

The Seneca Falls Town Board held a Public Hearing and regular monthly Meeting which was a “live-streamed” Meeting on Tuesday, June 2, 2020.

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

Public Hearing – Proposed Local Law #3 – 2020: Supervisor Ferrara opened the Public Hearing at 6:00 P.M. relative to proposed Local Law #3-2020, a local law to amend Section 280-14 and add Sections 280-27 and 280-28 of the Seneca Falls Town Code relating to parking of motor vehicles, and asked if there was any comments from those present and those on the telephone.

Mr. Morrell noted comments were received from Jim Peterson, Highway Superintendent; Police Chief Stuart Peenstra; County Attorney David Ettman and Jeramy Clingerman, SF School District Superintendent. Mr. DeLelys noted the Board also received an email from the Cayuga Nation opposing the local law.

Being there were no further comments, a motion was made to close the Public Hearing by Doug Avery and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Supervisor Ferrara called the regular monthly Meeting to order at 6:07 P.M. A roll call of Board Members was taken and all were either present or available by telephone.

Proclamation – Judith Pipher: Mr. Ferrara read the following Proclamation:

WHEREAS, it is important to recognize those whose contributions to the community improve the quality of life for all residents of the Town of Seneca Falls; and where among us live those whose distinguished professional careers and personal achievements serve the advancement of our great State and Nation, it is right and fitting to honor that contribution to society;

WHEREAS, Seneca Falls resident Dr. Judith (Judy) L. Pipher, an infrared astronomer and astrophysicist at two acclaimed universities, Cornell University and the University of Rochester, celebrates her 80<sup>th</sup> birthday on June 18, 2020;

WHEREAS, Judy was born June 18, 1940 in Toronto, Ontario, Canada the daughter of Earl Lester Alexander Bancroft and Agnes May Kathleen McGowan Bancroft; Judy demonstrated a scholarly aptitude at a young age, and while excelling in academics, also achieved local fame at the age of 16 when she was named Junior Miss Homemaker for the Province of Ontario;

WHEREAS, Judy graduated from the University of Toronto where she studied astronomy; Judy then moved to the Finger Lakes region to begin graduate studies at Cornell University in Ithaca; while teaching science classes at the high school and college level, Judy began her graduate work in the then-new field of infrared and submillimeter astronomy, becoming the first woman to pursue research into ultrasensitive light detection of celestial bodies;

WHEREAS, Judy received her Ph.D. from Cornell University in 1971, then joined the faculty of the Physics and Astronomy Department at the University of Rochester, where she became the founder of a group of observational infrared astronomers; she has continued research while building important partnerships between academic and industrial research groups, as well as teaching students for nearly 50 years;

WHEREAS, Judy’s professional achievements are significant, including capturing the first telescopic infrared pictures of starburst galaxies, she was chosen to work on NASA’s Spitzer Space Telescope, designing its infrared detector arrays which allowed NASA to study the distant universe, capturing evidence of forming stars, black holes and other deep-spacing phenomena about which humanity could previously only speculate;

WHEREAS, Judy is a distinguished member of numerous astronomical organizations and the author of more than 200 scientific articles and papers; she is deeply respected by others in her profession, and has chaired or served on a number of National committees that determine astrophysics funding for NASA and the National Science Foundation; her professional recognition includes receiving the Susan B. Anthony Lifetime Achievement Award in 2002, and in 2007, Dr. Judith Pipher was inducted into the Seneca Falls landmark organization which honors significant achievements of women in American history, the National Women’s Hall of Fame; in 2009, Discover magazine stated that Dr. Judy Pipher is “considered by many to be the mother of infrared astronomy” and in 2018, an official citation was published by the Minor Planet Center, naming Asteroid 306128 Pipher in her honor; WHEREAS, while teaching at Cornell University, Judy met Robert (Bob) Eugene Pipher, an engineer and world traveler; the two embarked on a lifelong journey together and were married in 1965; Bob gave Judy four step-children, Timothy Pipher, Vicci Frederick, Wendi Hunter and Neil Pipher, whom she loves very much; both avid lake enthusiasts, Judy and Bob became shepherds to Cayuga Lake where they took residence in 1971; together they built a forty foot trimaran watercraft they named Cygnus after the constellation, and fully enjoyed the

