

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, July 7, 2009 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Peter Same; Councilpersons Duane Moore, Lucille Cook, Stephen Dougherty and Timothy Snyder. Also present were Patrick Morrell, Attorney for the Town; Donald Wood, Highway Superintendent; James Spina, Commissioner of Parks and Recreation; Steven Turkett; Zoning Officer; Joyce Mahoney, Town Justice, Jeffrey Rowe, Town Engineer and a Member of the local media.

Supervisor Same called the Meeting to order at 7:00 P.M. A roll call was taken of the Board Members and all were present; the Pledge of Allegiance followed.

Hotel Clarence: Mr. Same stated in the Warrant of Claims, there was a request from the Local Development Corporation for the funds that were committed by the Town Board for an Economic Development Project within the Town and Village – the Hotel Clarence Project. He said the Board is extremely happy to sign an agreement between the Town and the LDC that would allow the funds to transfer to the LDC. Bob Buccieri, Economic Development Director, stated this grant agreement involves the transfer of CDBG funding from the Town through the LDC to the Hotel Clarence. He added it is \$400,000.00 in funding to help with the cost of the initial setup of equipment and merchandise so that they will be able to start business in an efficient manner. He said they have agreed to submit billing in that amount to prove that the money is going toward substantial products. August Sinicropi, Chair of the LDC Board, thanked the Board for their commitment to this Project, and said this proves that the LDC can be a vehicle that is valuable to both the Town and Village and the Business Community. He added hopefully, in a couple of weeks, we will see many more people traveling the streets of downtown reacting to the opening of the Hotel Clarence. Mr. Same and Mr. Sinicropi proceeded to sign the Agreement.

Mr. Buccieri stated the Seneca Falls Development Corporation continues with a few of the projects that have been going on. He mentioned a few of the projects, such as the Farmers Market and the Seneca Wine Tour. He said they are also involved in conversation with finding a home for the Finger Lakes Museum, a \$50 million project that has been proposed; fourteen sites in the greater Finger Lakes area have been selected – three of which are in Seneca County, and one of which is in Seneca Falls at Deer Run Park.

Mr. Same thanked Mr. Sinicropi for his help on the Opera House Building; there are a lot of pictures and things that have come from the Historical Society that are on display - basically the exhibit is a history of the Gould since it's opening in 1836. Discussion followed.

Mr. Dougherty stated someone mentioned to him that there should be a map of some kind for boaters' services that are available to them. Mr. Buccieri said it's a great idea – they just replaced the bulletin board down by the boating area and parking area by People's Park. Mr. Spina stated for the past five years, the Village decided they wanted to direct traffic to the Visitors' Center going down Walnut Street, up Water Street and out back. He said the signage is horrible; the first thing people see is the Community Center. While they don't mind directing people, it makes the Village look kind of silly - directing people somewhere they don't know where to go and they have to steer them. Mr. Spina said he has asked the Village many times to do something – either give them more information if they are going to act as the Visitors' Center satellite office or change the signage. Mr. Buccieri said he would see what he could do.

Petitioners: There were no Petitioners.

Approval of Minutes:

A motion was made to approve the minutes of the regular Meeting of June 2, 2009 and the Special Meeting of June 15, 2009 by Duane Moore and seconded by Stephen Dougherty. 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 seven dogs were impounded – five redeemed and two dogs still being held; five Appearance tickets were issued. A total of \$50.00 in fees was collected and turned over to the Town Clerk.

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

Zoning Officer: Mr. Turkett stated the Board has a copy of his report which states fifteen Building Permits were issued during the month of June 2009. Building Permit #2185 was issued to John Tardibone, Route 414, accessory building; Permit #2186 issued to Kristin Oddi, 2719 Bauer Road, pool; Permit #2187 issued to Phyllis and John Vacca, 2896 Lower Lake Road, deck (By Order ZBA); Permit #2188 issued to Martin F. Temple,

2395 Lower Lake Road, replace siding, deck and windows; Permit #2189 issued to William Moore, 2545 Lower Lake Road, siding; Permit #2190 issued to Diana Martin, 1785 Gravel Road, siding; Permit #2191 issued to Ronald and Judith Austin, 2721 Lower Lake Road, roof; Permit #2192 issued to Servus Hotel Group, 2469 Route 414, sign; Permit #2193 issued to Paul and Elizabeth Caratozzolo, 24 California Avenue, pool; Permit #2194 issued to Vincent Scaglione, 2288 King Road, fence; Permit #2195 issued to Brian M. DeMillo II, 3016 E. Bayard St. Ext., fence; Permit #2196 issued to James A. Saik, 2768 State Rt. 318, residence; Permit #2197 issued to Martin's Honey Farm & Meadery LLC, 1655 Auburn Road, sign (By Order ZBA); Permit #2198 issued to Robert and Julia Cracknell, 2999 E. Bayard St. Ext., repair roof and Permit #2199 issued to Lott Farm, Route 414, building.

