

Minutes of the Town of Sennett Town Board Meeting Held on Thursday, April 20, 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
Harold Gilfus, Code Enforcement Officer
Kathleen Salisbury, Town Clerk
Ed Magdziak, Carla LaPointe, William Feocco, Jerry Sankey, Jim Vivenzio, Jim Jeffers, Joshua Czyz, residents
Remotely:
Jon Hinman (MRB), Rich Andino (Atty), Aileen McNabb Coleman, Jerry Vevone, Tom Gray, Cassie Schwalm, Scott Freeman

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

PLEDGE OF ALLEGIANCE - The meeting is 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 March 16, 2023 are reviewed and approved by the Board, motion made by Councilman Gagliardi and seconded by Councilman Wellauer; 5 Ayes 0 Absent 0 Nays. Carried.

PUBLIC HEARING(S) - No Scheduled Public Hearing

SCHEDULED SPEAKERS

- MRB Group (WD #s 1 & 3) - Jon Hinman of MRB advised their report was in the Board's packet. No changes in the water/sewer evaluation since last reported. Request for Water System Expansion grant funding was not awarded and we can revise the application and resubmit for future grants. Regarding the water project, a pre-construction meeting was held and is getting ready to go in early May and will begin on Mutton Hill Road. An MRB field rep will be on site with the contractor at all times. Once a schedule is received, a letter will go to the residents with the information.

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

Jim Jeffers - Mr. Jeffers inquired as to who the residents should be contacting with any questions regarding the upcoming water project. The residents should contact Water Superintendent Kris LaPointe who will be working with Mr. Hinman of MRB.

Ed Magdziak - Mr. Magdziak provided his FEMA training certificates for the Board as well as information for major events for emergency services.

Joshua Czyz - Mr. Czyz advised he is running for Cayuga County Legislature and stopped in to introduce himself and learn more about Sennett.

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** - Mr. Andino provided the Board with Local Law A-2023 for changing the highway superintendent position to abolish elected office and create an appointed office and will be subject to mandatory referendum. Councilman Edmunds would like to discuss with the Republican Committee members. The proposed local law is introduced by Councilman Rizzo, seconded by Councilman Gagliardi. All in favor. 5 Ayes 0 Absent.

A motion is made by Councilman Rizzo to introduce proposed Local Law A-2023, entitled “A Local Law Changing the Office of Highway Superintendent from Elective to Appointive” and submitting it to public referendum, seconded by Councilman Gagliardi. A public hearing will be held on May 18, 2023. No further discussion. All in favor. 5 ayes 0 nays 0 absent, carried.

**TOWN OF SENNETT
TOWN BOARD RESOLUTION**

April 20, 2023

**TOWN OF SENNETT LOCAL LAW NO. A-2023
 (“A Local Law Changing the Office of Highway Superintendent
 from Elective to Appointive in the Town of Sennett”)**

Councilor Rizzo introduced proposed Local Law No. A-2023, entitled “A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Sennett” which would, effective January 1, 2024 and subject to a mandatory referendum, abolish the elected Highway Superintendent Office and create a new appointed Highway Superintendent office who would serve at the pleasure of the Town Board in the Town of Sennett, and made the following motion, which was seconded by Councilor Gagliardi:

WHEREAS, pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1), towns are permitted to adopt local laws relating to the mode of selection and term of office of its officers and employees; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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 (SEQR) 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 to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. A-2023 is an unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED, that the enactment of this Local Law will not have any adverse impacts on the environment and the Town Board hereby adopts a Negative Declaration for purposes of SEQRA; and it is further

RESOLVED AND DETERMINED, that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. A-2023 at the Sennett Town Hall located at 6931 Cherry Street Road, Auburn, New York 13021 on May 18, 2023 at 6:30 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:

Rick Gagliardi	Councilor	Voted	Yes
Robert Edmunds	Councilor	Voted	Yes
Michael Wellauer	Councilor	Voted	Yes
Edward Rizzo	Councilor	Voted	Yes
Thomas Blair	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: April 20, 2023

In addition, he has been working with the Zoning Board with regard to Owens-Brockway’s variance for a furnace upgrade.

