

TOWN BOARD

MONDAY

February 10, 2020

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

Pledge of Allegiance.

Correspondence: *The Town Clerk read a “thank you” letter from CASA (Cazenovia Area Senior Association) to the Town Board. CASA thanked the Town Board for their donation and said the funds would be used toward educational and recreational resources for seniors 55 years of age and older.*

Supervisor Zupan 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 Andersen, seconded by Councilor Golub to open the public hearing relative to Local Law A - 2020, entitled “A Local Law to Amend Chapter 165 (Zoning) of the Town Code Regarding Ground-Mounted Solar Energy Systems in the Town of Cazenovia.”

Public comment:

Laurie Dudley of 4523 East Lake Road stated last year they tried to put in a solar system, but could not put it on their roof. They were unable to put it in their yard because it wasn't allowed. She wanted to emphasize the law should be made as easy as possible because each year that there is a delay in allowing the solar (in the Lake Watershed District), 2% is lost on taxes. Federal taxes allow you to take 28% off of the cost of a solar installation and each year it goes down until it is phased out. She also stated she does not want to have to pay a lot of fees and learned from Councilor Golub she will have to go to the Zoning Board of Appeals because it is not an open-ended thing where she can put solar on the side of her parcel. She emphasized the fees should not be too high.

Councilor Golub said there is a \$ 300.00 fee that is partially returned depending on what has to be paid to the lawyer and engineer and an application fee of \$ 115.00.

L. Dudley inquired if it has to be done by a solar engineering company or could her husband design it for example, who is an engineer.

John Langey said there has to be a final inspection that the Codes Officer will do and it would need an electrical inspection. He said the NYSERDA model was used as the base for this law.

Stanley Maziuk of Route 92 said he does not know a lot about the details of the law. When he read the article, in the newspaper, it got him thinking about solar panels and the lake watershed. He thought there has been a lot of development around the lake and he wondered about size and aesthetics. He asked if a football-sized unit could be installed along the lakeshore.

Supervisor Zupan said at the Town Board’s work session it was decided that any lakefront property will not be able to do a ground-mounted solar installation.

John Langey said if a property owner has a parcel that has lake frontage, the current proposal would not allow solar panels. The panels could go on the roof or be integrated into the system, but they could not have a ground-mounted system on their lakefront property. The Lake Watershed District is a much bigger area.

***S. Maziuk** inquired if they live on the opposite side (non-lakeside) of East Lake could they put in a football-sized project.*

Supervisor Zupan said no and the applicant would need to go before the Zoning Board of Appeals. The height will also be restricted to 10’.

Councilor Golub said a system cannot go in that is more than 10% of a customer’s needs.

***S. Maziuk’s** concern was the aesthetics which is a big deal around the lake.*

John Langey said there have been several applications over the past few years before the Planning and Zoning Boards and occasionally there is an applicant that wants multiple panels. He thought the highest number they’ve done is four panels on a larger piece of land. He motioned to the conference room table (3’x8’) and thought the panels were about that size. He said it’s acceptable, but the Planning or Zoning Board will review the project to make sure it will fit into the neighborhood.

Councilor Golub inquired if it will count as an accessory building.

John Langey said it is certainly a structure by the way the Code reads.

***S. Maziuk** said it sounded like the Board was taking aesthetics into consideration.*

Supervisor Zupan said the public hearing will be continued because substantial changes have been made to the law.

J. Langey interjected and said the proposed law that the public hearing is on tonight has received additional suggestions. In order for the Town Board to make the additional changes to the pending law, a formal local law has to be re-introduced at next month’s meeting and schedule an additional public hearing for approval at the April meeting. The target will be to approve all of this at the April meeting.

Motion by Councilor Golub, seconded by Councilor Reger to continue the public hearing.

Motion by Councilor Race, seconded by Councilor Andersen to open the public hearing relative to Local Law B - 2020, entitled “A Local Law to Amend Chapter 165 (Zoning) of the Town Code to Provide For The Additional Regulation of Outdoor Storage in the Town of Cazenovia.”

