

Minutes of the Town of Sennett Town Board Meeting Held on Thursday, September 21, 2023, at 6:30 PM at the Sennett Town Office Building.

Members Present: 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
Seniors from Sennett Seniors Program: Kathy Gray, MaryEllen ,
Nancy Pennypacker, Aggie, Mary Jo, Jo Marie, Karen
Residents: Jerry & Mary Sankey, Jim Vivenzio, James Jeffers

Remotely: Rich Andino (Atty), Emilio Moran

Absent: Thomas Blair, Supervisor

CALL TO ORDER - The meeting is called to Order at 6:30 p.m. by Councilman Edmunds, followed by a prayer.

PLEDGE OF ALLEGIENCE - The meeting is opened with the pledge to the flag by Councilman Edmunds.

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

APPROVAL OF MEETING MINUTES - Meeting Minutes for August 17, 2023 are reviewed and approved by the Board, motion made by Councilman Gagliardi and seconded by Councilman Rizzo; 4 ayes 0 nays 1 absent. Carried.

PUBLIC HEARING - Councilman Edmunds advises there is a public hearing on the agenda for a new Local Law Providing a Tax Exemption on Real Property Owned by Members of Volunteer Fire Companies and Volunteer Ambulance Services in the Town of Sennett.

Motion to open public hearing by Councilman Wellauer, seconded by Councilman Gagliardi regarding Local Law C-2023, a Tax Exemption on Real Property Owned by Members of Volunteer Fire Companies and Volunteer Ambulance Services in the Town

of Sennett at 6:32 p.m. All in favor. 4 Ayes 1 Absent 0 Nays. Carried. There were no comments from the public, public hearing will stay open.

SCHEDULED SPEAKERS

MRB – The report from MRB was in the Board’s packet. Emilio provided an update on WD 1 & 3 – about 95% complete. Inspection will be done next week and final punch list. Good news, the project is projected to be completed under budget. The contractor is ahead of schedule. The seeding and restoration work should be completed mid to late October.

PUBLIC BE HEARD – Motion is made by Councilman Wellauer to open the Public Be Heard Period, seconded by Councilman Rizzo. All in favor. 4 ayes 0 nays 1 absent, carried.

Kathy Gray – Sennett Seniors – many members came to support Kathy and the Seniors Program. She gave an overview of the program regarding lunches and trips and welcomes any new members who wish to join. Kathy donated a framed 48 start flag to Historian Vivencio for the new veteran/historian room from the Sennett Seniors.

Kevin DeOrio – Mr. DeOrio lives on Franklin Street Road and advises there are many accidents near the curve where he lives. The most recent accident there caused property damage. He is requesting a guard rail in that area. He was advised that Franklin Street Road is a County Road and that the Town has no jurisdiction. The Town can send a letter to the County setting forth his request for a guardrail.

Lee Fordock, Laura McBride and Joan Booth, residents at Sennett Meadows advised that Board of their concerns with some certain types of activity of some residents, resident age limit and the parking lot set up. A discussion was held. Councilman Wellauer asks Attorney Andino about the original age requirements. Attorney Andino will review the application concerning the matter.

With no further public comments, a motion to close Public Be Heard is made by Councilman Rizzo and seconded by Councilman Wellauer. All in favor. 4 ayes 0 nays 1 absent, carried. 7:22 pm.

DEPARTMENT REPORTS

- a. **Attorney** – Attorney Andino provided the Board with the First Responder Exemption enactment resolution for the Board’s review after the Public Hearing is closed.

- Solar Overlay District Local Law – a draft has been sent for review, Barton & Loguidice is working on the maps.
- Small Cell wireless updates to Telecomm. Law – Attorney Andino advised the LL enacted in 2019 for regulations has been sent for review by the Board.

- At Long Last has submitted correspondence requesting a waiver of the 30 day advanced notice requirement from the Town for a liquor license. Attorney Andino updates the Board on the process.

