

**TOWN BOARD
REGULAR MEETING**

MONDAY

December 11, 2023

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

Pledge of Allegiance.

Correspondence: *There was no unshared correspondence.*

Motion by Councilor Race, seconded by Councilor Reger to accept the minutes from the November 6, 2023 regular meeting. The motion was unanimously approved.

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

Public comment #1:

Deputy Race wanted to acknowledge it was William Zupan's last meeting as Supervisor for the Town of Cazenovia. On behalf of the Town Board, he presented Supervisor Zupan with the following proclamation.

**Town of Cazenovia Town Board
William N. Zupan, Town Supervisor
Proclamation**

Whereas: William N. Zupan (Bill) served his community throughout the majority of his life as a local businessman and a public servant; and

Whereas: he successfully balanced his time operating his business and serving the constituents of the Town of Cazenovia, starting his service in 1990 on the Zoning Board of Appeals, 17 years serving on that Board, seven of which he was Chair; and

Whereas: in 2008, he was elected as a Councilman to the Town Board, and for the past decade Bill served as Town Supervisor providing extraordinary service and leadership to his staff and the residents of the Town of Cazenovia; and

Whereas: his wisdom, knowledge, and dedication to improving the Town is evident by the numerous projects started and completed under his leadership which include conveyance of the Water Pollution Control Facility to the Town of Cazenovia, formation of the Route 20 Water District, the new substation in New Woodstock for the New York State Troopers, Northeast Town Drainage District Improvements, the Cold Storage building at the Highway Garage, McNitt State Park kayak launch improvements, sidewalks to Fenner Fields, procurement of a new weed harvester, and several lake treatments have proven he's an asset to the citizens of Cazenovia; and

Whereas: as Town Supervisor, Bill helped secure funding for key projects which include improvements to the Mt. Pleasant Water District and the Water Pollution Control Facility, two Community Development Block Grants helping two local establishments create jobs, thus creating economic growth to our community; and

Whereas: as Chief Financial Officer and Budget Officer for the Town, Bill was fiscally responsible and his inherent “knack for numbers” was an attribute that was useful in keeping the tax rate consistent from year-to-year while keeping the Town’s debt load to a minimum; and

Whereas: as Town Supervisor, Bill represented our Town on the Madison County Board of Supervisors and was a strong supporter of programs that would benefit the constituents and an advocate for funding; and

Whereas: Mr. Zupan’s knowledge and expertise on a broad spectrum of topics has been a tremendous asset to the Town Board and all of the organizations to which he has donated his time and talents. Bill’s dedication and the Town’s commitment to climate change helped secure the Climate Smart Bronze Award and thus thousands of dollars in future grant money; and

Whereas: Bill demonstrated unique and unparalleled leadership when guiding the Town of Cazenovia through the unprecedented COVID-19 Pandemic; ensuring the safety of all its citizens and serving as a beacon of light when the Town needed strong leadership at a most critical time in history. The lessons we learned from COVID-19 pandemic underscore the importance of implementing effective polices to protect the health and well-being of families; as Supervisor Zupan helped adopt a Pandemic Operations Plan Policy for his staff and citizens; and

Whereas: Bill’s exceptional abilities, enthusiasm, determination, professionalism, as well as, his warm, unrestrained and boisterous personality has played an instrumental and beneficial role in the Town of Cazenovia’s future for which we are all grateful.

Now therefore, be it resolved: the Town Board of the Town of Cazenovia recognizes and honors William N. Zupan. He is loved, will be missed, and will always be considered a defender, champion, and friend of Cazenovia.

Supervisor Zupan thanked everyone and said he couldn’t have accomplished the projects without the Town Board.

Bob Ridler, on behalf of the Town of Cazenovia Planning Board and other volunteer organizations in the Town, thanked Bill for the funding and tremendous support to the community.

Tina McMurtrie, Water Districts Collector, presented her 2022 & 2023 financial records in relation to her water collection for review by the Town Board.

She gave everyone a summary of the 2022 and 2023 financial records and briefly explained the process of collecting payments. The reports are on file in the Office of the Town Clerk.

Resolution No. 150 presented by Councilor Golub, seconded by Councilor Johnson

WATER DISTRICTS COLLECTOR RECORDS AUDIT

WHEREAS, the Town of Cazenovia Town Board performed an audit of the Water Districts Collector records at a regular meeting on December 11, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the 2022 & 2023 financial records of the Water Districts Collector records appear to be complete and in good order.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 150 adopted.

Supervisor Zupan explained this exemption will help veterans.

Motion by Councilor Reger, seconded by Councilor Race to open the public hearing relative to Local Law C – 2023, entitled "A Local Law Amending Article I of Chapter 150 of the Code of the Town of Cazenovia Pursuant to Real Property Tax Law § 458-A." (Veteran’s Exemption)

Public comment: *There were no comments.*

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

Resolution No. 151 presented by Councilor Race, seconded by Councilor Reger

TOWN OF CAZENOVIA LOCAL LAW NO. C OF 2023

(“A Local Law Amending Article I of Chapter 150 of the Code of the Town of Cazenovia Pursuant to Real Property Tax Law § 458-a”)

WHEREAS, pursuant to the provisions of the New York State Constitution and the New York State Municipal Home Rule Law, proposed Local Law No. C-2023, titled “A Local Law Amending Article I of Chapter 150 of the Code of the Town of Cazenovia Pursuant to Real Property Tax Law § 458-a,” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on November 6, 2023; and

WHEREAS, a public hearing was held on such proposed local law on the 11th day of December 2023, 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-2023 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. C-2023.

