

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, February 2, 2010 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Peter Same; Councilpersons Timothy Snyder, T.J. Casamassima, Susan Sauvageau and Duane Moore. Also present were Patrick Morrell, Attorney for the Town; Steven Turkett, Zoning Officer, James Spina, Commissioner of Parks and Recreation, 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.

Petitioners:

Philomena Cammuso – St. Anthony Italian Festival: Philomena Cammuso stated every year, the Town Board has been very supportive of the St. Anthony Italian Festival Event. She said this year, they will be celebrating the 30th Anniversary of their Italian Heritage - it's the largest celebration of Italian Heritage in upstate New York. Ms. Cammuso stated they are requesting disbursement of the amount budgeted for the Festival. Mr. Same stated the Board has supported this Event in past years – it is a great Event.

Linda Solan – Seneca Museum of Waterways & Industry: Linda Solan, Director, stated this is the 12th year at 89 Fall Street. They are a 2 ½ floor Museum, handicapped accessible, with four dioramas, artifacts about the Industry of Seneca Falls, hands-on for children, tour guides and great programming that is partially funded by the NYS Decentralization Grant that they obtain every year. Ms. Solan noted they tour over 7,000 visitors and Community members all year long. They would like to thank the Town of Seneca Falls for their continued support and funding. She added they would also like to thank J. O'Connell & Associates for helping them with grant writing. Ms. Solan mentioned that due to hard economic times, the Board's continued support is needed for the success of the Museum.

Mr. Same stated in the brochure, it is mentioned that he is a Member of the Board. He resigned from the Museum Board several weeks ago because of the involvement with the building and trying to complete a lease. Ms. Solan thanked the Community Center Staff who has been very helpful during the renovations for the Boaters' facility, and said they have answered all their questions.

Chris Moulton – National Women's Hall of Fame: Chris Moulton mentioned that the Board has a copy of the 2009 Year-end report as far as expenditures. On behalf of the Board and the Staff of the Hall, she extended their gratitude for the Town's ongoing support. She requested disbursement of the 2010 allocation to the Hall of Fame, and said the intended use would be to fund job creation, continued educational programming and marketing of Seneca Falls to the Nation at large.

Ms. Sauvageau said she noticed they have a lot of printing expenses, and asked if they use local printers as often as possible. Ms. Moulton replied they do – they put out a bid package annually for printing services and invite local printers to bid. She added they are producing a quarterly newsletter that goes to about 10,000 people nationally.

Chris Moulton – Convention Days: Chris Moulton stated as the new President of Convention Days, she is making a request to the Town Board for support – they have received the Town's support in the past. Their intention this year is to begin marketing Convention Days earlier than they have in the past, and also in a wider way to student groups, school groups and family groups. Ms. Moulton mentioned that they have invited several National level Speakers this year.

Mr. Casamassima asked if they are going to revamp it this year. Ms. Moulton replied they are looking to do fewer events in a bigger way, and they are concentrating on one weekend of events. She added they are hoping to use as much free publicity and press as they can, and hope to market to a wider audience. Mr. Casamassima asked if they will be having the run again as it seemed to be very popular. Ms. Moulton replied there have been discussions about support for that and resources to support it.

Linda Solan – Ludovico Sculpture Trail: Linda Solan thanked the Board for their support of the Trail. She noted in 2009, two sculptures were put on the Trail – the flying bird and the Keeper of the Trail which is Sue Hawker. This year, they plan on three sculptures – a sculpture which would represent couples who have remained together 50 years or longer, Hillary Clinton, and some sort of sock representing Seneca Knitting Mill. Ms. Solan stated they had a lot of expenses this year due to the rain, and a lot of trees came down this winter. She added if you walk that Trail, you don't realize how much it takes to keep that Trail up.

Approval of Minutes:

A motion was made to approve the minutes of the Reorganizational and regular monthly Meeting of January 5, 2010 and the Special Meeting of January 7, 2010 by Sue Sauvageau 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 one dog was impounded and eight Appearance tickets were issued. Mr. Casamassima mentioned that he had to call Mrs. Comerford a number of times where lost dogs come down to Washington Street to look for water at the Canal. A couple of weeks ago, he saw a dog on the water, and called Mrs. Comerford who responded very quickly as always. He appreciates her being available and thanked her for her quick response.

