

**TOWN BOARD
REGULAR MEETING**

MONDAY

September 9, 2024

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

Pledge of Allegiance.

Correspondence: *There was 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 7, 2024.

The Town Board will have an additional work session on Tuesday, September 17, 2024 at 7:00 p.m. at which time the Comprehensive Plan Review Special Board will review the Draft Comprehensive Plan with the Town Board.

Motion by Councilor Fallon, seconded by Councilor Johnson to accept the minutes from the August 12, 2024 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:

Lynn Clarke of 2129 Ten Eyck Avenue stated she and her husband are hoping the Town Board will approve the sewer extension. She felt it is a sanitary improvement and would make the neighborhood happy.

Greg Clarke thought it would also promote growth of the community for new construction.

Motion by Councilor Race, seconded by Councilor Golub to open the public hearing relative to Local Law C – 2024, entitled "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law § 3-C in the Town of Cazenovia."

Supervisor Reger stated this local law is in regards to the tax cap override that is established as the Town Board goes through the budget process. He said the law will be rescinded if it is determined it is not needed.

Public comment: *There were no comments.*

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

Resolution No. 113 presented by Councilor Race, seconded by Councilor Johnson.

TOWN OF CAZENOVIA LOCAL LAW C OF 2024

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. C-2024, “A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the

Town of Cazenovia,” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on August 12, 2024; and

WHEREAS, a public hearing was held on such proposed local law on this 9th day of September 2024, by the Town Board of the Town of Cazenovia 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 Cazenovia 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-2024 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. C-2024.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Cazenovia, Madison County, New York, does hereby enact proposed Local Law No. C-2024 as Local Law No. 4-2024 as follows:

**“TOWN OF CAZENOVIA
LOCAL LAW NO. 4 of 2024**

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

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

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Cazenovia, County of Madison pursuant to General Municipal Law §3-c, and to allow the Town of Cazenovia to adopt a Town budget for (a) Town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2025, that requires a real property tax levy in excess of the “tax levy limit” as defined by the General Municipal Law §3-c.

Section 2. AUTHORITY

This local law is adopted pursuant to Subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Cazenovia, County of Madison, is hereby authorized to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. EFFECTIVE DATE

This Local Law shall take effect upon filing with the Secretary of State.”

Roll call:

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

Supervisor Reger declared Resolution No. 113 adopted.

Resolution No. 114 presented by Councilor Race, seconded by Councilor Fallon

**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 7, 2024 - New Woodstock Firehouse, 2632 Mill Street, New Woodstock**
- **Monday, November 4, 2024 - 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. 114 adopted.

Resolution No. 115 presented by Councilor Race, seconded by Councilor Johnson

BUDGET WORK SESSION

To approve the scheduling of a budget work session on **Wednesday, October 23, 2024 at 6:00 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. 115 adopted.

Motion by Councilor Fallon, seconded by Councilor Golub to open the public hearing relative to Local Law D – 2024, entitled "A Local Law to Amend Chapter 150 (Taxation) of the Code of the Town of Cazenovia to Add Article IV (Disability Exemption) Providing for a Tax Exemption for Persons with Disabilities Pursuant to Real Property Tax Law §459-c."

Supervisor Reger explained this Local Law adds the ability for a tax exemption for individuals with disabilities to make it easier to acquire such exemption. He added the exemption is based on an income schedule.

Public comment: *There were no comments.*

Motion by Councilor Race, seconded by Councilor Fallon to close the public hearing.

Resolution No. 116 presented by Councilor Race, seconded by Councilor Fallon

LOCAL LAW NO. D OF 2024

(“A Local Law to Amend Chapter 150 (Taxation) of the Code of the Town of Cazenovia to Add Article IV (Disability Exemption) Providing for a Tax Exemption for Persons with Disabilities Pursuant to Real Property Tax Law §459-c”)

WHEREAS, pursuant to the provisions of the New York State Constitution and the New York State Municipal Home Rule Law, as well as New York State Real Property Tax Law §459-c, proposed Local Law No. D-2024, titled “A Local Law to Amend Chapter 150 (Taxation) of the Code of the Town of Cazenovia to Add Article IV (Disability Exemption) Providing for a Tax Exemption for Persons with Disabilities Pursuant to Real Property Tax Law §459-c,” was

presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on August 12, 2024; and

WHEREAS, a public hearing was held on such proposed local law on the 9th day of September 2024, by the Town Board of the Town of Cazenovia 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 Cazenovia 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. D-2024 has previously been determined to be an Unlisted Action and will have no significant effect on the environment thus concluding the SEQR review process; and

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

NOW, THEREFORE, it is

RESOLVED that the Town Board of the Town of Cazenovia, Madison County, New York, does hereby enact Proposed Local Law No. D-2024 as Local Law No. 5-2024 as follows:

**“TOWN OF CAZENOVIA
LOCAL LAW NO. 5 OF 2024**

**A LOCAL LAW TO AMEND CHAPTER 150 (TAXATION) OF THE CODE OF
THE TOWN OF CAZENOVIA TO ADD ARTICLE IV (DISABILITY EXEMPTION)
PROVIDING FOR A TAX EXEMPTION FOR PERSONS WITH DISABILITIES
PURSUANT TO REAL PROPERTY TAX LAW §459-c**

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

SECTION 1. AUTHORITY

This Local Law is adopted pursuant to Real Property Tax Law §459-c, as well as the provisions of the Municipal Home Rule Law of the State of New York.

