

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, June 1, 2010 at 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; James Spina, Commissioner of Parks and Recreation; Donald Wood, Highway Superintendent; Cynthia Loncosky, Assessor; 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 Board Members and all were present; the Pledge of Allegiance followed.

Open Bids – Annual Highway Heavy Equipment Rental: Mr. Same noted one bid was received, which was from Seneca Pipe and Paving Co., Inc., Seneca Falls, NY. He proceeded to open the bid which contained hourly rates for different types of heavy equipment, such as excavator, bulldozer, milling machine, grader, dump truck, roller and backhoe. The bid was given to Mr. Wood for review.

Petitioners:

Peg Birmingham & Angela Delahunt – Employee Assistance Program: Mr. Same stated Peg Birmingham from Seneca County and Angela Delahunt is here to address the Board relative to the Employee Assistance Program. He said the Town has not offered assistance to Employees in the past; the County has offered it for a number of years. He believes it's a great program for Employees to be able to get needed assistance in various areas.

Peg Birmingham stated the Employee Assistance Program provides resources and solutions for problems and issues. She said sometimes personal problems are there and will get in the way of job performance. She said it's really helpful in this day and age to get legal and appropriate human resource support. She mentioned the County going out for proposals which would include all the towns and villages in Seneca County. The cost is \$22.38 per person per year; if there were over 550 people, the cost would be \$20.90.

Angela Delahunt explained some of the services of the program. Employees are allowed six sessions per problem with face-to-face counseling. She mentioned some of the resources provided for problems such as elder care, child care, legal consultation, trauma issues or something as simple as creating a budget. Ms. Delahunt stated they have telephone consultations which are available 24 hours a day, 7 days a week; they have a network of providers all over the United States. Lengthy discussion followed relative to the Program

Mr. Same asked if any other village or town has expressed an interest; Ms. Birmingham replied the Town of Tyre has an interest – she doesn't have any full commitment yet. Mr. Same said if the Town Board chooses to provide this service to Employees, how does ESI look at summer employees; Ms. Birmingham replied it can choose to include them or not. Ms. Sauvageau asked if they had any statistics as to how many employees used this service. Ms. Birmingham replied using last year's figures - there are 537 employees, and there were 80+ cases open, and 96 employees served in some capacity. Ms. Delahunt noted that they say one out of 20 will have issues. She mentioned that they do quarterly meetings where they come in and do training. After further discussion, Mr. Same stated he thinks it's a great opportunity to provide an inexpensive service to Employees.

Adriene Emmo – Classic Car Show: Adriene Emmo stated the third annual Classic Car Show is scheduled for July 24<sup>th</sup>. She said the first two years, this was part of Convention Days; the Car Show Committee was cut from Convention Days this year because they think it doesn't tie into Women's Rights. The Show starts about 11:00 AM and runs to about 4:00 PM; there will be give-aways and awards. Mrs. Emmo mentioned that they are trying to raise money to help with marketing, music and signage. They are going to car dealers in the area who will give prizes. She mentioned that last year, the Car Show brought over 500 people to the Community.

Mr. Same stated the Town, in the past, has supported Convention Days; it has not budgeted any money for this. Ms. Sauvageau asked if they have a budget. Mrs. Emmo replied yes, but they are not sure what their expenses will be; some expenses are advertising \$400.00 and entertainment \$700.00. She added the amount they are requesting is \$2,500.00 – they are hoping this would carry them for two years. Ms. Sauvageau asked what percentage of the Convention Days budget went to the Car Show; Mrs. Emmo replied they paid for everything out of the Convention Days budget. Brief discussion followed.

