

**Sennett Town Board Meeting Minutes
November 19, 2019**

Minutes of the Town of Sennett Town Board held on Tuesday November 19, 2019 at 7:00 PM at the Sennett Town Office Building,

Members Present:

Peter Adams, Supervisor
Jerrold Eades, Councilman
Edward Rizzo, Councilman
James Jeffers, councilman
Richard Gagliardi, Councilman
Kristopher LaPointe, Highway Superintendent
Ronald Schalck, Water & Wastewater Mechanic
Richard Andino, Town Attorney
Penelope Dennis, Town Clerk

The meeting is opened with the pledge to the flag.

The approval of the minutes of the previous meetings are tabled until some revisions can be made.

Old Business: The City of Auburn sewer rates will increase \$.07 per 100 C, (\$2.85) beginning January 1, 2020. The Tow of Sennett's share for the new water meters is \$19,850.00. This will be a 50%/50% cost sharing going forward. It will be a fixed network system. The Village of Weedsport will be notified that the transmission costs for their water usage will increase 2% with the January usage. The 28-step process for the EFC, RD is almost complete. The Town of Sennett 2020 budget was adopted at the November 7th meeting.

New Business: The following Resolution was adopted:

TOWN OF SENNETT AGREEMENT RESOLUTION
AUTHORIZING AMENDMENT NO. 1 TO THE MUNICIPAL
COOPERATION AGREEMENT FOR SEWER SERVICE
WITH THE CITY OF AUBURN

Councilman Eades introduced a resolution and made the following motion, which was seconded by Councilman Gagliardi:

WHEREAS, on December 21, 2017, the City of Auburn and the Towns of Sennett, Owasco and Fleming, entered into a Municipal Cooperation Agreement For Sewer Service to Wholesale Customers ("Agreement"), which is attached hereto for reference; and

WHEREAS, the Agreement set the wholesale sewer rate in the amount of \$2.78 per 100 cubic feet for a term of three (3) years, which automatically renews as of December 31, 2019; and

WHEREAS, based upon a review and update of wholesale sewer costs and the methodology set forth in the Agreement, the parties now proposed Amendment No. 1, which is attached hereto and incorporated herein; and

WHEREAS, Amendment No. 1 of the Agreement adopts an updated wholesale sewer unit rate in the amount of \$2.85 per 100 Cubic feet, effective January 1, 2020, and includes the Town of Aurelius as a party to the Agreement, effective as of March 1, 2020; and

WHEREAS, the City of Auburn, the Towns of Aurelius, Fleming and Owasco, by their duly appointed representatives, have voted to authorize execution of the Amendment No 1.

THEREFORE, IT BE RESOLVED, that the Town of Sennett does hereby approve Amendment No. 1 To the Municipal Cooperation Agreement for Sewer Service To Wholesale Customers, which adopts an updated wholesale sewer unit rate in the amount of \$2.85 per 100 Cubic feet as of January 1, 2020, and includes the Town of Aurelius as a party to the Agreement as of March 1, 2020; and

BE IT FURTHER RESOLVED that the Town of Sennett Town Board hereby authorizes the Town Supervisor, or appointed designee, to duly execute Amendment No. 1 to the Agreement and any other documents necessary to carry out the purposes of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Adams	Supervisor	Voted	Yes
Rick Gagliardi	Councilor	Voted	Yes
Jerrold Eades	Councilor	Voted	Yes
James Jeffers	Councilor	Voted	Yes
Edward Rizzo	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Supervisor Adams states that he and Councilman Eades met with Joseph Panna regarding the easement for the WD#3 water tank and construction. In 2009 it was proposed at a cost of \$30,000.00. Now Mr. Panna is asking for \$32,500.00. There is discussion on this. The old tank will need to be dismantled and a new

one built. This will be further discussion next month allowing the attorney time to draw up the necessary paperwork, etc.
Proposed Local Law B of 2019 is discussed. There was a previous resolution done in April to address 5G wireless . Attorney Andino updates the board as to the requirements: existing poles will be used when available; they will be located on the ROW; fees are set be the FCC. There is discussion on this. The following resolution is given:

TOWN OF SENNETT
TOWN BOARD RESOLUTION
November 19, 2019
TOWN OF SENNETT LOCAL LAW B OF 2019
A LOCAL LAW TO ENACT
SMALL CELL WIRELESS DEPLOYMENT REQUIREMENTS

Councilman Jeffers introduced proposed Local Law No. B-2019, A Local Law to Enact Small Cell Wireless Deployment Requirements for the Town of Sennett in the Town of Sennett, and made the following motion, which was seconded by Supervisor Adams:

WHEREAS, proposed Local Law B-2019 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, the Federal Communications Commission ("FCC") has issued a Declaratory Ruling and Third Report and Order, known as FCC 18-133 or the "Order", to encourage and facilitate the deployment of small cell wireless communications facilities throughout the United States of America; and

