

Supervisor Same called the regular monthly Meeting to order at 7:10 P.M. A roll call was taken of the Board Members and all were present; the Pledge of Allegiance followed.

Petitioners:

Robert Kernan – National Women’s Hall of Fame: Robert Kernan, Vice President of the Board, spoke on behalf of Christine Moulton who is ill. He said the mission of the National Women’s Hall of Fame is to honor women in perpetuity, citizens of the United States whose contributions have been the greatest value to the development of our Country. On behalf of the Board, Staff, and supporters of the Hall, he extended their gratitude for the Town’s ongoing support of the Hall’s mission and vision towards the future and the future of Seneca Falls and the greater Finger Lakes region. Mr. Kernan noted that their year-end report was submitted which discusses the expenditures that were incurred by the Hall during 2008. He said they are requesting disbursement of the 2009 allocation for the National Women’s Hall of Fame. The intent is to use these monies to recruit interns, educational programming and marketing of the Hall for Seneca Falls and the Finger Lakes region. Marilyn Bero, also a Member of the Board, invited the Board to the Induction which will take place in October – Columbus Day weekend.

Mr. Same noted that the Board, during the Budget process, did budget \$20,000.00 for the Hall.

A motion was made authorizing the Town Supervisor to sign the Agreement and to contribute \$20,000.00 to the National Women’s Hall of Fame by Lucille Cook and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Judy Amidon – Frank Ludovico Sculpture Trail: Judy Amidon, Member of the Board, stated she is here on behalf of Wilhelmina Pasmucans to request the release of funds budgeted for the Trail so that they can start with their Spring work. She indicated the majority of the money is used for maintenance of the Trail, sculpture repair and repair of storm damage and vandalism.

Mr. Same stated the Board appreciates the fact that the Trail is in the Community, and it gets a lot of use. He added the Town Board has supported the Trail in the past, and in this year’s Budget, there is \$7,500.00 for the Trail.

A motion was made authorizing the Town Supervisor to sign the Agreement and to contribute \$7,500.00 to the Frank Ludovico Sculpture Trail. No questions. Motion carried 5 ayes, 0 nays.

Tim Burgess – Red Jacket Fire Department: Tim Burgess, Assistant Chief of the Red Jacket Fire Department, stated they are looking for some assistance in funding for a new hovercraft. They cover roughly 20 miles of shoreline within the Town of Seneca Falls. Throughout the year, there have been several incidents where they have had to use the hovercraft which is aging and in need of constant maintenance - they don’t know how long they will be able to use that unit. Mr. Burgess indicated they have looked at a number of ways to fund a new hovercraft; over four years that they have been doing fundraisers, they have raised \$18,000.00. They are looking for assistance to fund this project.

Mr. Same asked if the hovercraft stays here or have they had calls to take it to other places. Mr. Burgess replied they have had to take it up to Sodus Bay and Cayuga County – they do get calls to respond outside the County. It also has been used in other areas of Central New York because it is the only one known to be operated by a fire department.

Mr. Moore asked if they had checked with other communities around Cayuga Lake for assistance since it seems to be an important piece of equipment for everyone who lives around the Lake. Mr. Burgess replied they have had dialogue with the Village of Cayuga Fire Department and Union Springs Fire Department – they have boats, they do not have a hovercraft. He added they have talked about purchasing one with their own groups, but they have not had dialogue to the point where they could do something together as a joint project – that could be a possibility. After further discussion, Mr. Same suggested that the Fire Department pursue the avenue that Mr. Moore mentioned to see if the surrounding communities around the Lake might be interested in going into a partnership. He added after that has been done, the Board can discuss to what extent it would like to participate in to help support the purchase of a hovercraft.

Mr. Same said there may be a grant opportunity; the Town’s Grant Writer is available to any organization in Seneca Falls. He indicated he would call Jean O’Connell to see if there are any grants available. He stated in the end, the Board would support the project as it knows how important it is, and the great service the Fire Department provides for the Community. Mr. Burgess said they will make inquiries and get back to the Board.

Approval of Minutes:

A motion was made to approve the Minutes of the Reorganizational and regular monthly Meeting of January 6, 2009 by Lucille Cook and seconded by Tim Snyder. Being there were no additions or corrections, the minutes were accepted as presented 5 ayes, 0 nays.

