

**TOWN BOARD
REGULAR MEETING**

Casual Attire

MONDAY

July 8, 2024

Supervisor Reger opened the meeting at 7:30 p.m. with four Councilors present. Councilor Johnson was excused.

Pledge of Allegiance.

Correspondence: *There was no unshared correspondence.*

Motion by Councilor Fallon, seconded by Councilor Golub to accept the minutes from the June 10, 2024 regular meeting. The motion was unanimously approved.

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

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

Resolution No. 91 presented by Councilor Race, seconded by Councilor Fallon

**APPROVAL OF APPROPRIATIONS RELATIVE TO
MT. PLEASANT WATER DISTRICT IMPROVEMENTS**

WHEREAS, the Town of Cazenovia Town Board adopted TOWN BOARD Resolution No. 73 – 2024 on May 13, 2024 which Resolution authorized and approved utilizing \$204,858.33 of A.R.P.A. SLFRF (State and Local Fiscal Recovery Funds) to complete improvements to certain improvements and betterments to the Mt. Pleasant Water District; and

WHEREAS, the Town Board previously determined that the improvement project would have no significant impact on the environment for purposes of the State Environmental Quality Reivew Act.

NOW THEREFORE, BE IT RESOLVED that the Town of Cazenovia Town Board hereby authorizes appropriation of funds into and for the **Mt. Pleasant Water District Improvement Capital Project** heretofore and to the end of the completed project referred to as fund H4. Due to the nature of A.R.P.A. SLFRF Revenue and Expenditure reporting requirements the revenue (H4 5031-001 Interfund Transfers ARPA Related) will be budgeted at the same amount as the expenditure (H4 8340-2-001 Transmission/Distribution EQ ARPA Project).

Roll call:

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

Supervisor Reger declared Resolution No. 91 adopted.

Resolution No. 92 presented by Councilor Fallon, seconded by Councilor Golub

AUTHORIZE THE PROCUREMENT OF SERVICES FROM BARNES & REES PAINTING TO PAINT THE GAZEBO AT NEW WOODSTOCK HERITAGE PARK

WHEREAS, the Town Board was previously advised the gazebo at New Woodstock Heritage Park was in need of maintenance due to paint peeling and chipping; and

WHEREAS, the Town Board solicited quotes from two painting contractors to repair and repaint the wood surfaces at the gazebo as required in the Town of Cazenovia’s Procurement Policy; and

WHEREAS, the Town Board received only one quote from Barnes & Rees Painting in the amount of Two Thousand Four Hundred and 00/100 Dollars (\$ 2,400.00).

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED the Town Board authorizes the procurement of painting services from Barnes & Rees Painting in an amount not to exceed Two Thousand Four Hundred and 00/100 Dollars (\$ 2,400.00). The contractor is required to provide a certificate of liability insurance naming the Town as an additional insured before commencement of services.

Roll call:

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

Supervisor Reger will declare Resolution No. 92 adopted.

Resolution No. 93 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE A SPEED STUDY REQUEST TO EXTEND THE 30-M.P.H. SPEED LIMIT TO THE SOUTHERN END OF NUMBER NINE ROAD

To authorize the Town Clerk to file the required New York State Vehicle and Traffic Form (TE 9a) with Madison County to request a lower maximum speed limit for Number Nine Road (County Route 50) from Wellington Drive South to the intersection with Ballina Road in the Town of Cazenovia:

Currently 55 M.P.H. to 30 M.P.H.

Roll call:

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

Supervisor Reger declared Resolution No. 93 adopted.

The Town Clerk said DEC will no longer use the Valeron paper, licenses will now be printed on plain copy paper.

Resolution No. 94 presented by Councilor Race, seconded by Councilor Fallon

**AUTHORIZE THE TOWN CLERK TO EXECUTE AN AMENDMENT
TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
LICENSE ISSUING AGENT AGREEMENT**

WHEREAS, the parties entered into a prior License Issuing Agent Agreement which said License Issuing Agent Agreement the parties now desire to amend; and

WHEREAS, both parties originally agreed that the License Issuing Agent was qualified and approved to issue sporting licenses on behalf of the Department; and

WHEREAS, a change in Department laws, rules, or regulations is anticipated that will change the format and delivery of sporting licenses that will obviate the need for Department provided license issuing equipment and the associated support and supplies; and

WHEREAS, the License Issuing Agent Agreement provides for amending the License Issuing Agent Agreement in Article 14. Contract Amendment.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED the Town of Cazenovia Town Board authorizes the execution of the New York State Department of Environmental Conservation Amendment to the License Issuing Agent Agreement by the Town Clerk which is required to continue the sale of hunting and fishing licenses at the Town Clerk’s Office.

