

Minutes of the Town of Sennett Town Board Meeting Held on Thursday, May 16, 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: Bill Perkins, Acting Highway Superintendent  
Kristopher LaPointe, Water & Sewer Superintendent  
Cheri Major, Bookkeeper  
Harold Gilfus, Code Enforcement Officer  
Kathleen Salisbury, Town Clerk

Residents: Edward Magdziak and Bill Feocco

Remotely: Richard J. Andino, Esq.  
Vincent Ryan, Keplinger Freeman  
Greg Hotaling, MRB

**CALL TO ORDER** - The meeting is called to Order at 6:30 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 April 18, 2024 are reviewed by the Board. A motion to approve the minutes as amended is made by Councilman LaPointe and seconded by Councilman Vivenzio. 5 ayes 0 absent 0 nays. Carried.

### **PUBLIC HEARING**

**1 - Local Law C-2024 - "A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Sennett"**

Motion to open the public hearing by Councilman LaPointe, seconded by Councilman Rizzo regarding Local Law C-2024 - "A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Sennett," subject to mandatory referendum at 6:35 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 Rizzo at 6:36 p.m. All in favor. 5 Ayes 0 absent 0 Nays. Carried.

**SCHEDULED SPEAKERS**

1. Vince Ryan, Keplinger Freeman - Town Park - Mr. Rizzo advised that at the last Park Committee meeting met and went over the schematics. The committee chose schematic #2. Mr. Ryan, on behalf of the Parks Committee, went over the schematics for the bathrooms, playground buildout schedule, dog park and septic field.

Playground installation will be June 14-15, volunteers needed, 15 on the 14<sup>th</sup> and 10 on the 15<sup>th</sup>.

2. Greg Hotaling, MRB - Mr. Hotaling went over the monthly status report. Water testing has been done in the hospitality district.

Mr. Hotaling went over the PER subdivision regulations that require updates; major and minor infrastructure.

After discussion, a motion is made by Councilman Wellauer, seconded by Councilman Rizzo to authorize the Supervisor to sign the MRB PER Subdivision Proposal for professional services related to Town Code updates on subdivision regulations with the amendment that SEQR and Adoption Support will be removed relative to the Town Board, in an amount not to exceed \$15,275.00, with the adjustment after removal of cost for SEQR and Adoption Support section.

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

**PUBLIC BE HEARD** - Motion is made by Councilman Rizzo to open the Public Be Heard Period, seconded by Councilman Wellauer. 7:16 pm. All in favor. 5 ayes 0 nays 0 absent, carried.

Harold Gilfus advises the training from Stacy Marris at CCF was beneficial and asks if a future training could be held.

With no further public comments, a motion to close Public Be Heard is made by Councilman Rizzo and seconded by Councilman LaPointe. 7:20 pm. All in favor. 5 ayes 0 nays 0 absent, carried.

## DEPARTMENT REPORTS

- a. **Attorney** - Attorney Andino advises on the enactment of local law. The Enactment Resolution for Local Law C-2024, "A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Sennett" and submitting it to mandatory referendum, is in the Board's packet.

With all procedural requirements completed, a motion is made by Councilman Rizzo, seconded by Councilman LaPointe, to enact Local Law C-2024, "A Local Law Changing the Office of Highway Superintendent from Elective to Appointive in the Town of Sennett", as presented by Attorney Andino. This will be on the November 2024 ballot.

All in favor. 5 ayes 0 nays 0 absent. Carried.

