

TOWN OF SENECA  
REGULAR MEETING/PUBLIC HEARING  
November 20, 2018

The regular meeting/public hearing of the Seneca Town Board, County of Ontario, State of New York was held on the 20<sup>TH</sup> day of November, 2018 at the Seneca Town Hall, 3675 Flint Road, Stanley, NY 14561 at 7:30pm.

PRESENT:

Andrew Wickham, Supervisor	Howard Keeney, Councilman
Jason Mosher, Councilman	Charles Smith, Councilman
Jim Malyj, Councilman	Kate Silverstrim-Jensen, Town Clerk
Shana Jo Hilton, Assessor	Jerry Hoover, CEO
Jim Lawson, Highway & Water Superintendent	

Others present included Mark Clinker of Casella, Dick Eaton, Abe Martin, and members of Boy Scout Troop #68

Proof of Notice having been furnished, the Public Hearing on Local Law #3 – Amending the Zoning Map of the Town of Seneca and Changing the Classification of Certain Lands was called to order at 7:30pm by Andrew Wickham, Supervisor.

No one wished to speak in favor or against the proposed Local Law.

All persons desiring to be heard, having been heard, the hearing was closed at 7:31pm.

Supervisor Wickham called the regular meeting to order at 7:31pm.

Supervisor Wickham announced that the members of Boy Scout Troop #68 from Hall are in attendance this evening and called upon Senior Patrol Leader, Ben Thompson, to lead the pledge of allegiance. Roll call was performed.

**Approval of Agenda**

Supervisor Wickham requested three additions to the agenda; under Supervisor's Report, add C. Sewer Extension, D. Boy Scout Troop #68 Report, and E. Ag. Tire Recycling Update.

On motion made by Councilman Mosher, seconded by Councilman Malyj, to amend the agenda for the November 20, 2018 meeting. Carried.

On motion made by Councilman Mosher, seconded by Councilman Keeney, to approve the amended agenda for the November 20, 2018 meeting. Carried.

**Privilege of the Floor**

Town resident, Mr. Dick Eaton, wished to address the board concerning the Town Historian vacancy. Mr. Eaton has been involved with genealogy for the past 50 years and is a member of many historical associations. He spoke of how many records in the Town have become even more valuable since New York State archives had a fire and lost many records, and how many records are now being converted to digital. Mr. Eaton stressed the importance of the Board's responsibility to ensure safe keeping of town records, as well as accessibility. He feels the next Town Historian will have a big job to do, and hopes the committee will be considerate of the Town's rich history when making their selection.

### **Supervisor's Report**

Supervisor Wickham reported that work continues on the water capital project with Town of Geneva. He was pleased to announce that the project has been awarded a grant in the amount of \$2.8 million and change. Work will start quickly. There will be a resolution later in the agenda regarding the initial well evaluation. Additionally, with the passing of Bob Raeman, another engineer from HUNT, Marty Muggleton, has reached out regarding the project. After a discussion between Mr. Muggleton, Superintendent Lawson, and Supervisor Wickham, the consensus is to continue with HUNT Engineering on this project. The Town will still look to CPL for help with future watermain extensions.

The Supervisor then reported that the CEO has been working with a developer on a parcel located on Route 5 & 20. The sewer currently comes to the edge of the 84 Lumber parcel, which is just next to the parcel in question. Supervisor Wickham looked to the Board for direction on where to set the requirement for the sewer extension - the edge of the property or the center of the property – and if the Town would be willing to assist the developer with the cost.

Councilman Smith questioned the difference in cost. Supervisor Wickham stated it would be a difference of several hundred thousand dollars because of the topography in that location.

Councilman Mosher felt the Town should contribute as little as possible because the sewer utility has not been historically profitable for the Town.

There was a discussion regarding previous hook ups and future planning for the sewer in that location. If the sewer needs to extend past Martin's Door Service, then it will be necessary to install a pump station at the bottom of the hill near Yaegel Road.

Councilman Malyj asked if the developer of the parcel in question requires sewer hook-up, such that if the cost was too high, they would look elsewhere. Supervisor Wickham confirmed that yes, sewer is a requirement for the proposed business, thus high cost would result in the business looking for alternate locations, likely outside of the Town of Seneca.

Councilman Mosher stated that the industry standard should be kept in this situation, as this will set the precedence for future sewer applications.

Supervisor Wickham asked the councilmen to continue thinking about this. He will speak with the Town Attorney and circle back with the board next month.

Next, Supervisor Wickham invited Ben Thompson, Senior Patrol Leader of Troop #68, to speak. Ben reported that the Boy Scouts have a great presence in the Town of Seneca and the Marcus Whitman School District. Troop #68 spends time volunteering and fundraising; they sent scouts to the National Jamboree and have hosted other scouts in this area.

Supervisor Wickham stated that Troop #68 has had a tremendous impact in our community, not just currently, but for a very long time. Many Eagle Scout projects have contributed greatly to the community.

Councilman Keeney asked Ben if the flag drop boxes were from Troop #68.

Ben stated that yes, Jake Abel, as part of his Eagle Scout project, had flag collections placed at the Seneca Town Hall and the Transfer Station.

Supervisor Wickham reported that the Agricultural Tire Collection event has evolved into something much larger than anticipated. Seneca is the first Town to recycle Ag. Tires so it is a learning experience. We have scheduled recycling for a few town farms and will continue as allowed. This has shed a light on the need for a larger project that is county-wide.

Lastly, Supervisor Wickham has put together a Historian Search Committee consisting of Councilman Keeney, Town Clerk Kate Silverstrim-Jensen, one or two volunteers from the Historian's office, and himself. Interviews will be scheduled in the coming weeks and the committee will circle back at the December meeting.

**Accept Minutes**

On motion made by Councilman Malyj, seconded by Councilman Keeney, to accept the minutes from the October 16<sup>th</sup> regular meeting. Carried.

Supervisor Wickham presented the communications.

Written reports were submitted by the Highway & Water Superintendent, Code Enforcement Officer, Assessor, Town Clerk and Casella, and are on file in the Town Clerk’s office.

In addition to the Highway report, Supervisor Wickham asked Superintendent Lawson how the salt supply was doing. Superintendent Lawson reported that the pile is in good shape as long as the weather doesn’t get too bad. He would like to wait to place another order for salt until January.

In addition to the Water report, Supervisor Wickham gave kudos to the department staff for their great work in maintaining the system over recent weeks.

In addition to the Town Clerk report, the Town Clerk reported that a survey regarding the Seneca Castle Park has gone out to approximately 140 properties surrounding the park. She plans to have the results of those surveys compiled for the December meeting.

Supervisor Wickham thanked Mark Clinker for submitting a written Casella report to the board this month. Mr. Clinker added to his report that the contractor is moving ahead of schedule with connection of the new cell with the old cell. He is positive this will have an impact in days rather than weeks. Supervisor Wickham noted that he has received an increase in calls regarding odor recently. Mr. Clinker responded that he had as well and that is the challenge of construction, but this is a great facility with good technology in place to manage the odor. He is confident this will be resolved quickly.

**Accept Supervisor, Town Clerk, and CEO Monthly Financial Reports**

On motion made by Councilman Smith, seconded by Councilman Malyj, to accept the financial reports of the Supervisor, Town Clerk, and CEO. Carried.

**RESOLUTION #88-18 – AUTHORIZATION TO PAY THE AUDITED VOUCHERS**

BE IT RESOLVED, hereby authorizing the Supervisor to pay the following audited vouchers:

- General, claim # 1185-1188, 1192, 1194, 1196-1224, & 1226-1227 in the amount of \$ 546,816.08
- Solid Waste Management, claim # 1195 & 1225 in the amount of \$ 2,433.12
- Highway, claim # 1215, & 1227-1253 in the amount of \$ 146,015.75
- Sewer, claim # 1189 & 1254 in the amount of \$ 1,826.73
- Hall Lighting, claim # 1190-1191 in the amount of \$ 426.55
- Stanley Lighting, claim # 1190-1191 in the amount of \$ 396.02
- Seneca Castle Lighting, claim # 1190-1191 in the amount of \$ 334.60
- Water, claim # 331-350 in the amount of \$ 33,597.87
- Trust & Agency, claim # 113-126 in the amount of \$ 1,995.35

**On motion made by Councilman Mosher, seconded by Councilman Keeney, this resolution was:**

ADOPTED      AYES 5  
                    NAYS 0

**New Business**

**RESOLUTION #89 -18: ADOPTION OF THE 2019 ANNUAL OPERATING BUDGET  
FOR THE TOWN OF SENECA**

**WHEREAS**, the Town Board of the Town of Seneca, having duly held a public hearing on October 16, 2018 at 7:30PM on the preliminary budget filed with the Town Clerk for fiscal year 2019, including general town funds, highway, fire district, and lighting district funds, and elected officials salaries, having heard all persons desiring to be heard on the matter of the budget for the Town for fiscal year 2019, and having been fully discussed and considered; and

**NOW, THEREFORE BE IT RESOLVED**, that the preliminary budget is hereby adopted and approved by the Town Board of the Town of Seneca as the annual budget for the Town of Seneca for fiscal year 2019; and

**BE IT FINALLY RESOLVED**, the Town Clerk shall prepare and certify the 2019 annual budget as provided by law.

**On motion made by Councilman Keeney, seconded by Councilman Smith, this resolution was:**

ADOPTED        AYES 5  
                      NAYS 0

**RESOLUTION #90-18: ADOPTION OF LOCAL LAW #3-18 - A ZONING MAP AMENDMENT  
AND CHANGE TO THE CLASSIFICATION OF CERTAIN LANDS**

**WHEREAS**, the Town Board of the Town of Seneca (herein after referred to as "Town Board") is considering the adoption of a Local Law to execute an amendment to the Zoning Map of the Town of Seneca and change the classification of certain lands; and

**WHEREAS**, the Town Board held a public hearing on the proposed local law on November 20, 2018; and

**WHEREAS**, the Town Board determines said proposed action is classified as Type II action listed in Section 617.5 of the State Environmental Quality Review Act and requires no further review under SEQRA; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Seneca, after due deliberation, finds it in the best interest of the Town of Seneca and the community to adopt said Local Law; and

**THEREFORE, BE IT FURTHER RESOLVED**, the Town Board of the Town of Seneca hereby adopts Local Law No. 3 of the Year 2018; and

**BE IT FINALLY RESOLVED**, the Town Board of the Town of Seneca hereby directs the Town Clerk to enter Local Law No. 3 of the Year 2018 into the minutes of this meeting, and in the Local Law Book of the Town of Seneca, and to give due notice of the adoption of said Local Law to the Secretary of the State of New York.

**On motion made by Councilman Smith, seconded by Councilman Malyj, this resolution was:**

ADOPTED        AYES 5  
                      NAYS 0

**RESOLUTION #91 -18: CHANGING THE TOWN BOARD REGULAR MEETING DATE  
FROM DECEMBER 18, 2018 TO DECEMBER 17, 2018**

**WHEREAS**, the Town Board of the Town of Seneca previously adopted Resolution #01-18 establishing that the regular meetings of the Seneca Town Board for the year 2018 shall be held each month on the 3<sup>rd</sup> Tuesday; and

**WHEREAS**, Town Law §63 of the Laws of New York allow a Town Board to change the date of a regularly scheduled Town Board meeting by resolution of the board; and

**WHEREAS**, the Seneca Town Board desires to move the regularly scheduled Town Board meeting from Tuesday, December 18, 2018 to Monday, December 17, 2018 to avoid a scheduling conflict and allow all board members to be in attendance; and

**NOW, THEREFORE BE IT RESOLVED**, by the Town Board of the Town of Seneca, that the regular meeting of the Town Board for the month of December be held on Monday, December 17, 2018.

**On motion made by Councilman Mosher, seconded by Councilman Malyj, this resolution was:**

ADOPTED      AYES 5  
                     NAYS 0

**RESOLUTION #92 -18: ESTABLISHMENT OF ENTERPRISE FUND**

**WHEREAS**, the Town Board of the Town of Seneca, through resolution #55-18, approved the expenditure of funds from Ontario County for specific projects related to the advancement of the Local Solid Waste Management Plan as adopted by the Ontario County Board of Supervisors in 2014; and

**WHEREAS**, the contract with Ontario County describing the terms of said funds requires the Town of Seneca to maintain payments and expenses for these projects in a designated fund; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Seneca establish an Enterprise Fund (Fund E) to conform to the requirement within said contract; and

**BE IT FURTHER RESOLVED**, that the Supervisor of the Town of Seneca and appropriate staff are authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

**On motion made by Councilman Keeney, seconded by Councilman Malyj, this resolution was:**

ADOPTED      AYES 5  
                     NAYS 0

**RESOLUTION #93 -18: ACCEPT REVISED 284 AGREEMENT FOR THE EXPENDITURE OF HIGHWAY FUNDS**

**WHEREAS**, the Town Board of the Town of Seneca, through resolution #39-18, accepted the 2018 Agreement for the Expenditure of Highway Moneys pursuant to the provision of Section 284 of Highway Law; and

**WHEREAS**, an increase in the cost of materials necessitates a change to said agreement; and

**WHEREAS**, the Highway Superintendent presents a modified agreement dated November 8, 2018; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Seneca hereby accepts the Modified 2018 Agreement for the Expenditure of Highway Moneys.

**On motion made by Councilman Malyj, seconded by Councilman Smith, this resolution was:**

ADOPTED        AYES 5  
                     NAYS 0

**RESOLUTION #94 -18: ACCEPT BEM SYSTEMS PROPOSAL FOR WELL CAPACITY EVALUATION**

**WHEREAS**, the Town of Seneca has engaged in a joint capital project with the Town of Geneva to upgrade the shared water system; and

**WHEREAS**, the Town of Geneva has received a proposal dated October 17, 2018 from BEM Systems to perform the initial wellfield capacity evaluation, in addition to the subsequent design and installation, relative to Well No. 4 at the Kashong Point Wellfield; and

**WHEREAS**, the Town Board of the Town of Seneca has determined that the scope of work is a professional service requiring special expertise and therefore is not subject to competitive bidding; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Seneca hereby accepts the quote from BEM Systems to perform Task 1 – Wellfield Capacity Evaluation for a total cost not to exceed \$75,965.00; and

**BE IT FURTHER RESOLVED**, the total cost shall be divided between the Town of Seneca and Town of Geneva pursuant to the current Intermunicipal Agreement, with the Town of Seneca portion to be paid from the budget of the capital project; and

**BE IT FURTHER RESOLVED**, the Supervisor of the Town of Geneva is hereby authorized to execute the documentation necessary to permit said service; and

**BE IT FINALLY RESOLVED**, upon completion of Task 1, the Town of Geneva shall present the Town of Seneca with the final Wellfield Evaluation Report and, pending a favorable outcome, shall seek approval from the Seneca Town Board to proceed with Tasks 2, 3 and 4 of the October 17, 2018 proposal.

**On motion made by Councilman Smith, seconded by Councilman Keeney, this resolution was:**

ADOPTED        AYES 5  
                     NAYS 0

**RESOLUTION #95 -18: REAPPOINT COLLEEN CAPPIELLO TO THE BOARD OF ASSESSMENT REVIEW**

**WHEREAS**, Colleen Capiello has served on the Board of Assessment Review and her current term expired September 30, 2018; and

**WHEREAS**, during her time on the Board Mrs. Capiello has served the community well and it is the desire of the Town Board to reappoint Colleen Capiello to the Board of Assessment Review; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Seneca hereby appoints Colleen Capiello to the Board of Assessment Review for a term beginning October 1, 2018 and expiring on September 30, 2023.

**On motion made by Councilman Malyj, seconded by Councilman Smith, this resolution was:**

ADOPTED      AYES 5  
                    NAYS 0

**RESOLUTION #96 -18: REMEMBERING JOHN MALYJ, FORMER TOWN SUPERVISOR**

**WHEREAS**, the Town board of the Town of Seneca wishes to pause in deliberations to remember and recognize the life of John Malyj; and

**WHEREAS**, John served as Town of Seneca Supervisor from January 1982 until December 1997; and

**WHEREAS**, during his tenure as Supervisor, John diligently served his community and accomplished many great tasks that will be long remembered; and

**WHEREAS**, prior to being elected Town Supervisor, John proudly represented and served our community as a Town Board member and local business owner; and

**WHEREAS**, John’s perseverance and dedication to public service has inspired and encouraged others to follow in his footsteps; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Seneca offer our words of praise and gratitude as a memorial to our friend and mentor, Mr. John Malyj.

**On motion made by Councilman Keeney, seconded by Councilman Smith, this resolution was:**

ADOPTED      AYES 5  
                    NAYS 0

**Old Business**

Councilman Malyj, chair of the Seneca Castle School Bell Committee, reported that placement of the bell has evolved into the larger project of fixing up the park. That project is in the process and as decisions are made about the layout of the park, then the committee will firm up decisions about placement of the bell.

Regarding the Cornell certiorari, Supervisor Wickham reported that the judge is scheduled to retire at the end of the year so we hope to have a decision before that time.

**Privilege of the Floor**

Mr. Abe Martin, owner of Martin Door Service, addressed the board concerning the sewer extension. Mr. Martin would like the board to consider contributing to the sewer extension, especially the section that crosses the 84 Lumber parcel. He feels it is unfair to ask a customer to pay for sewer line across someone else’s property.

With no further business, the meeting was adjourned at 8:12pm on motion of Councilman Smith seconded by Councilman Malyj. Carried.

Kate Silverstrim-Jensen, Town Clerk  
Town of Seneca

DRAFT