- b. **Bookkeeper** - Bookkeeper Major advised she will do the budget transfers to reserves. All reserves are in Savannah, were at .15% and increased to 4.65%. With regard to the NYS AUD annual financial report, the cost would be \$1,500 per year for the auditors to complete each annual report. 2020, 2021, 2022 need to be completed. This is a very involved report and the auditors are versed in this report and to have the auditors complete this report along with their annual audit, would be beneficial. To outsource would cost the same as the auditors. Bookkeeper Major advised the Board she would like to discuss transferring checking account money into NYClass. Their current rate is 4.71%. LNB’s rate is not as good. A discussion is held by the Board and Bookkeeper. Supervisor Blair advises the matter will be tabled to next month or during a work session to discuss same and have NYClass and LNB appear.

- c. **Planning Board** - Supervisor Blair advised on behalf of Chairman Leamy that the PB passed the Auburn Auto Group Site Plan and the site plan review will be on the agenda for May. Owens-Brockway is on the agenda for approval in May.
- d. **Codes/Zoning Enforcement Officer** - Code Enforcement Officer Gilfus advised his report was in the Board's packet. Issued 4 permits. He has been following up on previously issued permits. Has done a few fire inspections. Issued a violation notice to resident for portable storage unit.
Councilman Wellauer read the report of Zoning Officer Vevone who advised Mr. Vevone has been busy working on lot line adjustments, working with Owens-Brockway on variance, attending the Ad Hoc Committee meeting, various calls, attending zoning board meeting.
- e. **Assessor** - Councilman Rizzo read Assessor Lowe's report advising he has been processing exemptions, meeting with owners and following up with phone calls and letters, new building permits were entered into the program, and has set grievance day for May 30, 2023.
- f. **Fire Department** - No one was present to report.
- g. **Highway Dept.** - Highway Superintendent Kristopher L. LaPointe advised his report was in the Board's packet. Dumpster Days will be May 6 & 7. Superintendent LaPointe presented two 284 Agreements for the Boards review and signatures. Wegman Street not to exceed \$94, 910; Quincy Hill not to exceed \$19,747; Barrington Way not to exceed 38,146.10; and Cambridge Circle not to exceed \$14,754.00. All expenditures are within budgeted funds for this year.

A motion is made by Councilman Edmunds and seconded by Councilman Wellauer to authorize the Supervisor and Councilman to sign the two 284 Agreements and allow Highway Superintendent LaPointe to proceed with the referenced road work as written. With no further discussion, a roll call vote is taken.

Roll call vote:

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

Motion carried 5 Ayes 0 Nays 0 Absent

The portable restrooms are up in the Park. We have changed to a new company who charges the same as before and will pump weekly.

The salt barn estimates are in. They will provide additional information for clarification. After inspection, the roof has rust and will need to be replaced. An update will be provided at the next meeting.

Superintendent LaPointe asked the Board if he could purchase a better box for the truck from MDI. The cost is \$530 more than the previous box ordered for the new truck.

A motion is made by Councilman Wellauer and seconded by Councilman Edmunds to approve the increase in the amount of \$530.00 to buy the better upgraded quality box and authorize Highway Superintendent LaPointe to purchase same. With no further discussion, a roll call vote is taken.

Roll call vote:

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

Motion carried 5 Ayes 0 Nays 0 Absent

Mr. Sevier, who runs the Sennett Rural Cemetery on Grant Avenue, has asked if the Town would take over mowing the lawns as they do not have the funds to cover the mowing cost at a current cost of \$4,000 per year. Supervisor Blair advises that the NYS Cemetery Board says that if the cemetery is open to the public, the Town can, if it so chooses, it can be considered a maintenance of the Town. Highway Superintendent LaPointe advised the Highway Department employees do not have the time to take on this task.

Superintendent LaPointe advised the Board the town hall parking lot will be milled on Friday, April 22nd and paved on Monday, April 26th. The Highway Department also put more drainage in the driveway.

