

SENECA FALLS TOWN BOARD REORGANIZATIONAL/REGULAR BOARD MEETING JANUARY 4, 2022

The Seneca Falls Town Board held a Reorganizational and regular monthly Meeting on Tuesday, January 4, 2022 in the Town Hall Meeting Room, 130 Ovid Street.

Present were Supervisor Michael Ferrara; Councilpersons Kaitlyn Laskoski; Steven Churchill and Frank Sinicropi. Also present were Patrick Morrell, Attorney for the Town; Dean Zettlemoyer, Interim Zoning Officer; Deborah VonWald, Assessor; Stuart Peenstra, Police Chief; Joseph Tullo, Chief WWTP Operator; Mary Jones, Interim Recreation Director and Peter Baker, Town Engineer.

Supervisor Ferrara called the Reorganizational and regular monthly Meeting to order at 6:10 P.M. A roll call of Board Members was taken and Councilwoman Dyson was absent from the Meeting; the Pledge of Allegiance followed.

Reorganizational Meeting:

2022 Appointments: A motion was made by Frank Sinicropi and seconded by Kaitlyn Laskoski to accept the following 2022 appointments:

Attorney for the Town: Patrick Morrell

Special Counsel Attorney: Boylan Code

Labor Relations Attorney: Colin Leonard, Bond, Schoenick & King

Town Engineering Firm: Barton & Loguidice

Drainage Engineers: MRB Group

Financial Consultant: Bernard P. Donegan

Grant Writing Services: MRB Group

Deputy Town Clerks: Kathryn Lankford, Linda Marzan and Melissa Howell

Deputy Tax Collector: Linda Marzan

Court Clerks: Ashley VanDoren, Courtney Adams and Lisa Hochadel

Deputy Supervisor: Frank Sinicropi

Deputy Highway Superintendent: Timothy Pagano

Deputy Wastewater Treatment Plant Operator: Brian Devay
Deputy Water Treatment Plant Operator: James Varricchio
Deputy Water/Sewer System Operator: Fred Peterman

Assistant Zoning Officer: Nicaletta J. Greer
Secretary to Planning/Zoning Board & Heritage Preservation Commission: Melissa Howell

Registrar of Vital Statistics: Nicaletta J. Greer
Deputy Registrar of Vital Statistics: Kathryn Lankford
Records Management Officer: Nicaletta J. Greer
Dog Control Officer: Dallyn Jenkins

Members of Recreation Commission: Jeremy Anderson – Term expires December 31, 2027
Angela Reardon – Term expires December 31, 2027

Ex-Officio (Recreation Commission): Stuart Peenstra

No questions. Motion carried 4 ayes, 0 naves.

Member Planning Board: A motion was made to appoint Kathleen Lutz as a Member of the Planning Board, term expiring December 31, 2026, by Michael Ferrara and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 naves.

A motion was made to appoint Marie Scoles and Matt Blair as Alternate Members of the Planning Board, terms expiring December 31, 2022, by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 naves.

Member Zoning Board of Appeals: A motion was made to appoint Susan Sholar as a Member of the Zoning Board of Appeals, term expiring December 31, 2026, by Frank Sinicropi and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 naves.

A motion was made to appoint Gerald Drake as Alternate Member of the Zoning Board of Appeals, term expiring December 31, 2022, by Frank Sinicropi and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 naves.

Heritage Preservation Commission: Mr. Ferrara stated there are vacancies on the Heritage Preservation Commission, and also an Alternate Member vacancy on the Zoning Board of Appeals; anyone interested, contact the Town Clerk.

Cemetery Commission: A motion was made to appoint Susan Sauvageau as a Member of the Cemetery Commission, term expiring December 31, 2026, by Frank Sinicropi and seconded by Steve Churchill. No questions. Motion carried 4 ayes, 0 naves.

Town Historian: A motion was made to appoint Fran Barbieri as Town Historian by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 naves.

Town Auditors: A motion was made to appoint the Bonadio Group as Town Auditors by Frank Sinicropi and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 naves.

A motion was made by Michael Ferrara and seconded by Kaitlyn Laskoski to adopt the following:

Meeting Date: First Tuesday of each month at 6:00 P.M>

Official Banks: Community Bank, Five Star Bank, M&T Bank, First Niagara Bank, Lyons National Bank.

Official Town Newspaper: Finger Lakes Times.

Mileage/Per Diem Rate: Per Diem Rate – Current IRS Mileage Rate and Per Diem Rate.

No questions. Motion carried 4 ayes, 0 naves.

A motion was made to adopt the Procurement Policy by Frank Sinicropi and seconded by Steve Churchill. No questions. Motion carried 4 ayes, 0 naves.

Committee Assignments: A motion was made to approve the following Board Committee Assignments by Michael Ferrara and seconded by Frank Sinicropi:

Assessment – Frank Sinicropi, Chair and Dawn Dyson

Economic Development – Michael Ferrara, Chair and Kaitlyn Laskoski

Recreation – Dawn Dyson, Chair and Frank Sinicropi

Highway/Public Works – Michael Ferrara, Chair and Frank Sinicropi

Waste Management – Steve Churchill, Chair and Frank Sinicropi

Personnel – Frank Sinicropi, Chair and Dawn Dyson
Website/IT – Michael Ferrara, Chair
Public Safety – Kaitlyn Laskoski, Chair and Michael Ferrara
Court – Kaitlyn Laskoski, Chair and Dawn Dyson
Water/Sewer – Michael Ferrara, Chair and Frank Sinicropi
SF Development Corporation – Michael Ferrara, Chair and Kaitlyn Laskoski
SMI Committee – Michael Ferrara, Kaitlyn Laskoski and Patrick Morrell
Town Board Liaison to Visitor's Center – Steve Churchill
No questions. Motion carried 4 ayes, 0 nays.

