

The Seneca Falls Town Board held three Public Hearings and regular monthly Meeting on Tuesday, October 1, 2020 at the Seneca Falls Community Center, 35 Water Street.

Present were Supervisor Michael Ferrara; Councilpersons Steven Churchill, David DeLelys, Douglas Avery and Dawn Dyson. Also present were Patrick Morrell, Attorney for the Town; James Peterson, Highway Superintendent; Stuart Peenstra, Police Chief and Peter Baker, Town Engineer.

Public Hearing – Proposed Local Law #5 – 2020: Mr. Ferrara stated this proposed local law would amend Section 146-3 of the Town Code to allow for better enforcement of open burns, fire pits and small fires.

A motion was made to open the Public Hearing at 6:00 P.M. relative to proposed Local Law #5 by Doug Avery and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated this cleans up the language about open fires in the Town. This will help our Police Department because it's been a rough summer with complaints.

Mr. Avery asked if this would forbid the use of starter wood in fire pits. Mr. Ferrara replied no – it forbids leaves, brush and obviously garbage. Mr. Avery mentioned that it alluded to untreated wood; Mr. Ferrara said untreated wood relates to pressure treated lumber because of the chemicals in it. Ms. Sauvageau requested that the proposed local law be read, and Mr. Morrell proceeded to read the proposed law.

Mr. Avery said how sure are we about the 36" in diameter fire pits – are 48" fire pits not going to be allowed in the Town Code. Mr. Ferrara replied 48" fire pits are way too big, especially in a residential area and would not be allowed. Mr. Churchill asked about the wording that all fire pits have to have covers. Mr. Morrell said they have to have a screen on them so embers don't fly all over. Discussion followed.

Mr. Avery stated he is not sure the first paragraph is as clean as the Board wants it to be yet. Mr. Morrell stated there are three Public Hearings on three proposed local laws. Each one will be referred to the County Planning Board for review and recommendation. He added none of the local laws will be moving to adoption this evening. Mr. Churchill asked if another public hearing will have to be held; Mr. Morrell replied it is not a specific requirement if you don't make substantial changes to the version that was presented at the Public Hearing.

Jean Gilroy stated according to New York State Law, there are certain times that open fires are not permitted; should that be stated very clearly in this law. Mr. Ferrara stated the DEC determines that – it is not the same months every year as it depends on the weather. Mr. Morrell said it was added in the law that this section does not alter the open burning restrictions of the NYS Department of Environmental Conservation. Further discussion followed.

Mr. Churchill asked how this applies to the State Park; Mr. Morrell replied they have their own rules. Mr. Churchill said he has an issue with the 2' height – 2' is not very high for a fire even in a 36" fire pit – how do we enforce that. Mr. Avery said there should be a stated limit. He asked where did this come from. Mr. Ferrara replied this was brought in from Jane Nicholson, part of MRB Group – this is standard language for fire pits based on her research. Chief Peenstra stated in the past, the issue has not been much about the fire – it's the smoke which bothers people the most – it's excessive smoke. Brief discussion followed.

Since there were no further comments, a motion was made to close the Public Hearing relative to proposed Local Law #5 - 2020 by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Public Hearing – Proposed Local Law #6 – 2020: Mr. Ferrara stated this proposed local law would amend various sections of Chapter 300 of the Town Zoning Code to allow for new permitted uses, flexible residential uses in downtown and updated parking standards.

A motion was made to open the Public Hearing relative to proposed Local Law #6 -2020 by Dave DeLelys and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated this is working towards making Seneca Falls a pro-development Community. He said there are many areas downtown that have 2, 3 and 4 floors; now, according to our Zoning Code, you are allowed only one apartment on each floor on Fall Street. He added this allows for multiple apartments in the spaces that are in existence there, and for more development downtown.

Mr. Morrell stated the section that makes up the bulk of the printing is the definitions; this is the way to

introduce the concept of the mixed-use development. The next two sections are the C-1 district which is downtown, and the C-2 district which is Highway Commercial which allows the mixed use buildings in each of those zones. Mr. Morrell said the minimum building area for dwellings is there because of the idea of having upstairs apartments with commercial use on the main floor; the upstairs apartments would be limited by the space. He added the idea is to allow developers to use what is there to the greatest benefit. The main change is to have a minimum square footage of 600 sq. ft. for multiple family dwelling units in existing mixed use buildings or mixed use developments.

Susan Sauvageau who serves on the Zoning Board stated what they get continually are developers trying to cram way too many apartments and too many people into small spaces in these upstairs areas. She doesn't want to block anybody from putting in apartments upstairs, but when someone wants to put eight apartments in an area, all of them being the minimal possible size with one exit, no yard, etc., she thinks it's unfortunate, miserable housing and it affects the parking lot. Mr. Morrell noted that's the subject of the next local law. Ms. Sauvageau said she sees it better served in the hands of the Zoning and Planning Boards rather than rolling the carpet out for these very tiny homes. Mr. Ferrara noted there is a square footage requirement.