Finger Lakes experience; Judy later became a Board Member of the Cayuga Lake Watershed, an organization which protects the lake and its tributaries as a critical natural resource;

WHEREAS, given their professional achievements and uniquely sought-after knowledge in their specialized fields, Judy and Bob could have chosen anywhere to live, yet our community residents share in the good fortune that they chose to build their life together in Seneca Falls;

WHEREAS, Judy's continued support of her "hometown community" extends to numerous organizations that she supports with personal dedication, including serving as the first inductee of the National Women's Hall of Fame to be named to its Board of Directors, chairing numerous committees for that organization, twice co-chairing its hallmark biennial event, the Induction Ceremony, and now serving as Emerita; Judy also is a former Officer and current Board Member for the Seneca Museum of Waterways and Industry, home to the Seneca Falls Visitor Center, a focal point for tourism in the community, where for several years she has coordinated the organization's annual Gingerbread House Program, much to the delight of hundreds of children and their families throughout the area; Judy is a member of countless other community organizations such as the Red Tent Book Club, Ladies Who Lunch, and Lake to Lake Women, and continues to generously contribute to many not-for-profit organizations, showing heartfelt support by personally attending nearly all public events hosted in Seneca Falls; now, therefore, be it

Resolved, that the Town of Seneca Falls hereby proclaims June 18, 2020 to be "Dr. Judy Pipher Day" in honor of the celebration of her 80<sup>th</sup> birthday, a significant milestone for a treasured member of the community; and

Be it further resolved that this proclamation be transmitted to Dr. Judy Pipher with warmest wishes from the Town Board, Town Clerk, Staff and indeed the entire community, bestowing this honor upon her and recording it in the official history of the Town of Seneca Falls.

Mr. Ferrara stated this Proclamation will be presented to Judy Pipher on her Birthday.

A motion was made to recognize June 18, 2020 as Dr. Judy Pipher Day in honor of her 80<sup>th</sup> Birthday by Doug Avery and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

#### Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of May 5, 2020 by Doug Avery and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to approve the minutes of the Virtual/Special Meeting of May 14, 2020 by Doug Avery 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 report by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: A motion was made to accept Mr. Zettlemoyer's report by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: No report.

Highway Superintendent: A motion was made to accept Mr. Peterson's report by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Assessor: A motion was made to accept Mrs. VonWald's report by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Mrs. VonWald requested permission to use the Courtroom for a Meeting with the Board of Assessment Review regarding Grievance. Mr. replied yes, she can use it.

Attorney for the Town: Mr. Morrell stated there is no action other than what is on the Agenda.

Water & Sewer: A motion was made to accept Mr. Tullo's report by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Town Justices: A motion was made to accept the reports of Judge Lafler and Judge Erway by Doug Avery and seconded by Michael Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Police Chief: A motion was made to accept Chief Peenstra's report by Michael Ferrara, seconded by Doug Avery.

Chief Peenstra reminded the public that during the pandemic they can still drop off prescription drugs in the lobby; office hours are 8 AM to 4:30 PM., and after hours, hit the button outside the building and an Officer will meet you at the door.

Mr. Ferrara expressed his appreciation to Chief Peenstra, Lt. Snyder and the Police Department. A lot of time was spent this weekend working with the Seneca Falls Fire Department, State Police and Sheriff's Department; a demonstration was going to happen in Seneca Falls. A lot of time was put in for the safety of the public.

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

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

Mr. Baker referred to the Sanitary Sewer Rehab Project and said they put together Change Order #6 to make recommendations for additional project components. As part of the project, Mr. Baker said they did an additional amount of sewer inspections and reviewed the video. They recommend additional sewer lining which would address additional sewer lines identified during the inspection that are in poor condition, and which would benefit from relining to protect the pipe and minimize infiltration. Mr. Baker stated this would include approximately 2,300 linear feet of sewer on Fall Street.

