

TOWN OF SENECA
REGULAR MEETING MINUTES
August 15th, 2023

The Public Hearing & 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 15TH day of August 2023 at 7:30 pm.

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

Supervisor Wickham started with the Pledge of Allegiance and completed a Roll Call before opening the Public Hearing for Local Law #2-2023 at 7:31 pm. Supervisor Wickham commented on the amount of people in attendance and said that it was pleasant to see the room filled with people. Supervisor Wickham presented Local Law #2-2023 which is intended to establish a moratorium on event venues in the Town of Seneca. CEO Hoover was deemed necessarily absent. Supervisor Wickham requested that if he recognized someone to speak, that they state their name, their address, and to try and keep their comments to 3 minutes or less in an effort to accommodate as many people as possible. With that, Supervisor Wickham opened up for any public comment.

Town Resident, Larry Townley of State Route 14A, requested to speak as he had comments to share for Marissa (Turnbull) Bournique of Turnbull Road. The statement from Marissa read as follows:

“I am in agreement with the Town placing a Moratorium on Event Facilities. Recent Developments have shown that the Town is not prepared to regulate current operations without additional research and planning. Proper diligence still needs to be completed to protect the integrity of our communities; residential and agricultural.”

Mr. Townley agreed and added onto Mrs. Bournique’s statement saying that the board has heard his comments in the past and that we need to get things in line and in order and to “buy the horse before we get the cart out with no horse to put on it” and take care of the situation. Supervisor Wickham thanked Mr. Townley for bringing not only his comments, but also presenting Mrs. Bournique’s comments for her as well.

Supervisor Wickham looked for anyone else who wished to speak on this topic. Nobody wished to speak at that time. With nothing left to be said, Supervisor Wickham closed the Public Hearing at 7:33 pm and moved onto the regular monthly meeting.

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 Orbaker. Motion carried. There were no amendments to the agenda.

PRIVILEGE OF THE FLOOR

Supervisor Wickham looked for anyone who wanted privilege of the floor, or any comments on the general meeting. Nobody wished to speak at this time.

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SUPERVISOR'S REPORT

BUDGET TIMELINE: The budget process is currently in the works and Wishlist's, quotes, and supporting documents from Department Heads should be turned in to the Bookkeeper by September 1. Around September 21st, the budget officer will review and file a tentative budget with the Town Clerk by September 26th. On September 28th, there will be a Budget Workshop at 5:00 pm with a presentation of a tentative budget and this is where we will approve the tentative budget with any modifications. A Public Hearing will be held at the October Town Board meeting and the final budget will be adopted at the November meeting.

KIDDER ROAD BRIDGE: This has been on our radar for roughly 3 years now. While Kidder Road is a very short/small road, there is a double culvert that is failing. We have been discussing opportunities for grants and Highway Superintendent Lawson puts in a State Grant Application every year to see if they can get funding for this project. A major concern is the safety factor because of the size of the culverts and depth of the dig. This will probably be an item that is discussed at budget time as we are planning to keep this project as an in-house project to be completed by our own Highway Department.

POTENTIAL PURCHASE OFFER, STANLEY PROPERTY: Over the course of the last year, we had a real estate company, working closely with Dollar General, come in that was looking to purchase a parcel of land in Stanley. The Town went through the motions and received a purchase offer and contract from this company at the same time the Interest Rates started rising. Supervisor Wickham stated that we did receive a letter from the Real Estate company stating that they weren't able to get the property in Stanley approved by the retailer. They stated that they would keep it in mind for the future, but at this point, the purchase agreement is terminated.

Supervisor Wickham had a map of this proposed property, which is also attached to these minutes. Supervisor Wickham explained this is a tentative map. Supervisor Wickham looked at the board to give input on whether they were wanting to entertain this purchase offer received by a non-corporate, commercial interest. At some point this map will officially be surveyed to get actual points and Tax Map IDs. Supervisor Wickham asked the Board if they would like to entertain the idea of this purchase offer or if we should sit back and hold onto this property.

The board, unanimously, agreed to sit tight and not act on this purchase offer at this time.

AMBULANCE EXCESS PROPERTY: This was wrapped into the above discussion regarding the purchase offer. Supervisor Wickham stated that sometime in the near future, this property in Stanley will have to get surveyed, not only to clean it up, but to also dignify which parcel and amount would be deemed excess property to lease to the Ambulance.