Mr. Churchill referred to Section 300-32(e), and said in the Heritage Area, they regulate building materials – is this contrary to what they do. Mr. Morrell replied the Historic Preservation District has its own requirements. He doesn't think it would impact on that. Discussion followed relative to the Historic Preservation area.

Mr. Avery referred to an email the Board received from Rev. Natula a couple of months ago about tiny homes; this language would prohibit this. Mr. Morrell noted this would apply to all districts. Mr. Avery said whether you like it or not, they are a solution for some people for housing – this would exclude those. Mr. Ferrara said this would come up when it's time to pass the local law.

Since there were no further comments, a motion was made to close the Public Hearing relative to proposed Local Law #6 – 2020 by Dave DeLelys and seconded by Michael Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Public Hearing – Proposed Local Law #7 – 2020: Mr. Ferrara stated Local Law #7 would amend Section 300-56 of the Town Code relative to off-street parking and loading.

A motion was made to open the Public Hearing relative to proposed Local Law #7 by Dave DeLelys and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Mr. Morrell stated this is the portion of the Zoning Code that sets the minimum requirements for parking spaces needed for different uses. The main difference as to what this amendment would do is it would exclude any minimum requirements for parking in the C-1 local shopping district which is downtown. Mr. Morrell said there is on-street parking available all through the district, and there are some municipal lots available.

Mr. Morrell stated the other amendment would be adjusting downward the number of required parking spaces for the different types of uses in the Code. In the current Code, for every single family residence or an apartment in an apartment building it requires two parking spaces for every dwelling unit; that has been changed to one parking space. Brief discussion followed.

Since there were no further comments, a motion was made to close the Public Hearing relative to proposed Local Law #7 -2020 by Dave DeLelys and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Supervisor Ferrara called the regular monthly Meeting to order at 6:40 P.M. A roll call was taken of Board Members and all were present; the Pledge of Allegiance followed.

Recognition of Kayla Scharett: Mr. Ferrara stated Seneca County 911 Dispatcher worked with an Individual on the premature birth of a baby. Kayla was with her Aunt who went into labor four weeks early. When the baby was born, the umbilical cord was wrapped around the neck of the baby. Kayla freed the baby from the umbilical cord and performed CPR until the Medics got there. Mr. Ferrara recognized Kayla for her heroics in saving the baby's life.

Petitioners: There were none.

Approval of Minutes:

A motion was made to approve the minutes of the Public Hearing and regular monthly Meeting of September 1

2020 by Steve Churchill and seconded by Dave DeLelys. 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 the Zoning Officer's report by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to accept Mr. Spina's report by Dawn Dyson and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

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

Mr. Ferrara mentioned that the Board approved fixing the culverts on E. Bayard Street and Garden Street, and both have been completed. Mr. Peterson stated by using Seneca Pipe & Paving and the Highway Department, the total cost of both projects was around \$20,000; the estimated cost was about \$52,000, so this saved the Town about \$30,000 by doing it ourselves.

Mr. Peterson mentioned that there will be a leaves and brush pickup one day only on November 16th. He said there was discussion about getting totes for outside the former Village area. Right now, they are using 65 gallon and 95 gallon totes. He discussed this with SMI who is the Contractor and decided to use the 95 gallon totes as they will be in line with everyone else; 95 gallon totes are \$44 and 65 gallon totes are \$40. Mr. Ferrara mentioned that this would be about \$44,000 added to the Budget to purchase the totes. He added at some point the Board will have to make a decision as to what they would like to do. Brief discussion followed.

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

Assessor: A motion was made to accept Mrs. Von Wald's report by Steve Churchill and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell stated there is nothing 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. Avery mentioned that there was a water break north of town on Auburn Road. Mr. Churchill asked what the method was that the residents get notified. Brian Devay replied they call 911. Mr. Churchill said there should be a way to post that information. After discussion, Mr. Ferrara said this is something we can look into.

The above motion made by Steve Churchill 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 Erway by Dave DeLelys and seconded by Dawn Dyson.

Mr. DeLelys mentioned that he attended Court proceedings and there are 50 cases pending right now.

The above motion made by Dave DeLelys and seconded by Dawn Dyson to approve the reports of Judge Lafler and Judge Erway was carried 5 ayes, 0 nays.

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

Mr. DeLelys stated they are down two spots right now – one Officer is out on disability and one Officer is moving on to another job. Police Forum is moving forward. There is a survey on the PD's website. Chief Peenstra encouraged the survey which is on FingerLakes1.com and the SF Police Department website. He added you don't have to put your name on it, and they want to hear from everyone in the Community – good or bad.

