

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, December 1, 2020 at the Seneca Falls Community Center, 35 Water Street.

Present were Supervisor Michael Ferrara; Councilpersons David DeLelys, Steven Churchill, Dawn Dyson and Douglas Avery. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks & Recreation; James Peterson, Highway Superintendent; Stuart Peenstra, Police Chief; Joseph Tullo, Chief Wastewater Treatment Plant Operator and Peter Baker, Town Engineer.

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

Mr. Ferrara reminded everyone to stay as safe as possible; wear your mask and practice social distancing. The report from the County is – our 7-day average is 4.6% for Seneca County. He urged everyone to stay safe.

Petitioners:

Mark Pitifer – SMI Operating Permit: Mark Pitifer stated on November 13th, Bonadent hosted a renown dental lecturer, Dr. Miguel Ortiz, a graduate of Harvard School of Dental Medicine. Dr. Ortiz and 15 dentists from the Northeast came and stayed in Seneca Falls to further their knowledge while educating some key Bonadent Team Members. Dr. Ortiz arrived with his family, and while unpacking his vehicle, they were overwhelmed by the horrible odor from Seneca Meadows. Mr. Pitifer said that Dr. Ortiz had nothing but nice things to say about the people in the Hotel, the local restaurants and the beauty of the Finger Lakes, but also had this to say “It was ok, but it stinks – if you’re driving by, don’t stop because it stinks”. When he left on Saturday, the bad odor bad resurfaced and continued to engulf the air. Mr. Pitifer played a recording of Dr. Ortiz’s comments.

Mr. Pitifer stated Seneca Meadows Landfill’s inability to control the odor is a significant issue that not only impacts their business, but is harmful to the businesses that rely on tourism as well. He urged the Board to take Dr. Ortiz’s comments seriously and to hold Seneca Meadows accountable for their odor issues by continuing to deny their operating permit and by bringing their continued violations to the attention of the DEC.

Allison Stokes – Town Concerns: Allison Stokes stated she last spoke to the Board in March, and she spoke often about Seneca Meadows. She mentioned the article in the Finger Lakes Times on November 30th regarding the sewer line options and said the Sculpture Trail has been on the table for a long time. In January 2017, the eminent domain first came up, and in 2018, there was a Public Hearing on eminent domain. This sewer line issue has been going on for a long time. Ms. Stokes stated the Ludovico Sculpture Trail has been referred to as private property, and discussions were held with the owners. She said the Trail is a non-profit organization that has a Board and has tax exempt status. She thinks we are not aware, with this COVID and social distancing, that the Trail has become a special asset to the Town because many people are walking the Trail – it has gotten more and more use during this time.

Ms. Stokes said it seems to her that Barton & Loguidice has an explosive hold on the facts about this Trail and the fact that are presented to the public. Four sewer line options were presented on November 23rd, and the south side of Bayard Street was presented for the first time, a less expensive version of taking it down the north side. Barton & Loguidice have been on this for years, the only engineers; this is because they had no competitive bidding. Ms. Stokes stated Barton & Loguidice has a hold on this – it’s not right. Ms. Stokes mentioned the handout she provided to the Board which contains the Affidavit of an Independent Engineer’s observation of both the Trail and West Bayard Street. She said his report challenges the report of Barton & Loguidice.

Mr. Ferrara stated on November 23rd, that was an Informational Meeting for new Board Members and older Board Members to revisit this because it’s been on the back burner for quite a while. There also were other things discussed – some Board Members had suggestions about an alternative route on some property that we are looking into. He said Barton & Loguidice just did what the Board asked them to do. He added when the Board makes a decision as to what they will be doing, there will be competitive bids for the project. Ms. Stokes said it’s unfortunate that that message hasn’t been out there since March. Mr. Ferrara said this hasn’t been discussed at all – discussion started in September, just to say the Board needed an update. Discussion followed.

Approval of Minutes:

A motion was made to approve the minutes of the Budget Workshop of October 26, 2020 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to approve the minutes of the Public Hearings and Meeting of November 5, 2020 by Michael

Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to approve the minutes of the Special Meeting of November 13, 2020 by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer's 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 Office report by Michael Ferrara and seconded by Dave DeLelys.