Public comment:

David Vredenburg asked for clarification on some of the terminology. He inquired what constitutes “machinery and equipment” in the proposed local law? He referenced a section of the proposed law, “machinery and equipment may only be parked or stored indoors except for farm equipment, etc.”

John Langey said the part of the law that was just read has been “on the books” for many, many years. He said the change has to do with the gross vehicle weight and length of vehicles. The Codes Enforcement Officer would be the judge as to what constitutes machinery and equipment. The spirit of the law was to avoid clutter and the look of a junkyard on properties. This would give the Codes Officer the ability to enforce if there was too much going on in one yard.

D. Vredenburg said there is a reference to personal use recreational vehicles in the front and side yards, but it does not mention the rear yard.

J. Langey said if it is in your rear yard it is not a big issue. He said the rear yard is the back building line of the house. There are other laws on the books, though that refer to unregistered and unlicensed vehicles.

J.L. Bach of Owahgena Terrace wondered if it did or didn’t allow farm equipment, such as backhoes and plows?

J. Langey said farm equipment is allowed. There is an exception for farm operation equipment with an active farm.

J.L. Bach inquired about the front of the house for a lakefront parcel.

J. Langey said the lake yard is the front yard.

J.L. Bach wanted clarification about farm equipment still being allowed.

Supervisor Zupan and Councilor Race said it has to be a working farm and weren’t aware of any on the lake.

D. Vredenburg inquired about the reference to “parked.” Hypothetically, can an RV be parked in front of a house for a day or two to be loaded up.

J. Langey stated the practical answer is by the time Roger comes over, you will be ok.

Motion by Councilor Andersen, seconded by Councilor Golub to close the public hearing.

Motion by Councilor Andersen, seconded by Councilor Golub to close the public hearing.

Resolution No. 18 presented by Councilor Race, seconded by Councilor Reger

TOWN OF CAZENOVIA LOCAL LAW 1 OF 2020

(“A Local Law to Amend Chapter 165 (Zoning) of the Town Code To Provide for the Additional Regulation of Outdoor Storage in the Town of Cazenovia”)

WHEREAS, pursuant to the Municipal Home Rule Law, a proposed local law titled

“A Local Law to Amend Chapter 165 (Zoning) of the Town Code To Provide for the Additional Regulation of Outdoor Storage in the Town of Cazenovia,” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on January 13, 2020; and

WHEREAS, a public hearing was held on such proposed local law on this 10th day of February, 2020, 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. B-2020 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 proposed Local Law was duly referred to the Madison County Planning Department for review and comment pursuant to the New York State General Municipal Law; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. B-2020.

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. B-2020 as Local Law No. 1-2020 as follows:

**“TOWN OF CAZENOVIA
LOCAL LAW NO. 1 OF 2020**

**A LOCAL LAW TO AMEND CHAPTER 165 (ZONING) OF
THE TOWN CODE TO PROVIDE FOR THE ADDITIONAL REGULATION
OF OUTDOOR STORAGE IN THE TOWN OF CAZENOVIA**

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

SECTION 1. AUTHORITY.

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

SECTION 2.

Subsection “A” (“Residential districts (RA and LW&RC Districts)”) of Section 165-91 (“Outdoor storage”) of Chapter 165 the Town Code of the Town of Cazenovia is hereby amended to read in its entirety as follows:

- “A. Residential districts (RA and LW&RC Districts).
- (1) Outdoor storage shall be prohibited in the front yard except as noted herein.
 - (2) Machinery and equipment may only be parked or stored indoors, except for farm equipment as part of a state-certified farm operation under the Agriculture and Markets Law.
 - (3) Personal use vehicles, commercial vehicles under 26 feet in length (including all attachments and appurtenances) and personal use

recreational vehicles may be parked or stored indoors or in the front yard or side yard, provided the vehicles are:

- (a) Located on a permitted driveway or related apron no closer than five feet to a fully screened property line;
 - (b) Inspected, registered and licensed, except for farm equipment as part of a state-certified farm operation under the Agriculture and Markets Law and operated pursuant to New York State Department of Transportation laws and regulations; and
 - (c) No more than 14,000 pounds of gross vehicle weight.
- (4) For all other yards, stored materials incidental and accessory to the principal structure shall be enclosed in a structure or screened from the public right-of-way and from adjacent properties.”

