

The Seneca Falls Town Board held Public Hearings and Meeting on Tuesday, August 1, 2023 in the Town Hall Meeting Room, 130 Ovid Street, Seneca Falls.

Present were Supervisor Michael Ferrara; Councilpersons Frank Sinicropi, Steven Churchill, Dawn Dyson and Kaitlyn Laskoski. Also present were Patrick Morrell, Attorney for the Town; Peter Soscia, Town Manager; Peter Porcelli, Zoning Officer; Deborah VonWald, Assessor; Lt. Thomas Cleere and Lesen Gleason, Town Engineer.

Public Hearing – Proposed Improvements of SF Water Treatment Plant & Distribution System: A motion was made to open the Public Hearing at 6:00 P.M. by Dawn Dyson and seconded by Kaitlyn Laskoski. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated this is for a WIIA Grant application to the State for up to \$5 million in funding. He added if this is approved and the Board decides to move forward, we will be in line for zero percent financing for the balance. These are improvements to a 1940 Treatment Plant to make upgrades. Mr. Ferrara said this is Phase I of the project; total estimate is \$24 million. He asked if anyone from the Public would like to speak regarding this project.

Since there were no comments from the Public, a motion was made to close the Public Hearing at 6:05 P.M. by Dawn Dyson and seconded by Kaitlyn Laskoski. No questions. Motion carried 5 ayes, 0 nays.

Public Hearing – Proposed Local Law #3 – Amend Chapter 213 of Town Code – Peddlers, Solicitors, Transient Business and Mobile Food Vending: A motion was made to open the Public Hearing at 6:05 P.M. by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated the major focus of changing this law is that right now, there is no restriction for someone with a food truck to open up on Fall Street near one of the businesses. He said this does not restrict them from doing Special Events. There is a section in the local law which says the Board can make a decision on Special Events case-by-case. Mr. Morrell pointed out that the Board received some comments from the SF Business Association, and the local law was revisited based on their comments. Mr. Ferrara asked if there were any comments from the Public.

Since there were no comments, a motion was made to close the Public Hearing at 6:10 P.M. by Dawn Dyson and seconded by Kaitlyn Laskoski. No questions. Motion carried 5 ayes, 0 nays.

Public Hearing – Proposed Local Law #4 – Add Chapter 215 to Town Code – Rental Property: Landlords and Criminal Activity: A motion was made to open the Public Hearing at 6:10 P.M. by Dawn Dyson and seconded by Kaitlyn Laskoski. No questions. Motion carried 5 ayes, 0 nays.

Mr. Ferrara stated this local law is to address the cleanup of rental properties and to address absentee landlords. He said this will require that a local person has to be in charge so that we can call if there is an issue with the property.

Mr. Sinicropi stated in this local law, he thinks the fining process is defective in the sense that if a person doesn't comply, you can fine them up to \$500 a month. These huge complexes can afford to pay \$500 a month and they can stay out of compliance. Mr. Sinicropi said \$500 is not a big enough fine – he thinks it should be made more substantial.

A comment was made that a landlord is getting fined \$500 a month to get in compliance, but it takes how long to get the tenants out that is the problem. Mr. Morrell stated that is the landlord's problem. Mr. Ferrara stated the Zoning Officer or the Town Board does not have the authority to evict someone. He asked Mr. Porcelli to explain the process when there is a violation which he proceeded to do. Discussion followed.

Mr. Churchill asked if the Town can put liens on the property when they build up a certain amount on infractions. Mr. Morrell replied there is no amount owing under this or a violation of any other part of the Code until a Judge says so. Mr. Churchill said what if we don't turn it over to the Court and they owe us. Mr. Morrell responded we don't have the authority to do that. Further discussion followed.

Mr. Ferrara asked if there were any comments from the Public. Since there were no comments, a motion was made to close the Public Hearing at 6:20 P.M. by Dawn Dyson and seconded by Kaitlyn Laskoski. No questions. Motion carried 5 ayes, 0 nays.

Supervisor Ferrara called the regular monthly Meeting to order at 6:20 P.M. A roll call of Board Members was taken and all were present. The Pledge of Allegiance followed.

Petitioners:

Martha Uticone – Dogs: Martha Uticone of 14 Chestnut Street stated she is concerned about safety and the dogs in this town. She walks a lot for exercise. On July 13th, she was walking on East Bayard Street when two German Shepherd dogs went after her. She thought they were both on leashes; one stopped because he couldn't go any further, and the other was not connected to anything and he kept coming after her. She screamed until the owners finally came out. She ended up in the Emergency Room where she had eight stitches in her arm.

Mrs. Uticone said she doesn't know if there are laws or ordinances, but they need to be tightened up. Dogs need to be in the back yard, not in the front. She added wherever you want to put the dog, it needs to be on a chain – a leash or rope will rot. Mrs. Uticone stated when you talk about safety and security in the Town, please talk about this; we have to do something. Mr. Ferrara said he was sorry for her traumatic experience. He will talk to the Animal Control Officer to see if we can do things better.

Allison Stokes – News Update: Allison Stokes stated her home is at 63 W. Bayard Street which is in the Historic District, and she has owned it for 20 years. In 2016, she moved to Rochester, and her home here is being sold. She had contact with the buyer who values the house as much as she does for the same reasons – it's history and history of Seneca Falls.

