

State Court Tosses Seneca Falls Referendum Petition

Seneca Falls—The New York State Supreme Court has thrown out a petition for a voter referendum on the proposed Seneca Falls town hall.

Ruling on an application from attorney Steven Getman, Acting Supreme Court Justice W. Patrick Falvey held Thursday (May 1) that the referendum petition was in violation of the New York State Election Law and Town Law.

Getman represented Seneca Falls town board member Chad Sanderson. Several weeks ago, Sanderson filed objections to the referendum petition, alleging that the form and content was not in compliance with various legal requirements. These included a failure of the petition to require signers to affirm that their correct residence was next to their names and the failure of the witnesses to the petition to attest that each person who signed it had properly identified themselves to the witness.

Town residents Joyce Brady and Susan Sauvageau had filed the petition. In their response, they argued that the petition had met the technical requirements for a referendum.

However, Falvey held that certain requirements cited by Sanderson were “essential” under the New York State law, to insure that only qualified voters of the Town had signed the petition.

Falvey also questioned Sauvageau on the fact she was a former town board member, whether she had been involved in addressing a prior referendum request and whether that demonstrated she should have been familiar with the requirements for bringing a referendum.

“The petition for permissive referendum is fatally flawed,” Falvey concluded.

Getman noted that Sanderson had used his own money to fund the legal challenge to the referendum, thereby saving the taxpayers the cost of the special election.

The petitions sought a vote on the town board’s March 18 decision to transfer \$2.55 million from the capital reserve fund to the general fund for the construction of the new town hall. The town has been leasing space in the former St. Patrick’s School.

The board held its first public information meeting April 23 on plans for the new municipal building. It is expected to decide in May whether a new building should be on a town-owned parcel of vacant land on Ovid Street or at a privately owned parcel where the now-demolished former Westcott Rule Co. plant stood at the corner of Spring and East Bayard streets.

According to reports, the town’s timetable calls for construction of the building to begin in October.

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