- h. **Water Dept.** - Water Superintendent Kristopher L. LaPointe's report was in the Board's meeting packet for their review. The rate increase notice is on the website and letters were mailed to the residents. Replaced meter heads, there was a water break on Barrington and fixed that.

Meter Heads - With regard to the meter heads, three estimates have been received. Ferguson (\$159,130.00) 5G meter heads only needed, Ti Sales (\$219,165.18) replace meter body and head, Blair Supply (\$234,084.00) replace meter body and head. Superintendent LaPointe advises Ferguson would be the best option as there is a 20 year warranty (10 year warranty plus additional 10 year pro rata warranty), and it is compatible with our current program of MasterMeters. The \$159,130.00 cost broken down is: \$154,830 for 780 meter heads, \$3,350 for the Allegro upgrade and case, \$950.00 for FCC license. Each meter cost is \$198.50 per household and billed quarterly to the household at \$49.63 per quarter. For Town employees to do the installation, the cost would be \$8,283.36. All costs would be charged per district. Superintendent LaPointe will obtain installation quotes from outside sources to compare the cost and will report at next meeting.

Resident Jim Jeffers asks why the residents are being charged for meter heads. Water Superintendent LaPointe advises it is per town law that residents get charged that cost. The homeowners own the meter and are charged for the meter.

A motion is made by Councilman Edmunds and seconded by Councilman Gagliardi to accept the Ferguson bid in the amount of \$159,130 for the 5G meter heads. \$198.50 will be charged per household (to be divided over four quarters (approximately \$49.63/quarter) and the other expenses as presented divided pro rata per district. Supervisor Blair opens the discussion up to the public for comment. Resident Jeffers asks where the money is originally coming from. Supervisor Blair advises the money will originally come from the general fund, but will confirm with Comptroller to proceed with general fund money and pay back to the district funds.

A roll call vote is taken.

Roll call vote:

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

Motion carried 5 Ayes 0 Nays 0 Absent

Water Rates -

A motion is made by Councilman Wellauer and seconded by Councilman Edmunds to approve the water rate increase as presented effective May 23, 2023 of \$67.50 for the first 7500 gallons and _____/1000 thereafter. With no further discussion, a roll call vote is taken.

Roll call vote:

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

Motion carried 5 Ayes 0 Nays 0 Absent

With regard to criminal background checks, Kris will follow up on that.

- i. **Town Clerk** - Town Clerk Salisbury advised that the March 2023 monthly report was in the Board's meeting packet for their review. Fees of \$1,271.00 received, \$1,340.88 were disbursed to the Supervisor, \$23.62 to NYS DEC for Decals and \$11.00 to NYS Animal Population Control.
- j. **Dog Control Officer** - The Board is in possession of contract for animal control. A motion is made by Councilman Wellauer to allow Supervisor Blair to sign the contract, seconded by Councilman Gagliardi. All in favor. 5 ayes 0 nays 0 absent, carried. There were no events for February and March. FLDPA also provided a letter of retirement effective 12/31/2023.

k. Committees -

Veteran Affairs - The committee met two weeks ago and discussed a coordinator position. Supervisor Blair advised that there is a part-time job of 5 hours/week for a Veteran Affairs Coordinator that Mr. Jenks, a local resident, is interested and qualified for said position. New flags have been reordered. At the time the parking lot is torn up for repairs, the highway dept. will help grade an area for flag poles.

Landscape Architect Scott Freeman from Keplinger Freeman, appearing remotely, went over his Proposal for Services for the Veterans Memorial Park.

A motion is made by Councilman Wellauer and seconded by Councilman Gagliardi to authorize Keplinger Freeman to work up basic plans, a la carte, in an amount not to exceed \$5,000.00. With no further discussion, a roll call vote is taken.

Roll call vote:

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

Motion carried 5 Ayes 0 Nays 0 Absent

Parks & Rec - Carla LaPointe appeared on behalf of the committee. She presented the Board with a 11/2022 estimate for playground equipment from Parkitects in the amount of \$30,821. Supervisor Blair asked for an updated estimate and to have the ADA Compliant regulations included as well, including access from the parking lot to the playground.