A motion was made to accept the Dog Control Officer's report by Tim Snyder and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: Mr. Turkett noted the Board has a copy of his report which states two Building Permits were issued during the month of January 2010. Building Permit #2232 was issued to William Sweeting, 2791 Farron Road, outdoor wood furnace and Permit #2233 issued to Lakeview Mental Health Services, 1988 Balsley Road, apartments.

A total of \$3,604.00 was collected from the issuance of these Permits, and two Building Permits have been issued to date for the year 2010.

Mr. Turkett stated the Planning Board had two minor Subdivisions, one being the division of a larger parcel which means the Town has been able to get an additional building lot and assessment. There are two banks – one is beginning the Site Plan Review and the Seneca Falls Savings Bank has gotten final approval and received their Building Permit today. Mr. Turkett mentioned that he received a call from Rite Aid who would like to proceed with their final site plan review.

Mr. Same stated he attended the Groundbreaking Ceremony for Lakeview Mental Health, and commented that the Town has to take some responsibility for safety along Balsley Road. He said the Town should be working with property owners on the south side to see what kind of sidewalks could be installed. He didn't know if Brookline Development had anything in their plans or what Lakeview's plan is for the facility. Mr. Turkett stated where it was left with Brookline is part of their approval for the subdivision was for them to provide sidewalks from Lakeview all the way to Route 414. He added sidewalks to the south would cross two parcels – one is a private owner and the other is Kinney Drug Store, which currently, there are no plans for sidewalks. After further discussion, Mr. Same requested that Mr. Turkett discuss this with Mr. Rowe.

Mr. Morrell stated in reviewing the Lakeview project, as well as the subdivision from Brookline project, the Planning Board and the Zoning Board both took the position that sidewalks would be very necessary on that side of the road with the development that was happening, so it was included in the final site plan approval for Lakeview and the subdivision.

Mr. Turkett mentioned that there is a severe lack of lighting – he didn't know if the Board wanted to look at that at the same time. Mr. Rowe stated they talked to NYSEG who said they could provide a cost – it depends on what type of lighting the Town desires.

Mr. Casamassima asked if there will be any issues with road repairs with all the truck traffic and construction that will be going on – will the Town be responsible for that; Mr. Same replied that it is a Town road, and it's in good shape right now, but with construction, we don't know what it will be like after. Mr. Casamassima stated he was at that Groundbreaking and they did thank Mr. Turkett for all his help and cooperation. He thanked Mr. Turkett for being on top of that and all these other projects that are going on.

A motion was made to accept Mr. Turkett's report by Duane Moore and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: Mr. Spina stated the Board has a copy of his report. He is working on his year-end report and should have it done within the next couple of days. Basketball is ongoing, and the Fitness Room is very busy – the use is pretty steady.

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

Highway Superintendent: No report.

Assessor: No report.

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

Town Justice: Mr. Same indicated that the Judge did give the Board a lengthy report. She did a summary of activity in the Court for the past several years.

A motion was made to accept Judge Mahoney's report by Duane Moore and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

Committee Reports:

Recreation: Mr. Same stated there was discussion about trying to set up a reserve fund for replacement of playground equipment at Kids' Territory. There is approximately \$40,000.00 from the Recreation and Vince's Park Budgets that were not spent last year. As they reviewed the records, the projected fund balance is about \$500,000.00 higher than expected – this may be due to the additional revenues from Seneca Meadows in 2009, along with budgets not being fully spent. Mr. Same noted that the Town applied for a grant twice for playground equipment but was not successful. Mr. Spina stated the playground was built in 1990 as a Community build when wooden playgrounds were all the rage, and they found that it only has a 15-year lifespan – it's five years over it's life. He added it's in good shape, but it's starting to get to the point where they have had to remove pieces because of changes in playground safety. He said there are things that have to be done – they are to the critical mass point where something has to be done.

Mr. Same asked the Recreation Committee to meet with Mr. Spina, and in March, they may want to come back to the Board with a recommendation. He noted Parkitect submitted a proposal the last time, and they are on State bid. He also mentioned that there is an opportunity to have the current equipment removed at no cost. Brief discussion followed.

Alternative Committee: Mr. Moore stated the Committee made up of Trustees Larry Driscoll and Tony Petrochia and Town Board Members Tim Snyder and himself met to discuss shared services and alternatives between the Village and Town. There were seven items that were mentioned which were to be discussed with the full Village Board and the full Town Board. The items that were discussed are:

1. The Town of Seneca Falls will assume operation of the DPW Street Department which will include trash removal.
2. The Visitors' Center will remain a Village of Seneca Falls Department.
3. Zoning and Code Enforcement will become a Town of Seneca Falls Department with a committee comprised of one Board Member from each Municipality.
4. Fire protection will follow the Dissolution Committee's recommendations.
5. The Town and Village Governments will share a new municipal hall in the future.
6. The Village of Seneca Falls will sell the current Municipal and Street Department buildings.
7. The Village Police Department will remain as is.

