

**TOWN OF SENECA**  
REGULAR MEETING MINUTES  
OCTOBER 18<sup>TH</sup>, 2022

The Public Hearings and Regular Meeting of the Seneca Town Board, County of Ontario, State of New York were held at 3675 Flint Road, Stanley, NY 14561 on the 18<sup>th</sup> day of October 2022 at 7:30 PM.

<b>PRESENT</b>	
Drew Wickham	Town Supervisor
Jason Mosher	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
Brian Prater	Water Superintendent
Brian Sanders	Manager of Ontario County Landfill

Supervisor Wickham opened the first Public Hearing of the evening at 7:30 PM. This was for Local Law Number 2 of 2022- Tax Cap Override. He offered Privilege of the Floor to anyone who wished to speak on our Tax Cap Override. With no comments offered from the floor, Supervisor Wickham closed the first public hearing of the night at 7:31 PM.

At 7:31 PM Supervisor Wickham opened the second Public Hearing of the night for the 2023 Budget. Again, with no comments offered from the floor, the second Public Hearing was closed at 7:32 PM.

Supervisor Wickham called the regular Town Board Meeting to order at 7:32 PM and he led the Pledge of Allegiance. Roll call was completed and everyone in attendance was acquainted. Supervisor Wickham noted CEO Hoover and Highway Superintendent Lawson were necessarily absent this evening.

**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 Keeney. Motion carried. Supervisor Wickham had a couple of amendments to tonight's agenda. He requested to add D. Stanley Property Sale under Supervisor's Report. The approval for the Amended Agenda was motioned by Councilman Keeney and seconded by Councilman Orbaker.

**PRIVILEGE OF THE FLOOR**

Privilege of the floor was offered. Shana Jo offered a piece of information for the record to let everyone know that the Stanley Post Office has closed, and operations have moved in with the Hall Post Office. Councilman Keeney asked if that was temporary, Supervisor Wickham added that he hopes so. While a representative did stop in and tell us this was happening, we don't know the full story on this situation. The USPS Representative explained to Shana Jo that there were some structural issues in Stanley and some staffing issues in Hall. They will be operating under Stanley's hours in Hall, which means that this will be open more for Hall Residents. They may reach out to the Town in the future to place standalone P.O. Boxes in Stanley. Nothing is definite with that yet, but they may inquire about this down the road.

Town Resident, Laura Pedersen, requested the floor next. She believes that this [Landfill] vote is one of the most important votes that our Town Council will take because it is affecting the future of the Town of Seneca for a very long time. She would hate to see the next generation of our Town having to deal with thousands of truck loads of other people's garbage coming to our Town to dump in our farmland. She explained that enough is enough and that she just wanted to say it one last time before the vote.

**TOWN OF SENECA**  
REGULAR MEETING MINUTES  
OCTOBER 18<sup>TH</sup>, 2022

---

Town Resident, Ed Lavin, requested the floor after Mrs. Pedersen. He explained that he agrees with Mrs. Pedersen and that we are in a crossroads right now. He believes that we have one chance to decide and that if the decision is not made now, there won't be another chance. He stated that some of the best farmland is here. We are not just a secluded town here and that we are a part of the Finger Lakes Region. He is fearful that what makes the Town of Seneca great and what makes Ontario County great and what makes the Finger Lakes great is being compromised [by the landfill]. Mr. Lavin explained that we've done our jobs here, we signed a contract, we will fulfill it until it ends, but this is our once chance to do something here.

Town Resident, Casey Kunes spoke up and said that as another agricultural producer in this town, the other two residents spoke very well on this topic and that he agrees with everything that they said.

---

**SUPERVISOR'S REPORT**

Supervisor Wickham explained that we are doing things a little out of order with two resolutions listed in the Supervisor's Report. Supervisor Wickham mentioned that we have certainly been discussing and thinking about this issue long enough. We've debated, had town meetings, heard resident input, and conducted a survey. Supervisor Wickham stated that Clerk Eagley would call the roll alphabetically. The Council Members were welcomed to add comments or thoughts when it was their turn to vote.