OLD BUSINESS

- E-Code 360 -The first installment has been paid. Waiting for an agent to be assigned.
- Greater Tompkins Consortium resolution need

A motion is made by Councilman Edmunds to allow Supervisor Blair to sign the Resolution Awarding the Energy Performance Contract to Siemens Industry, Inc., seconded by Councilman Gagliardi. All in favor. 5 ayes 0 nays 0 absent, carried.

**TOWN OF SENNETT
RESOLUTION APPROVING THE 2023 AMENDED
MUNICIPAL COOPERATIVE AGREEMENT FOR THE
GREATER TOMPKINS COUNTY
MUNICIPAL HEALTH INSURANCE CONSORTIUM**

The Town Board of the Town of Sennett, (the "Town"), duly convened in regular session on April 20, 2023 at the Town Hall located at 6931 Cherry Street Road, Auburn, New York, does hereby resolve as follows:

WHEREAS, the Town of Sennett is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2023 Amendment that provides for the operation and governance of the Consortium, and

WHEREAS, the Consortium's Board of Directors has recommended approval of the 2023 amended agreement, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by each municipal board.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Sennett approves the 2023 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium.

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized and directed to execute the signature page of the 2023 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium (the "2023 Amendment"), which appears on page 3 of this Resolution, and to take such further and additional steps as may be needed to carry out this Resolution.

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to transmit a copy of this resolution to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was moved by Councilor Robert Edmunds and seconded by Councilor Edward Rizzo and duly put to a vote and the vote was as follows:

Rick Gagliardi	Councilor	Voted	Yes
Robert Edmunds	Councilor	Voted	Yes
Michael Wellauer	Councilor	Voted	Yes
Edward Rizzo	Councilor	Voted	Yes
Thomas Blair	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: April 20, 2023

- Local Law re: Solar Energy Moratorium and Updated Law
 - Time to begin review - Supervisor Blair has recently learned that a municipality can add a zone called a "Floating Solar Overlay" zone. He will follow up with AOT and the County regarding same. Further research will be done and will be discussed.
- Veteran Affairs/Historian Office project -
the block for the window has been cut. A 3D model is available from the contractor. Fire rated doors are necessary.
- Water & Sewer Rate Hikes from City of Auburn + Sennett Rates -
covered earlier in meeting.
- Water & Sewer Rate studies -
The City of Auburn sewer rates will increase \$.07 per 100 C, (\$2.85) beginning January 1, 2020. The Town 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.
MRB still offering, Board will discuss further and discuss next month.
- Town Park committee formation - covered earlier in meeting.
- Energy Consultant award - Resolution is presented to the Board for review and approval.

A motion is made by Councilman Edmunds to allow Supervisor Blair to sign the Resolution Awarding the Energy Performance Contract to Siemens Industry, Inc., seconded by Councilman Gagliardi. All in favor. 5 ayes 0 nays 0 absent, carried.

- Town Hall capital needs -
parking lot & interior improvements - We are first on the list after the snow season for parking lot improvements.
- Town branding & marketing project - Will discuss that next month.
- Town Employee Handbook review -
Councilman Gagliardi met with Highway Superintendent and discussed requested changes. A work session is suggested for the Board to meet with HROne representative Banuski.
- Planning and Zoning Board alternates

NEW BUSINESS

- Introduction of Highway Superintendent LL - handled earlier in the meeting.

- Introduction of Video Conference Meeting LL

Councilman Rizzo introduced proposed Local Law A-2023, entitled “A Local Law Changing the Office of Highway Superintendent,” seconded by Councilman Gagliardi. A public hearing will be held on May 18, 2023. All in favor. 5 ayes 0 nays 0 absent, carried.

