

**TOWN BOARD  
REGULAR MEETING**

**MONDAY**

**January 10, 2022**

**Masks Required for In-person Meetings**

**Supervisor Zupan opened the meeting at 7:30 p.m. with four Councilors in-person at the Town Hall. Councilor Johnson attended remotely via the videoconferencing platform, Zoom.**

**Pledge of Allegiance.**

**Correspondence:** *There was no unshared correspondence.*

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**Motion by Councilor Race, seconded by Councilor Reger to accept the minutes from the December 13, 2021 regular meeting.**

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Excused</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

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

**Public comment #1:**

Laura Reeder stated they were not on the agenda, but thought the Anti-racism Coalition was invited back for a discussion tonight.

*Supervisor Zupan said he thought they were coming to the work session, but the group can talk to the Town Board now.*

Laura Reeder apologized for the miscommunication.

*Supervisor Zupan asked her to state her name and the township she was from.*

Laura Reeder of Cazenovia handed out a packet of information for the audience and the Town Board to review. She said the ARC was invited back to deliver recommendations to the Board. She said two Coalition members are also present that will share in the presentation. She thanked the Town Board for taking the time to invite the ARC to the work session and review the recommendations.

Susan Spring stated her township is Cazenovia. She again thanked the Board for receiving the recommendations. She said the recommendations were presented at the last working session and

are not new to the Board. The recommendations for promoting anti-racist practices are as follows: 1) establish protocols for addressing racist incidents; 2) proactive promotion of the anti-racism policy statements; 3) anti-bias/anti-racism training; 4) information about hate speech and crimes; 5) comprehensive review of all policies with a lens on inequity; and 6) public monument and place names. Next, she reviewed the recommendations for training. The training would not only be beneficial to public officials, but the community as a whole. She highlighted the various training opportunities that were part of the handout.

**Louise Brown Smith** and her husband of Pompey were present. She mentioned two of her children graduated from Cazenovia and she feels like Cazenovia is her community. She said it was about a year ago when she and her husband presented the Anti-bias Policy which was adopted by the Town Board. She said she is a physical therapist and knows a great deal about accessibility and mobility for individuals, especially for individuals with disabilities. She expressed that she has a hearing impairment and there are a lot of things that people with hearing issues are excluded from in everyday life. She displayed for all in attendance a hearing device called a "Roger." It is a microphone that goes right to her hearing aid and makes it so she can hear discussions. Additionally, she said anti-racism is not just against racism, but bias against all different kinds of hate. She thought the Anti-Racism Policy, itself, is the best first step.

Supervisor Zupan said the Town Office is going to be a discussion item this year and her knowledge in accessibility would be beneficial as the Town Board explores the possibility of a new Town Hall. He encouraged her to stay informed about the ongoing project.

Supervisor Zupan referenced a recommendation in the handout which suggested everyone face each other at the table. He did not think it was possible with the room layout. He thought it would be difficult to get 6 or 7 people on one side of the table.

**Ben Cook** of Cazenovia said the Village of Cazenovia has the table oriented differently with four people on one side and a person on each end.

Councilor Race said the table is also a lot bigger at the Village Office.

[A full copy of the Anti-racism Coalition handout is available at the Town Clerk's Office.]

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**Motion by Councilor Race, seconded by Councilor Golub to open the public hearing relative to Local Law E – 2021, entitled "A Local Law Repealing Town of Cazenovia Local Law 2 of 2021 (Repealing the 2% Tax Cap Override)."**

**Public comment:**

Supervisor Zupan stated every year the Town Board passes a resolution to override the tax cap, if necessary. For the past eight years, as far as he knows, only one time have they exceeded the cap. He said they did not go over it this year so they are repealing the local law.

**Motion by Councilor Golub, seconded by Councilor Reger to close the public hearing. The motion was unanimously approved.**

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**Resolution No. 1 presented by Councilor Race, seconded by Councilor Reger**

**LOCAL LAW NO. E OF 2021**

**(“A Local Law Repealing Town of Cazenovia Local Law No. 2 of 2021  
(Repealing the 2% Tax Cap Override)”)**

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. E-2021, “A Local Law Repealing Town of Cazenovia Local Law No. 2 of 2021 (Repealing the 2% Tax Cap Override),” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on December 13, 2021; and

**WHEREAS**, a public hearing was held on such proposed local law on this 10<sup>th</sup> day of January, 2022, 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-2021 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. E-2021.

**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-2021 as Local Law No. 1-2022 as follows:

**“TOWN OF CAZENOVIA  
LOCAL LAW NO. 1 of 2022**

**(“A Local Law Repealing Town of Cazenovia Local Law No. 2 of 2021  
(Repealing the 2% Tax Cap Override)”)**

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

**Section 1.**

Town of Cazenovia Local Law No. 2 of 2021 (“A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Cazenovia”) is hereby repealed in its entirety.

**Section 2. EFFECTIVE DATE**

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

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 1 adopted.**

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*John Langey, Esq. stated this next resolution is a proposed local law which stems from examination on pressure for farmland. The Town Board has been trying to balance protecting farmland and assisting farmers in the Town by providing additional economic opportunities for farmers. In this proposed local law it would open up some properties to host farm-related events. The properties would have to be an active farm operation on a County or State road and be a parcel of significant size. The purpose would be to manage the events on large properties with little impact on the surrounding properties. He further mentioned this would allow a farmer who might be under pressure to lease his land and take it out of agricultural production to continue to use it for food production, cattle or milk-producing activities and also have the ability to hold limited farm-related events. He said this resolution will put the local law out for a public hearing in February. He further expressed if an individual would want to take advantage of this law, if adopted, they would be required to go the Zoning Board of Appeals and the Planning Board to make sure everything is balanced well within the neighborhood.*

## **Resolution No. 2 presented by Councilor Reger, seconded by Councilor Race**

### **TOWN OF CAZENOVIA LOCAL LAW NO. A OF 2022**

(“A Local Law to Amend Chapter 165 (Zoning) of the Town Code of the Town Of Cazenovia to Provide for Limited Farm Operation Events on Qualifying Farm Operation Parcels in the Town of Cazenovia”)

To introduce proposed Local Law No. A-2022, titled “A Local Law to Amend Chapter 165 (Zoning) of the Town Code of the Town of Cazenovia to Provide for Limited Farm Operation Events on Qualifying Farm Operation Parcels in the Town of Cazenovia,”

**WHEREAS**, proposed Local Law A-2022 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and 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**, 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 a Type I Action for purposes of environmental review under SEQR; and

**WHEREAS**, the Town Board has determined that a Full 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. A-2022 is a Type I 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** that after a careful review of Part II of the Full Environmental Assessment Form submitted in this matter, the Town Board has determined this action shall have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