Ms. Stokes stated she has arranged a time to have a phone conversation with Dr. Harvey Fladd, a Vassar College professor who is working on a profile of the Seneca Falls Community. She said his report is required for SMI to expand its landfill beyond 2025. His report is required because Seneca Falls has been designated as a disadvantaged community. She mentioned that studies show that cancer rate is higher here than any geographic surrounding areas. Ms. Stokes said she relocated to Rochester after she was diagnosed with breast cancer which she attributes to toxic air or water from SMI. She confirms advocating for the health, well-being and prosperity of the people of Seneca Falls and the Town itself by suggesting that SMI must close by the end of 2025.

Tony D'Arpino, Greenleaf Builders – 10 Fall Street: Tony D'Arpino, Vice President of Greenleaf Builders, stated they are developers based out of Rochester, New York. They submitted an RFP for 10 Fall Street, but wasn't awarded. They are hoping to reinvent their interest to the Board. They have interest for the adjacent property (2 Fall Street), and their hope is to purchase 2 Fall Street and 10 Fall Street and put together an affordable project in that vicinity. He mentioned that affordable housing is being pushed throughout the State of New York.

Mrs. Dyson asked if affordable housing is low-income housing; Mr. D'Arpino replied most housing is based on average income. Mr. Churchill asked if it was subsidized housing. Mr. D'Arpino replied there is a small section in a project based on Section 8. Mrs. Laskoski asked how many units. Mr. D'Arpino replied the concept right now is potentially 30-32 units at 2 Fall Street, and the existing building at 10 Fall Street will be an additional 30-40. Further discussion followed relative to affordable housing and the concept of the project.

Michael Calabrese: Michael Calabrese, who owns a commercial property at 49 W. Bayard Street, requested that the Board act on his behalf. He said this focus is on a sign at 30 W. Bayard Street. He doesn't have a problem with the sign, but he has a problem with unfair and unequal treatment from the Heritage Preservation Commission. Mr. Calabrese said he had an application that was denied. There was an application for this property which was instantly given a temporary approval within 30 seconds.

Mr. Calabrese stated the letter that was given to Board Members was issued seven weeks ago to the Chairman of the Heritage Preservation Commission, and he has received no answer. Since the Heritage Preservation Commission answers to this Board, he challenged the Board to do whatever they have to do to get him an answer. Mr. Ferrara stated the Board appoints people to these Boards, but this Board has no authority over these Boards. He would be more than happy to reach out to Mr. Genco. Mr. Morrell said the Board appoints the HPC, but they don't necessarily answer to the Board. Mr. Calabrese said if this Commission doesn't answer to the Board, he would give Mr. Genco two options – answer the letter or resign. Mr. Ferrara said he would contact Mr. Calabrese after his conversation with Mr. Genco.

Mr. Ferrara gave the following updates:

- A lot of work is being done around Town regarding drainage. Mrs. Dyson asked Mr. Ferrara for updates about drainage problems a couple of weeks ago. Mrs. Laskoski asked who she goes through when she receives complaints about drainage issues. Mr. Ferrara replied me. Mrs. Laskoski said she doesn't go through Highway or Water and Sewer anymore? Mr. Ferrara said you can go through both – Water and Sewer and Highway collaborate together on projects.
- Mr. Ferrara referred to the Bayard Street Pump Station project, and said Tim Carpenter from MRB is working on a game plan which he is here to discuss. Benton Pond is full of debris and doesn't drain

very well. It also seems to undermine the road and creates some problems. One of the things is to put in a pump station to transfer the water into the Canal more efficiently. Mr. Ferrara said basically, it would be relining the culvert with a smaller pipe, and with the pump station we would be able to control the water which we can't do now. Lengthy discussion followed.

- Mr. Ferrara referred to Johnson Street and the flooding issue, and said Mr. Carpenter has put together a proposal. This will provide a culvert underneath the railroad tracks, and is something doable now. He said there is money in the drainage budget to get started and work on a design. Mr. Carpenter explained there is a 4" diameter conduit under the railroad which is way too small. By replacing that 4" conduit with a 36" conduit pipe, it would allow Johnson Street to drain much better. Mr. Carpenter had a conversation with Finger Lakes Railroad about this and they have no objection to it. Discussion followed. Mrs. Laskoski asked what budget line; Mr. Ferrara replied \$1 million is allocated for drainage. Mrs. Laskoski asked how much is still in that budget line; Mr. Ferrara replied he doesn't know the exact number but not much has been spent out of that budget. Mr. Carpenter said the cost is estimated at \$450,000 – it will be publicly bid so they can't tell exactly what the cost will be.

After further discussion, a motion was made to allow MRB to begin the design proposal for Johnson Street by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 5 ayes, 0 nays.