SENECA MEADOWS, POSSIBLE EXPANSION: Supervisor Wickham presented a resolution from the City of Geneva. This resolution opposes any increase in [Seneca Meadows] landfill height and was sent to all of the surrounding towns looking for support. Councilman Mosher added that this topic had come up in the past and they had decided that we should abstain from acting on any resolutions regarding another Town and County. The rest of the board agreed and said that we shouldn't get involved in another Town or County's issues.

DAIRY COMMUNITY DIGESTOR: Supervisor Wickham explained that there is a group of local dairy farmers that are looking at the possibility of installing a community digester somewhere. At this time, the economics of building a digester on an individual Dairy Farm is just not suitable like it was 15 years ago. This group of Dairy Farmers has come together, and they are trying to identify a site to put up a community digester that would take manure from 8 or 10 farms to this one facility. Supervisor Wickham stated that he's seen drawings of it, and it looks rather interesting. They would pull a tanker into a building, the doors close, they unload the tanker with the fresh manure, and they reload the tanker with digestate from the digester (which has all of the methane removed, but still contains all of the nutrient rich materials that farmers put back into the soil). Supervisor Wickham explained that the tankers will truck that back to the farms and unload them at the dairy farms, reload them with manure, and then start the process over again.

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Supervisor Wickham explained that they would like to do this with renewable natural gas and that part of the project would include connecting to a natural gas pipeline. He reminded all that there is a high pressure line that goes through the town on Charlton Road where the Town of Hopewell and Town of Seneca meet. This part of the pipeline is just on Seneca's property. What this group of farmers is looking to do is to set the digester somewhere on the landfill property footprint or in that vicinity and then pipe the gas down Rilands Road. Supervisor Wickham explained that he and Highway Superintendent Lawson have had several conversations with them. Highway Superintendent Lawson contacted the county and retrieved the documents that they use when they allow someone to bury something into the County Right-Of-Way. Supervisor Wickham stated that we ran this through our Attorney, Mike Roulan, and he said everything looked appropriate.

Supervisor Wickham stated that they sent that document off to the company and explained that this is what we would use if they were to enter into this. He also explained that this is moving forward and that there are two possible sites: one in the Town of Seneca and one in the Town of Phelps. He said that he doesn't know at this time which one will be chosen. Supervisor Wickham stated that there will be more public notification as they move forward, and public input will be accepted at that time.

Supervisor Wickham asked if the board had any questions and Councilman Mosher asked if (assuming that) we would be making any changes to the zoning. Supervisor Wickham explained that he wasn't sure about it at this time. In discussing this with Ontario County, Supervisor Wickham is looking to see how they would view this type of facility in an Ag district. The initial feedback was that it would be an Agricultural Business in an Agricultural District, so Zoning wouldn't be an issue. We aren't positive at this time.

Councilman Orbaker asked how they could put something of this nature so close to Flint Creek. Supervisor Wickham explained that the gas line would have to go under the creek. Councilman Orbaker explained that he thought that would be really deep as that hill is really steep right there. Supervisor Wickham stated that he is not involved in the semantics of it, but that he's sure an engineer is involved and will address this when the time comes. Supervisor Wickham explained that they've driven the road with the individual that is heading this project and they are aware of the lay of the land.

Councilman Orbaker asked if there was any potential tax revenue coming to the Town from this. Supervisor Wickham stated that at a point when the Town actually has a Tax, this could be a possibility. Councilman Mosher asked if being an Agricultural Business if this would be tax-exempt. Supervisor Wickham stated that they aren't positive that's the case and have discussed the idea of a "pilot" which would identify a specific amount in taxes over the course of 10 years. Councilman Orbaker added that while you have farms (agricultural businesses) bringing substance to this site, there's a possibility that the actual company that is spearheading this project is not a "farm". Councilman Mosher wondered if there was a way that we could collect a "toll" on this gas line as payment of the easement. These are all questions that would be answered as this project goes on as Supervisor Wickham states that he doesn't know the actual parcel or group of people. He explained there would be more to come on this topic.

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

COMMUNICATIONS

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

DEPARTMENT REPORTS

HIGHWAY: Highway Superintendent Lawson highlighted that we are returning in-kind work to the Town of Geneva and Town of Phelps for what they did to help us in the beginning of the year. He added that they are still mowing roadsides.