Approval of Minutes:

A motion was made to approve the minutes of the regular monthly Meeting of May 4, 2010 by Duane Moore 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 six dogs were impounded - two redeemed, one adopted and three dogs still being held; six Appearance tickets were issued. A total of \$30.00 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 T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: Mr. Same stated the Zoning Officer is away; the Board has a copy of his report which states seven Building Permits were issued during the month of May. Building Permit #2255 was issued to Don Lowry, 2125 Lake Road, replace roof; Permit #2256 issued to Joseph Nigro, 3191 E. Bayard St. Ext., replace roof; Permit #2257 issued to Judith A. Stevens, 3097 Demont Road, replace porch and repair roof (this Permit was revoked); Permit #2258 issued to Stanton Meadows Apts., 2 Meadows Drive, shed; Permit #2259 issued to Patrick Huson, 1868 Black Brook Road, replace roof; Permit #2260 issued to Jason and Rebecca TenEyck, 1949 County House Road, addition and Permit #2261 issued to Jane Maybury, 2478 Jackson Road, ramp.

A total of \$280.00 was collected from the issuance of these Permits, and 30 Building Permits have been issued to date for the year 2010.

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

Commissioner of Parks & Recreation: Mr. Spina stated the Board has a copy of his report. He said Summer Program flyers will be in the mail by the end of the week. They were able to extend their Camps with extended groups in soccer, basketball and lacrosse. They have added a computer camp which is being offered by Frank Knight School Teacher Darlene Johnson. Also, the Kidz Can Cook Program has been extended.

Mr. Spina stated the Kids' Territory playground opened last Thursday. He recognized Mark Marquart, Wyatt Nicholson and his Staff, as well as Don Wood, Jim Peterson and David Olsowske from the Highway Department – they couldn't have done it without their help. He added the six worked so well together - that is why the Town works as well as it does. He said there were a lot of people involved including many Members of the Recreation Commission; it saved the Town about \$30,000.00. Signage will be up by the opening ceremony; the Insurance Company would like signs in multiple spots.

Mr. Spina stated that the Vince's Park pool opened and will be open on weekends until Graduation. He noted that there will be multiple school usage during the next few weeks. The pole barns are booked solid.

The Boaters' Facility is open, and Mr. Spina has contacted all the people interested in the Harbor Attendant position to come in and fill out an application. He said in trying to get a job description from the County, and in conversations with the Personnel Office, they came to the conclusion that this person will be doing the same thing as a Recreation Aide, so the position will be called Recreation Aide. He will meet with the Personnel Committee once the applications are completed. Mr. Spina mentioned that they may have some quality college kids that look for summer jobs. Further discussion followed relative to hours, length of stay for boaters, procedures to sign in and what the job would entail. Mr. Same suggested a brochure display be set up, and asked Mr. Spina to contact Mr. Buccieri. He said he appreciates the work the Staff and the Highway Department has done at Kids' Territory to get that ready – working together makes it all come together.

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

Highway Superintendent: Mr. Wood thanked Mr. Marquart and the Highway Crew as they did a great job – it was a big undertaking. He noted the State DOT started milling Route 414 today. Mr. Same explained that they are building a Trail between Geneva and Waterloo, and the plan is to use millings from highway departments for the Trail. Vince Scalise asked if the Town could help to gather these millings; this gives us the opportunity to help by stockpiling these millings. Mr. Wood indicated that they will be holding and storing the millings at the Garage.

Mr. Wood stated the waterline materials were delivered to the site today. They will start fusing pipe tomorrow, and will start the waterline June 14<sup>th</sup>; UFPO is all set.

Mr. Wood mentioned the heavy equipment rental agreement and said Seneca Pipe and Paving has been doing this right along; prices are in line, and the insurance certificates are in the packet. He recommends awarding this to Seneca Pipe and Paving. Mr. Morrell stated he did review the bid specs before they went out. He added Seneca Pipe and Paving has been working with the Town for the past several years.

Assessor: Mrs. Loncosky stated only one person physically came in and grieved their assessment. Kentucky

Fried Chicken grieved their assessment, as well as two commercial buildings across from Hotel Clarence, and the Landfill. She said Wal-Mart's old building is at \$1.7 million, and they are looking for \$1.5 million. She noted there was one spectator present. Mr. Casamassima said they are open meetings – he was the spectator.

