

TOWN OF SENECA
REGULAR MEETING MINUTES
May 16th, 2023

The Regular Meeting of the Seneca Town Board, County of Ontario, State of New York was held at 3675 Flint Road, Stanley, NY 14561 on the 16TH day of May 2023 at 7:30 pm.

PRESENT	
Drew Wickham	Town Supervisor
Jason Mosher	Councilman
Howard Keeney	Councilman
Jim Malyj	Councilman
Haley Eagley	Town Clerk/ Tax Collector
Shana Jo Hilton	Assessor/ Bookkeeper
Kathy Mastellar	Town Historian
Randy Coolbaugh	Water Superintendent
Brian Sanders	Manager of the Ontario County Landfill

Supervisor Wickham called the regular monthly meeting to order at 7:30 pm. Supervisor Wickham led the Pledge of Allegiance and Roll Call was dispensed with Highway Superintendent Lawson, CEO Hoover, and Councilman Orbaker necessarily absent.

APPROVAL OF AGENDA

Supervisor Wickham looked for a motion to approve the agenda for tonight's meeting. The approval was motioned by Councilman Mosher and seconded by Councilman Malyj. Motion carried. Supervisor Wickham added an item under New Business. Item F: NYSEG Easement. Councilman Keeney made a motion to accept the amended agenda and that was seconded by Councilman Mosher.

PRIVILEGE OF THE FLOOR

Supervisor Wickham looked for anyone who had questions, comments, or concerns. Town Resident Larry Townley requested to speak. Mr. Townley had some concerns regarding two projects; a wedding venue and an Air BnB that are happening within the Town and had some information paraphrased from the County Planning. Mr. Townley explained that the county recommended that the referring body should refrain from action until the zoning district regulations are amended. It was noted that the Town Board may want to consider adding a chapter to the zoning regarding short term rental businesses. It is also recommended that the Town Board look into adding information regarding event centers.

Mr. Townley explained that he and other neighbors were told that they would be informed when information came back from the county and before things were voted on and approved. He explained that they were all under the assumption that they would have a chance to comment before certain things got approved and they were not informed about that before they were approved.

The second item that he wanted to discuss was the event center. He explained that the notes from the county said that a variance is required because the existing barn exceeds the home occupation accessory building size limit of 2,500 square feet which is under our law of household business. He further explained that the notes said that all activities of the home occupant are to be conducted in an enclosed building and noted that they are planning to put a large deck onto the building allowing outside activity. Mr. Townley explained that the submitted materials indicate that this venue will accommodate up to 150 guests. The way he understands it is that this number includes band, wait-staff, and all other non-guest workers, while the owners are advertising 150 people sitting (not including staff). He said the notes showed that the referring body may want to consult with other surrounding municipalities for regulations on their event centers. Mr. Townley noted he was told that surrounding neighbors would be notified if there was a vote coming up. They were not notified, and he was surprised to hear that the applications got voted on at a meeting that wasn't projected to have a vote, he feels that it was railroaded through at that meeting.

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In addition to Mr. Townley, Town Resident Molly Cappiello was in attendance and wanted to share some concerns. Miss Cappiello explained that she has been to all of the meetings pertaining to these two projects. She is usually accompanied by another neighbor who was not with her tonight. Miss Cappiello said that they have both come to each meeting with pointed questions as this event venue is going in less than 500 feet from one of the neighbor's homes. The venue is pointed directly at the house. Miss Cappiello said that she could talk a lot more about all of the things that they said would happen that hasn't actually happened. She has been to every zoning board meeting and claims that there is hostility and accusations from the applicants towards some of the neighbors who have pointed questions. They just want answers as to what is going on next door. Miss Cappiello said that there is a 75 car parking lot. She explained that the neighbors are not against businesses going up in the town, but it would be better if there was more of an effort to get questions answered, especially when some neighbors are so close to this building. She said that they go to every meeting and ask their questions and request answers they all feel that they aren't being heard. They all feel powerless at these meetings, she explained that she doesn't even know why they show up other than to make sure that there is a voice being heard. She explained that they feel like the neighbors are being written off as complainers. Miss Cappiello said that the noise level is set at 75-decibels, which is equivalent to a lawnmower running at the edge of their property. As an example, she stated that there were 12 people over there burning piles (which she states was good that they are getting rid of those piles), but she could hear them talking to each other from her home. She said that she was told that the planted vegetation will block the noise from the neighbors and while it would make sense, she said that she lives there and it's already not blocking the noise of even people talking.