**Resolution #78-22- End Landfill Operations in 2028**

**COUNCILMAN KEENEY:** Councilman Keeney had some comments to offer. He spoke on the positive things that the Town Board has done during the life of this contract. We have improved and upgraded our roads (roughly 76 miles). We have improved our Water System. Our Rec. Pavilion, our recreation fields. Establishing the 5 & 20 corridor. We have started and established a Tax Stabilization Reserve Fund in anticipation of the closure of the Landfill. Among other things, the revenue from Casella allowed us to do these things to put us in good shape for the future. Councilmen Keeney mentioned that Victor had a Landfill at one time, they shut it down, and they are still in pretty good shape today. With all, Councilman Keeney offered **his vote in favor of ending landfill operations in 2028.**

**COUNCILMAN MALYJ:** Councilman Malyj explained that his vote is not a reflection on the current management, and he believes that operations have improved in the recent years. He had the unique experience of being a Town Board member and working in the shadow of Seneca Meadows for 30 years. He worked in an environmental agency. He explained that the landfill does not impact him personally- occasionally he catches the smell, but not often. Looking at the future, Councilman Malyj offered his vote **in favor of ending landfill operations in 2028.**

**COUNCILMAN MOSHER:** Councilman Mosher explained that he agrees with everything that his colleagues have said up to this point and that he wants to keep it concise. Based on the facts that have been presented to them, Councilman Mosher offered his vote **in favor of ending landfill operations in 2028.**

**COUNCILMAN ORBAKER:** Councilman Orbaker added that he also agrees with everything his colleagues have said up to this point and expanded as a Farmer himself. He explained that he thinks the current management has done a great job getting their hands wrapped right around it. He explained that he grew up right down the road from the Landfill and he remembers discussions as a kid of the things that were going on, what could happen and what we see has happened. He explained that he cannot support this moving forward and with that, Councilman Orbaker offered his vote **in favor of ending landfill operations in 2028.**

**TOWN OF SENECA**  
REGULAR MEETING MINUTES  
OCTOBER 18<sup>TH</sup>, 2022

---

**SUPERVISOR WICKHAM:** Supervisor Wickham explained that he agrees with what everyone has said. When he ran for Town Council in 2010, a lot of his colleagues were farmers. He explained that, while not a full-time farmer, he still has a foot in the camp and would uphold the full-time farmers thoughts and support what they would have wanted for the town. Supervisor Wickham explained that their voice has been loud and clear in this matter and that he has sat and had meetings with many of the farmers for over 8 months about this issue. There is no secret, the farmers of our town are not fans of continuation of the landfill. Supervisor Wickham agreed with what Mr. Lavin said earlier in the meeting- that this is the time to say no. While agreeing with Mr. Lavin he also commended Mr. Sanders and explained that this is not against him at all. He explained that the landfill operations have run the best in the last couple of years than they ever have. Simply put, it's just the fact that it's still a landfill. With all the comments offered from Supervisor Wickham, **his vote is in favor of ending landfill operations in 2028.**

Supervisor Wickham explained that **this vote is unanimous.** Some of the residents in attendance clapped for the outcome. With resolution #78-22 being unanimous, Supervisor Wickham motioned to pull resolution #79-22 from the agenda as it was not needed at this time. The motion was made by Councilman Mosher and seconded by Councilman Keeney.

---

Moving on to the remainder of the Supervisor's Report.

**BUDGET DISCUSSION:**

Supervisor Wickham explained that he knows there are a few things hanging that he wanted to discuss and knew that some of the other councilmen had points that they wanted to discuss.

- **EXTRA EMPLOYEE/ OPEN POSITION:**

- o In the original budget that was presented, there was an additional employee budgeted for the Water Department and there was also an additional position in the Highway Department that was open. Supervisor Wickham stated that he doesn't think he wants two separate positions open right now, but he concurs that there is a need for help. Supervisor Wickham Recommended to the board that we share a position, half with the Water Department and half with the Highway Department. He has discussed this matter with both superintendents and they both agreed that if it was structured properly and set up properly that this would serve both heir needs moving forward.
- o Councilman Keeney asked if this individual would need a water license and Supervisor Wickham said they would have to have one or be on track to get one.
- o Councilman Orbaker asked if we would have a good way to track where they would be applying their time so that there wasn't any question. Supervisor Wickham stated that they would potentially set it up where the employee worked in the Highway Department certain days and then worked in the Water Department on the other days. The potential system that is set up would allow the Superintendents of the two departments to trade days if needed depending on big projects. Supervisor Wickham assured that the time would be tracked, and it would be equal.
- o Councilman Orbaker followed up by asking if the employee would answer to Supervisor Wickham. Supervisor Wickham explained that wherever they serve on any given day is who they would answer to.