A motion was made to close the Reorganizational Meeting by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 nays.

Supervisor Ferrara called the regular monthly Meeting to order; the Pledge of Allegiance followed.

Petitioners:

Jean Gilroy – Odor Control: Jean Gilroy stated she called in an odor report of Seneca Meadows stink at her residence three days before Christmas. She sat at her window for 45 minutes waiting to see who showed up. A truck sat in her driveway with the windows rolled down; they took a video to prove they were there, but never got out of the truck. She asked why they didn't call her, and they said she was tagged as nasty. Mrs. Gilroy said she has never been nasty – she is not nasty when she calls and she is not nasty with people who come to her door. Mrs. Gilroy said on Christmas Day, she drove from Magee Corners to Gravel Road, three miles in stink in her car all the way. She did not call Seneca Meadows because it was Christmas Day. A lot of times she doesn't call, and when she does, she gets at least two people to verify what she is smelling – sometimes they agree, and sometimes they don't. Last night at 11:30 PM, she called in an odor report; 45 minutes later, a truck pulled up and sat in her driveway. No one got out of the truck; the truck was running with gas fumes, and no one did anything, and five minutes later they left.

Mrs. Gilroy stated Seneca Meadows has no business tagging anyone as nasty. She said we are your constituents and we don't deserve to be called names – we have always complained in a business-like manner. The role of government in this Town is to protect the health and safety of residents. She reminded the new Town Board that they have a fiduciary responsibility to the people of Seneca Falls not to grant a giant mega corporation a permit because the odors are not under control.

Mr. Churchill corroborated that last night, (he lives about ¼ mile south of Mrs. Gilroy) he noticed that the odor was atrocious outside – it was really bad.

John Dendis: John Dendis, 1566 Burgess Road, stated in 2016, he requested to talk to Mr. Black about the odor. When they met, and Mr. Black told him they knew what the problem was and within three weeks they will have the problem solved. He said Seneca Meadows will not relinquish smell reporting because they will lose control. They have no credibility on this. He referred to an odor report and some of the odor complaints that were made. Mr. Dendis said if you can get them out of the vehicle, they will admit to it; if you don't, 100% of the time you will get a report – no odor on site, no odor on this complaint site.

Mr. Dendis stated recently, a lot of money was put into this election, and he is sure they expect a return on that. He suggested, and implored on the Board as a matter of their credibility, that they make three trips by Seneca Meadows on a Sunday (out Rt. 414, across Strong Road and down Burgess Road and North Road), and if you don't get a stench all three times, he will be surprised. He added whatever the Board plans to do when they go forward with this, at least they would have taken the responsibility to see how bad it really is, and they can decide if they really want the money or is it just the money thing. Then the Board will have some credibility that they are honest; is the money worth it and who cares about the people or the dump.

Retirement of Alice Capacci: Mr. Ferrara stated in December, the Board accepted with regret, the resignation of Alice Capacci for retirement purposes. On behalf of the Town Board and residents of Seneca Falls, he thanked Mrs. Capacci for her 33 years of service, and wished her great health and best of luck in retirement.

Chief Peenstra stated it's an honor to recognize Mrs. Capacci for her nearly 34 years of service to the Town, both as a dispatcher and a Clerk. He said she has been a dedicated, compassionate employee for the Town and all the Department. Chief Peenstra presented Mrs. Capacci with a placque.

A 10-minute recess was held. At 6:40 P.M., Supervisor Ferrara called the regular Meeting to order.

A motion was made to adopt Roberts Rules of Orders to conduct Town Board Meetings by Kaitlyn Laskoski and seconded by Michael Ferrara. No questions. Motion carried 4 ayes, 0 nays.

Approval of Minutes

A motion was made to approve the minutes of the regular monthly Meeting of December 7, 2021 by Frank Sinicropi and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 nays.

A motion was made to approve the minutes of the Year-End Meeting of December 29, 2021 by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 4 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 Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 nays.

Zoning Officer: A motion was made to accept Mr. Zettlemoyer's report by Michael Ferrara and seconded by Frank Sinicropi.

Mr. Sinicropi said he wondered why a person on Noble Road was charged a fee for putting in a generator and Wolff's put in a generator and didn't get charged a fee. Mr. Zettlemoyer replied we have never charged for a home or commercial generator being installed; all they need is an electrical inspection, and that is handled by the County Code. He added the homeowner's permit was done by the previous Zoning Officer. Mr. Churchill said the homeowner should be refunded. Mr. Ferrara stated if there was never a charge before in Mr. Zettlemoyer's tenure, the homeowner should be refunded. The Board was in agreement.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to accept Mr. Zettlemoyer's report was carried 4 ayes, 0 nays.

Parks & Recreation: A motion was made to accept Mrs. Jones' report by Michael Ferrara and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 nays.

Highway Superintendent: A motion was made to accept Mr. Peterson's report by Michael Ferrara and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 nays.

Assessor: A motion was made to accept Mrs. Von Wald's report by Michael Ferrara and seconded by Frank Sinicropi.

Mr. Sinicropi thanked Mrs. Von Wald and her Staff who sent out 803 letters to resident Senior Citizens to apply for enhanced STAR which helps with their School taxes. It was not required, but it was a nice gesture. Mrs. Von Wald said they received about 45 applications just from that letter. Brief discussion followed.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to accept Mrs. Von Wald's report was carried 4 ayes, 0 nays.