*Local Law C-2024 Enactment Resolution is included at the end of the minutes.*

- b. **Bookkeeper** - Bookkeeper Major advised she attended Finance School in Geneva and will be splitting the cost with Cato. She and Councilman Wellauer continue to work on civil service positions. She further advised she will be meeting with HROne payroll in the next month. AUD for 2020 has been accepted by NYS and MaryBeth can now start 2021 AUD. The auditors will be coming in July. The money discussed last month was transferred to NYClass. Line items for the park will need to be added for 2025 budget.
- c. **Planning Board** - Councilman Rizzo advised, on behalf of Chairman Edmunds, that at the PB May meeting, they continue to work on the Honda Relocation at 346 Grant Avenue Road, GML 239 was approved by Cayuga County, MRB completed the engineering report and the PB approved the site plan with minor conditions. The PB had a round table discussion on the subdivision moratorium. Supervisor Blair advised that Cayuga County Planning Dept. has reached out to the Town regarding abandoned properties. A list will be comprised.
- d. **Codes/Fire Marshal** - Code Enforcement Officer Gilfus advised his April report was in the Board's packet. Issued 6 permits, 11 year to date. 10 inquiries. 1 Certificate of Occupancy, 4 Certificates of Compliance, 3 violations corrected, 32 site visits. He has been following up on previously issued permits.
- e. **Zoning Enforcement Officer** - There was no report from Zoning Officer Vevone.
- f. **Assessor** - Councilman LaPointe read the report of Assessor Lowe who has been working on finalizing exemptions, valuing properties with active building permits, valuing split or merged parcels, enter building permits into RPS software. The tentative roll was filed with Cayuga County Real Property. The BAR Grievance night is June 4<sup>th</sup> 4pm-8pm. The 2024 equalization rate is 70%. There is one opening for a BAR member.
- g. **Fire Dept.** - Supervisor Blair read the report of the fire department who has responded to 40 alarms in April, a total of 227 year to date. In addition, Supervisor Blair advises he and Councilman LaPointe continue to negotiate regarding ambulance services.
- h. **Highway Dept.** - Acting Highway Superintendent Bill Perkins advised his report was in the Board's packet. Mr. Perkins advised there was more brush for pickup in May than in April. Town Hall Road will be paved shortly.

Additional roads will be paved near the end of June/early July. They have helped Niles with paving and will be helping Skaneateles with stone. Roadsides are being mowed. He is still obtaining quotes for mowing cemetery. With the trailer, they will continue to mow for the remainder of the year. Watson Landscapes are scheduled for early June for the Veterans Park. Dumpster Days - all dumpsters were full and it was extremely busy.

- i. **Water Dept.** - Water Superintendent Kristopher A. LaPointe's report was in the Board's meeting packet for their review. He assisted with dump days. He will be attending the annual water conference this month. Attended Copper and Lead seminar. 15-17 water samples have been collected by MRB. Annual Water Quality Report has been approved by Cayuga County Department of Health. They continue to install the new meters.
- j. **Town Clerk** - Town Clerk Salisbury advised the April 2024 monthly report was in the Board's meeting packet for their review. Fees received of \$1,079.00 for 4 dog licenses, 24 death certificate copies, 3 decals, 7 building permits, with the amounts disbursed to the Supervisor in the amount of \$1,013.59, \$61.41 to decals and \$4.00 to the NYS Animal Population Control Program. Water payments are being collected.
- k. **Dog Control Officer** - There was no report from the dog control officer.

**l. Committees**

- *Parks & Rec* - Councilman Rizzo advised the Park Committee will install new equipment June 14 and 15, rain or shine.
- *Veteran Affairs* - Mr. Madgziak advised the next meeting will be May 18<sup>th</sup>.
- *Seniors* - Meetings are going well.
- *Historian* - The Historians have been busy filing genealogy, sorting through all the old maps and Jim has been working on cleaning and repainting of the historic markers.

**OLD BUSINESS**

- **Town Records Project update** - submitted to the State, response due sometime in June or July.
- **MUNICON** - Supervisor Blair is working on this, as well as the CON application.
- **E-Code 360 codification project status** - meeting to be scheduled at a later date to move forward.
- **Water & Sewer Rate studies** - tabled
- **Town Hall capital needs** - Stanley Steemer cleaned the ducts and vents.
- **Town branding & marketing project** (Jim Vivenzio) - in process
- **Town Employee Handbook** - the handbook was adopted, Supervisor Blair will be handing out to employees.
- **Vehicle and Traffic Safety Signs status & results** - discussed earlier - All four traffic signs are out and running.
- **Possible updates to Subdivision Law re: water/wells** - discussed earlier
- **Civil Service updates** (Michael Wellauer) - working on
- **AED purchases/replacements** (Michael Wellauer) - The unit has arrived, he is working with the fire department for set up.

**NEW BUSINESS**

- Employee Retirement - Court Clerk Deb French has submitted her retirement letter to be effective August 3, 2024. A replacement Court Clerk will be needed. Congrats to Debbie!

**SUPERVISOR CORRESPONDENCE/REPORT**

- Swim Program - The YMCA sent over a proposal for the summer swim program.

After discussion, a motion is made by Councilman Wellauer, seconded by Councilman Vivenzio to authorize the Supervisor to sign the YMCA 2024 Summer Swim Program Proposal in an amount not to exceed \$1,600.00.

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
- School Budget received from Weedsport with tax rates.

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

Motion carried. 5 ayes 0 nays 0 absent

**MOTION TO ADJOURN MEETING** - Motion to adjourn was made by Councilman Vivenzio, seconded by Councilman Wellauer. All in favor. 8:38 p.m.