Chief Peenstra stated September 20-26 is National Child Passenger Safety Week. They have five nationally

certified car seat technicians within the Department – they are certified to inspect and install car seats correctly. The Chief acknowledged Generations Bank again this year; they donated \$500 to the DARE Program. He mentioned that beginning November 1st there will be no parking on the streets overnight. He said that on October 24th, they will be at Kinney Drugs for National Prescription Drug Take Back Day. He reminded all that they do have a prescription drop box in their Office.

Chief Peenstra stated they purchased an ipad and partnered with Clifton Springs and Mental Health and local Mental Health Services. He explained the process when they are called out and someone is suffering from a mental health crisis, and said it provides a better service for people suffering from mental health.

The above motion made by Dave DeLelys and seconded by Doug Avery to accept Chief Peenstra's report was carried 5 ayes, 0 naves.

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

Mr. Baker requested that the RFP for a proposal for SCADA and systems integration services for the Town's Water and Sewer operations be added to the Agenda. Mr. Ferrara said it would be added.

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

MRB Grant Writing Services: A motion was made to accept the report of MRB Group by Michael Ferrara and seconded by Doug Avery.

Mr. Ferrara stated a lot of the grants that we are trying to pursue are on hold because of the pandemic; they are working on other things.

The above motion made by Michael Ferrara and seconded by Doug Avery to accept the report of MRB Group was carried 5 ayes, 0 naves.

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

Mr. Ferrara read a report from Joell Murney-Karsten relative to the fountain dedication in celebration of the 100th Anniversary of the 19th Amendment. She said local collaboration was the key to pulling off a successful event, and she recognized all of those for their contributions, volunteering and assistance.

Mr. Avery referred to the DRI and said we are still waiting to find out what the State is going to give us as the final list. He said in Mr. Spina's report, he mentioned the success of the Staycations kayak program working with Fuzzy Guppies. In Ms. Murney-Karsten's discussion with the State, there is a good chance they will bring it back to us next year.

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

Other Committee Reports: Mr. Ferrara stated the Citizens Advisory Board looking at the feasibility of a Town Manager met on September 15th and will meet again on October 21st. Meetings are here and open to the public.

Communications:

A motion was made to receive and file Communications numbered 1 to 4 by Dave DeLelys and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 naves. Communications numbered 1 to 4 are as follows:

1. Minutes of the Zoning Board of Appeals Meeting of August 27, 2020.
2. Minutes of the Heritage Preservation Commission Meeting of August 25, 2020.
3. Checks and deposits totaling \$30,987.37 representing copies of Police reports; retirees insurance; sale of equipment; Verizon refund for Boaters Facility; Cemetery flag donation; restitutions; culvert pipe reimbursement; contribution to DARE; NYMIR reimbursement; dumpster fees; Judge Lafler's August report; Judge Erway's August report; Auburn Road Tower rent; Town Clerk's July report; Community Center deposits and sale of scrap.
4. Notice of Order confirming Chapter 11 Plan of Reorganization of Windstream Holdings, Inc. from United States Bankruptcy Court.

Old Business:

Sale of Surplus Property: Mr. Morrell stated this relates to 10 Fall Street, 60 State Street and 115 Fall Street. 60 State Street is caught up in the DRI process. 10 Fall Street had RFP due today; it can be extended out.

Town Demands Related to SMI License to Operate Landfill: Mr. Morrell stated there has been some discussions. He drafted a letter, and said there are more things to look into.

Bayard Street Culvert Legal Update: Mr. Churchill stated local land records are being searched to determine if any agency has accepted responsibility for maintaining the culvert. To date, nothing appears in the recorded land records whereby responsibility has been established (researched into New York State, former Seneca Falls Village and Town records). Mr. Churchill said absence documented responsibility, the opinion is common law will control. Common law is clear in that whomever diverts water is responsible for any damage caused by the water. It is undisputed that the pond on the south side is owned by the State and its water is being diverted through the culvert into the Canal. Mr. Churchill said they are still looking into it.

Mr. Morrell stated it's the lack of evidence that we are dealing with. Mr. Churchill said there is evidence – they own both sides of the culvert and they have maintained in the past. Evidence is if their lack of maintenance of late can be shown to have resulted in damage to the culvert, even if we own it, then they are responsible. Further discussion followed.

Mr. Ferrara said he met informally with a Canal Corps Gentleman and Brian Stratton, Director of Canal Corps, and their answer is they will try to work with the Town as much as they can, but it's not their responsibility. Mr. Ferrara reached out to the Canal Corps engineer, but he hasn't returned his email. Mr. Churchill said the report he is getting is they are responsible. Mr. Avery stated it's their water on one end, and their water on the other end; and if their water is causing damage – we need to keep pursuing this.

