

The motion made by Tim Snyder and seconded by Duane Moore to accept the bid of Clint K. Moosman for Nuisance Animal Control Officer, said bid for services is \$50.00 per animal, was carried 5 ayes, 0 naves.

Petitioners:

Wilhelmina Pustumucans – Ludovico Sculpture Trail Exhibit: Wilhelmina Pustumucans, representing Ludovico Sculpture Trail, thanked the Board for putting them on the Agenda. They are requesting \$1,200.00 for the Exhibit which will be used for posters, stamps, advertising, invitation cards and a small booklet. The Art Show consists of paintings of women in dresses in art form, from circa 1848, including Elizabeth Cady Stanton and Amelia Bloomer. Ms. Pustumucans stated the Exhibit will bring more visitors to Seneca Falls, and will give the opportunity for local and neighboring artists to participate. The Exhibit will be held on September 27<sup>th</sup> and 28<sup>th</sup>.

Mr. Dougherty asked what was budgeted; Mr. Same replied \$10,000.00, and that money has already been committed. He added this is above and beyond the request for this special Event. Mr. Same stated the Board is trying to set a different tone in the Community based on what it is trying to accomplish in terms of the expense it is about to undertake in the next year or so, which is a new facility. Based on his thoughts, the Community is going to see the Board having less of an opportunity to contribute towards these types of Events. Brief discussion followed. Mr. Snyder asked if there are any other organizations that donate; Ms. Pustumucans replied no. Mrs. Cook suggested the Board act on this under New Business; it will give them a chance to think about it.

Lisa VanDusen – Seneca Falls Community Band: Lisa VanDusen, President of Seneca Falls Community Band, stated she is requesting the Board's continued support of the Band. She gave the Board the Band concert schedule for the Summer which is free for the Community. They will be playing for the July 4<sup>th</sup> Celebration; the entire Band will not commit to playing since it is a Holiday weekend, but there will be a brass quintet. Mrs. VanDusen stated their budget runs about \$3,800.00, and they do attempt to fundraise in the Community. Brief discussion followed. Mr. Same indicated \$1,500.00 is budgeted for the Band.

A motion was made authorizing the Town Supervisor to sign an Agreement and contribute \$1,500.00 to the Seneca Falls Community Band by Stephen Dougherty and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 naves.

Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of May 6, 2008 by Lucille Cook and seconded by Tim Snyder. Being there were no additions or corrections, the minutes were accepted as presented 5 ayes, 0 naves.

Reports:

Dog Control Officer: The Dog Control Officer's report states that four dogs were impounded and four redeemed; seven Appearance tickets were issued. A total of \$40.00 was collected and turned over to the Town Clerk.

A motion was made to accept the Dog Control Officer's report by Stephen Dougherty and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 naves.

Zoning Officer: Mr. Turkett stated eleven Building Permits were issued during the month of May, one being a new business – a dog grooming business on Route 5 & 20. Building Permit #2076 was issued to Annette Simpson, 1587 Route 5 & 20, repair roof; Permit #2077 issued to Joanne Benson, 2788 Lower Lake Road, repair roof; Permit #2078 issued to Stephen & Wendy Scowcroft, 1836 Route 5 & 20, dog grooming; Permit #2079 issued to Carol and Norm Sharman, 2720 Bauer Road, replace deck; Permit #2080 issued to Daniel Dibble, 2927 Bauer Road, storage building; Permit #2081 issued to Michael Mazzeo, 3161 E. Bayard St. Ext., accessory structure; Permit #2082 issued to Wallace & Barbara TenEyck, 1849 County House Road, fence; Permit #2083 issued to Wal-Mart #1705, 1855 State Route 5 & 20, sign and renovations; Permit #2084 issued to Jack S. Stenberg, 1880 E. River Road, deck; Permit #2085 issued to Philip Wylie, 3171 Ken-Mor Drive, deck and Permit #2086 issued to Louis Caterina, 2157 Lake Road, storage building.

A total of \$310.00 was collected from the issuance of these Permits, and 25 Building Permits have been issued to date for the year 2008.

The Town Planning Board met on May 22, 2008 and reviewed two Special Use Permits, an Area Variance, a continuation of a preliminary Site Plan Review and Subdivision for Rite Aid Pharmacy, and held two Public Hearings for a Minor Subdivision and a Preliminary Site Plan Review relative to Wal-Mart.

The Zoning Board of Appeals also met on May 22<sup>nd</sup>, and held six Public Hearings relative to three Area

Variances, two Special Use Permits and a Use Variance.