He explained we ordered a truck in February of 2022 and that will not be put in service until March of 2024. Highway Superintendent Lawson went on to say that the truck that we budgeted for in the 2023 budget will be

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coming from MAC Truck. He explained that these trucks are slightly more money, but most of the surrounding towns are doing the same thing. He said they do have a higher resale value.

WATER: Water Superintendent Coolbaugh added that the Olson Road tank project is coming along good. They have the 12 inch water-main in from the bottom of the road up to the tank site. Hopefully within the next month or so they will be pouring the concrete for the base of the tank. Water Superintendent Coolbaugh also added that attached to his report was a PROPOSED letter to send out the residents outlining the Water Rate increase that is being proposed to start with our January 1, 2024, water bill. Mr. Coolbaugh wishes to send this letter out before or around the time that they start reading in September for the October bill to give everyone ample time to ask questions before the January 1 bill if they have any. He explained that they read meters around the middle of the month and reiterated that this **WILL NOT** take effect until January 1, 2024. Supervisor Wickham told the Board that they have a copy of this outline of fees in their packets. The proposed increase is below:

CURRENT WATER RATE	WATER RATE AS OF 01/01/2024	DIFFERENCE
\$40.00 Minimum <i>(0-6,000 Gallons)</i>	\$50.00 Minimum <i>(0-6,000 Gallons)</i>	Increase of \$10.00
\$2.90 <i>(Per 1,000 gallons above the minimum)</i>	\$4.75 <i>(Per 1,000 gallons above the minimum)</i>	Increase of \$1.85

TOWN CLERK: Councilman Orbaker asked Clerk Eagley if there have been a lot of problems with the Pavilion (Re: Rec. Pavilion Rental portion of report). Clerk Eagley responded that there haven't been any major or disastrous issues with the pavilion but that there has definitely been an uptick in people not perfectly taking care of it how they used to. Supervisor Wickham stated that Clerk Eagley has put a lot of thought into this and the solution moving forward is fair and appropriate. He explained that if someone were to do some major damage, they would lose their deposit and privilege with no warnings. At this time, Clerk Eagley will make judgment on what constitutes a warning and what constitutes a deposit being held. Warnings given will be tracked and if it has to be repeated, we will be banning those that don't take care of our facilities.

Supervisor Wickham also thanked Clerk Eagley for the text messaging that was rolled out a couple of months ago. It's an extra effort to communicate with the Town.

HISTORIAN: Supervisor Wickham gave thoughts and prayers to the Snyder family as Ken Snyder, Sr., a past Highway Employee and Highway Superintendent passed away. Ken's daughter-in-law, Lisa, is also well-involved and volunteers with our Historian.

CASELLA: Mr. Sanders reported that things are going well and there is a lot going on. He said that they have a majority of the waste excavation done that they planned to do for this year. They have awarded the bid for gas drilling, so in the next 4 to 6 weeks they'll have 27 additional wells. Some shallow, some deep. They will assess those for dewatering as needed. Supervisor Wickham asked if they expect to start the new liner and construction of the new cell this Fall. Mr. Sanders said they are aiming for Spring of 2024 to start that.

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 Malyj.

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NEW BUSINESS

RES. NUMBER	TITLE	AYE	NAY	ABSENT	MOTION	SECOND
#72-23	Authorization to pay the 2023 Audited Vouchers	5	0	0	Councilman Orbaker	Councilman Keeney
#73-23	Referring Local Law #2-2023 to Ontario County and taking Lead Agency	5	0	0	Councilman Keeney	Councilman Mosher
#74-23	Appointment of Comprehensive Plan Review Committee Members	5	0	0	Councilman Orbaker	Councilman Mosher

Councilman Orbaker wanted to reiterate and re-confirm his question from the last meeting. He asked, again, if Resolution #73-23 was in regard to handcuffing existing event spaces or if this was just new inquiries moving forward. Supervisor Wickham confirmed that this is not doing anything to existing event spaces and will only be for new applications coming in.