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-2023 as Local Law No. 3-2023 as follows:

**“TOWN OF CAZENOVIA
LOCAL LAW NO. 3 OF 2023**

**A LOCAL LAW AMENDING ARTICLE I OF CHAPTER 150 OF THE CODE OF THE
TOWN OF CAZENOVIA PURSUANT TO REAL PROPERTY TAX LAW § 458-A**

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. PURPOSE & 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 veterans residing in 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 further protection for veteran homeowners from the increased cost of living.

The purpose of this Local Law is to amend the current Article I of Chapter 150 of the Code of the Town of Cazenovia to update the exemptions from taxation in accordance with the criteria set forth in New York State Real Property Tax Law § 458-a, raising the maximum exemption amounts to those provided at Real Property Tax Law §§ 458-a(2)(a)-(c).

**SECTION 3. AMEND ARTICLE I OF CHAPTER 150 OF THE CODE OF THE
TOWN OF CAZENOVIA.**

The existing Article I, “Alternative Veterans Exemption,” of Chapter 150, “Taxation,” of the Code of the Town of Cazenovia shall be repealed and replaced by a new Article I, with the same title, “Alternative Veterans Exemption,” which shall read in its entirety as follows:

“150-1 Exemption granted; amounts.

- A. The Town of Cazenovia does hereby adopt the alternative Veterans exemption from real property taxation, as authorized by Real Property Tax Law § 458-a.
- B. Pursuant to Real Property Tax Law §§ 458-a(2)(a)-(c), the maximum exemption from real property taxes for veterans allowable is established as follows:
 - (1) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.
 - (2) In addition to the exemption provided in paragraph (1) of this subdivision, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, or the armed forces expeditionary medal, navy expeditionary medal, marine corps expeditionary medal, or global war on terrorism expeditionary medal, qualifying residential real property also shall be exempt from taxation to the extent of ten percent of the assessed value of such property; provided, however, that such exemption shall not exceed eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the class ratio, whichever is less.
 - (3) In addition to the exemptions provided by paragraphs (1) and (2) of this subdivision, where the veteran received a compensation rating from the United States veteran's administration or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the veteran's disability rating; provided, however, that such exemption shall not exceed forty thousand dollars or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less. For purposes of this paragraph, where a person who served in the active military, naval or air service during a period of war died in service of a service connected disability, such person shall be deemed to have been assigned a compensation rating of one hundred percent.

§ 150-2 Compatibility with Real Property Tax Law § 458-a.

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 § 458-a. The exemption, the procedures for application therefor and the restrictions and limitations thereon as set forth in Real Property Tax Law § 458-a, 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 § 458-a, Real Property Tax Law § 458-a shall be controlling.”

SECTION 4. VALIDITY & SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

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

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 151 adopted.

Motion by Councilor Reger, seconded by Councilor Golub to open the public hearing relative to Local Law D – 2023, entitled "A Local Law Amending Article II of Chapter 150 of the Code of the Town of Cazenovia Enacting a Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Real Property Tax Law § 466-A."

Public comment: *There were no comments.*

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

Resolution No. 152 presented by Councilor Johnson, seconded by Councilor Reger

TOWN OF CAZENOVIA LOCAL LAW NO. D OF 2023

(“A Local Amending Article II of Chapter 150 of the Code of the Town of Cazenovia Enacting A Property Tax Exemption For Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Real Property Tax Law § 466-A”)

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 § 466-A, proposed Local Law No. D-2023, titled “A Local Amending Article II of Chapter 150 of the Code of the Town of Cazenovia Enacting A Property Tax Exemption For Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Real Property Tax Law § 466-A,” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on November 6, 2023; and

WHEREAS, a public hearing was held on such proposed local law on the 11th day of December 2023, 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-2023 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-2023.

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-2023 as Local Law No. 4-2023 as follows:

“TOWN OF CAZENOVIA

LOCAL LAW NO. 4 OF 2023

A LOCAL LAW AMENDING ARTICLE II OF CHAPTER 150 OF THE CODE OF THE TOWN OF CAZENOVIA ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS PURSUANT TO REAL PROPERTY TAX LAW § 466-A

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

SECTION 1. LEGISLATIVE INTENT.

It is the intent of the Town Board of the Town of Cazenovia to provide a real property tax exemption to qualifying volunteer firefighters and volunteer ambulance workers as set forth in Real Property Tax Law § 466-a .

SECTION 2. AUTHORITY.

Real Property Tax Law § 466-a authorizes the Town Board to adopt a local law providing a real property tax exemption of up to ten percent of the assessed value of real property owned by the qualifying volunteer firefighters and volunteer ambulance workers.

SECTION 3. AMEND ARTICLE II OF CHAPTER 150 OF THE CODE OF THE TOWN OF CAZENOVIA.

The existing Article II, “Exemptions for Members of Fire/Ambulance Companies,” of Chapter 150, “Taxation,” of the Code of the Town of Cazenovia shall be repealed and replaced by a new Article II, titled “Volunteer Firefighters and Volunteer Ambulance Workers Exemption,” which shall read in its entirety as follows:

“§ 150-3 Grant of exemption.

An exemption of 10% of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Town of Cazenovia as long as eligibility requirements provided by this chapter are met.

§ 150-4 Eligibility requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Cazenovia and the Town of Cazenovia is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Town of Cazenovia, which is hereby established as two (2) years.

§ 150-5 Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application

for such property tax exemption with the assessor responsible for preparing the assessment roll for the Town of Cazenovia, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Town of Cazenovia must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

§ 150-6 Certification.

The Town of Cazenovia Town Board must annually file with the Town Assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

§ 150-7 No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this Article shall not have any of those benefits diminished because of this Article.