SECTION 2. LEGISLATIVE INTENT

The Town Board of the Town of Cazenovia being ever mindful of its responsibility and obligation to provide for the welfare and financial independence of the persons with disabilities of the Town who have made a vital contribution to the growth, development and progress of the community, intends by the enactment of this Local Law to provide protection for limited income persons with disabilities from the increased cost of living.

The purpose of this Local Law is to grant the exemptions from taxation in accordance with the criteria set forth in New York State Real Property Tax Law §459-c, specifically to increase the income limits for the exemption for persons with disabilities.

SECTION 3. AMEND CHAPTER 150 (TAXATION) OF THE CODE OF THE TOWN OF CAZENOVIA

Chapter 150, “Taxation,” shall be amended to add a new Article IV, “Disability Exemption,” which shall read in its entirety as follows:

“Article IV. Disability Exemption

§150-14 Exemption granted, amounts.

Pursuant to §459-c of the Real Property Tax Law, real property owned by persons with disabilities whose incomes are limited by reason of such disabilities shall be exempt from taxation to the extent set forth below:

<u>Annual Income</u>	<u>Assessed Value Exempt from Taxation</u>
\$50,000 or Less	50%
\$50,001 - \$50,999	45%
\$51,000 - \$51,999	40%
\$52,000 - \$52,999	35%
\$53,000 - \$53,899	30%
\$53,900 - \$54,799	25%
\$54,800 - \$55,699	20%
\$55,700 - \$56,599	15%
\$56,600 - \$57,499	10%
\$57,500 - \$58,399	5%

§150-15 Compatibility with Real Property Tax Law §459-c.

The right to said exemption set forth in this Article, the procedures for application therefor and the restrictions and limitations thereon shall be as set forth in this Article in accordance with the terms, procedures, restrictions and limitations set forth in the Real Property Tax Law §459-c. The exemption, the procedures for application therefor and the restrictions and limitations thereon as set forth in Real Property Tax Law §459-c, as amended, and as from time to time shall be amended, are hereby incorporated by reference into this Article. If any provisions of this Article are in conflict with those set forth in Real Property Tax Law §459-c. Real Property Tax Law §59-c shall be controlling.”

SECTION 4. EFFECTIVE DATE.

Th is Local Law shall take effect upon filing with the office of the Secretary of State of the State of New York, as provided in Section 27 of the Municipal Home Rule Law.”

Roll call:

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

Supervisor Reger declared Resolution No. 116 adopted.

Motion by Councilor Race, seconded by Councilor Fallon, to open the public hearing relative to an extension of the Town of Cazenovia Consolidated Sewer District (*Extension No. 4-Ten Eyck Avenue Sewer Line Extension*) Encompassing Lands in the Town of Cazenovia, County of Madison and State of New York

Public comment: *There were no comments.*

Motion by Councilor Race, seconded by Councilor Johnson to close the public hearing.

John Langey, Esq, said there will be follow-up for this project. The document gets filed with the County Clerk’s Office and it is sent to the State. The Town will want to see the contractor’s insurance if they are anywhere in the Town highway right-of-way. He said if there is any type of accident, the Town’s insurance would be secondary to the contractor’s coverage.

Resolution No. 117 presented by Councilor Race, seconded by Councilor Golub

**IN THE MATTER OF THE APPLICATION
FOR AN EXTENSION OF THE TOWN OF CAZENOVIA
CONSOLIDATED SEWER DISTRICT (EXTENSION NO. 4)
ENCOMPASSING LANDS IN THE TOWN OF CAZENOVIA,
COUNTY OF MADISON AND STATE OF NEW YORK.
(Ten Eyck Avenue Sewer Line Extension)**

WHEREAS, a written Petition, dated August 5, 2024, in due form and containing the required signatures, has been presented to and filed with the Town Board of the Town of Cazenovia, Madison County, New York, for the extension of the Town of Cazenovia Consolidated Sewer District (to be known as the “Consolidated Sewer District Extension No. 4 -- Ten Eyck Avenue Sewer Line Extension”) in said Town, bounded and described as set forth on Schedule “A” attached hereto; and

WHEREAS, all costs in connection with the extension of said Consolidated Sewer District, including all legal and engineering expenses incurred by the Town, and all costs of construction of sewage facilities necessary to serve said Consolidated Sewer District Extension and also all costs and expenses incidental to the acquisition of necessary lands and rights-of-way therefore will be paid by the Petitioners, their grantees, successors or assigns, who will subsequently execute, if necessary, an instrument conveying title to all or such portions of such sewage facilities including lands or rights-of-way that may be required by the Town Board of the Town of Cazenovia, free and clear of all liens and encumbrances, to the said Consolidated Sewer District Extension at no expense to said District or the Town of Cazenovia; and