**RESOLVED AND DETERMINED** that the reasons supporting the foregoing Negative Declaration are as follows:

1. If adopted, proposed Local Law No. A-2022 would provide for supplemental uses of active agricultural lands in order to increase revenues for such agricultural lands and its owners, as well as to provide an option for farmers to limit the leasing of such lands for uses which would otherwise take viable agricultural properties out of active food production and other agricultural uses;

2. Proposed Local Law No. A-2022 will provide for a new definition of a term to be known as “limited farm operation events” whereby such events would include the potential for agricultural related festivals, celebrations, weddings and similar activities on these lands;

3. The proposed regulations will require a Special Use Permit to be granted by the Town’s Zoning Board of Appeals and a Site Plan granted by the Town’s Planning Board;

4. The granting of both the Special Use Permit and the Site Plan will provide for an opportunity to attach reasonable and necessary conditions to address any potential negative impacts of such uses, including noise, lighting and traffic from such uses;

5. The proposed regulations would require that a qualifying farm operation event be permitted only on parcels which front on U.S. Route 20 or any Madison County Highway in order to limit impacts of such events on roads deemed to be more rural in nature;

6. The proposed regulations will require the Reviewing Board to address additional impacts, including noise and sets a limit of 50 decibels as measured at the property line for any qualifying events, as well as establishes limited hours of operation and a closing time of 9:30 p.m.;

7. If adopted, proposed Local Law No. A-2022 will require such uses to be limited to only those parcels containing a minimum of 100 acres and which are qualified as included within the Town of Cazenovia’s Agriculture Overlay (AO) Zoning District;

8. With regard to the above modifications to the Town’s Zoning Law, none of these text amendments will have any direct or indirect impact on the environment, including no impact upon air, water quality, plants or animals, land, architecture, archeological or aesthetic resources, but will have positive impacts upon agricultural land resources by protecting such lands for future agricultural endeavors and providing additional income to support the furtherance of those uses;

9. The proposed regulations, if adopted, contain a provision that each event shall be organized in a manner so as to promote the farm product associated with the particular farm operation and further encourages the educational opportunities for the general public related to

agricultural lands and their importance to the area, including the Town and region; and it is further

**RESOLVED AND DETERMINED** that this Board adopts the Negative Declaration incorporated herein and instructs counsel to make the required filing and publication of same; and it is further

**RESOLVED** that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. A-2022 at the Town Hall located at 7 Albany Street, Cazenovia, New York on February 14, 2022 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:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Abstain</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 2 adopted.**

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**Resolution No. 3 presented by Councilor Race, seconded by Councilor Golub**

- a. to designate *The Cazenovia Republican* and the *Oneida Daily Dispatch* as the Town's Official Newspapers.
- b. to designate the Town's official bank as Community Bank, N.A.
- c. to designate the second Monday of each month at 7:30 p.m. as the regular Town Board meeting date and time, with the exception of the October and November meetings, which are hereby changed to the first Monday of the month due to NYS Law regarding budgetary requirements, and further to designate the Wednesday preceding the monthly meetings at 7:00 p.m. for work sessions as needed.
- d. to designate the first Thursday of each month at 7:30 p.m. as the regular Planning Board meeting. Further to designate the Thursday preceding the monthly meeting at 7:30 p.m. for work sessions, as needed, with the exception of the November work session which falls on a date that the office will be closed. The revised date for this work session will be properly noticed once the date has been determined.
- e. to designate the fourth Monday of each month at 7:30 p.m. as the regular Zoning Board of Appeals meeting date and time with the exception of the February and December meetings. The revised dates for the February and December meetings will be the fourth Tuesday for those months. Further to designate the Tuesday preceding the monthly meetings at 7:30 p.m. for work sessions
- f. to establish a \$100.00 Petty Cash Fund for the Town Clerk's use.
- g. to authorize the issuance of the payroll on a bi-weekly basis only.
- h. to authorize town business mileage reimbursement to be in accordance with the current federal reimbursement rate. (2022 rate - \$ .585 ¢ for business miles driven)

- i. to authorize renewal with Digital Towpath for website hosting for 2022, pursuant to Resolution No. 52-2006, dated 6/12/06.
- j. to authorize the imposition of a \$20.00 fee on each check tendered as payment and subsequently returned for insufficient funds and like reasons.
- k. to authorize payment in advance for public utility services, postage, insurances relating to healthcare, dental, property, automobile, liability and surety. Bills that are "paid in advance" will appear on the next available abstract and will be designated as prepaid.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 3 adopted.**

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*Supervisor Zupan highlighted 4b which was the only change to the Rules of Procedure.*

**Resolution No. 4 presented by Councilor Race, seconded by Councilor Reger to re-affirm the following "Rules of Procedure," pursuant to Town Law 63:**

- 1. All meetings of the Town Board will be conducted according to NYS Town Law, Article 4 - TOWN BOARDS, §63 :  
 § 63.Presiding officer and rules of procedure.  
 The Supervisor, when present, shall preside at the meetings of the Town Board. In the absence of the Supervisor, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn. The vote upon every question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes. Every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all the members of the Town Board. The Board may determine the rules of its procedure, and the Supervisor may, from time to time, appoint one or more committees, consisting of members of the Board, to aid and assist the Board in the performance of its duties.
- 2. All written correspondence addressed to the Town Supervisor, Town Board, Superintendent or Town Clerk must contain the printed name of the correspondent and if sent in a representative capacity similarly with the legal name of the entity as well to warrant being considered business of the Board.
- 3a. Any matter of new business, not considered part of the Board's usual agenda, that will require a vote at the Board's regular monthly meeting, must be submitted in writing to the Town Clerk by 12 o'clock noon on the Friday preceding the scheduled board meeting. Receipt of new business by 12 o'clock noon on

the Friday preceding the scheduled board meeting in no way implies that the Town Board will address the matter. The decision to consider or deny new business will remain solely at the discretion of the Town Board.

- 3b. Any invoices to be paid at the monthly Town Board meeting must be submitted by the close of business on the day of their work session, Wednesdays preceding the monthly meeting.
- 4a. Two public comment periods will be offered during Town Board meetings. The intent of the public comment period is for residents to express an opinion or bring information to the attention of the Town Board. The first comment period will be held prior to consideration of resolutions; comments received during this period are limited to matters on the agenda for consideration. The second public comment period will be held prior to adjournment and is not limited to matters on the meeting agenda; however, topics must be relevant to the conduct and authority of the Town Board.
- 4b. **Each commenter should provide their address, if possible, and at a minimum the municipality in which they reside. Comments made by speakers that do not comply with this requirement may not be considered by the Town Board.**
- 4c. Comments will be limited to three minutes and must be addressed to the Town Board. Written material of any length may be submitted. The Supervisor or presiding officer may adjust the time limit at his or her sole discretion.
- 4d. Repetitive or redundant statements are discouraged.
- 4e. No member of the audience (or the Town Board) shall engage in any demonstration, vocal or otherwise, including “booming” or applause or any other actions that will disrupt the orderly conduct of the Town Board meeting.
- 4f. Audience members in violation of these rules of conduct will be asked to refrain from disruptive behavior or leave the meeting.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 4 adopted.**

