

Minutes of the Town of Sennett Town Board Meeting Held on Thursday, January 19, 2023, at 6:30 PM at the Sennett Town Office Building.

Members Present: Thomas Blair, Supervisor
Richard Gagliardi, Councilman
Michael Wellauer, Councilman
Edward Rizzo, Councilman
Robert Edmunds, Councilman

Also Present: Kristopher LaPointe, Highway Superintendent
Kristopher LaPointe, Water & Sewer Superintendent
Cheri Major, Bookkeeper
Kathleen Salisbury, Town Clerk
Patrick Leamy, Planning Board Chairman
William Feocco, Kari Terwilliger of Cayuga County Planning, Holland
Gregg, Patience Brewster, Brandon LaSagna, Frank Petrosino, Dave
Mazzeo, John O'Connell, Tim O'Connell, Randy Murphy
Remotely:
Jerry VeVone, Zoning Officer
Richard Andino, Esq.
Paul Chatfield, MRB Group
Barb Johnston,
James Jeffers
Tom (Guest)

CALL TO ORDER - The meeting is called to Order at 6:30 pm.

PLEDGE OF ALLEGIANCE - The meeting was opened with the pledge to the flag and a prayer by Supervisor Blair.

ROLL CALL - Town Clerk Salisbury opens the meeting with a Roll Call, Councilman Gagliardi, Councilman Wellauer, Councilman Rizzo, Councilman Edmunds and Supervisor Blair are present.

APPROVAL OF MEETING MINUTES - Meeting Minutes for December 15, 2022, December 29, 2022 and January 3, 2023 are reviewed by the Board. Motion is made by Councilman Wellauer to approve the December 15, 2022, December 29, 2022 and January 3, 2023 minutes, seconded by Councilman Edmunds. All in favor. 5 ayes 0 nays 0 absent, carried.

PUBLIC HEARING - Motion is made by Councilman Edmunds, seconded by Councilman Rizzo to open the public hearing regarding proposed Local Law D of 2022, a 9 month Solar Moratorium. All in favor.

A resolution is provided for adoption of Local 1-2023, "A Local Law Imposing a Nine (9) Month Moratorium on Commercial Free-Standing Solar Photovoltaic (PV) Systems within the Town of Sennett.

A motion is made by Councilman Gagliardi, seconded by Councilman Rizzo to adopt Local Law 1-2023.

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman Edmunds	Yes
Supervisor Blair	Yes

All in favor. 5 Ayes 0 Nays 0 Absent. Motion carried

Motion is made by Councilman Rizzo, seconded by Councilman Wellauer to close the public hearing regarding proposed Local Law D of 2022, a 9 month Solar Moratorium. All in favor.

SCHEDULED SPEAKERS #1

- Paul Chatfield advises that he will get in touch with the contractors an extension is needed and will send a letter to Rural Development regarding the matter.

- Barbara Johnston

OLD BUSINESS - VOTE ON WD #1 AND #3 PROJECT

Petition provided at January 2023 meeting was into the record by Councilman Edmunds.

A motion is made by Councilman Edmunds to approve and Award Water Main Contract to Morsch Pipeline, Inc. to replace the water lines, and reject Water Storage Contract, seconded by Councilman Wellauer. A resolution has been prepared by Attorney Andino.

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman Edmunds	Yes
Supervisor Blair	Yes

All in favor. 5 Ayes 0 Nays 0 Absent. Motion carried.

Attorney Andino advises he spoke with Bond Counsel Goodfriend who indicated no further procedures are necessary.

John O'Connell advises he will get in touch with Charlie Stevens regarding the interest rate if Mr. Chatfield does not hear back from Brenda. Mr. Chatfield will keep him apprised.

SCHEDULED SPEAKERS #2

- Kari Terwilliger - Paul Chatfield advises that he will get in touch with the contractors an extension is needed and will send a letter to Rural Development regarding the matter.

- Holland Gregg - Mr. Gregg is here representing the West Lake Art Conservators and is seeking a zone change in the current hospitality overlay district from the Town Board. Mr. Gregg reads a statement and requests a change in the Zoning Code. He advises that the Conservators Board will hold off on the storage request.

Supervisor Blair reads a supporting statement from Karen Kuhl, Executive Director of the Cayuga County Convention and Visitors Bureau.

Motion by Councilman Wellauer to make changes to the Zoning Code by Attorney Andino to update to include the WLCA change, seconded by Councilman Edmunds.

Supervisor Blair states his opinion and a discussion is held.

Public hearing - Local Law - Zoning Update

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman Edmunds	Yes
Supervisor Blair	Yes

Motion made by Councilman Edmunds to have the County do a proposal, seconded by Councilman Rizzo. All in favor.

Kari Terwilliger spoke regarding the overlay district.

Supervisor Blair states a committee needs to be formed to spearhead the hospitality/overlay zoning matters. He has spoken with Planning Board Chairman Leamy, ZBA Chairman Sikora who have both agreed to serve on the Committee. In addition, Councilman Rizzo will assist on the Committee as well. The remaining members should be two residents, a second Town Board member, Codes and Zoning member and one additional member.