Kingdom Road Sewer Main Update: Mr. Ferrara asked if Mr. Churchill met with the Engineer. Mr. Churchill replied no. He said this is a new Board; this has been going on for several years with prior Boards and presentations and options were done with previous Boards and not this Board. He added any presentation should be made in public – he is not going to meet privately with Mr. Baker and would like to see this Board have a meeting on this. Mr. Churchill said the project has changed and there are new options, and this Board should be brought up-to-date. Mr. Ferrara said if it's the will of the Board, they can have a Special Meeting with the Engineer and get brought up-to-date. He will not attend it because he is already up-to-date. After brief discussion, Mr. Ferrara suggested that a Special Meeting can be held in December. Mr. Churchill will look into dates and reach out to the Board. Mr. Churchill said he would like to have the material ahead of time so the Board can review it before the Meeting.

New Business:

Approval of Special Events: Mr. Ferrara stated the SF United Methodist Church would like to sell handmade crafts and collectibles in Academy Square to raise money for the Church World Service on November 7th.

A motion was made to approve the application of SF United Methodist Church to sell handmade crafts and collectibles in Academy Square on November 7, 2020 by Dave DeLelys and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 naves.

Proposed Local Laws #5, #6 and #7 – 2020: Mr. Morrell recommended that the proposed Local Laws be referred to the County Planning Board for their review (under General Municipal Law). Brief discussion followed.

A motion was made to table action on proposed Local Law #5-2020, proposed Local Law #6-2020 and proposed Local Law #7-2020 by Steve Churchill and seconded by Dawn Dyson. No questions. Motion carried 4 ayes, 1 nay; Supervisor Ferrara with the dissenting vote.

W/S – Encumber Funds from 2020 Budget to 2021 Budget: A motion was made by Doug Avery and seconded by Dave DeLelys to encumber the following funds from the 2020 Budget to the 2021 Budget:

F8340.208 Excavator Encumber - \$35,000

F8330.202 Raw PH Adjust/Encumber - \$470,000

F8330.203 SCADA Upgrade/Encumber - \$20,000

G8120.206 Vac Truck Encumber - \$100,000

G8120.209 Fall Street Pump Station Encumber - \$75,000

G7120.210 Water Street Pump Station Encumber - \$100,000

No questions. Motion carried 5 ayes, 0 nays.

November Meeting Date: Mr. Ferrara stated the November Meeting date has to be changed because our regular Meeting date is Election Day. After brief discussion, the Board agreed to hold the regular monthly Meeting for November at 6:00 P.M. on Thursday, November 5th at the Community Center.

2021 Tentative Budget: Mr. Ferrara gave an overview of the 2021 Budget. The Tentative Budget is \$13,250,000, down from \$14,071,000 in 2020 – that's the spending. He said it's not because massive cuts have been made; it's because we have not put money into the reserves yet until the Board makes decisions on that. There was an average of about 8% cut across the Board by Department Heads.

Mr. Ferrara said the current Tentative Budget represents a per \$1,000 rate of \$14.77, a 43% increase on the tax rate. He noted some decisions will have to be made where the Board wants to appropriate non-tax revenue. Last year, \$1.4 million of Landfill money was built into the Budget. If the Board decides to go in that direction, it will significantly reduce the tax rate for our residents. Mr. Ferrara stated as we move forward (he is not saying 2021) some hard decisions will have to be made when the lack of revenue is missing. He strongly believes, at the Town level, if the Board can provide tax relief to residents as much as it can and in a position to do that, then we should do that.

Public Hearing Date – 2021 Preliminary Budget: A motion was made to hold a Public Hearing relative to the 2021 Preliminary Budget at 6:00 P.M. on Thursday, November 5, 2020 at the Seneca Falls Community Center by Dave DeLelys and seconded by Steve Churchill. No questions. Motion carried 5 ayes, - 0 nays.

A motion was made to hold Budget Workshops at 5:30 P.M. on October 6th, October 20th and October 26th in the Town Hall Meeting Room by Doug Avery and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Bids – Auburn Road Water Tower Backup Generator: A motion was made to table action as bids were not opened to date by Michael Ferrara and seconded by Steve Churchill. No questions. Motion carried 5 ayes, 0 nays.

After brief discussion relative to awarding of the bid for the Auburn Road Water Tower backup generator, a motion was made to hold a Public Meeting and Budget Workshop at 5:30 P.M. on October 20, 2020 by Michael Ferrara and seconded by Dave DeLeleys. No questions. Motion carried 5 ayes, 0 nays.