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**Resolution No. 5 presented by Councilor Race, seconded by Councilor Golub**

**APPOINTMENT OF ATTORNEY FOR THE TOWN**

To appoint John R. Langey of Costello, Cooney & Fearon as Attorney for the Town for the year 2022, at a rate not to exceed \$ 65,000 annually, to be invoiced monthly for general legal services, and further for non-general legal services, to authorize the rate of \$ 150.00 per hour (a reduced rate) for additional legal services, which includes but is not limited to litigation, municipal bond work, major non-routine projects and environmental matters, etc.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 5 adopted.**

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*Supervisor Zupan appointed Councilor Race as Deputy Town Supervisor.*

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*Supervisor Zupan made the following appointments of Town Board members as liaisons for areas of oversight and interest, monthly reports will be presented, as needed:*

- Councilor Race -- Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts
- Councilor Reger -- Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police
- Councilor Golub -- Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage)
- Councilor Johnson -- CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)

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**Resolution No. 6 presented by Councilor Race, seconded by Councilor Johnson**

to make the following appointments and re-appointments:

- Connie Sunderman ..... Town Clerk, Records Management Officer, and FOIL Officer
- Susan Wightman ..... Planning/Zoning Clerk, Planning Board Secretary, ZBA Secretary
- Theresa Curley ..... Clerk PT

Roger Cook ..... Zoning & Codes Enforcement Officer  
 William Carr ..... Deputy Zoning & Codes Enforcement Officer  
 Bryan Smith ..... Highway Superintendent  
 Elizabeth Merrill ..... Full-Time Bookkeeper, Sewer Accountant  
 Tina McMurtrie..... Secretary to the Town Supervisor, Water Districts Collector  
 Irene "Shea" Palmer ..... Justice Clerk  
 Kerry Bishal ..... Justice Clerk  
 Gordon Baker ..... Dog Control Officer  
 New Woodstock Regional  
 Historical Society ..... Town Historian  
 William Zupan ..... Fair Housing Officer, Labor Standards Compliance  
 Officer/Coordinator, Safety Officer

**Roll call:**

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

**Supervisor Zupan declared Resolution No. 6 adopted.**

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*Connie Sunderman, Town Clerk re-affirmed the appointment of Susan P. Wightman as First Deputy Town Clerk for 2022.*

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*Bryan Smith, Highway Superintendent, re-affirmed the appointment of Edward Nelson as Deputy Highway Superintendent for 2022.*

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**Resolution No. 7 presented by Councilor Race, seconded by Councilor Reger**

**RE-APPOINTMENT OF THE CHAIRS FOR THE  
 VARIOUS BOARDS OF THE TOWN OF CAZENOVIA**

Pursuant to Resolution No. 18 of 2004, “the Town Board shall, at the annual organizational meeting, appoint the Chairmen of the CACC, Zoning Board of Appeals, and the Planning Board, each to one calendar year terms. Said chairmen shall serve at the pleasure of the Town Board.”

**To re-appoint Paul Curtin as Chair of the CACC,  
 Thomas Pratt as Chair of the Zoning Board of Appeals,  
 and Robert Ridler as Chair of the Planning Board for the year 2022.**

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

**Supervisor Zupan declared Resolution No. 7 adopted.**

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**Resolution No. 8 presented by Councilor Race, seconded by Councilor Reger to make the following Board appointments and re-appointments:**

<b><u>Board Member</u></b>	<b><u>Term Length</u></b>	<b><u>Term Expiration</u></b>
Fred Harris, BAR Member	5 years	12/31/2026
Donald Ferlow, CACC Member	2 years	12/31/2023
Donald McCrimmon, CACC Member	2 years	12/31/2023
Barton Feinberg, CACC Member	2 years	12/31/2023
Mary Margaret Koppers, Planning Board Member	7 years	12/31/2028
David Vredenburg, ZBA Member	5 years	12/31/2026
Luke Gianforte, ZBA Alternate Member	1 year	12/31/2022
Michael Palmer, ZBA Alternate Member	1 year	12/31/2022

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

**Supervisor Zupan declared Resolution No. 8 adopted.**

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**Resolution No. 9 presented by Councilor Golub, seconded by Councilor Reger**

**APPOINTMENT OF THE TOWN OF CAZENOVIA  
SEWER ADVISORY COMMITTEE MEMBERS**

**WHEREAS**, as a result of the transfer of ownership of the Madison County Sewer District treatment plant and corresponding sewerage system to the Town of Cazenovia in 2018, an intermunicipal agreement was executed between the Town of Cazenovia, Town of Cazenovia Consolidated Sanitary Sewer District, Village of Cazenovia, Town of Nelson and County of Madison, and

**WHEREAS**, pursuant to said intermunicipal agreement, the Town of Cazenovia Town Board is authorized to annually appoint five (5) members to a Sewer Advisory Committee; and

**WHEREAS**, the Town of Cazenovia, Town of Nelson and Village of Cazenovia must each be represented by at least one (1) member on the Committee who reside in each respective municipality; and

**WHEREAS**, the Committee is advisory in nature only and final decisions relative to the operation and management of the Town of Cazenovia Water Pollution Control Facility, sewer system and appurtenances thereto shall reside with the Town of Cazenovia Town Board; and

**NOW, THEREFORE, BE IT RESOLVED** that the following individuals are hereby appointed to the Town of Cazenovia Sewer Advisory Board for a one (1) year term commencing on January 10, 2022:

*William Zupan*  
*Patrick Race*  
*David Vredenburg*  
*John LaGorga*  
*William Carr*

**Roll call:**

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

**Supervisor Zupan declared Resolution No. 9 adopted.**

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**Resolution No. 10 presented by Councilor Race, seconded by Councilor Reger**

**PROCUREMENT OF A BLANKET UNDERTAKING**

To approve the procurement of a blanket undertaking from a duly authorized corporate surety covering the officers, clerks, board members, and employees of the Town. Pursuant to Town Law § Oaths of Office and Undertaking, the Official Undertaking shall be filed with the Madison County Clerk.

