

Sennett Town Board Meeting
March 18th, 2021

Agenda:

1. Pledge
2. Approval of February 18th, 2021, meeting minutes
3. PDD for Sennett Meadows Housing Project – Public Hearing continues – PDD vote by Town Board councilmembers
4. Old Business:
 - a. Park Grant
 - b. Water 3 Project and Easement
 - c. Building maintenance and upkeep – K. LaPointe
 - d. Operational plans for future State Disaster Emergency (due 4/1/21)
5. New Business:
 - a. General Insurance for the Town
6. Department Reports
7. Approval of Abstracts

Members Present: Thomas Gray, Supervisor
Edward Rizzo, Town Councilman – (via ZOOM)
Richard Gagliardi, Town Councilman
Michael Adrian, Town Councilman
James Jeffers, Town Councilman

Also present: Richard Andino, Town Attorney
Kris LaPointe – Highway Superintendent
Ron Schalck – Water and Sewer Superintendent

After the Pledge of Allegiance, the Public Hearing began at 7:00 p.m. and ended at 7:41p.m. Audio version of the town board “public be heard” section is available upon request.

Tom Gray – Rich, do you want to make some comments?

Rich Andino – Now that the public hearing is closed, under the Article 4 for the Town Zoning Law, in the PDD section, the Town Board has 62-days from the public hearing to render its decision on the PDD application. The board can move forward with a decision on the PDD application tonight, it can make that decision within 60 days. If the board feels comfortable with deciding tonight, the board has before it, a resolution to that effect. It's a resolution which would enact proposed Local Law B 2020, which was previously introduced in December, and it would be enacted as Local Law 1 of 2021. So, is that the board's pleasure to go through that resolution at this time? And if so, I can walk the board through what the details of that resolution. Attorney Andino goes through the resolution and the local law with the board. (the resolution follows):

” TOWN OF SENNETT TOWN BOARD RESOLUTION ENACTING PROPOSED LOCAL LAW B OF 2020 AS LOCAL LAW NO. 1 of 2021 ENTITLED “ESTABLISHMENT OF A PLANNED DEVELOPMENT DISTRICT FOR THE SENNETT MEADOWS PROJECT”

Introduced by: Supervisor Tom Gray

Seconded by: Councilman Rick Gagliardi

Dated: March 18, 2021

WHEREAS, on or about October 5, 2020, Rochester’s Cornerstone Group, Ltd. (“Applicant”) submitted an application (as subsequently amended and supplemented and last revised February 18, 2021), to the Town Board of the Town of Sennett (“Town Board”) to amend the Zoning Map of the Town of Sennett and to establish a Planned Development District (“PDD”) encompassing 10± acres of undeveloped land to be subdivided (“PDD parcel”) from real property commonly known as 3365 East Genesee Street Road (US Route 20), Town of Sennett, County of Cayuga and State of New York with Tax I.D. #116.00-1-6.814 (the “Property”); and

WHEREAS, the PDD parcel would be utilized to develop upon it a newly constructed independent living senior citizen (55+ or 62+) residential apartment facility with 60 units located within a two-story building of approximately 56,810± square feet, with affordable housing and supportive care components, together with associated water, sewer, drainage, parking, lighting, open spaces and other site improvements as are more specifically reflected in the Application (collectively, the “Project”); and

WHEREAS, Section 261 of the New York State Town Law, as well as Section 10 of the Municipal Home Rule Law, establish the Town of Sennett’s authority to act in furtherance of protecting and promoting the safety, health and well-being of its residents and property within its jurisdictional boundaries, and the Town Board has found that it is appropriate and prudent to adopt a new local law establishing a PDD for the proposed Project; and

WHEREAS, the Town Board has caused there to be prepared proposed Local Law No. B of 2020, entitled, **“ESTABLISHMENT OF A PLANNED DEVELOPMENT DISTRICT FOR THE SENNETT MEADOWS PROJECT”** and the same was referred to the Town of Sennett Planning Board (“Planning Board”) for review and recommendation; and

WHEREAS, the Planning Board fully and thoroughly reviewed the Application, the accompanying materials and reports associated therewith and issued its recommendations to the Town Board for adoption of the requested PDD zone change and map amendment, with certain conditions dated December 3, 2020; and

WHEREAS, pursuant to General Municipal §239(1-m), the Town Board also referred the proposed Local Law B of 2020 together with all supporting Project materials to the Cayuga County Planning Board for review and recommendation which resulted in the issuance of a Decision and Recommendation dated January 21, 2021, determining that the proposed Local Law and Project appear to have no intermunicipal concerns and to be of local concern only; and

WHEREAS, the proposed Project is a Type I Action pursuant to 6 NYCRR Part 617 of the New York State Environmental Quality Review Act (“SEQRA”), and is therefore subject to SEQRA; and

WHEREAS, the Town Board, as lead agency, conducted a coordinated review of the proposed Action under SEQRA and on March 3, 2021, after thorough and careful review, determined that the action is not anticipated to create any significant impacts and therefore issued a “negative declaration” pursuant to 6 N.Y.C.R.R. Part 617 et seq., and thereby completing the environmental review of the action; and

WHEREAS, the Town Clerk duly caused a notice of the public hearing regarding this matter to be published at least five (5) days before such public hearing in accordance with Municipal Home Rule Law; and