Motion by Councilman Edmunds to form a 7 member Ad Hoc Steering Committee, seconded by Councilman Gagliardi. All in favor.

PUBLIC BE HEARD - Motion is made by Councilman Edmunds to open the Public Be Heard Period, seconded by Councilman Wellauer. All in favor. 5 ayes 0 nays 0 absent, carried.

Resident Frank Petrosino speaks regarding a prior code enforcement issue. Supervisor Blair advises that matter was previously dealt with. There is a new Code Enforcement Officer. Mr. Petrosino inquires about residential zoning for ponds and who is it applicable to.

Mr. LaPointe questions the zoning matter in the area of the hospitality/overlay district.

With nothing further from the public, a motion to close Public Be Heard is made by Councilman Edmunds and seconded by Councilman Wellauer. All in favor. 5 Ayes 0 nays 0 absent, carried.

DEPARTMENT REPORTS

- a. **Attorney** - Attorney Andino advises that CH4 Generate Cayuga Digester has requested by letter dated December 19, 2022 a release of their security payment in the amount of \$20,000.00 being held by the Town pursuant to the March 19, 2019 Town of Sennett Water Construction and Maintenance Agreement between the Town and CH4. Attorney Andino advises the Town’s Water Superintendent, Town Engineer and Code Enforcement Officer have inspected and signed all necessary inspection documents. Attorney Andino advises the release of the security payment is acceptable.

A motion is made by Councilman Edmunds, seconded by Councilman Rizzo to release the \$20,000.00 security back to the developer as advised by Attorney Andino.

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman Edmunds	Yes
Supervisor Blair	Yes

All in favor. 5 Ayes 0 Nays 0 Absent. Motion carried.

Attorney Andino advises the Local Laws of the Town would benefit from being on ECode360. Supervisor Blair advises he has spoken with ECode360 and that the Town’s Representative, Todd Metcalf, discussed this with the Town many years ago.

- b. **Highway Dept.** - Highway Superintendent Kristopher LaPointe advises his report was in the Board’s meeting packet for their review.

- c. **Bookkeeper** - Bookkeeper Major advises the 4th quarter sales tax has been received, the park grant money has been received in the amount of \$68,000, ARPA funds were used for caps and cables for fire hydrants, AV and security camera systems, balance to be used by end of 2024 with future uses of parking lot paving and building security safety.
- d. **Fire Department/Fire District** - Assistant Chief LaSagna reads a report from the Fire Department indicating 40 calls for the month of December and 407 year to date and advising the Auxiliary spaghetti dinner fundraiser will be held on March 25, 2023. The Fire District has 5 elected commissioners that oversees the fire departments.
- e. **Water Dept.** - Water Superintendent Kris LaPointe's report was in the Board's meeting packet for their review. He advises the March billing will include the Auburn sewer rate increased of 6.5 %. Applications have been received and are being reviewed. Interviews will be held in the near future. He has priced out the material to fix the District 3 meters at a cost of \$6,141.00 which will replace both meters in the pit. Supervisor Blair gives the OK to order
In addition, a new meter for the jail has been ordered. This will be paid for by the jail in the amount of \$2,200. A motion is made by Councilman Rizzo, seconded by Councilman Wellauer to appoint Kris A. LaPointe as Water Superintendent and Kris will resign from the position of Water & Sewer Superintendent.
- f. An inspection was done at Sennett Meadows. There was a recent water main break near Verizon and he was quite busy with that. Councilmen Rizzo and Edmunds will sit in on the interviews in the water department.
- g. **Assessor** - Councilman Rizzo read Assessor Lowe's report advising that he has been mailing exemption forms and renewals.
- h. **Codes/Zoning Enforcement Officer/Fire Marshal** - Councilman Rizzo provides a status report by Codes Officer. 4 permits for December, 1 CofO and 7 Certs of Compliance issued, 24 site inspections. Zoning Officer VeVone advises he has been working on a subdivision request from Witmer's on Grant Ave, spoke with real estate agent on uses of old log home business on Grant Ave.
- i. **Dog Control Officer** - Councilman Edmunds provided a report from FLDPA for December advising that 3 dogs were seized and impounded and visited the Town Clerk to license one of the dogs.
- j. **Town Clerk** - Town Clerk Salisbury advised that the December 2022 monthly report was in the Board's meeting packet for their review. Fees of \$2,759.50 were received and \$2,658.50 were disbursed to the Supervisor, and \$11.00 to NYS Animal Population Control and \$90 to the NYS Department of Health for marriage licenses.
- k. **Planning Board** - Chairman Leamy advises
- l. **Committees** -
There are no reports at this time.

OLD BUSINESS

- Local Law re: Solar Energy Moratorium - Close PH & Vote
Said Local Law was referred under GML 239 to Cayuga County Planning. The Committee found no issues, but advised local law should be an enumerated local law of 2023 and that the action appears to have no intermunicipal concerns and to be of local concern only.