PRIVILEGE OF THE FLOOR

Privilege of the Floor was offered, and Town Resident, Alma Vogt of Route 245 in Stanley wished to speak. She said that when the deal was in progress for the Dollar General, nobody knew much about it such as who was making the offer, how much the offer was for, or what the plan was for what was going on in there. She feels that we need to have more openness for things like that in this Town because, while that property is zoned for business, much of that area is residential and a lot of those residents moved there to get away from business. She added and clarified that most residents right around there are okay with the idea of business, but something that could possibly interfere with the peace of their homes should have been communicated more openly.

Supervisor Wickham thanked her for her comment and added that the realtor was not very forth coming in which corporation was going there and that we were “guessing” who was inquiring about this property. It won’t be happening at this time, so we don’t have to worry about it, but moving forward we will work better to give more transparency in the future.

Mr. Townley wished to speak again. He started by saying that he hates to be redundant, but that the Fire Hydrants in this town are still not being exercised. He explained that he appreciates the weed-eating around them, but that this has gone on for far too long. Mr. Townley explained that he’s been bringing this issue up for almost 6 years. He understands that COVID delayed a lot of things, but that this is getting old. He explained that one of these days, a hydrant isn’t going to work from not being properly exercised. Being that this has been documented in all of the minutes and he fears for a lawsuit aimed at the town after someone’s house burns down due to the hydrant not working. Supervisor Wickham thanked Mr. Townley for his comments and explained that he and Mr. Townley disagree on this topic and will for a very long time, likely. He added that the hydrants have all been serviced and we have a record of it. Mr. Townley added that they have been serviced, but they haven’t been exercised or flushed. Water Superintendent Coolbaugh added that this Fall, they will be going to every single hydrant to make sure they work. Mr. Townley said that he appreciates that.

Town Resident Scott Cole, of Sutton Rd. had some questions about the Community Digester that was discussed earlier. He asked if the Digester gets put in, how far will the trucks be hauling for material. He explained that he’s inquiring because there is a weight limit on his road, but there are still 18-wheelers running down his road all the time. He has small kids, so he worries about things like this. Supervisor Wickham stated that they haven’t even discussed anything about it at this time and there are still many questions to be answered and details to be laid out. Supervisor Wickham claimed that he doesn’t even know the farms that will be involved or the radius that this will cover. He is simply mentioning it so it’s on people’s radar. He thanked Mr. Cole for mentioning this and

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said there will be more opportunities to speak if and when we start the process. Until we get an official presentation in front of us, we will determine the path forward and make sure that everyone knows.

Councilman Keeney asked Supervisor Wickham if he was just negotiating with the farmers in our town. Supervisor Wickham said that he's not negotiating anything. He doesn't know which farms are involved at this time.

Mr. Cole pointed out that this would increase the amount of traffic and wear and tear on the roads. Councilman Keeney pointed out that most of the roads on the North end of the Town are weight restricted. Councilman Orbaker explained that deliveries on the specific roads are exempt from the weight limit, but that if they're using weight restricted roads to bypass another route, then that's still not legal. Supervisor Wickham explained that as this project goes on and they learn the farms that are involved, we will be looking for routes that they plan to travel as a stipulation. Mr. Cole added that he is not against the facility, and it would be a nice facility to have, he just hopes all grounds are covered and thought about before proceeding. Supervisor Wickham explained that there are a lot of pluses and minuses to a project like this, but that we will be hearing more if and when it unfolds. Councilman Orbaker explained that he had spoken to another local farmer recently and wanted to get with them soon regarding this topic. He explained that once he talks to this farmer, he may be able to answer more questions on the subject. Supervisor Wickham explained that he doesn't think they are at a stage where we need to venture into any public meetings at this point because there's no sense in getting people excited about a project that may not even happen in the Town of Seneca.

Town Resident, Ron Hutchinson of Ferguson Rd., wished to add that since the construction of the roundabout started (County Road 4 and County Road 20), traffic on his road has tripled and it's become a speed zone. He explained that he has personally called the sheriff's office and spoke to a dispatcher and stopped to speak to a trooper recently to let them know that they are invited to sit in his driveway to patrol speed if they would like to. Supervisor Wickham explained that they are doing a really good job of trying and control some of the ramming around.

ADJOURNMENT

At 8:27 pm and with no other business, Supervisor Wickham looked for a motion to adjourn the August Monthly meeting of the Town of Seneca Town Board. A motion was made by Councilman Keeney and seconded by Councilman Orbaker. The meeting was officially adjourned at 8:27 pm.

Respectfully,

Haley Eagley
Town Clerk