

**TOWN BOARD
REGULAR MEETING**

MONDAY

September 8, 2025

Supervisor Reger opened the meeting at 7:30 p.m. with all Councilors present.

Pledge of Allegiance.

Correspondence: *No unshared correspondence.*

Supervisor Reger announced the October Town Board meeting will be at the New Woodstock Firehouse (2632 Mill Street) and as with prior years due to budgetary reasons, it will be the first Monday of the month, October 6, 2025.

Motion by Councilor Golub, seconded by Councilor Fallon to accept the minutes from the August 11, 2025 regular meeting. The motion was unanimously approved.

Supervisor Reger asked if anyone cared to speak to the Town Board regarding any subject on this meeting's agenda.

Public comment #1: *There were no comments.*

Motion by Councilor Fallon, seconded by Councilor Johnson to open the public hearing for consideration of an application by the Town of Cazenovia for the benefit of BG Budas, LLC to the New York State Community Development Block Grant Program (Office of Community Renewal).

Public comment: *There were no comments.*

Motion by Councilor Johnson, seconded by Councilor Race to close the public hearing. The motion was unanimously approved.

Resolution No. 128 presented by Councilor Race, seconded by Councilor Fallon

IN THE MATTER OF AUTHORIZING AN APPLICATION BY THE TOWN OF CAZENOVIA TO THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (OFFICE OF COMMUNITY RENEWAL) FOR GRANT FUNDING FOR THE BENEFIT OF B.G. BUDA’S II, LLC AND THE EXECUTION OF DOCUMENTS IN CONNECTION WITH SUCH GRANT

WHEREAS, B.G. Buda’s II, LLC (hereinafter the “Company”) plans to establish a restaurant at 37 Albany Street within the Town and Village of Cazenovia (the “Project”); and

WHEREAS, the Project will have an estimated cost of \$914,000; and

WHEREAS, the Company has requested that the Town of Cazenovia (the “Town”) apply for Community Development Block Grant funding for the Project from the New York State Office of Community Renewal (the “OCR”) which would be used by the Town to make a grant to Cazenovia Area Community Development Association (“CACDA”), which will use the funds to make a deferred loan to the Company to partially fund the Project costs; and

WHEREAS, the Project will create an estimated 29 new full-time equivalent employment opportunities, including positions that will provide training to entry-level employees; and

WHEREAS, the Town has held a public hearing to obtain citizens’ views regarding the Project and the CDBG program as administered by OCR.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Cazenovia hereby authorizes the Supervisor to submit a grant application to the OCR on behalf of the Town in an amount not to exceed \$360,000 to support the Project; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute a grant agreement between the Town and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with CACDA for the implementation of the Project, all such documents to be subject to review and approval by the Town Attorney; and

BE IT FURTHER RESOLVED, the Supervisor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 128 adopted.

Supervisor Reger informed the audience the Town of Cazenovia was awarded a SAM grant for almost \$200,000 to make improvements to the softball/baseball field and Heritage Park in New Woodstock.

Resolution No. 129 presented by Councilor Johnson, seconded by Councilor Golub

**AWARDING BID TO
ADHAN PIPING CO., INC.
Successful Bidder for the
New Woodstock Softball Field
Demolition, Construction and Improvements**

WHEREAS, the Town of Cazenovia previously authorized the solicitation of bids relative to the proposed New Woodstock Softball Field Demolition, Construction and Improvements Project (the “Project”) to be undertaken to certain portions of the New Woodstock Softball Field located on School Street in New Woodstock, Town of Cazenovia, New York, which Project would consist generally of the demolition of the existing softball field, construction of a redesigned softball field, improvement drainage facilities and plantings, as well as other associated improvements. Said bid solicitation also specified compliance with the technical specifications prepared by Thomas R. Pratt Architect, P.C.; and

WHEREAS, the Town previously directed the preparation of specifications for the solicitation of bids; and

WHEREAS, the Town caused to be made an Advertisement for Bids for said service; and

WHEREAS, three (3) bids were duly received by the Town of Cazenovia in response to the Advertisement for Bids as previously authorized; and

WHEREAS, said bids were received and opened on September 2, 2025 at 2:02 p.m. at the Cazenovia Town Hall, 7 Albany Street, Cazenovia, New York; and

WHEREAS, the Town has conducted due diligence and a review of the specifications of the timely bid packages; and

WHEREAS, the bid responses have been reviewed carefully by the Town Board; and

WHEREAS, the Town of Cazenovia has previously determined that the proposed action will have no significant adverse effect on the environment, pursuant to 6 N.Y.C.R.R. Part 617.

NOW, THEREFORE, BE IT RESOLVED that the Town of Cazenovia Town Board hereby awards the successful bid for the New Woodstock Softball Field Demolition, Construction and Improvements Project (the “Project”) to be undertaken to certain portions of the New Woodstock Softball Field located on School Street in New Woodstock, Town of Cazenovia, New York, consisting generally of the demolition of the existing softball field, construction of a redesigned softball field, improvement drainage facilities and plantings, as well as other associated improvements, to **Adhan Piping Co., Inc.**, 1865 Route 13, Cortland, New York 13045, as the lowest responsive, responsible bidder, for a total bid as set forth in the proposal dated September 2, 2025 (One Hundred Eighty-Eight Thousand Two Hundred and 00/100 Dollars (\$188,200.00)), subject to other required matters set forth in the bid solicitation documents; and it is further

RESOLVED that the Town of Cazenovia Supervisor is authorized to execute the necessary documentation to effectuate the resolution as above described upon satisfactory review by the Town Attorney, as well as the confirmation of all necessary permits and financing.

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 129 adopted.

Resolution No. 130 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE SUPERVISOR OF THE TOWN OF CAZENOVIA TO EXECUTE AND PROCESS AN APPLICATION FOR A STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) GRANT FOR COSTS ASSOCIATED WITH UPGRADES AT THE NEW WOODSTOCK SOFTBALL FIELD AND NEW WOODSTOCK HERITAGE PARK

WHEREAS, the Town of Cazenovia has learned it was awarded funding in the amount of \$ 200,000.00 through the State and Municipal Facilities Program, (SAM); and

WHEREAS, the funds will be used for facility upgrades at the New Woodstock Softball Field which generally consist of the demolition of the existing softball field, construction of a redesigned softball field and other improvements; and

WHEREAS, the funds will also be used for improvements to New Woodstock Heritage Park which include upgrades to the seating, lighting and accessibility of the Park; and

NOW, THEREFORE BE IT RESOLVED that the Town of Cazenovia Town Board hereby authorizes the Town Supervisor to execute the application form and additional documentation related to the State and Municipalities Program Grant and to take such steps as are necessary to obtain said funds.

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 130 adopted.

Supervisor Reger mentioned Councilor Fallon and he met with John Langey, Attorney for the Town. The Board considered all the public feedback that was received and incorporated those suggestions and a major change that was made was to have the applications go through a special use permit application process.

John Langey, Esq . stated there has been a number of comments from prior public hearings and much of that was incorporated into prior iterations of this Short-term Rental Law. Additionally, another good comment that was made was to have the short-term rental permit be subject to a special use permit process which would be handled by the Zoning Board of Appeals. The idea would be that if there's an application, it would come to the ZBA and they would review and consider it and approve it, if that's appropriate. Additionally, this would give the public opportunity to provide public comment on any given application. He said there will be an additional public hearing on this change to the Proposed Law which will be scheduled for the next meeting.