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

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

Town Justice: Mr. Same stated the Judge is doing as well as can be expected; she has submitted her report. Judge Laird from the Town of Junius has been helping immensely. He thanked Judge Laird for all his help.

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

Committee Reports:

Hazardous Waste Day: Ms. Sauvageau stated they had a very successful Hazardous Waste Day on May 22<sup>nd</sup>; they had an equivalent of about 160 households. She thanked all those that helped in any way, including Anne Marrazzo for all the paperwork and taking phone calls for sign-ups, Don Wood and his Staff, Tom Hasek of Seneca Meadows who did all the paperwork and came with a crew of workers, Joyce French from Waterloo and the Hazardous Waste Committee. Ms. Sauvageau said Waterloo participated with Seneca Falls, and the Fayette Supervisor has shown some interest in participating next year. Discussion followed.

Ms. Sauvageau stated she was impressed with the Memorial Day ceremonies in Seneca Falls and Waterloo. She thanked the Veterans for serving and those serving now.

Communications:

A motion was made to receive and file Communications numbered 1 to 27 by Tim Snyder and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays. Communications numbered 1 to 27 are as follows:

1. Minutes of the Town Planning Board Meeting of April 22, 2010.
2. Minutes of the Town Zoning Board of Appeals Meeting of April 22, 2010.
3. Check in the amount of \$943.56 from Urban Sun LTD representing April payment of CDBG loan.
4. Tonnage received by the Landfill from the Town during the month of April 2010 from Seneca Meadows, Inc.
5. Pledges of Collateral, May 4, 5, 10, 12-14 and 17, 2010 from M & T Investment Group.
6. Letter from Seneca County IDA stating a Public Hearing will be held on May 24, 2010 relative to Seneca County IDA and Goulds Pumps, Inc. and ITT Corporation – 2010 Equipment Acquisition Project.
7. Section 504 Compliance Handbook, May 2010, from Thompson Publishing Group.
8. Check in the amount of \$10,952.00 from NYS Department of Taxation and Finance – GIS Grant.
9. Copies of letters to Assemblyman Kolb and Senator Nozzolio from Town Supervisor relative to the request for Special Police Protection District.
10. Minutes of the Seneca County Planning Board Meeting of April 8, 2010.
11. Statement of Accounts, April 1-30, 2010, from M & T Investment Group.
12. Letter thanking Board for the first half of 2010 funding from the Seneca Falls Library.
13. Monthly Report for the month of April 2010, as per Town Operating License and Host Community Agreement, from Seneca Meadows, Inc.
14. Monthly Report of all moneys received and disbursed during the month of April 2010 from Town Supervisor.
15. Letter from Seneca Falls Historical Society thanking the Board for its contribution.
16. Letter from Melanie Wickham, Empire Farm Days, requesting the service and cooperation of the Town during Empire Farm Days scheduled for August 10, 11 and 12, 2010.
17. Reports and Resolutions relative to Use Variances, Area Variances, Special Use Permit, Subdivision and Site Plan Review applications from Seneca County Planning Board.
18. Check in the amount of \$219.42 from Rita Cassaro representing Retiree's portion of health insurance premium.
19. Check in the amount of \$395.00 from Town Justice representing fines and fees collected by Judge Laird during the month of April 2010.
20. Check in the amount of \$30,599.65 from Town Justice representing fines, fees and forfeitures collected by the Court during the month of April 2010.
21. Letter from B.E. Wright Distributing Corp. notifying Town of their submittal of application to NYS Liquor Authority for renewal of their beer and cider wholesalers license.

22. Check in the amount of \$92.30 from Seneca County IDA representing PILOT from Finger Lakes Railway.
23. Check in the amount of \$13,522.50 from Roy Teitsworth, Inc. representing sale of pickup and flail mower head.
24. Summary Report of Grant Activity as of May 24, 2010 from J. O'Connell & Associates, Inc.
25. Notice of Tentative State Equalization Rate for the 2010 Assessment Roll (89.00) from NYS Board of Real Property Services.
26. Letter notifying Town of those elected to the SF Central School District's Board of Education from Marleen Hubbs, District Clerk.
27. Check in the amount of \$221.28 from Ronald Moulton representing reimbursement for culvert pipe.

