded in to Bobcat of the Finger Lakes.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the purchase of four bobcats to replace the old bobcats at the cost of \$41,000. These machines are budgeted for 2022 and are under NY State contract.

Mr. Churchill asked how often are these turned over; Mr. Peterson replied every two years.

The above motion made by Dave DeLelys and seconded by Doug Avery authorizing the purchase of four bobcats was carried 5 ayes, 0 nays.

Approve Filling Part-Time Court Clerk Position: A motion was made by Dawn Dyson and seconded by Michael Ferrara to adopt the following resolution:

WHEREAS, the resignation of Eileen Schmidt left an opening in the Court; and

WHEREAS, the Town Board feels it is appropriate to fill this position.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board authorizes the filling of the vacant part-time Clerk position in the Seneca Falls Town Court with the appointment of Lisa Hochadel at 20-25 hours per week, and at a starting wage of \$17.49 per hour effective November 29, 2021.

Mr. Ferrara stated the Board left the regular meeting to further check resumes. He checked with Judge Kelley and feels comfortable with seconding this resolution. Mr. DeLelys said he also checked with Judge Kelley and Judge Lafler.

The above motion made by Dawn Dyson and seconded by Michael Ferrara to approve filling the part-time Court Clerk position was carried 5 ayes, 0 nays.

Resolution Authorizing Repair of Storm Drain – 38 Miller Street: A motion was made by Dawn Dyson and seconded by Doug Avery to adopt the following resolution:

WHEREAS, it was required to clean out the storm drain on Miller Street to prevent backup of storm drain water onto residents' properties; and

WHEREAS, the pipe at or near 38 Miller Street was beyond just needing a cleanout, and continues to create problems for the homeowner; and

WHEREAS, the pipe in question is the property of the Town of Seneca Falls.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does authorize Seneca Pipe & Paving to repair the Town of Seneca Falls storm drain at or near 38 Miller Street at a cost not to exceed \$17,500.

The project cost to be funded by a transfer from the Contingency account (A1990.400) to Storm Drains Miscellaneous Projects (A8140.401) in the amount of \$17,500.

Mr. Ferrara stated Mr. Peterson and the Highway Department will assist in the project. He thinks the cost will be less based on his conversation with Mr. Peterson. He noted this is a short-term fix; the engineers have started a review of that area. He added this will alleviate some of the problems in that area. Mr. Churchill asked how long is the section that they are replacing; Mr. Ferrara replied 60'.

The above motion made by Dawn Dyson and seconded by Doug Avery to adopt the above resolution authorizing the repair of storm drain at 38 Miller Street was carried 5 ayes, 0 nays.

A motion was made calling for a 10-minute recess at 5:55 P.M. by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reconvene the Special Meeting at 6:05 P.M. by Dawn Dyson and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Resolution – Order After Public Hearing Authorizing Increase and Improvement of Facilities: A motion was made by Steve Churchill and seconded Dave DeLelys to adopt the following resolution:

WHEREAS, the Town Board of the Town of Seneca Falls, New York (the "Town") previously requested Barton & Loguidice Engineers, P.C., engineers duly licensed by the State of New York, to prepare a map, plan and estimate of cost for the improvement of facilities of the Town of Seneca Falls Sanitary Sewer System (consisting of the Bridgeport Sewer District, the Seneca Falls Sewer District, and the West Seneca Falls Sewer District, and Extensions No. 1 and No. 2) in and for the Town, consisting of replacing an existing 2.8 million gallon equalization

tank that has fallen into disrepair with a new 3 million gallon equalization tank and associated connection piping incidental thereto; and

WHEREAS, said map, plan and estimate of cost are on file in the Office of the Town Clerk for public inspection and the estimated maximum cost of such improvement is Six Million Eight Hundred and Forty Thousand Dollars (\$6,840,000.00); and

WHEREAS, said project is determined to be a Type I action under the regulations of the New York State Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, and the Town Board, acting as Lead Agency at a Special Meeting held on July 14, 2020, after due deliberation determined that the project would not have a significant environmental impact; and

WHEREAS, the Town Board adopted an order calling for a public hearing thereon and caused a notice of such hearing to be published and posted in the manner provided in Section 193 of the Town Law, stating that the Town Board would meet to hear all persons interested in the subject matter at the Town of Seneca Falls Offices, 130 Ovid Street, Seneca Falls, NY on the 16th day of November, 2021 at 5:00 P.M.; and

WHEREAS, a public hearing was held at the time and place aforesaid in the manner described at which time all persons interested in the subject matter were given an opportunity to be heard; and

WHEREAS, the Town Board has become aware of grant and funding opportunities through the New York State Environmental Facilities Corporation, including the Clean Water State Revolving Fund Program (the "CWSRF Program"), New York State Water Infrastructure Improvement Act Program (the "WIIA Program") and other State and Federal financing programs (including clean water); and

WHEREAS, the Town desires to apply for and participate in funding opportunities to the maximum extent possible.