Resolution No. 131

LOCAL LAW NO. D OF 2025

(“A Local Law to Amend the Code of the Town of Cazenovia By Adding a New Chapter Regulating Short-Term Rentals in the Town of Cazenovia”)

Councilor Fallon introduced proposed Local Law No. D-2025, titled “A Local Law to Amend the Code of the Town of Cazenovia By Adding a New Chapter Regulating Short-Term Rentals in the Town of Cazenovia,” and made the following motion, which was seconded by Councilor Golub:

WHEREAS, proposed Local Law No. D-2025 was previously introduced on May 12, 2025 for consideration of enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, on May 12, 2025 the Town Board, pursuant to Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law (SEQRA), declared that adoption of Local Law No. D-2025 was a Type I Action, that the Town Board would act as lead agency for purposes of SEQRA and made a determination that the aforementioned law would not result in any adverse environmental impacts and therefore issued a Negative Declaration; and

WHEREAS, a public hearing on the aforementioned Local Law was noticed for June 9, 2025 and publication of the Notice of Public Hearing was accomplished per law; and

WHEREAS, on or about May 13, 2025 proposed Local Law No. D-2025 was referred to the Madison County Planning Department in accordance with General Municipal Law §239; and

WHEREAS, a public hearing was opened, conducted and closed on June 9, 2025; and

WHEREAS, on or about June 17, 2025, the Town of Cazenovia received the Madison County Planning Department’s GML Recommendation Report (GML Log# 047-2025) for Local Law No. D-2025, which Recommendation was returned for local determination; and

WHEREAS, as a result of the public hearing held on June 9, 2025 and written comments received on proposed Local Law No. D-2025, the Town Board determined to *revise and amend* proposed Local Law No. D-2025, which revisions provide better clarification and direction; and

WHEREAS, on July 14, 2025 the Town Board introduced Local Law No. D-2025, as revised and amended, for consideration and enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, a public hearing on the aforementioned Local Law was noticed for August 11, 2025 and publication of the Notice of Public Hearing was accomplished per law; and

WHEREAS, a public hearing was opened, conducted and closed on August 11, 2025; and

WHEREAS, as a result of the public hearing held on August 11, 2025 and additional written comments received on proposed Local Law No. D-2025, as revised and amended, the Town Board determined to *further revise and amend* proposed Local Law No. D-2025, which revisions clarify and direct that the use known as “short-term rentals” is a specially permitted use requiring the issuance of a special use permit and provided direction with regard to same; and

WHEREAS, the Town of Cazenovia Board believes that such further revised and amended Local Law No. D-2025 should be considered for further public comment; and

WHEREAS, the full text of said Local Law No. D-2025, as further revised and amended, is on file at the Clerk’s Office at the Town of Cazenovia Town Offices located at 7 Albany Street, Cazenovia, New York and may be viewed by all interested persons during normal business hours, between 9:00 a.m. and 4:00 p.m., Monday-Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the Town Board of the Town of Cazenovia again reaffirms its Negative Declaration made on May 12, 2025 for purposes of SEQRA with respect to the enactment of proposed Local Law No. D-2025, as now revised and amended; and be it further

RESOLVED AND DETERMINED that the Town Board shall conduct a new public hearing as to the enactment of proposed Local Law No. D-2025, as now revised and amended, at the New Woodstock Firehouse located at 2632 Mill Street, New Woodstock in the Hamlet of New Woodstock, Town of Cazenovia on October 6, 2025 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 131 adopted.

Supervisor Reger explained this next Local Law is done every year as the Town goes through the budget process. This gives the Town the ability to go over the tax cap, depending on the tax cap formula for this year, even a penny, if need be. In the last several years, the Law has been passed, but then rescinded.

Resolution No. 132

TOWN OF CAZENOVIA LOCAL LAW E OF 2025

(“A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-C in the Town of Cazenovia”)

Councilor Race introduced proposed Local Law No. E-2025, relating to the ability of the Town of Cazenovia to override the limit on the amount of real property taxes that may be levied by the Town of Cazenovia pursuant to General Municipal Law §3-c, and to allow the Town of Cazenovia to adopt a Town budget for the fiscal year 2026 in excess of the “tax levy limit,” and made the following motion, which was seconded by Councilor Johnson:

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, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Cazenovia, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, RESOLVED AND DETERMINED the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. E-2025 at the New Woodstock Firehouse located at 2632 Mill Street in the Hamlet of New Woodstock, Town of Cazenovia on October 6, 2025 at 7:30 p.m., or as soon thereafter as the matter can be heard at which time all persons interested in the subject shall be heard.

Roll call:	
Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 132 adopted.

Resolution No. 133 presented by Councilor Fallon, seconded by Councilor Johnson

**MODIFICATIONS TO OCTOBER & NOVEMBER
TOWN BOARD MEETING DATES**

To change the next two Town Board meetings to the following dates due to NYS Law as it relates to meeting for budget and adoption processes:

- **Monday, October 6, 2025 - New Woodstock Firehouse, 2632 Mill Street, New Woodstock**
- **Monday, November 3, 2025 - Cazenovia Town Office, 7 Albany Street, Cazenovia**

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 133 adopted.

Resolution No. 134 presented by Councilor Johnson, seconded by Councilor Fallon

BUDGET WORK SESSION

To approve the scheduling of a budget work session on **Monday, October 27, 2025 at 5:00 p.m.** At said work session, the Town Board may further discuss any business which may come before the Board in the form of a special meeting.

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 134 adopted.

Supervisor Reger explained this next resolution is to do an equalization rate to make the tax rate fair for users of the Route 20 Water District in the Town of Nelson and Cazenovia.

Resolution No. 135 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE FOURTH AMENDMENT TO THE INTERMUNICIPAL AGREEMENT RELATIVE TO THE SUPPLY OF WATER AND MANAGEMENT, MAINTENANCE, OPERATION, BILLING, CONSTRUCTION AND FINANCING FOR THE TOWN OF NELSON ROUTE 20 WATER DISTRICT AND THE TOWN OF CAZENOVIA ROUTE 20 WATER DISTRICT

WHEREAS, previously the Town of Cazenovia, the Town of Nelson and the Village of Cazenovia entered into an Intermunicipal Agreement Relative to the Supply of Water and Management, Maintenance, Operation, Billing, Construction and Financing for the Town of Nelson Route 20 Water District and the Town of Cazenovia Route 20 Water District (the “Amended and Re-Styled IMA”), and

WHEREAS, pursuant to the terms of the Amended and Re-Styled IMA, the parties have anticipated that from time to time the terms of said Amended and Re-Styled IMA may be amended upon agreement by all parties; and

WHEREAS, the parties have acknowledged additional changes to the relative assessed values in the Town of Cazenovia, such that the originally contemplated pro rata share of each participating municipality in the payment of indebtedness for the two districts has created unexpected outcomes; and

WHEREAS, the parties wish to amend the Amended and Re-Styled IMA to better reflect the original intent of the sharing of the debt service for the two districts; and

WHEREAS, previously in 2022 the Town Boards of the Town of Cazenovia and the Town of Nelson approved a first amendment to the Amended and Re-Styled IMA (the “First Amendment”) as more specifically addressed in the First Amendment to the IMA; and

WHEREAS, subsequently in 2023, the Town Boards of the Town of Cazenovia and Town of Nelson approved a second amendment to the Amended and Re-styled IMA relative to the taxable values contained within each Town; and

WHEREAS, in an effort to reflect an appropriate and fair pro-rata share for each Town, the Town of Cazenovia and Town of Nelson Town Boards find it necessary to consider a third amendment to the Amended and Re-styled IMA; and

WHEREAS, in 2025 the Town of Cazenovia and Town of Nelson Town Boards deem it necessary to make a fourth amendment to the Amended and Re-styled IMA in order to keep the tax rates for the District match; and

WHEREAS, the Town of Cazenovia Town Board and the Town of Nelson Town Board have directed the preparation of a proposed Fourth Amendment to the Amended and Re-Styled IMA, as more specifically addressed in the Fourth Amendment to the IMA (copies of which are attached hereto as Schedule “A”).

NOW THEREFORE, it is

RESOLVED that the Town of Cazenovia Town Board hereby authorizes the Town Supervisor to execute the attached Third Amendment to the IMA, conditioned, however, upon the approval of the terms of said Amendment by the Village of Cazenovia and Town of Nelson.