WHEREAS, referencing several reasons and determinations as to why the deployment of small cell wireless communications facilities throughout the United States is considered beneficial, the Order is intended to streamline and accelerate the wireless infrastructure siting review process; and

WHEREAS, the Order does, however, explicitly reserve the right of local governments to impose aesthetic requirements and safety considerations upon such small cell wireless communications facilities; and

WHEREAS, by Resolution dated April 8, 2019, the Town of Sennett Town Board expressed its desire to preserve and maintain all of its legal rights and options to address and reasonably regulate additional telecommunication technologies, including, but not limited to so called "4G" and "5G" technology, which rights and options included the ability to establish standards and requirements relative

to the siting, construction, operation, maintenance, and permitting of such small commercial wireless facilities; and

WHEREAS, the Town Board desires to regulate the deployment of small cell wireless communications facilities throughout the Town in conformance with the guidance and rules set forth in the Order; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Town of Sennett, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA and a Short Environmental Assessment Form (EAF) in support of this Local Law has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, IT IS

RESOLVED AND DETERMINED that there are no other involved agencies, that the Town Board shall act as lead agency and the enactment of proposed Local Law No. B-2019 is an unlisted action for purposes of SEQRA review; and it is further

RESOLVED DETERMINED AND that the Town Board, upon review of the EAF and proposed Local Law has determined that this action, which will streamline and accelerate the wireless infrastructure siting review process while regulating local aesthetics and imposing public safety consideration in accordance with FCC 18-133, will have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required and that this resolution shall constitute a negative declaration pursuant to SEQRA; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2019 at the Town of Sennett Town Hall, 6931 Cherry Street Road, Auburn, NY 13021 on December 17, 2019 at 7:00 p.m.

or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Adams	Supervisor	Voted	Yes
Rick Gagliardi	Councilor	Voted	Yes
Jerrold Eades	Councilor	Voted	Yes
James Jeffers	Councilor	Voted	Yes
Edward Rizzo	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Department Reports: The Highway Department reports that there was a power surge that damaged the security/fire control warning system and was wondering is that would be covered by the insurance? Only if the damage repairs are greater than the \$1000.00 deductible. They have gotten the trucks ready for plowing; they built a snowplow turn around on Beech Road; trimmed some trees on Baker Road; cut some trees on Miller Road, picked up leaves numerous times; went out a few times for downed trees during high/heavy winds; 120 ton of salt has been delivered; plowed and sanded seven times; spread 80 ton of salt; and the truck and other items have been added to the Auctions International website. The Water and Sewer Department report that the monthly water operation reports were done and given to DOH ; monthly and quarterly water samples were done; replaced a service saddle that had rusted off the main on Rt 5; two pump station alarms were received during the heavy rain on Halloween; received a Saturday call by customer needing water shut off due to their valve not working; met with MRB and provided information needed for the water improvement project; did a vulnerability assessment for our water system that was needed as part of the funding for the water project; pumped out fire hydrants that will not drain; checked hot boxes and turned heat on in them; plowed snow at pump station and water tanks on Pine Ridge Road; and they met with the city two times for the sewer meter project. The Planning Board has nothing new going on, still waiting for updated/more information from the Storage Squad developers. The Supervisor requesting a report from the ZBA and the Planning Board regarding training for individual members. Judge Timian reports \$3,386.00 for October. Judge Riley reports \$3,541.00 for October. The Town Clerk reports \$3,181.22 for October. The Court Clerk's report is read and reviewed by the board. The CEO's reports are read and reviewed by the board. Nothing else from the Attorney.

The Public to be Heard segment is opened on a motion made by Councilman Jeffers, seconded by Supervisor Adams, 5 ayes 0 nays, carried. Kris LaPointe has questions on the 5G regulations: they can co-locate on existing poles or they

can install new locations on the ROW? Yes, it is all regulated by the FCC. The Public to be Heard segment is closed on a motion made by Councilman Jeffers, seconded by Supervisor Adams, 5 ayes 0 nays, carried.

Also, Supervisor Adams will contact Mr. Panna regarding the status of the easement.

The abstract in the total amount of \$207,681.82 is approved for payment on a motion made by Councilman Jeffers, seconded by Councilman Rizzo. Roll Call Vote: Councilman Eades yes, Councilman Gagliardi yes, Councilman Rizzo yes, Councilman Jeffers yes, Supervisor Adams yes, carried.

A motion is made by Councilman Eades to approve \$1,000.00 to the Transportation Project for Cayuga County (SCAT Van) in 2020, seconded by Councilman Rizzo. Roll Call Vote: Councilman Eades yes, Councilman Gagliardi yes, Councilman Rizzo yes, Councilman Jeffers yes, Supervisor Adams yes, carried.

The meeting is adjourned on a motion made by Councilman Jeffers, seconded by Supervisor Adams, 5 ayes 0 nays, carried.

Respectfully Submitted,
Penelope Dennis, Town Clerk
Town of Sennett