Mr. Moore stated these are items they are trying to contend with to try and keep the taxes at a level that everyone can absorb. Mr. Driscoll said it was a good meeting with good discussion. He thinks progress was made – he feels good about it.

Mr. Same said if the Village does not dissolve, the comment made about the Visitors' Center remaining a Village Department – why was it put in the context of these items. He doesn't even remember it as one of the alternatives that were discussed. Mr. Driscoll said it's just one of the things they wanted to have mentioned; they want to keep it as a Village operation in terms of the employees and how it's run. Mr. Moore noted these are just alternatives – something to start with. Mr. Same stated if you look at them in total, the financial commitment this Board could possibly make is huge and would require a Town tax. He added certainly, it's a starting point. After further discussion, Mr. Same stated March 16th is the trigger as to how this goes forward.

Mr. Same mentioned that the implication if the Town took over the DPW Department would be huge; there is a big number associated with that particular item which would most likely create a Town tax. He added if you want a small win quick, you could take #3 – there is a municipal agreement that was drawn up by Mr. Morrell that talks about the transition. He said #4, Fire Protection – it's a great opportunity for all the residents to have that go forward. Brief discussion followed.

Communications:

A motion was made to receive and file Communications numbered 1 to 18 by Tim Snyder and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 18 are as follows:

1. Minutes of the Seneca County Planning Board Meeting of December 10, 2009.
2. Check in the amount of \$24,821.70 from Town Justice representing fines, fees and forfeitures collected by the Court during December 2009.
3. Section 504 Compliance Handbook, January 2010, from Thompson Publishing Group.
4. Check in the amount of \$635.80 from Seneca County IDA representing Payment in Lieu of Taxes for Seneca Commons, LLC.

5. Statement of Accounts, December 1-31, 2009, from M & T Investment Group.
6. Check in the amount of \$3,717.59 from BonaDent representing January payment of CDBG loan.
7. Statement of all monies paid to the Town during fiscal year 2009 from Nicholas Sciotti, Seneca County Treasurer.
8. Data Usability Report, 4th Quarter, and Monthly Report for the month of December 2009, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
9. Pledges of Collateral, January 11, 12, 13, 15 and 20, 2010, from M & T Investment Group.
10. Check in the amount of \$4,975.00 from Selective Insurance Company representing payment of lightning loss at Vince's Park.
11. Check in the amount of \$745,400.00 from Seneca Meadows, Inc. representing fourth quarter payment relative to the Host Community Agreement.
12. Letter from Time Warner Cable relative to implementing a new interactive technology known as Switched Digital Video.
13. 2009 Town History Report from Philomena Cammuso, Town Historian.
14. Reports and Resolutions relative to two Subdivisions and a Preliminary Site Plan Review from Seneca County Planning Board.
15. Check in the amount of \$143.10 from Magee Country Diner representing the 2010 annual billing relative to the Sewer Service Agreement for the West Seneca Falls Sanitary Sewer District.
16. Notice of filing of revised Exhibit 1 to emergency motion for orders approving a sale transaction with TOPS Markets LLC regarding Penn Traffic Company from the United State Bankruptcy Court for the District of Delaware.
17. Check in the amount of \$943.56 from Urban Sun LTD representing January payment of CDBG loan.
18. Check in the amount of \$123.20 from Valerie Churchill representing reimbursement for Spouse's train fare to Conference.

Old Business:

Townwide Water Improvements: Nothing to report.

Sale of Property – 10 Fall Street: No report.

Noble Road Project: No report.

Boaters' Facility: Mr. Same stated there is a Construction Meeting tomorrow morning. The foam was delivered today to fill the void under the sidewalk; the Village is making arrangements to have the waterline disconnected and having the plumbers connect it to the Woman Made Products building, and taking care of the electrical issue underneath the sidewalk.

Mr. Same mentioned that there are three Change Orders. Mr. Rowe explained Change Order #2 – they found the main electrical panel did not match the incoming service; the nature of the Change Order is to modify the electrical panel so that it will match the incoming service – the cost is \$6,422.00. Mr. Same stated this went out for bid, and this is the low bid. He added the Town will not get a Certificate of Occupancy if this panel is not fixed. Brief discussion followed.