- The Comprehensive Plan continues to be developed, and it's hoping to have something for Board approval in October.
- Mr. Ferrara read a letter from Chief Snyder which expressed appreciation to the first responders and thanked them and all that participated in the search for the missing elderly woman.
- They are continuing to make the necessary updates based on the Auditors report and their recommendations.
- Mr. Ferrara referred to mowing delinquent lawns and said between collaboration of Parks & Recreation, Highway and Peter Porcelli, we are mowing the lawns ourselves. Mrs. Dyson asked where does it get added to the homeowner. Mr. Ferrara replied we bill them, but most of the time they don't pay. Brief discussion followed.
- Mr. Ferrara said that he and Mr. Soscia have been looking at some of our reserves and accounts, and started to move some money into higher interest accounts. It doesn't restrict the money but is there to use when needed. In early calculations, it will be generating about \$250,000 in interest.
- Mr. Ferrara said there are three major problems downtown. There are three trees that have buckled the sidewalk. He would like Board approval to cut the trees down and repair the work, as we are looking at a serious safety issue. Mr. Morrell said the tree at 106 Fall Street should be included.

A motion was made to get a quote to remove trees and repairs by Dawn Dyson and seconded by Kaitlyn Laskoski.

Mr. Churchill said he hates cutting trees down because they don't get replaced. He knows there are ways to adjust sidewalks. He thinks we should look at some other options. Mr. Morrell said to include the tree closest to the corner at 106 Fall Street. Brief discussion followed relative to also seek estimates for other options.

The above motion made by Dawn Dyson and seconded by Kaitlyn Laskoski to get an estimate to remove trees and repairs was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

- Mr. Ferrara said he has been approached by a sign company to rent some space at the Kingdom Road Pump Station. They would pay \$7,000 a year for rental fees and would provide a host agreement to provide a digital sign for the Town of Seneca Falls in front of 130 Ovid Street, and provide 600 minutes a week for Town events. He said their sign would be very professional and a very nice -looking sign. Mr. Ferrara said there is digital sign by the Liquor Store which is not 500' away, and there is a zoning law that says they have to be 500' apart. He added the Town has the authority to supersede that law. Mr. Morrell said it does not comply with zoning as the signs would be too close. They would need a variance to do that, and the Town would be part of the application as the landowner. He asked if the Board wanted to entertain this. The Board agreed that they are not in favor of the proposal.
- Mr. Ferrara stated the Ludovico Trail is looking for some inkind services for the maintenance of the Trail. He walked the Trail with Liz Rossetti and Mr. Wendt to see what needs to be done. Mr. Wendt said it would be about two weeks for one person from the Highway Department to do it. He thinks the Trail is an intricate part of our Community. Mr. Churchill stated he would support it because it is something the people use. Mrs. Laskoski asked if we have the Staff to do that. Mr. Churchill mentioned to only do it if they have the time. Mr. Morrell mentioned that this would be some type of contribution in the form of inkind services from the Town to this not-for-profit group. He added there should be a written agreement to memorialize what benefit is coming to the Town in exchange for the work being performed. Mr. Soscia said he would draft some language for the next Meeting.

- Mr. Ferrara referred to the reval and said Mrs. VonWald has some information. The level for Senior Citizens property will go up to \$94,120 for the coming year; without the reval, it would be \$81,000. He added this will provide an opportunity for more Senior Citizens to get the Enhanced Star. For the Basic Star, that level was raised to \$34,900; without the reval, it would be \$30,000.

Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of July 5, 2023 by Dawn Dyson and seconded by Frank Sinicropi. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to approve the minutes of the Special Meeting of July 11, 2023 by Frank Sinicropi and seconded by Dawn Dyson. No questions. Motion carried 5 ayes, 0 nays.

Communications:

Mr. Ferrara said Communications are in the Board's packets.

Mr. Ferrara noted the Board received reports from Department Heads, MRB and B&L. He asked if there were any questions. He mentioned that Laurie Fox is now the lead Grant Writer for MRB.

Old Business:

Sale of Town Property: Nothing to report.

Gravel Road Sewer: Mr. Churchill asked about Gravel Road Sewer and Mr. Ferrara's conversation with the Tyre Town Supervisor. Mr. Ferrara stated they met, and she is going back to her Board. She doesn't think it's a viable project because that part of Tyre does not have a lot of population.

Mr. Ferrara stated he talked to former Mayor Diana Smith about what is going on at State Street, Fall Street and Bayard Street, and she said it was never an issue. He talked to Senior Engineer Scott Butler from DOT and he had no idea what was going on in Seneca Falls. He assured Mr. Ferrara that he would get back to him which he did not. Brief discussion followed.

New Business:

Approval of Special Events:

A motion was made by Dawn Dyson and seconded by Kaitlyn Laskoski to approve the Taste and Tunes Special Event at Peoples Park on August 10, 2023. No questions. Motion carried 5 ayes, 0 nays.

Proposed Improvements of SF Water Treatment Plant & Distribution System (Town Law 202-b): Mr. Ferrara read the attached Order After Public Hearing Authorizing Increase and Improvement of Facilities of the Town of Seneca Falls Water Treatment Plant and Distribution System under Town Law Section 202-B. Mr. Morrell explained that this is the Order that authorizes the increase of the facilities of the water districts that is the subject of the Project and the Bond Resolution.

A motion was made by Kaitlyn Laskoski and seconded by Dawn Dyson to adopt the attached Resolution relative to the improvements of the SF Water Treatment Plant and Distribution System as per Town Law 202-b.

