

**TOWN BOARD
REGULAR MEETING**

MONDAY

January 9, 2023

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

Pledge of Allegiance.

Correspondence: *There was no unshared correspondence.*

Motion by Councilor Race, seconded by Councilor Reger to accept the minutes from the December 12, 2022 regular meeting.

Roll call:

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

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

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

Motion by Councilor Race, seconded by Councilor Reger to open the public hearing relative to Local Law G – 2022, entitled "A Local Law to Amend Chapter 165 (Zoning) of the Town Code of the Town of Cazenovia With Respect to Commercial Solar Regulations in the Town of Cazenovia."

Public comment: *There were no comments.*

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

Supervisor Zupan said with the adoption of this law, the setback for swamp areas and bird sanctuaries will be changed from 1,000 feet to 100 feet.

Resolution No. 1 presented by Councilor Reger, seconded by Councilor Golub

TOWN OF CAZENOVIA LOCAL LAW NO. G OF 2022

("A Local Law to Amend Chapter 165 (Zoning) of the Town Code of the Town of Cazenovia With Respect to Commercial Solar Regulations in the Town of Cazenovia")

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. G-2022, titled "A Local Law to Amend Chapter 165 (Zoning) of

the Town Code of the Town of Cazenovia With Respect to Commercial Solar Regulations in the Town of Cazenovia,” was presented and introduced at a regular meeting of the Town Board of the Town of Cazenovia held on December 12, 2022; and

WHEREAS, a public hearing was held on such proposed local law on this 9th day of January, 2023, by the Town Board of the Town of Cazenovia and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Cazenovia in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, on December 12, 2022, the Town Board pursuant to Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law (SEQRA) declared that adoption of Local Law No. G-2022 was a Type I Action, that the Town Board would act as lead agency for purposes of SEQRA and made a determination that the aforementioned law would not result in any adverse environmental impacts and therefore issued a Negative Declaration; and

WHEREAS, it is in the public interest to enact said Local Law No. G-2022.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Cazenovia, Madison County, New York, does hereby enact Local Law No. G-2022 as Local Law No. 1-2023 as follows:

**“TOWN OF CAZENOVIA
LOCAL LAW NO. 1 OF 2023**

**A LOCAL LAW TO AMEND CHAPTER 165 (ZONING) OF
THE TOWN CODE OF THE TOWN OF CAZENOVIA WITH RESPECT TO
COMMERCIAL SOLAR REGULATIONS IN THE TOWN OF CAZENOVIA**

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

SECTION 1. AUTHORITY.

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

SECTION 2.

Section 165-104.7 (“Commercial Solar Projects”) of the Code of the Town of Cazenovia is hereby amended at Subsection C, Subdivision 6, therein, to now read in its entirety as follows:

“(6) Commercial solar projects shall be set back at least 1,000 feet from any Important Bird Area as identified by the New York Audubon.”

SECTION 3.

Section 165-104.7 (“Commercial Solar Projects”) of the Code of the Town of Cazenovia is hereby amended at Subsection C to provide for a new Subdivision 7 to read in its entirety as follows:

“(7) Commercial solar projects that are contiguous to wetland areas shall, at a minimum, conform to the setback requirements mandated by either the New York State Department of Environmental Conservation or the U.S. Army Corps of Engineers. Said

setback(s) may be varied based upon information that may be required by the Town Planning Board and supported by appropriate submissions that may require a greater setback. Setbacks will be determined on a case-by-case basis and a proper record supporting any such greater setback requirement shall be established as part of the review process.”

SECTION 4.

Section 165-104.7 (“Commercial Solar Projects”) of the Code of the Town of Cazenovia is hereby amended to renumber the existing remainder of Subsection C to read as follows:

“(8) Each commercial solar project application shall demonstrate that the facility operator owns or controls sufficient land area to properly operate and maintain the facility.

(9) To prevent the oversaturation of commercial solar projects in one (1) area of the Town of Cazenovia, no commercial solar project shall be approved if it is within one (1) mile of an already approved commercial solar project unless the reviewing board makes specific findings that it will not have a significant impact on the community character of the area.

(10) In siting consideration of commercial solar projects the applicant shall avoid areas that substantially contribute to and are important to the scenic quality of the landscape.

(11) When applicant is unable to meet siting and/or mitigation requirements, each application shall formally address and assess the availability and feasible use of alternative sites if less objectionable.”

SECTION 5. VALIDITY & SEVERABILITY.

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

SECTION 6. PRE-EMPTION.