WHEREAS, an order was duly adopted by the Town Board on August 12, 2024 for the hearing of all persons interested in the matter on the 9th day of September, 2024 at 7:30 p.m., or as soon thereafter as the matter could be heard, at the Town Offices in said Town; and

WHEREAS, the public hearing having been duly held by the said Town Board on September 9, 2024, proof of posting and publication of the notice of said hearing as required by law having been received by the Town Board, and the Town Board having heard all persons interested in such matter; and

WHEREAS, the Town Board has received an Engineer’s Map, Plan and Report, prepared by Wayne C. Matteson, Jr., P.E., a competent engineer duly licensed by the State of New York, dated July 24, 2024, as last revised, certifying that the plans for constructing the sewerage facilities in said Consolidated Sewer District Extension are satisfactory and meet the requirements of the Town, subject to inspection by the Town Engineers at Petitioners’ cost and expense upon installation of the facilities therein; and

WHEREAS, the permission of the State Comptroller shall not be required for the proposed extension of said District nor the construction of said improvements since the Town shall not be required to finance the cost of said improvements by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town; and

WHEREAS, August 12, 2024, the Town Board also determined that the proposed extension of the said District and construction of improvements therein will have no significant effects on the environment and that such determination constituted a Negative Declaration for purposes of environmental review.

NOW THEREFORE, it is hereby

RESOLVED AND DETERMINED that:

A. The Petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed Consolidated Sewer District Extension as herein approved and it is otherwise sufficient;

B. All of the property and property owners within the proposed Consolidated Sewer District Extension are benefited thereby;

C. All of the property and property owners benefited are included within the limits of the proposed Consolidated Sewer District Extension;

D. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED that all future costs and expenses of operation, maintenance and improvements in said Consolidated Sewer District, including those relative to the district extension which is the subject of this resolution, shall be assessed, levied and collected from the several lots and parcels of land within the entire area of said Cazenovia Consolidated Sewer District (as extended) deemed benefited thereby in proportion to the amount of benefit conferred upon same; and it is further

RESOLVED that the Petitioners shall be required to: 1) obtain the approval of the Town of Cazenovia for connection to the Town’s sewer system and treatment at the Town’s Water Pollution Control Facility prior to undertaking any work; and 2) to install, at Petitioners’ own cost and expense, an approved water meter connected to the on-premise water service (which meter shall be read and reported to the Town as applicable); and it is further

RESOLVED that the said Cazenovia Consolidated Sewer District be extended in the said Town of Cazenovia, Madison County, New York, to include the description and boundaries, as hereinbefore described to be known as the Cazenovia Consolidated Sewer District Extension No. 4 -- Ten Eyck Avenue Sewer Line Extension), conditioned however and subject to Petitioners

remitting payment of all fees associated with the formation and review of the Cazenovia Consolidated Sewer District Extension No. 4 (Ten Eyck Avenue Sewer Line Extension); and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be recorded and filed in accordance with the provisions of Article 12 of the Town Law.

Roll call:

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

Supervisor Reger declared Resolution No. 117 adopted.

SCHEDULE “A”

EXTENSION OF THE TOWN OF CAZENOVIA
 CONSOLIDATED SEWER DISTRICT (EXTENSION No. 4)
TEN EYCK AVENUE SEWER LINE EXTENSION
 TEN EYCK AVENUE

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CAZENOVIA, COUNTY OF MADISON AND STATE OF NEW YORK BEING DESCRIBED AS FOLLOWS:

Beginning at a point on the centerline of Ten Eyck Avenue, said point located at the intersection of the centerline of Ten Eyck Avenue with the southerly extension of the westerly boundary of Gregory D. Clarke and Lynn S. Clarke (Now or Formerly - Instr. #2023-2420), said point being further described as being easterly 344.2 feet as measured along the centerline of Ten Eyck Avenue from a point located at the intersection of the centerline of Ten Eyck Avenue with the centerline of Ridge Road; thence N01°03'26”W 294.65 feet along the westerly boundary of Clarke and the southerly extension thereof to a point located on the northerly boundary of Clarke; thence N89°25'13”E 462.46 feet along the northerly boundary of Clarke, along the northerly boundary of Tracy A. McKinnon (Now or Formerly - Liber 1380/Page 87) and along the northerly boundary of Chad C. Puffer (Now or Formerly - Instr. #2014-027) to a point located on the easterly boundary of Puffer; thence S00°21'57”W 302.51 feet along the easterly boundary of Puffer and the southerly extension thereof to a point located on the centerline of Ten Eyck Avenue; thence N89°35'40”W 73.37 feet along the centerline of Ten Eyck Avenue to a point located on the easterly boundary of Andrew Swatkovsky and Pamela Watt Blom (Now or Formerly - Liber 1395/ Page 67); thence S00°09'53”E 301.82 feet along the easterly boundary of Swatkovsky and Blom to a point located on the southerly boundary of Swatkovsky and Blom; thence S89°54'47”W 226.22 feet along the southerly boundary of Swatkovsky and Blom to a point located on the easterly boundary of Sean P. O’Malley and Mary O’Malley (Now or Formerly - Instr. #2011-3309); thence S00°16'49”E 69.55 feet along the easterly boundary of O’Malley to a point located on the southerly boundary of O’Malley; thence S88°56'12”W 231.00 feet along the southerly boundary of O’Malley to a point located on the westerly boundary of