Town Justices: A motion was made to accept the reports of Judge Lafler and Judge Kelley by Michael Ferrara and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 nays.

Attorney for the Town: Mr. Morrell stated within the past month, there has been a few causes of action filed against the Town. Two matters were filed by the Cayuga Nation regarding 126 E. Bayard Street and 2133 Lake Road. Those matters were answered, and he put in a motion to dismiss on behalf of the Town; those have since been voluntarily discontinued by the Nation. Mr. Morrell referred to the other matter regarding parking regulations (Local Law #3 – 2020); Cayuga Nation filed an Article 78 matter. Mr. Morrell did a motion to dismiss on behalf of the Town, and it was granted. It was appealed to the Fourth Department who upheld the dismissal on two of the causes of action, and sent one cause of action back to the lower Court to continue on. Mr. Morrell said that matter is ongoing.

Mr. Morrell referred to Seneca Meadows challenge to Local Law #3 -2020 and said Mr. Harrell submitted the motion for re-argument up to the Court of Appeals after the Fourth Department did not grant the relief the Town requested; that challenge of Local Law #3 is going up to the Court of Appeals. He expects to hear from them this month or next.

Mr. Ferrara explained that the property at 126 E. Bayard Street was originally owned by the Seneca-Cayuga Nation of Oklahoma. They leased the property to a member of the Cayuga Nation that is not recognized by the Federally recognized leadership of the Cayuga Nation, and they opened up on Labor Day Weekend. Since December 28th, the Cayuga Nation leadership bought the property from the Seneca-Cayuga Nation of Oklahoma, and on December 31st, they took over the property and closed it.

Mr. Ferrara said a zoning violation was sent out to the Oklahoma tribe because it's zoned R-1 residential; they responded and requested an extension because they were looking for a local attorney. An extension was granted, and after that time period lapsed, a second violation was sent, and they were to come before the Zoning Board of Appeals for a Use Variance. Mr. Ferrara said it's a moot point now because the Seneca-Cayuga Nation of Oklahoma no longer owns the property. He added if the new owners open up, the process will start all over again. Brief discussion followed relative to the former Bodine property on Route 89.

Water/Sewer: A motion was made to accept Mr. Tullo's report by Michael Ferrara and seconded by Kaitlyn Laskoski.

Mr. Churchill stated the Board approved funds for the valve project not to exceed \$100,000; where do we stand on that. Mr. Tullo said he believes that is being addressed later. Mr. Ferrara replied it's over that – the initial job would have been fine. He explained they ordered 12" valves (the map said 12"); when it was dug up, it was a 14" pipe, so two special ones had to be made for that.

Mr. Tullo said while the initial project was going on, there was a watermain break by All Creatures right in the middle of the road. They fixed that, and another leak came up 200' down the road. That part from All Creatures to 400' down the road was up to \$95,000. Mr. Churchill said the \$100,000 was unbudgeted funds – where are we sitting now; Mr. Ferrara replied it will have to come out of the Water/Sewer Contingency Fund. Mr. Tullo said more valves are needed, so they will be asking for \$170,000 more. Mr. Churchill said that project has grown to \$270,000 – it sounds like the Board should be looking at replacing water on Fall Street. Mr. Ferrara said he contacted DOT and asked what their plan was for Fall Street and Route 5 & 20 and they said it's not in their 5-year plan. Discussion followed.

The above motion made by Michael Ferrara and seconded by Kaitlyn Laskoski to accept Mr. Tullo's report was carried 4 ayes, 0 nays.

Public Safety: A motion was made to accept Chief Peenstra's report by Michael Ferrara and seconded by Kaitlyn Laskoski.

Chief Peenstra stated as they close out 2021, they put out a Law Enforcement Survey to the Community. They are seeking input on their services for 2021. He said it's simple and easy, and takes about ten minutes to take. The Chief said they take this very seriously, and would love to have input on how they are doing. The survey is closing on February 28th.

Chief Peenstra thanked Mrs. Jones, Mr. Tullo, Mr. Peterson, Water Department, Highway Department for all their assistance in It's a Wonderful Life Weekend; it was a very successful Event, and they could not do it without the partnership of everyone here at the Town. They also had assistance from the State Police and the Seneca County Sheriff's Department, as well as DEC who sent a couple of Officers – he thanked all of them for assisting.

The above motion made by Michael Ferrara and seconded by Kaitlyn Laskoski to accept Chief Peenstra's report was carried 4 ayes, 0 nays.

Mr. Ferrara mentioned the new website was launched last week. It's not a finished product, and they still need input. He said if they get some feedback from people, they can make changes; if there are any suggestions or comments, just send him an email.

Mr. Ferrara referred to the Water/Sewer report and said he wanted to thank Pat Cafolla, a former employee of the SF Water Department, who helped Mr. Tullo and his Crew immensely with locations and different things. The records of where things are is not 100% accurate, and Mr. Cafolla was a great asset for the Town.

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

Mr. Baker stated his report is essentially an update of projects that are going on. There is a report on anticipated projects for 2022 which will be presented to the Board in a few weeks.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to accept Mr. Baker's report was carried 4 ayes, 0 nays.

MRB Grant Writing Services: A motion was made to accept MRB Grant Writing Services report by Michael Ferrara and seconded by Frank Sinicropi.