Mr. Morrell stated the subject of the Order is the proposed project which is \$17,700,000.00. The findings of the Board are at the end of the resolution and states that the construction of the improvements is in the best interests of the public. Mrs. Laskoski asked if there are other areas that would provide just as many points aside from Route 414. Mrs. Gleason replied yes, the Route 414 provides service to what is public water system. That is the only location that we are fortunate to get 25 points. Mr. Churchill referred to Seneca Meadows Education Center and said this is a private facility owned by Seneca Meadows. Mrs. Gleason said it's classified as a public water system. Discussion followed relative to the service area of the project and other areas that can be considered.

Mr. Churchill stated the County is aggressively looking at a water authority for Seneca County which would take control of all the water and sewer assets of Seneca County. He said a lot of these hundred million dollars projects to upgrade our plant should be left to the water authority to deal with. Further lengthy discussion followed.

The above motion made by Kaitlyn Laskoski and seconded by Dawn Dyson to adopt the attached Resolution relative to improvements of the SF Water Treatment Plant and Distribution System was carried 4 ayes, 1 nay;

Councilman Churchill with the dissenting vote.

Bond Resolution: Mr. Ferrara stated the attached Resolution authorizes the construction of improvements to the Town's Water Distribution System at an approximate cost of \$17,700,000.00, and authorizes the issuance of up to \$17,700,000.00 of Bond Anticipation Notes and Serial Bonds of the Town to pay the cost of the project. Mr. Morrell noted this is a Bond Resolution which is required to be passed by 60% of the vote which is four Board Members.

- A motion was made by Kaitlyn, Laskoski and seconded by Frank Sinicropi to adopt the attached Resolution authorizing the construction of improvements to the Town's Water Distribution System as stated above. No questions. Motion carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

W/S Resolution – Repair Fencing at Van Rensselaer Water Tower: A motion was made by Frank Sinicropi and seconded by Dawn Dyson to adopt the following Resolution:

WHEREAS, the Van Rensselaer water tower is secured with chain link fence installed in 1961 has sustained damage over the years from fallen trees; and

WHEREAS, three companies were contacted to quote the project, with only one providing a quote.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board authorizes Reale Fence Company of Geneva, NY to repair and replace a section of fence at the Van Rensselaer water tower at a cost of \$5,875.45; and be it

FURTHER RESOLVED, the project is budgeted under Line F8330.205, fence replacement.

No questions. Motion carried 5 ayes, 0 nays.

W/S Resolution – Purchase Sewer Jet for Vac Truck: A motion was made by Frank Sinicropi and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs a sewer jet for cleaning storm sewer pipes; and

WHEREAS, 2 bids were received for the sewer jet with the low bidder being Cyncon Equipment for \$5,551.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes purchasing said sewer jet from Cyncon Equipment for \$5,551.

No questions. Motion carried 5 ayes, 0 nays.

W/S Resolution – Purchase Powder Activated Carbon: A motion was made by Frank Sinicropi and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Water Treatment Plant feeds powder activated carbon to aid in the treatment of drinking water;

WHEREAS, powder activated carbon is an essential tool in removing toxins from harmful algae blooms.

NOW, THEREFORE, BE IT RESOLVED, that Seneca Falls Town Board approves purchasing 2,000 pounds of WPH powder activated carbon from sole source supplier Calgon Carbon Corp. for \$10,360.

Discussion followed as to the amount being purchased; the resolution says 2,000 pounds and the quote is for 4,000 pounds. Mr. Ferrara called Mr. Tullo to clarify the matter.

Mr. Ferrara made a motion to amend the resolution by purchasing 2,000 pounds of carbon at one-half the price, seconded by Frank Sinicropi.

After further discussion, Mr. Ferrara withdrew his motion to purchase 2000 pounds of carbon at one-half the price, and Mr. Sinicropi withdrew his second to the motion.

A motion was made by Kaitlyn Laskoski and seconded by Frank Sinicropi to amend the motion to approve the purchase of 4,000 pounds of carbon at a cost of \$10,360. No questions. Motion carried 5 ayes, 0 nays.

W/S Resolution – Purchase Auto Flushing Hydrant: A motion was made by Kaitlyn Laskoski and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Seneca Falls water system has multiple dead ends that require frequent flushing in order to maintain water quality; and

WHEREAS, three quotes were sourced for an automatic flushing hydrant.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board authorizes the purchase of an Eclipse 9700 auto flushing hydrant from the lowest quoted company USA Blue Book for \$2,729.99.

No questions. Motion carried 5 ayes, 0 nays.

W/S Resolution – Purchase Grasshopper 325D 72" Mower: Mr. Ferrara suggested taking this off the Agenda. He met with Mr. Porcelli and he has an idea which he would like to discuss with Water/Sewer and Highway. He added we should be doing more things collectively. After brief discussion, this item was taken off the Agenda.