§ 150-8 Grant of lifetime exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the 10% exemption as authorized by this Article for the remainder of his or her life as long as his or her primary residence is located within the Town of Cazenovia.

§ 150-9 Un-remarried spouse of enrolled member killed in the line of duty.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.

§ 150-10 Un-remarried spouse of deceased enrolled member.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

§ 150-11 Compatibility with Real Property Tax Law § 466-a.

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 § 466-a. The exemption, the procedures for application therefor and the restrictions

and limitations thereon as set forth in Real Property Tax Law § 466-a, 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 § 466-a, Real Property Tax Law § 466-a shall be controlling.”

SECTION 4. VALIDITY AND SEVERABILITY.

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

SECTION 5. EFFECTIVE DATE.

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

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 152 adopted.

Motion by Councilor Reger, seconded by Councilor Race to open the public hearing relative to Local Law E – 2023, entitled "A Local Law Amending Chapter 150 of the Code of the Town of Cazenovia to Add Article III Providing for a Tax Exemption on Real Property Owned by Persons Sixty-Five Years of Age or Over Pursuant to Real Property Tax Law § 467."

Public comment:

Mark Braiman of 4775 East Lake Road said as a 67-year old on a fixed income, he can sympathize with the need for some property tax relief for people who have been in the Town for a long time and might be struggling with rising property values and an income that isn't keeping up with inflation. He felt the State is taking a poor approach by only using age as the criterion. He said it creates an incentive to move into a town that may be of an advanced age and get a tax break. But, the people who have been in the same house for twenty years and are struggling with a stagnant income and might only be 50, those folks don't see a tax break. He recognized the Board doesn't have the flexibility of setting an exemption based on the number of years a resident has lived in the Town, but felt this is a more sensible way to address rising property values.

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

Resolution No. 153 presented by Councilor Race, seconded by Councilor Johnson

TOWN OF CAZENOVIA LOCAL LAW NO. E OF 2023

(“A Local Amending Chapter 150 of the Code of the Town of Cazenovia To Add Article III Providing For A Tax Exemption On Real Property Owned By Persons Sixty-Five Years of Age or Over Pursuant to Real Property Tax Law § 467”)

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 § 467, proposed Local Law No. E-2023, titled “A Local Amending Chapter 150 of the Code of the Town of Cazenovia To Add Article III Providing For A Tax Exemption On Real Property Owned By Persons Sixty-Five Years of Age or Over Pursuant to Real Property Tax Law § 467,” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on November 6, 2023; and

WHEREAS, a public hearing was held on such proposed local law on the 11th day of December 2023, 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. E-2023 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. E-2023.

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. E-2023 as Local Law No. 5-2023 as follows:

**“TOWN OF CAZENOVIA
LOCAL LAW NO. 5 OF 2023**

**A LOCAL LAW AMENDING CHAPTER 150 OF THE CODE OF THE TOWN OF
CAZENOVIA TO ADD ARTICLE III PROVIDING FOR A TAX EXEMPTION ON
REAL PROPERTY OWNED BY PERSONS SIXTY-FIVE YEARS OF AGE OR OVER
PURSUANT TO REAL PROPERTY TAX LAW § 467**

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

SECTION 1. 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 senior citizens 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 senior citizen homeowners 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 § 467.

SECTION 2. AUTHORITY.

The adoption of this Local Law is in accordance with Section 10 of New York’s Municipal Home Rule Law and New York Real Property Tax Law § 467.

SECTION 3. AMEND CHAPTER 150 OF THE CODE OF THE TOWN OF CAZENOVIA.

Chapter 150, “Taxation,” shall be amended to add a new Article III, “Persons Sixty-Five Years of Age or Over Exemption,” which shall read in its entirety as follows:

- “§ 150-12 Exemption granted; amounts.
- A. Real property in the Town of Cazenovia owned by one or more persons, each of whom is 65 years of age or over, or real property owned by spouses or by siblings as defined by Real Property Tax Law § 467, one of whom is 65 years of age or over, shall be exempt from taxation by the Town to an extent as set forth in Subsection B of this Section based on their income. Such exemption shall also apply to real property in which a person(s) holds a legal life estate or which is held in trust solely for the benefit of a person(s) if such person(s) would otherwise be eligible for the exemption were such person(s) the owner(s) of such real property.
- B. A graduated tax exemption shall be allowed in accordance with the following schedule:

Annual Income	Percentage Assessed
Valuation Exempt From Taxation	
\$50,000.00	50%
More than \$50,000.00 but less than \$51,000.00	45%
\$51,000.00 or more but less than \$52,000.00	40%
\$52,000.00 or more but less than \$53,000.00	35%
\$53,000.00 or more but less than \$53,900.00	30%
\$53,900.00 or more but less than \$54,800.00	25%
\$54,800.00 or more but less than \$55,700.00	20%
\$55,700.00 or more but less than \$56,600.00	15%
\$56,600.00 or more but less than \$57,500.00	10%
\$57,500.00 or more but less than \$58,400.00	5%

§ 150-13 Compatibility with Real Property Tax Law § 467.

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 § 467. The exemption, the procedures for application therefor and the restrictions and limitations thereon as set forth in Real Property Tax Law § 467, 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 § 467, Real Property Tax Law § 467 shall be controlling.”

SECTION 4. VALIDITY AND SEVERABILITY.

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

SECTION 5. EFFECTIVE DATE.

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

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 153 adopted.