Mr. Horn stated the Town was awarded \$1.3 million from the Consolidated Funding application (Water Quality Improvement Program) for the replacement of water meters. There are two active grant applications that they are still monitoring – the Bayard Street sewer line and the Equalization tank. Mr. Horn said they expect an announcement on those in March. Mr. Ferrara mentioned that there is also a TAP grant for Phase 3 of the Safe Routes to School project.

Mr. Ferrara noted the water meter replacement project will start soon. He said everyone's meter in the Town will be replaced. There will be sensors that will pick up the reading, and it will go directly to the Water Department; it will be able to detect a water leak immediately. The work will be done by sub-contractors; as it gets closer, announcements will be made when they are out there and have to get into homes to replace meters. Mr. Ferrara stated the Town did not get the Bridge NY grant for Veterans Bridge. Later in the Meeting, there will be some money allocated to that because there is a need for some repairs.

Mr. Sinicropi referred to the Sidewalk Project and said there is \$100,000 left from Phase 2 which will be carried over; there won't be additional engineering costs on that \$100,000 when it's folded in – right. Mr. Ferrara explained he and Matt Schooley from B&L met with DOT and there is about \$200,000 left. He asked Mr. Schooley to look into: how many areas can we do with the \$200,000. He said originally in Phase 2 there was supposed to be sidewalks connecting the High School/Middle School complex with Frank Knight; the money might be used for that. The other option would be how many more feet of sidewalk can be done within the footprint of Phase 2. Brief discussion followed.

Melissa Brown referred to the water meter replacement and asked if the bill is going to list the Water Districts that the resident lives in. Sarah Wright replied the County is working on making a map for the water districts for the entire County. Once they get that, she doesn't know if it will be on the bill, but they can notify a resident if they have a question as to what area they are in.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to accept MRB Grant Writing Services report was carried 4 ayes, 0 nays.

SF Development Corporation: Mr. Ferrara stated there will be a public meeting next Thursday in regard to DRI funds; there is about \$600,000 designated for improvements in the original footprint of the DRI. He added if you are a business owner in that original footprint, you can apply for funds to do renovations at your business.

Communications:

A motion was made to receive and file Communications numbered 1 to 6 by Steve Churchill and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 nays. Communications numbered 1 to 6 are as follows:

1. Letter and completed Part 1 of SEQr form relative to the Town of Aurelius proposed amendment to their Zoning Law from Aurelius Town Clerk and Town Clerk Elect.
2. Minutes of the Heritage Preservation Commission Meeting of November 23, 2021.
3. Minutes of the Planning Board Meeting of December 2, 2021.
4. Minutes of the Zoning Board of Appeals Meeting of November 30, 2021.
5. Letter from NYS Board on Electric Generation Siting and Environment stating approval has been granted to Trelina Solar Energy Center, LLC to build and operate an 80-megawatt solar farm in the Town of Waterloo.
6. Monthly Reports of all moneys received and disbursed during the months of September, October and November 2021 from Town Supervisor.

Old Business:

Sale of Surplus Property: Mr. Morrell referred to 115 Fall Street and said he has been in touch with the Buyer's Attorney (Mr. Testa of Auburn) and got some closing papers to them for their review. He referred to 60 State Street and said that property was tied up with the DRI funding. Within the last month, they updated the contract and sent it to the Buyers; yesterday, he received the signed contract back, and hopefully, they can move it towards closing within a couple of months.

The Buyer for 115 Fall Street asked when is the closing for 115 Fall Street; Mr. Morrell replied no date has been set at this point; Mr. Testa has the documents to review. He added the main thing is that the title accurately and properly reflects the property coming from the Village to the Town.

New Business:

Approval of Special Events: There were none.

Authorize Town Supervisor to Invest Town Monies: A motion was made authorizing the Town Supervisor to invest Town monies by Frank Sinicropi and seconded by Kaitlyn Laskoski. No questions. Motion carried 4 ayes, 0 nays.

Delegate & Alternate Delegate – Association of Towns Meeting: Mr. Ferrara asked if any of the Board Members will be attending. After brief discussion, no Delegate or Alternate Delegate was named.

Christmas Tree Pickup – January 18th: Mr. Ferrara stated the Christmas Tree pickup will be Tuesday, January 18th. According to the Highway Superintendent, it will be only a one day event.

Resolution – Appropriate Remaining 2021 Landfill Revenue: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, there remains approximately \$1,933,000 of 2021 landfill revenue which has not been designated for use or reserves; and

WHEREAS, the Town Board deems it appropriate to designate this revenue for use in the 2022 adopted Budget and to be added to reserves.

THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board does authorize the following appropriation of the remaining 2021 revenue received from Seneca Meadows Landfill:

1. The addition of \$200,000 to the Assessment Budget to begin a Reval during 2022.
2. The addition of \$110,000 to the Town Supervisor's Budget to begin the consideration of a search for a Town Manager.
3. The creation of a Reserve in the General Fund to deal with Town-wide Storm Drain issues in the amount of \$1,000,000.
4. The addition of \$60,000 to the Community Center Budget for repair/replacement of the roof of the Community Center, as a transfer from the General Fund.
5. The addition of \$443,000 to the Bridge Reserve in the Highway Fund to allow for planning the repair of Veterans Bridge, as a transfer from the General Fund.
6. The addition of the purchase of a Camera and Trailer to the Water and Sewer Budgets in the amount of \$106,000, as a transfer from the General Fund to be split between water and sewer.
7. Addition of special audit not to exceed \$14,000.