**TOWN OF SENNETT TOWN BOARD RESOLUTION
INTRODUCING LOCAL LAW #3 OF 2023 ENTITLED
“AUTHORIZING THE USE OF VIDEOCONFERENCING
WITHIN THE TOWN OF SENNETT”**

Introduced by: Councilman Michael Wellauer
Seconded by: Councilman Richard Gagliardi
Dated: April 20, 2023

WHEREAS, videoconferencing has proven to be an effective and important tool in the conduct of public meetings, and technology has advanced in such ways as to allow for real-time remote video participation in Town Board meetings which is reliable and clear, and which allows for Town Board members to participate in Town Board meetings while not physically located within the geographical boundaries of the Town of Sennett; and

WHEREAS, it is deemed by the Town Board to be helpful and in the best interests of the Town of Sennett to ensure there is a consistent quorum of Town Board members present for Town Board meetings in order to address business and legal matters which arise in the Town of Sennett; and

WHEREAS, this local law will not affect the environment in any way such that it is not an “action” as defined under 6 NYCRR §617 of the implementing regulations of the New York State Environmental Quality Review Act (“SEQRA”) and therefore it does not require environmental review pursuant to SEQRA; and

WHEREAS, this action involves the adoption or amendment of a zoning ordinance or local law and is therefore subject to review by the Cayuga County Planning Board pursuant to General Municipal Law § 239-m(3)(ii); and

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The Town of Sennett Local Law 2 of 2022 shall be repealed in its entirety and replaced with proposed Local Law #3 of 2023.
2. The Town Board hereby introduces Proposed Local Law #3 of 2023 in the form annexed hereto for consideration and adoption.
3. The Town Board of the Town of Sennett hereby finds and determines that the proposed local law would not affect the environment in any way and thus is not an “action” under 6 NYCRR §617, and this is not subject to SEQRA.

4. The proposed Local Law #3 of 2023 is does not need to be referred to the Cayuga County Planning Board for review pursuant to General Municipal Law §239(1-m), as the proposed local law is not related to zoning or land.
5. The Town Board will conduct a Public Hearing at the Town of Sennett Town Hall Building on May 18, 2023, at 6:35 p.m., or as soon thereafter as the matter can be heard, for the purpose of taking public comment on, and giving due consideration to, the repeal of Local Law 2 of 2022 and the enactment of proposed Local Law #3 of 2023.

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

	Yay	Nay	Abstain	Absent
Councilman Richard Gagliardi	[X]	[]	[]	[]
Councilman Michael Wellauer	[X]	[]	[]	[]
Councilman Edward Rizzo	[X]	[]	[]	[]
Councilman Robert Edmunds	[X]	[]	[]	[]
Supervisor Thomas Blair	[X]	[]	[]	[]

The foregoing Resolution was thereupon declared duly adopted/not adopted (circle one).

Dated: April 20, 2023

STATE OF NEW YORK)
)SS.:
 COUNTY OF CAYUGA)

I, Kathleen Salisbury, Town Clerk of the Town of Sennett, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Sennett at a meeting of said Board held on April 20, 2023.

 Kathleen Salisbury, Town Clerk

- Animal Control Contract
- Legal Ltr of Engagement - The Engagement Agreement from Costello, Cooney & Fearon is presented to the Board for review and approval.

A motion is made by Councilman Edmunds to approve the agreement and allow Supervisor Blair to sign the contract for legal services provided by Costello, Cooney & Fearon, PLLC, seconded by Councilman Wellauer.

Roll call vote:

Councilman Gagliardi Yes

Councilman Wellauer Yes
Councilman Rizzo Yes
Councilman Edmunds Yes
Supervisor Blair Yes
Motion carried 5 Ayes 0 Nays 0 Absent
– Flooding- Route 5/Gates Road

SUPERVISOR CORRESPONDENCE/REPORT -

EXECUTIVE SESSION - None

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

Roll call vote:

Councilman Gagliardi Yes
Councilman Wellauer Yes
Councilman Rizzo Yes
Councilman Edmunds Yes
Supervisor Blair Yes
Motion carried 5 Ayes 0 Nays 0 Absent

MOTION TO ADJOURN MEETING – Motion to adjourn was made by Councilman Gagliardi, seconded by Councilman Rizzo. 9:23 p.m.

Next meeting is May 18, 2023.

Respectfully submitted,
Kathleen Salisbury, Town Clerk
Town of Sennett