A motion was made to accept Mr. Turkett's report by Stephen Dougherty and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: Mr. Spina noted that the Board had a copy of his report. He thanked the Board for their support last Thursday for the dedication of the Veterans' Atrium. The Summer flyers will be in the mail within the next few days. The 4<sup>th</sup> of July Event is ongoing; most of the Vendors from last year are coming back. Red Jacket Fire Department will be doing their cash drawing that night.

Mr. Spina stated they received an email from a resident about the shape of the playground equipment at the Morehouse Playground on Lower Lake Road. Mr. Nicholson tried to fix some of the equipment to make it a safer playground. Mr. Spina said there is no immediate danger but it's something that needs attention, and he spoke to the Committee about it. They have talked about adding a few pieces of playground equipment to Vince's Park. He said they can get a couple of pieces for each playground for about \$6,500.00 each installed; it's a State bid price, and it can be installed and ready to use in four weeks. Mr. Spina indicated that he and the Committee make that recommendation.

Mr. Same stated if the Board wants to fund both areas, the cost would be \$6,500.00 per site. He recommends that the funds come from the Contingency account.

A motion was made to spend up to \$6,500.00 at each location for playground equipment, funds to be taken from the Contingency account for Recreation and Vince's Park, by Lucille Cook and seconded by Stephen Dougherty.

Mrs. Cook stated the Board knows that playground has had problems before. She suggested that something be put in the Budget every year for its upkeep. Mr. Spina stated every year, Mr. Nicholson takes the time to walk both playgrounds; most of the equipment is in good shape. He said Mrs. Cook's point is well taken; maybe money can be put in the Budget for next year. Mr. Snyder asked about the warranty on equipment; Mr. Spina replied 10-year complete replacement and 25-year conditional. Brief discussion followed.

The motion made by Lucille Cook and seconded by Stephen Dougherty to spend up to \$6,500.00 at each location for playground equipment, funds to be taken from the Contingency account for Recreation and Vince's Park, was carried 5 ayes, 0 nays.

Mr. Spina stated 3-4 years ago, the Town applied for a Parks & Recreation grant to replace the Kids' Territory Playground. When the playground was built, it was meant to last for about 15 years; this is the 20<sup>th</sup> year for the playground, and it's starting to show its age. He said the Board has to consider replacing the equipment sometime soon. He was contacted by the grant writers who indicated there is a Parks & Recreation grant due the end of the month. The Town Board needs to adopt a Resolution tonight to apply for the grant. Mr. Spina contacted Parkitects and asked them to update the plan they did 3-4 years ago. Mr. Spina said they would demo the playground which will save some money. Brief discussion followed.

A motion was made by Lucille Cook and seconded by Tim Snyder to adopt the following Resolution:  
RESOLVED, that Peter W. Same, Town Supervisor of the Town of Seneca Falls, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$200,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town of Seneca Falls for replacement of playground equipment at Kids' Territory and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.  
No questions. Motion carried 5 ayes, 0 nays.

Mr. Same thanked the Committee and the Staff at the Community Center who did a great job in preparing for that Evening. He said it was a huge success, and it was another demonstration that the Town is committed to supporting our Troops.

A motion was made to accept Mr. Spina's report by Lucille Cook and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

Highway Superintendent: Mr. Same read the Highway Superintendent's report which states the Auction brought in \$16,500.00 for the old Freightliner truck which is \$1,500.00 more than it was appraised for. They are mowing roadsides, filling potholes, picking up trash along the roads and helping the Village with their brush pickup. The waterline project has been taking up most of their time with fusing pipe, and next week, they will be delivering hydrants and valves and stone to the worksite. The River Road bore is done, and they will be

working on the Sucker Brook bore this week. They hope to start installation June 16<sup>th</sup>. Mr. Same stated they have been having some problems in trying to bore under Sucker Brook, and the cost is going to be significantly more.

Mr. Same stated Department of Agriculture and Markets contacted the Town and currently, it's on a 60-day hold for waterline installation because the waterlines will be installed in an agricultural district. They want the Town to restrict laterals from the waterlines in that area of the Town, which is all the roads that has been planned for in the next three or four years. The north side of the road is not in the agricultural district, so waterlines can be installed along the north edge until it comes to the crossing which is by the Water Falls Bridge. Mr. Same stated it was not the intention of the Board to restrict development in that area – the Board is interested in getting good quality water to the homeowners, fire protection and encouraging development. He doesn't think it will have a major impact on the farmland in that area. Mr. Same indicated they are trying to come up with a response to Ag and Markets that would satisfy them sooner than the 60-day time period. Discussion followed.