Mr. Ferrara thanked Kim Rose who has been filling in part-time to try and cover the Office since Mr. Zettlemyer's absence. He thanked her for all her help and for stepping forward.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept the Zoning Office report was 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 Michael Ferrara.

Mr. Spina stated they are going to do a registration for basketball, so at least, when and if, they won't need another two or three weeks to put it together, and get it ready to go. They hope at some point they can do something. He added they are going to try to have some normalcy as best they can.

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

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

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

Mr. Ferrara asked if Mr. Churchill and Mrs. Dyson had a chance to talk to Mrs. VonWald about a reval. Mrs. Dyson replied that she spoke with Mrs. VonWald last week, and she said it will be discussed when she gets back from her vacation. Mr. Ferrara said he thinks we should start that process if we are going to do the reval. The Committee will meet and then come back to the Board with a recommendation.

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

Attorney for the Town: Mr. Morrell stated he has nothing but the matters that are on the Agenda.

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

Mr. Avery stated the water tower inspections went very well. He added the Health Department has approved the PH adjustment project for the Water Plant.

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

Town Justices: A motion was made to accept the reports of Justice Lafler and Justice Erway by Dave DeLelys and seconded by Steve Churchill.

Mr. DeLelys stated he talked to the new Judge, Steve Kelley, who is doing online training. Mr. Ferrara said that the Courts have some new restrictions from the 7th Judicial District as to when they can be open.

The above motion made by Dave DeLelys and seconded by Steve Churchill to accept 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 Michael Ferrara.

Mr. DeLelys said they have been discussing the parking ticket issue; after the first of the year, they will discuss it with Mr. Morrell to set up some kind of a system.

Chief Peenstra stated the week of November 16th, five more Members of the SF Police Department attended 40-hour training in the Crises Intervention Team. This will bring the Department's total authorized Crises Intervention Team Members up to ten. The Chief mentioned that the Department is having their 5th Annual Fill the Cruiser Toy Drive. There are five different drop-off locations – the SFPD, Wal-Mart, Tractor Supply, Generations Bank and Century 21. They will be collecting toys until about a week before Christmas.

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

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

Mr. Baker stated he added a couple of options that were requested, and asked the Board to review them. Mr. Ferrara said this will be a discussion item in January. He strongly recommended that the Board be prepared to start making some decisions. He also encouraged the Board to reach out to Mr. Baker if they have any questions.

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

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

Emily Palumbos stated some grants have come out, one in particular is the Main Street Grant which they will be working on. Mr. Ferrara said Ms. Palumbos is going to meet with Joelle Murney-Karsten and have a discussion about the Main Street Grant. He referred to records retention and said the rules have changed; there is a resolution on the Agenda to adopt the new rules. With the help of the Recreation Center Staff, the old Village records have been separated from the Town records. The next step is to go through the boxes to see what has to be kept and what can be destroyed and go from there. Mr. Ferrara stated once we have a handle on what we have, then Ms. Palumbos can write a grant to specifically earmark what we want to do. After everything is cleared out, he would like to get the Court records that are at Oak Street garage over to the Records Building.

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

SF Development Corporation: No report. Mr. Avery stated the Farmers Market had a very successful Season. He referred to the three Welcome Seneca Falls signs and said there is a Farmers Market banner underneath Welcome to Seneca Falls. There will be three permanent ones – Birthplace of Women's Rights, Inspiration behind It's a Wonderful Life and Seneca Falls is a Purple Heart Community. There will be room on the bottom for seasonal things – the SFDC will take responsibility for that. Mr. Avery mentioned - still waiting on the DRI.

Other Committee Reports: Mr. Avery stated the Waste Management Advisory Committee is looking at how to create a program where we can start to remove organic waste (food scraps) from the garbage chain, and perhaps having a small place behind the Town garage where people can put their organic waste. They have had preliminary discussions with an entrepreneur from Geneva.

Mr. Ferrara referred to the SF Environmental Group, and said at some point, he would like to get the Environmental Group involved in some environmental things that we haven't thought about, such as putting waste dispensers downtown. He added it's going to take an investment, but if we are serious about reducing our footprint, there are all kinds of things the Environmental Group can get involved in. Discussion followed.