Old Business:

Sale of Property – 10 Fall Street: Mr. Same stated he spoke with Mr. O'Rourke who said he is still looking for opportunities for 10 Fall Street. Mr. O'Rourke indicated that they were concerned about the feasibility of an assisted living complex. He added Mr. O'Rourke is asking for a little more time; he will be meeting with people on June 8<sup>th</sup> and 9<sup>th</sup> as to what the site might be used for. He suggested that the Board wait until after that time. Mr. Casamassima stated after that point, it should be put up for sale. Mr. Same said hopefully, the Board will know more after the June Meeting.

Mr. Morrell stated the Board has an obligation to find the best use for that property that would benefit the Community. It took steps several months ago by going out for proposals, and received one proposal; part of that proposal was to get the feasibility from the State. Mr. Morrell stated this was the only proposal the Town received at that time, and the decision was to allow Mr. O'Rourke to do the feasibility study. Discussion followed.

Noble Road Project: Mr. Morrell noted that nothing has changed since last month. Mr. Same said if there is no action taken on the site, how could the Board consider changing that zoning again. Mr. Morrell replied it can be changed by local law – the Board can change it back to residential or something else. After brief discussion, Mr. Same requested that Mr. Morrell advise the Board as to how it can proceed if it chooses to do so, based on lack of action.

LDC Request – Incentive Grant Program: Mr. Morrell stated he has been in contact with the LDC. He will continue to work with them and report back to the Board as to how to go about this.

New Business:

Employee Assistance Program: Mr. Same stated he thinks for the cost associated with this service, it would be great to offer this to full time and permanent part-time Employees; the cost is \$22.38 per employee. Mr. Casamassima asked if the Employee pays for this; Mr. Same replied the Town pays for it. Brief discussion followed.

A motion was made to participate in the Employees Assistance Program effective July 1, 2010 for a one-year period, and to offer the services to full-time Employees and permanent part-time Employees at a cost of \$22.38 per employee to be paid by the Town, by Tim Snyder and seconded by Sue Sauvageau. No questions. Motion carried 5 ayes, 0 nays.

Maintenance Service – Elevator at 87-89 Fall Street: Mr. Morrell stated the Board has a copy of his Memo. He noted this Company was involved with the elevator when it was installed. Mr. Marquart sought proposals from companies that provide elevator maintenance service, and Schindler Elevator Corporation was the only one that responded. Mr. Morrell recommended that the Board go forward with this Contract for maintenance service.

Ms. Sauvageau questioned the term of the contract which is six years. Mr. Morrell stated the Board is getting the benefit of limiting price fluctuation over time - they are seeking some stability, and are giving the Town stability in price fluctuation. He added this is allowable because the Town is acting in a proprietary capacity as opposed to a governmental capacity. Further discussion followed.

A motion was made authorizing the Town Supervisor to sign the elevator maintenance service contract with Schindler Elevator Corporation at a cost of \$1,920.00 annually, and for a period of six years by Duane Moore and seconded by Tim Snyder. No questions. Motion carried 4 ayes, 1 nay; Councilwoman Sauvageau with the dissenting vote.

Bids – Annual Heavy Equipment Rental: Mr. Morrell stated he reviewed the bid and discussed it with Mr. Wood; there is something that has been inserted in this particular bid that affects the cost. He would like to speak with them about it.