Schedule “A”

**FOURTH AMENDMENT TO THE INTERMUNICIPAL AGREEMENT
RELATIVE TO THE SUPPLY OF WATER AND MANAGEMENT,
MAINTENANCE, OPERATION, BILLING, CONSTRUCTION AND FINANCING
FOR THE TOWN OF NELSON ROUTE 20 WATER DISTRICT AND
THE TOWN OF CAZENOVIA ROUTE 20 WATER DISTRICT**

This **FOURTH AMENDMENT** to the Intermunicipal Agreement Relative to the Supply of Water and Management, Maintenance, Operation, Billing, Construction and Financing for the Town of Nelson Route 20 Water District and the Town of Cazenovia Route 20 Water District, made as the ____ day of _____, 2025, by and between the **VILLAGE OF CAZENOVIA**, a municipal corporation with offices located at 90 Albany Street, Cazenovia, New York 13035 (“Village”), the **TOWN OF NELSON**, a municipal corporation with offices located at 4085 Nelson Road, Cazenovia, New York 13035 (“Nelson”), and the **TOWN OF CAZENOVIA**, a municipal corporation with offices located at 7 Albany Street, Cazenovia, New York 13035 (“Cazenovia”):

WHEREAS, previously the Town Board of the Town of Nelson has formed, pursuant to the provisions of Article 12-A of the Town Law, a water district in the Town now known as the “Town of Nelson Route 20 Water District” (“the Nelson District”); and

WHEREAS, previously the Town Board of the Town of Cazenovia has formed, pursuant to the provisions of Article 12-A of the Town Law, a water district in the Town now known as the “Town of Cazenovia Route 20 Water District” (“the Cazenovia District”); and

WHEREAS, in furtherance of the management, maintenance, operation, billing, construction and financing of the Water Districts, the Town of Nelson and the Town of Cazenovia, along with the Village of Cazenovia, have entered into a certain Intermunicipal Agreement dated February 11, 2019 (“the Amended and Re-stated IMA”); and

WHEREAS, pursuant to said Amended and Re-stated IMA, the financing of the project, including the project indebtedness, is based upon each Town bearing a “pro-rata share of the balance of the Total Project Cost and Project Indebtedness” as defined within the Amended and Re-stated IMA, as “based upon the percentages determined by dividing the sum of the total assessed value of all properties within each Town’s District” into a Total Project Cost of \$19,830,300, being the sum of the total assessed values of all properties within both Districts; and

WHEREAS, the Amended and Re-stated IMA further requires that each Town shall pay their respective share based upon that Town’s relative percentage of overall assessed value; and

WHEREAS, it is and was recognized that from time-to-time assessed values within each portion of the Towns may fluctuate depending on numerous factors; and

WHEREAS, it has been recognized that since the execution of the Amended and Re-stated IMA, the relative taxable values contained within each Town have fluctuated, such that an amendment to the Amended and Re-stated IMA should be implemented to reflect an appropriate current and fair pro-rata share for each Town; and

WHEREAS, in furtherance of said amendment to the Amended and Re-stated IMA, the Town of Nelson and the Town of Cazenovia, along with the Village of Cazenovia, have executed a certain First Amendment to the Intermunicipal Agreement Relative to the Supply of Water and Management, Maintenance, Operation, Billing, Construction and Financing for the Town of Nelson Route 20 Water District the Town of Cazenovia Route 20 Water District, dated December 12, 2022 (“the First Amendment”); and

WHEREAS, it was recognized that since the execution of the Amended and Re-stated IMA and the First Amendment, the relative taxable values contained within each Town had fluctuated, such that a second amendment to the Amended and Re-stated IMA was warranted and was agreed upon and signed October 18, 2023 to reflect an appropriate current and fair pro-rata share for each Town.

WHEREAS, it has been further recommended that since the execution of the Amended and Re-stated IMA and the First and Second Amendment, the relative taxable values contained within each Town have slightly changed, and in an effort to keep the numbers equitable a Third Amendment to the Amended and Re-stated IMA is deemed appropriate to accurately reflect the current share for each Town.

NOW, THEREFORE, in consideration of mutual promises of the parties set forth herein and in the Amended and Re-stated IMA, and for other good and valuable consideration, it is hereby agreed that the following amendments to the Amended and Re-stated IMA (and the First Amendment) shall be effective as of January 1, 2026:

1. The following adjusted pro-rata shares shall be incorporated into the Amended and Re-stated IMA and Section 3 (“Financing of the Project”) of the Amended and Re-stated IMA is hereby amended to reflect the following changes:

Total assessed value within the Town of Cazenovia (2026) = \$ 5,451,900

Total assessed value within the Town of Nelson (2026) = \$13,012,900

and it is further agreed that:

“Each of the Town’s shall bear their pro-rata share of the balance of the Total Project Cost and Project Indebtedness based upon the percentages determined by dividing the sum of the total assessed value of all properties within each Town’s District into \$ 18,464,800, being the sum of the total assessed value of all properties within both Districts. As such, the Cazenovia District’s pro-rata share of the Total Project Cost is 29.53% and the Nelson District’s pro-rata share of the Total Project Cost is 70.47% for Tax Year 2025. Each Town’s pro-rata share of the balance of the Total Project Cost and Project Indebtedness as described above shall remain in effect unless and until the Towns mutually agree in writing to amend said pro-rata shares.”

The balance of the Amended and Re-stated IMA and the First, Second and Third Amendment shall remain in full effect and force unless otherwise changed and mutually agreed upon in writing. This Agreement shall be deemed to replace those portions of the Amended and Re-stated IMA, as referenced herein, and shall in all respects supersede those terms of the Amended and Re-stated IMA as of the effective date of this Agreement set forth above and all other provisions shall remain in effect.

VILLAGE OF CAZENOVIA

TOWN OF NELSON

By: _____
Kurt Wheeler, Mayor

By: _____
James Cunningham, Supervisor

TOWN OF CAZENOVIA

By: _____
Kyle M. Reger, Supervisor

STATE OF NEW YORK)
COUNTY OF MADISON) ss.:

On the ____ day of _____, 2025, before me, the undersigned, a notary public in and for said State, personally appeared **Kurt Wheeler, Mayor of the Village of Cazenovia**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF MADISON) ss.:

On the ____ day of _____, 2025, before me, the undersigned, a notary public in and for said State, personally appeared **James Cunningham, Supervisor of the Town of Nelson**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF MADISON) ss.:

On the ____ day of _____, 2025, before me, the undersigned, a notary public in and for said State, personally appeared **Kyle M. Reger, Supervisor of the Town of Cazenovia**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 135 adopted.

Resolution No. 136 presented by Councilor Race, seconded by Councilor Johnson

RESOLUTION OF THE TOWN BOARD APPROVING AGREEMENT WITH MADISON COUNTY FOR SNOW AND ICE CONTROL ON THE COUNTY ROAD SYSTEM

WHEREAS, the Board of Supervisors of Madison County adopted Resolution No. 25-243 on August 12, 2025 designating the improved roads of the County Road System of the County upon which snow and ice removal should be performed; and

WHEREAS, the County Superintendent of Highways was authorized to enter into agreements with the Town for the aforementioned purpose from **October 1, 2025 through April 30, 2026** at rates specified in the Agreement; and

NOW, THEREFORE BE IT RESOLVED, that the Town Superintendent of Highways of the Town of Cazenovia, Madison County be and hereby is authorized and directed to enter into an agreement with the County of Madison to perform snow and ice removal upon the improved County Road System as per attached Agreement.

AGREEMENT BETWEEN MADISON COUNTY AND THE TOWN OF CAZENOVIA

THIS AGREEMENT made the 1st day of October, 2025 by and between Madison County, hereinafter called the “County”, acting through F. Joseph Wisinski, County Superintendent of Highways, and the Town of Cazenovia hereinafter called the “Town”.

WITNESSETH: That for the consideration and upon the terms and conditions hereinafter provided the Town agrees to furnish its machinery, labor, and material therefore and to keep, within good reason, the paved portion of the highways herein described free from snow and treated with abrasives in accordance with the rules and regulations as set forth by the County Superintendent of Highways and which are part of this Agreement for the year **October 1, 2025 through April 30, 2026**.

IT IS FURTHER AGREED that the Town will forward to the County a “Certificate of Insurance”, covering all Town vehicles used under this Agreement, with at least \$1,000,000 of Fleet and Public Liability Protection for each occurrence.