NOW, THEREFORE, BE IT RESOLVED, upon the evidence given at the public hearing described herein, it is hereby determined as follows:

1. The notice of the public hearing described in the preambles hereof was posted and published as required by law and as in all respects satisfactory.
2. The construction of the improvements hereinabove described is in the public interest.
3. The cost of such improvements shall be apportioned among the districts noted above pursuant to Town Law Section 202-b(4).
4. Barton & Loguidice Engineers, P.C. are hereby directed to prepare definite plans and specifications and to make careful estimate of the expense of the aforesaid improvements and to make necessary preparation for the solicitation of competitive bids and to prepare a proposed contract for the execution of such work.
5. The Town Supervisor is hereby authorized to submit an application on behalf of the Town for grant funding under the New York State Environmental Facilities Corporation's applicable grant programs relative to the Project, including but not limited to the CWSRF Program and the WIIA Program, and to execute any agreements, instruments or other documents in connection with the Town's acceptance of any such grants and/or the funding thereof.
6. The Town Supervisor may authorize any required local match required with respect to financing or grants awarded to the Town for the Project through the use of in-kind services, without further approval of this Town Board.
7. The Town Supervisor is hereby designated as the authorized Representative of the Town for all aspects of the Project including all application and District financing purposes.
8. The Town Clerk is hereby directed to record a certified copy of this Order in the Office of the Clerk of the County of Seneca and the Office of the New York State Comptroller within ten days pursuant to Town Law Section 195.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF SENECA FALLS, NEW YORK.
This Order shall take effect immediately.

Mr. Morrell stated this is the Order that would be as a result of the Public Hearing that was conducted earlier in the Meeting. He said Section 202-b of the Town Law authorizes the Town Board to make improvements within an already existing district.

The above motion made by Steve Churchill and seconded by Dave Delelys to adopt the above resolution authorizing the increase and improvement of facilities was carried 5 aye, 0 naves.

Bond Resolution Authorizing Construction of a New Equalization Tank: A motion was made by Dawn Dyson and seconded by Doug Avery to adopt the attached Bond Resolution authorizing the construction of a new equalization tank for the Seneca Falls Sanitary Sewer System.

Mr. Morrell stated this is the part that deals with the money and authorizes the bonding. He said it has the updated figures that are consistent with the new plan and new report for this Project as opposed to the one that was done last year. Brief discussion followed.

A roll call vote was taken on the above motion to adopt the attached Resolution which resulted in the following:

Supervisor Ferrara – Yes	Councilman Churchill – Yes
Councilman Avery – Yes	Councilman DeLelys – Yes
Councilwoman Dyson – Yes	

Motion carried 5 ayes, 0 nays.

Resolution in Support & Authorization of Clean Water Grant Application – Equalization Tank: A motion was made by Doug Avery and seconded by Michael Ferrara to adopt the following resolution:

WHEREAS, the Town of Seneca Falls (Town) supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) application on behalf of the Town, for the replacement of the Town of Seneca Falls Wastewater Treatment Plant (WWTP) excess flow tank, herein referred to as the "Project"; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water quality infrastructure projects that protect public health and improve water quality; and

WHEREAS, a Map and Plan entitled "Seneca Falls Excess Flow Tank Replacement", dated November 2021, recommends implementing the Project to help improve water quality and protect public health; and

WHEREAS, the Seneca Falls Town Board passed a Bond Resolution (the "Bond Resolution") on November 16, 2021 authorizing the borrowing for implementation of the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board identifies the Town Supervisor as the authorized representative of the Town to submit the WIIA application on behalf of the Town, and execute all associated documents relative to and as required for the WIIA application, including the funding agreement and financial application, as applicable; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the undertaking of this WWTP project with a maximum total project cost as stated in the Bond Resolution passed on November 16, 2021, including expenditures necessary to meet any required local match, including any cash and/or in-kind services; and

BE IT FURTHER RESOLVED, that the Town shall provide local matching funds totaling at least 75% of the Project costs in the form of in-kind services or cash contributions appropriated and obligated through State Revolving Fund (SRF) or other approved financing or funds, in accordance with the Bond Resolution; and

BE IT FURTHER RESOLVED, that the Seneca Falls Town Board supports the Project and submission of the 2021 WIIA grant application on behalf of the Town to improve water quality and protect public health.

No questions. Motion carried 5 ayes, 0 nays.

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 nays.

Meeting adjourned at 6:05 P.M.

Respectfully submitted,


NICALETTA J. GREER
Town Clerk