Mr. Churchill stated the Board created a budget of about \$5.50 million, and now we are going to add another \$2 million to it. He said the Board has Budget Workshops, they meet, try to work out the budget and discuss, and now the Board is going to add an additional \$2 million in five minutes. Mr. Ferrara said normally, landfill revenue has to be officially allocated someplace – it's either going to these specific projects or to a reserve. Mr. Churchill asked why not put it into reserves and pull from it as we may need. Brief discussion followed.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution to appropriate remaining Landfill revenue was carried 3 ayes, 1 nay; Councilman Churchill with the dissenting vote.

Resolution – Set Public Hearing – Zoning Law Change for Solar Energy System: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Board of the Town of Seneca Falls believes it would be advantageous to the Town to amend the Town Code to include regulations for Solar Energy projects.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. 1 of the year 2022 entitled "Local Law Amending Chapter 300 of the Seneca Falls Town Code Article XIV Solar Energy Systems" 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 desk of each Member of the Town Board; and

BE IT FURTHER RESOLVED, that the aforesaid proposed local law be referred to the Seneca County and Town Planning Boards for review and recommendation; and

BE IT FURTHER RESOLVED, that the Town Board will hold a Public Hearing on said proposed local law at 6:00 P.M. on February 1, 2022; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published notice of said Public Hearing in the official newspaper of the Town at least ten (10) days prior thereto.

Mr. Morrell stated this is a proposed amendment to the Zoning Code which would adopt regulations for solar projects. He said this came about through the Planning Committee that has been working on updating the Town Zoning Code. This has been based on a model that is put forth by NYSEDA, the State's Regulatory Agency that oversees solar projects like this, and based on other communities and what projects they are seeing and what their experiences have been with solar. This reflects that and concerns of the Committee on how we want to see things moving forward with solar projects. He noted this will be reviewed by the County Planning Board and the Town Planning Board.

Mr. Morrell stated after this resolution, there will be another resolution to begin the SEQR process. There will be a resolution designating this Board as Lead Agency and notices will be sent out to interested and involved agencies. At the next Board Meeting, the Board can take action on SEQR, and move forward with the local law. Mr. Ferrara said the Board has had this for 3 ½ weeks; it will have another month to look it over.

Domenica Catalano stated when the Planning Board discussed this, they came to a point where they couldn't make a decision, and they never talked about it again. She thought Mr. Morrell said this resolution came up from the Planning Board. Mr. Morrell said no – it came from the Planning Committee, a different group. Mrs. Catalano asked how can the Planning Committee bring that forward if the Planning Board didn't really make a decision – they were in total not agreement. Mr. Morrell replied it will revert back to the Planning Board who will review it and make a recommendation to this Board who will take action on it. Mr. Ferrara said they will make a recommendation; the Town Board has the eventual authority to pass the local law if they wish.

Mr. Churchill stated this is to schedule a Public Hearing next month; right now, there are concerns and discussions – this process is going way too fast. He said Mr. Ferrara mentioned that this has been in the hands of the Board for 3 ½ weeks; we just got two new Members January 1st, so it wasn't in the hands of this Board 3 ½ weeks. There is some concern with the Planning Board – those are the things that should be reviewed and discussed before a decision is made to schedule a Public Hearing. Mr. Churchill stated he knows very little about this. He wants to know how these codes fit into the Comprehensive Plan which hasn't been updated since 2006. It doesn't tie into the Comprehensive Plan which needs to be updated first. Mr. Morrell stated the Committee did look at the Comprehensive Plan that wants to promote renewable energy sources, and this is one of them. Mr. Ferrara said he shared the document with the 2021 Board, and shared it with the Councilman-Elect and Councilwoman-Elect at the same time, so they had that as well.

Mrs. Catalano said there is an issue. They were concerned that we only have a limited amount of property in the Town. She pointed to the maps and said these are where they want to put up the solar energy. She made a suggestion – even though we have the Comprehensive Plan which is not updated, we, at least, try to find out statistically what our town would like in the next 20 years, because that is what they are saying is the life of solar panels. Discussion followed.

Mr. Ferrara mentioned that the SF Development Corporation did a Comprehensive Plan four years ago, which has renewable energy, solar energy, landfill, etc. in the Plan. He added any Member of this Board can certainly start the process of updating the Comprehensive Plan. Mr. Churchill said he will work on that and will get it done, and put this off until it's done. Mr. Morrell stated part of the reason this was worked on by the Planning Committee and is being presented to the Town Board is that the Town has a moratorium on this sort of renewable energy type projects that went into place in September; the moratorium cannot last forever, so the Board is trying to address these things – this is the first step in doing so. He hopes everybody would read it – it might be something that you might be in favor of.

Mr. Sinicropi stated this is going to be the next big problem in Seneca Falls, the solar farms. He doesn't want to see them on productive farmland, but if the farmer owns the land, he does what he wants to do with it. This plan is very complicated. In order to put a solar farm here with this information, you are going to need a lawyer and an engineer just to understand the language. – it will make it more difficult to plot these things anywhere in the Town. Mr. Sinicropi said he is in favor of language; if we don't have some language in place and the moratorium expires, these things can pop up everywhere. He asked if the Board can wait one more month until March 1st so Mr. Churchill can research whatever he wants to.

A motion was made to table action for thirty days by Frank Sinicropi and seconded by Steve Churchill.

Mr. Churchill said there was supposed to be a presentation to discuss this whole thing. Mr. Morrell said Shaun from MRB was not able to be here tonight. Matt Horn said Mr. Morrell gave an overview that Shaun would

have given. He said they can give that overview again or more detail. Further lengthy discussion followed.