Appointment of Recreation Commission Members: A motion was made by Steve Churchill and seconded by Dawn Dyson to adopt the following resolution:

BE IT RESOLVED, that after conducting three applicant interviews, the Seneca Falls Parks & Recreation Commission and the Town Board's Recreation Committee recommend that the Seneca Falls Town Board approve the following residents as Alternate Members of the Seneca Falls Parks & Recreation Commission:

Victoria Clark, 2911 E. Bayard Street Ext., Seneca Falls

Christina Abbe, 20 Leland Drive, Seneca Falls

Ms. Abbe will serve the remainder of a five-year term that ends on December 31, 2020, and Ms. Clark will serve the remainder of a five-year term that ends on December 31, 2024.

No questions. Motion carried 5 ayes, 0 nays.

Discussion – Reopening of Vince's Park Pavilion: A motion was made keep Vince's Park Pavilion closed until November 30, 2020 by Dave DeLelys and seconded by Dawn Dyson.

Mr. Avery asked if there were events scheduled for November. Mr. DeLelys replied no – Mr. Spina thinks people may call for December Christmas parties and meetings.

The above motion made by Dave DeLelys and seconded by Dawn Dyson to keep Vince's Park Pavilion closed until November 30, 2020 was carried 5 ayes, 0 nays.

W/S – Fill Vacancy of Laborer Position: A motion was made by Doug Avery and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town Board has approved advertising for a Laborer's position in the Water/Sewer Department due to Michael Bradley's resignation, and the Department conducted three interviews for the position.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize the appointment of Eric Matthews of Seneca Falls. The start date will be October 20, 2020 at a pay rate of \$18.00 per hour.

No questions. Motion carried 5 ayes, 0 nays.

Accept Resignation – Part-Time Cleaner: Mr. Ferrara read Laura Dickenson's letter of resignation which is effective September 19, 2020.

A motion was made to accept the resignation of Laura Dickenson as part-time Cleaner by Dave DeLelys and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Mr. DeLelys thanked Ms. Dickenson for her years of service. Mr. Ferrara also thanked Ms. Dickenson for her years of dedication to the Town and wished her the best of luck.

Appoint Part-Time Cleaner: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

BE IT RESOLVED, that the Town of Seneca Falls hires Curtis Gibbons for the position of Cleaner 1 on a part-time basis at the rate of \$14.10 per hour.

BE IT FURTHER RESOLVED, that this position will be 25 hours per week during the hours of 2:00 PM to 7:00 PM.

Mr. Ferrara stated there was one applicant which he, Chief Peenstra and Mr. Passalacqua interviewed. The position was reduced to 25 hours; purpose was to keep it under 30 hours to save taxpayers money because he would not be eligible for health benefits which is not an issue with this applicant as he has benefits with his former employer.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution appointing Curtis Gibbons as Cleaner 1 was carried 5 ayes, 0 nays.

Highway – Purchase 72" Soil Conditioner: A motion was made by Michael Ferrara and seconded by Steve Churchill to adopt the following resolution:

WHEREAS, the Highway Department would like to purchase a 72-inch Soil Conditioner from Bobcat of the Finger Lakes for the sum of \$7,359.84; and

WHEREAS, this attachment will replace the old one that we have now. This attachment is used for restoration on a lot of highway, Water, Sewer, Recreation projects.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the purchase of a 72-inch Soil Conditioner from Bobcat of the Finger Lakes for the sum of \$7,359.84. This attachment is under the NYS Contract. There is money in the Budget for this attachment.

No questions. Motion carried 5 ayes, 0 nays.

Request to Review Speed Limit on George Road: A motion was made by Steve Churchill and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town Board of the Town of Seneca Falls and the Town of Seneca Falls Highway Superintendent believe that it is in the best interest of the Town and its residents for the speed limit on George Road to be lowered; and

WHEREAS, the New York State Vehicle and Traffic Law Section 1622 states that such change may be made by the NYS Department of Transportation after a request for review by the Town Board and the County Superintendent of Highways.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Seneca Falls hereby requests, under Vehicle and Traffic Law Section 1622, the NYS Department of Transportation to conduct a review of the speed limit on George Road and establish a lower speed limit.

Mr. Ferrara stated George Road was part of the paving project this year. Now that it is paved, the fear is it will become a much more dangerous situation because of a couple of hairpin turns in the road.

The above motion made by Steve Churchill and seconded by Dawn Dyson to adopt the above resolution requesting a review of speed limit on George Road was carried 5 ayes, 0 nays.

Highway – Retroactive Pay Adjustments/Wage Changes: A motion was made to approve retroactive pay adjustments and wage changes for Highway employees and request of Nos. 1 to 6 from Personnel Committee by Doug Avery and seconded by Dawn Dyson.