**Next Meeting June 20, 2024**

Respectfully submitted,

*Kathleen Salisbury*, Town Clerk  
Town of Sennett

**RESOLUTION #007 - 5-16-2024: ENACTMENT RESOLUTION LL C-2024**

**TOWN OF SENNETT  
TOWN BOARD RESOLUTION**

**May 16, 2024**

**LOCAL LAW NO. C-2024**  
("A Local Law Changing the Office of Highway Superintendent  
from Elective to Appointive in the Town of Sennett")

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Proposed Local Law No. C of 2024, "A Local Law Changing the Office of Highway Superintendent From Elective to Appointive in the Town of Sennett," was presented and introduced at a regular meeting of the Town Board of the Town of Sennett held on April 18, 2024; and

**WHEREAS**, a public hearing was held on such proposed local law on this 16th day of May 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 of the State of New York; and

**WHEREAS**, the enactment of Proposed Local Law No. C of 2024 has previously been determined to be an unlisted action. A negative declaration pursuant to SEQR was issued by this Board, acting as lead agency, at its April 18, 2024 meeting thus concluding the SEQR review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. C of 2024, subject to a mandatory referendum.

**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. C of 2024 as Local Law No. \_\_\_ of 2024 as follows:

**“TOWN OF SENNETT  
LOCAL LAW NO. \_\_\_ OF 2024**

**A LOCAL LAW CHANGING THE OFFICE OF HIGHWAY SUPERINTENDENT  
FROM ELECTIVE TO APPOINTIVE IN THE TOWN OF SENNETT**

**BE IT ENACTED** by the Town Board of the Town of Sennett, effective January 1, 2025, as follows:

**SECTION 1. LEGISLATIVE PURPOSE.**

The Town Highway Superintendent for the Town of Sennett is now and always has been elective. The Town Board of the Town of Sennett has been presented with a question as to whether it would be desirable to change the office of Highway Superintendent in the Town of Sennett from an elective position to an appointive position. The purpose of this Local Law is to effect such change. Said change would be subject to a mandatory referendum. Therefore, an additional purpose of this Local Law is to place on the November 5, 2024 general election ballot, a referendum item which allows the electors of the Town of Sennett to decide if they wish to have an appointed, rather than an elected, Highway Superintendent, who would serve at the pleasure of the Town Board.

**SECTION 2. AUTHORITY.**

Pursuant to Municipal Home Rule Law §10(1)(ii)(a)(1), the Town is permitted to adopt local laws relating to the mode of selection and term of office of its officers and employees.

**SECTION 3. ELECTED HIGHWAY SUPERINTENDENT POSITION ABOLISHED.**

Effective January 1, 2025, the elected office of Highway Superintendent in the Town of Sennett is hereby abolished.

**SECTION 4. APPOINTED HIGHWAY SUPERINTENDENT POSITION CREATED.**

Effective January 1, 2025, the Highway Superintendent in the Town of Sennett shall be appointed by the Town Board.

**SECTION 5. TERM OF OFFICE.**

The appointed Highway Superintendent in the Town of Sennett shall serve at the pleasure of the Town Board.

**SECTION 6. SUPERSESSION.**

Pursuant to Sections 10(1)(ii)(a)(1) and 10(1)(ii)(d)(3) of Municipal Home Rule Law, this Local Law shall supersede Town Law §20(1)(b) with respect to the mode of selection of the

Highway Superintendent in the Town of Sennett and shall also supersede Town Law §24 with respect to the Term of Office of the Highway Superintendent in the Town of Sennett.

**SECTION 7. MANDATORY REFERENDUM.**

Pursuant to Municipal Home Rule Law §23(2)(c), this Local Law shall be submitted for approval to the electors of the Town of Sennett at the next general town election to be held on November 5, 2024. The language of the proposition shall read as follows:

***“CHANGING THE OFFICE OF HIGHWAY  
SUPERINTENDENT FROM ELECTIVE TO APPOINTIVE  
WITHIN THE TOWN OF SENNETT***

*Shall the Town of Sennett Local Law which changes the Office of  
Highway Superintendent from elective to appointive in the Town of  
Sennett be approved?”*

**SECTION 8. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the Department of State after approval by a majority of the electors voting thereon in accordance with the requirements of Section 27 of the Municipal Home Rule Law.”

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

<b>Thomas Blair</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>James Vivenzio</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kristopher LaPointe</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Michael Wellauer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Edward Rizzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: May 16, 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 May 17, 2024.



(SEAL)

  
**KATHLEEN SALISBURY**  
Town Clerk