O'Malley; thence N00°36'40"W 379.28 feet along the westerly boundary of O'Malley and the northerly extension thereof to a point located on the centerline of Ten Eyck Avenue; thence S89°35'40"E 78.32 feet along the centerline of Ten Eyck Avenue to the point and place of beginning.

The above-described premises containing 6.724± acres of land more or less.

Subject to any easements, covenants or restrictions of record.

John Langey, Esq. said the assessed values have fluctuated for different reasons. He said when this was first established there was a lot of discussion to make this fair to users in both towns. He said this equalizes the debt repayment.

Resolution No. 118 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE THIRD 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-Stated IMA”), and

WHEREAS, pursuant to the terms of the Amended and Re-Stated IMA, the parties have anticipated that from time to time the terms of said Amended and Re-Stated 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-Stated 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-Stated 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-stated 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-stated IMA; and

WHEREAS, the Town of Cazenovia Town Board and the Town of Nelson Town Board have directed the preparation of a proposed Third Amendment to the Amended and Re-Stated

IMA, as more specifically addressed in the Third 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”

**THIRD 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 **THIRD 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 _____, 2024, 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, 2025:

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 (2025) = \$ 5,401,900

Total assessed value within the Town of Nelson (2025) = \$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 \$ 18,414,800, 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 29.33% and the Nelson District’s pro-rata share of the Total Project Cost is 70.67% for Tax Year 2024. 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 and Second 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 _____, 2024, 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 _____, 2024, 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 _____, 2024, 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. 118 adopted.

Supervisor Reger said this is part of the SAM grant and will start the bid process for the procurement of this piece of equipment.

Resolution No. 119 presented by Councilor Race, seconded by Councilor Golub

**AUTHORIZATION FOR THE SOLICITATION OF BIDS FOR THE
PROCUREMENT AND INSTALLATION OF A WASHER COMPACTOR AT
THE TOWN OF CAZENOVIA WATER POLLUTION CONTROL FACILITY**

WHEREAS, the Town of Cazenovia owns and operates the Town of Cazenovia Water Pollution Control Facility located on Route 13 in the Town; and

WHEREAS, the Town of Cazenovia Town Board has been advised by the Operator of the Town of Cazenovia Water Pollution Control Facility (“POTW”) of the need for the procurement and installation of a new washer compactor, complete with all necessary equipment and accessories in compliance with the technical specifications prepared in association with the procurement; and

WHEREAS, pursuant to the Town of Cazenovia’s Procurement Policy and the requirements of the General Municipal Law Section 103, such purchases shall be advertised for bid as approved by the Town Board; and

WHEREAS, the POTW Operator has provided to the Town specifications for said new washer compactor with appurtenances and a proposed bid proposal document will be prepared, subject to final amendment by the POTW Operator and the Town’s Attorney; and

WHEREAS, the solicitation of bids is a Type II action for purposes of the State Environmental Quality Review Act (SEQRA), such that there would be no potential negative environmental impacts from such action.

NOW, THEREFORE, BE IT RESOLVED that the Town of Cazenovia Town Board hereby authorizes the solicitation of bids for the procurement and installation of the above-referenced washer compactor with appurtenances for use by the Town of Cazenovia Water Pollution Control Facility pursuant to the terms contained therein.

Roll call:

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

Supervisor Reger declared Resolution No. 119 adopted.

Supervisor Reger said CACDA assisted the Town in securing this grant for \$ 35,000 through the Office of Children and Family Services (OCFS).

Resolution No. 120 presented by Councilor Race, seconded by Councilor Golub

AUTHORIZE THE SUPERVISOR TO EXECUTE DOCUMENTATION TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES IN RELATION TO THE LEGISLATIVE GRANT

WHEREAS, organizations within the Village and Town of Cazenovia periodically conduct surveys to assess the needs and opinions of the community; and

WHEREAS, one of the most common responses to the surveys shows a deficiency in recreational opportunities; and

WHEREAS, the Town of Cazenovia with the assistance of CACDA applied for a grant to study the current and lack of intergenerational recreational activities within the Cazenovia area; and

WHEREAS, the Town was notified by the Office of Children and Family Services (OCFS) that they were awarded a grant for \$ 35,000.00 for such study; and

WHEREAS, said funding will be used to assess community-wide recreation opportunities and gaps with a goal to support health, equity and well-being for all residents; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cazenovia hereby authorizes the Supervisor, Kyle Reger, to execute any and all paperwork in relation to the Legislative Grant being administered by the New York State Office of Children and Family Services, pending review by the Attorney for the Town.