Mr. Baker stated this change order would include additional manhole frame and cover replacements on Fall Street which were not included in the original scope of the project but recommended by the Town Sewer Department. A time extension to accommodate the additional sewer relining was also recommended (the contract date is June 15<sup>th</sup>).

Mr. Baker stated the recommended change order would increase the current contract value with WD Malone by approximately \$80,000. They believe these changes are warranted and can be completed under the current total project authorization of \$3,005,000.

Mr. Baker stated there was a Special Board Meeting to discuss the alternatives for the Bayard Street culvert. They are looking for direction from the Board as to how they want to proceed.

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.

Matt Horn stated they have submitted two grants on behalf of the Police Department; Emily Palumbus worked with the Police Department on the applications. Mr. Ferrara stated he is having MRB look at our Zoning Codes to bring our Codes into the 20<sup>th</sup> Century. He mentioned getting a committee together and said that process will start soon.

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 nays.

#### Other Committee Reports:

Mr. Avery mentioned the Seneca Falls Development Corporation and the DRI and said they are in touch with State Representatives. Due to New York State on Pause, they haven't had meetings. They have to have that final decision on projects to be included in the DRI projects.

Greg Zellers stated the Farmers Market will be opening on Tuesday, June 16<sup>th</sup> from 3-7 PM. They will have new guidelines in place and more spacing between vendors. Mr. Zellers said they have created a website, making it easier for Seneca Falls to have the guidelines and information needed from the State ([www.reopensenecafalls.com](http://www.reopensenecafalls.com)). Mr. Ferrara encouraged residents and business owners to look at the site.

Mr. Avery stated he put together a brief summary as to what is going on with the Landfill. There are two committees working on how the Town can bring about more accurate reporting of odors and odor complaints, and how that impacts the Board's decision regarding the Landfill's operating permit. He, Mr. Churchill and Mr. Morrell have focused on whether or not the DEC's monitoring of landfill gasses is as comprehensive as it should

be. He said with the help of background information from Barton & Loguidice, they are focusing on whether or not Seneca Meadows is monitored for hydrogen sulfide. There is concern that the DEC monitoring for other landfills includes hydrogen sulfide when that is not the case for Seneca Meadows.

Mr. Avery mentioned that the Waste Management Advisory Committee is focusing on the ineffectiveness of the odor reporting system that is currently in place and what can be done to improve it. He said there is substantial work to be done before any recommendations can be made to the Board. Recommendations on both topics could be brought before the Board for consideration at the August 4<sup>th</sup> Board Meeting.

#### Communications:

A motion was made to receive and file Communications numbered 1 to 7 by Michael Ferrara and seconded by Dawn Dyson. Communications numbered 1 to 7 are as follows:

1. Notice of Designation of SEQRA Lead Agency relative to application for subdivision and site plan review submitted by Love's Travel Stops & Country Stores, Inc., Route 414, Town of Tyre, from Town of Tyre Planning Board.
2. Amended Joint Plan of Reorganization of Chapter 11, Cornerstone Homes, Inc., from US Bankruptcy Court.
3. Minutes of the Heritage Preservation Commission Meeting of April 28, 2020.
4. Minutes of the Zoning Board of Appeals Meeting of May 7, 2020.
5. Minutes of the Planning Board Meeting of May 7, 2020.
6. Monthly Reports of all moneys received and disbursed during the months of March and April 2020 from Town Supervisor.
7. Notice of Confirmation Hearing to consider Chapter 11 Plan filed by Windstream Holdings, Inc. from US Bankruptcy Court.

Mr. Ferrara stated he received notification from Mozaic that due to business circumstances that were not reasonably foreseeable, 23 jobs were eliminated effective May 11<sup>th</sup> and 12<sup>th</sup>; a majority of these are Town residents.

Mr. Ferrara read two letters that he received. A letter received from Tarjac, Inc. and signed by Larry Salerno was written in response to the negativity concerning the Seneca Meadows Landfill permit. It states Tarjac is closer to the Landfill than most businesses in Seneca Falls. It is a landfill and everyone in Seneca Falls has been aware of this 50+ years. Businesses have developed and grew knowing fully well that there is a landfill (Mr. Salerno named several businesses, such as del Lago, Petro, Outlet Mall, Fucillo, Wal-Mart, etc.). Mr. Salerno stated good business and common sense would be to negotiate the Host Agreement for the good of Seneca Meadows and the good of Seneca Falls.

The second letter was received from Tarjac H2O, LLC and signed by Eric Elias, President, Tara Larsen, V. President and Ed Bobbett, General Manager. The letter states that they purchased Tarjac, Inc. November 1, 2019, and thanks to Seneca Meadows, they were afforded an opportunity to keep a business that has been around for 25+ years running. In turn, this has kept 25 jobs with the hopes of being able to grow the business employing more now with the new ownership. They want to go on record as a business in support of the renewal as they have done so much for the Community.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to receive and file the above Communications was carried 5 ayes, 0 naves.

#### Old Business:

Discussion – New RFP for 10 Fall Street: Mr. Ferrara stated a couple of RFPs were received, and there was an extension of one RFP to June 1<sup>st</sup> to provide the Cohen Group to purchase 2 Fall Street, which didn't work out. Joelle Murney-Karsten indicated that three developers contacted her. Mr. Ferrara said the SF Development Corporation would like to see 10 Fall Street developed with 2 Fall Street. Ms. Murney-Karsten said she would like to see the RFP go out after the pandemic ends; this needs to slow down.

Mr. Morrell stated the last time the Board did this, there was a proposal made and accepted with certain contingencies; those contingencies have expired with the passing of time. That proposal is now rejected. He added if it is a question of timing, the Board can advertise and leave it open until September 1<sup>st</sup>. Ms. Murney-Karsten said it has to do with the pandemic – the other property is not going to sell until the pandemic is over. Mr. Ferrara stated he doesn't want to keep this going – he suggested the date of October 1<sup>st</sup>. Brief discussion followed.

A motion was made authorizing Mr. Morrell to prepare an RFP for the sale of 10 Fall Street, extending due date to October 1, 2020, by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Sale of Surplus Property – 60 State Street: Mr. Morrell stated he prepared a contract and forwarded it to the applicants; they acknowledged receipt and forwarded it to their Attorney. He will check back with them.

Adopt Procurement Policy: A motion was made to adopt the 2020 Procurement Policy by Michael Ferrara and seconded by Doug Avery. Motion carried 5 ayes, 0 nays.

Mr. Avery thanked Mr. Ruzicka for drawing on his expertise. Mr. Ferrara stated he will be meeting with Department Heads on Thursday to go over the Policy.

Renew SMI License to Operate Landfill: Mr. Avery stated that he, Mr. Churchill and Mr. Morrell are working on what substances is the Landfill monitoring for. They are working with Barton & Loguidice (and might bring in the DEC) for some recommendation to insist that SMI is tested for certain substances. Mr. Avery referred to the odor monitoring system, and said it has not been working since 2015-2016. The complaints about that system is growing. The Advisory Committee is working on this.

Mr. Churchill suggested that the Board does nothing until there is a proposal for all areas. Mr. Ferrara indicated that action on the Permit will remain tabled. He said Seneca Meadows did make the first quarter payment for 2020. He thanked Seneca Meadows for making the payment.

Approve Purchase Agreement with DataPrise for Firewall Software and Remote Server Backup: A motion was made to approve the Purchase Agreement with DataPrise for Firewall Software and Remote Server Backup by Michael Ferrara and seconded by Doug Avery.

Mr. Ferrara stated after the May Meeting, there was conversation with the IT Department who informed him that we need these two contracts; both are one-year contracts. He added they intend to start working it out where they can take over some of this. Right now, they are saying we need this and need to do it quickly.

Mr. Churchill stated the Town contracted with the County for these services; there is no reason why they can't do it. He added if the County is not capable of providing these services, then the Town should look for another IT service. Discussion followed.

The above motion made by Michael Ferrara and seconded by Doug Avery to approve the Purchase Agreement with DataPrise for firewall software and remote server backup was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Vince's Park Discussion: Mr. Ferrara stated in May, the Board agreed to close the pool for this year. It was agreed to discuss at the June Meeting the remainder of Vince's Park.

A motion was made to close Vince's Park entirely for the 2020 season by Michael Ferrara and seconded by Dawn Dyson.

Mr. Ferrara stated he met with Mr. Spina, and he doesn't think it's safe to do. We are looking at 50% capacity. The facility has to be cleaned extensively. Mr. Ferrara said he thinks we are putting ourselves in a very bad situation. Mr. Spina asked if the Board would consider taking it through September for now and re-visit it. Mr. Ferrara said he is not opposed to that. Mr. Spina mentioned that there are a lot of parties, especially around the holidays.

Mr. Ferrara amended his motion to close Vince's Park until September 30, 2020, and Mrs. Dyson seconded the amended motion.

Mr. Morrell said is the Board talking about the facilities that are rented; Mr. Ferrara replied yes. Mr. Morrell noted it is still a park belonging to the Town and needs to be maintained. Mr. Ferrara stated they are looking at Parks & Recreation to do a lot of things out there.

Mr. Avery asked if it will remain open as green space. He is concerned that the Board is taking away something the Community uses. Mr. Ferrara said there is a lot of green space in the Community. Mr. Churchill said he intends to agree with Mr. Avery – he disagrees with Mr. Ferrara that there is a lot of green space. He asked if there is a portion that could be left available for public use.

After further discussion relative to State guidelines, controlling the use of green space and possibly putting up signs, Mr. Avery said he thinks the Town should maintain the green space so people can use it. Mr. Morrell stated the pool should be locked down so that no one has access to the pool. He can't stress enough that everything else needs to be locked down and very secure – part of the green space would be opened as allowed by the State Executive Orders.

Mr. Churchill amended the above motion made by Mr. Ferrara and seconded by Mrs. Dyson to read: close Vince's Park until September 30, 2020 and allow the green space at Vince's Park and Kids Territory to be open with appropriate signage that makes it clear that usage is at their own risk, and with whatever the policy is according to the State. Mr. Avery seconded the motion. No questions. Motion carried 5 ayes, 0 nays.

SF Performing Arts Center – Re: Wesleyan Chapel: Mr. Morrell stated he has been in contact with the President of the Group. They have a proposed agreement with amendments, and they are ready to move forward with the current agreement. Mr. Morrell said he expects to get a signed agreement shortly.

New Business:

Approval of Special Events: Mr. Spina stated there is a request for a Senior Parade for Graduating Seniors; it will be from Frank Knight to the High School (Clinton and Chapel Streets). They will be practicing safe practices and social distancing. Mr. Ferrara stated they would have to follow all the guidelines – they cannot have it if they can't practice social distancing.

Mr. Spina said the Car Show is looking for clarity; from the Town's standpoint it's okay.

A motion was made to approve the Senior Parade for Graduating Seniors by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated as far as the Car Show, they would have to follow all the guidelines – they cannot have it if they can't practice social distancing.

Proposed Local Law #3 – Parking: Mr. Ferrara read the following resolution:

WHEREAS, a Public Hearing was duly held on June 2, 2020 at the Seneca Falls Town Hall and all parties in attendance was permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board that adoption of said proposed Local Law would be a Type II action under Section 617.5 (16) of said SEQRA regulations and has been determined not to have a significant impact on the environment; and

WHEREAS, after due deliberation, and consideration of the comments submitted by the Town Highway Superintendent, the Chief of Police, the Seneca County Sheriff, the Seneca County Attorney and other interested parties, the Town Board of Town of Seneca Falls finds it in the best interest of the Town to adopt said Local Law. NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Seneca Falls hereby adopts said Local Law No. 3 entitled "A Local Law to Amend Section 280-14 and add Sections 280- 27 and 280-28 of the Seneca Falls Town Code relating to the parking of motor vehicles", a copy of which is attached hereto and made a part of this resolution; and be it further

RESOLVED, that the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Local Laws of the Town of Seneca Falls, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

A motion was made to adopt the above resolution which adopts Local Law #3 – 2020, a local law to amend Section 280-14 and add Sections 280-27 and 280-28 of the Seneca Falls Town Code, by Michael Ferrara and seconded by Doug Avery.

Mr. DeLelys referred to the email received by Town Supervisor Ferrara and Council Members from the Cayuga Nation Attorney Lee Alcott, which states that the Cayuga Nation strenuously objects to the adoption of Local Law #3, as well as the manner in which the proceedings were conducted. It also states that such action by the Town to limit parking on a County highway is without authority, and constitutes discriminatory treatment of an Indian-owned business.

Mr. Avery asked if Mr. Peterson's statement that Route 89 is a State road and they have to act on that has been resolved. Mr. Morrell replied the Vehicle and Traffic Law leaves it to the towns to control parking on all roads that are in the Town but not State roads.

The above motion made by Michael Ferrara and seconded by Doug Avery to adopt Local Law #3 -2020 relative to Parking was carried 5 ayes, 0 nays.

Resolution – Budget Modification (First Light Contract): A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:

WHEREAS, In December 2016, the Town Supervisor signed a five-year contract with First Light for telephone and fiber optic service for the Municipal Building; and

WHEREAS, in December 2019, the Board approved and the Town Supervisor signed a contract changing the provider for telephone and cable service from First Light to Spectrum Business, thereby resulting in duplicate contracts for the same service.

THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize a budget modification increasing A1010.414, Maintenance Contracts, with a transfer from A1990.400, Contingency, for \$9,541.42 to buy out the remainder of the First Light contract.

Mr. Churchill stated the Town signed a contract with First Light and they ran cable from Bayard Street to the new Town facility; there were no other providers at that time. He asked what it would cost to cancel Spectrum – look into it before we spend \$10,000. Mr. Ferrara mentioned that we already transferred over to Spectrum, and services with First Light has been terminated. Further discussion followed.

The above motion made by Michael Ferrara and seconded by Doug Avery to adopt the above resolution authorizing a budget modification to buy out the remainder of the First Light contract was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Declare Surplus – List of IT Items and Air Conditioners: A motion was made to declare surplus the list of IT Items and five air conditioners per the list dated June 2, 2020 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Bayard Street Culvert Options: Mr. Ferrara stated the Board met with Barton & Loguidice and looked at three options; the Board needs to make a decision. He said option 3 is not an option anymore as the Seneca Knit Group is not willing to provide an easement for option 3.

Mr. Baker stated option 2 is their recommendation. Mr. Ferrara asked what the design cost would be; Mr. Baker replied he will follow up quickly and provide an estimate. Brief discussion followed.

A motion was made to pursue option 2 for the repair of the Bayard Street culvert by Michael Ferrara and seconded by Doug Avery.

Mr. Churchill stated there is a local service provider that inspects underground with a drone – he inspects waterlines for municipalities. He reached out to him and he is willing to put his drone down the culvert – maybe we can see the extent of the damage before a final decision is made. The cost would be not to exceed \$1,200. Mr. Churchill said he thinks this is something the Board should consider before it spends \$2 million. Mr. Baker stated they have a photo for that when the Canal Corps did their investigation. He added they based their decision a lot on what the damage was – it's a high risk project. Discussion followed.

A motion was made to table the motion made by Michael Ferrara and seconded by Doug Avery to pursue option 2 for the repair of the Bayard Street culvert until the Board gets an inspection by Steve Churchill and seconded by Dave DeLelys. No questions. Motion carried 3 ayes, 2 nays; Supervisor Ferrara and Councilwoman Dyson with the dissenting votes.