After discussion, a motion is made by Councilman Wellauer to grant the waiver of 30 days for At Long Last, 3193 East Genesee Street Road, to apply for a liquor license. Code Officer Gilfus advises no building permit has been issued yet, papers were just received. Zoning will also need to review the application as well. Further discussion is had. Councilman Rizzo seconds the motion. No further discussion. All in favor. 4 ayes 0 nays 1 absent, carried.

- Sennett Meadows Release of letter of credit – tabled.
- Auburn Associates assessment challenge results – Rich advised the Stipulation of Discontinuance was filed and received.

b. Bookkeeper –

Budget adjustments – none at this time.

ARPA Funds are discussed and what projects are applicable to ARPA – parking lot paving and drainage, traffic signs, our share of salt shed repairs, and park.

Capital expenditures remaining will go to 2024 budget.

Highway CHIPS money was received.

The tentative budget was given to the Board, please review for workshop meeting.

The budget workshop date is set for 10-10-2023 at 6pm.

- c. Planning Board** – Councilman Rizzo advised, on behalf of Chairman Leamy, that the PB has a subdivision application on County Line Road.

New member recommendation (Mr. Giacona)

Councilman Wellauer makes a motion to appoint Joseph Giacona as a Planning Board member at the recommendation of Planning Board Chairman for the remainder of the appropriate term, seconded by Councilman Gagliardi. All in favor. 4 ayes 0 nays 1 absent, carried.

Alternate member interested will be interviewed later.

- d. Codes/Fire Marshal** – Code Enforcement Officer Gilfus advised his report was in the Board’s packet. Issued 8 permits, 69 year to date through end of August. Went to Sennett Meadows today. He has been following up on previously issued permits. Has done 2 fire/safety inspections.

- e. Zoning Enforcement Officer** – Councilman Wellauer read the report of Zoning Officer Vevone who advised he has working on an allowed use on Franklin St. Rd, a tiny house request on E. Genesee St., subdivision on County Line, neighbor

complaint, septic plans on Genesee Street, review of site plan, lot line on County Line.

- f. **Assessor** – Councilman Rizzo read the report of Assessor Lowe who advised he has been working on exemption letters and updating software with exemptions.
- g. **Fire Dept.** – Councilman Edmunds read the report of the Fire Department who advised they had 46 alarms in August, 332 year to date.
- h. **Highway Dept.** – Highway Superintendent Kristopher L. LaPointe advised his report was in the Board’s packet.

Snowplow contract – Highway Superintendent LaPointe went over the contract, advising the contract is sufficient.

A motion is made by Councilman Gagliardi, seconded by Councilman Rizzo to authorize the Supervisor to sign the Cayuga County Snowplowing Contract (term July 1, 2023-June 30, 2026).

Roll Call Vote

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

All in Favor. 4 Ayes 0 Nays 1 Absent, carried.

New Truck - Highway Superintendent advises the F-250 truck is five years old and needs to be replaced and he would like the Board’s approval to purchase a 2024 Ford F-250, without plow, in the amount of \$51,418.47 from VanBortel Ford. This is a state bid. The current truck will be sold at auction when the new truck is received.

A motion is made by Councilman Rizzo, seconded by Councilman Rizzo to authorize Highway Superintendent LaPointe to move forward with the purchase of a new 2024 Ford F-250 from VanBortel Ford in the amount of \$51,418.47 for the highway department.

Roll Call Vote

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

All in Favor. 4 Ayes 0 Nays 1 Absent, carried

Highway Superintendent would like Bill Perkins to be the new Deputy Highway Superintendent in place of Dan Short who retired.

All in Favor. 4 Ayes 0 Nays 1 Absent, carried

MEO opening - an ad will need to be placed to fill the opening.

Town Park parking lot paving - Two bids have been received to seal and stripe the lot, Withey \$2,900 and AJ Sealing \$2,500.

A motion is made by Councilman Gagliardi, seconded by Councilman Rizzo to approve the pave and seal bid from AJ Sealing in the amount of \$2,500.00 to seal and stripe the Town Park parking lot.