Roll call:

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

Supervisor Reger declared Resolution No. 120 adopted.

Resolution No. 121 presented by Councilor Race, seconded by Councilor Johnson

AUTHORIZATION FOR THE SOLICITATION OF REQUESTS FOR PROPOSALS FOR A STUDY OF COMMUNITY-WIDE RECREATIONAL OPPORTUNITIES IN THE TOWN OF CAZENOVIA

WHEREAS, the Town of Cazenovia Town Board has determined there is a need to obtain an assessment of community-wide recreational opportunities and gaps with the Town’s goal to support the health, equity and well-being of all residents; and

WHEREAS, such services are professional in nature such that they are exempt from public bidding requirements as set forth in General Municipal Law Section 103; and

WHEREAS, a written Request for Proposals (“RFP”) document has been prepared, with assistance from the Cazenovia Community Development Association (“CACDA”), for the Town Board’s review, consideration and distribution to professionals with experience in such services; and

WHEREAS, the performance of the above-noted assessment is a Type II action for purposes of the State Environmental Quality Review Act (SEQRA), such that there would be no potential negative environmental impacts from such action.

NOW, THEREFORE, BE IT RESOLVED that the Town of Cazenovia Town Board does hereby authorize the Town to solicit for proposals from competent professionals, consistent with the attached Request for Proposals document (“Recreation Study”) with a return date of October 31, 2024, subject to final review 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. 121 adopted.

Resolution No. 122 presented by Councilor Race, seconded by Councilor Fallon

TOWN OF CAZENOVIA COMPREHENSIVE PLAN WORK SESSION

To approve the scheduling of a work session for the Town of Cazenovia Comprehensive Review Special Board to present the Draft Comprehensive Plan to the Town Board on Tuesday, September 17, 2024 at **7:00 p.m.** The Draft Comprehensive Plan will be formally introduced at the regular October Town Board meeting. 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. 122 adopted.

Resolution No. 123 presented by Councilor Golub seconded by Councilor Johnson

AUTHORIZE THE TOWN BOARD TO EXECUTE A PUBLIC COMMENT LETTER TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGARDING POTENTIAL REVISIONS TO THE FRESHWATER WELANDS REGULATIONS

WHEREAS, New York State is proposing potential amendments to the Freshwater Wetlands Regulations 6 NYCRR Part 664 that would take effect January 1, 2025; and

WHEREAS, with the current regulations, Cazenovia Lake has designated wetlands located at the north end of the Lake; and

WHEREAS, one potential revision to the regulations would greatly impact Cazenovia Lake and classify a significant portion of the Lake as a wetland; and

WHEREAS, New York State Department of Environmental Conservation is providing a public comment period regarding the state-wide proposed changes through September 19, 2024; and

WHEREAS, the Town of Cazenovia Town Board feels it is in the best interest of the entire community to provide the DEC with their stance on this proposed regulation.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED the Town Board of the Town of Cazenovia authorizes the execution and submission of the following public comment letter to the New York State Department of Environmental Conservation.

September 9, 2024

E-mail & U.S.P.S. First-class Mail

Mr. Roy Jacobson, Jr.
New York State Dept. of Environmental Conservation (DEC)
625 Broadway – 5th Floor
Albany, New York 12233-4756

RE: Wetlands Part 664 Comments

Dear Mr. Jacobson:

Cazenovia Lake is one of the most important resources in our community. The collective leadership in our Town has diligently worked for decades as stewards to promote the health of our lake. The Town Council of Cazenovia respectfully requests the NYS DEC to consider the following concerns with the reclassification of Wetlands so as not to reverse the generational efforts to preserve this integral resource.

Current Ecological Management

*Lake Health: The Town of Cazenovia recognizes that the water quality of Cazenovia Lake represents a priceless economic, environmental, aesthetic and recreational resource. The Comprehensive Plan and supporting studies of lake water quality issues establish a sound justification and framework for protecting the health of the Lake. The importance of certain riparian corridors, which are tributaries to the Lake, justify similar protections. The purpose of the Cazenovia Lake Watershed & Riparian Corridor District is to establish strict regulations on land use within these districts.

Cazenovia Lake is designated as a Critical Environmental Area, as approved by New York State. A comprehensive lake management plan has been adopted by the Town, community organizations, and experts, with academia and engaged citizens working together to monitor and maintain the Lake's health.

New York State Department of Environmental Conservation
Mr. Roy Jacobson, Jr.
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The Town, Village and Cazenovia Lake Association have worked collaboratively to preserve this valuable asset. A 20' Critical Environmental Area has been established along the lakeshore with development restricted to allow access to the Lake with minimal impact. The Town adopted the Cazenovia Lakefront Development Guidelines with the goal of keeping the shoreline as naturalistic as possible.