Roll call:

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

Supervisor Reger declared Resolution No. 94 adopted.

Resolution No. 95 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE THE SUPERVISOR TO RESUBMIT AN APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE HISTORIC PRESERVATION GRANT PROGRAM

WHEREAS, previously the Town of Cazenovia Town Board authorized the submission of a grant application to the New York State Office of Parks, Recreation and Historic Preservation for the Town Offices located at 7 Albany Street in the Town of Cazenovia; and

WHEREAS, the Town Offices reside in a building known as the Gothic Cottage which was placed on the National Register of Historic Places in 1986; and

WHEREAS, the structure is in need of extensive repairs and the Town of Cazenovia hereby requests financial assistance from the New York State Office of Parks, Recreation and Historic Preservation through the Historic Preservation Grant Program.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cazenovia hereby authorizes the Supervisor, Kyle Reger, to resubmit an application for the Historic Preservation Grant Program through New York State Office of Parks, Recreation and Historic Preservation pending review by the Attorney for the Town.

Roll call:

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

Supervisor Reger declared Resolution No. 95 adopted.

Supervisor Reger said the Town Board was previously “polled” on this Letter of Support for the Foundation’s water quality improvement project and this is the official resolution.

Resolution No. 96 presented by Councilor Golub, seconded by Councilor Fallon

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE A LETTER OF SUPPORT TO THE TIOUGHNIOGA LAKE PRESERVATION FOUNDATION, INC.

The Town Board of the Town of Cazenovia authorizes the Town Supervisor to execute the following Letter of Support to the Tioughnioga Lake Preservation Foundation, Inc. to accompany the Foundation’s grant application to the New York State Water Quality Improvement Project Program to maintain the long-term quality of DeRuyter Lake (Tioughnioga Lake).

June 24, 2024

Mrs. Joan Kolb, President
Tioughnioga Lake Preservation Foundation, Inc.
P. O. Box 476
DeRuyter, NY 13052

Dear Mrs. Kolb:

We understand that the Tioughnioga Lake Preservation Foundation, in conjunction with Madison County Soil and Water Conservation District and the Central New York Regional Planning and Development Board, will be seeking funding through the New York State Water Quality Improvement Project Program to address streambank erosion from tributaries to the Lake. These actions are supported by the Nine Element Watershed Management Plan for the DeRuyter Lake Watershed which identifies reduction of phosphorous as one of the key nutrients to control in order to maintain the long-term quality of the lake water. This Plan identifies Input 32 remediation as one of the prime priority areas to provide benefits in maintaining lake water quality. We fully support the Foundation's efforts to address these failing streambanks as they threaten the health and function of the Lake and impact the property where erosion is occurring. Certain areas of erosion are causing significant deposits of sediments and debris into the streams and lake, impacting property owners, creating navigation hazards and potential property damage.

We are fully in support of the initiative by the Tioughnioga Lake Preservation Foundation and its supporting partners to maintain the long-term quality of the Lake.

Sincerely,

Kyle M. Reger,
Town Supervisor
cc: Town of Cazenovia Town Board

Roll call:

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

Supervisor Reger declared Resolution No. 96 adopted.

Resolution No. 97 presented by Councilor Race, seconded by Councilor Fallon

ANNUAL CAZENOVIA TRIATHLON

To approve the use of Hoffman Road, Ridge Road, and Chard Road (portion of road course that utilize Town roads) as part of the 2024 Cazenovia Triathlon on **Sunday, August 18, 2024**. No paint products shall be applied to the road.

The races that will occur are the Sprint Triathlon, Intermediate Triathlon, Sprint Aqua Bike (swim/bike), Intermediate Aqua Bike, Sprint Relay, Intermediate Relay and a NEW Sprint bike/run. The starting and finish lines for all races are at Lakeside Park.

It is understood that the Madison County Sheriff’s Department and the Cazenovia Village Police Department will be utilized for traffic control and that CAVAC will be on-site.

USA Triathlon has submitted an endorsed certificate of liability insurance naming the Town of Cazenovia as an additional insured in the amount of one million dollars in coverage for the above-referenced activities.

Roll call:

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

Supervisor Reger declared Resolution No. 97 adopted.

Resolution No. 98 presented by Councilor Race, seconded by Councilor Golub

BOOKKEEPER ATTENDANCE AT GOVERNMENT FINANCE OFFICERS’ ASSOCIATION NORTHEAST SUMMER SEMINAR 2024

To approve the bookkeeper, Elizabeth B. Merrill’s attendance at the Government Finance Officers’ Association, Inc. *Northeast Summer Seminar 2024* in Lake George, New York on August 9, 2024 with registration and hotel lodging fees paid and mileage expenses reimbursed.

Roll call:

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

Supervisor Reger declared Resolution No. 98 adopted.

Resolution No. 99 presented by Councilor Fallon, seconded by Councilor Race

**HIGHWAY SUPERINTENDENT ATTENDANCE AT
NYSAOTSOH ANNUAL CONFERENCE**

To approve the Highway Superintendent, Bryan Smith’s, attendance at the *New York State Association of Town Superintendents of Highways (NYSAOTSOH) Conference*, at Holiday Valley Resort in Ellicottville, New York on September 24-27, 2024 with registration and hotel lodging fees paid.

Roll call:

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

Supervisor Reger declared Resolution No. 99 adopted.

Resolution No. 100 presented by Councilor Race, seconded by Councilor Fallon

**JUDGE PALMER’S ATTENDANCE AT THE
2024 MAGISTRATE’S CONFERENCE**

To approve Judge Fred Palmer’s attendance at the *Annual NYS Magistrate’s Conference* in Niagara Falls, New York on September 22 – 25, 2024 with registration and hotel lodging fees paid and mileage expenses reimbursed.

Roll call:

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

Supervisor Reger declared Resolution No. 100 adopted.

**Resolution No. 101 presented by Councilor Race, seconded by Councilor Fallon
COURT CLERKS CONFERENCE**

To approve Court Clerk, Shea Palmer’s attendance at *the New York State Association of Magistrates Court Clerks, Inc. (NYSAMCC) 44th Annual Conference* in Niagara Falls, New York on September 29, 2024 – October 3, 2024 with registration and hotel lodging fees paid and mileage expenses reimbursed.

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

Supervisor Reger declared Resolution No. 101 adopted.

Resolution No. 102 presented by Councilor Fallon, seconded by Councilor Race

**AUTHORIZE A CREDIT TO A USER’S ACCOUNT OF THE
WATER POLLUTION CONTROL FACILITY**

To authorize the Sewer Billing Clerk to issue a credit for the penalty incurred in the amount shown to the following account of the Water Pollution Facility:

- **Blatt, Donna**
Service ID: 6290 (8 Gillette Lane) **\$ 17.50 Credit**

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

Supervisor Reger declared Resolution No. 102 adopted.

Attorney's Report: *John Langey, Esq. said the Wind Committee is going strong and has had several meetings. He mentioned they are also considering battery regulations and what the Town Board wants to do with battery storage, as a use in the Town. He said often times, representatives of solar projects will inquire if there is a battery component or not. He said there are not many that have battery components, but the battery, themselves, are there own stand-alone issue, in terms of fire suppression and safety. He mentioned the Committee is looking at this aspect. On another note, he has been working with Councilor Johnson regarding the Youth Recreation Program in terms of looking at the IMA which has been “on the books” for quite some*

time. Regarding the Lucas Solar Farm, they have started their work at the site. He said the Town’s cell tower law has received a lot of attention recently from the Town of Sullivan. He said the Town will see how their law stands up when they get a cell tower application. He said there is currently an application in Nelson, too. He thinks capacity is maxing out and people are using their devices more than before.

Supervisor's Report: Supervisor Reger thanked everyone for their time and recognized he’s tasked and asked a lot of the Board. He commented he is glad to be a part of this team and all they are accomplishing. He said lake treatment is complete and went well and thanked Clerk Sunderman, the Lake Association, Village and Town Volunteers. He thanked Bryan and his team for the weed harvesting. He said he has been working a lot for the past month and a half on insurance. They received a quote from NYMIR and are just waiting on the Haylor, Freyer & Coon proposal. He recognized it was a lot of work for both applications. He said there will probably be a special meeting near the end of the week because the insurance is set to expire/renew on the 16th of July. He acknowledged all the efforts of Chris Sgouris, Bryan Smith, Pat Race, as well as the residents of Mt. Pleasant who have been great to work with on the water district upgrades. He thanked Lauren Lines and Connie Sunderman for the WPCF grant applications. He said there have been several meetings to look at other applications and opportunities. They met with some folks from Empire State Development to discuss funding opportunities due to the massive expense the upgrades will cost at the Water Pollution Control Facility. He commented that he met with the Chamber of Commerce last week and they are a great group and are doing wonderful things with CazLife. He suggested a Town Board member attend their monthly meetings, which occur the first Wednesday of each month. He thought it would be beneficial for the Town Board members to rotate attendance because each member brings different perspectives.

(Office Hours): New Woodstock Free Public Library, July 27th 9:00 a.m.-12:00 p.m.

Councilor Reger said they received quite a bit of feedback on the Comprehensive Plan and will meet a couple times this month. The goal is to present it to the Town Board by early Fall.

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): Reported a lot of the paving is complete, Owahgena, West Lake, Moseley and Michigan Roads and he thought it turned out well. He commented harvesting is going well and it was great to get some positive feedback. He said it his understanding the new trucks are being tabled for tonight and he will talk to the Highway Superintendent after the meeting. Bryan Smith, Highway Superintendent, commented the Ridge Road Drainage Project, started today with the road being milled.

Councilor Golub (Cazenovia Lake Association, Cazenovia Lake Watershed Council, Renewable Energy, UCAN, Future of the Town Office, Anti-racism Coalition): Reported the Anti-racism Coalition is trying to come up with a meeting to commemorate the Fugitive Slave Convention. He said they have been thinking about planting an apple tree because it was held in an orchard. They are still brainstorming at this point, but want to commemorate that day. On another note, the Cazenovia Lake Association discussed the harvester, the “house boat” and illegal marinas. He said they had a public outreach session at “Our Farm” which was very well attended. He said the Wind Committee is

meeting every other Wednesday at 7:30 a.m. and it has been going well. They are considering a field trip to one of the large wind sites to see the turbine which will help them have a better understanding of what one looks like. He said he would like to have a guest speaker from Morrisville College come to one of the Committee meetings. He mentioned the Town signed up for Community Solar and the Town will get a 10% discount for getting our power from a solar farm which will enable the Town to get a \$ 60,000 grant. He said there was a Climate Smart Task Force meeting which was required in order to maintain the Bronze Level as a Climate Smart Community. He said it is important to have the meetings to re-certify the Bronze-level distinction.

Councilor Johnson (CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Renewable Energy & Future of the Town Office): *Supervisor Reger spoke on behalf of Councilor Johnson who was unable to attend the meeting. Regarding the Morrisville Eaton CSD and Village of Morrisville registrants for Joint Youth Recreation, she made additional phone calls with Lauren Lines, Kyle Reger, Tom Tait and Kristin Brink, after the work session on July 3rd. Trustee Tait and Kristin Brink are those closest to the process regarding financial administration and registration of the Joint Youth Recreation Program. It was reported there is interest in making this proposal work in the future. The Village of Cazenovia, currently the municipality with financial oversight for the Summer Recreation Program, would prefer to have the conversation for the 2025 season, early in the new year. The Recreation Director is not in a position to create a new registration option that accounts for the reduced rate of participants from a municipality offering discounted registration, at this stage of the season. It was reported there is nothing preventing a municipality outside of the IMA, from registering at the \$ 200/week rate. Today was the first day of camp and policies will be reviewed and updated regarding attendance and extenuating circumstances, as a result of a recent situation. From the CACDA-side, the Gorge Trail Gateway Project was picked as the initiative funded by the Wetzel Fund. The benefactor increased the endowment to allow an expanded scope of the project that will create a connective corridor from the trail near Buyea’s to Creekside Park to the Willow Patch.*

Councilor Fallon (Planning & Zoning, CACC, Shared Services & New York State Police): *She echoed John Langey’s comments that the Planning and Zoning Board have been very busy. She said the definition of a farm will be re-visited and it might have to be clarified in regards to contiguous acreage and the minimum size required to meet the definition of a farm. She said she will be meeting with a group to discuss setbacks and height requirements for houses that are built on smaller lots in the Lake Watershed District. Additionally, she reported the Wind Committee continues to meet. She said they may also look at making revisions to the short-term rental law and counsel has provided a good comprehensive law to use as a guide.*

Supervisor Reger asked if any member of the public cared to use the second comment period to speak to the board regarding any area of Town Board oversight.

Public comment #2: *There were no comments.*

The Town Clerk presented the monthly bills list.

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

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

Motion by Councilor Golub, seconded by Councilor Fallon to approve payment of the bills in the amount of \$1,081,246.17. Councilor Race recused himself from payment of the Suit-Kote invoice. Otherwise, the motion was unanimously approved.

Motion by Councilor Fallon, seconded by Councilor Golub to adjourn this meeting.

At 8:05 p.m., Supervisor Reger declared this meeting adjourned.

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