Authorize Supervisor to Sign Contract with MRB – Grant Administration for Non-Agricultural Nonpoint Source Planning Grant Program: A motion was made by Kaitlyn Laskoski and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town of Seneca Falls has received a Non-Agricultural Nonpoint Source Planning Grant Program for evaluation of the Bayard Street culvert to Evaluate alternatives to improve the culvert; and
WHEREAS, the NYSDEC notified the Town of Seneca Falls that the Consolidated Funding Application (CFA) was accepted, and a planning grant has been awarded got a total of \$30,000.00; and
WHEREAS, MRB Group will ensure the award's specific grant administration requirements are met based on the Agency's identified documentation, contract, and individual grant administration guidance; and
WHEREAS, MRB Group will coordinate Worker Comp and Disability Insurance Compliance, MWBE Coordination and reporting, provide Quarterly Progress Reports.
NOW, BE IT RESOLVED, that the Town Board of Seneca Falls authorizes the Town Supervisor to sign the Engagement letter with the MRB Group for total compensation not to exceed \$3500.00.

Mr. Churchill said don't we have an agreement with MRB to do the grants. Mr. Ferrara replied they do the grant writing, but the administration of the grant is a different thing. Brief discussion followed.

The above motion made by Kaitlyn Laskoski and seconded by Dawn Dyson to adopt the above resolution authorizing the Town Supervisor to sign a contract with MRB was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Highway Resolution – Create Laborer's Position for Highway Department: A motion was made by Frank Sinicropi and seconded by Steve Churchill to adopt the following resolution:

WHEREAS, the Highway Superintendent submitted a request to Seneca County Personnel Department to review the job description prepared by the Superintendent; and
WHEREAS, the new Position Duties Statement (MSD222) was reviewed and determined that the most appropriate title for the position is Laborer which is currently in the Labor Classification; and
WHEREAS, the Highway Department already has two (2) Laborer positions filled; and
WHEREAS, the Highway Department needs to fill their current vacancies with a Laborer due to the absence of qualified MEO Light positions available. The anticipation is to promote the Laborer to MEO Light once CDL License is completed, and if it is determined the candidate is effective during his/her probationary period upon completion.
NOW, BE IT RESOLVED, that the Town Board of Seneca Falls approves the creation of an additional Laborer's position in the Highway Department at no additional expense to the 2023 Budget.

Mr. Ferrara stated this is the creation of a 3rd Laborer's position as we are having a hard time finding MEO Lights. Mrs. Laskoski asked if there is difficulty finding MEO Lights. Mr. Ferrara replied there are no MEO Lights on the Civil Service list.

The above motion made by Frank Sinicropi and seconded by Steve Churchill to adopt the above resolution creating Laborer position for the Highway Department was carried 5 ayes, 0 naves.

Highway Resolution = Replace Motor Equipment Operator Light: A motion was made by Frank Sinicropi and seconded by Steve Churchill to adopt the following resolution:

WHEREAS, the Highway Department would like to hire a Laborer to replace the Motor Equipment Operator Light that left; and
WHEREAS, the Highway Department will use this person to perform all the duties, except any duties that require a CDL, but would like to get a CDL so that he can perform all duties of a MEO. This Gentleman currently works for our Cemetery and has worked in the field of road work and grounds maintenance for many years, and will make a good fit in our Department. This will make for an easy transition.
NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does hereby authorize the hiring of Dale Gibson as Laborer starting at \$20.00 an hour.

Mrs. Laskoski asked if his background was checked. Mr. Sinicropi replied yes, they met with Mr. Wendt and reviewed his application, and interviewed the person. His application was also reviewed by the Chief of Police.

The above motion made by Frank Sinicropi and seconded by Steve Churchill to adopt the above resolution to hire a Laborer to replace the MEO Light was carried 5 ayes, 0 naves.

Highway Resolution – Replace Deputy Highway Superintendent: A motion was made by Kaitlyn Laskoski and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Highway Department would like to fill the position of Deputy Highway Superintendent; and

WHEREAS, the Highway Department will use this person to perform all the daily duties of an MEO and help in my absence during vacations, and tasks of keeping people busy while I am not available. This Gentleman currently works for the Highway Department, and has worked to show that he is capable of the job at hand, and will make a good fit for the position. This will make for an easy transition.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board hereby authorizes the hiring of Shawn Van Gee as Deputy Highway Superintendent with a stipend of \$1.50 an hour.

Mrs. Laskoski asked how long has he been working for the Highway Department. Mr. Sinicropi replied less than one year. Mrs. Laskoski asked if that is the longest that we have had employees for. Mr. Sinicropi replied there is one person that has been there for over 20 years. This is the person that he feels most comfortable with, and he will be training him. Mr. Churchill mentioned that an elected official can choose who he wants as a Deputy. Brief discussion followed.

The above motion made by Kaitlyn Laskoski and seconded by Frank Sinicropi to adopt the above resolution replacing the Deputy Highway Superintendent was carried 5 ayes, 0 nays.

Resolution – Set Up Capital Fund for Safe Routes to School: A motion was made by Frank Sinicropi and seconded by Kaitlyn Laskoski to adopt the following resolution:

WHEREAS, the Town of Seneca Falls has received grant monies for the Safe Routes to School Capital Project, Phase 3 of the Project; and

WHEREAS, the funds will be carried over from the 2022 Budget.

NOW, THEREFORE, BE IT RESOLVED, the Seneca Falls Town Board approves creating a Capital Project fund, as recommended by the State Comptroller's Office, to effectively track the revenue for the Project. Then to fund the Capital Project with the amount of \$165,956.71 carried over from the previous year.