Resolution No. 154 presented by Councilor Reger, seconded by Councilor Johnson

TOWN OF CAZENOVIA LOCAL LAW NO. B OF 2023

(“A Local Law to Amend Chapter 61 (Building Construction and Fire Prevention) of the Town Code of the Town of Cazenovia with Respect to Demolition Permits”)

To introduce proposed Local Law No. B-2023, titled “A Local Law to Amend Chapter 61 (Building Construction and Fire Prevention) of the Town Code of the Town of Cazenovia With Respect to Demolition Permits,” and

WHEREAS, proposed Local Law No. B-2023 has been introduced and will be considered for enactment pursuant to the provisions of the New York State Municipal Home Rule Law and New York State Town Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether the action is subject to the aforementioned law; and

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

WHEREAS, the adoption to said Local Law is an Unlisted Action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter; and

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

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

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. B-2023 is an Unlisted Action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

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

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2023 at the Town Hall located at 7 Albany Street, Cazenovia, New York on January 8, 2024 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 154 adopted.

Resolution No. 155 presented by Councilor Race, seconded by Councilor Golub

**TOWN BOARD SEQR RESOLUTION
(LEAD AGENCY DESIGNATION)**

**CHEMICAL TREATMENT OF EURASIAN
WATERMILFOIL IN CAZENOVIA LAKE
(Potential 2024 Treatment - ProcellaCOR EC)**

WHEREAS, previously, the Town of Cazenovia has considered the possibility of treatment of Cazenovia Lake to address the identified presence of invasive aquatic macrophyte *Myriophyllum spicatum*; and

WHEREAS, the Town has also previously determined that protection and restoration of the water quality, aesthetic condition, recreational usage, and aquatic habitat of Cazenovia Lake is in the best interest of our entire community with respect to environmental stewardship, culture heritage, and economic interests; and

WHEREAS, it has been recognized that the invasive aquatic macrophyte *Myriophyllum spicatum*, commonly known as Eurasian watermilfoil, has become increasingly abundant in Cazenovia Lake and degrades the lake’s water quality, aesthetic value, and recreational potential; and

WHEREAS, for decades the Cazenovia Lake Association has attempted to manage the symptoms of excessive weed growth through harvesting and other measures with only limited success; and

WHEREAS, a Cazenovia Lake Summit was held on November 15, 2008 to bring together experts in effective control measures for Eurasian watermilfoil in lakes, including a senior representative of Lakes Division of the New York State Department of Environmental Conservation (hereafter “NYSDEC”); and

WHEREAS, after impartial evaluation of all viable alternatives, a chemical treatment program using the chemical Triclopyr, with a brand name of “Renovate,” appeared to offer the greatest potential for effective control of Eurasian watermilfoil in Cazenovia Lake; and

WHEREAS, the chemical Triclopyr has been subject to rigorous federal and state environmental reviews prior to its approval for use in New York State lakes for control of Eurasian watermilfoil; and

WHEREAS, a Generic Supplemental Environmental Impact Statement was accepted by the NYSDEC with regard to Renovate; and

WHEREAS, representatives of the Leadership Group of the Cazenovia Lake Summit met with the members of the Cazenovia Lake Watershed Council on November 19, 2008 to review the findings of the Cazenovia Lake Summit and reach consensus on an integrated strategy for control of Eurasian watermilfoil in Cazenovia Lake; and

WHEREAS, consensus was reached to pursue an application to NYSDEC for a chemical treatment program using Triclopyr as part of an integrated long-term control strategy of Eurasian watermilfoil; and

WHEREAS, on December 8, 2008, the Town of Cazenovia accepted the recommendation of the Cazenovia Lake Watershed Council and authorized the Cazenovia Town Board to join the Cazenovia Village Trustees as Applicants for a pesticide application permit to the NYSDEC for chemical treatment of a portion of Cazenovia Lake using the chemical Triclopyr; and

WHEREAS, in the early Summer of 2009, the Town received a permit from the NYSDEC to apply the herbicide Triclopyr for certain portions of the Lake (Northern); and

WHEREAS, the treatment occurring pursuant to the Summer 2009 application was deemed to have been successful such that the Town Board undertook a second treatment for the Central and Southern portions of Cazenovia Lake in 2010, a third treatment in 2012, a fourth treatment in 2014, a fifth treatment occurred in 2017, a sixth treatment occurred in 2019 and a seventh treatment occurred in 2020; and

WHEREAS, the treatments were deemed to be successful for certain portions of the Lake; and

WHEREAS, the above-referenced seven (7) previous treatments, while highly successful for many areas of the Lake, were deemed to have certain limitations, including some residual requirements in areas which were otherwise untreated or treated at lower levels such that regrowth and repopulation of Eurasian watermilfoil has occurred at levels which should be addressed; and

WHEREAS, in 2020, after discussions with recognized experts in the subject field, consultation with the NYSDEC and conversations with other stakeholders concerning the Lake’s health, it was determined that continued treatment of the Lake could be beneficial and it was further determined to utilize an alternate herbicide known as “*ProcellaCOR EC*”, which herbicide has shown positive results in other studies and applications on freshwater bodies in New York State and has been approved for use by the NYSDEC in such instances; and

WHEREAS, on November 2, 2020, the Town Board authorized an application for permission to utilize *ProcellaCOR EC* for treatment of the Lake for the invasive species; and

WHEREAS, thereafter the NYSDEC issued a permit for the use of *ProcellaCOR EC* for such treatment and the treatment was deemed successful with no negative impacts; and

WHEREAS, it appears the *ProcellaCOR EC* application has provided a beneficial alternative to Triclopyr with no known harmful effects to the environment; and

WHEREAS, the Town Board now desires to undertake an additional treatment and application of Cazenovia Lake with *ProcellaCOR EC* in the Spring of 2024 for certain portions of the Lake evidencing increased presence and proliferation of Eurasian watermilfoil, subject to the granting of approval, licenses and permits from the NYSDEC as may be necessary; and

WHEREAS, this action will require a separate and additional review under SEQR; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 617.3 and 617.6 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days after submission of a complete application/action, an involved agency shall make a determination whether a given action is subject to the aforementioned law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cazenovia hereby determines that:

1. The action is subject to SEQR.
2. The following are involved and/or interested agencies in connection with the SEQRA review:

INVOLVED	INTERESTED
New York State Department of Environmental Conservation 50 Wolf Road Albany, New York 12233-0001	Commissioner of Health Madison County Health Department P.O. Box 605/ 138 North Court St. Wampsville, New York 13163
New York State Department of Environmental Conservation Region 7 615 Erie Blvd. West Syracuse, New York 13204-2400	NYS Office of Parks, Recreation and Historic Preservation Pebbles Island Resource Center P.O. Box 189 Waterford, New York 12188-0189
U.S. Army Corps of Engineers Jacob K. Javits Federal Building 26 Federal Plaza, Room 2109 New York, New York 10278-0090	New York State Canal Corporation 30 South Pearl Street Albany, New York 12207

U.S. Army Corps of Engineers
Auburn Field Office
7413 County House Road
Auburn, New York 13021

NYS Canal Corporation -
Syracuse Division
149 Northern Concourse, Suite
400
North Syracuse, New York 13212

Village of Cazenovia Board of
Trustees
c/o Susan Dady, Clerk
90 Albany Street
Cazenovia, New York 13035

- 3. The action is an Unlisted action;
- 4. The Town of Cazenovia Town Board will assume lead agency status for SEQR review purposes and undertake a coordinated review;
- 5. Lead Agency notices will be sent out to the involved and/or interested agencies; and
- 6. The action will require the submission of a Short Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

RESOLVED, that the Town Board of the Town of Cazenovia hereby shall notify all agencies, interested/involved, that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of mailing of such notice.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 155 adopted.

Resolution No. 156 presented by Councilor Race, seconded by Councilor Johnson

**AUTHORIZATION FOR THE SOLICITATION OF BIDS
AND SEQR DETERMINATION FOR
THE RIDGE ROAD STORMWATER INFRASTRUCTURE PROJECT**

WHEREAS, the Town of Cazenovia has held discussions regarding the construction and installation of stormwater and drainage improvements to certain portions of Ridge Road and Jephson Estates consisting generally of the construction of a redesigned stormwater system for approximately 1,400 l.f. through Ridge Road and Jephson Estates (the “Stormwater Project”); and

WHEREAS, the Town of Cazenovia has previously authorized the solicitation of funding in the form of financing and grant monies for the Stormwater Project; and

WHEREAS, previously the Town’s consulting engineers have been authorized to prepare specifications and materials for the Stormwater Project for purposes of public bidding; and

WHEREAS, the Stormwater Project would consist of the undertaking of repairs to the exiting stormwater/drainage system along portions of Ridge Road, including improvement of the conveyance of surface waters in the Ridge Road/Jephson Estates area of the Town to address flooding on Town roadways and travel safety; and

WHEREAS, the Town Board has determined that it will be in the best interest of the Town and its citizens to undertake the proposed improvements to the stormwater system for the benefit of all residents and travelers on and along this portion of Ridge Road; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 617.3 and 617.6 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days after submission of a complete application/action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Town Board has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the Town Board has reviewed Parts 1, 2 and 3 of the submitted Short EAF prepared for this action and has fully considered, analyzed and discussed the areas of concern of said EAF.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cazenovia hereby determines for purposes of SEQR that:

1. The proposed project is an Unlisted Action;
2. The Town of Cazenovia Town Board will assume lead agency status for SEQR review purposes; and it is further

RESOLVED, that the Town Board of the Town of Cazenovia, after careful review of the proposed action and the submitted EAF, hereby determines that the proposed action will have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a Negative Declaration for purposes SEQRA; and it is further

RESOLVED that the reasons and findings supporting the foregoing Negative Declaration are as follows:

1. The proposed project will not create a material conflict with any adopted land use plan or zoning regulations, including the Town of Cazenovia’s most recently adopted Comprehensive Plan;
2. While the proposed project will result in some change in the use or intensity of the use of land after construction of the drainage improvements, such minor changes will be positive insofar as they will help to address confirmed instances of flooding in and along Ridge Road;
3. The proposed project will not impair the character or quality of the existing community, including the potential for upgrades and modifications to Ridge Road, including its drainage facilities;
4. The proposed project will not impact any established critical environmental areas;

5. The proposed project will not result in an adverse change to the existing levels of traffic or negatively affect any existing infrastructure for mass transit, biking or walkways. Portions of Ridge Road are known to be used by bikers and walkers and the proposed project will have no impact to same;
6. The proposed project will not involve any increased use of energy, other than at the time of construction which will be temporary and minimal in nature;
7. The proposed project will not impact existing public/private water supplies or public/private wastewater facilities;
8. The proposed project will not impair the character or quality of any important historic, archeological, architectural or aesthetic resources since the proposed projects involves work in, on and alongside Ridge Road;
9. The proposed project will not result in any adverse change to any natural resource and no such resources have been identified;
10. The proposed project will not result in an increase in the potential for erosion, flooding or drainage improvements, rather it will address existing erosion, flooding and drainage issues which have been experienced in, on and alongside Ridge Road and which in turn have created concerns for pedestrians and vehicular traffic;
11. The proposed project will not create a hazard to any environmental resources or human health as identified by the Board; and it is further

RESOLVED that the Town’s legal counsel shall distribute and publish this Negative Declaration pursuant to the requirements of 6. N.Y.C.R.R., Part 617, if necessary; and it is further

RESOLVED AND DETERMINED that the Town of Cazenovia Town Board hereby determines to proceed with the project upon the awarding of a successful bidder, certification of securing adequate funding for the project, and confirming or acquiring the necessary interests in land, and further authorizes the Town Engineer to take the necessary actions to let out for bid and to solicit proposals for the construction of stormwater/drainage improvements for the Stormwater Project; and it is further

RESOLVED AND DETERMINED that the Supervisor is hereby authorized to sign any documents and take all actions to give full force and effect to this resolution.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 156 adopted.

Supervisor Zupan said this firm will assist the Bookkeeper with implementing the newest standards imposed by the State.

Resolution No. 157 presented by Councilor Reger, seconded by Councilor Race

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE LETTERS OF ENGAGEMENT WITH BONADIO & CO., LLP

WHEREAS, the Town of Cazenovia requested a proposal from Bonadio & Co., LLP for their services in relation to the implementation of the GASB (General Accounting Standards Board) 87 *Leases* and GASB 96 *Subscription Based Information Technology Agreement*; and

WHEREAS, Bonadio & Co., LLP provided a Letter of Engagement dated November 10, 2023 in relation to assisting with the GASB 87 & 96 standards; and

WHEREAS, additionally, the Town requested guidance with the accounting of the GASB 68 *Accounting and Financial Reporting for Pensions* and GASB 84 *Fiduciary Activities*; and

WHEREAS, Bonadio & Co., LLP can provide such assistance with the GASB 68 & GASB 84 and will provide a “general consulting” agreement in relation to these services.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cazenovia Town Board hereby authorizes the Town Supervisor to execute the Letters of Engagement from Bonadio & Co., LLP for assistance with the implementation of these GASB-reporting standards, pending review by the Attorney for the Town.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 157 adopted.

Resolution No. 158 presented by Councilor Race, seconded by Councilor Golub

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE BIOSOLIDS DISPOSAL AGREEMENT WITH MADISON COUNTY DEPARTMENT OF SOLID WASTE & SANITATION

WHEREAS, the Town of Cazenovia Town Supervisor received correspondence from the Madison County Director of Solid Waste Management; and

WHEREAS, the correspondence reviewed the terms of the current Biosolids Agreement between the Town and the County and the fees for disposal of the biosolids; and

WHEREAS, the current Agreement will expire at the end of this year; and

WHEREAS, the Agreement for 2024 will have increased rates for the disposal of biosolids with a rate of \$ 60.00/ton until the end of June 2024 and a higher fee for the remainder of 2024 with a rate of \$ 88.00/ton; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cazenovia Town Board hereby authorizes the Town Supervisor to execute a new Biosolids Agreement with Madison County which has been reviewed by the Attorney for the Town.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 158 adopted.

Resolution No. 159 presented by Councilor Race, seconded by Councilor Golub

**ADOPT REVISIONS TO THE
TOWN OF CAZENOVIA EMPLOYEE MANUAL**

WHEREAS, the Town of Cazenovia Town Board revisited the current Employee Manual for the Town of Cazenovia; and

WHEREAS, the Town Board desires to modify the Section VI: Compensation, more particularly Overtime, Compensatory Time; and

WHEREAS, currently the Compensatory Time Policy allows an employee to accrue an uncapped amount of compensatory time in a calendar year in lieu of being paid overtime; and

WHEREAS, the Town Board wishes to limit compensatory to 60 hours, effective January 1, 2024; and

WHEREAS, the Manual shall be modified as follows; and

NOW, THEREFORE, BE IT RESOLVED that the aforementioned update be incorporated into the Town of Cazenovia Employee Manual and shall be effective January 1, 2024.

Current Manual

Compensatory Time – With pre-authorization from the Department Head, a non-exempt employee will have the option of receiving “compensatory time” in lieu of paid overtime. When a non-exempt employee chooses to receive compensatory time, the employee will be credited with the equivalent of one and one-half hours for all authorized time worked over forty hours in a given workweek. ~~An employee must use all compensatory leave credits within the calendar year in which they are earned or receive cash payment at the end of the calendar year at the employee’s then current rate of pay.~~

Update for Manual

Compensatory Time – With pre-authorization from the Department Head, a non-exempt employee will have the option of receiving “compensatory time” in lieu of paid overtime. When a non-exempt employee chooses to receive compensatory time, the employee will be credited with the equivalent of one and one-half hours for all authorized time worked over forty hours in a given workweek. ~~Non-exempt employees may accrue a maximum of sixty (60) hours of compensatory time. Any overtime worked by a non-exempt employee who has accrued 60 hours will not be eligible for compensatory time. Accrued compensatory time may not be carried over from year to year and will be cashed out on an annual basis. Payment for accrued, unused~~

compensatory time shall be made in the first regular pay period of each calendar year, with the value of compensatory time calculated using the employee’s regular rate of pay in effect on December 31 of the year in which the compensatory time was earned.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 159 adopted.

Resolution No. 160 presented by Councilor Golub, seconded by Councilor Race

**AUTHORIZE TRAINING CREDITS TO MEMBERS OF THE
PLANNING BOARD AND ZONING BOARD OF APPEALS
OF THE TOWN OF CAZENOVIA**

To authorize training credit hours for the following webinars:

- 2023 Municipal Bootcamp Program Series Offered by Hancock Estabrook
- Cortland County & NYSERDA Clean Energy & Solar Laws Webinars
- Micron Presentation – “Help Us Build a Better Central New York”

Credit hours will be recorded in accordance with the length of each session. Any Planning Board or Zoning Board of Appeals Member that wishes to take these classes will have the hours applied to their annual training activity credits.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 160 adopted.

Resolution No. 161 presented by Councilor Race, seconded by Councilor Johnson

2024 CHILLY CHILI RUN

To approve the use of Ridge Road, Ten Eyck Avenue, Lincklaen Road and Syosset Drive for the “19th Annual Chilly Chili Run 5K Run/Walk” scheduled for Sunday, January 21, 2024 commencing at 1:00 p.m. It is understood that the New York State Police and/or Madison County Sheriff’s Department and the Cazenovia Village Police will be utilized for traffic control and that CAVAC will be on-site.

An endorsed Certificate of Liability Insurance, naming the Town of Cazenovia as an additional insured with coverage in the amount of One Million Dollars has been filed with the Town Clerk. It is understood coverage must be maintained throughout the date of the event.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 161 adopted.

Resolution No. 162 presented by Councilor Reger, seconded by Councilor Race

**AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE
LETTERS OF SUPPORT TO CNY ARTS, INC.**

The Town Board of the Town of Cazenovia authorizes the Town Supervisor to execute the following Letters of Support to CNY Arts, Inc. for special projects grants to facilitate a public art program and offer free introductory art workshops being submitted by Cazenovia Area Community Development Association (CACDA).

November 13, 2023

Ben Verdi
CNY Arts, Inc.
421 Montgomery Street, 11th floor
Syracuse, NY 13202

Dear Mr. Verdi:

I would like to express my support for the Cazenovia Area Community Development Association (CACDA) application for a Special Projects grant. CACDA will facilitate a public art program that will strengthen downtown revitalization and enhance the visibility of the arts in this community. The role of the arts in community and economic development is well documented and has an integral role in local development plans.

CACDA has a long history of bringing community stakeholders together toward common goals. If funded, this project will represent a collaborative effort toward a tangible community enhancement.

I am pleased to offer my support and endorsement of this grant request.

Thank you for your consideration.

Sincerely,

William N. Zupan,
Town Supervisor

cc: Town of Cazenovia Town Board

November 13, 2023

Ben Verdi
CNY Arts, Inc.
421 Montgomery Street, 11th floor
Syracuse, NY 13202

Dear Mr. Verdi:

I would like to express my support for the CazArts application for a Special Projects grant. CazArts will offer a series of free introductory art workshops that will introduce new artistic explorations for beginners with no prior arts experience. The workshops will allow people to try something new to them, at no cost, with the potential of inspiring continued involvement.

CazArts has made a strong contribution in arts and culture in Cazenovia and the surrounding communities in rural Madison County. Their restoration of the historic Carpenter’s Barn as an arts venue has resulted in a strengthening of the arts in our region.

I am pleased to offer my support and endorsement of this grant request.

Thank you for your consideration.

Sincerely,

William N. Zupan,
Town Supervisor

cc: Town of Cazenovia Town Board

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

Supervisor Zupan declared Resolution No. 162 adopted.

Resolution No. 163 presented by Councilor Reger, seconded by Councilor Johnson to approve the following budget transfers and adjustments:

(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 B

To increase Zoning Officer PS to accommodate hours for records review completed by former Code Enforcement Officer and Deputy Code Enforcement Officer original budget not sufficient.

To: B 8010.1.023 Zoning Officer PS	\$1,200.00
From: B 1990.4.000 Contingency Account	(1,200.00)

Consolidated Water Districts (New Woodstock & Wellington) SW1

To appropriate Fund Balance we must make a calculation that Fund Balance is available in Consolidated WD 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>0,000.00</u>
Actual Subtotal	\$70,730.00

Present Year Actual:

SW1 980 Actual Revenues to Date	\$69,793.28
Plus Other Revenues Expected by year end	.00
Plus SW1 909 Fund Balance at beginning of year	<u>173,876.58</u>
Actual Subtotal	\$243,669.86

Actual Subtotal less Budgeted Subtotal = Amount Available **\$172,939.86**

To transfer budget to accommodate additional expenditures for postage at Consolidated Water District, original budget of \$450 found to be insufficient.

To: SW1 8310.4.000 Administration CE	\$150.00
From: SW1 8320.1.000 Source Power Pump PS	(150.00)

To transfer budget to accommodate labor for Certified Water Technicians original budget of \$27,000 found to be insufficient for hours worked.

To: SW1 8340.1.000 Transmission/Distribution PS	\$7,400.00
To: SW1 9030.8.000 Social Security (Town Portion)	520.00
From: SW1 8320.1.000 Source Power Pump PS	(3,100.00)
From: SW1 599 Appropriated Fund Balance	(4,820.00)

Mt. Pleasant Water District SW2

To appropriate Fund Balance we must make a calculation that Fund Balance is available in Mt. Pleasant WD by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

SW2 510 Estimated Revenues	\$24,610.00
Plus SW2 599 Appropriated Fund Balance	<u>0,000.00</u>
Actual Subtotal	\$24,610.00

Present Year Actual:

SW2 980 Actual Revenues to Date	\$35,670.08
Plus Other Revenues Expected by year end	.00
Plus SW2 909 Fund Balance at beginning of year	<u>117,726.33</u>
Actual Subtotal	\$153,396.41

Actual Subtotal less Budgeted Subtotal = Amount Available \$128,786.41 – 4,200.00 Appropriated Fund Balance Nov. = \$124,586.41

To transfer budget to accommodate labor for Certified Water Technicians original budget of \$9,000 found to be insufficient for hours worked.

To: SW2 8340.1.000 Transmission/Distribution PS	\$1,720.00
To: SW2 9030.8.000 Social Security (Town Portion)	150.00
From: SW2 599 Appropriated Fund Balance	(1,870.00)

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 163 adopted.

Attorney's Report: *John Langey, Esq. said he met with the Codes Enforcement Officer and an individual that has a bed and breakfast. He would like the Town Board to revisit the short term rental law that is “on the books” because he has some suggested edits which should be ready for the Town Board in January. He said he’s been working with Councilor Golub on some boat launch legislation. Additionally, he said his law office is working on a “Battery Storage Law” because this is becoming an increasingly important issue as the number of renewable energy projects continue to grow. He also mentioned the Ridge Road Drainage Project is moving forward and he’s been part of those discussions. Lastly, he said he’s working with Councilor Reger on the “Cell Tower Law.”*

Supervisor’s Report: *Supervisor Zupan gave his final report. He said he is ready to retire and it’s been a pleasure working with all the Boards. He said he has been working on the treatment plant including Meier’s Creek. He mentioned there are a lot of things going on at the County-level.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported the highway department is in full-winter mode including the two shifts. He mentioned they are currently an employee short and are looking to fill that position.*

Councilor Golub {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage), Anti-racism Coalition, UCAN}: *Reported the Cazenovia Lake Summit was very well-attended and very informative. He said a short film on Hydrilla was presented and he thought it was well received. He’s been talking with some folks at Lake George about their process for boat launch and inspections. He was open to learn about their process and how our Town’s program might need to evolve. In closing, he said he has been on the Town Board for eight years and from conversations with other towns; he’s aware other towns don’t run as smoothly as Caz. He credited Bill for this because he is our leader. He said he has not always agreed with Bill, but he has always respected his opinion. He told Bill it was a pleasure to serve with him.*

Councilor Reger (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): *Reported it was an active month with the Planning and Zoning Boards. There was a slight hiatus with the Comprehensive Plan, partly due to the fact, the Committee was waiting on the surveys to be done. As of last week, they collected nearly 400 online surveys. He said this coming Wednesday the Committee will meet and review the data that EDR has compiled. He said a lot of his time has been spent with the transition and meeting with various boards, groups and staff. He wanted Bill to know it has been an honor to serve with him and thanks him for being so generous with his time.*

Councilor Johnson {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: *Reported there wasn’t a lot to report from CACDA, they are waiting to hear about the two grants, EFC and the Boat Washing Station. Joint Youth Recreation is an ongoing conversation-the Village is in the process of working on their budget for the upcoming year. She said, as John previously mentioned, there will be an update on the cell tower law, most likely, in January. She welcomed Councilor-Elect Sheila Fallon and thanked Supervisor Zupan for his time. She mentioned she is in the second year of her term and she tells people it is like drinking from a fire hose. She thanked Bill for his service for all these years. As she has conversations with individuals in the community, she suggests everybody should serve a term on some elected position at some point in their life. She said it has been an eye-opener and welcomed Sheila.*

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:

Mark Braiman of 4775 East Lake Road wanted to introduce and advocate for a partnership between the Town and the School Board in terms of finding an energy source for the school buses over the next several decades. He said John Langey already mentioned a concern about energy storage. He said there in an annual Independent System Operator’s Report which predicts by the year 2040, there will be no hydrocarbon-produced electricity or fossil fuel-produced electricity. He gave some in-depth comments about storage. He suggested the Town take advantage of the natural energy storage, Cazenovia Lake. The Town doesn’t get any hydro-electric value, energy

storage value from the water in Cazenovia Lake, anymore. He shared his idea that a pipeline could divert the water from the outflow of the Lake to Chittenango Falls which would generate 200 kilowatt without severely restricting the flow of the Creek. A charging station could be installed at Chittenango Falls. He thought this recommendation should be considered. He submitted copies of a Plan to the Town Board that he created ten years ago.

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.

At 8:15 p.m., motion by Councilor Reger, seconded by Councilor Race to go into Executive Session for the purposes of attorney-client privileged advice.

The Board invited the following individuals into the Session:

- **Connie Sunderman, Town Clerk**
- **Sheila Fallon, Town Councilor-Elect**

At 9:12 p.m., motion by Councilor Golub, seconded by Councilor Reger to adjourn the Executive Session.

Resolution No. 164 presented by Councilor Johnson, seconded by Councilor Race

**AUTHORIZING THE TOWN ATTORNEY TO EXECUTE
 A STIPULATION OF DISCONTINUANCE AND SETTLEMENT
 IN THE MATTER OF CAZENOVIA COLLEGE VS.
 ASSESSOR FOR THE TOWN OF CAZENOVIA, THE TOWN OF CAZENOVIA,
 THE COUNTY OF MADISON, VILLAGE OF CAZENOVIA
 AND CAZENOVIA CENTRAL SCHOOL DISTRICT
 (INDEX NO. EF2023-1923)**

WHEREAS, on November 23, 2023 Cazenovia College filed a proceeding captioned *Cazenovia College vs. Assessor for the Town of Cazenovia, the Town of Cazenovia, the County of Madison, Village of Cazenovia and Cazenovia Central School District* (Index No. EF2023-1923) (hereinafter the “Action”); and

WHEREAS, service has been affected upon the Town of Cazenovia, its Assessor, the County of Madison, Village of Cazenovia and the Cazenovia Central School District; and

WHEREAS, the parties have discussed their good faith disputes regarding said Action; and

WHEREAS, the parties acknowledge that they desire to resolve this matter amicably and to avoid the costs of litigation, with each party preserving its position regarding the exemptions as outlined in said Action.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cazenovia hereby authorizes the Town Attorney to execute the necessary settlement documentation and for the Town of Cazenovia to issue a refund, said monies not to exceed Five Thousand and NO/100 Dollars (\$5,000.00).

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 164 adopted.

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

At 9:12 p.m., Supervisor Zupan declared this meeting adjourned.

Connie J. Sunderman,

Town Clerk