Reports:

Dog Control Officer: The Dog Control Officer's report states that two dogs were impounded and two dogs were redeemed; six Appearance tickets were issued. A total of \$20.00 in fees was collected and turned over to the Town Clerk.

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

Zoning Officer: Mr. Turkett noted the Board has a copy of his report which states that three Building Permits were issued during the month of January 2009. Building Permit #2144 was issued to Jeffrey Montag, 1808 Gravel Road, storage shed; Permit #2145 issued to Ronald Bench, 1875 Auburn Road, replace mobile home and Permit #2146 issued to Seaway Acquisition Company, Kingdom Plaza, signs and alterations.

A total of \$90.00 was collected from the issuance of these Permits, and three Building Permits have been issued to date for the year 2009.

Mr. Turkett sent an email to the Board advising them of a Hampton Inn development on the Brookline property; Brookline will subdivide which means there is an additional parcel for further development. He said it has been determined that the County owns the additional 30' of property on the corner of Route 414 and Route 5 & 20 adjacent to Bill Cram; they will be negotiating that parcel to Cram. Mr. Turkett mentioned that there was a Meeting to discuss the development of the Coville property.

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

Commissioner of Parks & Recreation: Mr. Spina noted that the Board has a copy of his report. He said Saturdays at the Community Center this year are very busy; they had to create four additional basketball teams. He added they are also now hosting wrestling every Wednesday night. Mr. Spina mentioned some of the other activities coming up, such as tournaments, the annual Bill Moody Memorial and lacrosse will be starting up – they will be pretty busy up to April 1st.

Mr. Same asked about reservations at Vince's Park. Mr. Spina replied that Saturdays and Sundays from June through August are booked with the exception of one Saturday in August; the pole barns are open. He remarked that it's incredible as to how quickly it fills up.

Skate Park Insurance: Mr. Spina stated it's hard to get a quote for insurance without someone coming out to measure. He spoke with Jeb Becker who became aware of opportunities with some insurance companies that they represent. Mr. Becker will get back to Mr. Spina with an actual quote.

Mr. Snyder said he talked to Mr. Marquart about security cameras. Mr. Spina stated Mr. Marquart gave him a quote today, and he received another quote. He said what this entails is video surveillance of the Community Center only. Mr. Snyder asked if this is something that can be discussed next month; Mr. Spina replied yes. Brief discussion followed.

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

Highway Superintendent: Mr. Wood stated his time has been spent in the plow truck; when it's not snowing, they have been pushing back drifts. The waterline materials came in last week, and they started to assemble the hydrant valves. Mr. Same mentioned that Mr. Wood did sell a piece of equipment. Mr. Wood stated money for the recently purchased piece of equipment was taken out of the highway reserve fund, and he feels the money received from the sale of equipment should be put back into the reserve fund. He is working on a fleet maintenance schedule.

Mr. Snyder asked if he is still on schedule for the Route 89 project; Mr. Wood replied he received the permit for the project; as soon as the weather breaks, they are hoping to get it in before the County House Road water project.

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

Assessor: Mrs. Loncosky stated they want to make sure everyone knows that the exemption deadline is March 1st; Mrs. Sloan will be sending out second notices. She indicated that she has been working on new construction.

Mr. Same stated at the County level, the County Board is in the process of amending Veterans exemptions. Mrs. Loncosky stated Seneca County has increased the limits of the alternative Veterans exemptions. She explained what the exemptions are. Brief discussion followed.

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

Attorney for the Town: Mr. Morrell stated the proposed local law for Veterans exemptions has been prepared and is on the Agenda this Evening. He said the Town has a Sex Offenders Law, and the intent is to keep people who are registered sex offenders away from the Town's Community Center which is generally a congregating spot for children and other residents of the Town. He was contacted in regard to an investigation involving someone who is required to register. The facts as presented and statements of witnesses and from the subject himself were not consistent. There were not any signs informing anyone about the existence of the Town Law at the point where they approached the Community Center from. Mr. Morrell brought this up because more signs are needed. Discussion followed.

Mr. Spina stated Mr. Marquart has gotten some bigger signs to put along the fencing and along Stevers' fencing as well. Mr. Snyder said any incident you have like this, people don't want to get involved; this is where the issue of the security cameras came up – it would take people out of that situation. After further discussion, Mr. Morrell stated this is a continuing topic across the State, and he will provide updates as information is available.