Mr. Ferrara stated in 2018, the Highway employees were attempting to unionize and was in negotiations with the former Town Board. The Highway Department never received any pay increases for 2018, 2019 and 2020 to date based on the fact they were in negotiations with the teamsters. With the new Board, the Highway Department decided they didn't want to be part of the teamsters and opted out of the teamsters jurisdiction.

Mr. Avery explained the six recommendations from the Personnel Committee:

1. Re-evaluate the MEO positions in the Matrix.
2. Adjust pay for Highway employees retroactive to January 1, 2018 or the date of hire.
3. A special payroll will be created for the missed wages which will be paid for by transfer from DA1990.401 to the appropriate payroll lines. An additional \$40,967 will be transferred from General Fund through a Budget modification.
4. Formally reclassify two Highway Laborer positions to MEO Light positions with the County. Mr. Avery noted the positions have to be established with the County.
5. Adjust the Deputy Highway Superintendent position to \$3,120 annually beginning January 2021. Mr. Avery said this is to bring the Deputy Highway Superintendent's pay in line with the W/S Deputies' pay.
6. Final payroll wage adjustment from 09/13/2020 to 10/01/2020 will be included with Payroll #22.

Mr. Ferrara said in 2018, some Board made the decision to pay the Deputy Supervisors in Water and Sewer and Highway \$3,000 instead of \$1,000. Mr. DeLelys said they would not approve the Highway Deputy because of negotiations. Mr. Ferrara asked if there were job descriptions for Deputy Water/Sewer and Highway – he has never seen one. He would like to know what they are doing above and beyond that constitutes \$3,000. Mr. Avery said he is not sure if he has ever seen job descriptions for Deputy title. Brief discussion on duties of Deputy Supervisors.

Mr. Ferrara said he doesn't know if there was a job description for Water and Sewer; Brian Devay said yes, there is – Mr. Tullo has it for all the positions. Mr. Avery reiterated that this is to bring the Highway Deputy Superintendent up with the Water/Sewer Deputy Superintendents because it could not be done at the same time as the others. Mr. Devay said if this is approved, will the other Deputies get a vehicle to drive – the Highway Deputy has a vehicle and the other Deputies don't have a vehicle. He added he would say that his \$1,000 plus a vehicle equals the \$3,000. Mr. Peterson stated he has a vehicle for when he gets called in at night to check the roads, especially in the winter – Mr. Pagano runs one side of town and he runs the other side.

Steve Churchill made a motion to call the question, seconded by Dawn Dyson. No questions. Motion carried 4 ayes, 1 nay; Supervisor Ferrara with the dissenting vote.

The above motion made by Doug Avery and seconded by Dawn Dyson to approve retroactive pay adjustments and wage changes for Highway employees, and request of Nos. 1 to 6 from Personnel Committee was carried 4 ayes, 1 nay; Supervisor Ferrara with the dissenting vote.

W/S – Resignation of W/S Maintainer: A motion was made by Steve Churchill and seconded by Dawn Dyson to approve the following resolution:

WHEREAS, the Town Board received a resignation letter from Timothy Lotz.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby accept Timothy Lotz's resignation.

No questions. Motion carried 5 ayes, 0 naves.

Mr. Ferrara thanked Mr. Lotz, and wished him luck in his future endeavors.

W/S – Advertise for Laborer Position: A motion was made by Steve Churchill and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, a vacancy in the Water and Sewer Department exists due to the resignation of Water and Sewer Maintainer Timothy Lotz; and

WHEREAS, the Department needs to fill his position.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize advertising for a Laborer position in the Water/Sewer Department.

Mr. Avery stated he would like to wait until after Mr. Tullo comes in with his budget presentation to see if there is a need to fill this position - the Board has to look at filling positions for the immediate future at least. Mr. Ferrara stated in his discussion, Mr. Tullo said this is a needed position, and it would leave him short-handed. He is not opposed to listening to Mr. Tullo. Mrs. Warfel stated she is not sure there is an opening for a Laborer; it may have to be a W/S Maintainer. She added we have to see what is on file with the County. Mr. Devay said Mr. Tullo normally checks with the County. Mrs. Warfel suggested checking with the County before we advertise for that position.

Steve Churchill motioned to withdraw his motion to advertise for Laborer position, and Dave DeLelys withdrew his second to the motion.

Appoint Members to Serve on Heritage Area Commission: A motion was made by Doug Avery and seconded by Dawn Dyson to appoint the following Individuals to the Heritage Area Commission effective January 1, 2021:

Herbert Holden – Term expires December 31, 2021

Mary Grace – Term expires December 31, 2022

Jon Tonsomi – Term expires December 31, 2023

Josh Karte – Term expires December 31, 2024

Vacant – Term expires December 31, 2025

Mr. Ferrara stated the Commission was very vibrant in the former Village and remained vibrant a few years after dissolution. Rhonda Destino and Sheila Giovannini feel strongly about bringing back the Commission. According to our laws, there should be five on the Commission. They are in search of the fifth person. Mr. DeLelys asked if they were all Seneca Falls residents; Mr. Ferrara replied yes, they are all Seneca Falls residents.