Additionally, the Town Code restricts development within the first 20'-100' of the lakeshore. Within this dimension, no permanent construction is allowed and impervious surface coverage is limited to 15%. The Town has included in its Code to restrict all lawn fertilizer that is used in the Lake Watershed Zone to be phosphorus-free. As an additional protection of the Lake, the Town requires pumping and inspection of septic systems in the Critical Water Quality Protection Zone every five years.

***Effective Invasive Species Control:** The management strategy for Cazenovia Lake, particularly the control of invasive milfoil through herbicide treatments, is crucial for maintaining the Lake's health and usability. Effective treatment, including weed harvesting, helps prevent the lake from becoming overrun by invasive species, which would otherwise result in ecological and recreational degradation.

***Eutrophic Lake Management:** As a productive eutrophic lake, Cazenovia Lake benefits from management practices aimed at balancing nutrient levels to support a healthy aquatic ecosystem. Transitioning to a wetland could disrupt these established practices, exacerbating existing issues, such as nutrient overload and the proliferation of invasive species.

Community and Social Effects

***Quality of Life:** Cazenovia Lake serves as a vital asset for the local community, offering recreational opportunities that enhance residents' quality of life. A decline in the Lake's health would negatively impact community enjoyment and overall well-being.

***Community Support and Sentiment*:** Redefining the lake as a wetland could face significant opposition from local residents and stakeholders who appreciate the Lake's current status and benefits. This transition could lead to conflict and dissatisfaction among those invested in preserving the Lake's health and usability.

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Recreational and Tourism Impact

Recreational Activities: Cazenovia Lake is a key location in our region for boating, fishing, sailing, and swimming. A deterioration in the Lake's condition would adversely affect these activities, leading to a decline in recreational use and enjoyment.

*Tourism Revenue: Cazenovia Lake attracts tourists, positively impacting the local economy. A reduction in the Lake's quality would diminish its appeal, leading to decreased visitation and spending, further affecting local businesses and tax revenue dependent on tourism.

Economic Implications

*Property Values: The health of Cazenovia Lake directly influences property values throughout the entire Town of Cazenovia. If the Lake becomes overwhelmed with invasive species and its condition deteriorates, property values would drop significantly. Additionally, the increase to the current local shore-line set backs would pose further lakeside property restrictions, potentially diminishing property values and interest in home ownership around the lake. This decline in property value would impact homeowners throughout Cazenovia.

* Tax Revenue: The current total assessed value of the entirety of the Town of Cazenovia stands at \$863,478,904. A decrease in property values would lead to reduced property tax revenue, adversely affecting local government budgets, including our school district, Village, Town, and Madison County, that all provide essential services for our greater community.

We appreciate your time and consideration of our concerns when making decisions that will impact one of the key resources in our community. We are available for any discussion or questions you may have.

Respectfully submitted,

Kyle M. Reger,
Town Supervisor

Patrick M. Race,
Town Councilor

Jimmy Golub,
Town Councilor

Kelli Johnson,
Town Councilor

Sheila Fallon,
Town Councilor

Roll call:

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

Supervisor Reger declared Resolution No. 123 adopted.

Resolution No. 124 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE A LETTER OF SUPPORT TO MADISON COUNTY

WHEREAS, Madison County Emergency Medical Services has been providing ambulance services to certain areas of Madison County since March of 2023; and

WHEREAS, the Town Supervisor was presented with a letter from Madison County Emergency Medical Services (EMS), a division of Emergency Management in which they were seeking support; and

WHEREAS, Madison County Emergency Medical Services stated the Department is seeking to transition from a municipal declaration to a permanent Certificate of Need (CON); and

WHEREAS, Madison County EMS currently provides primary Advance Life Support Ambulance transports to the Towns of Sullivan, Hamilton and parts of Lebanon and Brookfield including the Villages of Chittenango and Hamilton, as well as augments existing resources throughout the County using the Advanced Life Support equipped fly car; and

WHEREAS, the State Emergency Medical Services Council and Department of Health define “public need” as “the demonstrated absence, reduced availability or inadequate level of care in ambulance or emergency medical service available to a geographical area which is not readily correctable through the reallocation or improvement of existing resources”

WHEREAS, the understanding of “public need” is an important aspect to include in the Letter of Support which is being sent by elected officials, public safety entities and local healthcare institutions.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED the Town Board of the Town of Cazenovia authorizes the Town Supervisor to execute the following Letter of Support to Madison County Emergency Management.

September 9, 2024

Mark Scimone, Madison County Administrator
c/o Madison County Office of Emergency Management
138 No. Court Street
P.O. Box 577
Wampsville, New York 13163

Dear Mr. Scimone:

This letter is in response to a request by Madison County EMS, a division of Madison County Office of Emergency Management for a letter of support in response to the County’s effort to obtain a permanent Municipal Certificate of Need (“CON”).

We understand the definition of “Public Need” which was provided to us in the letter of solicitation and believe that Madison County EMS satisfies that requirement. Additionally, we recognize that the application is legally entitled to the “strong presumption in favor of approving the application” under Public Health Law § 3008 (7)(b).