To the extent that any provisions of this Chapter are inconsistent with the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, §§ 261 through 285, the Town Board of the Town of Cazenovia hereby declares its intent to supersede those sections of the NYS Town Law, including but not limited to, in particular §261-A, §261-B, §261-C, §267, §267-A, §267-B, §268, §271, §274-A, §274-B, and NYS Executive Law §94-C pursuant to its home rule powers under Municipal Home Rule Law, Article 2, §10 et seq., of the Consolidated Laws of the State of New York.

SECTION 7. EFFECTIVE DATE.

This Local Law shall be effective upon adoption.”

Roll call:

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

Supervisor Zupan declared Resolution No. 1 adopted.

Resolution No. 2 presented by Councilor Race, seconded by Councilor Johnson

A RESOLUTION OF THE TOWN OF CAZENOVIA ADOPTING THE 2022 MADISON COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS the Town of Cazenovia recognizes the threat that natural hazards pose to people and property within the Town of Cazenovia; and

WHEREAS the Town of Cazenovia has prepared a multi-hazard mitigation plan, hereby known as the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Cazenovia from the impacts of future hazards and disasters; and

WHEREAS adoption by the Town of Cazenovia demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF CAZENOVIA, State of New York, **THAT:**

Section 1. The Town of Cazenovia adopts the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

Roll call:

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

Supervisor Zupan declared Resolution No. 2 adopted.

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

- 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, with the exception of the March meeting which will be the second Thursday of the month. Further to designate the Thursday preceding the monthly meeting at 7:30 p.m. for work sessions, as needed.
- 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 December meeting with the exception of the December meeting which will be the fourth Tuesday of the month. Further to designate the Tuesday preceding the monthly meetings at 7:30 p.m. for work sessions, as needed.
- f. to establish a \$100.00 Petty Cash Fund for the Town Clerk’s use.
- g. to authorize the issuance of payroll on a bi-weekly basis only.
- h. to authorize town business mileage reimbursement to be in accordance with the current federal reimbursement rate. (*July 2022 rate to present - .625¢ for business miles driven*)
- i. to authorize renewal with Digital Towpath for website hosting for 2023, 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 Race	Yes
Councilor Golub	Yes
Councilor Reger	Yes
Councilor Johnson	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 3 adopted.

Resolution No. 4 presented by Councilor Reger, seconded by Councilor Race 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, Highway 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 “booing” 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:
Councilor Race **Yes**
Councilor Golub **Yes**
Councilor Reger **Yes**
Councilor Johnson **Yes**
Supervisor Zupan **Yes**

Supervisor Zupan declared Resolution No. 4 adopted.

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

APPOINTMENT OF ATTORNEY FOR THE TOWN

To appoint John R. Langey of Costello, Cooney & Fearon, PLLC as Attorney for the Town for the year 2023, 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 \$ 175.00 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 Race **Yes**
Councilor Golub **Yes**
Councilor Reger **Yes**
Councilor Johnson **Yes**
Supervisor Zupan **Yes**

Supervisor Zupan declared Resolution No. 5 adopted.

Supervisor Zupan 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 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)

Resolution No. 6 presented by Councilor Johnson, seconded by Councilor Golub 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
- Roger Cook Zoning & Codes Enforcement Officer
- William Carr Deputy Zoning & Codes Enforcement Officer
- Charles Ladd, II Assistant Codes Enforcement Officer
- Dale Bowers Temporary Assistant 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
- Daniel Hilts 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.

Connie Sunderman, Town Clerk re-affirmed the appointment of Susan P. Wightman as First Deputy Town Clerk for 2023.

Bryan Smith, Highway Superintendent, re-affirmed the appointment of Edward Nelson as Deputy Highway Superintendent for 2023.

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 2023.

Roll call:

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

Supervisor Zupan declared Resolution No. 7 adopted.

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

<u>Board Member</u>	<u>Term Length</u>	<u>Term Expiration</u>
Susan Baldwin, BAR Member	5 years	12/31/2027
Paul Curtin, CACC Member	2 years	12/31/2024
Katherine Hahn, CACC Member	2 years	12/31/2024
Roger Saltman, CACC Member	2 years	12/31/2024
Damian Vanetti, CACC Member	2 years	12/31/2024
Joshua Stack, CACC Member (<i>mid-term appt.</i>)	1 year	12/31/2023
Robert Ridler, Planning Board Member	7 years	12/31/2029
David Silverman, ZBA Member	5 years	12/31/2027
Michael Palmer, ZBA Alternate Member	1 year	12/31/2023

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

Supervisor Zupan declared Resolution No. 8 adopted.

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

**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 9, 2023:

- William Zupan*
- Patrick Race*
- David Vredenburg*
- James Cunningham*
- 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.

Supervisor Zupan said the major change is under the sewer rates in regards to the fee schedule. The new rate is \$ 175.00 bi-annually and hotels are now at a standard rate of \$ 5.00. He mentioned they are looking at a lot of potential work at the treatment plant. He said, from his experience, it is better to do smaller incremental increases with the sewer rates.

Resolution No. 10 presented by Councilor Race, seconded by Councilor Johnson 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	\$ 300.00
Use Variance Deposit Fee.....all zones, all kinds, each	\$ 600.00
MINOR Special Use Permit Deposit Fee	\$ 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 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).....	\$ 300.00
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APPLICATION FEES

Site Plan Review Application Fee	\$ 115.00
Special Use Permit Application Fee	\$ 115.00
Variance Application Fee	\$ 115.00
Windmills Application Fee.....(includes co-locations).....	\$ 115.00
Small Cell Wireless Fees	See Chapter 134, §3-B
Commercial Solar Farm.....	\$ 4,000.00

Line Change Application Fee:

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

Subdivision Application Fee:

Rural A	per lot	\$ 300.00
Rural 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 Feeeach 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 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 \$175.00, with an additional charge of \$5.00 per 748 gallons when usage exceeds 23,562 gallons
- For meters reading in cubic feet: A base rate of \$175.00 with an additional charge of \$5.00 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 \$175.00 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 \$5.00
 - Annual gallons less base gallons multiplied by \$5.00 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 ft³ = 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:

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

Supervisor Zupan declared Resolution No. 10 adopted.

Supervisor Zupan said it is the same as last year with the addition of July 3rd, the Monday prior to the 4th of July.

Resolution No. 11 presented by Councilor Race, seconded by Councilor Reger to adopt the following holiday schedule for 2023:

Holiday	Date
Martin Luther King Day	January 16 th
President's Day	February 20 th
Memorial Day	May 29 th
Juneteenth	June 19 th
Independence Day (<i>Day Before</i>)	July 3 rd
Independence Day	July 4 th
Labor Day	September 4 th
Veteran's Day (<i>Observed</i>)	November 10 th
Thanksgiving	November 23 rd
Thanksgiving (<i>Day after</i>)	November 24 th
Christmas	December 25 th
New Year's Day	January 1 st (2024)

A total of fourteen (14) days are offered to employees of the town which includes an additional day in 2023 (July 3rd). The two remaining non-specified 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.

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

2023 HOURLY RATES AND ANNUAL SALARIES

To approve the following hourly and annual salaries in amounts not to be exceeded and as provided in the 2023 Town Budget:

Name/Title	Budget Line	2023 Amount
Town Councilors (4 elected)	A1010.1	Annual, \$ 4,186.00
Justices (2 elected)	A1110.1	Annual, \$ 13,702.00
Town Supervisor (elected)	A1220.1	Annual, \$ 21,502.00
Budget Officer (<i>Zupan</i>)	A1340.1	Annual, \$ 10,348.00
Assessor (<i>Fitts</i>)	A1355.1	Annual, \$ 56,862.00
Town Clerk (<i>Sunderman</i>)	A1410.1	Annual, \$ 60,528.00
WPCF Town Clerk Stipend (<i>Sunderman</i>)	SS8130.1.710	Annual, \$ 2,990.00
Registrar of Vital Statistics (<i>Sunderman</i>)	A4020.1	Annual, \$ 6,292.00
Records Management Officer (<i>Sunderman</i>)	B1460.1	Annual, \$ 7,904.00
Zoning Officer (<i>Cook</i>)	B8010.1.23	Annual, \$ 29,588.00
Codes Enforcement Officer (<i>Cook</i>)	B3620.1	Annual, \$ 13,312.00
Assistant Codes Enforcement Officer (<i>Ladd</i>)	B8010.1.023	Annual, \$ 39,130.00
Temporary Assistant Codes Enforcement Officer (<i>Bowers</i>)	B8010.1.023	\$ 25.75/hr.
Zoning Department Clerk (<i>Wightman</i>)	B8010.1.10	Annual, \$ 61,058.40
Dog Control Officer (<i>Hilts</i>)	A3510.1	Annual, \$ 6,162.00
Planning Board Chair (<i>Ridler</i>)	B8020.1.25	Annual, \$ 1,883.70
ZBA Chair (<i>Pratt</i>)	B8010.1.25	Annual, \$ 1,883.70
FT Bookkeeper (<i>Merrill</i>)	A1430.1.37	Annual, \$ 58,006.00
Sewer Accountant (<i>Merrill</i>)	SS8130.1.704	Annual, \$ 7,488.00
Secretary to Supervisor (<i>McMurtrie</i>)	A1220.1.42	\$ 20.60/hr.
Water Districts Collector (<i>McMurtrie</i>)	SW8310.1	\$ 20.60/hr.
Justice Clerk (<i>Palmer</i>)	A1110.1.10	\$ 16.90/hr.
Justice Clerk (<i>Bishal</i>)	A1110.1.10	\$ 16.90/hr.
Highway Superintendent (<i>Smith</i>)	A5010.1	Annual, \$ 68,958.50
Deputy Highway Superintendent (<i>Nelson</i>)	A5010.1.12	Annual Stipend, \$ 4,030.00
Certified Water Technicians	SW1 8340.1	Annual, \$ 500.00 ea.