**Roll call:**

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

**Supervisor Zupan declared Resolution No. 10 adopted.**

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*Councilor Johnson said she feels strongly about keeping the Columbus Day holiday and recognizing it as Indigenous People’s Day because there is a New York State Proclamation recognizing it as such. She did not want Columbus Day to be removed as a holiday for the staff. She said she realized that this would add an additional day off for the employees, but was trying to be cognizant of future staff.*

*Supervisor Zupan said the idea of the two floating holidays is an employee could take off that day or other religious holidays that currently aren't covered, if they so choose-it will give flexibility to the staff.*

*Councilor Race added it will also keep the number of designated holidays the same as before.*

*The Town Board had a minor discussion which involved recognizing certain holidays, yet trying to keep the number of the days at thirteen in order to get work done.*

**Resolution No. 11 presented by Councilor Race, seconded by Councilor Golub to adopt the following holiday schedule for 2022:**

<b>Holiday</b>	<b>Date</b>
Martin Luther King Day	January 17 <sup>th</sup>
President's Day	February 21 <sup>st</sup>
Memorial Day	May 30 <sup>th</sup>
Juneteenth ( <i>Observed</i> )	June 20 <sup>th</sup>
Independence Day	July 4 <sup>th</sup>
Labor Day	September 5 <sup>th</sup>
Veteran's Day	November 11 <sup>th</sup>
Thanksgiving	November 24 <sup>th</sup>
Thanksgiving ( <i>Day after</i> )	November 25 <sup>th</sup>
Christmas ( <i>Observed</i> )	December 26 <sup>th</sup>
New Year's Day ( <i>Observed</i> )	January 2 <sup>nd</sup> (2023)

Thirteen (13) days are offered to employees of the town. Juneteenth was signed into law as a federal holiday June of 2021. The two remaining holidays are being offered as floating holidays.

**Roll call:**

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

**Supervisor Zupan declared Resolution No. 11 adopted.**

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*Supervisor Zupan highlighted the changes for the fee schedule and said a commercial solar farm application fee has been added for \$ 4,000.00 to cover the cost of office work that needs to get done.*

*John Langey, Esq. said commercial solar is defined as solar that is constructed for the main purpose of uploading into the grid.*

*Supervisor Zupan added there was some wordsmithing, changing Residential A and B to Rural A and B. However, those fees remained the same.*

**Resolution No. 12 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.....all zones, all kinds, each .....	\$ 300.00
Use Variance Deposit Fee.....all zones, all kinds, each .....	\$ 600.00
MINOR Special Use Permit Deposit Fee.....all zones, all kinds, each .....	\$ 350.00
MAJOR Special Use Permit Deposit Fee.....all zones, all kinds, each .....	\$3,500.00

Subdivision Deposit Fee:

Minor Subdivisions (1 – 4 lots).....	\$ 310.00 each application
Major Subdivisions (5 – 10 lots).....	\$ 310.00 each application
11 – more lots.....	\$ 2,500.00 each application
Line Eliminations & Any Line Adjustments.....	\$ 310.00 each application

CELL TOWER - (initial siting)

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).....	\$ 300.00
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**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
<b>Commercial Solar Farm.....</b>	<b>\$ 4,000.00</b>

Line Change Application Fee:

<b>Rural A</b> .....per line .....	\$ 115.00
<b>Rural B</b> .....per line .....	\$ 65.00
Lake, Commercial & Industrial.....per line .....	\$ 150.00

Subdivision Application Fee:

<b>Rural A</b> .....per lot .....	\$ 300.00
<b>Rural B</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 ..... \$ 20.00

DOG FEES

Unneutered & Unspayed dog.....annual/each dog ..... \$ 25.00

(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 .....annual/each dog ..... \$ 18.00

(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 ..... \$ 5.00

(replacement of lost or stolen tag)

Dog Impoundment Fee (redemption fee).....**1st impoundment**..... \$ 40.00

**2nd impoundment** (*within 1 year period*)..... \$ 50.00

+ \$3/day boarding fee after 24 hours

**3rd impoundment** (*within 1 year period*) ..... \$ 100.00

+ \$3/day boarding fee after 24 hours

**subsequent impoundments** (*within 1 year*) \$ 100.00

+ \$3/day boarding fee after 24 hours

STORM WATER MANAGEMENT

Permit Inspection Fee .....each inspection..... \$ 35.00

Application Fee.....each application ..... \$ 100.00

Stormwater, Erosion, & Sediment Control CD ..... \$ 5.00

SEPTIC

Septic System Dye Test .....per test..... \$ 60.00

Septic Tank Inspection.....per inspection..... \$ 50.00

Alternative Septic System Fee - Madison County Approved..... \$ 60.00

Deep Hole Test .....per hole..... \$ 50.00

SOUTH CEMETERY

South Cemetery.....	per lot, for single grave .....	\$ 250.00
	per lot, for two or more graves.....	\$ 200.00
	casket interment (each) .....	\$ 225.00
	ash interment (each).....	\$ 75.00
	Friday/Saturday funeral (additional fee) ...	\$ 150.00

MOTOR VEHICLE

Permit for On-Site Sale of Motor Vehicle .....	each .....	\$ 15.00
Permit for On-Site Restoration of Motor Vehicle...each .....		\$ 15.00

MISC. PERMITS

Operating Permit.....		\$ 50.00
Home Occupation Permit.....		\$ 50.00
Special Use Permit (Bed & Breakfast) Annual Inspection.....		\$ 50.00
Demolition Permit .....		\$ 50.00
Land Disturbance Permit (per permit) .....	per lot .....	\$ 50.00

MISC. FEES

Junk Yard License.....		\$ 50.00
Well Flow Inspection.....	per well.....	\$ 60.00
Zoning & Codes Violation.....	per incident .....	\$ 750.00
Gypsy Bay Park Key Deposit .....	each .....	\$ 25.00
Mass Public Assemblies .....	application fee .....	\$ 100.00
	security deposit per 15 acres of assemblage area .....	\$ 500.00
Circus Application Fee .....		\$ 25.00
Peddling & Solicitation (LL 2-2011) .....		\$ 100.00

SEWER DISTRICT

Special Improvement District .....	filing fee.....	\$ 150.00
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SEWER CONNECTION INSPECTIONS ARE TO BE PERFORMED BY THE TOWN’S ENGINEER AND PAID BY THE APPLICANT – AT NO COST TO THE TOWN

**SEWER RENT, FEE AND CHARGE SCHEDULE**

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 \$4.70 per 748 gallons when usage exceeds 23,562 gallons
- For meters reading in cubic feet: A base rate of \$162.50 with an additional charge of \$4.70 per 100 cubic feet when usage exceeds 3,150 cubic feet
- Exceptions: For parcels serviced by individual water supply wells (non-metered parcels), a bi-annual base rate charge of \$162.50 shall apply.

