

TOWN BOARD

MONDAY

January 13, 2020

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

Pledge of Allegiance.

Correspondence: *There was no unshared correspondence.*

Motion by Councilor Race, seconded by Councilor Golub to accept the minutes from the December 9, 2019 regular meeting.

Roll Call:

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

Supervisor Zupan welcomed Kyle Reger as a new Councilor to the Town Board.

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

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

Matthew Vincent, Partnership Specialist, U.S. Census Bureau gave a brief presentation regarding the 2020 Census. The Census Bureau is the largest statistical agency in the United States and the leading source of data about the nation. Fraud prevention is taken very seriously at the Census Bureau—you can help by reporting suspected fraud. It is estimated there are 330 million people in over 140 million houses. The mission of the Census Bureau is to count everyone once, only once and in the right place. The Census is important and mandated by Article 1, Section II of the United States Constitution. The Census has been conducted every 10 years since 1790. The population counts determine the number of house seats each state has, as well as, boundary districts and voting precincts. Census counts determine the allocation of over 675 billion in federal funding, grants, Medicaid, highway and roads which are just a few programs allocated by population. The census is safe for everyone-private information is never published. The Census Bureau collects information only to produce statistics. The Census Bureau has a cyber-security focus, the data is encrypted safe and secure. 2020 is the first year that people will be able to report online. People will be able to participate online, by telephone or through the mail. If people do not respond, they will be contacted through the non-response process which is the traditional enumerator. The questions that will be asked

include name, age, DOB, Hispanic origin, race and relationship to your household and sex. You will never be asked for your social security number, money, credit card or anything political. The census is safe and these questions will not be asked. He encouraged the Town Board to be census ambassadors and promote the census. He mentioned children are one of the most under-counted groups and it is important because funding that could be available won't be if all children aren't counted. He mentioned there are a lot of census jobs, \$ 20.00/hour plus .58 cents per mile. The first round of participation is scheduled to go out mid-March.

Resolution No. 1 presented by Councilor Race, seconded by Councilor Andersen

- 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 date and time with the exception of the July meeting. The revised date for the July meeting will be properly noticed once the date has been determined. 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 and December work sessions which fall on dates that the office will be closed. The revised date for these work sessions 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 January and May meetings. The revised dates for the January and May meetings are Tuesday, January 21, 2020 and Monday, May 18, 2020 and will be properly noticed.
- 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. (2020 rate - \$.575 for business miles driven)
- i. to authorize renewal with Digital Towpath for website hosting for 2020, 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:

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

Supervisor Zupan declared Resolution No. 1 adopted.

Resolution No. 2 presented by Councilor Race, seconded by Councilor Golub 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.
- 4. 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.
 - a. Each commenter will be limited to three minutes; comments 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.
 - b. Repetitive or redundant statements are discouraged.
 - c. No member of the audience (or the Town Board) shall engage in any demonstration, vocal or otherwise, including “booing” or applause or any other actions that will disrupt the orderly conduct of the Town Board meeting.
 - d. Audience members in violation of these rules of conduct will be asked to refrain from disruptive behavior or leave the meeting.

Roll call:

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

Supervisor Zupan declared Resolution No. 2 adopted.

Resolution No. 3 presented by Councilor Race, seconded by Councilor Andersen

APPOINTMENT OF ATTORNEY FOR THE TOWN

To appoint John R. Langey of Costello, Cooney & Fearon as Attorney for the Town for the year 2020, 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:

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

Supervisor Zupan declared Resolution No. 3 adopted.

John Langey, Esq. said it is a privilege and honor to provide legal services in the Town he resides in.

Supervisor Zupan re-appointed Councilor Race as Deputy Town Supervisor.