Mrs. Dyson gave a report of the Citizens Advisory Board. She said they met and went into groups and discussed the pros and cons of having a Town Manager. They all had different opinions and information. They had people who came to talk to them, and watched videos from people. Mr. Ferrara said their next Meeting is December 10th and it's open to the public. Their plan is to hopefully come back to the Board in February with a recommendation.

Communications:

A motion was made to receive and file Communications numbered 1 to 6 by Doug Avery and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 6 are as follows;

1. Letter from NYS Department of Transportation stating the speed limit reduction request for George Road was received, and their traffic engineers will conduct a formal investigation at that location.
2. Checks and deposits totaling \$227,485.18 representing Community Center deposits; Retirees Insurance; sale of scrap; BAN final payment; BAN Interest; copies of Police reports; July and August fuel reimbursements (SF School District); July and August fuel reimbursements (Bridgeport Fire District); SFSD School Resource Officer reimbursement; disability reimbursements; dumpster fees; Judge Lafler's September report; Town Clerk's August and September reports; Women's Interfaith Institute payment of debt; cable refund; Judge Erway's September report; Cemetery flagpole donation; Highway Equipment auctioned; background check; delinquent mowing fees; water tower lease payment; culvert pipe reimbursement and Seneca County Probation check.
3. Letter inclosing copy of SEQR negative declaration that was issued by the Waterloo Town Board relative to Local Law #2-2020 from Sandra Ridley, Town Clerk.
4. Minutes of the Town Planning Board Meeting of October 22, 2020.
5. Notice of Application for Liquor License from Seneca Falls Elks Lodge #992.
6. Checks and deposits totaling \$915,243.35 representing dumpster fees; Retirees Insurance; burial fees; Justice Erway's October report; copies of Police reports; background check; disability reimbursement; 3rd quarter Landfill revenue and tower rent.

Old Business:

Sale of Surplus Property: Mr. Ferrara said there has been no movement on 60 State Street which is contingent on the DRI. As to 115 Fall Street, there has been an Inspector's report by the Buyer who came back with about 6 or 7 things. He thinks some of the things are not the Town's responsibility – it's part of the Condo Agreement. Mr. Ferrara and Mr. Morrell will discuss this and go back to the Buyer's Lawyer.

Town Demands related to SMI License to Operate Landfill: Mr. Churchill stated that he, Mr. Avery and Mr. Morrell have met several times over the last few months and formulated a letter with essentially two requests; they had approval from the Board in September to submit that letter to Seneca Meadows. He reported that that letter was sent today. Mr. Morrell said the letter requested a response. He expects they will be in contact with them in the coming weeks. Mr. Avery asked if it will be Attorney to Attorney; Mr. Morrell replied yes. Mr. Avery noted the DEC was copied on that.

Bayard Street Culvert Legal Update: Mr. Ferrerara said he has nothing to report.

Kingdom Road Sewer Main Update: Mr. Ferrara said discussions will start in January.

Proposed Local Law #5 – 2020 Local Law #6 & Local Law #7: Mr. Morrell stated the Board held Public Hearings on the three proposed Local Laws in October 2020. The County Planning Board reviewed the Local Laws in November and recommended approval of all three Local Laws. Local Law #5 is the Open Burning Law which was largely taken from the DEC language, and they are largely in control of that. Local Law #6 amends the definitions and allows for mixed use buildings. Local Law #7 adjusts parking – it reduces the minimum number of spaces required in order to get a building permit in all of our zones. Mr. Morrell stated the County found that this was consistent with the Town's Comprehensive Plan of promoting residential use downtown and have mixed uses, and also consistent with the County's more regional outlook plans. He said it remains to be seen what impact the parking is going to be as addressed by the County.

Mr. Morrell referred to Local Law #5 and reviewed Part 2, Impact Assessment, of SEQR with the Board, and recommended that each of the eleven questions be noted as No or small impact. This is considered an unlisted action which means this Board can act as lead agency and does not need to coordinate with any other agencies.

A motion was made for the Board to act as Lead Agency for the adoption of Local Law #5 by Doug Avery and seconded by Michael Ferrara. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to accept the SEQR findings for proposed Local Law #5 – 2020, noting that the proposed action will not result in any significant adverse environmental impacts, by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

A motion was made by Michael Ferrara and seconded by Doug Avery to adopt the following resolution:
WHEREAS, a Public Hearing was duly held on October 1, 2020 at the Seneca Falls Recreation Center and all

parties in attendance were 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 residents and other interested parties, the Town Board of the 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 the Town of Seneca Falls hereby adopts said Local Law #5 entitled "A Local Law to Amend Section 146-3 of the Seneca Falls Town Code" relating to Open Burning, 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 the State of New York.