- For Hotel Operations, the following charges will apply:
  - Based on per room usage of 50 gallons/day
  - Assumed Room Occupancy of 50%
  - Utilize standard rate of \$4.70
  - Annual gallons less base gallons multiplied by \$4.70 rate to establish charges

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 ft<sup>3</sup> = 47,124 gallons*

*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.*

Sub-Meter Rental Deposit Fee.....	\$ 300.00
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

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 12 adopted.**

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**Resolution No. 13 presented by Councilor Race, seconded by Councilor Golub  
2022 HOURLY RATES AND ANNUAL SALARIES**

To approve the following hourly and annual salaries in amounts not to be exceeded and as provided in the 2022 Town Budget:

<b>Highway Department Hourly Rates</b>		
Contract Laborer		\$ 18.50 hourly rate
Machinery Equipment Operator		\$ 23.70 hourly rate
Heavy Equipment Operator		\$ 26.80 hourly rate
Mechanic		\$ 27.81 hourly rate
Seasonal Laborer		\$ 13.20 hourly rate

<b>Name/Title</b>	<b>Budget Line</b>	<b>2022 Amount</b>
Town Councilors (4 elected)	A1010.1	Annual, \$ 4,056.00
Justices (2 elected & 1-temp. appointment)	A1110.1	Annual, \$ 13,299.78
Town Supervisor (elected)	A1220.1	Annual, \$ 20,878.00
Budget Officer ( <i>Zupan</i> )	A1340.1	Annual, \$ 10,036.00
Assessor ( <i>Fitts</i> )	A1355.1	Annual, \$ 55,204.76
Town Clerk ( <i>Sunderman</i> )	A1410.1	Annual, \$ 58,760.00
WPCF Town Clerk Stipend ( <i>Sunderman</i> )	SS8130.1.710	Annual, \$ 2,600.00
Registrar of Vital Statistics ( <i>Sunderman</i> )	A4020.1	Annual, \$ 6,110.00
Records Management Officer ( <i>Sunderman</i> )	B1460.1	Annual, \$ 7,670.00
Zoning Officer ( <i>Cook</i> )	B8010.1.23	Annual, \$ 29,588.00
Codes Enforcement Officer ( <i>Cook</i> )	B3620.1	Annual, \$ 13,312.00
Clerk PT ( <i>Curley</i> )	A1430.1.12	\$ 17.50/hr.
Zoning Department Clerk ( <i>Wightman</i> )	B8010.1.10	Annual, \$ 59,280.00
Dog Control Officer ( <i>Baker</i> )	A3510.1	Annual, \$ 5,985.46
Planning Board Chair ( <i>Ridler</i> )	B8020.1.25	Annual, \$ 1,827.80
ZBA Chair ( <i>Pratt</i> )	B8010.1.25	Annual, \$ 1,827.80
FT Bookkeeper ( <i>Merrill</i> )	A1430.1.37	Annual, \$ 56,316.00
Sewer Accountant ( <i>Merrill</i> )	SS8130.1.704	Annual, \$ 7,020.00
Secretary to Supervisor ( <i>McMurtrie</i> )	A1220.1.42	\$ 20.00/hr.
Water Districts Collector ( <i>McMurtrie</i> )	SW8310.1	\$ 20.00/hr.
Justice Clerk ( <i>Palmer</i> )	A1110.1.10	\$ 16.40/hr.
Justice Clerk ( <i>Bishal</i> )	A1110.1.10	\$ 16.40/hr.
Highway Superintendent ( <i>Smith</i> )	A5010.1	Annual, \$ 66,950.00
Deputy Highway Superintendent ( <i>Nelson</i> )	A5010.1.12	Annual Stipend, \$ 3,900.00
Certified Water Technicians	SW1 8340.1	Annual, \$ 500.00 ea.

**Roll call:**

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

**Supervisor Zupan declared Resolution No. 13 adopted**

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*Supervisor Zupan stated this has been in the works for a long time. The New Woodstock Water District and Wellington Water District will be combined into one District which will aid in making the bookkeeping easier. Additionally, it gives flexibility to what can be done with the water districts.*

**Resolution No. 14 presented by Councilor Race, seconded by Councilor Reger**

**ADOPTION OF THE PROPOSED JOINT CONSOLIDATION AGREEMENT,  
SEQR DETERMINATION AND SETTING A PUBLIC HEARING  
FOR CONSIDERATION OF THE PROPOSED JOINT CONSOLIDATION  
AGREEMENT BETWEEN THE TOWN OF CAZENOVIA AND  
CERTAIN EXISTING TOWN OF CAZENOVIA WATER DISTRICTS**

**WHEREAS**, from time-to-time, the Town of Cazenovia has formed numerous individual water districts throughout the Town in order to provide a clean, reliable supply of potable water and to provide for the health, welfare and safety of the residents of the Town of Cazenovia in certain areas of the Town by treating and transporting water to certain Town neighborhoods and business districts; and

**WHEREAS**, Article 17-A of the General Municipal Law of the State of New York authorizes the consolidation of special districts within a Town to facilitate such consolidations where deemed to be advantageous to the Town; and

**WHEREAS**, the Town Board of the Town of Cazenovia has previously discussed the consolidation of the various water districts referenced in the attached Schedule "A" into a single joint consolidated water district to allow for the effective management and financing of district assets and infrastructure; and

**WHEREAS**, the Town is desirous of entering into a proposed Joint Consolidation Agreement for the aforesaid existing water districts into one (1) joint consolidated water district pursuant to Article 17 of the General Municipal Law; and

**WHEREAS**, the new joint consolidated water district entity would assume jurisdiction over all areas in the Town of Cazenovia that were previously served by the various individual districts; and

**WHEREAS**, it is necessary for the Town of Cazenovia to comply with all provision of Article 17-A, Title 2 of the General Municipal Law in this regard; and

**WHEREAS**, a proposed Joint Consolidation Agreement has been presented to the Town Board, which Agreement contains the necessary elements pursuant to Article 17-A of the General Municipal Law relative to the consolidation of the various existing water districts in the Town of Cazenovia and as more specifically set forth in the attached Schedule "A"; and

**WHEREAS**, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEORA), requires that as early as possible and within twenty (20) days of a complete project proposal, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, the Town has completed and submitted a Short Form Environmental Assessment Form and the same has been reviewed and considered by the Town Board along with the other submissions provided by the applicant.

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Cazenovia hereby notices all agencies involved, if any, that it shall be lead agency for this proposed action; and it is further

**RESOLVED** that the Town Board of the Town of Cazenovia hereby determines that the proposed action is an Unlisted Action, that the action does not involve any federal agency and the proposed action does not involved more than one agency; and it is further

**RESOLVED** that this Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, for the following reasons:

1. The proposed action includes undertaking a program that will consolidate certain existing Town water districts into one (1) joint consolidated district in the Town of Cazenovia and will not result in any disturbance to land or other environmental resources;
2. No other areas of concern have been identified by the public or the Town Board; and it is further

**RESOLVED** that the Town of Cazenovia Town Board hereby adopts the proposed Joint Consolidation Agreement between the Town of Cazenovia Town Board and those certain water districts of the Town of Cazenovia as more particularly set forth on Schedule “A” for purposes of public consideration pursuant to Article 17-A of the General Municipal Law; and it is further

**RESOLVED**, the Town of Cazenovia Town Board hereby determines that a public hearing shall be held at the Town of Cazenovia Town Hall located at 7 Albany Street in the Town of Cazenovia on February 14, 2022, at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested will be heard for consideration of the adoption of a final Joint Consolidation Agreement and that a Notice of Public Hearing (containing a descriptive summary of the proposed Joint Consolidation Agreement) shall be published in the Town’s official newspaper and shall be further placed upon the Town of Cazenovia’s official signboard and website. Public comments in the form of correspondence will also be accepted until noon (12:00 p.m.) on February 14, 2022 and can be mailed to the Town Hall at 7 Albany Street, Cazenovia, New York 13035 or e-mailed to [connie.sunderman@townofcazenovia.org](mailto:connie.sunderman@townofcazenovia.org).