The above motion made by Frank Sinicropi and seconded by Steve Churchill to table action for thirty days was carried 3 ayes, 1 nay; Supervisor Ferrara with the dissenting vote.

Resolution – Public Hearing Date – Zoning Law Change – Battery Energy Storage System: A motion was made by Michael Ferrara and seconded by Frank Sinicropi 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 regulations for Battery Energy Storage projects.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. 2 of the year 2022 entitled “Local Law Amending Chapter 300 of the Seneca Falls Town Code – Article XV Battery Energy Storage Systems” 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 aforesaid local law be referred to the Seneca County and Town Planning Boards for review and recommendation; and

BE IT FURTHER RESOLVED, that the Town Board will hold a Public Hearing on said proposed local law at 6:00 P.M. on February 1, 2022; 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 ten (10) days prior thereto.

Mr. Churchill asked where did this come from. Mr. Ferrara replied this Committee has been working diligently on these based on the moratorium that he proposed. The next section of the moratorium is battery storage to deal with battery storage issues when they come into the Community. He said the next thing this Committee will be looking at will be methane gas situations and how to regulate that control. Mr. Churchill asked why he wasn't appointed to that Committee. Mr. Ferrara replied he invited Mr. Churchill to the Meeting, and will invite him again as soon as he knows when the next Meeting is. Mr. Emmo stated the Committee has looked at codes of other communities throughout this region. He added this is the most stringent, comprehensive code that you will find. Mr. Churchill asked if it talks about the limit and the number of acres that we want to set aside for these projects. Mr. Morrell replied it limits the zoning districts where they can be or where they can't be. Further discussion followed.

A motion was made to table this until February to coincide with the solar energy law by Steve Churchill and seconded by Frank Sinicropi. No questions. Motion did not carry as the vote was 2 ayes, 2 naves; Supervisor Ferrara and Councilwoman Laskoski with the dissenting vote.

Mrs. Laskoski stated she is getting frustrated with that. She feels the Board is constantly getting stuck on this rather than moving forward. She said we have a working committee that are working on things – now Mr. Churchill wants to get involved in it. Mr. Sinicropi said he is in favor of this, but he would like to give Mr. Churchill a chance to read it.

Mr. Morrell stated the tabled vote did not pass; the same vote holds for scheduling a public hearing which is not going to pass. His recommendation is to keep them both together. Mrs. Laskoski said she will change her vote. She is frustrated, and said she relies on the committees. Discussion followed.

Mrs. Laskoski amended her dissenting vote to table this until February to coincide with the solar energy law; the motion carried as the vote was 3 ayes, 1 nay; Supervisor Ferrara with the dissenting vote.

Approve Lease Agreement – Trinity Church & Town of Seneca Falls: A motion was made authorizing the Town Supervisor to enter into a Lease Agreement with Trinity Church for use of their parking lot by Michael Ferrara and seconded by Frank Sinicropi.

Mr. Ferrara explained that Trinity Church has a parking lot across from the Church that many people of the Town use. They have requested an agreement where the Town can use the parking lot as a municipal parking lot every day except for Church functions and Mass; in return, the Town would plow the driveway and mow their lawn.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi authorizing the Town Supervisor to enter into a Lease Agreement with Trinity Church for use of their parking lot was carried 4 ayes, 0 naves.

Resolution – Set Public Hearing – Create Town Manager Position: A motion was made by Michael Ferrara and seconded by Frank Sinicropi 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 establish the Office of Town Manager.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. A of the year 2022 entitled "A Local Law to establish the Office of Town Manager pursuant to Town Law Section 58" 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 aforesaid local law be referred to the Seneca County Personnel Department for review and recommendations; and

BE IT FURTHER RESOLVED, that the Town Board will hold a Public Hearing on said proposed local law at 6:00 P.M. on February 1, 2022; and

BE IF 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 ten (10) days prior thereto.

Mr. Churchill said it seems the Board has the cart in front of horse because the Board hasn't even come to the decision as to whether they want a Town Manager position – the Board would have to vote on that before voting on scheduling a public hearing. He mentioned that there was a Town Feasibility Committee which met many times. It was decided to allocate funds to hire CGR from Rochester to do a study. He doesn't think the Board has seen the report of the study. Mr. Ferrara said there is a draft of the study which he forwarded to the Board. Mr. Churchill asked the Clerk if she had it, and she doesn't have it. Mr. Ferrara said he has it – he will give Mr. Churchill another copy. Mr. Churchill said he thought the Board would meet with the Feasibility Committee with the report to discuss whether this is a fit for the Town. Mr. Ferrara stated if you read the report, the recommendation is that something different should be done – they strongly suggest another layer of administration

Mr. Churchill stated it's not budgeted – the previous Board decided it did not want to put it in the 2022 Budget (\$110,000 allocation). Then all of a sudden it's in here for a Public Hearing and vote on a Town Manager. He added there should be discussion and going over the report with the Feasibility Group. Mr. Ferrara said he would give Mr. Churchill a copy of the report.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution to set a Public Hearing for the creation of a Town Manager position was carried 3 ayes, 1 nay; Councilman Churchill with the dissenting vote.

W/S Resolution – Advertise for Chief WTP Operator Position: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs to have a Chief Water Treatment Plant Operator (this position has been vacant since July 2018); and

WHEREAS, the position is not anticipated to add to the overall number of nor significant cost of staff within the Department.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Department to advertise for the position of Chief Water Treatment Plant Operator.