No questions. Motion carried 5 ayes, 0 nays.

Mr. Morrell referred to Local Law #6 and noted the changes which include the definition of Multi-Use Units (Mixed Use) and addresses the minimum building area per unit. He reviewed Part 2, Impact Assessment, of SEQR with the Board. Mr. Churchill said his concern is changing the Law like this can create a lot of low-end apartments downtown – he doesn't know how you can control that. He added it's not a thing you can undo easily. Lengthy discussion followed.

A motion was made for the Board to act as Lead Agency for the adoption of Local Law #6 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 4 ayes, 1 nay; Councilman Churchill will be the dissenting vote.

A motion was made to accept the SEQR findings for proposed Local Law #6 – 2020, noting that the proposed action will not result in any significant adverse environmental impacts, by Michael Ferrara and seconded by Dawn Dyson.

Mr. Churchill referred to No.3 of Part 2 of SEQR, and said he thinks there is a potential for moderate to large impact. Mr. Avery asked what would happen if one item was changed. Mr. Morrell replied if it's a moderate to large impact and there is no way to address it, if there is no mitigation noted along with the impact, you would have a hard time making a determination that there is potential for adverse environmental impact. He added if you want to address it, it becomes a positive declaration which requires an environmental impact statement which is very involved. Mr. Morrell pointed out that the County's review is a fairly positive review which he proceeded to read. He doesn't feel there would be a moderate to large impact. Discussion followed.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to accept the SEQR findings for proposed Local Law #6 – 2020, noting that the proposed action will not result in any significant adverse environmental impacts, was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, a Public Hearing was duly held on October 1, 2020 at the Seneca Falls Recreation Center and all parties in attendance were 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 an Unlisted Action and has been determined not to have a significant adverse impact on the environment; and

WHEREAS, after due deliberation, and consideration of the comments submitted by Town residents and other interested parties, the Town Board of the 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 the Town of Seneca Falls hereby adopts Local Law #6 entitled "A Local Law to Amend Sections 300-6, 300-18, 300-19 and 300-32 of the Seneca Falls Town Code" , relating to allowing Mixed Use Buildings and other minor amendments , 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 the State of New York.

No questions. Motion carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Mr. Morrell referred to Local Law #7 and said this the new Section 300-56 regarding Off Street Parking and Loading. A Public Hearing was held at the October Meeting, and this was reviewed by the Seneca County Planning Board who recommended approval.

A motion was made for the Town Board to act as Lead Agency for the adoption of Local Law #7 by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to accept the SEQR findings for proposed Local Law #7, noting that the proposed action will not result in any significant adverse environmental impacts, by Michael Ferrara and seconded by Dave DeLelys.

Mr. Avery stated there are reservations made by the County about parking. He thinks it's something that the Board needs to watch carefully. He said it was perceived that there is a shortage of downtown parking; this may help that, or this may create problems. Mr. Ferrara stated the reality is that parking is certainly an issue. He added maybe when development starts to open up, and with the DRI, there may be some options for parking. It's something the Board has to keep a close eye on definitely.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to accept SEQR findings for proposed Local Law #7, noting that the proposed action will not result in any significant adverse environmental impacts was carried 5 ayes, 0 nays.

A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:
WHEREAS, A Public Hearing was duly held on October 1, 2020 at the Seneca Falls Recreation Center and all parties in attendance were 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 an Unlisted action and has been determined not to have a significant adverse impact on the environment; and

WHEREAS, after due deliberation and consideration of the comments submitted by the Town residents and other interested parties, the Town Board of the 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 the Town of Seneca Falls hereby adopts said Local Law #7 entitled "A Local Law to Amend Section 300-56 of the Seneca Falls Town Code" relating to Off Street Parking and Loading, 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.

No questions. Motion carried 5 ayes, 0 nays.

New Business:

Approval of Special Events: There were none.

Set Year-End Meeting Date to Pay Bills: The Board set the date of Wednesday, December 30, 2020 at 12:00 Noon in the Town Hall Meeting Room to hold a Meeting to pay the bills.