A motion was made to contract with Land, Air & Sea Operations. LLC to do an inspection of the culvert at a cost not to exceed \$1,200 by Steve Churchill and seconded by Dave DeLelys. No questions. Motion carried 3 ayes, 2 nays; Supervisor Ferrara and Councilwoman Dyson with the dissenting votes.

Resoluton – Establish Energy Benchmarking Requirements for Municipal Buildings: A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings – for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Town of Seneca Falls is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous

improvement; and

WHEREAS, the Town of Seneca Falls Town Board desires to use Building Energy Benchmarking – a process of measuring a building’s energy use, tracking that over time, and comparing performance to similar buildings – to promote the public health, safety and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town; and

WHEREAS, the Town Board desires to establish procedure or guideline for Town staff to conduct such Building Energy Benchmarking.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

#### BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

##### Section 1. DEFINITIONS

- (1) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.
- (3) “Commissioner” shall mean the head of the Department.
- (4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Town that is 1,000 square feet or larger in size.
- (5) “Department” shall mean the Department selected to enforce the Benchmarking Policy.

Mr. Ferrara stated this is something that he, MRB and Emily have been working on. This is one of the four requirements for funding which can be applied to energy costs. He said MRB is working with Mr. Passalacqua as he is familiar with all the buildings. Mr. Ferrara said he is working with the Finance Department to put together all of our energy costs.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to adopt the above resolution establishing Energy Benchmarking Requirements was carried 5 ayes, 0 naves.

SFPD – Approval of Command Unit Contract: A motion was made to approve the Agreement between the Town of Seneca Falls and the SF Police Command Staff Association effective January 1, 2020 to December 31, 2023, by Michael Ferrara and seconded by Doug Avery.

Mr. Ferrara stated the Personnel Committee met with the Command Staff and discussed different aspects of the contract. He added because of COVID, it has taken up to now to get something in place.

The above motion made by Michael Ferrara and seconded by Doug Avery to approve the Agreement between the Town and SF Police Command Staff was carried 5 ayes, 0 naves.

Discussion – Cancel Summer Programs & Camps at Community Center: Mr. Ferrara stated he would like to shut this aspect down because of the virus and schools are not opening – it’s too difficult to control and it’s not safe. He suggested leaving the option open for some skill camps for August to help kids stay active.

A motion was made to not offer any summer programs and camps for 2020, with the possibility of looking at having some skilled camps in August by Michael Ferrara and seconded by Dave DeLelys.

Mr. Spina stated he is working with the Library to have a movie night – some kind of family evening to show films. Mr. Ferrara said he thought it’s a great idea - also to have some skilled camps.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to not offer any summer programs and camps for 2020, with the possibility of looking at having some skilled camps in August was carried 5 ayes, 0 naves.

Approval to Bring Back Water/Sewer Operator Trainee: A motion was made to bring back the Water/Sewer Operator Trainee effective June 8, 2020 by Michael Ferrara and seconded by Doug Avery.

Mr. Avery asked if there are any W/S operators left on leave; Mr. Ferrara replied no – they are all back. He said the Highway is down two guys. Mr. Peterson added one is out for surgery and another employee is going out in two weeks for surgery.

The above motion made by Michael Ferrara and seconded by Doug Avery to bring back the Water/Sewer Operator Trainee effective June 8, 2020 was carried 5 ayes, 0 naves.

Statement of Support to Open NYCC Clinical Program: A motion was made to support the reopening of New York Chiropractic College Clinical Program by Michael Ferrara and seconded by Dawn Dyson.

Mr. Ferrara stated this is a proposal to reopen the College for students who are in their 3<sup>rd</sup> semester – the last component is the clinical part. Students cannot graduate without this. He added this is just support on the Town's part. Mr. Ferrara stated the County Board of Supervisor provided support last week over the objections of the County Health Department.

Louis DeLorenzo (telephoning in) thanked the Board for taking the time to consider this. He can assure the Board that without the Governor's Office making an exception for the school they will not open. He added Vicki Swinehart was against it, but she said it was a good safety plan. Brief discussion followed.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to support the reopening of New York Chiropractic College Clinical Program was carried 5 ayes, 0 naves.