Mr. Ferrara stated this is Phase 3 of Safe Routes to School. He said in the 2024 Budget, there will be a line item for the Town's contribution which is about \$478,000. Mr. Sinicropi asked if they would be doing both sides of a street; Mr. Ferrara replied they are working on the design now – sometimes both, sometimes one side.

The above motion made by Frank Sinicropi and seconded by Kaitlyn Laskoski to adopt the above resolution setting up a Capital Fund for Safe Routes to School was carried 5 ayes, 0 nays.

W/S Resolution – Appropriate Unexpended Fund Balance to Purchase Vacuum Truck: A motion was made by Frank Sinicropi and seconded by Kaitlyn Laskoski to adopt the following resolution:

WHEREAS, the Town of Seneca Falls appropriates funds according to the laws of the State of New York; and

WHEREAS, the Town Board has the sole authority to appropriate funds; and

WHEREAS, the Office of the State Comptroller of the State of New York advises that no accounts in the Town's Budget should contain negative balances; and

WHEREAS, insufficient funds were appropriated to purchase a new vacuum truck, and prior resolutions passed by the Town Board in March 2022 to utilize funds from the 2021 Budget to fund the purchase of a vacuum truck were not entered into the accounting system on a timely basis; and

WHEREAS, modification of these resolutions to fund the 2022 purchase of the vacuum truck will have no fiscal effect on the Town's water and sewer fund balances.

NOW, THEREFORE, BE IT RESOLVED, the Seneca Falls Town Board hereby approves the modification of the Town's 2022 Budget to appropriate funds directly from the F and G unexpended fund balances in the following amounts for the purchase of the Town's vacuum truck:

G8120.206 - \$37,103

G8130.212 - \$42,103

F8330.212 - \$47,427

F8340.212 - \$12,510

Total Appropriations - \$139,143,

No questions. Motion carried 5 ayes, 0 nays.

Resolution – 2022 Budget Transfer of Funds: A motion was made by Frank Sinicropi and seconded by Dawn Dyson to adopt the following resolution:

WHEREAS, the Town of Seneca Falls appropriates funds according to the Laws of the State of New York; and

WHEREAS, the Town Board has the sole authority to appropriate funds; and

WHEREAS, the Office of the State Comptroller of the State of New York advises that no accounts in the Town's Budget should contain negative balances; and

WHEREAS, unspent funds already appropriated in the Town's 2022 Budget are available to eliminate negative account balances at year end closing.

NOW, THEREFORE, BE IT RESOLVED, the Seneca Falls Town Board hereby gives authority to the Town Supervisor to approve budget transfers as described in the attached document for the purpose of eliminating negative account balances at the close of fiscal year 2022.

Mr. Sinicropi asked when do they anticipate closing the books for 2022. Mr. Soscia replied the actual accounting books are closed; they are reconciling bank statements now.

The above motion made by Frank Sinicropi and seconded by Dawn Dyson to adopt the above resolution authorizing the Town Supervisor to approve budget transfers was carried 5 ayes, 0 nays.

P&R Resolution – Appropriate Unexpended Fund Balances to Finance Emergency Facility Repairs: A motion was made by Katelyn Laskoski and seconded by Dawn Dyson to adopt the following resolution:
WHEREAS, the Town of Seneca Falls appropriates funds according to the Laws of the State of New York; and
WHEREAS, the Town Board has the sole authority to appropriate funds; and
WHEREAS, the Office of the State Comptroller of the State of New York advises that no accounts in the Town's budget should contain negative balances; and
WHEREAS, insufficient funds were appropriated in the Town's modified fiscal year 2022 budget to fund emergency repairs to the Vince's Park facility and Seneca Falls Community Center.
NOW, THEREFORE, BE IT RESOLVED, the Seneca Falls Town Board hereby approves the modification of the Town's 2022 Budget to appropriate funds directly from the CR and CR2 unexpended fund balances in the following amounts: Total Appropriations CR Fund - \$22,516.61 Total Appropriations CR2 Fund - \$27m524.07.
No questions. Motion carried 5 ayes, 0 nays.

Appoint Alternate Member of Zoning Board of Appeals: A motion was made by Kaitlyn Laskoski and seconded by Dawn Dyson to appoint John Wood as an Alternate Member of the Zoning Board of Appeals, said term expiring December 31, 2023. No questions. Motion carried 5 ayes, 0 nays.

Proposed Local Law #3 – 2023 – Amend Chapter 213 of Town Code: Mr. Morrell stated the first thing is to conduct the SEQR Review which was put together by MRB who worked with the Planning Committee to put together this Local Law. He said this is creation of a local law regarding peddling, soliciting, transient business and mobile food vending (food trucks). Food trucks has gotten the most attention, and they tried to incorporate the comments of the SF Business Association to keep food trucks out of the Business District and Sackett District. The SEQR documents were distributed to the Board at last month's Meeting, but no action was taken. Mr. Morrell stated in Mr. Logue's review, he didn't find any areas that would have impacts other than no or small impacts by adoption of this local law. He asked if the Board wanted to review the SEQR page by page, or is the Board satisfied with the document prepared by MRB Consultants. The Board agreed to not go through the document page by page.