Highway – Approve Shared Services Agreement with DOT: A motion was made to approve the Shared Services Agreement with the NYS DOT by Michael Ferrara and seconded by Doug Avery.

Mr. Peterson stated the DOT sends this Shared Services Agreement every year; if they need help the Highway helps them, and vice versa. This Agreement is done every year.

The above motion made by Michael Ferrara and seconded by Doug Avery to approve the Shared Services Agreement with the NYS DOT was carried 5 ayes, 0 nays.

Budgeted Contribution – SF Development Corporation: A motion was made to approve the budgeted contribution of \$55,560 for the 2020 fiscal year to the Seneca Falls Development Corporation by Doug Avery and seconded by Michael Ferrara. No questions. Motion carried 5 ayes, 0 nays.

Relevy Delinquent Water/Sewer Charges on Town/County Tax Bills: A motion was made authorizing the relevy of delinquent Water/Sewer Charges on Town/County Tax Bills by Michael Ferrara and seconded by Steve Churchill. No questions. Motion carried 5 ayes, 0 nays.

Budgeted Contribution – SF Historical Society: A motion was made to approve the budgeted contribution of \$15,000 to the Seneca Falls Historical Society as it is a benefit to the Town by Michael Ferrara and seconded by Doug Avery. No questions. Motion carried 5 ayes, 0 nays.

Highway – Purchase 2021 International Dump Truck: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Highway Department would like to purchase a 2021 CV515 International Dump Truck with an all-season box and all the plow equipment from Regional International Corporation for the sum of \$130,000; and WHEREAS, this truck will replace the 2012 F550 we have now. The 2012 will be sold on Auctions International when the new truck arrives, pending Board approval.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the purchase of a 2021 CV515 International Dump Truck with an all-season box and plow equipment from Regional International Corporation for the sum of \$130,000. This vehicle is under NYS Contract and is a budgeted item for 2021.

Mr. Peterson noted that if this is ordered now, it will save 2% on the cost; it is about a year out for delivery. Mr. Churchill asked if we have to pay for it now; Mr. Peterson no – pay for it when delivered.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution approving the purchase of a 2021 CV515 International Dump Truck was carried 5 ayes, 0 nays.

Highway – Purchase 2021 Chevy Silverado: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Highway Department would like to purchase a 2021 Chevy Silverado 2500 HD 4-wheel drive with plow. There were three bids: Van Bortel Chevy, Inc. \$37, 983; Bill Cram \$41,149.43 and Tradition Chevy/Buick \$48,010; and

WHEREAS, this truck will replace the 2013 Chevy we have now. The 2013 Chevy will be sold on Auctions International when the new truck arrives, pending Board approval.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the purchase of a 2021 Chevy Silverado 2500HD 4-wheel drive with plow from Van Bortel Chevy, Inc. for the sum of \$37,983, as they were the low bidder. This is a budgeted item for 2021.

Mr. Peterson stated this truck is about 20-25 weeks out for delivery; it will be paid for when delivered. Mr. Ferrara asked if Mr. Peterson solicits the bids; Mr. Peterson replied yes. Mr. Peterson said he always tells the bidders to give him the best price because the Board is going to go with the low bidder.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution approving the purchase of a 2021 Chevy Silverado with plow was carried 5 ayes, 0 nays.

Water/Sewer – Promotion of Joseph McLane to W/S Maintainer: A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town Board realizes that Laborer Joseph McLane has received his Water Operators License and has received a CDL B driver's license.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby authorize the promotion of Joseph McLane to the title of Water and Sewer Maintainer as of today at the starting rate on the Matrix of \$22.70 per hour. This was anticipated and budgeted for in 2020.

Mr. Churchill asked what his current rate is; Mr. Tullo replied he is a Laborer and his rate is \$18.50. Mr. Churchill asked if the Laborer position was going to be backfilled; Mr. Tullo replied no. Mr. Churchill asked if we need to have everybody qualified to do everything; Mr. Tullo replied they want to have everybody able to learn everything. Mr. Churchill said that can be a pretty expensive option if everybody is getting paid top dollar if all we need is a few Laborers. Mr. Tullo said we don't need Laborers – we need Maintainers.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to adopt the above resolution authorizing the promotion of Joseph McLane to W/S Maintainer was carried 5 ayes, 0 nays.

Adopt Disposition & Retention Schedule for NY Local Government Records (LGS-1): A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

RESOLVED, by the Town Board of the Town of Seneca Falls that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed herein.

FURTHER RESOLVED, that in accordance with Article 57-Sz;

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1) after they have met the minimum retention periods described therein.
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

Mr. Churchill asked what the purpose of this was. Emily Palumbos replied the New York State Archives has issued a new retention schedule for all New York State municipalities to follow starting January 1, 2021. She said if the Town does not pass this resolution, it will not be in compliance with the new regulations, and because it won't be in compliance, then the Town will have to save all its records. Mr. Ferrara stated there are 414 pages of record retention verbiage – this doesn't count Court records; obviously we have a big job ahead of us. Mrs. Palumbos stated we have been working with a Regional Representative from NYS Archives who has been able to help the Town in telling us what the next step is, and we will continue to work with this Representative.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to adopt the above resolution relative to the adoption of the Disposition & Retention Schedule was carried 5 ayes, 0 nays.

Waive 30-day Advance Notice to Municipality for Liquor License Application: A motion was made to waive the 30-day advance Notice to Municipality requirement for Liquor License application for Red Brick Pub by Michael Ferrara and seconded by Dave DeLelys.

Mr. Ferrara stated this is the former Red's Place at 57 Fall Street which has been sold. They are trying to expedite their liquor license. Mr. Avery noted the Board had one of these last month. This 30-day period is for public comment. If these places routinely, whether it is a hardship or not, ask the Town to waive the 30 days, it's doing the Town a disservice. Mr. Morrel said the notice comes to the Town; if you want to seek comment, you can do so. Brief discussion followed.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to waive the 30-day advance notice to Municipality for the Red Brick Pub Liquor License application was carried 4 ayes, 1 nay; Councilman Avery with the dissenting vote.

Set Public Hearing – Proposed Local Law #1 – 2021: A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, Section 266-1 through 4 of the Seneca Falls Town Code provides for a limited exemption from real property taxes for qualified Senior Citizens pursuant to New York State Real Property Tax Law Section 467; and WHEREAS, the Town Board of the Town of Seneca Falls would like to increase the availability of the exemption by amending the sliding scale provision of the existing code to be consistent with a similar amendment to be adopted by the County of Seneca.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. 1 of the year 2021 entitled "A local law to amend Section 266-2(A) of the Code of the Town of Seneca Falls to increase the sliding scale income eligibility for Senior Citizens under Section 467 of the Real Property Tax Law" 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 be laid upon the desks of each member of the Town Board; and be it

FURTHER RESOLVED, that the Town Board will hold a Public Hearing on aid proposed Local Law at the Seneca Falls Community Center, 35 Water Street, Seneca Falls, New York at 6:00 P.M. on January 5, 2021; 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. Morrell stated this has been in the Town Code since 2007 and comes from the State Real Property Tax Law. This is worded as an amendment to the existing Town Code Section. He added the only change is that the numbers will be consistent with the County. Mr. Morrell said this will not take effect until March, after the taxable status date, so this will not affect the January Town/County tax bill – it will take effect in 2022.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to adopt the above resolution relative to proposed Local Law #1 – 2021 was carried 5 ayes, 0 nays.

Set Public Hearing – Proposed Local Law #2 – 2020: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, Sections 266-8 through 12 of the Seneca Falls Town Code provides for a limited exemption from real property taxes for qualified persons with disabilities and limited incomes pursuant to New York State Real Property Tax Law Section 459-c; and

WHEREAS, the Town Board of the Town of Seneca Falls would like to increase the availability of this exemption by amending the sliding scale provision of the existing Code to be consistent with a similar amendment to be adopted by the County of Seneca.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law #2 of the year 2021 entitled: A local law to amend Section 266-10(A) of the Code of the Town of Seneca Falls to increase the sliding scale income eligibility for Persons with Disabilities and Limited Income under Section 459-c of the Real Property Tax Law” 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 be laid upon the desks of 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 January 5, 2021; 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. Morrell stated this is different sections of the same Law and different sections of the Town Code; the numbers are exactly the same.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution relative to proposed Local Law #2 -2021 was carried 5 ayes, 0 nays.

Set Public Hearing – Proposed Local Law #3: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Town of Seneca Falls participates in the National Flood Insurance Program, which requires the Town to have a local law to address Flood Damage Prevention, which the Town has codified in its Town Code at Chapter 158; and

WHEREAS, the Town of Seneca Falls is required by the National Flood Insurance Program to ensure that the local law is consistent with the Federal Emergency Management Agency maps.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law #3 of the year 2021 entitled “A Local Law to add certain Sections to Chapter 158 of the Seneca Falls Town Code entitled Flood Damage Prevention by adding Sections 158-6(A)(6), (7) & (8)” 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 local law be laid upon the desks of 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 January 5, 2021; 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. Morrell stated the DEC contacted the Town because it wasn’t done previously. After the dissolution of the Village, the Code should have been updated to include the flood areas of the Village to make sure that residents in those areas are eligible for flood insurance, etc.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution relative to proposed Local Law #3 – 2021 was carried 5 ayes, 0 nays.

Resolution – Change in Employee Contribution for Insurance Benefits: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, Section 807 of the Town of Seneca Falls Insurance Handbook stipulates that the amount of the insurance premium an employee or Elected Official is required to contribute toward insurance and/or dental coverage is subject to change by resolution of the Town Board; and

WHEREAS, the Town Board is required to provide a three month’s written notice of such change to all applicable employees.

THEREFORE, BE IT RESOLVED, hat the Seneca Falls Town Board does hereby increase the employee contribution rate for its insurance premium to 15% across all policies offered by the Town, effective March 2021; and be it

FURTHER RESOLVED, that the Town Supervisor is authorized to provide written notice to all applicable employees of such change by special notice to become effective with the first bi-weekly payroll of March 2021.

Mr. Ferrara stated the Board decided at a Budget Meeting that the employee contribution will go to 15% vs. 10%. He said the overall savings for this is \$14,858. A Town employee who has the Gold Plan, the increase will be \$585.00; the average single person on the Platinum, their contribution will cost them \$263.00. Mr. Ferrara said when this was being discussed, the data that was given was in the \$55,000 range in savings; that was calculated incorrectly. It was calculated including the Police Department Union which this has no impact on at

all. The Police Union contract will stay the same, and the Police Department will still be contributing 10%.

Mr. Ferrara made a motion to amend the above resolution to leave the employees' health insurance contribution status quo as per 2020 language, seconded by Dave DeLelys.

Mr. Ferrara stated he would like to keep things consistent for all employees; if it was a savings of \$55,000, that's completely different. He thinks employees need to understand that the Town is paying too much for health insurance. He added moving forward, he's hoping to get approval to change those things, especially for new employees. Mr. Ferrara stated it should be consistent with Police and other employees. Discussion followed.

The above amendment made by Michael Ferrara and seconded by Dave DeLelys to leave the employees' health insurance contribution status quo as per 2020 language was carried 3 ayes, 2 nays; Councilpersons Dyson and Churchill with the dissenting votes.

A motion was made to leave the employees' health insurance contribution at the 2020 rates of contribution by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 3 ayes, 2 nays; Councilpersons Dyson and Churchill with the dissenting votes.

Appoint Part-Time Zoning Officer: A motion was made by Michael Ferrara and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Seneca Falls Town Board wishes to fill the vacancy in the Code Enforcement Office for the position of Part-Time Zoning Officer due to the resignation of William Ross; and

WHEREAS, the current Code Enforcement Officer is out due to health issues, and it is uncertain as to when he will be able to return to work.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby appoint Kim Rose as Part-Time Zoning Officer.

Ki, is currently substituting in the Code Enforcement Office at 20 hours per week. She will begin her permanent tenure as Part-Time Zoning Officer with January 1, 2021. Since it is unclear as to when the Code Enforcement Officer will be returning, this appointment will be for 20 hours per week until further notice.

The Town Board also approves a transfer of \$8,500 from the Contingency Account to A3620.103, to cover the additional cost of making this position part-time for the entire year.

Mr. Ferrara stated Kim has done an outstanding job filling in due to the absence of our current Zoning Officer due to health insurance issues. Brief discussion followed.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to adopt the above resolution appointing Kim Rose as Part-Time Zoning Officer was carried 5 ayes, 0 nays.