A motion was made to approve Change Order #2 which is to modify the electrical panel so that it will match the incoming service, at a cost of \$6,422.00 by Duane Moore and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Mr. Rowe explained Change Order #3 – the new egress in order to exit the building to Fall Street was necessary in order to extend the sprinkler system to that area – the cost is \$2,184.00.

A motion was made to approve Change Order #3 which is to extend the sprinkler system into Fall Street egress enclosure, at a cost of \$2,184.00 by Sue Sauvageau and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

Mr. Same noted that Change Order #4 has already been approved by the Board – it was to fill in the void under the sidewalk with structural foam.

New Business:

Seneca Meadows Audit: Mr. Same mentioned that the Audit is done by Buffington & Hoatland and is paid for by Seneca Meadows. The Audit is done as part of the Host Community Agreement, and it audits the records and what the Town receives from Seneca Meadows as per the Agreement.

A motion was made approving the engagement letter and authorizing the Town Supervisor to sign the same relative to the auditing of Seneca Meadows gross revenues for the year ending December 31, 2009 by Sue Sauvageau and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Contribution – St. Anthony’s Italian Festival: A motion was made authorizing the Town Supervisor to sign the Agreement and contribute \$5,000.00 to St. Anthony’s Italian Festival as it is a benefit to the Community by Duane Moore and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Convention Days, Inc.: A motion was made authorizing the Town Supervisor to sign the Agreement and contribute \$2,500.00 to Convention Days, Inc. as it is a benefit to the Community by Sue Sauvageau and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Seneca Museum of Waterways & Industry: A motion was made authorizing the Town Supervisor to sign the Agreement and contribute \$10,000.00 to the Seneca Museum of Waterways & Industry as it is a benefit to the Community by T.J. Casamassima and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Contribution – National Women’s Hall of Fame: A motion was made authorizing the Town Supervisor to sign the Agreement and contribute \$15,000.00 to the National Women’s Hall of Fame as it is a benefit to the Community by Sue Sauvageau and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Ludovico Sculpture Trail: A motion was made authorizing the Town Supervisor to sign the Agreement and contribute \$6,000.00 to the Ludovico Sculpture Trail as it is a benefit to the Community by Sue Sauvageau and seconded by Tim Snyder.

Mr. Casamassima asked if the Village contributes to this; Mr. Same replied he had no idea. Ms. Cammuso said she didn’t believe so. Ms. Sauvageau said there are organizations who have contributed.

The above motion made by Sue Sauvageau and seconded by Tim Snyder authorizing the Town Supervisor to sign the Agreement and contribute \$6,000.00 to the Ludovico Sculpture Trail as it is a benefit to the Community was carried 5 ayes, 0 nays.

Budget Transfers: A motion was made to approve the attached Budget Transfers by Tim Snyder and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Transfer Funds to Tax Stabilization Reserve: Mr. Same stated it was assumed that none of the amount budgeted for 2009 had been moved to the Tax Stabilization Reserve Fund. During the Budget process, it was agreed to utilize a portion of those funds for the Capital Reserve Fund instead. However, during the year-end process when reviewing transactions, it was found that \$375,000.00 was transferred into the Tax Stabilization Fund in February 2009. The actions at the end of the year put us over Budget; this adjustment is necessary to balance the Budget for 2009.

A motion was made to approve the transfer of \$375,000.00 to the Tax Stabilization Reserve Fund which was taken from the 2009 Budget by Duane Moore and seconded by Tim Snyder.

Ms. Sauvageau stated this was done by the previous Board. She thinks it may not be a good idea under the circumstances when the Board is trying to work with the Village on shared services; maybe this would be more money on hand that isn’t tied up. Mr. Same stated this money is already in the Reserve Fund; it’s an action that wasn’t officially done in 2009.

The motion made by Duane Moore and seconded by Tim Snyder to approve the transfer of \$375,000.00 to the Tax Stabilization Reserve fund which was taken from the 2009 Budget was carried 4 ayes, 1 nay; Councilwoman Sauvageau with the dissenting vote.

Kids’ Territory Playground Equipment: Mr. Same noted this will be discussed at the March Meeting.