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 Andersen -- Planning & Zoning, CACDA, Shared Services, CACC & Future of the Town Office (Gothic Cottage)
- Councilor Golub -- Future of the Town Office (Gothic Cottage), Cazenovia Lake Association & Cazenovia Lake Watershed Council
- Councilor Reger -- Senior Recreation & Joint Youth Recreation, New York State Police, Parks, New Woodstock Fire Department & Planning and Zoning

Resolution No. 4 presented by Councilor Race, seconded by Councilor Andersen to make the following appointments and re-appointments:

- Connie Sunderman Town Clerk, Registrar of Vital Statistics, Records Management Officer, and FOIL Officer
- Susan Wightman Planning/Zoning Clerk, Planning Board Secretary, ZBA Secretary
- Roger Cook Zoning & Codes Enforcement Officer
- William Carr Deputy Zoning & Codes Enforcement Officer
- Elizabeth Merrill Full-Time Bookkeeper, Sewer Accountant
- Tina McMurtrie Secretary to the Town Supervisor, Water Districts Collector
- Mary Ellen Williams Justice Clerk
- Irene "Shea" Palmer Justice Clerk
- Gordon Baker Dog Control Officer

New Woodstock Regional
Historical Society..... Town Historian
Dean Slocum..... Highway Superintendent
William Zupan Fair Housing Officer, Labor Standards Compliance Officer,
ADA Compliance Officer/Coordinator

Roll call:

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

Supervisor Zupan declared Resolution No. 4 adopted.

Connie Sunderman, Town Clerk re-affirmed the appointment of Susan P. Wightman as First Deputy Town Clerk & First Deputy Registrar of Vital Statistics for 2020.

Note for the Record: Connie Sunderman, Town Clerk stated she was appointed by the Village of Cazenovia Board of Trustees at their January 6, 2020 as the Registrar of Vital Statistics for District # 2621 (Village of Cazenovia). She also stated Susan P. Wightman was named the First Deputy Registrar of Vital Statistics for that District.

Dean Slocum, Highway Superintendent, re-affirmed the appointment of Bryan Smith as Deputy Highway Superintendent for 2020.

Resolution No. 5 presented by Councilor Andersen, seconded by Councilor Race

**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 2020.**

Roll call:

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

Supervisor Zupan declared Resolution No. 5 adopted.

Resolution No. 6 presented by Councilor Race, seconded by Councilor Golub to make the following Board appointments and re-appointments:

<u>Board Member</u>	<u>Term Length</u>	<u>Term Expiration</u>
Catharine Taylor, BAR Member	5 years	12/31/2024
Don Ferlow, CACC Member	2 years	12/31/2021
Mathew Webber, CACC Member	2 years	12/31/2021
Bart Feinberg, CACC Member	2 years	12/31/2021
Anne Ferguson, Planning Board Member	7 years	12/31/2026
Gerry Rasmussen, Planning Board Alternate Member	1 year	12/31/2020
Jon Vanderhoef, Planning Board Alternate Member	1 year	12/31/2020
Jim Wigge, ZBA Member	5 years	12/31/2024
Valerius Koch, ZBA Alternate Member	1 year	12/31/2020
Jules Titolo, ZBA Alternate Member	1 year	12/31/2020

Roll call:

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

Supervisor Zupan declared Resolution No. 6 adopted.

Resolution No. 7 presented by Councilor Andersen, 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 13, 2020:

- William Zupan*
- Patrick Race*
- David Vredenburg*
- Michael Costello*
- William Carr*

Roll call:

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

Supervisor Zupan declared Resolution No. 7 adopted.

Resolution No. 8 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 Andersen Yes**
- Councilor Race Yes**
- Councilor Golub Yes**
- Councilor Reger Yes**
- Supervisor Zupan Yes**

Supervisor Zupan declared Resolution No. 8 adopted.

Resolution No. 9 presented by Councilor Race, seconded by Councilor Andersen to adopt the following holiday schedule for 2020:

Holiday	Date
New Year's Day	January 1 st
Martin Luther King Day	January 20 th
President's Day	February 17 th
Good Friday	April 10 th
Memorial Day	May 25 th
Independence Day	July 3 rd
Labor Day	September 7 th
Columbus Day	October 12 th
Veteran's Day	November 11 th
Thanksgiving	November 26 th
Thanksgiving (Day after)	November 27 th
Christmas Eve Day (Thursday)	December 24 th
Christmas Day	December 25 th
New Year's Day	January 1 st (2021)

Roll call:

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

Supervisor Zupan declared Resolution No. 9 adopted.

