

**Sennett Town Board Meeting
November 15, 2011**

Minutes of the Town of Sennett Town Board meeting held on Tuesday November 15, 2011 at the Sennett Town Office Building, 6931 Cherry Street Road.

Members Present: Jeffrey Herrick, Supervisor

Jerrold Eades, Councilman

Marion Cool, Councilwoman

Jeffrey Gage, Councilman

John O'Connell, Councilman

Also Present: Ronald Schalck, W&S Maintenance Mechanic

Kristopher LaPointe, Highway Superintendent

Riccardo Galbato, Esq.

Recording Secretary: Penelope Dennis, Town Clerk

Meeting is opened by the Supervisor with the pledge to the flag.

Communications: 1. From the Cayuga County Transportation Project contract for 2012, Motion made By Councilman Eades, to approve and sign the contract, seconded by Councilman Gage. Roll Call vote: Councilman Eades yes, Councilwoman Cool yes, Councilman Gage yes, Councilman O'Connell yes and Supervisor Herrick yes, carried.

Public forum: Opened on a motion made by Councilman O'Connell, seconded by Councilman Gage, 5 ayes 0 nays carried. Frank Graham asks for an update on the Harriet Tubman Center property on Pine Ridge Road. Nothing yet, will proceed in January. There are many options that may be considered. Any update on hydrofracking? This will be addressed by the Zoning Ordinance rewrite/update committee. There is the possibility of considering a Moratorium in December. The state is now in the process of holding Public Hearings. There is discussion on this issue. Councilman Eades would like to hear from both sides on this issue. The town and County will be involved in any applications that may be in the town. Public Forum is closed on a motion made by Councilman O'Connell, seconded by Councilman Eades, 5 ayes 0 nays, carried.

Old Business: Highway Superintendent LaPointe reports on the quotes he has received for new gutters. Quotes in the following amounts were acquired: \$2,225.00, \$6,900.00 and \$1,068.00 (No snow guards installed). Motion made by Councilman Gage to go with the bid of \$2,225.00 by Custom Gutter Design, seconded by Councilwoman Cool.

Roll Call vote: Councilman Eades yes, Councilwoman Cool yes, Councilman Gage yes, Councilman O'Connell yes and Supervisor Herrick yes, carried.

New Business: Proposed Local Law #2 of 2011 is presented to the Board. This law would reduce the number of assessors from three elected to one appointed assessor beginning January 1, 2012. It is reported that there were five write-in votes at the recent election with 46 absentee ballots still to be counted. Motion is made by Councilman Gage to open the Public Hearing on LL#2 of 2011, seconded by Councilwoman Cool, 5 ayes 0 nays, carried. It is suggested that the board meet with the two people that received votes. Attorney Galbato has information concerning §328 of the RPTL, the law can be passed not subject to permissive referendum. The assessor would be appointed at the January organizational meeting. A motion is made by Councilman Gage to adjourn this issue until the December 13, 2011 (Councilwoman Cool will not be available) meeting with the Public Hearing remaining open for LL#2 of 2011, seconded by Councilman O'Connell, 5 ayes 0 nays, carried. The board will meet with Dennis Sedor and David Hearn (the two vote receivers) at a Work Session to be held on November 29, 2011 at 7:00 PM.

A motion is made by Councilman Eades to open the Public Hearing on the 2012 Town Budget, seconded by Councilman O'Connell, 5 ayes 0 nays, carried. Sylvia Wilson questions the 4% raises and the \$1,000.00 line item for a new water district study. The \$1,000.00 is a possibility and there are increases in sales taxes and a surplus to cover the 4% increase. A motion is made by Councilman Gage to close the Public Hearing for the 2012 budget, seconded by Councilwoman Cool, 5 ayes 0 nays, carried. A motion is made by Councilman Eades to approve the Preliminary 2012 Budget as the Final Adopted Budget for 2012, seconded by Councilman Gage. Roll Call vote: Councilman Eades yes, Councilwoman Cool yes, Councilman Gage yes, Councilman O'Connell yes and Supervisor Herrick yes, carried.

Department reports: Judge Timian reports \$3,845.00 for October 2011. Judge Riley reports \$3,020.00 for October 2011. The Town Clerk reports \$3,765.85 for October 2011. Highway Superintendent LaPointe reports that he has received the Snow Plow Contract for 2012 from the County. It has a 2% increase for a total of \$30,438.00. There is discussion on how this is calculated, every town is figured differently. There is concern with the condition on part of Miller Road, deep pot holes that have been filled with patch that will not last all winter. It is discussed and the county should be told that the town will not plow that section of road. The attorney will send a letter to the county stating these concerns. Highway Superintendent LaPointe and Supervisor Herrick will attend the Public Works Committee meeting on December 5, 2011 to discuss this issue with the county. They will ask Legislator Roger Mills to join them. Water and Sewer Maintenance Mechanic Schalck reports the following: reading meters in WD#1, WD#3 and WD#5; a break repair on October 30; water samples taken and still flushing hydrants in WD#7. There is discussion on this, Councilman O'Connell,

Councilman Gage and Mr. Schalck will meet with the resident that has concerns with his water. Attorney Galbato has samples of Local Laws regarding moratoriums on hydrofracking for different towns for the board to review. He recommends holding a Public Hearing on December 13, 2011 to consider Proposed Local Law #3 of 2011 regarding a moratorium on hydrofracking in the Town of Sennett. A motion is made by Councilman O'Connell to advertise a Public Hearing to be held on December 13, 2011 to consider Proposed Local Law #3 of 2011 – Moratorium on hydrofracking within the Town of Sennett, seconded by Councilman Eades, 5 ayes 0 nays carried. Attorney Galbato will email samples to all board members. Frank Graham comments that there are ongoing court cases in the state concerning hydrofracking. There are six gas wells in Sennett at present, with a possibility of some day becoming a fracked wells. Dennis Sedor enters and briefly discusses the assessor position with the board. He is interested in the position, but will differ to the board's decision.

The abstract is approved in the following amounts on a motion made by Councilman Eades, seconded by Councilman Gage, 5 ayes 0 nays, carried.

A:	\$ 20,347.56	W1:	1,634.90
DA:	18,745.43	W2:	2,978.73
L1:	216.88	W3:	20,959.42
L2:	65.07	W5:	33.34
S1:	12,749.33	W6:	5,829.90
S2:	1,715.40	W7:	171.20

Minutes will be reviewed and approved at the November 29, 2011 meeting.

A motion is made by Councilman Eades to enter into Executive Session to discuss pending litigation, seconded by Councilman Gage, 5 ayes 0 nays, carried.

A motion is made by Councilwoman Cool to come out of Executive Session, seconded by Councilman Eades, 5 ayes 0 nays, carried.

The County Board of Ethics will determine if Joe Runkle can continue to serve on the ZBA.

A problem with the Dental Insurance coverage regarding two highway employees was discussed. It is the recommendation of the Attorney that the Insurance Company should be responsible for any reimbursements that might be required. The company has insurance to cover problems such as these.

Meeting is adjourned on a motion made by Councilman O'Connell, seconded by Councilwoman Cool, 5 ayes 0 nays carried.

Respectfully Submitted,

Penelope Dennis, Town Clerk

Town of Sennett