Roll Call Vote

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

All in Favor. 4 Ayes 0 Nays 1 Absent, carried

Wegman Street new residence - Highway Superintendent LaPointe spoke with Mr. Vitale to clean up the roads as best as he can as residents have requested.

Dumpster Days will be held September 30th and October 1st.

i. Water Dept. - Water Superintendent Kristopher L. LaPointe's report was in the Board's meeting packet for their review. The 800 meters ordered will be shipped on September 29th. Mike Ward completed his probation period. Water samples have been taken. High alarms have been at Quincy Hill Pump Station with stuff coming from Sennett Meadows. Vitale Out of District Agreements are still in the works. Mutton Hill changeovers are still in process.

j. Local Emergency Planning Committee - No report.

Town Clerk - Town Clerk Salisbury advised the August 2023 monthly report was in the Board's meeting packet for their review. Fees received of \$1,596.50 for 3 dog licenses, 8 building permits, 2 marriage certificate and 9 decals, with the amounts disbursed to the Supervisor in the amount of \$1,02.99, \$5.00 to the NYS Animal Population Control Program, \$45 to NYS DOH for marriage licenses and \$521.51 for decals. In addition, there were 5 Accessible Parking Permits assigned to residents in need. Bookkeeper Major has delivered the tentative 2024 budget to the Town Clerk's office. An estimate for a postage meter was presented to the Board for review and consideration. A discussion is held. After discussion, a motion is made by Councilman Wellauer, seconded by Councilman Rizzo to authorize the least expensive option for the lease or purchase of a postage meter from Ed&Ed.

Roll Call Vote

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

All in Favor. 4 Ayes 0 Nays 1 Absent, carried

k. Dog Control Officer - Councilman Edmunds is working with Mr. Collier about finding a replacement.

I. Committees

- *Parks & Rec* - None
- *Veteran Affairs* - None

OLD BUSINESS

- E-Code 360 codification project status (just beginning) – still in process
- Veteran Affairs/Historian Office project update (furniture needed- and is being investigated) – working on obtaining furniture
- Water & Sewer Rate studies (Tabled)
- Animal Control – Looking for replacement
- Salt Barn insurance settlement (construction contract is signed)
- Town Hall capital needs (ongoing – Ed Rizzo)
- Town branding & marketing project (tabled)
- Town Employee Handbook review (Rick Gagliardi)
- Vehicle and Traffic Safety Signs status (should be rolled out by end of September)
- Tauro Water complaint (TBlair – tabled as Mr. Blair is absent)
- Out of district Water and Sewer User Agreement – Vitale (status – Kris) – waiting on map docs for agreements.

NEW BUSINESS

- Vote on Adoption of Local Law C of 2023

Councilman Wellauer makes a motion to close the public hearing on Local Law C of 2023, seconded by Councilman Gagliardi. All in favor. 4 Ayes 0 Nays 1 Absent

Councilman Gagliardi makes a motion to accept the enactment Resolution and adopt Local Law C-2023, A Local Law Providing a Tax Exemption on Real Property Owned by Members of Volunteer Fire Companies and Volunteer Ambulance Services in the Town of Sennett, seconded by Councilman Wellauer. No discussion.

Roll Call Vote

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

All in Favor. 4 Ayes 0 Nays 1 Absent, carried

**TOWN OF SENNETT
TOWN BOARD RESOLUTION
September 21, 2023
LOCAL LAW NO. C-2023**

("A Local Law Providing for a Tax Exemption on Real Property Owned by Members of Volunteer Fire Companies and Volunteer Ambulance Services in the Town of Sennett")

The following resolution was offered by Councilor Gagliardi, who moved its adoption, seconded by Councilor Wellauer, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. C-2023, titled "A Local Law Providing for a Tax Exemption on Real Property Owned by Members of Volunteer Fire Companies and Volunteer Ambulance Services in the Town of Sennett Law," was presented and introduced at a regular meeting of the Town Board of the Town of Sennett held on August 17, 2023; and