SECTION 3. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 4. EFFECTIVE DATE

This Local Law shall be effective upon filing with the office of the Secretary of State.”

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 18 adopted.

Supervisor Zupan said Madison County Board of Elections notified us today they no longer want to use St. James Church as a polling site due to lack of lighting and someone fell last year.

Resolution No. 19 presented by Councilor Race, seconded by Councilor Andersen

DESIGNATION OF POLLING PLACES

Pursuant to New York State Election Law 4-104 (*Registration and Polling Places; designation of*), “Every Board of Elections shall, in consultation with each city, town and village, designate the polling places in each election district in which the meetings for the registration of voters, and for any election may be held.”

The Town Board of the Town of Cazenovia hereby designates and authorizes the Town Clerk to certify the following 2020 polling places for the Town of Cazenovia:

- District 1 – New Woodstock Free Library, 2106 Main Street, New Woodstock
- District 2 – American Legion Post 88, 26 Chenango Street, Cazenovia (*downstairs*)
- District 3 – American Legion Post 88, 26 Chenango Street, Cazenovia (*downstairs*)
- District 4 – American Legion Post 88, 26 Chenango Street, Cazenovia (*upstairs*)
- District 5 – American Legion Post 88, 26 Chenango Street, Cazenovia (*upstairs*)
- District 6 – American Legion Post 88, 26 Chenango Street, Cazenovia (*downstairs*)

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 19 adopted.

Resolution No. 20 presented by Councilor Race, seconded by Councilor Reger

**AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE THE
SEWAGE POLLUTION RIGHT TO KNOW (SPRTK)
NOTIFICATION AGREEMENTS**

To authorize the Town Supervisor to complete and execute the necessary updated Change of Notification forms and Notifier Agreements associated with the Town of Cazenovia Publicly Owned Treatment Works and to take such other necessary actions to comply with applicable NYSDEC requirements.

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 20 adopted.

Resolution No. 21 presented by Councilor Race, seconded by Councilor Golub

**AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE THE
STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES)
NOTICE/RENEWAL APPLICATION FOR THE TOWN
OF CAZENOVIA CONSOLIDATED SEWER DISTRICTS
WATER POLLUTION CONTROL FACILITY**

To authorize the Town Supervisor and/or Town of Cazenovia Treatment Plant Operator to complete and execute the Notice/Renewal Application – SPDES Permit Renewal Application and all associated documents for a previously issued State Pollution Discharge Elimination System per the notification received on October 10, 2019.

Roll call:

Councilor Andersen Yes
Councilor Race Yes
Councilor Golub Yes
Councilor Reger Yes
Supervisor Zupan Yes

Supervisor Zupan declared Resolution No. 21 adopted.

Resolution No. 22 presented by Councilor Race, seconded by Councilor Golub

To approve the following Fee Schedule, which will remain in effect until altered by the Town Board:

FEE SCHEDULE

DEVELOPER & PROJECT DEPOSIT FEES

Relative to Local Law No. 3 – 2006 (adopted 9/11/06)

DEPOSIT FEES

| | |
|---|------------|
| Site Plan Review Deposit Fee.....all zones, all kinds, each lot | \$ 300.00 |
| Area Variance Deposit Fee | \$ 200.00 |
| Use Variance Deposit Fee.....all zones, all kinds, each | \$ 500.00 |
| MINOR Special Use Permit Deposit Fee | \$ 250.00 |
| MAJOR Special Use Permit Deposit Fee.....all zones, all kinds, each | \$3,500.00 |

Subdivision Deposit Fee:

| | |
|---|------------------------------|
| Minor Subdivisions (1 – 4 lots) | \$ 210.00 each application |
| Major Subdivisions (5 – 10 lots) | \$ 210.00 each application |
| 11 – more lots | \$ 2,500.00 each application |
| Line Eliminations & Any Line Adjustments..... | \$ 210.00 each application |

