

Minutes of the Town of Sennett Town Board Meeting held on Thursday, November 18, 2021, at 7:00PM at the Sennett Town Office.

Members Present: Thomas Gray, Supervisor
James Jeffers, Councilman
Richard Gagliardi, Councilman
Michael Adrian, Councilman
Edward Rizzo, Councilman
Richard Andino, Esq.

The meeting is opened with the pledge to the flag.

The Public to be Heard is opened on a motion made by Councilman Jeffers, seconded by Councilman Rizzo, 5 ayes 0 nays, carried. Ed Magdziak questions what if anything the town will be doing regarding the selling of cannabis? Supervisor Gray tells him that it will be discussed later in the meeting. Councilman Jeffers moves to close the Public to be Heard, seconded by Councilman Adrian, 5 ayes, 0 nays, carried.

Old Business: WD#3 Easements: Attorney Andino responds that they recently had a conference call his office, LaBella, Paul Chatfield, Supervisor Gray and Kristopher LaPointe. Basically they talked about the status of the project, there are two outstanding easements to get signed and filed. All other easements are filed and finished. Later in the meeting the board will consider giving the okay for the engineer to authorize putting the project put to bid when the RDA gives their final approval. Building Maintenance update: Kris LaPointe reports that Tom Blair has someone that may have information on the project and cameras. Kris will get the information to him, and we will have more information at the December meeting. Park Grant; Supervisor Gray reports that he has contacted his person and it is still in committee. He has given him Tom Blair's name and contact information. The paperwork is all ready to go. County Nursing Home Easement; Rich Andino states that Kristopher LaPointe went out and remarked the water line. Now we are waiting for the County's surveyor to get everything surveyed and mapped. The board has already given their okay for the Supervisor to sign it when it is finished. Cannabis Opt-Out revisited. Supervisor Gray brings the public up to date on the status of this. It has been in the paper, there was some one that came and spoke on the subject earlier this year. He received one email on the subject. Tom Blair mentioned at a previous meeting that he felt the board should revisit the subject. Councilman Rizzo states that he has only received one email from someone that is against it. As it stands right now, we are opted in.

Tom Blair addresses the Board and advises that while getting acclimated during the election, he had heard from various residents that there is not a good

process for informing the public of the public hearing. He has been advised that a petition is in the process of being circulated. As this is a Town-wide issue, the process is needed to involve more Town residents by way of information sessions and well-advertised notice. There are many residents that do not understand what the Board is doing. There should be more studies on the impacts on the Town, i.e., social impact, public safety, possible locations. The matter should be revisited to obtain more information and the information can be given to the public so that they can be informed as well. For the additional information needed, you could speak with the local sheriff's department, and have a well-publicized meeting for the residents to attend.

Councilman Adrian states that the State has already passed legalization. We can only dictate where it can be sold and distributed in Sennett.

Supervisor Gray asks for comments and Ed Magdziak asks to speak. Mr. Magdziak advises the Board of certain portions of the law according to the State, i.e., how much money will the Town receive? Percentages of sales are discussed: User will pay 13% - 3% will go to Town - 1% to the County - 9% to the state. Mr. Magdziak handed out the State update to the Board members.

Supervisor Gray asked for additional thoughts on the subject. With no further comments, Supervisor Gray advises a motion will need to be made to revisit the opt-out, do the Resolution and hold a public hearing next month. Attorney Andino advises the Local Law for Opting Out must be enacted by December 31st and to proceed timely to reconsider and opt-out, will need to start the process today to introduce the Local Law and set the public hearing. Councilman Jeffers makes a motion to rescind the Opt-In vote from September, and Supervisor Gray advises a vote was not necessary to opt-in. There was no second and no further action was taken. Councilman Jeffers further advises that zoning laws should be put in place as well by the next administration, as to where it will be allowed, how it will be allowed, as well as rules and regulations for same. Attorney Andino advises that while the State permits where it can go, if the Town chooses not to opt-out and the State is handing out licenses for consumption and dispensaries, there is no zoning law in place as to regulate where the dispensaries will be permitted. A zoning committee could be formed to assist in the process.

Bob Edmunds speaks and asks the Board why would they not opt-out and do further research and zoning and time to prepare. If you can opt-in at any time, why is there a rush and get the zoning in place.

Further discussions were held with regard to lack of Town involvement and the need for further research and getting information out to the residents.

Councilman Gagliardi makes a motion to opt-out and further study the matter, and to get zoning laws in place, seconded by Councilman Rizzo.

Attorney Andino advises the Board needs to introduce the Local Law in order to proceed in opting out. He has provided the proposed Local Law to the Board.

Councilman Gagliardi makes motion to introduce Local Law B-2021 regarding Cannabis Law Opt-Out and set the Public Hearing for December 16, 2021, seconded by Councilman Rizzo. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes.

Water Maintenance Hiring Update – Water & Wastewater Superintendent LaPointe advises they are interviewing for the position, but due to Covid, a couple of applicants are unavailable and will proceed after they are released.

Streetlights – Supervisor Gray advises there is a proposal from NYSERDA and NYSEG to change all 131 streetlights to LED. It will cost the \$5,800 buyout of what is currently owed to NYSEG; they would then install LED for \$5,800 and they'll own the lights at that point and the payback is 4/10 of a year. There is a small monthly administrative fee, which is less than current fee on old lights. Hope the new Board will dissolve 2 special lighting districts and absorb into 1 town plan.

Councilman Adrian made a motion to accept plan from NYSERDA & NYSEG, seconded by Councilman Gagliardi. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes.

NEW BUSINESS:

Attorney Andino – Resolution for water project authorizing MRB Group to go out bid for WD 1 and 3 project, conditioned on final authorization to go to Rural Development and Health Department approval on design. Motion made by Councilman Adrian, seconded by Councilman Jeffers to approve. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes.

Supervisor Gray advises that the Deputy Clerk has resigned. There are currently 2 registrars, Tom Gray, as Deputy and Pennie Dennis. In January, we have a new clerk coming in. She will do on-site training starting mid-December. He advises that a Deputy Registrar is needed to submit papers to the State and sign documents in the event Tom and Pennie are unavailable. Councilman Jeffers makes a motion to appoint Kate Salisbury as Deputy Registrar, seconded by Councilman Rizzo. Roll Call Vote - Councilman Adrian – Yes, Councilman

Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes.

Stimulus Money - Supervisor Gray advises the stimulus monies should be spent by the end of 2024. A second round of funds will be sent next year. He would like to request a designation to the water category and designate \$20,000 to the Sennett Fire Department for new quick-release hydrant heads. Motion made by Councilman Adrian, seconded by Councilman Gagliardi. Money is already in the fund. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes. Kris will let the Fire Department know of the funds and they can purchase the heads at \$240/head.

Second proposal is to designate money to the park. Supervisor Gray would like to be on the park committee. He would like to designate \$75,000 to the park fund for further improvements, renovations and additions such as pickleball, playground bathrooms and maintenance. Motion made by Supervisor Gray, seconded by Councilman Rizzo. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – No, Councilman Rizzo – Yes, Supervisor Gray – Yes.

Department Reports: Highway Superintendent LaPointe advises he provided the Board with his report. They are still picking up leaves; there is 300 tons of salt, and the barn is full; Mutton Hill Bridge was inspected by the State, and trucks are in good shape.

Water & Wastewater Superintendent LaPointe advises he provided the Board with his report. With regard to the Retirement Home in Quincy Hill, he is pricing out a back-up grinding pump and the cost is approximately \$6,450. He sent the estimate to the Contractor to see if the Developer will pay – he is waiting for a response. Motion by Councilman Jeffers to buy the pump, seconded by Supervisor Gray. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes.

Abstract: Motion by Supervisor Gray to approve all vouchers (with three signatures), seconded by Councilman Jeffers. Roll Call Vote - Councilman Adrian – Yes, Councilman Gagliardi – Yes, Councilman Jeffers – Yes, Councilman Rizzo – Yes, Supervisor Gray – Yes.

Motion by Supervisor Gray to open Public to be Heard, seconded by Councilor Jeffers.

Mike Wellauer asks to speak – He thanks the board for revisiting the Opt-Out, as a law enforcement officer he believes a balance of law and order and public safety is necessary and the Board should take the time to look at the zoning and *make a safe place for our residents.*

Highway Superintendent LaPointe speaks with regard to informing the public and how to get the information out there. We need to figure out how to get the word out and get the residents informed. Most times, if it doesn't affect them, they won't show up. When they do find out, it'll be after the fact that they show up or say anything, we just need to figure out how to get the word out.

The public hearing will be December 16, 2021.

Motion to adjourn by Supervisor Gray, seconded by Councilman Jeffers.

Respectfully submitted,
Penelope Dennis, Town Clerk
Town of Sennett