Resolution No. 10 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 Feeall zones, all kinds, each \$ 200.00
 Use Variance Deposit Fee.....all zones, all kinds, each \$ 500.00
 MINOR Special Use Permit Deposit Feeall zones, all kinds, each \$ 250.00
 MAJOR Special Use Permit Deposit Fee.....all zones, all kinds, each \$3,500.00

Subdivision Deposit Fee:

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

CELL TOWER - (initial sitting)

Cell Tower NON-REFUNDABLE Deposit Fee (each).....	\$3,500.00
plus Cell Tower REFUNDABLE Deposit Fee (each)	\$3,500.00

CELL TOWER - CO-LOCATION (on existing tower)

Cell Tower NON-REFUNDABLE Co-location Fee (each)	\$ 750.00
plus Cell Tower REFUNDABLE Co-location Fee (each).....	\$ 750.00
Windmills Develop & Project Deposit Fee (includes co-locations).....	\$ 100.00



APPLICATION FEES

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

Line Change Application Fee:

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

Subdivision Application Fee:

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

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

Building Permit Renewal	repeat original fee
Certificate of Occupancy.....	\$ 50.00
Temporary Certificate of Occupancy (each).....	\$ 100.00
Fence Permit.....	\$ 50.00
Satellite Dish Permit.....	\$ 50.00
Septic System Inspection.....	\$ 60.00
Septic System Permit.....	\$ 60.00
Septic Tank Replacement.....	\$ 50.00
Solar Panel Installation Permit	\$ 50.00
Swimming Pool Permit	\$ 50.00
Wood Burning Device Permit	\$ 50.00
Wood Burning Device Inspection	\$ 50.00
Water Meter - same as purchase price for Town	\$ 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 dogannual/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 Feeeach inspection..... \$ 35.00

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

Stormwater, Erosion, & Sediment Control CD \$ 5.00

SEPTIC

Septic System Dye Testper test..... \$ 60.00

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

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

Deep Hole Testper 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 Vehicleeach \$ 15.00

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

MISCELLANEOUS. 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

Resolution No. 11 presented by Councilor Golub, seconded by Councilor Andersen

TOWN OF CAZENOVIA LOCAL LAW A OF 2020

(“A Local Law to Amend Chapter 165 (Zoning) of the Town Code Regarding Ground-Mounted Solar Energy Systems in the Town of Cazenovia”)

To introduce proposed Local Law No. A-2020, relating to the amendment of Chapter 165 (“Zoning”) of the Town Code of the Town of Cazenovia relative to the specially permitted use of ground-mounted solar energy systems in the Lake Watershed & Riparian Corridor (LW&RC), the Commercial Overlay (COMO), the Wellhead Protection Overlay (WPO) and the Village Edge Overlay (VEO) Districts in the Town of Cazenovia; and

WHEREAS, proposed Local Law A-2020 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, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Cazenovia, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

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

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

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

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

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. A-2020 is an Unlisted Action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an Environmental Impact Statement (EIS) shall not be required; and that this resolution shall constitute a Negative Declaration under 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-2020 would allow for a specially permitted use of ground-mounted solar energy systems subject to Zoning Board of Appeals approval in the Lake Watershed & Riparian Corridor (LW&RC), the Commercial Overlay (COMO), the Wellhead Protection Overlay (WPO) and the Village Edge Overlay (VEO) Districts;

2. The proposed use, if approved for any application, will require appropriate screening as to be determined by the Zoning Board of Appeals;

3. The requirement for the issuance of a Special Use Permit and the criteria for Special Use Permits, contained in §165-114, will provide the discretion for the Zoning Board of Appeals to deny an application where an applicant has failed to demonstrate that the proposed use would be in harmony with surrounding properties;

4. The Zoning Board of Appeals, in the granting of a Special Use Permit, is provided broad discretion to adopt appropriate conditions associated with the proposed use;

5. Upon review of the proposed regulations, the Town Board has determined that the text amendment and additional criteria for screening to allow for the proposed use will not have any direct or indirect impact on the environment, including air, water quality, plants or animals, land, architecture, archeological or aesthetic resources; 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-2020 at the Town Hall located at 7 Albany Street, Cazenovia, New York on February 10, 2020 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Roll call:

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

Supervisor Zupan declared Resolution No. 11 adopted.