A total of \$590.00 was collected from the issuance of these Permits, and 56 Building Permits have been issued to date for the year 2009.

Mr. Turkett received responses from letters of discontinuance that he sent out, and second letters were sent out with clarification of what the terms of the property are and what the resulting determination will be.

Mr. Turkett stated the Planning Board and Zoning Board of Appeals met on June 25th, continuing the process with Lakeview Mental Health Services and Hampton Inn. Rite-Aid Pharmacy needs to do some work as it was determined their application was incomplete. Brief discussion followed relative to Rite Aid.

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

Commissioner of Parks & Recreation: Mr. Spina noted the Board has a copy of his report for the month of June 2009. They are still very busy as Summer Programs are going on. Summer Play Program opened yesterday with 220 registered, and a waiting list of 15-16; Lisa Bentley is the new Director of the Program. Four of the five Sessions of Summer Pre-School are full. Basketball Camp also started yesterday - there has been an increase in camps. Mr. Spina mentioned the Summer Play Program and the extensive inspection he had to go through with the Health Department.

Mr. Spina stated the July 4th Celebration was a great success. There were some issues, one being they found out they had to get a permit from County Code. He said it's a great Event that is well attended not only by local people, but those around us. He thanked the Highway Department for taking care of the triangle. Discussion followed.

Mr. Spina said the kids are using the Skate Park. The issue they are having is they are jumping the fence because they want to use it all the time; they only can skate when the Park is open. They will be getting signs that states when the Park is open and when it is closed. He indicated that the steps they did with the Insurance Company has helped.

Mr. Spina mentioned the issue with the Vince's Park pool pump. He said the suggestion may be to purchase another pump. Mr. Same said he asked Mr. Spina to find out what the cost would be to get an identical replacement pump. If it's reasonable and the Board approves it, the old pump can be taken out and the new one put in place, and the pool would not have to be shut down. He added the old pump can be taken to Auburn Armature for repair and it can be a back-up. Mr. Spina said he would take care of this.

Mr. Spina stated the new Owner of the Company that put the Community Center roof on visited them last week during a rainstorm. They are waiting for a report from him. Discussion followed.

Mr. Dougherty mentioned the Smoking Policy and the discussion that was had relative to recommendations. Mr. Spina stated his recommendations are to develop some kind of a non-smoking policy for all of the Town's recreation facilities. They have had issues at Kids' Territory with smoking; Little League and groups that use Kids' Territory are required to police that. He would like the Town Board to develop some type of non-smoking policy for all recreational facilities. The Town Clerk mentioned that a Smoking Policy was adopted several years ago, which she will look into. Further discussion followed.

Mrs. Cook mentioned the Sex Offenders signs at Kids' Territory, and said they are way too small. She said it's a serious issue and it should be addressed; the signs should be made bigger. Mr. Snyder agreed that the signs at the entrances of all Town properties should be bigger - maybe like the size of a political sign. Mr. Spina said he is okay with this, but at some point, the size of the signs has to be determined. Mr. Dougherty suggested that they look into size and make a recommendation at the next Meeting.

Mr. Snyder asked if Mr. Korzeniewski keeps stats of those that come in and out of the pool- is this a report that the Board can get. Mr. Spina replied he usually gives a report in September of Resident and Non-Resident usage.

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

Highway Superintendent: Mr. Wood stated they completed the trash pickup on June 14th. They are working at Ken-Mor Estates, prepping it; all the driveways are done. They started paving today, and should be finished by Thursday; then they will do the shoulders.

Mr. Wood stated as for Water Improvements, they did have a leak, but it wasn't their fault. The Contractor that put in the pipe under the road put a hole in the pipe – he will be coming back.

Mr. Wood mentioned the bobcats he would like to trade in – one is six years old and one is four years old. He has prices for two bobcats – there is some money in the Budget, but most of the cost has to come out of Capital Reserve. Mr. Same asked how long the bids are good; Mr. Wood replied 30 days from quote date. After further discussion, Mr. Same suggested that Mr. Wood hold the bids until the August Meeting, and meet with the Highway Committee. Mr. Wood said he would meet with his Committee.

Mr. Snyder asked about Peterman Road; Mr. Wood replied he has stones coming for other roads, and will do it at that time – it costs so much to do it separately.

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

Assessor: No report.

Attorney for the Town: Mr. Morrell stated he has no report other than items that are on the Agenda.

Town Justice: Judge Mahoney noted the Board has a copy of her report. She will be attending a Judicial Conference in Potsdam at the end of July at no cost to the Town. She mentioned the appointment of a temporary Court Clerk. Mr. Same stated it has been reviewed and discussed; Rachael Sloan who is a College student in Criminal Justice is available to work. He added the purpose for this position is because an Employee is on Maternity leave.