A motion was made to accept Mr. Wood's report by Duane Moore and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

Assessor: Mrs. Loncosky stated two Grievances were held this week. Seneca Falls Grievance was held on Tuesday, and there were four people that attended. They did have Seneca Meadows re-file their grievance form for all their properties. The Board of Assessment Review is responding to them in a certain manner; letters are going out asking for documentation.

Mrs. Loncosky stated she will be going to Cornell in July which has been approved by the Board. She noted it has been reasonably quiet. They did have a few calls because tax bills went out. Brief discussion followed.

A motion was made to accept Mrs. Loncosky's report by Duane Moore and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Attorney for the Town: Mr. Morrell noted he has nothing to report other than items on the Agenda.

Town Justice: Mr. Same stated the Town Justice submitted a report of the number of cases open and closed.

#### Committee Reports:

Veterans' Atrium: Mrs. Cook thanked Mr. Same for acting as Emcee – he did an excellent job. She also thanked the Committee – Fran and Paul Wenderlich, Roberta Halden, Jim Spina, Mark Marquart and the Recreation Staff. She noted names are still coming in.

Docks and Moorings: Mrs. Cook stated the Committee meets the last Wednesday of every month. The Town has committed for two years to support this program. She said they have applied for a grant, and because they are overlapping in time in trying to apply for the second year's grant before it is known whether the first grant is approved, they would like to make certain that the Board understands that they are continuing to work. They would like the Town's support in applying again; the grant deadline is June 30<sup>th</sup> for next year. Mrs. Cook noted they have volunteers working on inventory of docks and moorings on Cayuga Lake and Seneca Lake, and hope to have a citizens' information booklet and also a model law that towns can go by. Brief discussion followed.

A motion was made for the Town to continue to support the County in the grant application for docks and moorings by Lucille Cook and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

BSD Committee: Mrs. Cook stated the Committee met and wanted to come up with a two-year plan to make sure the equipment in the District is always in good repair. The Committee is recommending that the Board approve a proposed agreement with Penn Power Systems to perform inspections and maintenance of the emergency power generation systems of the five pumping stations that service the District. She noted Mr. Morrell has reviewed the Agreement and recommends that it be approved.

A motion was made allowing the Town to enter into an agreement on behalf of Bridgeport Sewer District with Penn Power Systems at a cost of \$1,700.00, and authorizing the Town Supervisor to sign the Agreement, by Lucille Cook and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

Website: Mr. Dougherty stated the Committee would like to see more Community Events listed on senecafalls.com., and asked that anyone knowing of any Community Events should contact senecafalls.com and they will be happy to put them on the calendar free of charge.

Personnel: Mr. Same referred to the Workplace Violence Program, and said a draft report was submitted by

Public Sector HR Consultants. When they did an evaluation of our worksite and the Court, we are lacking sufficiently in some of the opportunities to prevent this type of action. He is hoping for input from the Board so the draft can become final and it can be put in the Handbook. Brief discussion followed.

Highway – Route 89 Waterline: Mr. Moore stated a tentative date has been set for 7:00 P.M. on June 17<sup>th</sup> at Vince's Park to meet with the Residents. The Town Clerk will send letters to the Residents.

Communications:

A motion was made to receive and file Communications numbered 1 to 27 by Lucille Cook and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 27 are as follows:

1. Tonnage received by the Landfill from the Town during the month of April 2008 from Seneca Meadows, Inc.
2. Check in the amount of \$21,599.84 from Town Justice representing fines, fees and forfeitures collected by the Court during the month of April 2008.
3. New York State Register, May 7, 14, 21 and 28, 2008, from Department of State, Division of Administrative Rules.
4. Minutes of the April 10, 2008 Meeting of the Seneca County Planning Board.
5. Pledges of Collateral, April 30 and May 1-27, 2008, from The Bank of New York.
6. Notice of Application for an alcohol license from Michael Sixt, Cayuga General Store & Boat Rental.
7. Statement of Accounts, April 1-30, 2008, from M & T Investment Group.
8. Rural Future News, May/June 2008, from Legislative Commission on Rural Resources.
9. Section 504 Compliance Handbook, May 2008, from Thompson Publishing Group.
10. Monthly Report of all monies received and disbursed during the month of April 2008 from Town Supervisor.
11. Reports and Resolutions of the Seneca County Planning Board Meeting of May 8, 2008 relative to two Variances, Wal-Mart Supercenter and Rite Aid.
12. Status of CDBG loans as of April 30, 2008 from Beverly Warfel, Account Clerk.
13. Report of hazardous waste collected on Household Hazardous Waste Day – May 3, 2008.
14. Minutes of the April 29, 2008 Meeting of the Town Planning Board.
15. Monthly Report for the month of April 2008, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
16. Acknowledgement of credit of \$566.00 to the Town's Account representing Town's share of Revenue Sharing for Montezuma Wildlife Refuge from Five Star Bank.
17. Check in the amount of \$3,717.59 from BonaDent representing May 2008 payment of CDBG loan.
18. Letter from NYS Department of Environmental Conservation, Division of Water, Bureau of Water Permits, stating the Water Improvement No. 2 SPDES General Permit for Stormwater Discharges from Construction Activity was renewed.
19. Notice of Public Hearing of the Village Zoning Board of Appeals on May 22, 2008 relative to the Variance request of Lakeside Enterprises from the Village of Seneca Falls.
20. Notice of Tentative State Equalization Rate (96.00) for the 2008 Assessment Roll from NYS Board of Real Property Services.
21. Network News Newsletter from Cayuga Lake Watershed Network.
22. Pledges of Collateral, April 29, 2008, from M & T Investment Group.
23. Summary of proposed Land Use Regulations from Nancy Knight, Fayette Town Clerk.
24. Status of CDBG loans as of May 31, 2008 from Beverly Warfel, Account Clerk.
25. Letter from Seneca Falls Central School District listing those that were elected to the Board of Education for three-year terms.
26. Check in the amount of \$14,850.00 from Roy Teitsworth, Inc. (Palmyra Auction) representing reimbursement for 1987 Freightliner that was sold at Auction.
27. Notice of application for renewal of beer license from B.E. Wright Distributing Corporation.

Old Business:

Townwide Water Improvements: Discussed earlier in the Meeting.

Maxim – Planned Unit Development: Mr. Same stated the Board received new revised plans on Friday, and they have to be reviewed by Barton & Loguidice, after which another Meeting will be scheduled. Mr. Morrell stated the Board has the alternate approval or denial of the planned unit development, but there is also a requirement to have a Special Use Permit in order to put this into a residential area; this will be before the Zoning Board of Appeals with the new plans. After brief discussion, Mr. Morrell indicated he would discuss this with the Zoning Board Chairman. Mr. Snyder asked if this should go back to the Planning Board as the plans have changed. Discussion followed as to whether or not this should go back to the Planning Board. Mr. Same said he thinks this should be reviewed by Barton & Loguidice and then determine what has to be done

after that. Mrs. Cook said the units have changed – shouldn't this go back to the Planning Board for site plan review. Her concern is there has been three plans; when they get ready to build and come in with a fourth plan and build it, the Board has nothing that is stamped to say this is what you are going to do. After lengthy discussion, Mr. Same again stated the Board needs to get a response from Barton & Loguidice and then go forward.

Memorandum of Understanding: Nothing to report.

Vince's Park Pool Renovations: Mr. Same indicated there are issues with the Contractor; there will be a Meeting on Monday, and hopefully, they can bring it to conclusion.

New Business:

Contribution – Ludovico Sculpture Trail Exhibit: Mr. Morrell stated the Town is authorized under Town Law Section 64, Subsection 17-b to make contributions for cultural development and cultural events which will enhance the cultural development of the Community. Mrs. Cook said the Board will be looking at things differently. She suggested that people have to ask what they need in advance at budget time because it may not be as easy in the future to be able to get additional funding.

A motion was made to contribute \$1,200.00 to the Ludovico Sculpture Trail to be used for posters, advertising, etc. for the Exhibit by Lucille Cook and seconded by Duane Moore.

Mr. Same stated the Board appreciates what Ms. Pasmucans does - the Trail would not be there if it wasn't for her. Mr. Dougherty stated he values and respects the Trail and her attempts to have a Community event, but he opposes spending an additional \$1,200.00. Mr. Snyder said he is in favor of the motion, but would like to talk to Ms. Pasmucans after the Meeting.

The motion made by Lucille Cook and seconded by Duane Moore to contribute \$1,200.00 to the Ludovico Sculpture Trail to be used for posters, advertising, etc. for the Exhibit was carried 4 ayes, 1 nay; Councilman Dougherty with the dissenting vote.

Member – BSD Committee: Mr. Same noted there was an ad in the paper, and there has been no response to the ad. Mrs. Cook said she would see if she could find someone who is interested.

Option to Purchase & Access Agreement – SKDC: Mr. Same stated the Board has a copy of the Option to Purchase and Access Agreement for property at 1 Canal Street. He said this holds the property for the Town for a fee of \$125,000.00; once the evaluation of a facility and the location on the site is completed, any resolution that is passed that would allow the acquisition of the property would be subject to a permissive referendum. Mr. Morrell noted if the investigation and feasibility study indicate that the property is not a suitable location for the facility, the Town would be under no obligation to proceed with the purchase, as similarly, if the plan was rejected during the permissive referendum process, the Town would be under no obligation to purchase the property. Also, the Seneca Knit Development Corporation commits to use the funds paid by the Town for the demolition and site cleanup of the Trinity Church/Westcott Ruler property. Discussion followed.