IT IS FURTHER AGREED that the County will pay the Town the sum of Twenty two dollars and thirty cents (\$22.30) per lane mile upon which snow and ice control services are performed, Fifteen dollars and seventy-one cents (\$15.71) per lane mile upon which regular salt brine is applied, Sixteen dollars and ninety-six cents (\$16.96) per lane mile upon which salt brine with 5% magnesium chloride is applied and a loader rate of Seventy eight dollars and thirteen cents (\$78.13) per hour for snow bank removal under certain circumstances with prior approval from County Highway Superintendent. The Town shall bill the County for services hereunder on a monthly basis by submitting a listing of the respective dates, times, roads, and miles on which services were performed pursuant to this agreement and such other information as the County Highway Superintendent determines necessary. Payment shall be made in accordance with Madison County’s terms and submission by the Town of properly completed requests for payment.

IT IS FURTHER AGREED that the Town Board by Resolution accepts the proposal of the County for Snow and Ice Control on the County Road System as noted hereunder for the sum of money per lane mile as set forth below.

<u>County Road</u>	<u>Lane Miles (both ways)</u>	<u>Road Length (one way)</u>
BALLINA ROAD	.98	.49
CONSTINE BRIDGE ROAD	1.78	.89
DAMON ROAD	4.70	2.35
DELPHI ROAD	5.00	2.50
EAST LAKE ROAD	8.70	4.35
EAST ROAD-JUDDVILLE TO NW	3.80	1.90
EAST ROAD-JUDDVILLE TO VILLAGE	6.98	3.49
FABIUS ROAD	3.96	1.98
JUDDVILLE ROAD	3.20	1.60
NORTH LAKE ROAD	1.68	.84
NUMBER NINE ROAD	3.28	1.64
WEST LAKE ROAD	4.80	2.40

Total Reimbursement Mileage will be the sum of each individual road length multiplied by the number of trips each way.

IT IS FURTHER AGREED no changes may be made to the plowing/sanding routes listed on the current Agreement, unless mutually agreeable by both parties, any cancellation or change of service must be done, in writing, at the termination of this Agreement.

IT IS FURTHER AGREED that the Town will keep the entire width of the pavement free from snow and sanded within reason; shall provide its equipment and personnel to maintain this condition at all times. Keeping the pavements clear of snow will necessarily require keeping the shoulders clear to retard that formation of drifts and afford space for the safe plowing from the pavement in a succeeding storm.

IT IS FURTHER AGREED that all materials used by Towns must pass a 3/8” sieve.

IT IS FURTHER AGREED that to receive payment for any road, the Town must keep the same open for traffic for its entire length and will not receive any payment if only portions are kept open, except by previous agreement with the County.

IT IS FURTHER AGREED that the Town will make every effort to eliminate slippery conditions on the pavements, and that steep hills, sharp curves, intersection, and straight sections will be sanded or otherwise treated to restore said traction for reasonable and careful use.

IT IS FURTHER AGREED that the Town shall complete a number of daily trips that is reasonably comparable to the number of daily trips performed solely by the County for similar services. For the purposes of this Agreement, “similar” shall mean in scope, service area, and type of transportation provided. The determination of what constitutes a “similar number” of daily trips shall be based on data provided by the County and shall be subject to mutual agreement between the County and the Town, reviewed monthly. The Town shall make all reasonable efforts to meet the snow and ice needs, including drifts and drifting, without exceeding the County’s daily trip volume, unless otherwise agreed to in writing by the County.

IT IS FURTHER AGREED that the Town Superintendent shall submit a Daily Report of Operations (original) to the County Highway Department, on a form furnished to the Town by the County Highway Superintendent.

IT IS FURTHER AGREED that the County Highway Department shall be the sole judge as to the method used in performance of this Agreement and the County reserves the right to withhold payment under this Agreement and to correct any conditions in any way which does not meet requirements and deduct the cost of this work from the amount of this Agreement.

IT IS FURTHER AGREED that if the Town is unable to obtain liability insurance coverage relative to the services to be rendered under this Agreement and so notifies the County, the County will either:

a. Add the Town as an additional insured to its liability insurance policy covering the plowing and sanding of County roads;

or

b. Indemnify the Town for any loss arising out of a claim for personal injury to third persons and property damage sustained by third persons because of the alleged negligence of the Town in the performance of the plowing and sanding services pursuant to this Agreement, exclusive of any liability covered in the New York Standard Automobile Liability Policy, including No Fault Insurance provisions; as the County may elect.

Town of Cazenovia

BY: _____
Supervisor

BY: _____
Town Superintendent of Highways

Madison County

BY: _____
Madison County Highway Superintendent

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 136 adopted.

Supervisor Reger said Mr. Peterson has decided not to pursue his application so a refund is in order for his annual inspection which he has already paid.

Resolution No. 137 presented by Councilor Fallon, seconded by Councilor Golub

**AUTHORIZE A REFUND TO DAVID PETERSON
FOR A SPECIAL USE PERMIT ANNUAL INSPECTION FEE**

To authorize a refund to David Peterson for the annual inspection fee that he paid in relation to his Special Use Permit for the operation of his Bed and Breakfast at 2964 West Lake Road, Cazenovia. Said refund shall be in the amount of Fifty and 00/100 Dollars (\$ 50.00).

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 137 adopted.

Resolution No. 138 presented by Councilor Race, seconded by Councilor Fallon

**AUTHORIZE CREDITS TO USER ACCOUNTS OF THE
WATER POLLUTION CONTROL FACILITY**

To authorize the Sewer Billing Clerk to issue credits in the amount shown to the following accounts of the Water Pollution Facility and re-issuance of new bills:

- **Eppel, William**
Service ID: 8475 (2163 Ten Eyck Avenue) **Credit:** \$ 643.19
New Bill: \$ 175.00
- **Leeks Management, LLC**
Service ID: 8100 (9 Albany Street) **Credit:** \$ 2,771.42
New Bill: \$ 175.00

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 138 adopted.

Resolution No. 139 presented by Councilor Race, seconded by Councilor Johnson

**AUTHORIZE CREDITS TO USER ACCOUNTS
OF THE WATER POLLUTION CONTROL FACILITY**

To authorize the Sewer Billing Clerk to issue a credit in the amount shown to the following accounts of the Water Pollution Control Facility and the re-issuance of the bills to the new owners:

Prior Owner: Eno	New Owner: Wiemers/Rasmussen
o Service ID:4050	(63 Lincklaen Street) \$ 196.16
Prior Owner: Silberberg	New Owner: 4577 Holding, LLC
o Service ID:C016	(4577 East Lake Road) \$ 200.00

Roll call:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Johnson **Yes**
Councilor Fallon **Yes**
Supervisor Reger **Yes**

Supervisor Reger declared Resolution No. 139 adopted.

Resolution No. 140 presented by Councilor Johnson, seconded by Councilor Fallon to approve the following 2025 budget transfers:

(Authority NYS Town Law section 112 “The town board, during a fiscal year, by resolution, may make additional appropriations or increase existing appropriations and shall provide for the financing thereof. Moneys therefor may be provided from the unexpended balance of an appropriation, from the appropriation for contingencies, from unappropriated unreserved fund balance or unanticipated revenues within a fund or by borrowing pursuant to the local finance law.”).

General Fund A

Transfer budget to accommodate legal notices and fees.	
To: A 1010.4.000 Town Board CE	\$5,000.00
From: A 5410.4.000 Sidewalks CE	(5,000.00)
Transfer budget to accommodate legal fees, not anticipated in 2025 budget.	
To: A 1355.4.000 Assessor CE	\$3,000.00
From: A 1620.2.000 Buildings EQ	(3,000.00)

To appropriate Fund Balance we must make a calculation that Fund Balance is available in General Fund A by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

A 510 Estimated Revenues	\$990,492.00
Plus A 599 Appropriated Fund Balance	<u>373,490.00</u>
Actual Subtotal	\$1,363,982.00

A 980 Actual Revenues to Date	\$1,166,381.63
Plus Other Revenues Expected by year end	166,299.00
Plus A 909 Fund Balance at beginning of year <u>1,149,159.60</u>	
Actual Subtotal	\$2,753,654.47
Actual Subtotal less Budgeted Subtotal = Amount Available	\$1,389,672.47

To appropriate fund balance for New Woodstock Ballfield Softball Field Renovations. SAM grant award likely to be received in 2026.

To: A 7110.2.000 Parks EQ	\$188,200.00
From: A 599 Appropriated Fund Balance	(188,200.00)

General Fund B

Transfer budget to accommodate code book updates for Zoning law changes.