WHEREAS, a public hearing was held on such proposed local law on September 17, 2023, by the Town Board of the Town of Sennett and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Sennett in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. C-2023 has previously been determined to be an Unlisted Action, the Board declared itself to be Lead Agency and issued a Negative Declaration for purposes of SEQRA; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. C-2023.
NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Sennett, Oswego County, New York, does hereby enact proposed Local Law No. C-2023 as Local Law No. 3-2023 as follows:

**"TOWN OF SENNETT
LOCAL LAW NO. 3-2023
A LOCAL LAW PROVIDING FOR A TAX EXEMPTION ON REAL PROPERTY
OWNED BY MEMBERS OF VOLUNTEER FIRE COMPANIES AND
VOLUNTEER AMBULANCE SERVICES IN THE TOWN OF SENNETT**

BE IT ENACTED by the Town Board of the Town of Sennett, as follows:

SECTION 1. SHORT TITLE.

This Local Law shall hereafter be known as the Town of Sennett Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers in the Town of Sennett.

SECTION 2. INTENT AND PURPOSE.

It is the intent of the Town Board of the Town of Sennett to provide a real property tax exemption to qualifying volunteer firefighters and volunteer ambulance workers in the Town of Sennett as set forth in Real Property Tax Law §466-a.

SECTION 3. AUTHORITY.

Real Property Tax Law §466-a authorizes the Town Board to adopt a local law providing a real property tax exemption up to ten percent (10%) of the assessed value of real property owned by qualifying volunteer firefighters and ambulance workers.

SECTION 4. EXEMPTION GRANTED; AMOUNT.

Real property which is the primary residence of and is owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service, or such enrolled member and spouse residing in the Town of Sennett, shall be exempt from taxation in accordance with §466-a of the Real Property Tax Law, such exemption to be limited to 10% of the assessed value of the property.

SECTION 5. ELIGIBILITY REQUIREMENTS.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Sennett and the Town of Sennett is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by Town of Sennett, which is hereby established as two (2) years.

SECTION 6. QUALIFICATIONS FOR LIFETIME EXEMPTION.

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than 20 years of active service, and is so certified by the Town of Sennett, shall be granted the ten percent (10%) exemption as authorized by this Local Law for the remainder of his or her life as long as his or her primary residence is located within the Town of Sennett.

SECTION 7. APPLICATION PROCESS/CERTIFICATION.

An applicant for the exemption provided for hereunder shall file an annual application with the Town of Sennett Assessor, on a form prescribed by the New York State Department of Taxation and Finance. The application must be filed on or before the taxable status date. The Town of Sennett must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

The Town of Sennett must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

SECTION 8. EFFECT ON CURRENT BENEFITS.

Any applicant who is a volunteer fire fighter or volunteer ambulance worker and who by reason of such status is receiving any benefit under the provisions of Article 4 of the Real Property Tax Law on the effective date of this Local Law shall not suffer any diminution of such benefit because of the provisions of this Local Law.

SECTION 9. UN-REMARIED SPOUSE OF ENROLLED MEMBER KILLED IN THE LINE OF DUTY.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.

SECTION 10. UN-REMARIED SPOUSE OF DECEASED ENROLLED MEMBER.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

SECTION 11. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid provision, the court shall attempt to modify same to a provision which is not invalid or unconstitutional and which best achieves the intent of the invalid provision.

SECTION 12. EFFECTIVE DATE.

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.”

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

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

The foregoing resolution was thereupon declared duly adopted.

DATED: September 21, 2023

- Possible updates to subdivision law re: public water/wells - tabled
- Civil Service updates – Mike Wellauer – Councilman Wellauer, Supervisor Blair and Bookkeeper Major will continue to review and update the Town’s positions.

SUPERVISOR CORRESPONDENCE/REPORT - (tabled)

EXECUTIVE SESSION (IF NECESSARY) - None

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

Motion carried. 4 ayes 0 nays 1 absent

MOTION TO ADJOURN MEETING - Motion to adjourn was made by Councilman Gagliardi, seconded by Councilman Rizzo. All in favor. 8:16 p.m.

Respectfully submitted,

Kathleen Salisbury, Town Clerk
Town of Sennett