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

Town Justice: Judge Mahoney noted the Board has a copy of her report. She talked about hosting the fifth graders from the Cady Stanton Surge Program. She said the window dressings must be done; it's a dangerous situation. Mr. Same stated he was in the process; curtains are needed on all the front windows of all the classrooms, and they should all be the same. He added Mr. Marquart will create a rod across the frames; the intent is to have curtains one-half way up.

Mr. Snyder asked if there is grant money for a security system here in this building; Judge Mahoney replied yes. Mr. Snyder asked Mr. Spina if this is something we can talk about – maybe in doing both places, we could get a better price. Mr. Spina replied it would be beneficial – it would save money on both budget lines.

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

Committee Reports:

Mr. Dougherty reported on the job description for the joint position of Zoning and Ordinance Enforcement Officer. He will be setting up a Meeting with Mr. Campese to discuss this. Mr. Morrell stated the job description was arrived at by working with the County Personnel Department; they took their input and set it up based on what had been discussed previously. He added there are some changes in the Intermunicipal Agreement to reflect changes that were made after working with the Personnel Department. Mr. Same said he sent the last draft of the job description to the Village just to get that moving; the only other piece that is needed is the Intermunicipal Agreement. He added hopefully, we are at a point where the Village will agree with the Town Board and we can go forward with the position.

Mrs. Cook stated the Intermunicipal Watershed would like to meet again in Seneca Falls at the Community Center on February 25th. She added it's important to host these meetings because they finally have gotten the north end of Cayuga Lake on their radar. She requested some kind of a budget to get refreshments for the Meeting. After discussion, Mr. Same suggested that Mrs. Cook work with Mr. Spina for whatever she needs for the Meeting.

Mrs. Cook said on behalf of the Town Board, she wanted to thank the Employees of the Town; she received some nice compliments today about professionalism of the Employees and the good job the Housekeeper does in making the School and Offices look nice. She thanked the Employees for helping with the move, with the patience they had because they had two moves and for adjustments to the changes in settling in. She also thanked Mark Marquart for going above and beyond with what he had to do and making the move much easier for Town Employees. Mr. Same, as well as other Members of the Board, echoed Mrs. Cook's sentiments.

Communications:

A motion was made to receive and file Communications numbered 1 to 32 by Lucille Cook and seconded by Steve Dougherty. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 32 are as follows:

1. Check in the amount of \$30,467.04 from Town Justice representing fines, fees and forfeitures collected by the Court during the month of December 2008.
2. Checks in the amount of \$1.74 and \$1.38 from Verizon representing credit balance refund for Assessor's phone and Town Clerk's phone.
3. Tonnage received by the Landfill from the Town during the month of December 2008 from Seneca Meadows, Inc.
4. Letter from Bonnie Vaughn, President, It's a Wonderful Life, thanking Board for their support in making the Festival a huge success.
5. Check in the amount of \$943.56 from Urban Sun LTD representing January payment of CDBG loan.
6. Letter from Five Star Bank requesting the Town rename the Bank as official depository of Town funds.
7. New York State Register, January 7, 14, 21 and 28, 2009, from Department of State, Division of Administrative Rules.
8. Check in the amount of \$650.25 from Seneca County IDA representing the Town's 2009 share of PILOT which was negotiated with Seneca Commons LLC.
9. Check in the amount of \$189.20 from Lucille Cook representing reimbursement for Spouse's airfare.
10. Check in the amount of \$3,717.59 from BonaDent representing January 2009 payment of CDBG loan.
11. Minutes of the Town Planning Board Meeting of December 17, 2008.
12. Check in the amount of \$189.20 from Duane Moore representing reimbursement for Souse's airfare.
13. Statement of Accounts, December 1-31, 2008, from M & T Investment Group.
14. Minutes of the Zoning Board of Appeals Meeting of December 22, 2008.
15. Monthly Report for the month of December 2008, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
16. Letter from Time Warner Cable listing the changes to their channel line up in Seneca and Cayuga Counties.
17. Check in the amount of \$39,375.00 from American Rentals LLC representing sale of Town Highway's 2006 Volvo EW55B Excavator.
18. Booklet entitled "Guide to the ADA Amendments Act" from Thompson Publishing Group.
19. 2008 town History from Philomena Cammuso, Town Historian.
20. Check in the amount of \$1.00 from Verizon representing credit balance refund due on Court line.
21. List of monies paid to the Town Supervisor during the year 2008 from Seneca County Treasurer.
22. Independent Accountant's Report for year ending December 31, 2007 relative to Seneca Meadows Landfill from BMC – Beard Miller Company LLP.
23. Copy of packet sent to NYS Parks relative to the Seneca Falls Community Center Grant Project Acquisition from J. O'Connell & Associates.
24. Checks in the amount of \$27.98 and \$12.00 from Time Warner Cable representing refunds from closed accounts.
25. Check in the amount of \$717,600.00 from IESI Corporation representing balance due for 2008 for Town's share of refuse received by the Landfill as per Host Community Agreement.
26. Pledges of Collateral, December 31, 2008, from M & T Investment Group.
27. Copy of letter to Seneca Falls Police Department from Town Attorney relative to an incident at the Community Center.
28. Check in the amount of \$143.10 from Magee Country Diner, Inc. representing the annual billing for sewer service.
29. Copy of letter from Town Attorney to Eric A. Bloom, Esq. relative to final payment due Patterson Stevens, Inc. regarding the Vince's Park Pool Rehabilitation.
30. Check in the amount of \$20.00 from Thomson West representing refund due for Court publications.
31. Check in the amount of \$730,703.86 from Town Tax Collector representing Town taxes collected.
32. Status of CDBG loans as of December 31, 2008 and January 31, 2009 from Beverly Warfel, Account Clerk.