A motion was made authorizing the Town Supervisor to sign the Option to Purchase and Access Agreement with Seneca Knit Development Corporation for the purpose of acquiring the property located at 1 Canal Street, Seneca Falls, by Lucille Cook and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Preliminary Plans for Town/Village Facility: Mr. Same noted the Board has a copy of a drawing put together by Matt Fuller of Barton & Loguidice. The first plan that was drawn up was 26,000 sq. ft. – it was a wish list. He requested that Mr. Fuller go back and give the Board a plan that it can critique in terms of a layout, which is a drawing the Board now has that has been reduced to 21,700 sq. ft. Mr. Same requested that all Department Heads in the Village and Town look at the drawing and think about ways to come up with more shared facility space and smaller space. Brief discussion followed.

Resolution – Add Health Net as Option for Retirees & Spouses: Mr. Same indicated some Retirees out of the Excellus area were offered EPO11 insurance, and it was discovered the Town cannot offer that insurance to them. He requested that the Board add Health Net as an option for those Retirees.

A motion was made adding Health Net as a health insurance option for Retirees and Spouses by Stephen Dougherty and seconded by Tim Snyder.

Mr. Dougherty asked if there were no circumstances that it is required to take this choice; it's just an option if you are out of the area. Mr. Same replied there are very limited options for those people out of the area – the only option is Health Net. Mrs. Cook asked if Health Net was being offered to those out of the area only; Mr.

Same replied it is being offered to Retirees – not just out of the area. Mrs. Cook asked about the cost of Health Net; Mr. Same replied it's a little bit less than EPO11. Brief discussion followed.

The motion made by Stephen Dougherty and seconded by Tim Snyder to add Health Net as a health insurance option for Retirees and Spouses was carried 5 ayes, 0 nays.

Payment of Bills:

A motion was made by Lucille Cook and seconded by Duane Moore to approve and order paid the following bills:

General Fund - \$114,634.15 (Abstract #6; vouchers numbered 223-273)

Miscellaneous Fund - \$17,102.27 (Abstract #6)

Highway Fund - \$23,233.46 (Abstract #6; vouchers numbered 69-85)

Recreation Fund - \$19,429.69 (Abstract #6; vouchers numbered 133-158)

Vince's Park Fund - \$6,138.57 (Abstract #6; vouchers numbered 29-43)

No questions. Motion carried 5 ayes, 0 nays.

At 8:50 P.M., a motion was made to go into Executive Session relative to a matter that could have an impact on the value of real property by Lucille Cook and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reopen the regular monthly Meeting at 9:55 P.M. by Tim Snyder and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

Being there was no further business, a motion was made to adjourn the Meeting by Duane Moore and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 nays.

Meeting adjourned at 9:55 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

The Seneca Falls Town Board held a Special Meeting on Thursday, June 19, 2008 at Seneca Falls Town Hall, 31 Fall Street.

Present were Supervisor Peter Same; Councilpersons Timothy Snyder, Stephen Dougherty and Lucille Cook. Also present was Joyce Mahoney, Town Justice.

Supervisor Same called the Meeting to order at 5:05 P.M. A roll call was taken of the Board Members and Councilman Duane Moore was absent from the Meeting.

Mr. Same stated the purpose of the Meeting is to discuss the Clerk's position in the Court which is currently a part-time position. He said the Judge talked to the Board awhile ago about the need to take this position to full time. She will explain to the Board why it needs to be a full time position, and then the Board will decide if it should be a full time position.

Judge Mahoney stated the type of crime is changing in the Town – the criminal matters, the felony matters, drug charges, etc. – which take a lot more time. From 2005, they had 1,428 vehicle & traffic cases; in 2007, they had 1,696 cases. For this year, they had 255 Penal Law, 807 vehicle & traffic, 58 DWIs, and the Civil and Small Claims are really climbing. They had 144 outside arraignments.

Mrs. Cook asked who works in the Court now; Judge Mahoney replied she and Janet Camp, and Anne Marrazzo comes down to check off the report at the end of the month. Three years ago, there was herself as Chief Court Clerk, two full time Clerks and a part-time Clerk and part-time Drug Court Clerk. Mrs. Cook said the Board has downsized them to a point where it makes sense to go to full time. Judge Mahoney pointed out