Resolution No. 12 presented by Councilor Golub, seconded by Councilor Reger

TOWN OF CAZENOVIA LOCAL LAW B OF 2020

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

To introduce proposed Local Law No. B-2020, relating to the amendment of Chapter 165 (“Zoning”) of the Town Code of the Town of Cazenovia relative to regulating outdoor storage in residential districts in the Town of Cazenovia; and

WHEREAS, proposed Local Law B-2020 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, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Cazenovia, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

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

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

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

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

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. B-2020 is an Unlisted Action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

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

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2020 at the Town Hall located at 7 Albany Street, Cazenovia, New York on February 10, 2020 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Roll call:

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

Supervisor Zupan declared Resolution No. 12 adopted.

Resolution No. 13 presented by Councilor Race, seconded by Councilor Reger

AUTHORIZING THE EXTENSION OF INDUSTRIAL WASTEWATER DISCHARGE PERMIT NO. T518D FOR CONNECTION BY MADISON COUNTY DISTILLERY, INC. TO THE TOWN OF CAZENOVIA WATER POLLUTION CONTROL FACILITY UNTIL APRIL 30, 2020

WHEREAS, previously, Madison County Distillery, Inc. (hereinafter “Distillery”) had been issued Industrial Wastewater Discharge Permit No. T518D (with general conditions and special conditions) allowing for the discharge of certain industrial classified sewage to the Treatment Plant, subject to the requirements of Local, State and Federal Permits and Regulations; and

WHEREAS, Madison County Distillery, Inc. now desires to renew Industrial Wastewater Discharge Permit No. T518D; and

WHEREAS, the Town of Cazenovia Water Pollution Control Facility (hereinafter “Facility”) has reviewed the request for renewal of Industrial Wastewater Discharge Permit

No. T518D and found that due to the Distillery not producing product in 2019, an extension of said Industrial Wastewater Discharge Permit No. T518D as a non-categorical Significant Industrial User, subject to the limitations and conditions of said permits and applicable regulations, until April 30, 2020 would be appropriate to allow the Distillery to run production and obtain sampling information for laboratory evaluation as part of the renewal review process.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Cazenovia, as operator of the “Town of Cazenovia Water Pollution Control Facility”, does hereby conditionally grant to Madison County Distillery, Inc. an extension of Industrial Wastewater Discharge Permit No. T518D until April 30, 2020 in order to run production and obtain sampling information for laboratory evaluation as part of the renewal review process.

Roll call:

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

Supervisor Zupan declared Resolution No. 13 adopted.

Resolution No. 14 presented by Councilor Race, seconded by Councilor Andersen

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE SUPPLEMENTAL AGREEMENTS AND DOCUMENTS RELATIVE TO THE ACCOUNTING SOFTWARE, EDMUNDS GOV TECH

WHEREAS, the Town of Cazenovia Town Board authorized the procurement of accounting software at their October 1, 2018 meeting; and

WHEREAS, Edmunds GovTech provided the Town with additional forms that need to be signed that include *2020 Minimum Recommended Back-up Procedures, 2020 MCSJ Software Support & License Agreement, 2020 Hardware & System Software Support Agreement; and*

WHEREAS, the Attorney for the Town has reviewed said documents.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cazenovia authorizes the completion of said documents by the Town Supervisor.

Roll call:

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

Supervisor Zupan declared Resolution No. 14 adopted.

Resolution No. 15 presented by Councilor Golub, seconded by Councilor Andersen

BOOKKEEPER ATTENDANCE AT GOVERNMENT FINANCE OFFICER’S ASSOCIATION PRE-CONFERENCE PROGRAMS

To approve the bookkeeper, Elizabeth B. Merrill’s attendance at the Government Finance Officer’s Association, Inc. Pre-Conference Programs associated with the 41st Annual NYGFOA Conference in Albany, New York on March 31-April 1, 2020 with registration and two-night hotel lodging fees paid and mileage expenses reimbursed.

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

Supervisor Zupan declared Resolution No. 15 adopted.

Resolution No. 16 presented by Councilor Race, seconded by Councilor Reger

DEPUTY HIGHWAY SUPERINTENDENT ATTENDANCE AT THE CORNELL LOCAL ROADS PROGRAM SPRING 2020 WORKSHOPS

To approve Bryan Smith, Deputy Highway Superintendent’s attendance at the Cornell Local Roads Program Spring 2020 Workshop, in Madison County, New York on May 21, 2020 with registration fees paid.

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

Supervisor Zupan declared Resolution No. 16 adopted.

