

TOWN OF SENECA
PUBLIC HEARINGS & REGULAR MEETING
March 21, 2023

7:30 PM- Public Hearing on Charter Communications Franchise Agreement
Following- Public Hearing on Local Law #1-2023- Tax Cap Override
Following- Regular Board Meeting

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Privilege of the Floor
5. Supervisor's Report
 - a. Memorial Day Planning
 - b. Court Security
6. Approve Minutes
 - a. February 21st- Regular
7. Communications
 - a. INVITATION: Mercy Flight Golf Tournament
 - b. NEWSLETTER: The Inside Dirt- March 2023
 - c. LETTER: Office of the Supervisor, Town of Hampstead
 - d. THANK YOU: Mercy Flight
 - e. REPORT: Municipal Shelter Inspection Report
- 8.

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| Highway |
| Water |
| CEO |
| Assessor |
| Town Clerk |
| Historian |
| Casella |

9. Accept Supervisor, Town Clerk, and CEO Reports
10. Warrants
 - a. **Resolution #49-23:** 2023 Warrants
11. New Business
 - a. **Resolution #50-23:** Accept Fuel Bid
 - a. **Resolution #51-23:** Approve Charter Communications Franchise Agreement
 - b. **Resolution #52-23:** Approval of Local Law #1-2023- Tax Cap Override
12. Old Business
13. Privilege of the Floor
14. Adjournment

RESOLUTIONS & MOTIONS

TOWN OF SENECA

Regular Board Meeting

March 21st, 2023

Resolution # 49-23

Authorization to Pay the 2023 Audited Vouchers

| Claim Category | Claim Numbers | Claim Amount |
|-----------------------|----------------------|---------------------|
| GENERAL | | |
| HIGHWAY | | |
| WATER | | |
| SEWER | | |
| HALL | | |
| STANLEY | | |
| SENECA CASTLE | | |
| TRUST & AGENCY | | |
| WATER CAPITAL SYSTEM | | |

| Ayes | Nays | Abst. | Absent | Motion | Second |
|------|------|-------|--------|--------|--------|
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Resolution # 50-23

Accept Fuel Bid

WHEREAS New York State updated their fuel contract beginning in March of 2019 and it no longer includes non-ethanol fuel and in accordance with the Town of Seneca Procurement Policy, the Highway Superintendent put the Town of Seneca Fuel Requirements out to bid on March 3rd, 2023 with a bid opening day of March 14th, 2023; and

WHEREAS The Town of Seneca received one fuel bid from NOCO Energy Corporation that met the requirements of the Town of Seneca; and

WHEREAS with all good faith efforts exhausted, it is the recommendation of the Highway Superintendent to award the bid from NOCO Energy Corporation which is a 2-year contract of 90 Oct Conventional Gasoline. NOCO will provide delivery twice per month at a cost of +0.24 cents per gallon based on a cost over rack, day of delivery; and

NOW THEREFORE BE IT RESOLVED the Town Board of the Town of Seneca hereby accepts the bid from NOCO Energy Corporation and authorizes the Highway Superintendent to execute the ongoing purchase of non-ethanol fuel in accordance with the Town of Seneca Procurement Policy.

| Ayes | Nays | Abst. | Absent | Motion | Second |
|------|------|-------|--------|--------|--------|
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Resolution # 51-23

Approve Charter Communications Franchise Agreement

WHEREAS an application has been duly made to the Board of the Town of Seneca, County of Ontario, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission; and

WHEREAS the franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

WHEREAS A public hearing was held in the Town of Seneca, New York on March 21st, 2023 at 7:30 P.M. and notice of the hearing was published in the Finger Lakes Times on March 3rd, 2023; and

NOW, THEREFORE, the Board of the Town of Seneca finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests; and

BE IT FURTHER RESOLVED that the Board of the Town of Seneca hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Seneca for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years; hence, and

BE IT FURTHER RESOLVED that the Board of the Town of Seneca hereby confirms. acceptance of this franchise renewal agreement.

| Ayes | Nays | Abst. | Absent | Motion | Second |
|------|------|-------|--------|--------|--------|
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Resolution # 52-23

Approval of Local Law #1-2023- Tax Cap Override

WHEREAS, a motion was made by the Town Board of the Town of Seneca on February 21, 2023 for a public hearing to be held by said Town Board on March 21, 2023 at the Seneca Town Hall, 3675 Flint Road, Stanley, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Seneca, on March 3rd, 2023 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on March 21, 2023 at 7:30 p.m. at the Seneca Town Hall, 3675 Flint Road, Stanley, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Seneca, after due deliberation, finds it in the best interest of the Town of Seneca to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Seneca hereby adopts said Local Law No. 1 of 2023, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be, and she hereby is directed to enter said Local Law in 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 State of New York.

| Ayes | Nays | Abst. | Absent | Motion | Second |
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