To: B 8010.4.000 Zoning CE	\$1,900.00
From: B 1990.4.000 Contingent Account	(1,900.00)

Highway Fund DB

To appropriate Fund Balance we must make a calculation that Fund Balance is available in Highway Fund DB by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

DB 510 Estimated Revenues	\$1,700,929.00
Plus DB 599 Appropriated Fund Balance	<u>000,000.00</u>
Actual Subtotal	\$1,700,929.00

Present Year Actual:

DB 980 Actual Revenues to Date	\$1,451,401.54
Plus Other Revenues Expected by year end	250,000.00
Plus DB 909 Fund Balance at beginning of year <u>1,052,252.93</u>	
Actual Subtotal	\$2,753,654.47
Actual Subtotal less Budgeted Subtotal = Amount Available	\$1,052,725.47

To appropriate fund balance for increase to Road Improvements Capital Outlay EQ budget to accommodate Ridge Road Hot Mix Paving paid in June 2025.

To: DB 5112.2.000 Road Improvements Capital Outlay EQ	\$448,936.19
From: DB 599 Appropriated Fund Balance	(448,936.19)

Mt Pleasant Water District

To increase budget for permit testing, chlorine and parts for chlorinating/purifying systems.

To: SW2 8330.4.000 Purification CE	\$2,000.00
From: SW2 8340.1.000 Transmission/Distribution PS	(2,000.00)

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 140 adopted.

Resolution No. 141 presented by Councilor Fallon, seconded by Councilor Race

RE-AUTHORIZING THE TOWN OF CAZENOVIA SUPERVISOR TO EXECUTE THE APPLICATION DOCUMENTS AND GRANT MATERIALS IN SUPPORT OF THE IMPROVEMENTS TO THE TOWN OF CAZENOVIA WATER POLLUTION CONTROL FACILITY AND TO UNDERTAKE SAID IMPROVEMENTS

WHEREAS, the Town of Cazenovia has previously determined to construct improvements to the Town of Cazenovia Water Pollution Control Facility ("Town of Cazenovia WPCF") located at 4500 Route 13 North in the Town of Cazenovia by utilizing financing from various sources, including the Water Infrastructure Improvement Act (WIIA) Grant Program and Water Quality Improvement Project (WQIP) Program through the New York State Department of Environmental Conservation ("NYSDEC"), the Clean Water State Revolving Fund (CWSRF) through the New York State Environmental Facilities Corporation ("NYSEFC"), as well as funds previously authorized by bonding and any other identified funding sources; and

WHEREAS, the Town of Cazenovia Town Board previously authorized the engagement of MRB Group to provide assistance to the Town to study and recommend improvements to the Town of Cazenovia WPCF as consulting engineers; and

WHEREAS, the improvements to the Town of Cazenovia WPCF shall consist of rehabilitation of the systems' existing final settling tanks, the addition of one (1) new final settling tank, and the addition of UV disinfection improvements, along with other necessary appurtenances; and

WHEREAS, the current identified sources of financing for the proposed \$9,000,000 project include grant monies of approximately \$2,250,000 from the above-referenced granting authority (NYSEFC), \$1,000,000 pending from the DEC Water Quality Improvement Program (WQIP) and \$1,000,000 pending from the North Border Regional Commission, as well as amounts previously authorized by Bond Resolution; and

WHEREAS, MRB Group has prepared and is preparing the documents necessary to re-submit applications to the various funding sources.

NOW THEREFORE, BE IT RESOLVED that the Town of Cazenovia Town Board hereby authorizes Town Supervisor Kyle Reger to execute the application forms and other necessary documents for consideration of funding opportunities to the NYSDEC and NYSEFC, as well as any other applicable sources, and such supporting information as is necessary without further resolution; and it is further

RESOLVED that the Town of Cazenovia Town Board authorizes the submission of the application and ancillary documentation to all identified funding sources; and it is further

RESOLVED that the Town of Cazenovia Town Board hereby authorizes the proposed improvements, as described in this resolution, subject to the above financing and additional procedures as identified by the Town's legal counsel.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 141 adopted.

Attorney's Report: *John Langey, Esq. reported on the IMA with Nelson and the Village that was discussed earlier in the meeting. He will encourage the Town of Nelson at their meeting on Thursday night to pass the same resolution. He said the Short -term Rental Law that was mentioned earlier has had ongoing changes. The treatment plant has a project that's going online and he's been working with bond counsel on that. The Route 20 solar project decommissioning agreement has been signed off on.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility, Water Districts): *Reported they've begun the last piece of the summer paving program and it should be wrapped up by the end of the week. Things are winding down for summer and they will start the fall work very soon. All is good.*

Councilor Golub (Cazenovia Lake Association, Cazenovia Lake Watershed Council, Renewable Energy, United Climate Action Network (UCAN), Future of the Town Office, Anti-racism Coalition): *Reported since the last meeting, there was the 1850 Fugitive Slave Law Commemoration that protested slavery. It was a great event and uplifting for those that were in attendance. There was a good crowd and the church was just beautiful. Weed harvesting is coming to an end on the Lake and he thought there was a lot of good communication throughout the summer with the highway superintendent, that manages the harvesting activities. If he received a complaint, he reported it to Bryan and, in most cases, felt they cleaned up the area or at least made an effort to do so.*

Councilor Johnson (CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Future of the Town Office, Anti-racism Coalition, Community Outreach): *Reported the summer program had a great season with no beach closures which she thought was a record, especially considering it was a hot and dry summer. Lifeguards were busy due to the hot weather. Kristen Brink, the Summer Recreation Program Director, gave a shout out to all the lifeguards. The camp itself, was almost full. There were four weeks of camp which offered a maximum of 284 seats over the four weeks and they had 264 registrations. Revenue was up which was good. She mentioned they are looking forward to more discussions regarding the Town taking over the administration of the Recreation Program and the transition is planned for next year. She said the recreational study for intergenerational recreation will be presented at next month's board meeting. She said on October 6th, there will be an opportunity to hear from the consultant and her recommendations based on all the feedback she's been getting over the past several months. She thanked everybody who participated in the survey. They are hoping to create a robust program and strong intergenerational program year-round. Lastly, in regards to parks, they are going to start on the New Woodstock Softball Field improvements soon. CACDA is meeting next week.*

Councilor Fallon (Planning & Zoning, CACC, Shared Services, Renewable Energy, New York State Police): *Reported the Planning Board and the Zoning Board of Appeals have been very busy as counsel indicated earlier. She is impressed with these volunteers and how much they do for our community and how seriously they take their jobs. She appreciated being involved with the Short-term Rental Law and indicated she has met with John Langey and the Supervisor and they are taking the comments that the public has made and incorporating them into the law.*

Supervisor's Report: *Reported on the highlights for the prior month and mentioned he has been involved with everything that was on tonight’s agenda. Currently, budget season is underway so there's a lot of energy that will be spent on that over the next couple of months. He noted a lot of the heavy lifting is done with the help of the Bookkeeper, Liz Merrill, who's fantastic. He mentioned the Town is fortunate to have her. He said he had the privilege of being able to go to the New York State Association of Counties (NYSAC) conference in Niagara Falls. He said it is a great opportunity to learn because there are presentations on all different kinds of topics that affect municipalities by experts and a way to engage with other leaders throughout the entire State. He also mentioned he’s been meeting with a couple of folks from CPF (Cazenovia Preservation Foundation) leadership. They are exploring some governances on the Gothic Cottage to include interior easements, in addition to exterior. They are going to pursue a couple of options that they will bring back to the Town Board for review but that would obviously help in protecting this landmark as we move forward. He said it's been a remarkably heavy volume month as far as foot traffic and thanked Clerk Sunderman and Deputy Wightman and the whole staff for being able to manage their way through this time. Lastly, he thanked Lauren Lines, who was in the audience, and said he does not get to acknowledge her enough publicly. She is the Executive Director of CACDA and does amazing work for our community and is an unsung hero to our community. He said there is hardly any major projects that goes through our community that does not go through CACDA. She’s a gift to our community. Thank you, Lauren!*

(Office Hours): Sunday, September 21, 2025 12:00 p.m. – 3:00 p.m.

Supervisor Reger commented it is nice to have a bigger crowd present. Over the past couple of years, he has been hosting “office hours” every month. This is an open invitation for anyone that wants to discuss anything regarding the Town to come sit with him and converse over topics of concern.

Supervisor Reger asked if any member of the public cared to use the second comment period to speak to the board regarding any area of Town Board oversight. He mentioned the ground rules and asked for conciseness, not to repeat comments over and over. He said he has a stack of business cards if anyone would like to contact him to further communicate. He asked for comments to try to be limited to three minutes.

Public comment #2:

Laura Reeder of Ridge Road stated she was present, and suspected some others were also here, for a concern that is town business, even though it appears to be village and county business. Currently, the County is in the process, through 9Fresh, of purchasing Reisman Hall and Sigety Hall properties in the Village which is part of the transitional deal to start the process with 9Fresh developing the rest of the Cazenovia College campus. The purchase of Reisman and

Sigety Hall properties by the County presents three significant problems, issues and a variety of questions. She explained she was going to pose the issues and she thought she would leave a lot of the significant questions open to the community present. She mentioned there is a cheat sheet being circulated. In her opinion, the three issues with this purchase relate to a lack of transparency in the process. The Village, Town & County and 9Fresh leaders were aware of the sale but provided no opportunity for residents to learn about or weigh in on the plans until the process was already underway. This undermines trust and contradicts Cazenovia's Anti-bias and Welcoming Policy. She said she is not only a private citizen, speaking on her own behalf, but also a speaker on the behalf of the Anti-racism Coalition of Cazenovia. She helped both the Town and Village craft their statements. The second issue is that there's an uncertain land use and zoning issue. Once the County owns these properties, the uses can be changed at any time. While they might say today, they're going to use the property for X or Y purpose-they might sell rainbows, they might do all kinds of wonderful things with it. However, we don't know if next week they may want to do something else. She felt without clear guardrails and public process residents have little assurance that future changes could reflect community priorities. The Town, whose municipal leaders will not be so answerable to us toward the County, will have to go to the County on their own. Finally, a concern, that a lot of folks have, relates to public safety and equity concerns. Many residents are uneasy about the fact that the County is making this purchase in order to move offices from the Wampsville campus and the particular offices that they're intending to move. So far, according to the spoken plan that they've heard-nothing written, they're planning to move the Madison County Sheriff's Offices, along with Emergency Management Services and possibly 911. This is concerning because obviously the Sheriff recently has been in the news a lot regarding his participation with ICE (U.S. Immigration and Customs Enforcement). As she understands, they've had limited engagement with the public because the Board of Supervisors for the County has said it's not their jurisdiction. She thought that meant they have no control over the Sheriff's Office. If that's the case, then now we have many steps away from control over what the Sheriff's Office can do in our Village if the Board of Supervisors also has no control over the jurisdiction. All of this means that the anti-bias welcoming community is something that the citizens have no voice in. Why is this a town matter? Supervisor Reger and the Board bring information from the Town to the Board of Supervisors. If people don't understand this process, the Board of Supervisors is comprised of all the Town Supervisors which makes this a town matter. It's a matter of four municipalities, essentially three municipalities and one leadership organization. They are asking the Town Board to hear these concerns and bring them to the Board of Supervisor's meeting, not just to this meeting. They are asking for representation of their concerns and basically to pause this process-which she understands is controversial. They want 9Fresh to be successful. They want a future for the Village, but they're asking for a pause in the process so that there is community input and then move forward with better decision making.

Rebecca Garden of Mill Street, New Woodstock stated she was a member of the Anti-racism Coalition. She wanted to speak specifically to the Sheriff's Office moving to Cazenovia, and picking up where Laura left off with this being part of representative democracy. She said you're carrying the community's voices and concerns forward along the chain of representation and standing for the people. They are asking for leadership which should begin with information and reaching out to the community for public comment, community engagement and public process. Many of them are concerned about Sheriff Todd Hood, who has deliberately signed up for the 287(g) Program which means he's colluding. His office is colluding and collaborating with ICE.

Her research indicates this is the least involved program. But at any time, he could sign up for a program where not only tax dollars would be going toward ICE activities, but the Office of the Sheriff and people within the Office of the Sheriff could be getting financial benefits from ICE for detaining people and compared it to a bounty system. In her mind, what they're seeing happening with ICE right now, is what they are seeing happen in Cato, New York and Chicago. ICE is an immoral, anti-democratic agency that they should not be involved with in any way. She asked, if the Sheriff's Office is involved with ICE, then what does it mean to bring the Sheriff's Office to our community? She asked for consideration to leverage knowledge and expertise to aid in not colluding with ICE in this community, County, State and Nation.

Stefan Lutter, Village resident, said he resides about a block away from the intended facility. He expressed he could say a lot about Sheriff Todd Hood and his disregard for public input and citing statistics that support his decision-making process. Hood has said extensively in public that ICE does not round people up at farms, factories, etc. He would probably be shocked by this weekend's actions, including the abduction of 12 kid's parents to whom they will never see again and where they will end up. Aside from that, it may be and is likely true that the entire fault of this mess is not entirely with the Board of Supervisors. It could be that one or two people worked with the County to establish or encourage this opportunity with 9Fresh and spoke for the public when they had no idea what the neighbor's opinions would be and without doing any due diligence. He emphasized some of the concerns he had with the proposal. He mentioned his views based on his profession as a Land Use Planner. The proposed County use of this site, would represent the second significant portion of the College being cut off from the tax roll after the town's purchase of the Jephson Campus, another significant portion of the College. The recent budget trauma at Cazenovia School left many parents concerned about the future quality of the school-the lifeblood of the community. It seems incredibly short-sighted to be undermining the community's financial capacity. The plans also include the demolition of Sigety Hall to create a parking lot right in the middle of our downtown which has direct implications for community health. Permanently removing a building and replacing it with a surface parking lot undermines not just the physical value of the property, but the character of our community and historic center, another lifeblood of this village. Again, no community input whatsoever. Little thought seems to have been given to the impact of this use on neighboring properties. As someone who has spent seven years watching the Sheriff directly from his window when he worked at the County, it's not exactly something you'd want to live next to because of the visual impact coupled with the added levels of dispatch from emergency operations. This is not the Village of Cazenovia Police Department, but one complete with military gear, etc. This should concern anyone who wants to see something truly additive of the college properties being reused as something truly additive to the community with long-term success that impacts the value of those properties. If the Sheriff even locates some of his operations here, he felt it would most likely spell the end of the local police department. So whatever you think about police, our local police department is responsive to local issues and concerns. Democratically accountable to our residents and a much more appropriate size and footprint for the community. The proposal as developed must be held accountable to local land use laws. There is some confusion about this and this is part of his wheelhouse. While it's particularly relevant to the Village, he would urge the County and the representatives in the capacity they have to the County to be respectful of the fact that no engagement has been done on the college properties, nor the proposal or the details therein. The community is at a pivotal point and cannot afford to get the College redevelopment wrong. He did not feel this was a good start. Whatever the County has been told, no individual in our

community has the authority to waive local land use laws for the County. New York State case law on land use has established a clear process for determining land use law applicability for municipal operations. Basically, the County isn't exempt from local land use laws. Currently, there is local land use laws and unless they're teaching somebody, there is no use they can do. He urged the County to withdraw their plans for the parcels entirely or at a bare minimum, start entirely from scratch and work with the public to establish a different use appropriate for the site and a site plan that respects village residents.

Tom Lampros of Rippleton Cross Road said he spoke to the Board of Supervisors back in May about his concerns with the Sheriff's Office cooperation with federal authorities operating as ICE and others. Primarily, that was his concern for the safety for all people in the country. Anyone in the United States has certain rights. We are seeing those rights being violated on a day-to-day basis right now, regardless of citizenship. People have the right to due process. They have the right to be identified by anyone who would take them under detainment. People, currently, as we see on a daily basis are being snatched off the street by armed, masked gunmen with no warrants and no identification. This should be shocking and of great concern to all citizens as well as people who are here, illegally or on Visas. Following up on what was witnessed in Cato recently, this is hitting home. He wanted to register his objection to the Sheriff's Office being located in the Village. He pointed out County funds are already being used in housing anybody who's detained, so our tax dollars are going towards ICE operations. He inquired if there has been an uptick in the crime rate? Is there a justification for this or is it primarily to support ICE operations? He requested, Mr. Reger, take these questions back to the Board of Supervisors.