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**SCHEDULE “A”**

NAME OF WATER DISTRICT	GENERAL AREA OF DISTRICT			
Wellington Water District	All those tracts or parcels of land situate in the Wellington Subdivision, to wit:			
	107.1-1-22.1	107.1-1-22.12	107.1-1-22.21	107.1-1-22.30
	107.1-1-22.2	107.1-1-22.13	107.1-1-22.22	107.1-1-22.31
	107.1-1-22.3	107.1-1-22.14	107.1-1-22.23	107.1-1-22.32
	107.1-1-22.4	107.1-1-22.15	107.1-1-22.24	107.1-1-22.33
	107.1-1-22.6	107.1-1-22.16	107.1-1-22.25	107.1-1-22.34
	107.1-1-22.7	107.1-1-22.17	107.1-1-22.26	107.1-1-22.35
	107.1-1-22.8	107.1-1-22.18	107.1-1-22.27	107.1-1-22.5
	107.1-1-22.9	107.1-1-22.19	107.1-1-22.28	107.1-1-22.127
	107.1-1-22.11	107.1-1-22.20	107.1-1-22.29	107.1-1-26

NAME OF WATER DISTRICT	GENERAL AREA OF DISTRICT			
New Woodstock Water District	All those tracts or parcels of land situate in the Hamlet of New Woodstock, to wit:			
	130.-1-35	146.8-1-24	146.8-1-62	146.8-2-19
	131.-1-4.21	146.8-1-25	146.8-1-63	146.8-2-20
	146.-1-44	146.8-1-26	146.8-1-65	146.8-2-21
	146.-1-46	146.8-1-27	146.8-1-67	146.8-2-22
	146.-1-47	146.8-1-28	146.8-1-68	146.8-2-23
	146.-1-51.2	146.8-1-29	146.8-1-69	146.8-2-24
	146.-1-51.3	146.8-1-30	146.8-1-70	146.8-2-27.1
	146.-1-54	146.8-1-31	146.8-1-71	146.8-2-27.11
	146.-1-65	146.8-1-32	146.8-1-72	146.8-2-28
	146.-1-66.1	146.8-1-33	146.8-1-72.5	146.8-2-29
	146.-1-66.2	146.8-1-34	146.8-1-73	146.8-2-30
	146.-1-67	146.8-1-35	146.8-1-74	146.8-2-31
	146.-1-68	146.8-1-36	146.8-1-76	146.8-2-32
	146.-1-70	146.8-1-37	146.8-1-77	146.8-2-33
	146.-1-70.1	146.8-1-38	146.8-1-78	146.8-2-34
	146.-1-71	146.8-1-39	146.8-1-79	146.8-2-35
	146.-1-72	146.8-1-40	146.8-1-80	146.8-2-36
	146.8-1-1	146.8-1-41	146.8-1-81	146.8-2-37
	146.8-1-2	146.8-1-42.1	146.8-1-82	146.8-2-38
	146.8-1-3	146.8-1-42.2	146.8-1-83	146.8-2-39
	146.8-1-4	146.8-1-44	146.8-1-84	146.8-2-40
	146.8-1-5	146.8-1-45.1	146.8-1-85	146.8-2-41
	146.8-1-6	146.8-1-45.2	146.8-1-86	146.8-2-42
	146.8-1-7	146.8-1-45.3	146.8-2-1	146.8-2-43
	146.8-1-8	146.8-1-46	146.8-2-2	146.8-2-44
	146.8-1-9	146.8-1-47	146.8-2-3	146.8-2-45
	146.8-1-10	146.8-1-48	146.8-2-4	146.8-2-46
	146.8-1-11	146.8-1-49	146.8-2-5	146.8-2-47
	146.8-1-11.-1	146.8-1-50	146.8-2-6	146.8-2-48
	146.8-1-13	146.8-1-51	146.8-2-7	146.8-2-49
	146.8-1-14	146.8-1-52	146.8-2-8	146.8-2-50
	146.8-1-15	146.8-1-53	146.8-2-9	146.8-2-51
	146.8-1-16	146.8-1-54	146.8-2-10	147.-1-1
	146.8-1-17	146.8-1-55	146.8-2-11	147.-1-2
	146.8-1-18	146.8-1-56	146.8-2-12	147.-1-7.112
	146.8-1-19	146.8-1-57	146.8-2-14	147.-1-8
	146.8-1-20	146.8-1-58	146.8-2-15	147.-1-9
	146.8-1-21	146.8-1-59	146.8-2-16	500.-12-12
	146.8-1-22	146.8-1-60	146.8-2-17	500.-51-12
	146.8-1-23	146.8-1-61	146.8-2-18	
		622.089-9999-132.350-1001		
		622.089-9999-618.750-1881		

<b>Roll call:</b>	
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	Yes
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 14 adopted**

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*John Langey, Esq. briefed the Board on this upcoming resolution and said title documents, title insurance, updated legal description, and some actual work had to be done to the road (shoulders) which needs to be signed off on by the Engineer for the Town and Highway Superintendent.*

*Supervisor Zupan and John Langey, Esq. both confirmed the road should not be plowed as of yet.*

**Resolution No. 15 presented by Councilor Reger, seconded by Councilor Golub**

**ACCEPTING CANNON CREST DRIVE FOR THE CANNON CREST SUBDIVISION**

**WHEREAS, Timothy Moore, President of Green & Moore Development, Ltd.** (hereinafter “Developer”) has executed, pursuant to Highway Law Section 171, a “Dedication of Land and Release of Damages” form proposing to dedicate to the Town of Cazenovia (hereinafter “Town”) a certain parcel of land for street or highway purposes and releasing the Town from all damages by reason of the laying out and opening of said streets or highways, said parcel of land being described in Schedule “A”; and

**WHEREAS,** said Developer has previously agreed to execute and deliver to the Town a Warranty Deed conveying said parcel of land to the Town; and

**WHEREAS,** said Developer also executed and delivered to the Town:

A Highway Construction and Maintenance Agreement dated May 24, 2021; and Security in proper form and amount as required by said Agreement including a cash deposit for engineering inspection and monuments; and

**WHEREAS,** the Developer has caused (or will cause) to be executed and delivered to the Town the necessary easements for drainage and utility purposes, as required by the approved plan, together with a current abstract of title and title insurance in an amount acceptable to the Town Board and subject to review and approval by the Town’s attorney; and

**WHEREAS,** the Town’s consulting engineer and Highway Superintendent have recently advised the Town Board that certain additional improvements must be completed at the location of the Subdivision and further, that such work would be sufficiently secured by the deposit of monies previously made by the Developer (*i.e.* Five Thousand and 00/100 Dollars (\$5,000.00); and

**WHEREAS,** the Highway Superintendent of the Town has made (or shall make), executed and delivered to the Town Board an order laying out such streets or highways; and

**WHEREAS,** previously the Town Board, by resolution, authorized the Supervisor of the Town to execute and enter into an agreement with the Developer for the construction and maintenance of highway, sewer and drainage facilities within such development; and

**WHEREAS**, the land described in the aforementioned warranty deed has been improved as streets or highways in accordance with standards and specifications for a town highway within this Town, subject to the additional work referenced above, and in conformance with applicable regulations and requirements and provisions of state law pertinent thereto; and

**WHEREAS**, the Developer has requested that the street/highway be named **Cannon Crest Drive**; and

**WHEREAS**, the Town Board has reviewed and considered all of the aforementioned documents and have found them to be in proper order and the Town Board having further found that it is in the public interest to accept dedication of said streets or highways.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Town Board, on the behalf of the Town, does hereby conditionally consent to the order of the Highway Superintendent laying out the said streets or highways and does hereby conditionally accept the dedication of the said streets or highways as set forth in Schedule “A,” subject to the review and approval of the above described title documents by the Town’s attorney and completion of the work noted by the Town’s engineer; and it is further

**RESOLVED**, that the names of said streets shall be as previously noted herein; and it is further

**RESOLVED**, that the Town Clerk be and hereby is conditionally authorized and directed to file and record in her office the aforementioned “Dedication of Land and Release of Damages” dated \_\_\_\_\_, 2021 and executed by **Timothy Moore**, as President of **Green & Moore Development, Ltd.**, the written consent of the Town Board and the order of the Highway Superintendent laying out said streets or highways; and it is further

**RESOLVED**, that the Developer, subject to the above stated approvals of the Town’s attorney related to the acceptance of title to the improvements and satisfactory completion of the work as identified by the Town’s consulting engineer, hereby will be released from further obligation under the Highway Construction and Maintenance Agreement dated May 24, 2021, and that any remaining securities be released to the Developer; and it is further

**RESOLVED**, that all authorizations and approvals herein granted be and are expressly conditioned upon the Developer providing to the Town good and quiet title to all streets/highways and easements, receipt of a duly executed affidavit of no liens, and the payment of all outstanding fees and disbursements, including title document and insurance costs, due to the Town resulting from this development.

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**SCHEDULE “A”**

**ALL** that tract or parcel of land situate in the Town of Cazenovia, County of Madison, State of New York, being Part of Lot 50 in said Town and being more particularly bounded and described as follows:

**Beginning** at a point in the southerly highway boundary of Fenner Road, said point being N 75° 50’ 00” E, a distance of 275.10 feet from the intersection of said highway boundary with the easterly line of a parcel of land heretofore conveyed to Susan Machamer by deed recorded in the Madison County Clerk’s Office in Book of Deeds 1384 at page 68; thence along said highway boundary, N 75° 50’ 00” E, a distance of 60.00 feet to a point therein; thence S 14° 10’ 00” E, a distance of 100.00 feet to a point of curve; thence southerly on a curve to the right having a radius of 719.95 feet, an arc distance of 576.90 feet to a point of tangency therein; thence S 31 ° 44’ 41”

W, a distance of 3.94 feet to a point of curve; thence southerly and southeasterly on a curve to the left having a radius of 75.00 feet, an arc distance of 102.74 feet to a point of reverse curve; thence southerly, westerly and northerly on a curve to the right having a radius of 100.00 feet, an arc distance of 451.10 feet to a point of tangency therein; thence N 31° 44' 41" E, a distance of 175.41 feet to a point of curve; thence northerly on a curve to the left having a radius of 659.95 feet, an arc distance of 528.82 feet to a point of tangency therein; thence N 14° 10' 00" W, a distance of 100.00 feet to the point of beginning.

Subject to easements and restrictions of record.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 15 adopted**

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**Resolution No. 16 presented by Councilor Race, seconded by Councilor Golub**

**AUTHORIZING THE PROCUREMENT OF PROFESSIONAL SERVICES FROM ECOLOGIC, LLC IN ASSOCIATION WITH REQUESTING AN EXTENSION FROM NYS DEC REGARDING ITS DRAFT DESIGNATION OF CAZENOVIA LAKE**

**WHEREAS**, previously as part of the program for treatment of Cazenovia Lake, the Town Board determined it was advantageous and necessary to retain professional services to assist with the required State Environmental Quality Review process, including the potential preparation of an Environmental Impact Statement; and

**WHEREAS**, the Town of Cazenovia Town Board determined the firm of Ecologic, LLC possessed the requisite professional experience to perform said professional services; and

**WHEREAS**, such services are exempt from the requirements of public bidding pursuant to General Municipal Law Section 103 and related statutes; and

**WHEREAS**, recently, the Town Board received notification that Cazenovia Lake was listed on NYSDEC 2022 draft listing of impaired waterbodies; and

**WHEREAS**, DEC has considered the Lake to be “impaired for its designated use by excessive phosphorous” which has been placed on a draft list and

**WHEREAS**, public comments to the NYS DEC on the draft list are open until January 28, 2022; and

**WHEREAS**, it has been suggested an extension for comments be requested to the NYS DEC; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board procure the services of Ecologic, LLC in filing an extension to the NYS DEC.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 16 adopted**

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**Resolution No. 17 presented by Councilor Reger, seconded by Councilor Golub**

**2022 FARMERS MARKET  
AUTHORIZING THE USE OF THE PARK KNOWN AS “THE GREEN”**

**WHEREAS**, the Greater Cazenovia Area Chamber of Commerce has requested that the Town of Cazenovia allow limited usage of the Town Park located on Green and Emory Streets (a/k/a “The Green”) for purposes of continuing the “Farmers’ Market” which has traditionally been held in Cannon Park in the Village of Cazenovia; and

**WHEREAS**, the request is for approval to use the Park for the period commencing on May 7, 2022 and ending on October 22, 2022 from the hours of 9:00 a.m. to 2:00 p.m.; and

**WHEREAS**, the Town has reviewed the potential use of said Park with appropriate social distancing and other measures to be observed by all participants and visitors to the relocated Farmers’ Market.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Cazenovia Town Board hereby authorizes the limited use of the Park for the local Farmers’ Market at said location commencing on May 7, 2022 and ending on October 22, 2022 from the hours of 9:00 a.m. to 2:00 p.m., subject to the following conditions:

1. Use of the Park for the Farmers’ Market by the vendors and public shall be from 9:00 a.m. to 2:00 p.m., with a prior one (1) hour setup (8:00 a.m.) and post one (1) hour teardown (3:00 p.m.) for vendors;
2. Appropriate garbage clean-up and pick-up shall be undertaken and paid for by all vendors and participants;
3. All vendors and park visitors shall observe appropriate CDC social distancing measures at all times. All vendors and participants shall wear appropriate PPE/masks as a preventative measure to avoid exposure and/or transmission of COVID-19;
4. Appropriate signage relative to social distancing shall be prominently placed throughout the Park area;
5. This approval is contingent upon the submission of a One Million Dollar (\$1,000,000) liability insurance certificate presented to the Town Clerk prior to use of the Park. The insurance certificate must name the Town of Cazenovia as a

certificate holder and additional insured, note the activities to be undertaken (“Farmers’ Market”) and state the time period of coverage. This liability insurance must be continuously maintained throughout the 2022 Farmers’ Market season;

- 6. The Farmers’ Market organizer shall notify the Village of Cazenovia Police Department relative to the use of the “The Green” Park in advance of such use.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 17 adopted.**

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**Attorney's Report:** *John Langey, Esq. stated the water district consolidation project has now officially kicked off. The Solar Sub-committee continues to meet and are getting very close to a proposed law for the Town Board’s consideration. The Lucas solar project continues to move forward and there is a cell tower application that is making its way through the process. The Town has procured a Radio Frequency (RF) Engineer, at the applicant’s expense. The RF Engineer task is to review if this is the proper place for a proposed cell tower and if they have demonstrated that there is an actual need for a cell tower in that location.*

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**Supervisor's Report:** *Reported the Town just renewed the cyber security insurance with the assistance of the Town Clerk. Earlier tonight, the Board voted to retain the services of Ecologic, LLC for help in drafting a letter seeking an extension for the comment period on Cazenovia Lake. He is scheduled to meet with the engineer for the Town for Lincklaen Street/Road and Ridge Road to start the drainage project this year.*

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**Councilor Race** (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported winter finally showed up in the past few days and has proved to be challenging.*

**Councilor Golub** {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage)}: *Reported he has been going to CLA meetings for a few years now. Due to the use of ProcellarCor instead of Renovate and the need to treat every three years, as opposed to every other year, the CLA is becoming more than just a fundraising agency for Renovate. They are getting involved in projects such as data collection and other things to improve the Lake. He said, just recently, Dave Miller of the CLA and Kurt Wheeler, Village Mayor sent a letter to the Canal Corp. looking to have the dam opened permanently. He said if it proves to be successful, then they would inquire about having the dam removed altogether. This would be the first step in seeking funding for restoration for stream beds.*

*Councilor Golub responded to a question and confirmed it was the the Mill Street dam. He said this will help the flow go in the right direction. Most recently, the Planning Board has asked the CLA to come up with a planting plan for the parcel near the corner of 20/92. On another note, he said recently he got an e-mail from Abundant Solar regarding the Highway Garage site solar project. Abundant Solar has found another funding source and this project is being looked at again.*

**Councilor Reger** (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): *Welcomed Councilor Johnson and thought she will be a wonderful addition to the Board. He said for the next 6-9 months, he will assist Councilor Johnson as she transitions to overseeing many of his duties. He said there are a number of zoning and planning things associated with potential projects and he thanked Mr. Langey for his time and efforts with the farmer’s events law that was discussed earlier this evening. CazCares had their annual report and their Christmas numbers came in. There were 130 families they were able to provide for with the “Giving Trees” that were placed throughout the community. Roughly 140 children were able to receive presents. 245 families were served which was enough meals for 990 people.*

**Councilor Johnson** {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: *Reported she does not have much to report on at this point, but thanked Councilor Reger for the welcome and his time as they have already started the transitioning of duties. In the future, she looks forward to giving a more comprehensive report on her areas of oversight.*

*Supervisor Zupan said 65 test kits were given to CazCares that the Town got from Madison County through the State. As more kits are received, he will disburse the same way.*

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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 asked a question about “The Green” and the Farmers’ Market. *He said currently he is one of the Vice Presidents for the Society for New Music and on the Cazenovia Counterpoint Board and they have provided music for several of the Saturdays. He is the individual that makes sure there is amplification when needed. However, there is a limit because there is no 110 voltage supply on “The Green.” He thought it might be a good idea to install a solar panel and mount it high on one of the poles. He said currently he uses his Tesla which has the ability to supply power. He offered to leave his inverter when he is unavailable.*

*Supervisor Zupan said Councilor Reger was researching Niagara Mohawk to “drop power down” which will be turned over to Ms. Johnson. He said it would be fine with the Board if she was to work with Mr. Braiman on providing power to “The Green.” He said it is viewed as a park so there are certain rules and regulations that have to be followed, though.*

**Dave Eilers** of the Town of Cazenovia said it has been a privilege to go to the Solar Sub-committee meetings. *There has been 6 months of subject matter experts coming and serving with the Sub-committee. He would like to advocate for more creative communication, other than just public hearings, since these projects will have a 20-30 year impact on our community. He thought that should include more public meetings, possibly held by the Cazenovia Republican or*

*Chamber of Commerce. It would be an opportunity for the Town to state their solar goals, the process that the Sub-committee went through and the changes from the current law to the proposed law and its impacts. He concluded that he advocated for more public communication than just the minimal public hearing.*

***Gerry Mehlbaum** of Ballina Road echoed Mr. Eilers suggestion in regards to communication with the public and giving the public a full advantage. He said the Sub-committee has done an excellent job and spent a great deal of time reviewing. In the not too distant future, they will present the proposed law to the Town Board. He felt given the importance of the projects and the long-term, long-lasting impacts they will have it would be good to give as much information as possible to the public in as many different ways. This would allow a chance for the public to review. He supported full and open communication as much as possible to get community input.*

***Susan Spring** of the Village of Cazenovia said she found this meeting fascinating, as it is her first one. She commented on the fees in relation to the families that might have trouble paying them. Councilor Reger’s report sparked this concern regarding families that need help. Also, she appreciated the conversation about Columbus Day and Indigenous People’s Day. She lastly said the ARC would like to come back to a working session and have a deeper conversation.*

*Supervisor Zupan said the ARC could come to the March or April work session.*

*She also noted the Councilors have areas of responsibility and wondered if someone could be a point person for the Anti-racism Coalition from the Town Board?*

*Supervisor Zupan said this can be discussed amongst the Board.*

*Councilor Race circled back to her comment and said a lot of the fees are attached to applications for projects which helps to offset Town fees.*

*Connie Sunderman, Town Clerk, pointed out the fees that would affect anyone within the Town or Village of Cazenovia would be for dog licenses.*

*Councilor Golub volunteered to be the point-person for the Anti-racism Coalition.*

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**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 Reger to approve payment of the bills. The motion was unanimously approved.**

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**Supervisor Zupan thanked the audience for attending and appreciated their interest.**

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

**At 8:47 p.m., Supervisor Zupan declared this meeting adjourned.**

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