Our organization would like to go on record that we support Madison County EMS, a division of Madison County Office of Emergency Management in its application for a Permanent Certificate of Need.

Sincerely,

Kyle M. Reger,
Town Supervisor

Town of Cazenovia Town Board

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

Supervisor Reger declared Resolution No. 124 adopted.

Resolution No. 125 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE REQUEST FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN RELATION TO FISHING ACTIVITIES ALONG CHITTENANGO CREEK AT THE RIPPLETON CROSS ROAD ACCESS POINT

WHEREAS, the Town Supervisor of the Town of Cazenovia was contacted by the New York State Department of Environmental Bureau of Fisheries; and

WHEREAS, the DEC was seeking permission from the Town to grant anglers access to Chittenango Creek, specifically in the Town highway-right-of-way on Rippleton Cross Road; and

WHEREAS, the DEC will install signage to aid anglers in identifying areas where they are permitted to fish; and

WHEREAS, the Bureau of Fisheries has additionally requested permission to stock trout each spring at this access point.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED the Town Board of the Town of Cazenovia authorizes the Town Supervisor to notify the Department of Environmental Conservation Bureau of Fisheries that anglers can assess Chittenango Creek from the right-of-way on Rippleton Cross Road, install signage and stock trout in the spring annually.

Roll call:

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

Supervisor Reger declared Resolution No. 125 adopted.

Resolution No. 126 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE USE OF NEW WOODSTOCK HERITAGE PARK AND THE SOFTBALL FIELD FOR THE FIRST ANNUAL NEW WOODSTOCK COMMUNITY FALL FEST

The Town of Cazenovia Town Board approves the use of the New Woodstock Softball Field and New Woodstock Heritage Park including the gazebo for the “First Annual New Woodstock Community Fall Fest” on September 28, 2024 sponsored by the New Woodstock Volunteer Fire Department. The park will be used for local vendors and organizations as outlined in the correspondence from Jessica Novak on August 5 & September 9, 2024. If food is served, it is understood the New Woodstock Volunteer Fire Department will secure all necessary permitting that may be required from the Madison County Department of Health.

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

**AUTHORIZE A REFUND TO A PRIOR ACCOUNT OF THE
WATER POLLUTION CONTROL FACILITY**

To authorize a refund to the following account due to an overpayment:

- **Gonzalez, Victor**
Service ID: 2990 (7 Center Street) **Refund:** \$ 125.00

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

Supervisor Reger declared Resolution No. 128 adopted.

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

TOWN CLERK (TAX COLLECTOR) RECORDS AUDIT

WHEREAS, the Town of Cazenovia Town Board performed an audit of the Town Clerk (Tax Collector) in relation to her tax collection records at a work session on September 4, 2024; and

NOW THEREFORE BE IT RESOLVED, that the 2024 financial records for tax collection of the Town Clerk (Tax Collector) appear to be complete and in good order.

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
TOWN CLERK AND ZONING DEPARTMENT RECORDS AUDIT**

WHEREAS, the Town of Cazenovia Town Board performed an audit of the Town Clerk and Zoning Department records at a work session on September 4, 2024; and
NOW THEREFORE BE IT RESOLVED, that the 2023 financial records of the Town Clerk and Zoning Department appear to be complete and in good order.

Roll call:

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

Supervisor Reger declared Resolution No. 130 adopted.

Resolution No. 131 presented by Councilor Race, seconded by Councilor Fallon to approve the following 2024 budget transfers and adjustments:

2024 Budget transfers and adjustments to be approved September 9, 2024

(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

To increase Dog Control CE to accommodate addition legal fees for dangerous dog litigation.

To: A 3510.4.000 Dog Control CE	\$3,000.00
From: A 1990.4.000 Contingency	(3,000.00)

To increase Parks CE to accommodate trash removal, portable toilet rental and New Woodstock Heritage Park painting labor and materials (original budget \$10,000).

To: A 7110.4.000 Parks CE	\$2,000.00
From: A 1990.4.000 Contingency	(2,000.00)

To increase Watershed Protection PS to accommodate labor for unanticipated hours on Weed Harvester Boat (original budget \$10,000).

To: A 8740.1.000 Watershed Protection PS	\$5,000.00
From: A 8740.4.000 Watershed Protection CE	(5,000.00)

Water Pollution Control Facility SS

To increase Wood Chip Purchase for second delivery of wood chips to sewer facility adding enough to budget for the potential of a third delivery.

To: SS 8130.4.790 Wood Chip Purchase Sewage Treatment/Disposal CE	\$1,700.00
From: SS 8130.4.702 Contingency	(1,700.00)

Consolidated Water Districts SW1

To appropriate Fund Balance we must make a calculation that Fund Balance is available in SW1 Consolidated Water Districts by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

SW1 510 Estimated Revenues	\$70,730.00
Plus SW1 599 Appropriated Fund Balance	<u>10,942.00</u>
Actual Subtotal	\$81,672.00

Present Year Actual:

SW1 980 Actual Revenues to Date	\$60,378.18
Plus Other Revenues Expected by year end	10,600.00
Plus SW1 909 Fund Balance at beginning of year	<u>177,567.45</u>
Actual Subtotal	\$248,545.63

Actual Subtotal less Budgeted Subtotal = Amount Available ***\$166,873.63***

To appropriate budget for New Woodstock Water District Upgrades approved on Town Board Resolution # 109 – 2024, adopted August 12, 2024.

To: SW1 8340.2.000 Transmission/Distribution EQ	\$22,520.52
From: SW1 599 Appropriated Fund Balance	(22,520.52)

Roll call:

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

Supervisor Reger declared Resolution No. 131 adopted.

Attorney's Report: *John Langey, Esq. reported he was out of town for a couple of weeks, so his report might be a little lighter than normal. He said he continues to meet with the Wind Committee and a member just recently circulated several articles to review. Earlier tonight, the sewer district extension was approved. He said it was a major effort because some additional people were included. He stated there will be follow-up after tonight's approval. He commented that he worked on the RFP's and did several contract reviews that were voted on this evening, as well. He lastly mentioned there will be legal procedures once the Comprehensive Plan gets formally introduced.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported everything is looking good. There is steady progress at Mt. Pleasant and it will definitely be done by Thanksgiving. He said the first paving (binder course) is scheduled for this Thursday (9/12) at the Ridge Road Project and once that sets for a short period of time, the top will be added. He said it has been a busy season, oil and stone was completed last week, but things are starting to wrap up for this year's road work.*

Councilor Golub (Cazenovia Lake Association, Cazenovia Lake Watershed Council, Renewable Energy, UCAN, Future of the Town Office, Anti-racism Coalition): *Reported the CLA has been quite preoccupied with the "wetland law." They will be meeting with Assemblyman Al Stirpe this week. The Wind Committee has been meeting every other Wednesday and*

Anne Ferguson has been a strong contributing member and has been putting into language what is being discussed, in conjunction with John Langey, Esq. He stated they have talked a lot about “flickering.” He explained shadow flicker is the effect of the sun (low on the horizon) shining through the rotating blades of a wind turbine, casting a moving shadow. He said this can affect people, but can be mitigated by turning off the turbines at certain times, because it is predictable when these shadows cast. He explained noise is another factor and they are looking at these affects and are trying to write them into the law.

Councilor Johnson (CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Renewable Energy & Future of the Town Office):

Reported she did not have a lot to report on in terms of CACDA. She said they are looking at youth recreation and combining efforts to see what can be done intergenerationally. She said the recent grant opportunity will aid in exploring these options. She stated there are some final estimates from this year’s youth recreation, but they still do not have the final payroll numbers from the Village. She praised Kristin Brink, Youth Recreation Director, on her ability to keep the budget tight, yet still run a great program. She mentioned it was a benefit financially having some students attend from the Morrisville-Eaton School District. She thought the Town Board should explore whether or not to include them in the Inter-municipal Agreement for next year.

Councilor Fallon (Planning & Zoning, CACC, Shared Services & New York State Police):

Reported the Planning and Zoning Board meetings have been quite busy. She has also been attending the Wind Committee meetings. She added to Councilor Golub’s comments and said Anne Ferguson commented that the Town doesn’t know if these proposed projects will even be the size in which this law can be applied. Lastly, she reported that she went to the Chamber of Commerce meeting and found it interesting and shared CAZLIFE is the events committee for the Chamber of Commerce.

Supervisor's Report: He said next Tuesday at 7:00 p.m., the team will present the Comprehensive Plan to the Town Board. The Plan is coming together nicely. He said the bookkeeper will be sending out information because it is time to look at the budget numbers for 2025. At the County, he has been participating in the budget process, as well. He thanked everyone for their time with the grants and said Lauren Lines, Clerk Sunderman and John Langey, Esq., for their follow-up with the grants, once they are awarded. He thanked Bryan Smith and the whole highway team and said there was an extraordinary number of things to respond to over the past month. He followed-up on Councilor Golub’s comment regarding the wetland letter that is being submitted to the DEC. The comment period is open until the 17th and the town will submit their letter. He said they will meet with Assemblyman Stirpe’s Office tomorrow at 11:00 a.m. Lastly, he informed the audience his next office hours will be Saturday, September 21, 2024, 9:00-12:00. He ended his report and thanked everyone for their work.

Councilor Johnson commented the 21st will be the Grand Opening of the Gorge Trail at Buyea’s Parking lot.

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.

Public comment #2: There were no comments.

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 Race, seconded by Councilor Golub to approve payment of the bills in the amount of \$ 414,218.55.

Motion by Councilor Golub seconded by Councilor Race to adjourn this meeting.

At 8:24 p.m., Supervisor Reger declared this meeting adjourned.

Signed: *Connie J. Sunderman*

Connie J. Sunderman, Town Clerk