Kate Stewart of Myrtle Street stated the community has already survived two years of the Troopers having a training program in the Town which was very unpleasant. She had anecdotal stories from various people who interacted with the troopers and the experiences were not pleasant. She asked why the Town would want to do anything similar to this again. The \$50,000 bonus for people who sign up for ICE is not deserved-firefighters, teachers, nurses should be getting that money. The people that sign up are uneducated and are just doing this to make some extra money and act like thugs. She commented if Cazenovia chooses to do something like this, she doesn't know how she will feel about her town any longer-that's not the Cazenovia she moved to in 1997.

Betsy Moore of Sullivan Street stated she taught design at the Reisman Hall building for over 25 years. It was the center of creativity for art design students of all nationalities, descriptions, and varying genders-many variations of people studied there. She expressed concern about the change in use from a creative village arts community reputation to something that may become ICE adjacent, a militarized campus.

Al Levy of Manlius, said he first learned about this potential purchase at a coffee shop, a few days ago. He explained he is part of a group that gets together to have coffee and talk about many different things. The vast majority of people that attend are Cazenovia residents and all but one hadn't heard of this and there were roughly 20-25 people there. He suggested that peoples' voices should be heard and their input should be considered. It should not simply be done behind closed doors without anybody realizing it and it shouldn't be that people wake up and see ICE in their backyard without having had any input on the matter.

Tom Guiler of Lincklaen Street said he can see where the proposed sheriff's station would be. He was glad the Board brought up the Fugitive Slave Convention of 1850 and the celebration. He opined it is very similar to what is going on right now with ICE. ICE is acting like slave catchers taking bounties for human beings -never to be seen again. He thought it was disgusting and reprehensible that this proposed sheriff's station will be within eye shot of a place where a Cazenovian said no to federal intervention.

Dana Wheatley of Albany Street stated she was very concerned about the potential Sheriff's Office moving to the Village of Cazenovia. She said she works at an immigration law firm in Syracuse. Currently, they are dealing with rapid response to the situation in Cato as they provide services to that region. The firm is scrambling, themselves, to figure out what to do because they've never been in this situation at her office. She can only imagine what future raids will do to already overworked people who are doing their best for their communities. She encouraged the Town Board, as leaders of the community, to use their power and the privilege that has been bestowed upon them to speak out and represent their constituents. She urged the Board to show Madison County Sheriff's Office Cazenovia will not allow this! She asked, in whatever capacity was possible, the group would appreciate someone looking out for community members who are the most vulnerable.

Rebecca Downing of Lincklaen Terrace stated she was a member of the Anti-racism Coalition. She was speaking as the daughter of someone who barely made it out of Nazi Germany, born during a bombing. She would just like to say to anyone that says "not my problem, not our jurisdiction, not our area," look what happened. She was not trying to be an alarmist, but felt we are there! When systems have holes in them and things can happen when structures are in place but don't talk to each other or can't talk to each other-this is what happens. She thought the Board has an opportunity to make their voices heard and step in and represent the constituents on this because it is incredibly important.

Rob Williams of 56 Chenango Street stated he moved back to the area last year. He lived in Portland, Oregon where, during the pandemic, he witnessed police forces protecting The Proud Boy Marches through the streets. Downtown closed because there was no government to protect businesses and people that lived there. He said he saw dead bodies on the street on a regular basis. He made the decision to move back to this area and be close to his family and with that came the opportunity to make changes. In a smaller community, with a lot of proactive people, and to see this happen here, on this level, is very discouraging. He felt he has seen governments in middle- sized cities that have their hands tied or say that they do. He felt, at this level in Cazenovia, we can make a change, be proactive and speak out against having this presence here when we've seen it on a national level and there's so many people that are just throwing their hands up. We are at a turning point right now and he would like to think that he made the right decision to move back to this community because there's people here who care and are passionate. He urged the Board to think about this and make the right decision and not let ICE infiltrate this beautiful, vibrant community that we have. He said it will destroy the faith in the decision that he made to move back to Upstate New York, after living almost 20 years on the west coast in an area considered an incredibly liberal environment. He said he witnessed it destroyed by government that didn't make decisions to benefit the people that lived there. He does not want to see that happen here.

Delanie Spangler of Cody Road, Fenner stated she was not going to reiterate the very excellent points that have been made about the implications of having ICE in the community and having this turned into a police state and what that will do to the migrant workers. People who she considers her own neighbors on these farms. On Brett's[sic] point, this is a vibrant, beautiful community and it's somewhat of a tourist destination in Central New York. People come from all over to see Cazenovia, the Lake, Albany Street and go to the coffee shops and stores. She said from a pragmatic point of view, the small business owners will be hurt by this. People aren't going to come an hour, two hours or to spend a weekend, if it's a police state and there's ICE around. If there's more cops patrolling the streets, they're not going to want to come here. She thought this would hurt our local economy.

Debbie Holmes of 6 Willow Place said this must have been discussed at the Board of Supervisors and wondered how long had this Board knew about this without the public knowing? Is there an any answer to that?

Supervisor Reger reminded the audience this was a public comment period and the questions are certainly being considered.

Roger DeMuth of Chenango Street inquired about the decommissioning of the solar project. What does that mean?

John Langey, Esq. said you are asking a question about a term I used earlier regarding decommissioning of a solar project. He said there is a proposed project on Route 20 behind the old John Deere dealership. Decommissioning, is an amount of money that a solar company has to post to take everything away and take it right off the property. A decommissioning fund is an amount of money that the town would make a developer post in case they have to take the solar panels out and off of the project. The Town holds onto that for the life of the project which is typically 20 to 25 years.

Tom Lampros said he approached a couple skateboarders in the Village and asked them if they would utilize a skateboard park, if one was available. They commented with enthusiasm to his question. He wanted to speak on their behalf and encouraged it to be reopened.

Allen Naples of 19 Forman Street said he is a new resident. He agreed with a lot of the discussion on ICE except for the willingness to answer how long this purchase was known about. He cautioned the Board to consider the financial side of this decision. He said as a former banker for 52 years, he understands what 9Fresh is trying to do. If ICE comes to Cazenovia, the ability to get financing is going to be limited and it already is due to what's happening in the markets. He suggested the Board take that into consideration.

Rebecca Garden stated Sheriff Hood's politics and practices include more than ICE. If the 287 (g) Agreement was annulled, he's been associated with right wing extremist politics and could just pivot to a different kind of reprehensible activity. It's not only ICE; it's Sheriff Hood having a Sheriff's Office here at all. In addition to the other questions that have been presented tonight, she inquired about the relationship between the Sheriff's Office moving here so that they can expand the number of beds and detention at the Madison County location in order to create revenue? Does the County want to be in the business of creating revenue through detaining juveniles? "I don't, I don't think we should be!"

Laura Reeder commented again and said she agreed on all the questions and concerns around the Sheriff's Office moving here. The County can also decide tomorrow that they're just going to have, for example, preschool here. She didn't know what they wanted, but if they own the property. Period! It's important to note that if they own the property, they lose any input on how they can actually determine the use of that space. Whatever they want to do there means that we are very close to that possibility. So, they can choose to do anything. It may not be the threat of ICE right now or the threat of a sheriff or the threat of emergency vehicles coming and going, whatever they choose to do, we will not have a say because there're smack in the middle of our walkable, peaceful, pastoral (according to Ms. Reeder 9Fresh's description), something that's being promised here. She thought it was important to note that in spite of and in addition to all the urgent issues, if they come back and promise us that they're going to do something gentle and kind, it's not a guarantee that we will still have control over what they may choose next year.

Bill Bullen of Ridge Road said he has heard that the deal that has been finished and the proposal is at the Attorney General's Office. He also understands 9Fresh could actually stop the deal, pause it, stop it, whatever. He wanted to make sure that was public information that we have the ability to stop the deal within ourselves.