The above motion made by Doug Avery and seconded by Dawn Dyson to appoint the above Individuals to the Heritage Area Commission was carried 5 ayes, 0 naves.

Sanitary Sewer Rehab Change Order No. 8: A motion was made to approve the Sanitary Sewer Rehabilitation Change Order No. 8 by Doug Avery and seconded by Dawn Dyson.

Mr. Baker stated this Change Order provides a summary of the field directives taken based on modifications to the work required due to observed field conditions. He added it provides a final adjustment of the Contract value to match the actual amount of Contract work completed.

The above motion made by Doug Avery and seconded by Dawn Dyson to approve the Sanitary Sewer Rehabilitation Change Order No. 8 was carried 5 ayes, 0 naves.

Public Hearing – Proposed Local Law #8: A motion was made by Doug Avery and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town Board of the Town of Seneca Falls believes that it would be advantageous to the Town to override the tax levy limit imposed by General Municipal Law Section 3-C; and

WHEREAS, Subdivision 5 of General Municipal Law Section 3-C expressly authorizes the Town Board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. 8 of the year 2020 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C” be and the same is hereby introduced before the Town Board of the Town of Seneca Falls, New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed local law have been presented to each member of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board will hold a Public Hearing on said proposed Local Law at the Seneca Falls Community Center, 35 Water Street, Seneca Falls, New York at 6:00 P.M. on November 5, 2020; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a notice of said Public Hearing in the official newspaper of the Town at least five (5) days prior thereto.

Mr. Ferrara stated this is just in case we have to override the tax ceiling. Hopefully, he doesn't anticipate that, but it's part of the decision making as the Board gets into the Budget.

The above motion made by Doug Avery and seconded by Dawn Dyson to approve the above resolution establishing a Public Hearing relative to proposed Local Law #8 was carried 5 ayes, 0 naves.

Resolution - Intermunicipal Agreement for NYS Routes 318/414 Sewer System: A motion was made by Doug Avery and seconded by Michael Ferrara to adopt the following resolution:

WHEREAS, the Town of Seneca Falls owns and operates a sewage delivery and treatment system, including West Seneca Falls Sewer District, West Seneca Falls Sewer District Extension No. 1, and West Seneca Falls Sewer District No. 2; and

WHEREAS, the following municipalities or entities have approached the Town to provide such services under an intermunicipal agreement between the parties:

1. Seneca County Board of Supervisors, on its own behalf and on behalf of the Route 318 Sewer Improvement District, hereinafter referred to as “Seneca County”;
2. Town Board of the Town of Tyre, Seneca County, on its own behalf and on behalf of the Town of Tyre Sewer District No. 1 and Town of Tyre Sewer District No. 2, hereinafter referred to as “Tyre”;
3. Town Board of the Town of Junius, Seneca County, on its own behalf and on behalf of the Town of Junius Sewer District No. 1, hereinafter referred to as “Junius”; and
4. Seneca County Industrial Development Agency, on its own behalf and on behalf of the Route 414 Sewer Conveyance line;

WHEREAS, a proposed agreement has been negotiated between the parties to provide such services.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls hereby authorizes the Town Supervisor to

execute the proposed intermunicipal agreement on behalf of the Town of Seneca Falls and West Seneca Falls Sewer District, West Seneca Falls Sewer District Extension No. 1. and West Seneca Falls Sewer District No. 2.

Mr. Ferrara stated this is something that has been going on a long time; 318 sewer is County owned and 414 sewer is owned by the IDA. The IDA agreement is to turn it over to the County. This requires three municipalities to agree to everything (Town of Tyre, Town of Junius and Town of Seneca Falls). Mr. Ferrara mentioned that the Town gets paid from the users at a rate of 150% of their usage.

Mr. DeLelys asked if all the easements are done that the IDA never had. Mr. Morrell replied yes, that was part of it – they never got the proper easements back when they were supposed to; cleaning it up is what had to happen, and that has been done. He added this sets the ground rules between the three towns, the County and the IDA. Lengthy discussion followed. Mr. Avery stated the Board just received this this afternoon. He doesn't want to "rubber stamp" something without reading it. Mr. Churchill was in agreement with Mr. Avery.

A motion was made to table action on the Intermunicipal Agreement until the November 5th Meeting by Steve Churchill and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer Credits: A motion was made to approve Water/Sewer credits in the amount of \$626.40 as per Memo dated October 1, 2020 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Assessment Challenge – 108 Fall Street (Gould Hotel): Mr. Morrell stated there was an Executive Session a few months ago with the Assessor, and at that time, the Board authorized him to enter into negotiations and try to work out a settlement with particular numbers. They have reached a settlement with those particular numbers which has been agreed to by the Petitioner (108 Fall Street, LLC) and the School District.

A motion was made by Michael Ferrara and seconded by Dave DeLelys authorizing the settlement of the Matter of 108 Fall Street, LLC vs. Town of Seneca Falls Department of Assessment to establish the final tax assessment from \$3,750,000 to \$2,750,000 for the next three years. No questions. Motion carried 5 ayes, 0 nays.

Resolution – Sale of 115 Fall Street: A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:

WHEREAS, the Town of Seneca Falls owns property located at 115 Fall Street which is a condominium that is a portion of that property; and

WHEREAS, 115 Fall Street is currently not used for Town operations; and

WHEREAS, the Town has marketed the property with a realtor on two separate occasions; and

WHEREAS, the Town has received a purchase offer to purchase the property for \$65,000 from individuals that will seek approval to renovate the property into 2 – 4 single family residential units; and

WHEREAS, this proposal would place the property back on the tax rolls, and contribute to the local economy.

NOW, THEREFORE, the Town Board of the Town of Seneca Falls hereby finds that the proposal submitted by Jeffrey G. and Veronica Maunder will provide the best long-term benefit to the citizens of Seneca Falls; and

FURTHER, the Town Board hereby accepts the purchase offer submitted by the Maunders for the purchase price of \$65,000; and

FURTHER, the Town Board hereby agrees to negotiate the specific terms of the purchase and sale contract to transfer 115 Fall Street to Jeffrey G. and Veronica Maunder; and

FURTHER, this property is subject to a right of first refusal that belongs to the owner of the remainder of the building; this resolution will take effect 30 days from the date of adoption unless the Town receives notice that the right of first refusal will be exercised within that time; and

FURTHER, that this resolution is subject to permissive referendum and will take effect 30 days from the date of adoption or after the permissive referendum process is completed.

Mr. Ferrara stated because it's Town property a permissive referendum is required. Mr. Morrell noted that a petition would have to be submitted within the next 30 days.

The above motion made by Michael Ferrara and seconded by Doug Avery to adopt the above resolution relative to the sale of 115 Fall Street was carried 5 ayes, 0 nays.

Privilege of the Floor Policy: Steve Churchill made a motion to adopt the following resolution, seconded by Michael Ferrara:

WHEREAS, the Seneca Falls Town Council chooses to revise the existing policy requiring that members of the public submit in advance a request be added to the Agenda for the purpose of addressing the Town Council; and

WHEREAS, it is the belief of this Town Board that public input is important to the democratic process and is both valued and encouraged; and

WHEREAS, the proposed process would encourage and promote free speech.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Council moves to adopt the process of Privilege of the Floor, allowing members of the public to address the Town Council; and be it further

RESOLVED, that the following rules will apply:

- Speakers will be required to state their name and address.
- Speakers are required to address the Council, not the audience.
- Speakers will be limited to 3-5 minutes.

Mr. Churchill stated this is to allow people to address the Board without having to get on the Agenda several days ahead of time. The Town Clerk asked if this is just to allow Speakers during the time for Petitioners, not throughout the Meeting. Mr. Churchill replied just during the time for Petitioners. Brief discussion followed.

The above motion made by Steve Churchill and seconded by Michael Ferrara to adopt the above resolution relative to Privilege of the Floor Policy was carried 5 ayes, 0 nays.

Mr. Peterson mentioned that the Finger Lakes Railway will be closing Rumsey Street and Oak Street to put in new rails the week of October 19th.

W/S - RFP for SCADA System: A motion was made to advertise for RFPs for SCADA/Systems Integration Term Services by Michael Ferrara and seconded by Dave DeLelys.

Mr. Baker stated this is an RFP for a SCADA system primarily for the Water/Sewer Department. He said this is for professional services – RFPs for professional services need to be advertised.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to advertise for RFPs for SCADA/Systems Integration Term Services was carried 5 ayes, 0 nays.

Payment of Bills:

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

General Fund - \$213,564.32 (Abstract #10)

Recreation Fund - \$33,636.13 (Abstract #10)

Miscellaneous Fund - \$92,708.12 (Abstract #10)

Vince's Park Fund - \$478.85 (Abstract #10)

Highway Fund - \$64,946.88 (Abstract #10)

Sewer Fund - \$112,044.43 (Abstract #10)

Water Fund - \$215,028.38 (Abstract #10)

No questions. Motion carried 5 ayes, 0 nays.

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

Meeting adjourned at 8:42 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