Mr. Tullo stated this has been vacant since 2018. Mr. Churchill asked why do we need one now. Mr. Tullo replied this position was created in 2018 when someone left; now that there are four people qualified for it, it's time to have a Chief Operator. He can't be the Chief of everything in all departments. Mr. Churchill asked if it was budgeted; Mr. Tullo replied the position is not technically in the budget, but the money is. Mr. Sinicropi asked if he will be backfilling; Mr. Tullo replied no – this is a promotion within -- it's not adding personnel.

Mr. Sinicropi stated he and Mr. Tullo talked to the County Personnel Director and worked out all the details. There will be a civil service exam ordered 30 days after the person is appointed. Mr. Churchill asked if he will be advertising this; Mr. Sinicropi said no – this is a promotion from within

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution advertising for Chief WTP Operator position was carried 4 ayes, 0 nays.

W/S Resolution – Purchase F350 Crane Truck: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs a new crane truck to replace a truck being put on Auctions International for sale; and

WHEREAS, Shepard Ford in Canandaigua has submitted a proposal with New York Government price concessions for \$65,747.50.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the purchase of this F350 crane truck from Shephard Ford for \$65,747.50.

Mr. Sinicropi stated he wants Mr. Tullo to tell the Board why he needs the truck. He would like a picture of the truck sent to the Board Members so they can see what we are buying. Mr. Tullo said the old truck is 20 years old – we will be getting money back from the sale of that truck.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution authorizing the purchase of a F350 crane truck was carried 4 ayes, 0 naves.

W/S Resolution – Purchase F650 Dump Truck: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs a new dump truck to replace a dump truck being put on Auctions International for sale; and

WHEREAS, West Herr Ford of Hamburg in Hamburg, NY has submitted a proposal with NY Government Price Concessions for \$90,267.43.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the purchase of the F650 dump truck from West Herr Ford of Hamburg for \$90,267.43.

Mr. Ferrara said he is assuming the local Ford Dealership has an opportunity to bid. Mr. Tullo replied they do – they don't participate in the State concessions.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution authorizing the purchase of a F650 dump truck was carried 4 ayes, 0 naves.

W/S Resolution – Purchase 6" Godwin Pump: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs another 6" pump for water breaks and storm flows; and

WHEREAS, Xylem (Goulds) in Batavia is the sole source provider for these pumps and their bid is \$39,557.12.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the purchase of the pump from Xylem in Batavia for \$39,557.12.

Mr. Churchill asked if we purchased a 6" pump this past Fall; Mr. Tullo replied no, the Board talked about putting it in the Budget at Budget time. He added this is a mobile pump.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution authorizing the purchase of a 6" Godwin pump was carried 4 ayes, 0 naves.

W/S Resolution – Replace Roof on Drying Beds at WWTP: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs a new roof installed on the drying beds at the WWTP; and

WHEREAS, three bids were received for the roof with the low bidder being Santelli Lumber in Palmyra for \$29,906.29.

THEREFORE, BE IT RESOLVED, the Town Board authorizes Santelli Lumber to install the new roof for \$29,906.29. No questions. Motion carried 4 ayes, 0 naves.

Mr. Ferrara mentioned that this would come out of the sewer budget.

W/S Resolution – Purchase Ferris Mower: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town Water/Wastewater Department needs a new mower to replace an old mower being put on Auctions International for sale; and

WHEREAS, Martins Outdoor Power in Fayette was the low bidder at \$8,714.17.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the purchase of this Ferris Mower from Martins Outdoor Power in Fayette for \$8,714.17.

Mr. Tullo said this stays at the Ken-Mor Pump Station and it's used to mow all the Pump Stations.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution authorizing the purchase of a Ferris Mower was carried 4 ayes, 0 naves.

W/S Resolution – Purchase Yard Truck, Mounted Combination Sewer Cleaner with Accessories: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town of Seneca Falls Town Board finds that Sourcewell is a governmental entity of the State of Minnesota; and

WHEREAS, Sourcewell Contract 122017-SCA for Sewer Cleaning and Hydro-Excavating Equipment with related Accessories and Supplies granted to Sewer Equipment Company of America has been made available for use by other governmental entities; and

WHEREAS, that contract was let in a manner consistent with New York State Law; and

WHEREAS, the Town of Seneca Falls has received a proposal from Sewer Equipment Company of America, through their local distributor Cyncon Equipment, to provide a 900-ECO 12 Yard Truck Mounted Combination Sewer Cleaner with related Accessories and Supplies at the price specified in Sourcewell Contract 122017-SCA. NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board hereby authorizes the purchase of a 900-ECO 12 Yard Truck Mounted Combination Sewer Cleaner with related Accessories and Supplies, pursuant to the attached proposal from Sewer Equipment Company of America and Cyncon Equipment, and pursuant to General Municipal Law Section 103(16).

Mr. Churchill asked if this is budgeted; Mr. Tullo replied yes, this is for water, sewer and highway – they use it a lot. Mr. Sinicropi asked how long would it be before we get this vehicle; Mr. Tullo replied about six months.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution authorizing the purchase of a Yard Truck, Mounted Combination Sewer cleaner with Accessories was carried 4 ayes, 0 naves.

W/S Resolution – Purchase of Mobile Pathfinder Inspection System and Trailer: A motion was made by Michael Ferrara and seconded by Frank Sinicropi to adopt the following resolution:

WHEREAS, the Town of Seneca Falls Town Board finds that the Houston-Galveston Area Council (H-GAC) is a governmental entity of the State of Texas; and

WHEREAS, the H-GAC Contract SC01-21 for a Mobile Pathfinder Inspection System with Related Accessories and Supplies granted to Aries Industries, Inc. has been made available for use by other governmental entities; and

WHEREAS, that Contract was let in a manner consistent with New York State Law; and

WHEREAS, J & J Equipment is the local dealer and distributor for Aries Industries, Inc. that has presented a proposal that provides the above noted equipment to the Town of Seneca Falls at the price given in H-GAC Contract SC01-21; and

WHEREAS, J & J Equipment proposal includes a custom trailer built for this specific equipment for which J & J Equipment is the sole source provider.