Resolution No. 17 presented by Councilor Race, seconded by Councilor Andersen to approve the following 2019 budget transfers:

(Authority NYS Town Law section 112 “The town board, during a fiscal year, by resolution, may make additional appropriations or increase existing appropriations and shall provide for the financing thereof. Moneys therefor may be provided from the unexpended balance of an appropriation, from the appropriation for contingencies, from unappropriated unreserved fund balance or unanticipated revenues within a fund or by borrowing pursuant to the local finance law.”).

General Fund A

To transfer budget to accommodate architectural fees through 12/10/19.

To: A1620.4.013 Buildings CE Maintenance & Repairs \$7,000.00
 From: A1990.1 Contingency (7,000.00)

To transfer budget to accommodate wages paid for weed harvesting and sign check labor during chemical treatment.

To: A8740.1 Watershed Protection PS \$3,000.00
 From: A1990.1 Contingency (3,000.00)

General Fund B

To transfer budget to accommodate archive scanning & documentation to year end.

To: B1460.4 Records Management CE \$2,000.00
 From: B1990.1 Contingency (2,000.00)

To transfer budget to accommodate legal notices for Planning Board expenses to year end.

To: B8020.4 Planning CE \$400.00
 From: B8010.2 Zoning EQ (400.00)

To transfer budget to accommodate Frog Bit project expenditures to year end.

To: B8030.4 Research CE \$22,300.00
 From: B1990.1 Contingency (20,300.00)
 From: B8740.4 Watershed Protection CE (2,000.00)

To transfer budget to accommodate actual Town's Portion Social Security.

To: B9030.8 Social Security (Town's Portion) \$5.00
 From: B9040.8 Workers Compensation (5.00)

Mt. Pleasant Water (SW2)

To transfer budget to accommodate actual expenses for transmission/distribution to year end.

To: SW2 8340.4 Transmission/Distribution CE \$750.00
 From: SW2 8340.1 Transmission/Distribution PS (750.00)

Roll call:

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

Supervisor Zupan declared Resolution No. 17 adopted.

Attorney's Report: *John Langey, Esq. passed on his report.*

Supervisor's Report: *Supervisor Zupan passed on his report, as well. However, he said the tank parts for the Route 20 Water District will be delivered tomorrow.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported the highway department is going good and they did such a good job they plowed all the snow away. (His pun was in reference to the unseasonably low snowfall total for the month of January)*

Councilor Andersen {Planning & Zoning, CACDA, Shared Services, CACC, Future of the Town Office (Gothic Cottage)}: *Reported she had nothing in particular to report.*

Councilor Golub {Future of the Town Office (Gothic Cottage), Cazenovia Lake Association & Cazenovia Lake Watershed Council}: *Reported on his meeting with Greg Boyer of ESF. There will hopefully be collaboration between ESF and the Cazenovia Lake Association and in one particular study there is a microphone that can be attached to a cell phone to look at the water and make an instant call on whether it is an HAB.*

Councilor Reger (Senior Recreation & Joint Youth Recreation, New York State Police, Parks, New Woodstock Fire Department & Planning and Zoning): *Reported this will probably be his shortest report---being only a week and a half into his term.*

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:

J. L. Bach of 1515 Owahgena Terrace wondered if the town lawyer had any comments on the dog off the leash complaints that were handed in last month.

J. Langey, Esq. responded he has to speak with the Dog Control Officer. She expressed she was the victim of a vicious attack by Mr. Daley’s dog on Owahgena Terrace. She said she is not the first person attacked by this dog. She said her life and the lives of her family have been changed for the worse. She can’t enjoy her property and her daughter can’t walk to and from the school bus stop because of loose dogs. She reported three separate State Troopers have responded to her house and have each asked why this dog has not been put down. She mentioned she has three additional dog-of-the-leash reports for Mr. Langey.

J. Langey said the reports should be turned into the Dog Control Officer.

J. Bach asked for guidance.

J. Langey asked if she has the dog complaint forms. He recommended submitting them to the Town to be processed by the Dog Control Officer. He will make sure they get processed.

J. Bach said they go to the Judge and the offenders get fined \$ 25.00. She has not been paid for her hospital bills of July 23, 2019. Her husband was bit in May 2017 by the same dog on their own property.

J. Langey said the town does go after dog bites and he will look at her particular case.

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.

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

At 8:10 p.m., Supervisor Zupan declared this meeting adjourned.

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