Old Business:

Townwide Water Improvements: Discussed under Highway Superintendent's report.

Vince's Park Pool Renovations: Mr. Morrell stated the Town has been served with papers. The amount of money in question is around \$13,000.00 which is money the Town retained for various reasons. He said the Town's answer to the papers has been filed with the Court and has been served on the opposing party. Mr. Morrell indicated he would update the Board as it goes forward. Mr. Same added the amount retained is money that the parties agreed to. Brief discussion followed.

Recreation – Skate Park Insurance: Discussed under Mr. Spina's report.

Contribution Request – Red Jacket Fire Department: Discussed earlier in the Meeting.

New Business:

Local Law #1 – 2009 – Amend Flood Insurance Rate Map: Mr. Morrell noted SEQR is required; the change of the Flood Map is not a zoning change and there aren't other aspects of the project that would trigger a hard level of scrutiny, so the short environmental assessment form can be used. Mr. Legnetto informed the Board that the proposed change does not impose any type of environmental change because there is no physical change to the land; there are no characteristic changes in the properties that are out there, and no reduction in flood areas. Mr. Morrell asked if Mr. Legnetto identified any potential environmental impacts in his review; Mr. Legnetto replied no.

A motion was made declaring the Town Board lead agency relative to this project by Stephen Dougherty and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 nays.

A motion was made declaring that this action would not result in any significant adverse environmental impact by Tim Snyder and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to adopt Local Law #1 – 2009, a local law amending the Flood Insurance Rate Map, by Duane Moore and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 nays.

Docks and Moorings Steering Committee: Mr. Same stated Mrs. Cook has agreed to continue serving on the Committee. He added Ken Cook has attended a lot of the meetings and would like to continue to do so.

A motion was made appointing Ken Cook to the Docks and Moorings Steering Committee by Peter Same and seconded by Duane Moore.

Mrs. Cook stated they are working with the County who is actually doing the steering. They received a grant from the State in order to proceed.

The motion made by Peter Same and seconded by Duane Moore to appoint Ken Cook to the Docks and Moorings Steering Committee was carried 4 ayes, 0 nays; Councilwoman Cook recused herself from voting.

Sale of Highway Equipment Funds Moved to Capital Reserve: Mr. Same stated the request of the Highway Superintendent is to place the funds received from the sale of the equipment into the Capital Reserve Fund.

A motion was made authorizing the amount of \$39,375.00 received from the sale of the Highway equipment to go into the Highway Capital Reserve Fund by Duane Moore and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Advance – Association of Towns Conference: A motion was made to advance \$500.00 for expenses to those attending the Association of Towns Conference by Lucille Cook and seconded by Duane Moore.

Mr. Morrell stated under General Municipal Law, it's the estimate of expenses; the receipts get turned in to the Town Clerk, and if the receipts do not add up to the Town's estimate of \$500.00, it is expected that the difference is paid back to the Town. The time frame for submittal of expenses is 60 days. Brief discussion followed.

The motion made by Lucille Cook and seconded by Duane Moore to advance \$500.00 for expenses to those attending the Association of Towns Conference was carried 5 ayes, 0 nays.