After brief discussion, a motion was made to table the bid until the Board can get an answer to Mr. Morrell's questions by Tim Snyder and seconded by Sue Sauvageau. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Classic Car Show: Mr. Same stated the request is a little high, and it's not budgeted. He said the Show had been part of the Convention Days agenda, but was dropped this year. He added when the Board approved the contribution to Convention Days, he thought this was included. Mr. Morrell mentioned that it is being conducted with an Art Show; it certainly is a cultural event that the Board could support. Mr. Casamassima asked if the Village contributed anything; Ms. Sauvageau replied the Village has not contributed for years. Discussion followed.

A motion was made to contribute \$500.00 to the Classic Car Show as this is a benefit to the Community and provides a cultural event by T.J. Casamassima and seconded by Tim Snyder. No questions. Motion carried 5 ayes, 0 nays.

Contribution – Seneca Falls Community Band: Mr. Morrell mentioned Town Law Section 64, Subsection 20 which states the Town may provide for public band concerts within the Town annually. Mr. Same indicated \$1,500.00 is budgeted.

A motion was made to contribute \$1,500.00 to the Seneca Falls Community Band as per Town Law Section 64, Subsection 20 by Duane Moore and seconded by T.J. Casamassima. No questions. Motion carried 5 ayes, 0 nays.

#### Transition Process:

Police Protection – Mr. Same stated in correspondence with Senator Nozzolio and Assemblyman Kolb, he requested that they introduce legislation for a special police protection district. He received written responses and verbal responses asking for something the Town cannot supply; they want a resolution from the Village Board and the Town Board in support of the legislation. The Senator is also asking that we make sure the residents are aware of the cost associated with the proposal. Mr. Same said we can't proceed with a special police district without the support of the Village. He added the Board may be moving to its fall-back position of townwide police protection. He will continue talking with Village Officials and provide updates to the Board.

Mr. Same stated he met with the Sheriff and Undersheriff relative to their position to not offer protection if there is a townwide police force. He will be meeting again with them and the Police Chief on June 15<sup>th</sup> to further discuss this.

Highway – Mr. Moore stated that he and Mr. Wood met with Larry Driscoll, Jeff Warrick and Pat Cafola and had some interesting conversation. Mr. Wood put together some things that need to be discussed. Mr. Wood stated there was an exchange of information on a lot of topics ranging from trash pickup, snow removal and job duties; it was a good session. Other topics that were discussed were mowing, ongoing repairs for catch basins, tree removal plan and the budget. Mr. Wood noted they will get an inventory list of equipment to him. He talked to DMV about switching over equipment to the Town, and they indicated all plates have to be turned over to DMV – they cannot be transferred. Mr. Spina stated the Rec Department is developing some plans for mowing parks. He would like to be in on the conversations when it comes to mowing. Mr. Same noted if the parks are going to be maintained, they should be turned over to Parks and Recreation. He requested that he be informed as to when the meetings are. Benefits and wages were briefly discussed. Mr. Driscoll stated the sooner the Board can address the benefit issue – it would help. Mr. Same stated he is sure this Board will be fair as to what they offer employees. He added the Village employees are making higher rates than the Town's Highway employees; it's probably safe to say they can work at what the Town offers now. Brief discussion followed.

Mr. Driscoll asked if the Town would be bringing over five MEO's. Mr. Wood replied to start off, they would get first preference. Mr. Moore said they will continue to meet; they learn a lot from each other – the conversation piece is what is going to put this all together.

Mr. Same stated the Board may need some outside help from consultants to guide the Town through this transition. We are one of the largest communities to dissolve a village, and if the State wants fewer local governments, maybe they would be willing to support us with some money for consultants.

Mr. Casamassima asked if there has been an audit of Village assets and equipment – it might be a good time to do that. Mr. Same mentioned that he would be meeting with the Comptroller's Office on June 9<sup>th</sup> to talk about the support we could get from their Office. He would assume they would have to do something regarding the status of the Village. Mr. Casamassima said there should be an audit now and one at the close-out in December 2011. Mr. Driscoll referred to the equipment audit, and said the equipment was listed in the plan; in terms of

the finances, he is recommending that a full financial audit be done the last full fiscal year they would have – June 1, 2010 to May 31, 2011. Mr. Same thinks the Village will do a full closeout for the last full year. Mr. Moore stated he would be a little skeptical, not having an audit for the last five years. Further discussion followed.