A motion was made by Duane Moore and seconded by Lucille Cook to appoint Rachael Sloan as part-time temporary Clerk for the Court Office effective July 2, 2009 at \$9.00 an hour, and effective for the duration of the Employee's Maternity leave. No questions. Motion carried 5 ayes, 0 nays.

Committee Reports:

July 4th Celebration: Mr. Dougherty commended Mr. Spina, Mrs. Caraher and Mr. Korzeniewski and the Staff at Vince's Park for having a very successful Event at the Park. Mr. Same reiterated that it was a great Event; they all should be complimented for what they do.

Contributions:

A motion was made to receive and file Communications numbered 1 to 30 by Stephen Dougherty and seconded by Lucille Cook. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 30 are as follows:

1. Tonnage received by the Landfill from the Town during the month of May 2009 from Seneca Meadows, Inc.
2. Check in the amount of \$300.00 from Robert Johnson representing waterline hookup fee.
3. Letter from Time Warner Cable relative to Time Warner implementing a new interactive technology known as Switched Digital Video.
4. Section 504 Compliance Handbook, June 2009, from Thompson Publishing Group.
5. Check in the amount of \$28,231.49 from Town Justice representing fines, fees and forfeitures collected by the Court during the month of May 2009.
6. Monthly Report of all moneys received and disbursed during the month of April 2009 and May 2009 from Town Supervisor.
7. Check in the amount of \$300.00 from Willis Rhinehart representing waterline hookup fee.
8. Pledges of Collateral, May 26, June 15 and 25, 2009, from M & T Investment Group.
9. Minutes of the Town Planning Board Meeting of May 7, 2009.
10. New York State Register, June 3, 10, 17, 24, 2009 and July 1, 2009, from Department of State, Division of Administrative Rules.
11. Letter thanking Town for its continued support from Seneca Falls Library.
12. Statement of Accounts, May 1-31, 2009, from M & T Investment Group.
13. Summary Report of Grant Activity, June 1, 2009, from J. O'Connell & Associates.
14. Notice of Determination of Non-Significance (Negative Declaration) in regard to SEQR and relative to

the Seneca Falls Transportation and Trails Enhancement Project from NYS DEC.

15. Monthly Report for the month of May 2009, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
16. BlackBrook Monitoring Report and Groundwater Monitoring Report, 1st Quarter 2009, from Seneca Meadows, Inc.
17. Check in the amount of \$684.87 from Shirley Andrews representing her share of quarterly health insurance premium.
18. Check in the amount of \$569.98 from Robert Tansley representing Retiree's share of quarterly health insurance premium.
19. Check in the amount of \$3,717.59 from BonaDent representing June payment of CDBG loan.
20. Check in the amount of \$1,314.16 from Rodman Lott representing reimbursement for culvert pipe.
21. Check in the amount of \$29,144.01 from Seneca County Treasurer – mortgage tax.
22. Letter from Seneca Falls Historical Society thanking Town for its support of the Historical Society.
23. Copy of letter to Lakefront Resident/Property Owners in the Town from Seneca County Inter-Municipal Docks and Moorings Steering Committee relative to a Docking and Mooring Law Project.
24. Newsletter, Summer 2009, from Child Care Council of the Finger Lakes.
25. Check in the amount of \$63.00 from Gay & Son Agency, Inc. representing refund for balance of premium on 1986 Tractor that was sold.
26. Check in the amount of \$943.56 from Urban Sun LTD representing June payment of CDBG loan.
27. Notice that the slowing demand for new central office codes in the 315 area code region has extended the exhaust date for such codes to 2013 from State of New York, Public Service Commission.
28. Check in the amount of \$343.88 from Steven Turkett representing Employee's share of medical insurance premiums.
29. Reports and Resolutions from the Seneca County Planning Board relative to a Subdivision review, Site Plan review and Area Variance.
30. Check in the amount of \$33,712.20 from Town Justice representing fines, fees and forfeitures collected by the Court during the month of June 2009.

Old Business:

Townwide Water Improvements: Discussed earlier in the Meeting.

Vince's Park Pool Renovations: Mr. Morrell said he spoke with the other Attorney about having it handled through a Mediator rather than more formal Court proceedings to keep expenses down and move things along.

Contribution Request – Red Jacket Fire Department: Nothing to report.

Sale of Property – 10 Fall Street: Mr. Morrell stated the appraisals did come in and he did provide them to the Town Clerk; each Board Member should review them. Mr. Dougherty asked if they should be considered confidential. Mr. Morrell replied yes – at this point they could possibly affect impact on the value of real property. He requested that they not be released to the public. Mr. Same noted the final time to submit a bid on that parcel is July 31st.