A motion was made by Kaitlyn Laskoski and seconded by Frank Sinicropi to adopt the following resolution:
WHEREAS, the Seneca Falls Town Board (hereinafter referred to as "Town Board") has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and
WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by the MRB Group; and
WHEREAS, the Town Board has completed the public comment period provided for under SEQR Regulations; and
WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and
WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7© of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.
NOW, THEREFORE, BE IT RESOLVED, that said Action will not result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and
BE IT FINALLY RESOLVED, that the Town Board does hereby make a determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.
No questions. Motion carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

A motion was made by Dawn Dyson and seconded by Kaitlyn Laskoski 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 amend the Town Code as it relates to Peddlers, Soliciting, Transient Business and Mobile Food Vending; and
WHEREAS, the Town Board reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2 and 3 on the Action prepared by MRB Group; and
WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7©(1) of the SEQR Regulations and the information contained in the Full Environmental Assessment Form Parts 1, 2, and 3; and
WHEREAS, the Town Board made a determination of Non-Significance on said Action at the August 1, 2023 Town

Board Meeting; and

WHEREAS, the Town Board held a public hearing on said Action at 6:00 P.M. on August 1, 2023; 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 hereby adopts the amended Local Law #3 of 2023 entitled "Town of Seneca Falls Chapter 213 – Peddling, Soliciting, Transient Business and Mobile Food Vending"; 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.

Mr. Churchill stated he is not in favor of charging a fee and registering food trucks. He is not in favor of limitations within our Town. He doesn't feel it is a problem that exists; it's just adding regulations. Mr. Churchill thinks people want less regulations.

The above motion made by Dawn Dyson and seconded by Kaitlyn Laskoski to adopt the amended Local Law #3 of 2023 was carried 4 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Proposed Local Law #4 – 2023 – Add Chapter 215 to Town Code: Mr. Morrell stated there are 18 questions for environmental review. In review by the Town's Consultants, MRB Group, they found there was nothing more than either a small or no environmental impact that may occur as a result of adoption of this Local Law. Mr. Morrell stated having found no moderate or large impact, it would be appropriate for the Board to declare a negative declaration. After lengthy discussion, Mr. Ferrara requested that the minutes reflect that Mr. Churchill feels that it is the Town Board's responsibility to go through Parts 1, 2, and 3.

A motion was made by Frank Sinicropi and seconded by Kaitlyn Laskoski to adopt the following resolution:
WHEREAS, the Seneca Falls Town Board (hereinafter referred to as "Town Board") has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2 and 3 on the Action prepared by the MRB Group; and

WHEREAS, the Town Board has completed the public comment period provided for under SEQR Regulations; and
WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW, THEREFORE, BE IT RESOLVED, that said Action will not result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED, that the Town Board does hereby make a determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

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

A motion was made by Frank Sinicropi and seconded by Kaitlyn Laskoski 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 amend the Town Code to include a Chapter on Rental Property: Absentee Landlords and Criminal Activity; and
WHEREAS, the Town Board reviewed and accepted the Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by MRB Group; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3; and

WHEREAS, the Town Board made a determination of Non-Significance on said Action at the August 1, 2023 Town Board Meeting; and

WHEREAS, the Town Board held a public hearing on said Action at 6:00 P.M. on August 1, 2023; and

WHEREAS, after due deliberation, and consideration of the comments submitted by Town residents 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, the Town Board hereby adopts Local Law #4 of 2023 entitled "Town of Seneca Falls Chapter 215 – Rental Property: Absentee Landlords and Criminal Activity"; and be it

FURTHER RESOLVED, 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 to the adoption of said Local Law to the Secretary of the State of New York.

Mr. Sinicropi stated he is going to vote no if it's \$500 – he can go with \$2,500. He added \$500 is not enough to get anybody in compliance.

The above motion made by Frank Sinicropi and seconded by Kaitlyn Laskoski to adopt Local Law #4 of 2023 was carried 4 ayes, 1 nay; Councilman Sinicropi with the dissenting vote.

Water/Sewer/Pool Credits: A motion was made by Dawn Dyson and seconded by Kaitlyn Laskoski to approve the pool credits for August 2023 in the amount of \$3,074.40. No questions. Motion carried 5 ayes, 0 naves.

Any Other New Business:

SMI Host Community Agreement: Mr. Ferrara said he has one item for New Business. He handed out a new HCA which was negotiated with SMI and the Town and is contingent only if DEC gives Seneca Meadows their permit. He noted this will be posted on the website tomorrow and copies will be available in the Town Clerk's Office. Mr. Churchill asked if there was a reason why this wasn't on the Agenda. Mr. Ferrara replied this is under the Board Member Agenda. Mr. Churchill said this is not on the Agenda so the public doesn't know it's being presented. Mr. Ferrara also handed out a Memorandum of Understanding. He requested that the Board review this for the next month as action will be taken into consideration at next month's Meeting. He noted no Board action will be taken tonight.

Mr. Churchill asked who negotiated these agreements. Mr. Ferrara replied the Committee appointed in January 2023 (Mr. Ferrara, Mrs. Laskoski, Mr. Morrell and Engineers).