**TOWN OF SENECA**  
REGULAR MEETING MINUTES  
OCTOBER 18<sup>TH</sup>, 2022

---

- **NEW TRUCKS:**

- o In anticipation of reserving funds, Councilman Mosher would like to try and hold off on the truck rotation. Since vehicles are overpriced right now and the lots are still filling up- he would like to see us wait until prices come back down a bit before we rotate another truck. He explained that we have budgeted a pickup truck for Water and Highway- he would like to put this off for now. Keep the trucks that we have another year and revisit the situation again next year. Supervisor Wickham stated that he would talk to the Superintendents to get their thoughts.

- **KIDDER ROAD:**

- o Councilman Orbaker brought up the concern for the Kidder Road culvert. He explained that it's been in the budget for two years now and he noticed it's removed again. He wonders how we are going to address it as these issues is not going to go away. He inquired about putting money away so that it's not such a big hit when the day comes.
- o Supervisor Wickham explained that they are trying to get a grant from New York State to help cover the costs of this project. It was removed from the budget because there are so many alternatives and if we cannot complete the project in house, then this is a major project that needs more planning. There are many options that we can investigate.
- o Councilman Orbaker believes that at a minimum the road should be posted. Councilman Mosher offered an idea of diverting some of the county tax buydown and putting that away to help with this project.

- **CHANCE IN WATER RATES:**

- o Supervisor Wickham asked if anyone else had any comments about the budget and Councilman Orbaker asked about the change in water rates. Supervisor Wickham explained that they've been discussing some options about this and the vote that was taken earlier in the evening puts an exclamation point on this issue. He mentioned that a group that we belong to called NY Rural Water Association would be able to conduct a Water Rate study and give us some ideas. They will be reaching out in a couple of weeks to get this going.

**STANLEY PROPERTY SALE:**

We have had a commercial entity reach out to us and have had preliminary discussions with them about purchasing some property in Stanley. This property starts where the railroad bridge used to be on the east side of Route 245. Nothing is set in stone yet, but Supervisor Wickham senses that the discussions are ramping up and they are looking for something to possibly happen soon. He explained that he just wanted to put it in the public domain that we are considering the sale of a Stanley property to a commercial entity. We are not privileged to divulge who that is at this time. We will keep you updated as this unfolds.

Deputy Supervisor Mosher looked for a motion to approve the minutes from the September 20<sup>th</sup> and September 28<sup>th</sup> meetings. The motion was made by Councilman Malj and second by Councilman Orbaker.

**COMMUNICATIONS**

All communications were reviewed and are available to view at the Town Hall upon Request.

**GENERAL ELECTION:** November 8<sup>th</sup>, 2022, 6 AM to 9 PM. Voting in the Town Pavilion behind the Town Hall.

**WATER RELEVY MONTH:** Any water balances left after 10/31/2022 will get relieved onto the 2022 Town and County Tax Bills.

**DEPARTMENT REPORTS**

**TOWN CLERK:** Supervisor Wickham mentioned that he and Clerk Eagley have had some discussion about getting a general office credit card or a Town Clerk Credit Card for certain charges that are online only. Some

**TOWN OF SENECA**  
**REGULAR MEETING MINUTES**  
**OCTOBER 18<sup>TH</sup>, 2022**

of those items include Microsoft Office, Ancestry.com, Adobe Acrobat, Transfer Station Permits, Meeting or Conference admissions and some other items. This card would be used mostly for reoccurring items and would rarely (if ever) be used physically outside of the Town Hall. Supervisor Wickham explained that we would cap it at \$1,000 as we don't usually spend that much in one month on a card. He asked if any of the councilmen had any objections to this idea. None of the Councilmen spoke.