Betsy Moore of Sullivan Street reiterated she taught at the College. One of the challenges that was often faced was being landlocked-it's a very tight campus right in the middle of town which is why they bought all the accessory "bits and pieces" all around. The County, for whatever purpose they choose to use, may quickly run out of space immediately-the College certainly did. She thought that would be an important plan of consideration.

Maria DiElsi exclaimed are you going to answer the questions that have been posed?

Councilor Race stated this is a public comment period.

Collectively, the audience expressed their opposition to the questions not being answered.

Supervisor Reger reiterated his business cards are at the front of the table and he would be happy to set up a meeting. This is just a public comment period.

Motion by Councilor Race, seconded by Councilor Golub to close the public comment period.

Robert Ridler, Planning Board Chair, read the following letter to the Town Board that was endorsed by the Town of Cazenovia Planning Board:

"On behalf of the Planning Board, I am requesting that the Town Board begin the development of a demolition review process, and until such a process can be put in place, that the Board execute a moratorium on demolitions.

The purpose of this request involves information that in the past seven years, there have been fifteen demolitions of properties in the Town. We are concerned about the continuation of demolitions at this pace with no consideration of the impact on community character and the Town's cultural landscape. As you are aware, a demolition requires only that the applicant receive a permit, with no notification to neighbors, the Planning Board, or other Town Board members. As the Town Board and Planning Board are responsible for maintaining community character, we cannot and are not fulfilling our role in this critical responsibility.

The recent sale of the Ormonde Estate raised the prospect that this historical landmark could be demolished. The current placement for sale of Villa LeMoyne is being offered as a tear-down. The lack of any demolition review or other law protecting historic properties is resulting in property owners neglecting properties so they can be sold for demolition. This is clearly not the intent of the Comprehensive Plan.

Knowing the length of time required to develop processes and pass a law, immediate passage of a moratorium is requested. This moratorium need only be triggered when the next application is received and could include any legal exemptions you deem necessary. Consistent with the Comprehensive Plan, we request that the Town initiate an effort to work with the Planning Board and public to develop a process for the benefit of the Town.

The Planning Board both supports this effort and is willing to assist in its development.”

Clerk Sunderman confirmed a copy has been submitted to the file.

Ann Ferguson of Syracuse Road accompanied Chair Ridler. She said she wanted to add some context to the letter Bob read. She reminded the Board she came to them in April to share the results of a survey that Cazenovia Heritage did. Among the items that were listed, the number one item from the responses was the advocacy priorities of Cazenovia Heritage should be to work with the town and the community to come up with a way to protect our historic resources. Therefore, last month, they sent an invitation to owners of Nationally Registered properties as well as non-National Registered properties but historic properties, and invited them to come for a listening session so they could tell Cazenovia Heritage what they wanted them to work with the Town on. There was no agenda or going in with a preconceived idea or anything proposed. They just listened and went over the various types of protections that were possible, and after about an hour, consensus rose around doing something in terms of a demolition review process and because of the length of time it takes for a law, ask for a moratorium, as well. She said it was very timely because as Bob mentioned, Ormonde was up for sale last summer and the rumors were spreading that it was going to be demolished. Then, another National Register property on East Lake Road was up for sale and concerns resurfaced again. She said every time one of these properties goes up for sale, you're gripped with, are they going to tear down a national registered property again? Last month there were two more demolitions and the current count is at 17 in the last seven years. She said if 17 buildings were demolished on Albany Street, we would be aghast. She imagined individuals would be shocked if the Mayor and the Trustees didn't say anything, at all. Seventeen properties in the Town get demolished and nothing, not a word. She thought the main reason was because the Board doesn't know about this which is part of the problem. She gave the example, if she wants to relocate her driveway, she likely has to notify neighbors within 500 ft. of her property boundaries. Additionally, she may need to get sign-off from the highway department and she may need a GML. She may have to put it through the Planning Board, who could ask for a public hearing. But, if she wanted to demolish a nationally registered property, she could simply go to the Code Enforcement Officer and get a permit and demolish the next day. That's not right, something's wrong! She further explained, typically, you don't see them because you have a historic property on West Lake Road that gets demolished and you go, all right, what's the impact on community character? Not much. However, then another one five miles away on the eastern side of the Town, gets demolished. Then another six miles south, in New Woodstock gets demolished. Over the course of time, one after another after another, in 20 years you wake up and they're all gone. All of the historic properties could be gone and the cultural landscape is lost. She thought the issue was demolitions are looked at

individually and thus trying to assess the impact on community character, individually. With the Town being the size that it is, it has to be looked at it, holistically and assess the cumulative impact on community character of all of these demolitions. The preservation of historic resources in the Town is very different from the issues that they have in the Village because of our size. It also has to be viewed holistically because of the properties that do exist in the Town. There are center-chimney homes from 1800, Federal and Greek revival, Italianate, along with stick-style and Gilded-age cottages, Colonial Revival, arts and crafts, modern and post-modern and mid-century modern all in the town. These buildings are a visual representation of our socio-economic development of this whole community. It's our history and defines the unique sense of place that we have. Without any kind of protection of any type, we are allowing this cultural landscape to be demolished. She recognized that all laws that are brought before the Town are important, but she felt there was an urgency for a law such as this. She recognized that a demolition moratorium might be a big ask, but asked for something simple at the next meeting. Perhaps, make Chuck's procedures allow that any demolition of a building over 50 years old, would get referred to the Planning Board for review, even if the Planning Board doesn't have the power to deny, change-amend the authorities of the Planning Board. The Planning Board could require a public hearing on a demolition of a historic property or you could request every demolition of a historic building must have a 60-90 day "cooling off period." Anything that could help slow the increasingly number of demolitions that we are seeing of historic properties. The Town has very good legal counsel and maybe there's a creative way to come up with a way to apply this simply to Nationally Registered properties without invoking spot zoning. Any of these recommendations would help and allow in the interim to come up and develop a demolition review process law. She said Cazenovia Heritage will work with the Town, Councilor Fallon, Planning Board, Codes Enforcement Officer and the public to get something to the Board for review within the next three to four months. She said this was already visited in 2019. The Town authorized a demolition review process and it was as far as a draft of the law, but the last administration would not put it on the agenda. She offered the organization's services to get something done. In closing, she said this Board can be the Board to finally make something happen as it relates to preservation. The public has been asking for this for 35 years and she was hopeful this Board will act on it now.

Gail Azeredo-Woods and her husband, Sam, own an old property on East Lake Road. She said it is almost 100 years old, built in 1928. It was built by a family called Cherry and then for 45 years owned by the Pass family, which if you're from this area, you know, Pass & Seymour and also Syracuse China. It has a lot of history attached to it and they bought it because they fell in love with it. They have always thought of themselves as just stewards to the house. They had already been associated with Cazenovia through Willow Bank and love this community and moved from Manlius to Cazenovia. They have spent personal countless hours working and restoring and caring for this property. Recently, due to the loss of so many homes, they have admired and loved both big and small, they have been considering how they can protect them into the future. They sincerely hope that the Board will consider this moratorium. She didn't know what can be done, but felt something should be done. The people that she knows that own older homes are struggling because for them to do it personally is very expensive and there are people that may not be able to afford this process. She reiterated the importance of protecting this beautiful Town from all of this. She hoped the Board would seriously consider the thoughts that Ann and Bob put forward.

The Town Clerk presented the monthly bills list.

The Town Board's method-of-choice for review of the monthly bills:

The Town Board's first review takes place when detailed lists of the monthly bills are emailed to them on the weekend preceding the meeting. As a second review, the Town Clerk reads aloud the monthly bills list as the Town Board followed along with hard copies. The invoices are present at the meeting and the Town Board visually inspects them and discusses them at their discretion.

Motion by Councilor Golub, seconded by Councilor Race to approve payment of the bills in the amount of \$ 354,193.44. Councilor Race recused himself from payment of the Suit-Kote invoice. Otherwise, the motion was approved.

Motion by Councilor Race, seconded by Councilor Fallon to adjourn this meeting. The motion was unanimously approved.

At 8:57 p.m., Supervisor Reger declared this meeting adjourned.

Signed: *Connie J. Sunderman*
Connie J. Sunderman, Town Clerk