WHEREAS, a properly noticed and convened public hearing was held by the Town Board on proposed Local Law B of 2020 on January 21, 2021, commencing at approximately 7:05 p.m., which public hearing was continued and reconvened on February 18, 2021 at approximately 7:05 p.m., which public hearing was again continued and reconvened on March 18, 2021 at 7:00 p.m., and then later closed on the same date, and proof of publication of notice was submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard; and

WHEREAS, said local law, in its final form, has been in the possession of the members of the Town Board in the manner and duration required by Section 20 of the Municipal Home Rule Law of the State of New York:

NOW, THEREFORE BE IT RESOLVED, that

1. The foregoing recitals are incorporated herein as if set forth at length; and
2. Then Town of Sennett Town Board hereby determines and reaffirms that Local Law B of 2020 and the proposed Project will not have a significant adverse effect upon the environment such that the issuance of a negative declaration was and is appropriate and justified; and
3. The Town of Sennett Town Board finds and determines that it has properly noticed and held a public hearing on the proposed Local Law B of 2020 beginning on January 21, 2021, and extending through continued hearings on February 18, 2021, and March 18, 2021, and that sufficient consideration has been given to all comments and written submissions received during the public hearing stage; and
4. Proposed Local Law B of 2020 is a Type I action under SEQRA, and as such underwent a coordinated review of potential environmental impacts, and after careful review and study the Town Board, as Lead Agency, appropriately issued a “negative declaration” during a special meeting held on March 3, 2021; and

5. Proposed Local Law B of 2020, in its final form, has been in the possession of the members of the Town Board in the manner and duration required by Section 20 of the Municipal Home Rule Law of the State of New York prior to adoption; and

6. The requested PDD zone change meets each of the following objectives set forth in Section 401 of the Zoning Law of the Town of Sennett (2014), as amended, for the following reasons:

a) The Project adheres to the Section 401(A) mandate that it work “*as a concentrated whole unit, being self-contained and uncondusive to expansion outside of its boundaries at a future date, unless such expansion when added to the original PDD can act with it to create a larger self-contained unit*”, as Project’s building and site, utility, and parking improvements are arranged and designed in locations that would make further expansions into other areas of the PDD parcel impractical considering the existing site area constraints to include easements, power lines, and natural wetlands/watercourses at or abutting the PDD parcel. If there were to be future expansion considerations the original PDD could be added to by increasing the proposed building and thereby continuing to allow the PDD to be a “self-contained unit”. It should be noted that the Applicant has stated on the record that there are no plans for the growth of the Project, and it is designed only as a 60-unit apartment complex; and

b) The Project will “*provide open spaces as an integral part of the plan*” in that the PDD Neighborhood Plan prepared by Napierala Consulting, dated January 12, 2021, reflects the provision of open spaces and green spaces and a community garden on the PDD parcel, as is shown surrounding the proposed building and site improvements on Napierala Consulting’s PDD Layout Plan 6(b) dated January 2021; and

c) The Project “*will provide convenient location of commercial and service areas*” in that visitors to the senior apartment community will have ample safe parking opportunities directly abutting the apartment building to the south and west, a welcoming lobby area near the center of the building, and an unobstructed fire access road around the building for ease of access to the building, its utilities, and service areas; and

d) The Project will “*preserve trees, outstanding natural topography and geologic features and prevent soil erosion and ground and surface water pollution*”, in that natural vegetation in numerous areas surrounding the proposed apartment building will be maintained while areas that must be cleared of overgrowth will realize substantial improvement(s) in the way of native grasses, plants and trees. All healthy mature trees with diameters of 10-inches or greater will be maintained as they exist on site, and surrounding foliage on adjacent lands to be acquired by the Applicant will remain in its natural state other than areas utilized for utility extensions. The Project stormwater mitigation measures are to be approved by NYSDEC and will ensure drainage methods and operations will not adversely impact water flow or quality, and instead will improve upon the current drainage of the site. The Project will utilize sanitary sewer infrastructure, to be extended on site, and thus will not significantly impact groundwater or the water table. Approved stormwater retention basins will collect and release water at controlled

flow levels so as to avoid adversely impacting current drainage patterns or conditions. Anti-erosion and sediment control mechanisms will be utilized during all phases of construction and all development activity will be approved and monitored by the Town of Sennett and NYSDEC; and

e) The Project will “*make creative use of land and related physical development, which allows an orderly transition of land from rural to more urban uses*” by introducing a mix of open spaces, select native species plantings, the maintenance of existing natural vegetative buffers, and the utilization of the natural contours of the land to improve site conditions as is detailed in the application site plans as must be reviewed and potentially approved by the Town Planning Board; and

f) The Project will “*make efficient use of the land resulting in smaller networks of utilities and streets and thereby lowering costs for construction, maintenance and housing*” by incorporating “smart growth” principles and extending water and sanitary sewer lines onto the PDD parcel. The Project will also utilize the existing contours of the land, to include natural watercourses and wetlands, to enhance efficiency and affordability while also improving site drainage and water table conditions. A single access drive will be installed together with only such parking lot surfaces are necessary for Project peak usage. No additional streets are being proposed and access to the Project will be by way of East Genesee Street Road only; and