Mr. Moore said if the Village does happen to sell a lot of real estate between now and when it dissolves, how are those funds accounted for. Mr. DeLelys replied it will pay down Village debt. Mr. Morrell said it depends on the type of debt it was.

Zoning/Code Enforcement – Mr. Casamassima stated he and Mr. Turkett have met, and they also met with Mr. Morrell. Mr. Turkett was able to come up with a transition plan. He indicated they have also been in touch with Martha Dygert. He said they will be meeting to discuss salary and to increase Mr. Turkett's hours. Mr. Same noted salary is minor. He requested that the Committee get together with Mr. Morrell to go over the plan, and work with him as to how this transition can take place. He added on May 31<sup>st</sup>, the Town can take it on; if the Board wants to do it sooner, it can be done. Mr. Same said currently, the Village budgeted that expense for the current year - maybe the Village will want to fund it. Mr. Casamassima indicated that he and Mr. Turkett will meet with Mr. Morrell.

Fire – Mr. Snyder stated he met with the two Fire Chiefs and Marty Temple. He said the Fire Department had some legal questions, and they are consulting with their attorneys; after that, they will have in-depth discussions with the Departments and the Bridgeport Fire District Commissioners. Mr. Snyder noted the tax in the Fire District will go down once they merge. Mr. Same said the Commissioners are on board to go forward with this process, and they have authorized funds to take care of some legal issues.

Sewer & Water – Ms. Sauvageau stated before she calls a meeting, she wanted to see everything they have; it's very helpful to look at all that stuff. She said they have a work force that has certain credentials to do jobs, and they have \$5 million worth of equipment. She mentioned that Fayette makes a lot of money off the Village; the Village pays taxes for all the water property down there. Ms. Sauvageau stated the Board has to do some work on somehow equalizing the rate. Mr. Same mentioned that the Town would be exploring if it should transfer the water process to the County (Countywide water district) and if it's a benefit to do so. Ms. Sauvageau asked if the County would be paying the Town for those properties; Mr. Same replied it's something that is worth discussion – that's when we need the technical expertise. He added the people employed at those facilities would still have a job. He said the Town needs to pursue it and get the answers – it's a huge asset.

Mr. DeLelys asked if the Town would be taking over the twelve police officers; Mr. Same replied the Town's commitment is existing numbers – he can't answer his question directly. He asked the Board if any of them has changed their position. Mr. Snyder said the number will stay at twelve. After brief discussion, Mr. Same said this process is a long way from being done.

Highway Annual Heavy Equipment Rental Bid: Mr. Wood stated he talked to Deloss Stuck, and he will take the one section in question out. Mr. Morrell noted the provision that inserted a condition into this bid will be removed. He added if the Board can accept it, then a follow-up signature would be needed.

A motion was made to accept the bid of Seneca Pipe & Paving, Inc. for heavy equipment rental with the understanding that the condition referring to any significant price increase in the cost of fuel be removed from the bid, by Duane Moore and seconded by Sue Sauvageau. No questions. Motion carried 5 ayes, 0 nays.

Payment of Bills:

A motion was made by Tim Snyder and seconded by T.J. Casamassima to approve and order paid the following bills:

General Fund - \$90,922.25 (Abstract #6; vouchers numbered 233-293)

Miscellaneous Fund - \$4,679.23 (Abstract #6)

Highway Fund - \$36,825.78 (Abstract #6; vouchers numbered 56-69)

Recreation Fund - \$24,091.15 (Abstract #6; vouchers numbered 155-189)

Vince's Park Fund - \$7,828.49 (Abstract #6; vouchers numbered 34-52)

No questions. Motion carried 5 ayes, 0 nays.

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

Meeting adjourned at 10:15 P.M.

Respectfully submitted,

NICALETTA J. GREER  
Town Clerk