Resolution – Establish Capital Fund for “Ripples of Change” Statute: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Town of Seneca Falls has received a \$274,000 grant from the Women's Suffrage Centennial Commission for Custom Artwork, Delivery and Installation Costs for the statute “Ripples of Change”; and

WHEREAS, the Town is in receipt of these funds, but the creation, delivery and installation of the statute will not be completed until the budget year 2021.

THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the Principal Account Clerk to modify the 2020 Budget by an increase to A4997 – Federal Aid, and an increase to A9901.905 – Capital Improvement “Ripples of Change”, in the amount of \$274,000; and be it

FURTHER RESOLVED, THAT THE Principal Account Clerk is also authorized to modify the 2020 Budget to create a capital improvement fund for the Ripples of Change project by making entries to create the fund Ripples of Change Project and to increase H3-5031 (Interfund Transfer), and the expenditure line H3-8997.200 in the amount of \$274,000, which will be carried into the 2021 Budget year.

Mr. Ferrara stated this is basically to establish the fund. The statute is in the process of being created and hopefully it will be done this summer. He said the Town of Seneca Falls pays all the expenditures related to the statute from this fund.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution establishing the Capital Fund for the “Ripples of Change” statute was carried 5 ayes, 0 nays.

Resolution – Add Guardrail along Curve at Ridge Street & Black Brook Road: A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:

WHEREAS, the Town Board has requested the Highway Department to add a guard rail along Black Brook Road

at the curve by ITT Gould; and
 WHEREAS, there is nothing budgeted to accomplish this work.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Seneca Falls Town Board does hereby modify the 2020 Budget to accomplish adding this guard rail along Black Brook Road by a transfer from the General (A) Fund Contingency Account (A1990.400) by an increase to Interfund Transfer to Highway (A9901.901). In the DA Fund the budget modification will be to increase Interfund Transfer (DA5031) and the creation of the Expenditure Line Guardrail for Blackbrook Road (DA5110.411) in the amount of \$5,900.

The Principal Account Clerk is authorized to make the required budgetary entries.

Mr. Peterson stated there is a fire hydrant at the corner of Ridge Street and Black Brook Road that has been hit several times. He mentioned that it is a safety issue. Mr. Tullo received two bids – Phelps Guide Rail for \$6,235.66 and Elderlee, Inc. for \$5,360.00. Mr. Peterson said they did put up barriers, but they would hit the barriers and go into the fire hydrant.

A motion was made to amend the cost of the guard rail to \$5,360.00 by Steve Churchill and seconded by Michael Ferrara. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to adopt the above resolution to add a guard rail at the corner of Ridge Street and Black Brook Road at a cost of \$5,360.00 by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Water/Sewer Credits: A motion was made to approve the Water/Sewer credits totaling \$6,222.24 as per Memo dated December 1, 2020 by Michael Ferrara and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara mentioned that sometime in 2021, he and Mr. Avery will be coming to the Board about upgrading our water meters and technology; with this upgrade, you would not have to issue credits because the system would detect leaks. Brief discussion followed.

Any Other New Business:

Frank Sinicropi referred to the parking downtown and said is there something in the Local Law that deals with where these people with apartments are going to park – there is no parking downtown. Mr. Sinicropi suggested that a 4-story parking garage be built somewhere – then you will get some business here.

Payment of Bills:

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

- | | |
|--|--|
| General Fund - \$480,774.28 (Abstract #12) | Recreation Fund - \$54,874.68 (Abstract #12) |
| Miscellaneous Fund - \$171,961.18 (Abstract #12) | Vince’s Park Fund - \$867.88 (Abstract #12) |
| Highway Fund - \$75,433.87 (Abstract #12) | Sewer Fund - \$76,173.52 (Abstract #12) |
| Water Fund - \$75,267.54 (Abstract #12) | |

No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated he has been investigating some type of notification system to our citizens about emergency situations. The cost is about \$3,000 to have it online by providing an app. He will have information in January.

At 8:33 P.M., a motion was made to go into Executive Session to discuss personnel matters that relate to specific employees and prospective employees by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reconvene the regular Meeting at 8:58 P.M. by Michael Ferrara and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 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 8:58 P.M.

Respectfully submitted,

NICALETTA J. GREER
 Town Clerk