Purchase of Property – 87-89 Fall Street: Mr. Morrell stated he hopes to have everything in place as far as a revised lease agreement with the current Tenant, as well as the purchase agreement to formalize at the next Meeting.

All Hazards Mitigation Plan: Mrs. Cook stated she met with Charles McCann, and he has emailed her a copy of the Plan. She will revise it and send it to the Board Members and Mr. McCann, and have it ready by the August Meeting.

Mr. Same stated he will be meeting on July 13th with Don Wood and Ken McConnell, Member of the Dissolution Committee, to look at the Street Department requirements and the impact it would have on the Town. He added another Meeting will take place on July 15th to discuss administration – there will be a joint discussion with the Town and Village Staff in terms of impact and manpower needed.

Mrs. Cook asked if it would be considered a meeting if Town Board Members attend these Meetings to listen. Mr. Morrell replied when you are attending other Board Meetings, the requirements are when Members of the Town Board meet for the purpose to conduct Town business; when you are observing the Village Board, then you are not conducting Town business. Further discussion followed.

New Business:

Contribution – Seneca Falls Rotary: Mr. Snyder stated the Board has received a letter from Seneca Falls Rotary requesting a contribution of \$150.00 plus a dump truck on September 13, 2009 for the Seneca Falls Rotary Jazz Festival; the money is budgeted.

A motion was made to contribute \$150.00 to the Seneca Falls Rotary Jazz Festival by Lucille Cook and seconded by Stephen Dougherty.

Mr. Dougherty asked how it benefits Seneca Falls. Mr. Morrell replied this is a fundraiser for Rotary itself; Rotary is a not-for-profit agency. Brief discussion followed.

The motion made by Lucille Cook and seconded by Stephen Dougherty to contribute \$150.00 to the Seneca Falls Rotary was carried 3 ayes, 0 naves; Supervisor Same and Councilman Moore recused themselves from voting.

Resignation – Member of Planning Board: A motion was made to accept the resignation of Dr. Mary Norman with regret as a Member of the Planning Board by Stephen Dougherty and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 naves.

Mrs. Cook requested that Mr. Same write a letter from the Town Board thanking Dr. Norman for all she has done during her years of service and wishing her well.

Ad – Empire Farm Days: Mr. Same stated there is a request made to see if the Town would be interested in placing an ad in support of Empire Farm Days – there are different levels of support.

A motion was made to place an ad in support of Empire Farm Days at a cost of \$120.00 as it benefits Seneca Falls by bringing in a number of people by Lucille Cook and seconded by Tim Snyder.

Discussion followed relative to the wording of the ad. Mr. Same requested that Mrs. Cook and the Town Clerk get the wording of the ad to Cathy Lee as the deadline is approaching.

The motion made by Lucille Cook and seconded by Tim Snyder to place an ad in support of Empire Farms Days at a cost of \$120.00 as it benefits Seneca Falls by bringing in a number of people carried 5 ayes, 0 naves.

Declare Computers Surplus: Mr. Same stated Mrs. Warfel asked what would be done with a couple of computers – they are both usable. He added the intent was to declare them surplus and advertise for bids. Mrs. Cook suggested that before they are put out for bid, find out exactly what they are, what Microsoft programs are on them and speed. Mr. Same indicated this will be held over until August.

Advertise for Bids – Boaters' Facility: Mr. Same indicated that Mr. Rowe has plans – he will have the stamped plans later this week. Mr. Rowe stated the plans show the proposed modification of the lower level of 89 Fall Street to accommodate a Boaters' Bathhouse Facility. There is a laundry facility, men and women's restrooms and shower facilities, as well as space for a harbor master. Further discussion followed relative to the renovations.

Mr. Rowe stated the plan is to advertise for bids in the Town's official newspaper later this week, receive bids until July 28th at which time bids will be opened, and award the bid at the August Meeting, with the project starting this Fall. Mr. Same indicated the Board did approve O'Connell & Associates to administer this Grant - the Grant award is \$160,000; the Town has to spend the money on the project in order to get reimbursed.

A motion was made to go out for bid for renovations at 89 Fall Street for the Boaters' Facility, bids to be opened at 2:00 P.M. on July 28, 2009, by Stephen Dougherty and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 naves.

Mr. Spina asked if it will be a Town building; Mr. Same replied yes. Mr. Spina asked if his Staff will be taking care of it; Mr. Same said the Board hopes Mr. Spina can afford some Staff – it will be discussed at Budget time. Discussion followed relative to the problem with the sidewalk in front of the building and the proposed solution to fix the problem.

The Board discussed the Summary of Grants and their status that was submitted by J. O'Connell & Associates.

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

Meeting adjourned at 8:40 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