NOW, THEREFORE, BE IT RESOLVED, that the Seneca Falls Town Board hereby authorizes the purchase of a Mobile Pathfinder Inspection System with Related Accessories and Supplies with a custom trailer built specifically for that equipment, pursuant to the attached proposal from J & J Equipment and General Municipal Law Section 103(16).

Mr. Ferrara stated this is for a camera to be shared by Water, Sewer and Highway which would give us the opportunity to look at any drainage lines or sewer lines – right now, it is contracted out. Mr. Churchill asked if it was budgeted; Mr. Ferrara replied no – it's being allocated now out of the \$1.9 million.

The above motion made by Michael Ferrara and seconded by Frank Sinicropi to adopt the above resolution authorizing the purchase of a Mobile Pathfinder Inspection System and Trailer was carried 4 ayes, 0 naves.

Approve Audit of Town's Financials - Bonadio Group: A motion was made to hire the Bonadio Group to do a special Audit of the Town's Financials not to exceed \$14,000 by Frank Sinicropi and seconded by Michael Ferrara.

Mr. Ferrara mentioned that we do an audit on a regular basis; this will be a special audit. He said in February, the Board will be accepting the resignation for retirement purposes of the Principal Account Clerk. He added this will be part of the transition as the books and financials are turned over to someone else.

The above motion made by Frank Sinicropi and seconded by Michael Ferrara to approve the audit of the Town's Financials by the Bonadio Group was carried 4 ayes, 0 naves.

Release of Budgeted Funds – SF Heritage Area Visitors Center: A motion was made to release the budgeted amount of \$122,077 to the SF Heritage Area Visitors Center & Museum by Michael Ferrara and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 naves.

SMI License to Operate Landfill: Mr. Ferrara stated there is a request from SMI to renew their License to

Construct and Operate a Landfill under Chapter 58; a money order for \$250.00 was enclosed.

Mr. Churchill stated the Board hasn't renewed their License in two years because a request was sent to the Landfill for two conditions in order to consider renewing the operating permit, and the Landfill responded no, not without negotiating the HCA. He requested that two documents be included as part of the record which are: the Town's communication to the Landfill with the Town's conditions, and the response from the Landfill. The first condition is for the Landfill to present a plan that demonstrates SMI is in consistent and recurring in compliance with the Air Quality Standard for Hydrogen Sulfide; they essentially said no. The second condition was to provide the Town with some funds up to \$20,000 to help set up a website or smart phone application for monitoring and reporting of odors. Mr. Churchill said it would be an independent monitoring system; again, they said no. He stated for that reason, he thinks the Operating Permit should not be granted. They are violating DEC regulations and violating the Town Code.

Mr. Ferrara stated there is a Committee that will be working with the Landfill to address some of those issues. Mr. Sinicropi asked if the Committee should meet with the Landfill and address some of these issues before the Permit is issued. He is in favor of the Permit, but he would like to see what the Permit is. Kyle Black said the Town issues the Permit per the Code; the Code follows the DEC regulations – that is what the basis for their Permit is. He added the DEC Permit has sections in it as to how they deal with odors. They are meeting the DEC requirements – the data is in the reports submitted to the DEC and the Town.

After further discussion, a motion was made to table action relative to renewing SMI Permit by Frank Sinicropi and seconded by Steve Churchill. No questions. Motion carried 4 ayes, 0 naves.

Water/Sewer Credits: There were none.

Payment of Bills: A motion was made by Steve Churchill and seconded by Frank Sinicropi to approve and order paid the following bills:

General Fund - \$131,959.90 (Abstract #001)	Recreation Fund - \$8,916.77 (Abstract #001)
Miscellaneous Fund - \$1,643.50 (Abstract #001)	Vince's Park Fund - \$5,650.00 (Abstract #001)
Highway Fund - \$6,254.20 (Abstract #001)	Sewer Fund - \$12,138.48 (Abstract #001)
Water Fund - \$23,996.93 (Abstract #001)	

No questions. Motion carried 4 ayes, 0 naves.

Any Other New Business:

Mrs. Laskoski suggested that a Special Meeting be held – a question and answer meeting in reference to the Clint Halftown/Cayuga Nation incident that occurred recently. She thinks it would be advantageous for the Town to be factual in reference to what the Town is able to do and what the Town is not able to do. Questions need to be submitted before the Meeting.

Mr. Churchill asked – if no action is taken, does it need to be a formal meeting or can it be an Informational Meeting. Mr. Morrell replied if you have a quorum and Town business is discussed, then it should be a noticed meeting of the Town Board. Brief discussion followed relative to whether or not to conduct an open meeting.

A motion was made to hold a Special Meeting at 5:30 P.M. on Monday, January 24, 2022, Meeting to be a Zoom Meeting, by Kaitlyn Laskoski and seconded by Frank Sinicropi. No questions. Motion carried 4 ayes, 0 naves.

Being there was no further business, a motion was made to adjourn the Meeting by Frank Sinicropi and seconded by Michael Ferrara. No questions. Motion carried 4 ayes, 0 naves.

Meeting adjourned at 8:40 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk