

The Seneca Falls Town Board held a Special Meeting on Tuesday, June 15, 2021 in the Town Hall Meeting Room, 130 Ovid Street, Seneca Falls, NY.

Present were Supervisor Michael Ferrara; Councilpersons Dawn Dyson, Douglas Avery, Steven Churchill and David DeLelys. Also present was Patrick Morrell, Attorney for the Town.

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

Old Business:

Proposed Local Law #6 – 2021 – Moratorium: Mr. Ferrara stated the Board has a resolution which they are acting on tonight because the County Planning Board acted on the proposed local law at their Meeting last Thursday night.

A motion was made by Michael Ferrara and seconded by Dave DeLelys to adopt the following resolution:
WHEREAS, a public hearing was held on June 1, 2021 at the Town of Seneca Falls Community 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 6 NYCRR 617.5(c)(36); and
WHEREAS, after due deliberation, 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 No.6 of 2021 entitled “Local Law Imposing a Temporary 1 Year Moratorium on Approvals for Energy Production and Distribution Facilities”, 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.

Joseph Dendis, said he is the Landowner of part of this that’s going on, and he would like to know why this is a project we are stopping – bad things are happening and good things are stopped. Mr. Ferrara replied there was discussion at the Public Hearing, and many people who spoke from the public expressed their concerns. He said the Board needs to look at renewable energy as far as progressing. There is nothing specifically in our planning and zoning regulations which are specific to renewable energy projects like solar farms, wind farms and other similar types. Mr. Ferrara stated the Board relies on the volunteers of Planning and Zoning Boards to use their discretion on projects. He added this moratorium will specifically identify and create zoning and planning regulations specifically for renewable energy projects. Mr. Dendis stated he just doesn’t get it – what would the reason be to vote it in. Mr. Ferrara stated the Board voted 4-1 to get it here; the vote on the moratorium is right now – the Board is in discussion. Mr. Churchill stated it’s been out there for two months; it has gone to the County Planning Board. Mr. Dendis asked if it was the practice of the Town of Seneca Falls to not notify the landowners. Mr. Churchill said no, it was published in the Finger Lakes Times. He added this doesn’t target any specific project; this is just to address the fact that Town of Seneca Falls codes is not up-to-date when it comes to energy products. Mr. Churchill said the Board wants to get up-to-date; it can implement a moratorium, review where we are, and update our codes and Comprehensive Plan accordingly. He said if it doesn’t take one year, the Board can end the Moratorium prior to one year. Mr. Dendis said so the answer is people that are underway on a project, you don’t contact them. Mr. Churchill replied it’s not necessary – it’s not required to implement a moratorium. After further discussion, Mr. Morrell stated until there is actual construction with permits issued, those projects will not be affected by the moratorium. He added the Revlmg project is still a ways off for any permits to be issued. This would affect that project.

Mr. Avery expressed concern – he just wants to see that during this year, the Board does something – we don’t stop the projects and focus on other things. Mr. Ferrara stated if this resolution passes, he would hope that the Board would entrust the Planning Committee to work through this – they have already started to look at this, and it is high on their Agenda to address it. Mr. Morrell mentioned that this is the same Committee that has brought all the changes to the Board; they are turning the page and focusing on this. Discussion followed relative to Members of the Boards who are participating on this Committee.

Mr. Ferrara mentioned a couple of things that were upsetting to him. Twice in the last four months a Councilman has insinuated that there is something smelly or dirty going on; that’s completely not true. In the

June Meeting, we accused the Town Attorney that it stinks; we should not be saying those things about the Town Attorney. This all came about because of one project which is Revlng. Mr. Ferrara read a part of the Comprehensive Plan, and encouraged the Board Members to look at the Plan. He also encouraged the Board to read the Seneca Falls Development Corporation's Economic Plan.

Mr. Ferrara said as we impose this moratorium, he is strongly suggesting that the Board keep in mind that we should be moving forward in trying to work at what is best for the Community. He added simply, the Board is voting on eliminating a gas station – that's all this Revlng project was – a gas station, nothing more.

Mr. Churchill made a motion to call the question; Mr. Ferrara seconded the motion. Motion carried.

The above motion made by Michael Ferrara and seconded by Dave DeLelys to adopt the above resolution authorizing the adoption of Local Law #6 of 2021, imposing a temporary 1-year moratorium on approvals for energy production and distribution facilities, was carried 4 ayes, 1 nay; Supervisor Ferrara with the dissenting vote.

Domenica Catalano stated at the Planning Board Meeting, Mr. Ferrara stood up and said that if they didn't push this through – Mr. Ferrara said that is absolutely incorrect. What he said at the Planning Board Meeting was you are not elected officials, you are appointed, and you should be making decisions based on the Planning Board regulations and under the advice of the Attorney. He added Planning Board and Zoning Boards have to make decisions based on what is in front of them and what the actual codes are.