Clerk Eagley wanted to add what a great job Ontario County Records and Archives did with the older records we possess here. We had 14 large, hard-cover books dating from the early 1800s up until the 1980s (that's when things switched to normal A4 sizes paper). Ontario County Records and Archives offered a service where they scan large books for a quoted amount. They came and picked the books up and had this project done within 2 weeks and presented Clerk Eagley with thumb drive with those records on it when the project was done. They did an amazing job on this project.

**HISTORIAN:**

Supervisor Wickham stated that the young man who completed his Eagle Scout project at the Whitney Cemetery did an outstanding job. He had a short period of time, and he covered a lot of ground. His hard work and dedication are not unnoticed, and we appreciate his great effort in cleaning it up.

**LANDFILL:**

Mr. Sanders stated that they are just finishing up the gas header work for the gas energy plants. They have one tied in, three remaining. This was to expand the current pipe to a larger pipe for better flow control, a steadier vacuum, and to help the gas plant out. They are set to take delivery of the new flare on October 28<sup>th</sup>. He explained that this will be a candlestick flare, which means there will be a visible flame, and this does not mean that the landfill is on fire. He explained that the new flare will be close to the trim flare which means that it will be visible from 5 & 20.

He explained that they will be installing the leachate tank. Groundbreaking should start on November 1. They will get all the earthwork done and the containment done. This will be a 579,000 gallon tank. It will be blue. This will be placed between the current leachate lagoon and the shop. He explained that they will be putting an additional tank pad in that containment for another tank to be placed in the future (date TBD).

Deputy Supervisor Mosher looked for a motion to approve the Supervisor, Town Clerk, and CEO financial reports. Motion was made by Councilman Keeney and seconded by Councilman Mosher.

**RESOLUTIONS**

<b>RES. NUMBER</b>	<b>TITLE</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>MOTION</b>	<b>SECOND</b>
#80-22	Authorization to pay the 2022 Audited Vouchers	5	0	0	Councilman Mosher	Councilman Orbaker
#81-22	Approve Cold Storage Pole Barn Bid	5	0	0	Councilman Malyj	Councilman Keeney
#82-22	Authorization to Allow Concealed Carry on Town Property	5	0	0	Councilman Orbaker	Councilman Mosher
#83-22	Approve Local Law #2-2022- Tax Cap Override	5	0	0	Councilman Keeney	Councilman Orbaker
#84-22	Approve the 2023 Snow Removal Contract	5	0	0	Councilman Mosher	Councilman Malyj
#85-22	Re-Appoint Tara Rago to the Board of Assessment Review	5	0	0	Councilman Keeney	Councilman Mosher

**TOWN OF SENECA**  
REGULAR MEETING MINUTES  
OCTOBER 18<sup>TH</sup>, 2022

---

**PRIVILEGE OF THE FLOOR**

Privilege of the floor was offered. Councilman Orbaker wanted to bring something up from when we were discussing the future of the Landfill. He explained that the newspaper stated that the survey results were 60/40. He explained that all that the residents had to select from was a 1 and a 2 and that there were additional comments on a lot of them that could not be conveyed in the results. Councilman Orbaker said that he went through the results one by one and if you really evaluated the comments of those individuals, the count would be more like 50/50. He wanted it noted on record that the Council Members are not going against their constituents here and wanted to make sure that people understood that the results were quite even if they went through each answer individually.

Councilman Mosher spoke up and mentioned that this is the exact reason he said, "based on the facts that have been presented" when he spoke on the Landfill earlier in the evening.

Supervisor Wickham appreciated what Councilman Orbaker said and explained that he was correct. He said that sometimes figures can be tweaked to do whatever you want to do with them and that we all sat in those meetings and listened to a good chunk of our constituents express how they felt about this. He believes that the town has done their deed and it's time to let someone else do their deed.

**ADJOURNMENT**

With nothing left to be said, at 8:17 PM Supervisor Wickham looked for a motion to adjourn the October monthly meeting. Councilman Mosher made the motion that was seconded by Councilman Keeney and the meeting was officially adjourned.

Respectfully,

Haley Eagley  
Town Clerk