Approve Listing 115 Fall Street by Century 21: A motion was made to approve the listing for sale of 115 Fall Street by Century 21 by Michael Ferrara and seconded by Doug Avery.

Mr. Ferrara said he thinks the Board is in agreement that we don't want to be in the real estate business. He added this will give the Board the ability to list it – they can list it but not show it until Phase 3. Mr. DeLelys asked what it will cost to list it; Mr. Ferrara replied there is no cost to list it.

The above motion made by Michael Ferrara and seconded by Doug Avery to approve the listing for sale of 115 Fall Street by Century 21 was carried 5 ayes, 0 naves.

Resolution – Declare Surplus Certain Highway 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 – 2008 International 6-wheel dump truck, 2011 Chevy pickup box, 2 – 2014 225 Grasshopper mowers; and

WHEREAS, these items will be put on Auctions International for sale. These items were replaced with new ones and are no longer needed.

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, with proceeds to be put back into account DA5130.201.

No questions. Motion carried 5 ayes, 0 naves.

SFPD Budget Modification: A motion was made to approve a Budget modification for Equipment line A3120.200 for \$1,500 by Michael Ferrara and seconded by Doug Avery.

Chief Peenstra stated they applied for a Local Community Grant through Wal-Mart and was awarded \$1,500. He thanked Lt. Snyder for completing the application and working with local management to successfully receive this grant.

The above motion made by Michael Ferrara and seconded by Doug Avery to approve a Budget modification for Equipment line A3120.200 for \$1,500 was carried 5 ayes, 0 naves.

Water/Sewer Credits: A motion was made to approve the Water/Sewer credits totaling \$626.40 as per Memo dated June 2, 2020 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves.

Mr. Ferrara thanked the three Boards (Heritage Preservation Commission, Planning Board and Zoning Board) for working under difficult situations and making decisions with Virtual Meetings. He is hoping that in June, the Boards can come back to public meetings. Mr. Ferrara said the Town Offices will reopen on June 8<sup>th</sup>, maintaining 50% of employees as much as possible. He noted that all necessary procedures will be followed.

#### Payment of Bills:

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

General Fund - \$115,893.38 (Abstract #6)

Recreation Fund - \$20,225.15 (Abstract #6)

Miscellaneous Fund - \$331,722.80 (Abstract #6)

Vince's Park Fund - \$1,347.33 (Abstract #6)

Highway Fund - \$10,635.41 (Abstract #6)

Sewer Fund - \$19,312.72 (Abstract #6)

Water Fund - \$14,901.86 (Abstract #6)

No questions. Motion carried 5 ayes, 0 nays.

Sanitary Sewer Rehab Change Order No. 6: A motion was made to approve Change Order No. 6 relative to the Sanitary Sewer Rehabilitation and Storm Sewer Improvements Project by Michael Ferrara and seconded by Doug Avery.

Mr. Baker stated in his report that this change order would increase the current contract value with WD Malone by about \$80,000, and can be completed under the current total project authorization of \$3,005,000. Brief discussion followed.

The above motion made by Michael Ferrara and seconded by Doug Avery to approve Change Order No. 6 relative to the Sanitary Sewer Rehabilitation and Storm Sewer Improvements Project was carried 5 aye, 0 nays.

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 nays.

Meeting adjourned at 8:30 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

A bid opening was conducted at 11:10 A.M. on Friday, June 26, 2020 in the Town Hall Meeting Room, 130 Ovid Street. Present was Greg Mosure of Barton & Loguidice and the Town Clerk.

Water Plant - Carbon Dioxide Feed System: Mr. Mosure proceeded to open and read the one bid that was received for the carbon dioxide feed system which is as follows:

Koester Associates, Canastota, NY – Base Bid - \$219,000.

The bid will be on the on the Agenda for the July 7, 2020 Meeting.

Respectfully submitted.

NICALETTA J. GREER  
Town Clerk