Celebration – NYCC: Mr. Same stated this year marks the 90th Anniversary of the existence of NYCC, and they will be celebrating for four days this summer. He added Mr. Petroccia asked if the Town would be interested in participating by helping to fund the fireworks display. The question to the Board is if the Town would be interested in partnering with NYCC and moving all the festivities from Vince's Park to the College; if the Board wants to go in this direction, it would have to be planned quickly. Mr. Spina said one of his concerns is they would not have the Staff to help that if it was moved to the College; Vince's Park would be open and the Staff is needed there. He and Mr. Korzeniewski feel the same way – that was designed for Vince's Park with that Park in mind. He will go along with whatever the Board decides. Discussion followed.

Mrs. Cook asked what was budgeted for fireworks and what was budgeted for the whole Event. Mr. Spina replied the entire Event is \$10,000.00 - fireworks is \$6,000.00. He added they thought they may not have to (based on what they are trying to do) not use it all and some of that can be applied to support NYCC. Further discussion followed.

Mrs. Cook stated she can see supporting the College, but she is not in favor of moving the Town's Celebration away from the 4th of July. She added maybe there is a way to support them because they are important to the Community. Mr. Same suggested that the Recreation Committee meet and determine what the options are.

Contract – Beverly Animal Shelter: Mr. Morrell stated he reviewed the contract and received a copy of their Insurance coverage, and he doesn't see any reason for the Town not to enter into this Contract. Mr. Same stated the State requires them to have a contract with municipalities that they do business with.

A motion was made authorizing the Town Supervisor to sign the Agreement with Beverly Animal Shelter by Tim Snyder and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 nays.

Year-End Budget Transfers: A motion was made to approve the attached Year-End Budget transfers by Lucille Cook and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Amend Local Law –Alternative Veterans' Exemptions: Mr. Morrell provided a Resolution for the Board to consider passing; part of it would be to call for and set a Public Hearing for the adoption of this Local Law to amend the Veterans Exemptions, and the remainder of the document is the proposed Local Law itself along with the filing documents to the Department of State.

A motion was made to hold a Public Hearing at 7:00 P.M. on March 3, 2009 relative to the proposed Local Law amending the Veterans Exemptions by Tim Snyder and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

Audit – Community Center Grant: Mr. Same stated the paperwork for the Community Center \$100,000.00 Grant which was tied to the construction of the Community Center ended up being tied to the improvements of the breakwall and fencing. He said the final paperwork has been sent in to the State for reimbursement, and now we are being told that an audit is required. He received a quote of \$4,000.00 from the Bonadio Group to do the audit.

A motion was made authorizing the Bonadio Group to conduct an audit relative to the Community Center Grant at a cost of \$4,000.00 by Lucille Cook and seconded by Stephen Dougherty. No questions. Motion carried 4 ayes, 0 nays.

Release Budgeted \$3,000.00 to LDC: A motion was made to release the remaining budgeted amount of \$3,000.00 to the LDC by Tim Snyder and seconded by Duane Moore. No questions. Motion carried 3 ayes, 0 nays; Supervisor Same and Councilwoman Cook recused themselves from voting.

Purchase of Computer – Town Clerk: Mr. Same stated the Town Clerk would like to purchase a computer with funds that were in her 2008 Budget; cost is \$862.00.

A motion was made authorizing the Town Clerk to purchase a computer for her Deputy at a cost of \$862.00 by Lucille Cook and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Payment of Bills

A motion was made by Tim Snyder and seconded by Stephen Dougherty to approve and order paid the following bills:

General Fund - \$185,541.61 (Abstract #2; vouchers numbered 24-74)

Miscellaneous Fund - \$4,837.82 (Abstract #2)

Highway Fund - \$6,146.24 (Abstract #2; vouchers numbered 6-17)

Recreation Fund - \$39,247.27 (Abstract #2; vouchers numbered 13-46)

Vince's Park Fund - \$1,110.85 (Abstract #2; vouchers numbered 1-6)

No questions. Motion carried 5 ayes, 0 nays.

At 9:00 P.M., a motion was made to go into Executive Session to discuss a personnel issue regarding a specific Employee by Lucille Cook and seconded by Stephen Dougherty. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reopen the regular monthly Meeting at 9:25 P.M. by Duane Moore and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Being there was no further business, a motion was made to adjourn the Meeting by Stephen Dougherty and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Meeting adjourned at 9:25 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