CELL TOWER - (initial sitting)

| | |
|--|------------|
| Cell Tower NON-REFUNDABLE Deposit Fee (each)..... | \$3,500.00 |
| plus Cell Tower REFUNDABLE Deposit Fee (each) | \$3,500.00 |
| CELL TOWER - CO-LOCATION (on existing tower) | |
| Cell Tower NON-REFUNDABLE Co-location Fee (each) | \$ 750.00 |
| plus Cell Tower REFUNDABLE Co-location Fee (each)..... | \$ 750.00 |
| Windmills Develop & Project Deposit Fee (includes co-locations)..... | \$ 100.00 |



APPLICATION FEES

| | | |
|--|----------------------------------|----------|
| Site Plan Review Application Fee | all zones, all kinds, each | \$115.00 |
| Special Use Permit Application Fee | all zones, all kinds, each | \$115.00 |
| Variance Application Fee | all zones, all kinds, each | \$115.00 |
| Windmills Application Fee | (includes co-locations) | \$115.00 |
| Small Cell Wireless Fees | See Chapter 134, § 3-B | |

Line Change Application Fee:

| | | |
|-------------------------------------|----------------|----------|
| Residential A | per line | \$115.00 |
| Residential B | per line | \$ 65.00 |
| Lake, Commercial & Industrial | per line | \$150.00 |

Subdivision Application Fee:

| | | |
|-------------------------------------|---------------|----------|
| Residential A | per lot | \$300.00 |
| Residential B | per lot | \$300.00 |
| Lake, Commercial & Industrial | per lot | \$300.00 |

Building Permit \$ 15.00 plus \$ 3.50 per 100 sq. ft. plus \$ 35.00 per inspection,
plus any or all of the following:

| | | |
|--|---------------------|-----------|
| Building Permit Renewal | repeat original fee | |
| Certificate of Occupancy | | \$ 50.00 |
| Temporary Certificate of Occupancy (each)..... | | \$ 100.00 |
| Fence Permit | | \$ 50.00 |
| Satellite Dish Permit | | \$ 50.00 |
| Septic System Inspection | | \$ 60.00 |
| Septic System Permit | | \$ 60.00 |
| Septic Tank Replacement | | \$ 50.00 |
| Solar Panel Installation Permit..... | | \$ 50.00 |
| Swimming Pool Permit..... | | \$ 50.00 |
| Wood Burning Device Permit..... | | \$ 50.00 |
| Wood Burning Device Inspection..... | | \$ 50.00 |
| Water Meter - <i>same as purchase price for Town</i> | | \$ 119.00 |

Copy Machine Copies (*all sizes, Black & white/color*) (each).....\$ 0.25

Return Check Charge

DOG FEES

Unneutered & Unspayed dog.....annual/each dog

(includes \$3.00 Population Control fee to NYS.)

(Unneutered & unspayed Guide Dogs & Police Work Dogs are exempt from the \$ 22.00 license fee portion only)

Neutered & Spayed dog

(which includes \$1.00 Population Control fee to NYS.)

Neutered & Spayed Guide Dogs & Police Work Dogs are exempt from the \$ 17.00 license fee portion only)

Replacement Identification Tag.....annual /each dog

(replacement of lost or stolen tag)

Dog Impoundment Fee (redemption fee).....**1st impoundment**.....

2nd impoundment (*within 1 year period*).....

+ \$3/day boarding fee after 24 hours

3rd impoundment (*within 1 year period*)

+ \$3/day boarding fee after 24 hours

SEWER RENT FEE AND CHARGE SCHEDULE

Sewer Rents (based upon metered water consumption) Annual Bill

For meters reading in gallons: A base rate of \$325, with an additional charge of \$4.70 per 100 ft³ when usage exceeds 6,300 ft³/year

For meters reading in cubic feet: A base rate of \$325, with an additional charge of \$4.70 per 748 gallons when usage exceeds 47,124 gallons/year

Operation and Maintenance Charge for Town/Outside of Village Users.....\$50.00

Penalties and Late Charges: All charges shall be paid within 60 days of invoicing. A 5% penalty shall be due for late payments.

Sewer Rents (based upon metered water consumption) Bi-Annual Billing (effective April 1, 2020)

For meters reading in gallons: A base rate of \$162.50, with an additional charge of \$2.35 per 100 ft³ when usage exceeds 3,150 ft³

For meters reading in cubic feet: A base rate of \$162.50 with an additional charge of \$2.35 per 748 gallons when usage exceeds 23,562 gallons

Operation and Maintenance Charge for Town/Outside of Village Users \$25.00

Penalties and Late Charges: All charges shall be paid within 30 days of invoicing. A 10% penalty shall be due for late payments.

**Note: 100 Cubic Feet of water is equal to 748 gallons 6300 ft³ = 47,124 gallons*

| | |
|--|-------------|
| Sewer Lateral Permit Fee..... | \$ 200.00 |
| Inspection Fees..... | \$ 100.00 |
| As-Built Drawing Deposit Fee..... | \$ 250.00 |
| Connection/Hook-Up Fee | \$ 150.00 |
| Wastehauler License Fee | \$ 300.00 |
| Wastehauler Dumping Fee (per 3,000 gallons) | \$ 350.00 |
| Wastewater/Industrial Discharge Permit Fee..... | \$ 2,500.00 |
| Abnormal Sewage Surcharge (per pound of BOD) | \$ 0.30 |
| Operation and Maintenance Charge for Town/Outside of Village Users - Bi-annual charge of \$25.00 commencing with August 2020 Billing Cycle | |

Penalties and Late Charges: All charges shall be paid within 30 days of invoicing. A 10% penalty shall be due for late payments.

Appeals/Grievances: Any property owner who wishes to appeal or grieve a charge associated with sewer rents and fees may contact the Town Office to schedule consideration of an appeal by the Town Board.

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 22 adopted.

Resolution No. 23 presented by Councilor Race, seconded by Councilor Andersen

APPOINTMENT OF JOHN LaGORGA AS A MEMBER TO THE TOWN OF CAZENOVIA SEWER ADVISORY COMMITTEE

To appoint John LaGorga to the Town of Cazenovia Sewer Advisory Committee to fill the position vacated by Michael Costello.

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 23 adopted.

Supervisor Zupan said Mr. Cunningham subdivided his land and wants to turn the road he put in over to the Town. The Town Engineer and Highway Superintendent will look at what needs to be done to bring it up to town specifications. John Langey, Esq. is putting it into a legal agreement.

Resolution No. 24 presented by Councilor Race, seconded by Councilor Reger

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE THE CUNNINGHAM SUBDIVISION HIGHWAY CONSTRUCTION AND DRAINAGE MAINTENANCE AGREEMENT

To authorize the Town Supervisor to execute the Cunningham Subdivision Highway Construction and Drainage Maintenance Agreement associated with the Cunningham Subdivision upon review and approval of the Town’s legal counsel.

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 24 adopted.

Supervisor Zupan said Town Justice Timothy Moore became ill late November. The Village Justice, Chris Fischer, did December gratis. He was told starting January 1st he would start to be get paid as Judge Moore is recuperating.

Resolution No. 25 presented by Councilor Andersen, seconded by Councilor Reger

**APPROVE 2020 SALARY FOR TOWN JUSTICE,
D. CHRISTIAN FISCHER**

To approve an annual salary of \$ 10,000.00 for Town Justice, D. Christian Fischer who has a temporary assignment through December 31, 2020.

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 25 adopted.

Resolution No. 26 presented by Councilor Race, seconded by Councilor Golub

APPOINTMENT OF KERRY BISHAL AS JUSTICE CLERK

To appoint Kerry Bishal to the position of part-time Justice Clerk for Town Justice, D. Christian Fischer effective January 2, 2020 at a rate of \$ 15.40/hour.

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 26 adopted.

Resolution No. 27 presented by Councilor Race, seconded by Councilor Reger

**APPROVE PLANNING BOARD MEMBERS ATTENDANCE AT THE
ONONDAGA COUNTY PLANNING FEDERATION
32ND ANNUAL PLANNING SYMPOSIUM**

To authorize the attendance of Planning Board Member, Jerry Munger and Planning Board Alternate Member, Gerald Rasmussen attendance at the 32nd Annual Planning Symposium sponsored by the Onondaga County Planning Federation on March 12, 2020 with a

registration fee not too exceed Seventy and 00/100 Dollars (\$ 70.00).

Roll call:
Councilor Andersen **Yes**
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Reger **Yes**
Supervisor Zupan **Yes**

Supervisor Zupan declared Resolution No. 27 adopted.

Resolution No. 28 presented by Councilor Race, seconded by Councilor Reger

APPROVE AN ADDITIONAL NIGHT OF LODGING FOR THE BOOKEEPER’S ATTENDANCE AT THE GOVERNMENT FINANCE OFFICER’S ASSOCIATION

To approve Elizabeth B. Merrill’s lodging fees include an additional night. Therefore, lodging fees will be paid by the Town of Cazenovia to include the nights of March 30th – April 1st. The original resolution was approved January 13, 2020 – Resolution #15 and specified a two-night stay.

Roll call:
Councilor Andersen **Yes**
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Reger **Yes**
Supervisor Zupan **Yes**

Supervisor Zupan declared Resolution No. 28 adopted.

Resolution No. 29 presented by Councilor Andersen, seconded by Councilor Race to approve the following 2020 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

To transfer budget to accommodate new Justice and Justice Clerk appointments (assuming 25 hours per month for Justice Clerk).

| | |
|-----------------------------------|-------------|
| To: A1110.1 Justices PS | \$10,000.00 |
| To: A1110.1.010 Justices PS Clerk | 4,620.00 |
| From: A1990.1 Contingency | (14,620.00) |

Roll call:

| | |
|---------------------------|------------|
| Councilor Andersen | Yes |
| Councilor Race | Yes |
| Councilor Golub | Yes |
| Councilor Reger | Yes |
| Supervisor Zupan | Yes |

Supervisor Zupan declared Resolution No. 29 adopted.

Attorney's Report: *John Langey, Esq. reported he has been working on the local laws relating to solar and outdoor storage. Additionally, he is doing a seminar at the Association of Town meeting in New York City this coming Monday (2/17/2020) on large-scale solar siting. He will present this same talk in March at the Tug Hill Commission Annual Symposium*

Supervisor's Report: *Supervisor Zupan reported he had a knee replacement on January 2nd which laid him up for a couple of weeks. He also has been working on the solar and storage law. Additionally, he is looking at the Gothic Cottage and encourages the Board to take a real hard look at the future of the Town Hall, here or someplace else.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported it is winter-time and both shifts are full bore. A new employee started today and they hope it works out well.*

Dean Slocum said he asked John Dunkle (engineer) for an update on the SPDES permit for Mt. Pleasant and John received an e-mail back from the DEC that said a draft SPDES permit and fact sheet is at the Division of Permits for processing.

Councilor Andersen {Planning & Zoning, CACDA, Shared Services, CACC, Future of the Town Office (Gothic Cottage)}: *Reported there is a vacancy on the Planning Board (Zoning Board of Appeals) and she wrote an article for the newspaper. She also mentioned they worked with then-Assemblyman Magee and Senator Valesky to introduce legislation to designate Cazenovia Lake and Chittenango Creek as an inland waterway. This allows the Town to apply for various grants through New York State and in order to apply for the grant there has to be a Waterfront Revitalization Plan. She is on the Waterfront Revitalization Committee with Mayor Wheeler, Trustee Maureen Fellows, Ted Bartlett and representatives from the Lake Association and Chamber of Commerce. She mentioned there was a very good meeting with associates of the Department of State who administer these projects and walked them through the plan. The Village is hoping to get support with the deteriorating “swim wall” and fix the wall adjacent to the kayak launch. She said there are other possibilities that include trails and access to the Creek.*

Councilor Golub {Future of the Town Office (Gothic Cottage), Cazenovia Lake Association & Cazenovia Lake Watershed Council}: *Reported he met with Chris Carrick of the Central New York Regional Planning & Development Board and Melissa Clark of Abundant Solar. He separately met with Sam Usborne, a fire safety expert, that does the training. They are trying to determine where the panels are going to be installed in relation to the facility for fire training at the highway garage. The fire department does not want to lose the ability to use it and recently put \$ 50,000.00 into the project. He stated they are trying to find a way to co-exist and make the biggest array possible. He stated Sam claims there are no open flames outside the building so it should be ok. On another note, he said he has been talking to John Langey about the proposed solar law. Also, he attended a CLA meeting and they are having smaller meetings and want to do more community outreach. He ended his report by mentioned Councilor Andersen and he attended a Planning Board meeting and discussed the pros and cons of the Gothic Cottage project.*

Councilor Andersen mentioned they gave the Planning Board a history of the various steps the Town Board has taken in relation to this project.

Councilor Reger (Senior Recreation & Joint Youth Recreation, New York State Police, Parks, New Woodstock Fire Department & Planning and Zoning): *Reported he has tried to touch base with the various groups he will be working with and introduce himself. He said all the groups have been very welcoming. He will be attending a CRIS function with the girl scouts coming up this week. The CRIS Executive Director also wanted to review a few other programs with him. He said the needs of these groups are not just monetary, but exposure, too. Earlier today, he met with Elizabeth Digiacomio of the Joint Youth Recreation Program. One of the issues they will be facing is there medical director will be stepping down and the position needs to be filled as quickly as possible. He said it is a unique position because it is 6 weeks during the summer, full days and you have to be qualified to meet State requirements. He also mentioned there are a few construction projects that conflict with some of the recreation sites and they will need to find new sites that meet safety approval. He mentioned these items need to happen quickly with June not far away.*

Supervisor Zupan 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:

Scott Phillips of Chenango Street and property on Holmes Road wanted to check in on the lighting ordinance (referring to an email he sent to the Town Board). He wanted to make himself available and thanked the Board for the work they do. He thinks the lighting is getting worse and worse and was curious since there are rules in place.

Supervisor Zupan said at the work session there was a discussion and the Board went point-by-point through his e-mail. The only one that was under the Town’s control was the highway garage. Mr. Slocum is looking at the lights and will cut out some of them to become more night-sky compliant. The lights in the back, for safety reasons, have to be well-lit because they are loading material at night.

Dean Slocum mentioned he thought some could be eliminated on the front and side of the building.

Supervisor Zupan said, if he remembered correctly, the other places were in the village. The town has no control over Dominion which is set by the Federal government.

S. Phillips *inquired about the pumping station at Mt. Pleasant.*

Supervisor Zupan said the town would follow up to see if it was night-sky compliant when the Codes Officer returned in April.

S. Phillips *said lights don't have to always be eliminated, just shielded down. He wondered about the distinction of residential versus commercial. He thought it should apply to everything and if it doesn't, it should, in his opinion.*

Supervisor Zupan said any building that is new should be night-sky compliant, residential and commercial.

John Langey said there is a proposal for a car wash on Route 20 before the Planning and Zoning Boards. At last Thursday's meeting, there was a considerable amount of time spent discussing the lights for the facility with the Planning Board.

S. Phillips *said the warmer temperature helps with the eyes and reduces the contrast with bright to dark. He offered his services and encouraged the board to reach out to him and appreciated the Board's diligence.*

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. The motion was unanimously approved.

The Town Board had a small discussion regarding the Holmes, King, Kallquist and Associates invoice and the future of the Gothic Cottage as a Town Hall. Councilor Andersen mentioned if the doors are changed, it will disqualify the Town for some of the State Historic Preservation Grants and she has a call into Senator May's Office.

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

At 8:34 p.m., Supervisor Zupan declared this meeting adjourned.

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