g) The Project will “*provide a development pattern in harmony with the objectives of the Town’s Comprehensive Plan and Cayuga County comprehensive, master, development and other similar regional plans*” in that the Town’s Comprehensive Plan expresses goals of creating diverse housing options and housing for seniors, which this Project will provide. According to the Cayuga County Planning Board, Cayuga County does not currently have a comprehensive or master plan for housing needs. It is well-known, however, that both senior housing projects and affordable housing projects are broadly encouraged by New York State and the New York State Planning Federation; and

h) The Project will “*provide a more desirable environment for dwelling, working and/or recreation than would be possible through the strict application of the preset regulations of this law*” as currently, the R-1 zoning district restricts multifamily development to only eight (8) units. By utilizing a single building to accommodate 60 apartment units, the Applicant seeks make efficient use of the land and also create a greater sense of community amongst senior residents than would otherwise exist under R-1 zoning restrictions. Having a 60-unit senior apartment community obviously provides more opportunities for socialization, camaraderie, and assistance for Project residents. There is a dire need for senior housing within the Town of Sennett and in Cayuga County, and this Project will improve the quality of life for local seniors, as described by the Cayuga County Office for the Aging in its October 6, 2020, letter to the Town of Sennett. According to the Cayuga Economic Development Agency in its October 2, 2020, letter to the Town of Sennett, the percentage of Cayuga County residents aged 65 or older has increased by 30% from 2010 to 2019 and the provision of the senior housing developed by this Project will provide an important opportunity for many local seniors to be able to continue to live

locally, rather than moving away to find safe, friendly, and affordable senior housing options; and

7. All “general requirements” listed within Section 402 of the Zoning Law of the Town of Sennett (2014), as amended, are hereby found to have been adequately satisfied by the Applicant’s application and supporting materials; and

8. All remaining objectives, requirements and criteria pertaining to Article IV of the Zoning Law of the Town of Sennett (2014), as amended, are hereby adequately satisfied where and when applicable; and

9. The Cayuga County Planning Board undertook a review of the proposed Local Law B of 2020 pursuant to New York State General Municipal Law §239(1-m) and via Decision dated January 21, 2021, determined that it appears to have no intermunicipal concerns and to be of local concern only; and

10. Proposed Local Law B of 2020 is hereby enacted as Local Law No. 1 of 2021, (as set forth in its entirety as attached hereto), waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State; and

11. The Town’s counsel is hereby authorized and directed to file a copy of said Local Law No. 1 of 2021 with the Town Clerk and Secretary of State, and to cause the Town of Sennett Zoning Map to be updated and amended accordingly in consultation with the Town’s engineering and/or mapping consultants; and

12. The proposed senior housing project shall be subject to final site plan and subdivision review before the Town of Sennett Planning Board in accordance with applicable rules and processes under the Town of Sennett Zoning Law.

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

Councilman Michael Adrian	<u>No</u>
Councilman Richard Gagliardi	<u>Yes</u>
Councilman James Jeffers	<u>Yes</u>
Councilman Edward Rizzo	<u>No</u>
Supervisor Thomas Gray	<u>Yes</u>

Vote: Resolution carried by a vote of 3 to 2.

EXHIBIT “A”

LOCAL LAW 1 OF 2021 OF THE TOWN OF SENNETT
ESTABLISHMENT OF A PLANNED DEVELOPMENT DISTRICT
FOR THE SENNETT MEADOWS PROJECT

Section 1. Authority

This Local Law is enacted pursuant to the authority granted by Section 10(1)(i) of the Municipal Home Rule Law, and pursuant to Section 261 of the Town Law of the State of New York, which authorize the Town of Sennett (herein, the “Town”) to adopt laws and regulations that advance and protect the health, safety, and welfare of the Town.

Section 2. Title

The title of this local law is: “Establishment of a Planned Development District for the Sennett Meadows Project”

Section 3. Legislative Intent

It is the purpose and intent of this local law to promote and protect the health, safety and welfare of the residents, businesses, and visitors within the Town of Sennett, and particularly:

- (1) Providing affordable housing options for senior citizens via the creation of a senior citizen (55+ or 62+) oriented housing facility and/or apartments;
- (2) Providing safe, secure, and modern independent living options for senior citizens who wish to remain in the Town of Sennett rather than moving out of the Town to find appropriate living choices; and
- (3) Creating “smart-growth” residential living opportunities for senior citizens in an area of Town with existing water and sewer infrastructure so that special district users will more affordably share in the costs of water and sewer district charges; and
- (4) Incentivizing a well-seasoned and successful developer of senior living facilities to locate a state-of-the-art senior living facility in the Town of Sennett which can become a job creator and stabilizing influence on portions of the local population.

Section 4. Legislative Findings

The Town Board of the Town of Sennett finds and determines that the regulations contained in this Local Law will serve the community by facilitating the development and operation of an important and beneficial senior living project while minimizing adverse impacts on neighboring properties and protecting the public health, safety, and welfare.

Section 5. Legal Zone Change

The Zoning classification of a portion of the real property commonly known as 3365 East Genesee Street (New York State Route 20), Town of Sennett, County of Cayuga and State of New York with Tax I.D.

#116.00-1-6.814, consisting of a 10.00 ± acre lot to be subdivided is hereby permanently changed from Residential to Planned Development District (“PDD”) in accordance with the attached legal description. Upon adoption of this local law and filing with the New York Secretary of State, the PDD created shall be known as the “Sennett Meadows PDD”.

Section 6. Zoning Map Amendment

The zoning map of the Town of Sennett is hereby amended to reflect and incorporate the foregoing change in zoning classification.

Section 7. Development of the Planned Development District

Sennett Meadows PDD shall be developed and operated in strict and specific accordance with the terms of the PDD application (as last revised December 17, 2020) and project plans (including but not limited to the C-4 PDD Layout Plan dated December 14, 2020) subject to subdivision approval and site plan review by the Town of Sennett Planning Board consistent with this Local Law.

A. Bulk and Use Standards

The purpose of the PDD is to provide the flexible land use and design regulations through the use of performance criteria and land impact considerations, so that developments incorporating individual building sites, common property, singular land use, and/or mixed land uses may be planned and developed as a unit.

To better utilize this site in concert with the Town of Sennett Comprehensive Plan and Cayuga County Planning policies, and to facilitate development of a well-planned and carefully integrated senior living facility, the following standards are intended to guide all use and development criterion this Planned Development District.

PDD Allowed Uses

The proposed PDD is to be a senior citizen (55 years or 62 years of age and older) oriented residential PDD that provides housing options to low- and moderate-income seniors. Supportive care components for the residents are also integral authorized components of the PDD. The PDD regulations are to be applied in tandem with the Town of Sennett’s design standards as defined by the Zoning Law of the Town of Sennett (October 2014), as amended.

The following are the proposed allowed uses within the PDD:

- Dwelling, Multi-Family (Apartments) – Senior Citizen Oriented
- Senior Independent Living Facility
- Senior Citizen supportive services contained within a Senior Independent Living Facility and/or Multi-Family Dwelling building – Senior Citizen Oriented

PDD Dimensional Requirements

The following table defines the dimensional requirements for development projects within the proposed PDD:

Minimum Lot Width	100 FT
Minimum Front Yard Setback	35 FT
Minimum Side Yard Setback	15 FT
Minimum Rear Yard Setback	35 FT
Maximum Building Height	35 FT
Maximum Building Lot Coverage	35%
Maximum Impervious Lot Coverage	60%

B. PDD Parking Requirements

The following table provides for the parking requirements for the development projects within the proposed PDD:

Minimum Parking Stall Dimensions	9 FT wide X 18 FT long
Minimum Parking Lot Aisle Width	24 FT
Dwelling Multi-Family (Apartment)	1 Space per Unit
Senior Independent / Assisted & Health Care	½ Space per Unit (bed)

The zoning regulations applicable to the PDD shall be as provided in this local law. If the provisions of this local law are silent concerning issues regulated by the Zoning Law of the Town of Sennett (“Zoning Law”) in the Residential Zoning District, then the provisions of the Zoning Law then applicable to the Residential District shall apply. The project shall be constructed in substantial accordance with site plans to be approved by the Town of Sennett Planning Board, and shall consist of a 56,810± square foot primary senior apartment building with 60 apartment units, dedicated spaces for staff and supportive services, parking facilities in compliance with the above-referenced parking requirements, an accessory shed and/or landscaping structure to house outdoor equipment and tools, a trash/dumpster enclosure, downcast site and parking lighting, and a curb-cut allowing ingress and egress directly from New York State Route 20 to the primary building’s parking areas. The primary building will also be serviced by public sewer and water and will have gas and electric services installed.

The project will require subdivision approval as well as site plan approval from the Town of Sennett Planning Board, and related permits, approvals and compliance determinations from other involved agencies.

Section 8. Stormwater

All stormwater management plans, and associated utilities shall conform to the specifications of the Town of Sennett and the latest version of the NYSDEC New York State Stormwater Management Design Manual in effect at the time of site plan application. Prior to issuance of a Certificate of Occupancy, a Stormwater Management and/or Maintenance Agreement between the facility owner and the Town of Sennett shall be executed.

Section 9. Project Review Fees

The project developer shall be responsible for reimbursing the Town of Sennett for any and all reasonable expenses and review fees incurred involving the Town of Sennett’s consultants.

Section 10. State Environmental Quality Review Act

The Town of Sennett Town Board, as lead agency for this Project pursuant to the New York State Environmental Quality Review Act (“SEQRA”) has issued a Negative Declaration and issued SEQRA findings concerning the project.

Section 11. Severability

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, it is the intent of the Town Board of the Town of Sennett that the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered; and that the balance of this Local Law shall remain in full force and effect notwithstanding such court order or judgment.

Section 12. Effective Date

This Local Law shall take effect immediately upon filing of same with the New York State Department of State.

SENNETT MEADOWS PDD LEGAL DESCRIPTION

LOT 1A QUINCY HILL APARTMENT SUBDIVISION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Sennett, County of Cayuga and State of New York, being part of Lot 1 Quincy Hill Apartment Subdivision as shown on the subdivision survey map prepared by Watkins Land Surveying, PLLC dated April 15, 2014, and filed in the Cayuga County Clerk's Office as Map Number 14-67, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the northerly right of way line of US Route 20 (aka Genesee Street Road) with the easterly line of lands now or formerly of New York State Electric and Gas as described in Book 298 of Deeds at Page 410, said point being located the following four (4) courses and distances from the easterly right of way line of Quincy Hill Drive as described in Book 1324 of Deeds at Page 1;

- 1) North 86 deg. 00 min. 00 sec. East, 359.05 feet to a point; thence
- 2) North 02 deg 55 min. 00 sec. West, 100.00 feet to a point; thence
- 3) North 86 deg. 00 min. 00 sec. East, 100.00 feet to a point; and
- 4) South 02 deg. 55 min. 00 sec. East, 100.00;

Thence North 02 deg. 55 min. 00 sec. West, from said point of beginning, 38.30 feet to its intersection with the easterly line of a 100-foot New York State Electric and Gas Corporation easement as described in Book 293 of Deeds at Page 316;

Thence North 18 deg. 25 min. 20 sec. East, through said Lot 1 and along the easterly line of said easement, 739.11 feet to a point;

Thence North 86 deg. 00 min. 00 sec. East, continuing through said Lot 1, 586.28 feet to its intersection with the division line between said Lot 1 on the west and the lands now or formerly of Dairy Holdings, LLC as described in Book 1615 of Deeds at Page 283 on the east;

Thence South 02 deg 00 min. 00 sec. West, along said division line, 257.27 feet to its intersection with the division line between said Lot 1 on the north and west and the lands now or formerly of Ernest and Hyun-Ok Stahl as described in Book 1015 of Deeds at Page 135 on the south and east;

Thence along said division line the following two (2) courses and distances:

- 1) South 86 deg. 00 min. 00 sec. West, 150.00 feet to a point; and

2) South 02 deg 00 min. 00 sec. West, 450.23 feet to its intersection with the northerly line of said US Route 20;

Thence South 86 deg. 00 min. 00 sec. West, along the northerly line of US Route 20, 643.08 feet to the point or place of beginning.

Jim Jeffers: I make the motion that we vote on the resolution.

Tom Gray - We have a second?

Rick Gagliardi – I'll second.

Rich Andino - And the board, is free to discuss the resolution make any changes, and consider moving forward with a decision.

Tom Gray - Any changes or discussion? Mike? Rick? Jim?

Jim Jeffers - The questions that were asked by the public tonight and in previous public hearings, were all good, legitimate concerns. I understand as residents that they would ask that. As far as the drainage and the parking issues, those are both issues that are if the PDD is passed, those are both issues that would then go to the planning board, for review, to make sure that they were all up to snuff to what the town requires. That would not be done if these were developed as individual residents. Taxes paid by any individual in our town are based on the assessment of their house, it has no bearing on the cost of the building of that house, whether it's commercial or residential. The sewer district in that area from 2019, the cost for their sewer district went down by \$10 from 2019 to 2020. The reason they went down is because we added more sewer units to that district. This project will add a substantial number of units to that district, thereby saving every resident in that town money, thereby reducing their costs. We as a town, we have codes for a reason. I've looked through those codes on more than one occasion and nowhere have I found anywhere in the codes - no matter what zoning area we're talking about is anything is based on someone's income. And it's not going to start now. That's all I have to say.

Tom Gray - Thank you. Okay.

Rich Andino - So this just confirms that, Mr. Supervisor, you introduced a motion to enact proposal Law B 2020 as Local Law 1 2021.

Tom Gray - Yes.

Rich Andino - As we'll go on, can you just reaffirm that?

Tom Gray - Yes, I introduced it.

Rich Andino - And Rick seconded the motion. Okay. So again, the rest of the resolution to enact the Local Law B of 2020 as Local Law 1 of 2021 has been moved by Supervisor Gray and seconded by Councilor Gagliardi. There's no further discussion. The board can move forward with a vote on this resolution.

Tom Gray - Okay. I'll start with myself. Supervisor Gray. Yes. Mr. Gagliardi? (Yes.), Mr. Rizzo?

Jim Jeffers - Let's find out if he has any discussion before we vote.

Ed Rizzo - Okay, can you hear me now, Tom?

Tom Gray - Yes. Do you have any discussion? Oh, I didn't realize you were muted.

Ed Rizzo - What I'd like to say is I've done an incredible amount of research on this project over the last few months. I've spoken to the majority of the neighbors, either by phone or I've heard from them via email or ZOOM. I've also spoke several times with Carol Oster of Cornerstone, who answered my questions regarding the project. And she provided me with any documentation whenever I asked for it, and I thank her for that. Okay, I even toured a similar unit as this one proposed in the town of Sennett, and that one was located in the town of Greece near Rochester. I did it with you. That complex, consisted of I believe, four buildings. And I know that this is a profitable project for Cornerstone, and as long as there's a market for this type of housing, I believe they may seek approval for additional buildings on this site in the future. I have listened to, and I understand the concerns of the neighbors via traffic, income qualified residents, parking, noise, possible burden on the fire department, only being assessed at 2.1 when the project costs 14.8. I've heard them all and there's many others, and I've considered them all. I also believe that the biggest asset that most people have when they retire, is their home. And I believe that when someone purchases a home, they're buying the rights and the protections if the zoning district offers, and in this case, that is in R1. After speaking with the vast majority of the neighborhood, I found that they overwhelmingly do not want this project. And I would never force any project of this kind in any neighborhood that does not want it and this neighborhood clearly does not want it. For that reason. I vote no. Thank you.

Tom Gray - Mr. Adrian?

Mike Adrian - Well, I personally think it's a good project, but I vote no.

Tom Gray - Mr. Jeffers?

Jim Jeffers - As an elected official, I was elected to represent the entire town. I do appreciate the input from the residents in that area, but I need to take into consideration the value to the entire town. The

value of this project to the entire town would be substantial in its assessment for the entire town residents. I don't believe that the detriment perceived by the community will be realized. I will vote yes.

Tom Gray - Thank you. The motion carries three to two. Rich, do you have anything to add before we move on?

Rich Andino - No.

Tom Gray - Okay, let's go to old business. The Park Grant, nothing new. It still sits in committee in Albany until they meet. It's based on two things: (1) That we change the original proposal by dropping the washroom/ bathroom and (2) We wanted to change the plans. Thank you. Water 3 Project and Easements. Rich?

Rich Andino - We got one side easement. We're still working on obtaining the other easements. I think that we might be able to move forward with Mr. Montross's easement. He had the issue with some of the items in the TP 584, but we have to see if the County will accept filing without some of that information. I think we might be able to file it without it. So, you can let him know that we can move forward with potentially...

Jim Jeffers - If you want to tell Mr. Montross that I had the same issues. And we'll work through it.

Rich Andino - And again, there's no guarantee - you know there's going to be a point in time where we go and file these with the County Clerk's office and they have to accept it for filing. So, if they see on the form, you don't have this information, they might reject it for filing which has happened before on other things, but we have filed easements with the TP 584 without certain information on them in the past, and they have been accepted, but we'll try and we'll see if we can get that done. I don't know what the status is of the some of the other easements. *(Councilman Adrian's response cannot be heard due to being out of range near the microphone, therefore, clarification is requested to add to these minutes.)* So, we'll have to let Paul Chatfield know and the board can decide. I think ultimately, the question is, is that eliminated part of the Jericho Road portion of the project? The board will just have to think about that. And then we can let Paul Chatfield know he needs to revise the plans and resubmit them...

Tom Gray - Ron was in contact with some people today. Do you have anything to add Ron?

Ron Schalck - I think everybody is working towards it. It's in the stage as four people need to sign it, I know that the contact is in favor of it. We've offered to notarize it by having them come here and we'll notarize it. There's still one individual I need to contact. Because I stopped at the house this past week. I've sent him a second letter this past week.

Rich Andino - Just let us know. Do you have all the easements yet or as you talk to people...Just let us know? So that's where we're at. Maybe we can set up a conference call with Paul Chatfield in the near future and the board can let him know about Jericho.

Tom Gray - Okay, very good. Building maintenance and upkeep. Kris?

Kris LaPointe - Steer me where you want me to go. I had one company come out. The doors out there they are in bad repair, changing the outside doors because they're in pretty much disrepair or vice versa I'm sorry, the inside door and the outside door. Changed all the locks. That's the price he gave me. Nobody else replied to do the repairs. I had somebody who was supposed to show up today - an electrician to address the things outside.

Tom Gray - Thank you. Ed, do you have anything?

Ed Rizzo - No.

Tom Gray - Okay, Operational Plans. Rich Andino made a comment on the two plans we looked at the other day. Do you want to talk about them the Operation Plans for Disaster?

Rich Andino - Did everybody get my email with just some of the comments on the plans? (All replied 'yes'). There are certain requirements that are required to be part of the plan, I think that the longer one captures nearly all of those with the exception of the emergency housing provision that's required to be part of the plan. There is some language I included in the email, for purposes of the longer plan that the board can consider, I would recommend that that be included as part of that. Also, to the employee and contractor leave section - that language I recommended amending based on the language that I also included in the email there. I think the shorter plan that it just leaves out some of the requirements from the State description of protocols to enable all non-essential employees to work remotely, a description of how the employers would stagger shifts, protocols when an employee is exposed to disease and protocol for documented hours and work locations for essential workers. And the longer plan has been adopted. I think, Kris, you got that from Skaneateles. I think it's got basically everything in there and we have had...the town of Marcellus, Spafford, who our office works with, they adopted a very similar plan to this longer one. I think that's a good model and a good template for the board to approve - subject to those changes I listed in the email.

Tom Gray - Okay. Any thoughts before we make a motion? I make a motion that we adapt to a longer plan based on the changes and recommendations of Kris and Rich. Any discussion? Voice vote - Mike? (Yes.) Rick? (Yes.) Tom? Yes, Ed? (Yes.) Jim? (Yes.) Carried.

New business. When I mentioned at our meeting when we met on the on the third, our town, in general insurance, have not been quoted in nine years. When I was supervisor before, I was looking for quotes.

Our current carrier was not happy that I was doing that, but we didn't get a quote at that time, as it was still inside the two-or-three-year thing. Every year, I know that NYMIR has asked to bid this job for those nine years. They pulled it at nine years ago. So, as I mentioned, we got two quotes on our insurance. Andy Tehan is our current agent. And NYMIR is the state organization. I got one quote on Monday morning, and I got Andy's on Monday night, and we ran it off on Tuesday and made it available and into the mailboxes.

What I used - I took our (and Kris consulted in this too), to make sure all the equipment and everything was correct. I took our last year's insurance and took all the premiums out of it. So, there was no mention at all, of what we were paying on anything. And I gave that, the NYMIR, the quote. Andy had in his letter a few concerns they were similar concerns that he had last year when we quoted the comp insurance. I know Bill Street has answered those concerns. There's more than 900 people in the NYMIR program. The mayor of Auburn is one of -the chairman of the board NYMIR Mike Quill. But when the quotes came back, if you looked at them, there was almost a \$4,000 difference - \$36,800.00 and \$32,800.00. In Cayuga County, there's five municipalities that are not in NYMIR. Sennett. The two in Moravia, (and that was explained to me because the insurance office was next door to the town hall). Summerhill and Niles - all the rest are in the state plan. He had all the quotes there - he talks about the double. Ed, you remember the comment when we talked to Bill?

Ed Rizzo - Yes, I just want to say Tom and I met with him for two and a half hours and we also reviewed the policy to make sure that it was exactly to what the one we have (that our existing plan is now) and also that NYMIR, I believe they insure 93% of the municipalities in New York State.

Tom Gray - A couple things he did say as far as our insurance was, that one thing we had was \$8 million dollars...

Ed Rizzo - That's for cyber insurance. They have us for \$8 million in cyber insurance. He stated that he thought that that was high, we should be, a town our size should be around five. And that's something we can discuss amongst ourselves here to decide what we want to do possibly pare that down.

Tom Gray - I don't think that was in cyber. I think there's something else. But the one thing you need to know is neither of those quotes have cyber in them. Cyber is going out of sight. The quote from the Cayuga agency \$1622.00 - Lloyd's of London. Bill Street said that he would find either that plan or comparable plan. He said the cyber insurance NYMIR was not keeping up with other things, so he wouldn't recommend that part of it. But we have a decision to make because our insurance date is April 5. We can either stay with our current plan at \$36,800, plus cyber or go to NYMIR at \$32,800.

Rick Gagliardi - Where do we stand on that big open claim with the limo company?

Tom Gray - Okay, I can answer that too. No matter what we do, that claim is going to be covered by ARGO what I found out from Andy Tehan. He said he's not sure whether our insurance is responsible for it because it was an act of nature, negligence, the pipe water pipe burst. He felt and he wasn't sure it's in the ARGO, that agency that part of that plan. He said it may have to fall back on the Big D's insurance. They're working on that. I was assured by Bill Street of NYMIR that any open claims, if you change insurance, are still covered by your old insurance. He also checked with the general office in Long Island about that claim and came up with the same thing: that it was probably considered an act of nature, therefore Big D's and Sheriff's will probably have to cover it, but like the other ones, if they took this to court, NYMIR or probably the other one would cover all the legal costs to fight the claim. Any other questions? Ed, would you like to make a motion one way or the other?

Ed Rizzo - What was it for Tom?

Tom Gray – 32, 818 – on the quote I highlighted it. Let me find it here. Oh, here it is. That's the Lloyd's of London part. The current insurance is \$36,815 Eastern Shore which is NYMIR.

Ed Rizzo - I don't have the number in front of me. I just can't find the page. I'm really sorry.

Jim Jeffers - \$32,838.00.

Tom Gray - \$3900 and some dollars difference in between insurances.

Ed Rizzo – I'll make a motion that we switched to NYMIR to insure us at \$32,838.00 effective April 5th.

Tom Gray - Do you want to do something with the cyber insurance in your motion?

Ed Rizzo - Well, the cyber insurance is also going to be the same wherever where we get it. Right? Correct?

Tom Gray – So, either a plan that's comparable to it or those of the Lloyd's of London plan.

Ed Rizzo - Okay, so we're switching that, but the other one? How am I going to make a motion when we don't even have anything to really go by yet? for that? For the cyber insurance?

Tom Gray - Okay, why don't we do this motion, and I'll make a motion for cyber insurance.

Ed Rizzo - Okay, so I make a motion that we switched to NYMIR for our insurance for \$33,838.00 on April 5 of 2021.

Tom Gray - You have a second. Mike seconds it. Any discussion? Voice vote: Mike? (Yes.) Rick? (Yes.) Tom – (Yes.) Ed? (Yes.) Jim?

Jim Jeffers - Due to the fact that I just got all these numbers two days ago and haven't had opportunity to go through and compare the two quotes, I'll vote no.

Tom Gray - Okay. That's four to one. So, I'm going to make a motion because what I was told was that the cyber insurance will be no more. The coverage will be comparable to the Lloyds of London and there will be no more cost than the \$1,622.00. He said after we set up the insurance, he'd come back and rewrite it, sit here with the Board, and pick the stuff out. I was pretty sure Ed, that it wasn't cyber, it was that 8 million that was thrown around somewhere in the policy that, he thought we were County - would have 8 million, and it should be three or 5 million. But he said he based his quote based on what we had, and he said after, if we decide to go with them, he will come back and sit with us and rewrite the numbers. I make the motion that we have them shop for cyber insurance, comparable insurance not to pay more than \$1,622.00. Do I have a second? Discussion? Mike? (Yes.) Rick? (Yes.) Tom? Yes. Jim?

Jim Jeffers - Due to the fact that this isn't how we should be conducting business where we're voting to spend money on something we have no idea what we're spending it on. We don't have any kind of a contract. We don't have anything in writing. No.

Tom Gray – Ed? (Yes.) Okay. I will have all that information for you by next by Tuesday. I'll send out what he comes up with his quotes. I'll call him tomorrow. I'll let Andy know and thank him. Committee reports.

Jim Jeffers - New Business still, please.

Tom Gray - Okay.

Jim Jeffers - I'd like a report on the vaccine signup, cost and how we're sitting.

Tom Gray - Our signups are slow. But also, the vaccine. The county has only had three clinics so far. Kris was in the third one, they only gave four shots. We currently have 29 shots given. We probably have 60 people signed up. We give them a new list every...

Jim Jeffers - They probably have 60 people, or do we have 60 people? How many people do we have signed up?

Tom Gray - At this point? Probably 60. I don't have that list, we keep sending...

Jim Jeffers – Have we been billed?

Tom Gray - We haven't been billed for anything. We're only going to be billed for the ones that get the shot.

Jim Jeffers - So I'm just asking if we've been billed?

Tom Gray – No.

Jim Jeffers – We have been in a lot of discussion of what we're getting billed, how we're getting billed...I'm trying to just figure out if we've been billed, if we spent any money.

Tom Gray - We have not spent any money yet at this point. If it's based on the 29, we spent \$290 for it, so we're waiting.

Jim Jeffers – We haven't been billed and we haven't spent any money.

Tom Gray - I'm waiting - and I read the county website today, and the vaccine is coming in very slow to the county. So, what they're getting now - they're preparing to get the second shot. I don't know what the delay is. When I answer the phone in the morning, (because I'm here the first two hours), I sign people up, but I recommend that they look.

Jim Jeffers – When will we be getting bills? Are we getting monthly bills, are we getting...?

Tom Gray - I don't know. I can ask tomorrow.

Jim Jeffers - And enter the end of the discussion. How will we know where we stand? \$3,000 if we put a cap on?

Tom Gray - I will get an answer for that tomorrow or Monday. Depending on what the ladies in the office have and get that back to you. Okay, anything else? Committee reports – Kris?

Kris LaPointe - We've been cutting down some trees cleaned up after a windstorm. Setting up for Junk Days in the Spring and Fall.

Jim Jeffers - Kris, when all is said and done, what would you say the average cost for a big spring and fall cleanup?

Ed Rizzo - I'm having a real difficult time listening to Kris, so I really can't hear what he's saying. I heard you talking about the fall cleanup and how much it cost. But I can't make out what he said.

Jim Jeffers - He's asking what we feel as a board whether we want to run having a spring cleanup. So, we need to decide.

Ed Rizzo - I do. I would like to see that. I think it's a good thing we offer and if we don't, I think Kris can tell you, you're going to find a bunch of stuff on side roads if we don't.

Jim Jeffers - I'll make a motion that we run a Spring Clean-up Day on a weekend chosen by Kris, and we address whether we go have another one in the fall.

Tom Gray - I'll second that motion. discussion. All in favor? (All voted in favor). Ron?

Water and Sewer Superintendent Ron Schalck gave his report to the board.

Jim Jeffers - Thank you. I have something - correct me if I'm wrong, Kris, but I'd like to say thank you to you. I heard that the town of Sennett Highway Department came through during that electric power outage with some signs, yes, or no? For some signs and temporary stop signs and different roads. And so, the D.O.T. - I hear the State D.O.T. and the County highway department flat out refused them. Because I thought about that - because I went through that intersection after the power came on, and you want to talk about a cluster, when you have the power come back on, and then there's still stop signs...

Rich Andino - I don't know if the town should be doing that, state, or county?

Jim Jeffers - Well, my question is, can the town, provide the law department with the stop signs? And then it's the law department's responsibility that they put the signs out?

Rich Andino - You're talking about the sheriff.

Jim Jeffers - I'm talking about law enforcement. I mean, whoever's in charge, right? Because they're the ones that called. They don't want to stick around. Because that was my thoughts when, when I heard that we were doing that. Hey, great. I want our town to be able to do that. I don't want to worry about it. And it is a worry. But my go around in my head was well Kris dropped them off, the cops put them out for a while, it's the cop's responsibility.

Rich Andino - Now who calls you, the county sheriff? The town doesn't have jurisdiction over those roads.

Jim Jeffers - So pretty much in my view of the whole thing, we're providing the material, we're not doing the control.

Rich Andino - Have you called? Have you talked to the County highway department or the State D.O.T? I mean, like to come up with a plan for when this happens, like in the future? I feel like there should be some type of protocol in place. Again, like, without the town having jurisdiction over those roads, I don't...

Tom Gray - Okay. Do we have a motion to approve the abstracts with three or more signatures?

Jim Jeffers - So moved.

Tom Gray - Second, Mike?

Mike Adrian - Yes.

Tom Gray - Tom? (Yes.) Jim? (Yes.) Ed? (Yes.) Very good. Anything else? Do I have a motion to adjourn?

Jim Jeffers - I'll make that motion.

Tom Gray - Okay. All in favor? (All were in favor).

Minutes respectfully submitted by AnnMarie Clarke

061721