

Minutes of the Town of Sennett Town Board Meeting Held on Thursday, October 17, 2024, at 6:30 PM at the Sennett Town Office Building.

Members Present: Thomas Blair, Supervisor
James Vivenzio, Councilman
Michael Wellauer, Councilman
Edward Rizzo, Councilman
Kristopher LaPointe, Councilman

Also Present: Kris LaPointe, Water & Sewer Superintendent
Harold Gilfus, Code Enforcement Officer
Kathleen Salisbury, Town Clerk

Residents: Bill Feocco, Judy Peltz, Adrienne Peltz, Joe Rossi, William Short,
Robert Pennell

Others: Vince Ryan (Keplinger Freeman), Brian Manthey
Kevin Monaghan, Gary and Anita Duckett, Sue and Jim Brown

Remotely: Emilio Moran (MRB)
Tom Gray

CALL TO ORDER - The meeting is called to Order at 6:31 p.m. by Supervisor Blair.

PLEDGE OF ALLEGIANCE - The meeting is opened with the pledge to the flag, followed by a prayer by Supervisor Blair.

ROLL CALL - Town Clerk Salisbury opens the meeting with a Roll Call, Councilman Vivenzio, Councilman Wellauer, Councilman Rizzo, Councilman LaPointe and Supervisor Blair are present.

APPROVAL OF MEETING MINUTES - Meeting Minutes for September 19, 2024 are reviewed by the Board. A motion to approve the minutes is made by Councilman Wellauer and seconded by Councilman Vivenzio. 5 ayes 0 absent 0 nays. Carried.

PUBLIC HEARING - Local Law D-2024 - A Local Law Extending for an Additional Period of Twelve (12) Months the Moratorium on the Filing, Acceptance, Review and Approval of Subdivisions Greater than Three (3) Lots within the Town of Sennett.

Motion to open the public hearing by Councilman LaPointe, seconded by Councilman Rizzo regarding Local Law D-2024 - A Local Law Extending for an Additional Period of Twelve (12) Months the Moratorium on the Filing, Acceptance, Review and Approval of Subdivisions Greater than Three (3) Lots within the Town of Sennett, at 6:33 p.m. All in favor. 5 Ayes 0 absent 0 Nays. Carried.

There were no comments from the public.

Motion to close the public hearing by Councilman LaPointe, seconded by Councilman Wellauer at 6:34 p.m. All in favor. 5 Ayes 0 absent 0 Nays. Carried.

The Enactment Resolution for Law D-2024 - A Local Law Extending for an Additional Period of Twelve (12) Months the Moratorium on the Filing, Acceptance, Review and Approval of Subdivisions Greater than Three (3) Lots within the Town of Sennett, is in the Board's packet.

After discussion, Councilman LaPointe makes a motion to accept the enactment Resolution of Local Law D-2024, A Local Law Extending for an Additional Period of Twelve (12) Months the Moratorium on the Filing, Acceptance, Review and Approval of Subdivisions Greater than Three (3) Lots within the Town of Sennett, seconded by Councilman Vivenzio. No further discussion. All in favor. 5 ayes 0 nays 0 absent. Motion Carried.

Local Law 3-2024 Enactment Resolution is included at the end of the minutes

SCHEDULED SPEAKERS

1. MRB - Engineering items - (PER for possible water district; GIS mapping; infrastructure studies). The report from MRB was in the Board's packet. Emilio went over the report. After discussion, Supervisor Blair advises the public information meeting regarding possible Water District No. 8 will be scheduled for 5:30 pm on November 21st.

PUBLIC BE HEARD - Motion is made by Councilman LaPointe to open the Public Be Heard Period, seconded by Councilman Wellauer at 6:49 pm. All in favor. 5 ayes 0 absent 0 nays, carried.

Joe Rossi - voiced concerns regarding Sennett Meadows and read a statement. Mr. Rossi's statement is included at the end of the minutes.

Gary Duckett of Owasco raised concerns regarding Owasco's solar farm application and the SEQR process.

Kevin Monaghan - advised Owasco SEQR was completed in July.

Judith Peltz - raised concerns regarding Owasco's solar farm application and the SEQR process.

Adrien Peltz - asked about the location of a possible new water district. Supervisor Blair advised it is in the study stages.

With no further public comments, a motion to close is made by Councilman Rizzo and seconded by Councilman Vivenzio at 7:12 pm. All in favor. 5 ayes 0 absent 0 nays, carried.

DEPARTMENT REPORTS

- a. **Attorney** - None.
- b. **Bookkeeper** - Supervisor Blair advises Bookkeeper Major has been working with the auditors on the water project audit. Online payroll system - The employees were working punching in and out. Training will be held in the near future. Supervisor Blair makes a motion to hold the budget public hearing on Thursday, November 7, 2024 at 6:00 p.m. All in favor.
- c. **Planning Board** - Councilman Rizzo advised, on behalf of Chairman Edmunds, that there was no October meeting. Pizza Hut's application is still incomplete at this time.
- d. **Codes/Fire Marshal** - Code Enforcement Officer Gilfus advised his report was in the Board's packet. Issued 7 permits, 58 year to date through end of September. 7 inquiries, 1 Certificate of Occupancy, 3 Certificates of Compliance, 4 final inspections. He has been following up on previously issued permits. Has done 27 site visit inspections, 3 fire/safety inspection. The storage unit is now open.
- e. **Zoning Enforcement Officer** - Councilman Wellauer read the report from Zoning Officer Vevone who has been working on subdivision requests, multiple calls from real estate agents.

- f. **Assessor** – Councilman LaPointe read the report of Assessor Lowe who advised that Mr. Lowe has been responding to questions and concerns regarding school tax bills, mailing property exemption forms and entering building permits into RPS system.
- g. **Fire Dept.** – Supervisor Blair read the report of the Fire Department. The Department responded to 45 alarms in September and 486 this year.
- h. **Highway Dept.** – Councilman LaPointe read the report that was in the Board’s packet. The department has been doing brush pick up, helping other towns, cleaning up park, mowing. Dumpster days were held September 28th and 29th.
- i. **Water Dept.** – Water Superintendent LaPointe advised his report was in the Board’s packet. Roughly 250 meter heads remain to be changed out. Submitted report on lead service line inventory. Issue with Pine Ridge tank has been fixed.
- j. **Town Clerk** – Town Clerk Salisbury advised the September 2024 monthly report was in the Board’s meeting packet for their review. Fees received of \$4,425.50 for 13 dog licenses, 8 building permits, 2 death certificates, 1 marriage license, and 15 decals, with the amounts disbursed to the Supervisor in the amount of \$3,394.36, \$13.00 to the NYS Animal Population Control Program, \$973.14 for decals and \$45 to the NYS Dept of Health.
- k. **Dog Control Officer** – Councilman Vivenzio advised there was no activity for September. Discussion was held regarding possible Intermunicipal Agreement with County and Owasco.
- l. **Committees**
 - *Parks & Rec* – Councilman Rizzo reported Park Committee continues to work on fencing, bathrooms. Brian Manthey and Vince Ryan gave an overview of the restrooms.
 - *Veteran Affairs* – None
 - *Sennett Seniors* – The luncheons continue to be a success.
 - *Historians* – Jim Vivenzio advised he met with County historian.

OLD BUSINESS

- Town Records Project grant award and status – waiting final approval
- Handbook updates (underway)
- Ambulance Services – (quotes for district creation). Supervisor Blair advises he has two quotes from attorneys to form an ambulance district for the Town.

After discussion, a motion is made by Councilman Wellauer, seconded by Councilman Rizzo to authorize Supervisor to enter into contract with Costello, Cooney & Fearon, PLLC to do legal work analysis in an amount not to exceed \$5,000.

With no further discussion, a roll call vote is taken:

Roll call vote:

Councilman Vivenzio	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman LaPointe	Yes
Supervisor Blair	Yes

Motion carried. 5 ayes 0 nays 0 absent

- Galehead solar developers (dormant)
- E-Code 360 codification project status – waiting for Locals Laws prior to 1998 from the State to be sure we have all of the laws on file with the State.
- Water & Sewer Rate studies – continuing evaluation – Kris is working with MRB
- Town Hall capital needs – sidewalks, etc. – continue to review and update

- Town branding & marketing project (Jim Vivenzio) - in process
- Vehicle and Traffic Safety Signs status & results - Where should the new permanent sign be located?
- Possible updates to Subdivision Law re: water/wells - Shaun at MRB will assist with this.
- Civil Service updates (Michael Wellauer) - continuing to update
- AED purchases/replacements (Michael Wellauer) - Councilman Wellauer continues to work on this to register with Regional EMS for public access site
- Employee positions to fill - Water Operator
- OWLA funding request - previously voted on for \$2,500

NEW BUSINESS

- Harriet Tubman resolution - on hold - Jim will follow up on this.
- LNB credit card - need to add authorized names and titles

Lyons National Bank - Need to add names for authorized users to LNB credit card.

After discussion, a motion is made by Councilman LaPointe, seconded by Councilman Wellauer to authorize Supervisor Thomas Blair and Town Clerk Kathleen Salisbury to be authorized users of the new credit card account with Lyons National Bank with a credit limit in the amount of \$10,000 for ordering supplies, park restroom charges, seminars, etc.

With no further discussion, a roll call vote is taken:

Roll call vote:

Councilman Vivenzio	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman LaPointe	Yes
Supervisor Blair	Yes

Motion carried. 5 ayes 0 nays 0 absent

- Water and Sewer pay by ACH / Credit card agreement (by district)

Williamson Law Book - A quote has been received from Williamson for credit card/ACH acceptance for water and sewer payments for an initial set up charge of \$695, \$550 for annual support.

After discussion, a motion is made by Councilman Wellauer, seconded by Councilman LaPointe to authorize Supervisor to enter into contract with Williamson for the acceptance of credit card/ACH payments for water and sewer.

With no further discussion, a roll call vote is taken:

Roll call vote:

Councilman Vivenzio	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman LaPointe	Yes
Supervisor Blair	Yes

Motion carried. 5 ayes 0 nays 0 absent

SUPERVISOR CORRESPONDENCE/REPORT - NONE

EXECUTIVE SESSION

Motion by Councilman Vivenzio, seconded by Councilman LaPointe to enter into Executive Session for personnel matters at 8:25 p.m.

Motion by Councilman Wellauer, seconded by Councilman Vivenzio to return from Executive Session at 9:13 p.m.

No action was taken in Executive Session.

Further Business

Budget - A motion is made by Councilman Wellauer, seconded by Councilman LaPointe that the 2025 budget reflects a 4% cost of living increase for all employees, except for employees under the Union Contract.

With no further discussion, a roll call vote is taken:

Roll call vote:

Councilman Vivenzio	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman LaPointe	Yes
Supervisor Blair	Yes

Motion carried. 5 ayes 0 nays 0 absent

PAYMENT OF MONTHLY BILLS - Vouchers - Motion by Councilman Rizzo, seconded by Councilman LaPointe to pay the vouchers with three or more signatures. With no further discussion, a roll call vote is taken:

Roll call vote:

Councilman Vivenzio	Yes
Councilman Wellauer	Yes
Councilman Rizzo	Yes
Councilman LaPointe	Yes
Supervisor Blair	Absent

Motion carried. 5 ayes 0 absent 0 nays

MOTION TO ADJOURN MEETING - Motion to adjourn was made by Councilman Wellauer, seconded by Councilman Vivenzio. All in favor. 9:17 p.m.

Next regular meeting: November 21, 2024

Respectfully submitted,

Kathleen Salisbury, Town Clerk
Town of Sennett

**TOWN OF SENNETT
TOWN BOARD RESOLUTION**

October 17, 2024

TOWN OF SENNETT LOCAL LAW NO. D-2024

(“A Local Law Extending for an Additional Period of Twelve (12) Months the Moratorium on the Filing, Acceptance, Review and Approval of Subdivisions Greater than Three (3) Lots within the Town of Sennett”)

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law No. D-2024, titled “A Local Law Extending for an Additional Period of Twelve (12) Months the Moratorium on the Filing, Acceptance, Review and Approval of Subdivisions Greater than Three (3) Lots within the Town of Sennett,” was presented and introduced at a special meeting of the Town Board of the Town of Sennett held on September 19, 2024; and

WHEREAS, a public hearing was held on such proposed local law on October 17, 2024, 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, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, on September 19, 2024 the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. D-2024 is a Type II action and

therefore will have no significant effect on the environment, thus concluding environmental review under State Environmental Quality Review Act; and

WHEREAS, the Town of Sennett Town Board has now determined that it is in the public interest to enact said Proposed Local Law No. D-2024.

NOW, THEREFORE, it is

RESOLVED that the Town Board of the Town of Sennett, Cayuga County, New York, does hereby enact Proposed Local Law No. D-2024 as Local Law No. 3-2024 as follows:

**“TOWN OF SENNETT
LOCAL LAW NO. 3 OF 2024**

A LOCAL LAW EXTENDING FOR AN ADDITIONAL PERIOD OF TWELVE (12) MONTHS THE MORATORIUM ON THE FILING, ACCEPTANCE, REVIEW AND APPROVAL OF SUBDIVISIONS OF GREATER THAN THREE (3) LOTS WITHIN THE TOWN OF SENNETT

Be it enacted by the Town Board of the Town of Sennett as follows:

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. INTENT.

It is the intent of the Town Board of the Town of Sennett to extend for an additional period of twelve (12) months the moratorium on the filing, acceptance, review, and approval of subdivisions greater than three (3) lots within the Town of Sennett.

SECTION 3. LEGISLATIVE PURPOSE.

The purpose of this Local Law is to implement a moratorium on subdivisions of greater than three (3) lots, for a period of up to twelve (12) months, while the Town of Sennett considers zoning changes, the enactment of zoning measures, and amendments to the Town’s subdivision regulations to specifically address the impacts of subdivisions on natural resources in the Town and in particular impacts that subdivision have on wells, aquifers and groundwater supplies generally.

The Town desires to consider any recommended land use regulations that guide future residential and commercial land use developments in order to ensure that all projects are allowed, sited, and reviewed in congruence with the Town’s vision of the community, and to ensure that impacts are managed by appropriate land use regulations and resource protection laws and requirements. These may include measures that guide development within the boundaries of the Town in order to promote the goals and aspirations of the community.

In particular, the Town Board recognizes and acknowledges that the Town needs to study and analyze the impact of subdivisions on ground water supply and well water systems. The Town will review the development of regulations that will address, in a careful manner, the impact of subdivisions on the Town's well water supply in order to adopt land use and subdivision regulations for provisions to specifically regulate the same.

The Town Board recognizes it is appropriate to provide a mechanism for property owners or sponsors of proposed development to seek relief from the provisions of this moratorium upon showing of hardship, and a variance procedure has been provided in this local law for that purpose.

SECTION 4. MORATORIUM EXTENSION.

A. The Town Board hereby enacts a moratorium extension which shall prohibit the filing, acceptance, review, and approval of subdivisions and subdivision applications of greater than three (3) lots anywhere within the Town of Sennett. This Local Law acts as an extension to the moratorium adopted by the Town of Sennett Town Board on November 16, 2023 (Local Law No. 5-2023).

B. This moratorium extension shall be in effect for a period of twelve (12) months from the expiration of the moratorium set forth in Local Law No. 5-2023 and shall expire on the earlier of (i) the date twelve (12) months from said effective date of this Local Law, unless renewed; or (ii) the enactment by the Town Board of a resolution indicating that the Town Board is satisfied that the need for the moratorium no longer exists.

C. This moratorium extension shall apply to all zoning districts and all real property within the Town of Sennett.

D. Subdivisions which have previously been approved and/or are located on Town-owned property are hereby expressly excluded from this moratorium extension and may be operated in accordance with the approved plans. Further modification, enlargement and/or alteration of previously approved subdivisions are prohibited while the moratorium extension is in effect.

SECTION 5. RELIEF FROM PROVISIONS OF THIS LOCAL LAW.

A. The Town Board may waive the provisions of this moratorium upon the application of an owner of property upon which the proposed subdivision or site plan would have been permitted in the absence of this moratorium, provided that the applicant can demonstrate, and the Town Board can find, based upon competent evidence, that (1) the application of the moratorium to the applicant's property will cause the applicant substantial economic hardship; (2) the proposed use of the property will not harm the public health, safety and welfare, and (3) the proposed use of the property is consistent with the Comprehensive Plan of the Town of Sennett and compatible with the surrounding land uses.

B. The Town Board reserves for itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

C. Application for relief shall be filed in triplicate with the Town Code Enforcement Officer, together with a filing fee of \$250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorneys' fees, incurred by the Town shall be reimbursed to the Town by the Applicant. The Town Board shall apply Use Variance criteria, as set forth in New York State Town Law §267-b(2), in reviewing any application for relief.

D. The Town Board may refer any applications for relief herein to the Town Planning Board for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Town Board after determining whether or not the requested relief is compatible with any contemplated amendments to the Town Zoning Law. Unless completely satisfied that the proposed relief is compatible, the Town Board shall deny the application.

E. The Town Board shall conduct a public hearing on any request for relief within forty-five (45) days of receipt by the Town's Code Enforcement Officer and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 6. PENALTIES.

Any person, firm or corporation that shall establish, place, construct, enlarge and/or erect any battery energy storage systems in violation of the provisions of this Local Law, or shall otherwise violate any of the provisions of this Local Law, shall be subject to:

A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any constructions, improvements or related items or by-products which may have taken place in violation of this Local Law.

SECTION 7. ENFORCEMENT.

This Local Law shall be enforced by the Code Enforcement Office of the Town of Sennett or such other zoning enforcement individual(s) as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this Local Law.

SECTION 8. VALIDITY AND SEVERABILITY.

If any clause, sentence, paragraph, subdivision or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder thereof but shall be limited in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the proceeding in which such judgment is rendered.

SECTION 9. EFFECTIVE DATE.

This Local Law shall take effect immediately upon expiration of the previous moratorium enacted by Local Law No. 5 of 2023.”

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

Thomas Blair	Supervisor	Voted	Yes
Kristopher LaPointe	Councilor	Voted	Yes
James Vivenzio	Councilor	Voted	Yes
Michael Wellauer	Councilor	Voted	Yes
Edward Rizzo	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: October 17, 2024

CERTIFICATE

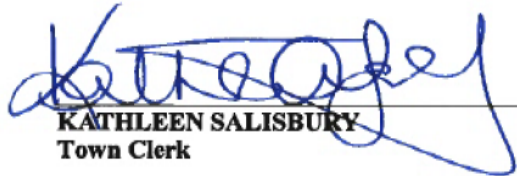
STATE OF NEW YORK)
COUNTY OF CAYUGA)

I, the undersigned Town Clerk of the Town of Sennett, Cayuga County, New York, **DO
HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sennett, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on October 17, 2024.


KATHLEEN SALISBURY
Town Clerk



I'd like to take a few minutes to address the Sennett Meadows Low Income Housing project.

The project was introduced at the Jan 21st 2021 town board meeting. At that time a representative of Cornerstone Group briefly explained the needs of the area pertaining to senior citizen housing and also what we could expect in the form of revenue streams for the town taxpayers. We were told 2 points. One: This is not a tax free project and we should expect around \$80,000 per year to flow into the town, school district and county. That \$80,000 in taxes matches up closely with a \$2.1 million assessment, an amount that was discussed by residents and board members as what we should expect and backed up by recorded board minutes. Records show that the project never met the \$2.1 million assessment and at the highest level it reached \$1,585,000. It also never met the \$80,000 in tax revenue as proposed by Cornerstone. Now this year the assessment was reduced by over a million dollars and it's now \$534,704. The Auburn School District taxes have already been reduced by over \$34,000 down to \$10,900. Using this year's tax rates on the county tax bill, it appears that those taxes will drop by almost \$16,000. Together that's almost a tax bill of \$40,000 less that taxpayers will have to cover from last year to this year. A *Total* combined tax bill of approximately \$19,000 is a far cry from

the \$80,000 that Cornerstone presented the public before the project was approved.

In addition to the tax revenue flow. The representative also told us and I quote “ as part of the financial contributions from the project, each and every property owner in this town sewer district will see their sewer bills decreased and potentially, significantly”. At the time that this was stated our Sennett Sewer O/M line on our tax bill was \$927, this year in 2024 it was \$1002, an increase of \$75, not a significant decrease as Cornerstone proposed.

It's also come to my attention that for some unknow reason to me, the number of units being charged on the Sewer O/M was not representative of the number of apartments in the building but instead show only 28 units not the actual 60 units.

Something is wrong and I hate to say it but it almost sounds like a Bait and Switch. We're told one thing in order to get the project approved only to get something different after it's been built.

One solution, to my understanding, is available in order to make taxpayers somewhat whole. Increase the number of units being charged on the Sewer O/M from a ridiculous 28 to the actual 60 thereby bringing in an additional \$32,000 in revenue.

Joe Rossi
3253 Barrington Way
315-252-6393