A motion was made by Steve Churchill to postpone going over anything regarding the Host Agreement until September. Since there was no second, the motion did not pass.

Mr. Ferrara stated this presentation will give an overview of what the Host Agreement is about. Brody Smith from Bond, Schoeneck and King and one of the Members of the negotiating team, will give some insight and answer questions. Mr. Churchill asked if he will be here in September; Mr. Smith replied he will do whatever the Board wants him to do. At this point in the Meeting, Mr. Churchill left the Meeting.

Mr. Smith stated the Memorandum of Understanding is an initial agreement expressing an intention of entering into a binding agreement at a later date. This Memorandum of Understanding is not binding on the parties, but is a statement of your intention to go forward with a binding agreement in the future. The DEC has a process that they have to go through, and the Planning Board has a process they have to go through. Mr. Smith explained what the Host Agreement is and what it provides, such as measures to mitigate the negative impacts on the community, compensation to the community to address negative impacts, and equitably distribute the costs of solid waste management to entire service area.

Mr. Smith stated the Town cannot enter into an HCA until the DEC has completed its environmental review. SMI must complete the permit process including the environmental review before the Town can issue local approvals and enter into a final agreement with SMI. Mr. Smith said the Board will consider a resolution to enter into a MOU with SMI. Mr. Ferrara added nothing happens with the HCA until 2024 and until the DEC approves. Discussion followed relative to the Planning Board's process.

Mr. Ferrara said the Committee determined that the major concern is odor control and odor reporting. Hans Arnold and Bill Doebler of Barton & Loguidice addressed the new restrictions that would be required if we go forward with this agreement. Mr. Arnold said SMI will retain an independent third-party that will be operating 24/7 – 365 to take in all complaints, log in those complaints and respond to those complaints within a one-hour time period. The Town will be notified of the complaints received; there will be a log kept and the Town will receive regular reports. Mr. Arnold said the system will be set up by a third party, and the people will have to be trained and certified. Further discussion followed relative to complaints and the third party.

Mr. Doebler explained that the third party will be a consultant or contractor, along with Town personnel. He mentioned hydrogen sulfides and said hydrogen sulfide is what you smell when there are odors from the Landfill, not methane. Methane is completely odorless and colorless – it's like carbon monoxide. One of the components that is put in the landfill is hydrogen sulfide. Everyone will be trained in hydrogen sulfide data collection using a Jerome Meter which is the world standard for detection of hydrogen sulfide components. Mr. Ferrara stated the whole emphasis from Day 1 was odor control and management.

Mr. Ferrara stated SMI will collect the whole Town's garbage at no cost to the Town. No disposal fee will be charged to the Town up to 5,000 tons per year. Mr. Ferrara stated SMI will continue to support the SF Fire District (and Bridgeport Fire District) and will provide \$30,000 a year which will be used to purchase special equipment for fire suppression and control at the facility.

Mr. Ferrara stated when the Host Agreement is executed, SMI will provide the Town with a \$1 million check. They will provide a one-time payment of \$2 million upon receipt of all necessary permits to construct the Expansion. The annual fee SMI will be paying the Town is about \$10,000,000.00 a year, which is 4.5 times higher than the current agreement. SMI will pay the Town approximately \$250,000 a year for engineering services. Mr. Ferrara stated this is approximately \$173,625,000.00 in payments to the Town over the 15-year operating life of SMI. His recommendation is to allocate the money into different reserves, such as \$2.5 million for property tax stabilization; \$250,000 for odor testing and response; \$2.5 million for an athletic complex; \$2 million in wastewater improvements; \$1.5 million in drinking water treatment plant; \$1 million for other capital improvements and \$1 million in Contingency Budget. Mr. Ferrara stated this is only contingent on the DEC giving SMI a permit. He said the Board will be considering a Memorandum of Understanding -it is not a legal document you would be approving.

Mr. Ferrara stated the public will have a month to review this. In September, the same people will be at the Meeting to answer any questions. He added this is completely transparent, and the public is welcome to comment. Further discussion followed.

Payment of Bills:

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

General Fund - \$186,380.52 (Abstract #8)

Recreation Fund - \$7,054.29 (Abstract #8)

Miscellaneous Fund - \$27,023.55 (Abstract #8)

Vince's Park Fund - 4,965.57 (Abstract #8)

Highway Fund - \$36,164.88 (Abstract #8)

Sewer Fund - \$370,664.58 (Abstract #8)

Water Fund - \$40,010.32 (Abstract #8)

No questions. Motion carried 5 ayes, 0 nays

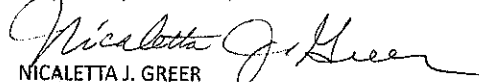
At 9:51 P.M., a motion was made by Katelyn Laskoski and seconded by Dawn Dyson to go into Executive Session to discuss ongoing litigation pursuant to Public Officers Law 105(d) and to discuss the sale of real property where publicity is likely to affect the fair market value of the properties involved, and a personnel issue. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reconvene the regular Meeting at 10:16 P.M. by Dawn Dyson and seconded by Frank Sinicropi. No questions. Motion carried 5 ayes, 0 nays.

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

Meeting adjourned at 10:16 P.M.

Respectfully submitted,


NICALETTA J. GREER
Town Clerk

