

TOWN OF SENECA
REGULAR MEETING MINUTES
JANUARY 17TH, 2023

The Public Hearing and Regular Meetings of the Seneca Town Board, County of Ontario, State of New York was held at 3675 Flint Road, Stanley, NY 14561 on the 17th day of January 2023 at 7:30 PM.

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

Supervisor Led the Pledge of Allegiance and then opened the public hearing on the Telecommunications Facility (Verizon Tower) at 7:30 PM. Supervisor Wickham offered the floor to anyone who would like to comment on this matter. With no comments offered, Supervisor Wickham referred to Jerry to see if there were any comments. Mr. Stephen Fantuzzo with Verizon wished to explain a little bit about the cell tower. He explained that the tower was going to be 195 feet tall with an antenna and related equipment. This would be on a privately leased 100' x 100' parcel. Mr. Fantuzzo explained that the access to the cell tower would be off of Olson Road and the easement would allow them to use the driveway for the water tank to get to the Tower. The tower will be placed on privately leased property. They are seeking Town Board approval and have already met with the Planning Board and ZBA on this matter. Eventually, they will be seeking approval for the additional 95 feet above the 100 foot height limit. Councilman Orbaker then asked if he should abstain from anything regarding this Cell Tower as he works for the farm who owns the property that Verizon is leasing. Supervisor Wickham stated that at this point there is nothing to abstain from as we are just voting on a Negative Declaration on the property. With nothing left to be discussed, he Regular monthly meeting was called to order at approximately 7:40 PM. Roll Call was executed as we had a few new faces in the audience.

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.

PRIVILEGE OF THE FLOOR

Supervisor Wickham offered privilege of the floor, and Amanda Gibeau was in attendance to give an update for the Stanley Hall, Gorham, Ambulance. She stated that they are currently receiving bids for the new Ambulance building. Once the bids are received, they will be opening and deciding what they want. She spoke with USDA and received a list of items that they need from the Ambulance. They need a few items from the Town of Seneca and the Town of Gorham. She said that if there were any questions from anyone, she welcomes them.

Two other Town Residents were in attendance and wished to inquire about something. Their names are Molly and Tim, they live on Turnbull Road, and they recently discovered a Facebook Page called Silos of Seneca; which, to their understanding is for a Wedding Venue nearly next-door to their house on Redman Road. They were surprised to have known nothing about it. Supervisor Wickham referred to CEO Hoover on this as he wasn't up to date on this matter.

CEO Hoover explained that they haven't done or provided anything with Site Plan Review. They are anticipating beginning the formal approval process sometime between now and Spring of 2023. They, conceptually, came through the planning and zoning boards before they purchased the property. CEO

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Hoover explained that they are remodeling the main barn and have torn a couple of older barns down. They are re-siding things, getting everything cleaned up on the outside; however, they have not given an official Site Plan or Business Plan to present to the Town. CEO Hoover expects neighbors will be notified when they get closer to that point.

Molly mentioned that they were not ever notified of the first meeting and CEO Hoover explained that was because it was pre-liminary and the property had not-yet been purchased. Molly followed up letting us know that her neighbors were notified, but they were not. CEO Hoover said that he couldn't explain why that would be. He said all neighbors should have got notification, so they aren't sure if Molly & Tim's got lost in the mail as they are a direct neighbor to this property.

Molly mentioned that they did end up making it to that first meeting. She explained that Mr. Hullings (the new owner) was here at that meeting and offered full transparency, allowing any questions from anyone. Molly explained that they haven't heard anything from them since then, but they have heard a lot of noise. She said the Facebook Pages states that they plan to be open in Spring of 2023. Supervisor Wickham explained that there is a ways to go before that happens and was appreciative of them coming to the meeting to ask questions. Supervisor Wickham stated that he or Jerry would be happy to talk to them for any updates or questions that they have as this project unfolds.

With no other comments from the public, the Board moved to the next item.

SUPERVISOR'S REPORT

CASELLA SCHOLARSHIP: Supervisor Wickham asked Mr. Sanders if the applications were out for this yet. He explained that the doesn't think they are out quite yet, but he will be in contact with us when they do come out.

WATER CAPITAL PROJECT UPDATE: Supervisor Wickham stated that the projects are moving for the Olson Road tank and the Kashong Switch tank. We should be seeing a bit of activity soon.

Supervisor Wickham looked for a motion to approve the Minutes for the December 20th, 2022 Regular meeting and the January 4th, 2023 Organizational 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: Councilman Orbaker inquired about the broken tree lift. Highway Superintendent Lawson said he got it fixed and still has some tree work to do on the next nicer days. Supervisor Wickham commented on the tree that got lodged in a culvert. It was 12 inches in diameter and 10 feet long. The Highway Department removed the log.

CASELLA: Mr. Sanders said that they found some old photos and a letter that they think would be of interest to our Historian. One letter was from 1869 and there is also an old sketch picture of what Stanley looked like in that time. Mr. Sanders explained that things have been going well with the Tank project. It's still ongoing. They're still expecting completion on April 29th, 2023. They had a pre-bid meeting for cell construction. Bids were due back in early-February. This project will be 9.7 acres of final cap. They plan to have a functioning de-watering system and a fully functioning gas system. Mr. Sanders estimates that the project would be started by March. He does not think any significant work will start before April.

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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 Orbaker.

NEW BUSINESS

RES. NUMBER	TITLE	AYE	NAY	ABSENT	MOTION	SECOND
#38-23	Authorization to pay the 2022 Audited Vouchers	5	0	0	Councilman Malyj	Councilman Keeney
#39-23	Authorization to pay the 2023 Audited Vouchers	5	0	0	Councilman Orbaker	Councilman Mosher
#40-23	Town Clerk Annual Report	5	0	0	Councilman Keeney	Councilman Orbaker
#41-23	Approve Highway 284 Agreement	5	0	0	Councilman Mosher	Councilman Malyj
#42-23	Authorize Purchase of Bush Hog	5	0	0	Councilman Orbaker	Councilman Malyj
#43-23	Approve Union Contract	5	0	0	Councilman Keeney	Councilman Malyj
#44-23	Approve SEQR Negative Declaration	5	0	0	Councilman Mosher	Councilman Malyj
DISCUSSION: Charter Communications Franchise Agreement	<p>We have a current agreement that is set to expire soon that was for 10 years. This time, Charter Communications is seeking a 15 Year agreement. The previous agreement we had included a 5% franchise tax, which means that they would charge the users this tax and then remit that money to the Town.</p> <p>The last time this came up, the board decided that because we don't have a town tax, we don't necessarily need the money from a Franchise Tax. The way it was written is as follows:</p> <p>"The grantee shall initially pay no franchise fee; however, the grantor [Town of Seneca] shall have the right upon 6 months written notice to the grantee to impose a franchise fee of up to 5% of the grantees gross revenues. The Grantor should have the right to subsequently change the franchise fee percentage to any other percentage between 0% and 5% upon 6 months written notice"</p> <p>Supervisor Wickham stated that he thinks we should write in the same provision at this point. We don't charge any franchise tax right now; but, if at any time the landfill contract expires without renewal, the board could decide to institute this tax. Leaving this clause in there would proactively leave it up to us if we ever decide to implement a fee.</p>					

PRIVILEGE OF THE FLOOR

Privilege of the floor was offered and nobody wished to speak at this time.

ADJOURNMENT

At 8:10 pm, Supervisor Wickham looked for a motion to adjourn. The motion was made by Councilman Orbaker and Seconded by Councilman Mosher. The motion carried and the meeting was officially adjourned at 8:10 PM.

Respectfully,

Haley Eagley
Town Clerk