Mr. Avery stated he has a lot of respect for Planning and Zoning Board Members, but to him, it's simply how to take projects and make it happen legally, not whether a project should happen or not. Mr. Ferrara commented that we have to do a better job as people and elected officials to be more informed as well. The Board needs to spend time looking at Zoning Board and Planning Board minutes to see what is going on, because this project has been in the works for 9-10 months. He added it wasn't something that just popped out of the air- we all need to do a better job.

New Business:

Parks and Recreation Resolution – Surplus Docks: A motion was made by Steve Churchill and seconded by Michael Ferrara to adopt the following resolution:

BE IT RESOLVED that the Seneca Falls Town Board approves the surplus of two sections of dock removed from VanCleaf Lake. They are no longer functional or safe and have been removed from the Lake and moved to the parking lot of the Community Center. Auctions International will advertise the sale of the dock upon Town Board approval.

Mr. Ferrara stated the docks were down near the Trinity Church; they were poorly designed, and during the wintertime, they cracked; there is one workable section that is there.

The above motion made by Steve Churchill and seconded by Michael Ferrara to adopt the above resolution approving the surplus of two sections of dock was carried 5 ayes, 0 naves.

Special Event – SF Canalfest 2021: Mr. Ferrara stated the SF Business Association is looking for approval for Canalfest 2021 to be held August 20th-22nd.

A motion was made by Michael Ferrara and seconded by Dawn Dyson to approve the SF Canalfest 2021 Event which will be held on August 20th-22nd as it is a benefit to the Community.

Mr. Ferrara said it appears everything is in order as of today; NYS is back on pre-COVID; 70% of the State as been vaccinated.

The above motion made by Michael Ferrara and seconded by Dawn Dyson to approve the SF Canalfest 2021 Event was carried 5 ayes, 0 naves.

Mr. Ferrara said he has a couple of FYIs that he needs direction on. There are three grants coming up that need the Board's attention if they want to apply for them. The GIGP is the water meter application; if the Board is looking at doing a water meter project, it agreed to try and get some money first and then go ahead with the project. It has to be done asap if the Board is still interested.

The Local Waterfront Revitalization Program is a planning grant, and the third one is the Canal Grant. He said

the Town owns the Canal wall and we are responsible for its repair. The wall is on the north side of the Canal between Peoples Park and Ovid Street Bridge. Mr. Ferrara said this is an application that can be used for that type of thing; if we get it, we can use it for restoring that wall. Mr. DeLelys asked if the Canal had to be drained; Mr. Ferrara replied no. Mr. DeLelys asked if it could be done with some of the DRI money. Mr. Avery replied it could be, but as far as the DRI is concerned, there was a proposal for the south side but the State did not leave those in. Mr. Ferrara said in his conversations, he thinks we will see some flexibility with these projects. Brief discussion followed.

Mr. Ferrara mentioned that there are no defibrillators on this side of the building. He said the Police have one but it's mobile. There is no defibrillator at Vince's Park, Sewer Treatment Plant or the Highway Department. He is trying to find a cheaper price, but right now we are looking at \$1,500 per defibrillator. Mr. Ferrara said he will be talking to the Board about it later in July.

Mr. Ferrara referred to Butler Avenue and the new School Bus Garage, and said they are tying into the drainage. Their contractors are looking at tying into our drainage on Butler Avenue. The pipes are completely deteriorated; it partially works, but when it rains it fills up – this is the storm sewer, not sewer lines. He and Mr. Peterson have been meeting with School District officials, and the bottom line is Mr. Peterson does not have time to do it at this time – their timeline is different than our timeline. Mr. Ferrara said he is asking for the Board's permission for them to do it. They will pay part of it and the Town will have to pay part of it. He doesn't know what the Town's part will be, but he thinks it will be in the \$20,000 range. He said it's the Town's and they are going to do it because there isn't time in Mr. Peterson's schedule to get it done before the project is done. Mr. Ferrara said he may be asking for the Board's approval on June 30th if he has the numbers.

Mr. Ferrara said one last thing to think about – if the Board wants to secure the Ludovico Trail and stop the graffiti and everything else that goes on down there, we are looking at about \$20,000. This is to bring in electricity and cameras that are suited for that type of thing. He will have official paperwork for the Board at the July 6th Meeting – it's something to think about. Mr. Avery said this is to monitor the bridge abutments, correct? Mr. Ferrara replied correct. Mr. Avery said this is not to monitor the Trail.

Mr. DeLelys stated the Governor is giving municipalities Fridayoff for workers. Mr. Morrell said he cannot do that – State workers can do that. Mr. Ferrara said June 19th is a State holiday and this year it falls on a Saturday; if a holiday falls on a Saturday, you don't have to provide for a day off, and if it falls on a Sunday, then you would have Monday off. He said the Board is going to have to make that decision to make it a paid holiday. There is nothing in the provisions from the Governor or Legislature that it's a paid holiday. Mr. Ferrara added it's something the Board will have to decide for 2022 unless they want to vote on it today. He suggested that the Board does this next year. The Board agreed to wait until next year.

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

Meeting adjourned at 6:37 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