Miss Cappiello is concerned because the neighbors sit there and explain their actual lived experience and the boards are not listening to them at all. They're just letting this business in now. She is confused at how this can still be classified as a home-based business when there is a 75-car parking lot. She feels that every single definition of a home-based business is being stretched and pushed past its limit.

SUPERVISOR'S REPORT

Supervisor Wickham gave an update on a housing study that is being done in Ontario County.

Supervisor Wickham looked for a motion to approve the Minutes for the April 18th, 2023, Regular meeting Councilman Malyj made the motion and councilman Keeney seconded. Motion carried.

COMMUNICATIONS

All communications were reviewed and are available to view during business hours at the Town Hall upon request.

DEPARTMENT REPORTS

WATER: Councilman Mosher asked if everything went okay with the hydrant in Hall. Water Superintendent Coolbaugh explained that everything went smoothly, and it is all back and running at this time.

CEO: CEO Hoover was necessarily absent; however, Supervisor Wickham pointed out that the report stated that CEO Hoover is still struggling with the home on Seneca Castle Road. CEO Hoover is figuring out how to operate this situation in a legal manner and we are currently having trouble making contact with anybody at a bank that may have any information on ownership.

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CASELLA: Mr. Sanders reported that the tank is done. They're just completing some paperwork for the DEC to get the final approval to use it. He doesn't think this should take too long since they were involved from the beginning. As of Friday (May 12), they didn't have enough leachate to fill it with. He would also like to give the staff the credit that they deserve. They continue to work very hard on the projects that arise, and he is very proud to have them on their team. He explained that as of the drone fly-over on Friday (May 12) the entire facility only had 4 detectible spots which were directly fixed on Friday. Three of which were even below the legal limit of 500 ppm.

Supervisor Wickham looked for a motion to accept the Supervisor, Town Clerk, and CEO Financial Reports. A motion was made by Councilman Mosher and Seconded by Councilman Keeney.

NEW BUSINESS

RES. NUMBER	TITLE	AYE	NAY	ABSENT	MOTION	SECOND
#58-23	Authorization to pay the 2023 Audited Vouchers	4	0	1	Councilman Keeney	Councilman Malyj
#59-23	Accept Ontario County Mowing Contract	4	0	1	Councilman Malyj	Councilman Mosher
#60-23	Approve BOCES Salt Contract	4	0	1	Councilman Malyj	Councilman Mosher
#61-23	Accept Court Security Contract	4	0	1	Councilman Keeney	Councilman Malyj
#62-23	Deem Access Property-Parcel in Stanley	4	0	1	Councilman Malyj	Councilman Keeney
#63-23	Increase Departmental Petty Cash	4	0	1	Councilman Keeney	Councilman Mosher
#64-23	Approve Mobile Terms & Conditions for Constant Contact	4	0	1	Councilman Mosher	Councilman Keeney
#65-23	Approve Privacy Policy for Constant Contact	4	0	1	Councilman Mosher	Councilman Malyj
Part F (add in)	NYSEG Easement: an easement requested for the Verizon Tower that is being placed on private property near our Olson Rd. Water Tank. The easement will be for the use of our driveway and to place an electric pole.	4	0	1	Councilman Mosher	Councilman Keeney

OLD BUSINESS

Supervisor Wickham stated that Tim Scoon will be the speaker for the Memorial Day Service this year. We are still finalizing some of the details, but the service is open to all who are interested, and it will start at 8:30 am on Monday, May 29th, 2023, at the Memorial Park here at the Town Complex.

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PRIVILEGE OF THE FLOOR

The privilege of the floor was offered, and Mr. Townley had one more question. He explained that he hadn't spoken to anyone within the Town about this but that he had just noticed that the current office staff is very busy, and he observes that when he comes in. He thought he remembered a time (years back) when there were a couple of other people working here. He was just inquiring if there was any way that we may be able to look into an extra person here, even part time, to alleviate the current staff on certain days. His examples were filing, scanning and other office work that could be kept moving along which would in turn keep the communication moving along through the office. Supervisor Wickham explained that we have had that discussion in years past and that it will be brought up during budget season.

ADJOURNMENT

At 8:08 pm, Supervisor Wickham looked for a motion to go into executive session regarding the proposed acquisition, sale, or lease of real property. No new business will be discussed in the executive session. Councilman Malyj made the motion that was seconded by Councilman Mosher.

At 8:38 pm a motion was made by Councilman Malyj to exit executive session. That motion was seconded by Councilman Mosher.

At 8:39 pm a motion was made by Councilman Keeney to adjourn the regular monthly meeting of the Town Board and the motion was seconded by Councilman Malyj.

Respectfully,

Haley Eagley
Town Clerk