Resolution – Household Hazardous Waste State Assistance Program: Ms. Sauvageau stated the Committee held an informal Meeting. They would like the Board to adopt a Resolution applying for assistance from the Household Hazardous Waste State Assistance Program. Mr. Morrell explained that the Resolution as written would be sent to the DEC saying that this Board is in support of the work of the Waste Management Advisory Committee.

A motion was made by Tim Snyder and seconded by T.J. Casamassima to adopt the following Resolution:
WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and
WHEREAS, the Town of Seneca Falls herein called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and
WHEREAS, it is necessary that a Contract by and between the People of the State of New York, herein called the State, and the Municipality be executed for such State aid;
NOW, THEREFORE, BE IT RESOLVED by the Town of Seneca Falls Town Board:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Chairperson of the Waste Management Advisory Committee, Town of Seneca Falls, or his/her designee is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.
3. That the Municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs, according to the Intermunicipal Agreement between the Town of Seneca Falls, Town of Waterloo and Village of Waterloo.
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.
5. That this resolution shall take effect immediately.

No questions. Motion carried 5 ayes, 0 nays.

Intermunicipal Agreement – Household Hazardous Waste Day: Mr. Same stated the Intermunicipal Agreement for the Household Hazardous Waste Day is between the Town of Seneca Falls, Town of Waterloo and the Village of Waterloo.

A motion was made to adopt the attached Intermunicipal Agreement for the Household Hazardous Waste Day by T.J. Casamassima and seconded by Duane Moore. No questions. Motion carried 5 ayes, 0 nays.

Retiree Insurance: Mr. Same stated there is an alternative insurance program for Employees that have retired from the Town which would give them a savings of approximately \$2,000.00 a year; the Board needs to approve the change of insurance. The plan is available through Blue Cross/Blue Shield, and is a Medicare Supplemental, Plan C.

A motion was made to approve the alternative insurance program for Retirees of the Town by Sue Sauvageau and seconded by T.J. Casamassima.

Mr. Same stated the Town is committed to a certain amount of money that it is paying, but with this change of insurance plan, the Town will see a reduction in the premium cost. Mr. Snyder asked if the Retirees have been notified of this change in insurance; Mr. Same replied they will be as soon as it is approved. Brief discussion followed.

The motion made by Sue Sauvageau and seconded by T.J. Casamassima to approve the alternative insurance program for Retirees of the Town was carried 5 ayes, 0 nays.

Advance – Association of Towns Conference: A motion was made to advance \$500.00 for expenses to each of the Town Officials who will be attending the Association of Towns Conference by Tim Snyder and seconded by Duane Moore.

Ms. Sauvageau asked if there was a particular need to give them money in advance. Mr. Same replied it has been done that way in the past – it doesn't mean you can't change it.

The motion made by Tim Snyder and seconded by Duane Moore to advance \$500.00 for expenses to each of the Town Officials who will be attending the Association of Towns Conference was carried 5 ayes, 0 nays.

Purchase Server – Town Court: Mr. Same stated the Court has had computer problems for about a week or longer; they are unable to get into their computers. The main server needs to be replaced as it has serious issues, and it is six years old. Synergy has provided a quote of \$8,500.00. Brief discussion followed.

A motion was made to purchase a server for the Town Court at a cost of \$8,500.00 by T.J. Casamassima and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Mr. Turkett stated the Town had three web cams working in Seneca Falls which have not been running for a number of years. He is wondering if the Board would support getting together with FingerLakes1 to look into getting them running again. Mr. Spina stated one of the problems was Mr. Sinicropi had to come down to the Rec consistently and reset it; it may need upgrade of equipment. The Website Committee will look into this.

Payment of Bills:

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

General Fund - \$186,520.13 (Abstract #2; vouchers numbered 21-72)

Miscellaneous Fund - \$16,357.91 (Abstract #2)

Highway Fund - \$7,294.57 (Abstract #2; vouchers numbered 4-15)
Recreation Fund - \$38,054.18 (Abstract #2; vouchers numbered 10-45)
Vince's Park Fund - \$2,738.10 (Abstract #2; vouchers numbered 1-9)
No questions. Motion carried 5 ayes, 0 nays.

Mr. Same reminded everyone of next Monday's Public Hearing at 6:00 P.M. relative to the referendum on the ballot in March.

Mr. Casamassima thanked Mr. Spina and his Staff as they were available and helpful during the Primary Election last week.

Being there was no further business, a motion was made to adjourn the Meeting by Sue Sauvageau and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

Meeting adjourned at 8:25 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk