

**TOWN OF SENECA**

*Regular Town Board Meeting- Via Zoom Video Chat*

May 19<sup>th</sup>, 2020

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The Regular Meeting of the Seneca Town Board, County of Ontario, State of New York was held on the 19<sup>st</sup> day of May, 2020 Via Zoom Video Chat at 7:30 PM.

PRESENT		Others Present	
Drew Wickham	Town Supervisor	Sue Campbell	Town Resident
Jason Mosher	Deputy Supervisor/ Councilman	Larry Townley	Town Resident
Howard Keeney	Councilman	Brian Sanders	Casella Management
Jim Malyj	Councilman		
Jesse Orbaker	Councilman	Necessarily Absent	
Haley Eagley	Town Clerk/Tax Collector		
Shana Jo Hilton	Assessor/Bookkeeper		
Jerry Hoover	Code Enforcement Officer		
Jim Lawson	Highway Superintendent		
Brian Prater	Water Superintendent		

Supervisor Wickham called the regular meeting to order at 7:30 PM. The Supervisor led the Pledge of Allegiance with his own American Flag on screen for attendees to pledge to. Roll call was passed over as everyone in attendance was acquainted.

**APPROVAL OF AGENDA**

Supervisor Wickham looked for a motion to approve the May 19<sup>th</sup>, 2020 meeting agenda. Motioned by Councilman Mosher, Seconded by Councilman Orbaker. Carried.

Supervisor Wickham stated that he has some additions to add to the agenda for an amendment. Under Communications add letter E, Benton Water District #5 Letter. Supervisor Wickham looked for motion to approve the amended agenda. Motioned by Councilman Mosher, Seconded by Councilman Malyj. Carried.

**PRIVILEGE OF THE FLOOR**

Supervisor offered privilege of the floor and nobody wished to speak at this time.

**SUPERVISOR'S REPORT**

**COVID-19 BUDGET UPDATE:**

Supervisor Wickham reminded everyone that as we discussed last month the possible budget shortfall of roughly 50% of our sales tax income. He mentioned that we budgeted \$900,000, so the difference would be about \$450,000. Last month, we were uncertain as to what was going to happen with the state highway money that we usually get. Last meeting, Highway Superintendent Lawson stated that a lot of

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that money was tied to federal funds, so they were of the opinion that we were likely to see the highway funds from the State of New York for our Highway road repairs.

Supervisor Wickham reminded that we also talked about putting off the paving of the Town Complex as well as the purchase of the heavy-duty truck that we had budgeted for. That would be savings of 230,000 which still leaves us an approximate gap of \$200,000 - \$250,000 dollars. Supervisor Wickham stated that as of today, what we know is about the same as what we knew at our last Board Meeting.

We did have our first quarter sales tax revenue report come in. This would be covering January, February, and March. Supervisor Wickham stated that we were up 7.6% (compared to last year's first quarter) for sales tax revenue which is a great start. Supervisor Wickham states that he has not seen the final numbers, but Mary Gates (Ontario County Finance Director) states that the April Sales Tax was off by about 25%. We were preparing to be off by about 50%. We are still waiting to see what May brings in, but we may be doing better than expected.

Supervisor Wickham would like to continue holding where we are at. We will discuss more about reducing highway spending if we need to.

Supervisor Wickham looked for a motion to approve the minutes of the April 21<sup>st</sup>, 2020 meeting. Motioned by Councilman Malyj and seconded by Councilman Mosher. Carried

### COMMUNICATIONS

#### **First Quarter Sales Tax Revenue Report:**

As Supervisor Wickham mentioned earlier, our first quarter is up by 7.6%, and this was including a couple of weeks after the lockdown started. He stated that 2020 was off to the races until we got hammered with the lockdown. He says that it is very unfortunate, but we hope to come back strong.

#### **Inside Dirt Newsletter:**

Available to view at the Town Hall.

#### **Host Community Benefit Letter- Casella:**

For the period of January 1<sup>st</sup>- March 31<sup>st</sup>, 2020, we received \$236,300 worth of income from them. Last year's first quarter was higher by roughly \$70,000. Supervisor Wickham stated that the quarterly payments by Casella does not reflect what goes on there very accurately because they can change by the quarter, month, or week. They have an annual budget of tonnage that they must work with and it's anytime within those 12 months. Supervisor Wickham stated that they aren't seeing a huge reduction due to COVID-19, so they're expecting to meet their annual tonnage.

#### **Ontario County Board of Elections Letter:**

Supervisor Wickham stated that although most people already know this, we have a primary election coming up on June 23<sup>rd</sup>, 2020. On April 24<sup>th</sup>, 2020 the governor issued an executive order for all NYS

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Boards of Elections to mail an Absentee Application (not the ballot, the application) to all eligible voters for the upcoming election so that all voters may choose to vote by mail. They will mail the applications, voters will still have to fill out the paperwork and mail it or take it back to the Board of Elections where they will print or mail an absentee ballot where you can fill that out and mail that back with your vote. They will still have Early Voting. This will be held at the Board of Elections and they also plan to still have regular in-person voting in the normal polling places. The Board of Elections has indicated that they are developing a plan to protect the Election Inspectors as well as the voters, including personal protective equipment, on-site sanitation stations, and spacing of voters in line. They are also planning on having each polling site being pre & post commercially sanitized by an outside vendor. The board of elections letter was asking if we were still willing to hold a polling site here in our town pavilion like we usually do. Supervisor Wickham stated that he spoke with CEO Hoover and Highway Superintendent Lawson and that they felt it was okay to continue hosting. Supervisor Wickham asked the board if anyone on the board had any problems with us continuing to host elections for the Town of Seneca in the Pavilion, all board members were agreeing that they were okay with hosting.

**Town of Benton Water District #5 Letter:**

We received a letter in late April from the Town of Benton requesting to establish a Water District #5 that will use a total of 10,000 gallons per day. The initial taking for the current 16 residential dwellings is estimated to be average, there are currently 2 undeveloped buildings within the district that may take water. While they feel that initially they'll be around a 5,000 gallon per day level, it could go up so they are requesting for 10,000 gallons per day.

Supervisor Wickham briefly explained for those that do not know- The Town of Seneca purchases the water from the Town of Geneva, then most of the water going to the Town of Benton travels through the Town of Seneca. There is a small amount that goes directly down Route 14 on the lake to a development located down there and this area is billed directly by Geneva. So, Benton gets billed by the Town of Geneva and the Town of Seneca- but this particular one is going through us. Supervisor Wickham stated that he discussed this with Water Superintendent Prater and Highway Superintendent Lawson, neither of them have a concern about this as we certainly have the capacity to do so.

<b>DEPARTMENT REPORTS</b>
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All reports are available to view upon request at the Town Hall.

**HIGHWAY:**

There were no questions for Highway Superintendent Lawson.

Supervisor Wickham added on to notice the Seneca Stone Corp. quote for the wear surface on Lake to Lake Road between County Road 5 and Little Church Road. Supervisor Wickham also shared the form with the board that Highway Superintendent Lawson fills out in the beginning of the year stating what

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he is looking to do throughout the year. Supervisor Wickham stated that Highway Superintendent Lawson had budgeted \$130,000 for that road and the price came in at \$87,380 for a savings of over \$42,000. Supervisor Wickham stated that they had an idea that this may happen for a couple of reasons. One being that the price of oil is down. Also, that everyone is in a bit of a holding pattern on what they are doing because they are uncertain of the revenues that are coming in.

Supervisor Wickham stated that he had talked with Councilman Mosher and both feel that it would be good to look at where the Highway Department could trim \$100,000 if necessary. Supervisor Wickham said that the Lake to Lake Project alone was almost half of that. Another area would be Austin Road, Gillette Road, and Little Church Road not getting oil and stone for the year. This would be a savings of about \$70,000 which would total around \$112,000 reduction for the year if we needed to.

Supervisor Wickham asked Highway Superintendent Lawson when the decision for those 3 roads would have to be made. Highway Superintendent Lawson said they have until just before July to make the decision. Supervisor Wickham asked if we had time to make this cut (if needed) at the June Board Meeting and Highway Superintendent Lawson said that would be fine.

Supervisor Wickham asked if anyone had any thoughts about this. Councilman Orbaker asked if it would put us behind in work a whole year and make it so the Highway Crew had to do more next year and potentially cost us more once the prices go back up. Highway Superintendent Lawson commented saying that it is a possibility. With this past winter the freeze and thaw cycles have not been kind to a lot of our roads, but if we put these three sections off this year, they would have to be done next year. Highway Superintendent Lawson stated that it is always nice to be able to put a wear surface on them every 5 years and splitting up our 75 miles of road would make about 15 miles per year.

Councilman Orbaker asked if we would have the opportunity later in the year (if the prices are still low) to make the purchase while the prices are still low but get the supply and do the labor next year. His reasoning for this question is although we would still have to do more labor next year, we could possibly save some money by purchasing now if that was a possibility. Councilman Orbaker stated that he was not sure if it was possible but was curious if that could be done with Oil and Stone. Highway Superintendent Lawson said it is not exactly an option because the oil price is locked in, but the asphalt index is what changes. He said the price will probably start going up around August.

Councilman Mosher stated that he thinks it will be difficult to be in a better position in 30 short days to know the financial ramifications as far as the decrease in the sales tax revenue. He states that he does not think we will know that for another 3 months. Supervisor Wickham stated that Councilman Mosher is likely correct on that. One thing that Supervisor Wickham knows is that there is talk about a stimulus package that may be put together with some of that money flowing to municipalities within the states. So, they decided that there is still enough uncertainty that this conversation is worth re-addressing in 30 days.

Councilman Mosher thanked Highway Superintendent Lawson for coming up with 112,000 of potential savings if we are ever in the position to need that.

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### **CODE ENFORCEMENT:**

There were no questions for CEO Hoover's report.

CEO Hoover wanted to add that as businesses are starting to open, we are trying to get information out to all the businesses including business that have been open and deemed essential through this whole process. Businesses are all required to have a return-to-work safety process in place. We, as a town, do not need a copy of it, but the businesses are required to have something in place. CEO Hoover sent out a cover letter to all businesses. There is also a fillable form that he has for them to fill out as well. He stated that some surrounding offices are getting barraged with complaints of workers being where they are not supposed to and people gathering where they aren't supposed to; however, CEO Hoover said we've been fortunate as a town to not have this happening.

Supervisor Wickham stated that the Governor's executive orders have really placed the burden on the town Code Enforcement Officers. It starts with the Code Enforcement Officer writing a code violation or a citation for a gathering. The first line of defense is CEO Hoover. CEO Hoover has been helping put together guidelines for re-opening and helping business know what to put in place for when they open.

Councilman Mosher asked CEO Hoover if there is any movement or new things happening with the creamery on Route 5 & 20. CEO Hoover stated that they have asked if they can start working, they have their permits in place, and his understanding is that they are still waiting for financing to come through. CEO Hoover stated that they can break ground anytime at this point since their permit is in place.

CEO Hoover stated that they do have a site plan that is in the process of submitted for Abe Martin on 5 & 20. They have a Mennonite organization out of Pennsylvania that wants to put a bulk LP Fueling station there. CEO Hoover stated that they would like to supply LP Gas for local customers. They want to put a 60,000-gallon tank and have local delivery trucks for this. This would be located all the way behind Abe's barn, so it will be virtually unseen from the road.

### **ASSESSOR'S REPORT:**

There were no questions asked for Assessor Hilton's report. Supervisor Wickham stated that Grievance Day is coming up and they have been discussing the probability of trying to bring the Board of Assessment Review in. Usually there is only 1 or 2 grievances and there are 5 members of the BAR. The planned to hold grievance day in the Town Hall meeting room and they will abide by the social distancing guidelines. Supervisor Wickham stated that this meeting would be particularly difficult to hold via Zoom, so this will be something they try to hold while distancing in our meeting room.

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### **TOWN CLERK:**

There were no questions asked for Clerk Eagley's Report.

Supervisor Wickham wanted to add that Haley has been doing a good job answering the phone full-time/all the time from home and being in the office as needed to continue to keep the workflow going. He added that Shana Jo has been in the office every single day, since this started, holding the fort down. He wanted to take a minute to Thank the entire town staff. We have done a great job as a group keeping the Town moving forward and getting the work of the Town done while abiding by the executive orders of the governor. Supervisor Wickham stated that he is hoping to get everyone back to work within the next couple of weeks, but we will keep everyone posted on that. We are hoping to be opened under Phase 2.

Supervisor Wickham added that he had a chat with Sue Campbell, our Court Clerk. While the courts are open at this point, they still are not holding a normal court session for traffic court. You can go in to make a small claim filing, but Court is certainly not back to normal yet.

### **CASELLA:**

Supervisor Wickham introduced Brian Sanders who was joining us by phone from Casella Management and asked if he had anything to add to his report. Manager Sanders stated that they did a new drone flyover on 5/19 and that they got some positive results on the east side where they are installing the horizontals. They also discovered a couple more areas that they have concern with but, they were able to pin-point those areas and they have a plan of attack that will start soon.

Mr. Sanders said that the volume is on course and he hopes that this will steadily increase so that they can make up from the tonnage deficit from quarter 1. Mr. Sander's stated that this was all he had to add.

Supervisor Wickham asked Mr. Sanders if the operation across from the Transfer Station (where they are installing horizontals) is nearing the end. Mr. Sanders stated that they are at the end of this project. He let us know that they have the upper-most horizontal collector installed and functioning. They still have to install the permanent pump, but this will not affect anything. The lower-most horizontal is installed and running. The middle one (the most critical one) is saved for last because it is the most difficult one to put in. They hope to start excavation on the last horizontal on 5/20. They have to do a bit of touch-up work from rain and weather, but they hope the have this finished by the end of the month.

Mr. Sanders said that he believes it is all positive and he is willing to share the information once they get it on a map. He stated that he thinks it would really help paint a picture of what they've done and the results that they've gotten. Supervisor Wickham said that he looks forward to getting more information as it becomes available and chatting with the board about this information.

With that, Supervisor Wickham looked for a motion to approve the Supervisor, CEO, and Town Clerk Reports. Councilman Orbaker motioned and Councilman Keeney seconded. Carried.

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**NEW BUSINESS**

<b>Resolution Number</b>	<b>Resolution Title</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Motioned</b>	<b>Seconded</b>	<b>Carried?</b>
# 59-20	2020 Audited Vouchers	5	0	0	Councilman Keeney	Councilman Malyj	Yes
# 60-20	Direct Energy Bid- Electricity	5	0	0	Councilman Mosher	Councilman Orbaker	Yes
#61-20	Roof Repair on Highway Barn	5	0	0	Councilman Keeney	Councilman Malyj	Yes
# 62-20	Waive Late Fees of First Quarter Water Bills	5	0	0	Councilman Mosher	Councilman Malyj	Yes

**OLD BUSINESS**

Supervisor Wickham stated that the Memorial Day Service must be cancelled. This is following the governor’s orders of having gatherings with no more than 10 people. Although this is an unfortunate circumstance, we normally have at least 50 people attend and we would like everyone to stay healthy and safe.

Update on the Water Project:

While we are not moving at light speed, we are carefully moving forward on the water project. There has not been a ton of progress while we’ve been on lockdown. We are hoping to get moving within the next month.

**PRIVILEGE OF THE FLOOR**

Supervisor Wickham gave privilege of the floor.

Mr. Townley wanted to speak about the sales tax issue. Mr. Townley mentioned that he has spoken to a lot of people and while it probably won’t make up the shortfall, with the businesses that have remained open and the online sales, a lot of stuff has been sold and they are improving sales in a hurry. He also added that he’s hoping the county aide (tax buydown) that we are able to give every year will continue and that the town board will be thinking about the possibility of a tax increase and keep things minimal so that taxes do not rise for our tax payers.

Another thing that Mr. Townley added for Highway Superintendent Lawson was that (although people were probably aware) there was a tractor trailer flip at the corner of Leet Road and 14 A. Mr. Townley said he is not sure how much damage was done, but he knows they were dragging stuff out with the tow truck on pallets. He mentioned that they were trucking back and forth with a skid steer loading stuff on to a flat bed. He mentioned that he just wanted Highway Superintendent Lawson aware so that if he needed to, he could go against the trucking insurance and not take the hit with the town. Mr. Townley said that this was all that he wanted to add at this time.

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Supervisor Wickham looked for a motion to adjourn at 8:30 PM, councilman Mosher motioned and Councilman Orbaker seconded. Carried. Meeting was adjourned at 8:30 PM and Supervisor Wickham added that he hopes we are able to see everyone in person next month.

Haley Eagley  
Town Clerk