- County House Road Waterline LOC reduction request

- Contractor bids for Veteran Affairs/Historian Office project
Discussion is held regarding the bids submitted by Case Construction (\$20,525), Carson Builds (\$21,840) and XCL (\$28,720). Unfortunately, Case Construction is unavailable until at least Summer 2024. Based on that, the next lowest bid in the amount of \$21,840 is considered. Further discussion is held. Councilman Edmunds will research to see if there are any grants available.

A motion is made by Councilman Wellauer to accept the Carson Builds bid in the amount of \$21,840 for the materials and labor and renovation of the Veterans Affairs/Historian Office, seconded by Councilman Gagliardi.

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman Edmunds	Yes
Supervisor Blair	Yes

All in favor. 5 Ayes 0 Nays 0 Absent. Motion carried

- Water & Sewer Rate Hikes from City of Auburn + Sennett Rates
- Town Park & Grant
- Energy Consultant RFP
- Water Department employment search
- Town Hall capital needs - parking lot & interior improvements
- Town branding & marketing project
- Town Employee Handbook review
- Town Debt service refinancing and possible payoff of debts

Firefighter real property exemptions - Komarisky asks Town to pass local law - RIZZO

A request has been made by resident M. Brown for a refund of a building permit fee paid in 2016 in the amount of \$398.20, as work was never performed due to increase in costs in construction. Codes Officer Passarello did not see any problem with this as no work was performed.

A motion is made by Councilman Gagliardi to refund the \$398.20 to resident M. Brown, seconded by Councilman Wellauer.

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Absent
Councilman Edmunds	Yes
Supervisor Blair	Yes

All in favor. 5 Ayes 0 Nays 0 Absent. Motion carried

Supervisor Blair has asked the Board to review Local Law 3-2012 Water Use Law and the Auburn Agreement before the February meeting to review well abandonments and water line hookups. After review, it will then be referred to MRB for recommendation proposal. A motion is made by Supervisor Blair, seconded by Councilman Wellauer to have MRB submit a proposal. All in favor.

Councilman Rizzo is appointed as the AOT delegate.

A motion is made by Councilman Gagliardi, seconded by Councilman Edmunds to authorize Supervisor Blair to sign the 3rd Amendment to the City of Auburn Agreement setting the sewer rate at \$3.04.

OLWC is requesting \$2,500 from the Town. With only a small number of households in the OLWC, Councilman Wellauer does not see the benefit and does not agree to the payment to OLWC.

Councilman Wellauer makes a motion to withdraw the Town's support to OLWC, seconded by Councilman Edmunds. Supervisor Blair recused himself. All others in favor. 4 Ayes 0 Nays 0 Absent 1 Recused

Supervisor Blair will ask for OLWC to speak at the next meeting and give the reasons and explanations for the OLWC.

Permit Fees - Supervisor Blair will have Codes Officer Gilfus review our current fee schedule for any recommendations.

Councilman Gagliardi advises Sennett Meadows has tentatively scheduled February 3, 2023 as a ribbon cutting. They hope to have 30-40 residents in by the end of the month.

EXECUTIVE SESSION - Pending Litigation and personnel matter.

Motion to enter Executive Session made by Councilman Gagliardi and seconded by Councilman Wellauer at 8:32 p.m. to discuss a personnel matter and pending litigation matter. Highway Superintendent and Water Superintendent enter the Session. Water Superintendent returns from the Session. Highway Superintendent returns from the Session.

Motion to return from Executive Session was made by Councilman Wellauer, seconded by Councilman Edmunds. 8:52 p.m. All in favor. Aye 5 Ayes 0 Nays 0 Absent. No action was taken, therefore there are no minutes.

Councilman Rizzo leaves the meeting at 8:53 p.m.

An estimate from Richard Meyer Windows for a window in the Veterans Affairs/Historian Office in the amount of \$5,954.00 is discussed. A motion is made by Councilman Wellauer to increase the prior Meyer Windows quote to add \$5,954.00 to install a window in the Veterans Affairs/Historian Office to include labor, seconded by Councilman Gagliardi.

Roll Call Vote

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Absent
Councilman Edmunds	Yes
Supervisor Blair	Yes

All in favor. 4 Ayes 0 Nays 1 Absent. Motion carried

NEW BUSINESS

- Possible Water/Sewer Rate studies

SUPERVISOR CORRESPONDENCE/REPORT - Three quotes for renovations and shooter safety glass estimates are available for review.

Utility pole maintenance by National Grid begins in February 2023.

New Mine Permit coming in - SEQR for mine permit - nothing for us to do yet.

PAYMENT OF MONTHLY BILLS -Vouchers - Motion by Councilman Gagliardi, seconded by Councilman Wellauer to pay the monthly vouchers with three or more signatures.

Roll call vote:

Councilman Gagliardi	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Absent
Supervisor Blair	Yes
Councilman Edmunds	Yes

Motion carried 4 Ayes 0 Nays 1 Absent

MOTION TO ADJOURN MEETING - Motion to adjourn was made by Councilman Gagliardi, seconded by Councilman Wellauer. All in favor. 4 Ayes 0 Nays 1 Absent 9:15 p.m.

Respectfully submitted,

Kathleen Salisbury, Town Clerk

Town of Sennett