Highway Department Hourly Rates

Seasonal Laborer		\$ 14.20 hourly rate
Contract Laborer		\$ 19.06 hourly rate
Machinery Equipment Operator		\$ 24.41 hourly rate
Heavy Equipment Operator		\$ 27.80 hourly rate

Roll call:

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

Supervisor Zupan declared Resolution No. 12 adopted.

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

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. 13 adopted.

Resolution No. 14 presented by Councilor Golub, seconded by Councilor Reger

BOOKKEEPER ATTENDANCE AT GOVERNMENT FINANCE OFFICER'S ASSOCIATION 2023 ANNUAL CONFERENCE

To approve the bookkeeper, Elizabeth B. Merrill's attendance at the Government Finance Officers' Association, Inc. 2023 Annual Conference in Albany, New York, March 29-31, 2023 with registration and hotel lodging fees paid and mileage expenses reimbursed.

Roll call:

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

Supervisor Zupan declared Resolution No. 14 adopted.

Resolution No. 15 presented by Councilor Reger, seconded by Councilor Race

TOWN JUSTICE, FRED PALMER’S ACCOUNTING RECORDS AUDIT

Relative to the Town Board's audit of Town Justice Fred Palmer’ accounting records at the 1/4/2023 work session, all appears to be accurate and in good order.

Roll call:

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

Supervisor Zupan declared Resolution No. 15 adopted.

Resolution No. 16 presented by Councilor Race, seconded by Councilor Johnson to approve the following 2022 budget transfers and adjustments:

(Authority NYS Town Law section 12 “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 into Justices PS and Justices PS Clerks to cover unanticipated labor costs.	
To: A 1110.1.000 Justices PS	\$325.00
To: A 1110.1.010 Justices PS Clerks	325.00
From: A 1110.4.000 Justices CE	(650.00)

To transfer budget into Celebrations CE to cover unanticipated costs.	
To: A 7550.4.000 Celebrations CE	\$585.00
From: A 8740.4.000 Watershed Protection CE	(585.00)

General Fund B

To transfer budget into Records Management CE to cover additional services for accessing digitized records.	
To: B 1460.4.000 Records Management CE	\$650.00
From: B 1990.4.000 Contingency Account	(650.00)

To transfer budget into Research CE to cover Frog-bit costs not anticipated in original budget.
 To: B 8030.4.000 Research CE \$2,020.00
 From: B 1990.4.000 Contingency Account (2,020.00)

Highway Fund DA

To appropriate unanticipated revenue from sale of used John Deere Mowing Tractor and Diamond Equipment into DA 5130.2.000 for purchase of John Deere 6130M Tractor with Diamond Mowing System (Town Board resolution No. 26-2022 adopted February 14, 2022). (Budget Adjustment, increasing estimated revenue and appropriating for budgeted expenditures.)

To: DA 5130.2.000 Machinery EQ (expenditure) \$100,000.00
 To: DA 2665.000 Sales of Equipment (revenue) 100,000.00

To transfer budget from Snow Removal CE for salt into Machinery EQ for remaining budget required for purchase of John Deere 6130M Tractor with Diamond Mowing System (Town Board resolution No. 26-2022 adopted February 14, 2022).

To: DA 5130.2.000 Machinery EQ \$8,300.00
 From: DA 5142.4.030 Salt Snow Removal CE (8,300.00)

Highway Fund DB

To increase budget for Dust Control & Trees for Ash Tree removals completed in December.

To: DB 5110.4.034 Dust Control & Trees General Repairs CE \$16,215.00
 From: DB 5110.4.032 Rental of Equipment General Repairs CE (16,215.00)

New Woodstock Lighting District (SL)

To appropriate Fund Balance we must make a calculation that Fund Balance is available in New Woodstock Lighting District by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

SL 510 Estimated Revenues \$3,650.00
 Plus SL 599 Appropriated Fund Balance 0.000.00
 Actual Subtotal \$3,650.00

Present Year Actual:

SL 980 Actual Revenues to Date \$3,650.00
 Plus Other Revenues Expected by year end 000.00
 Plus SL 909 Fund Balance at beginning of year 4,848.21
 Actual Subtotal \$8,498.21

Actual Subtotal less Budgeted Subtotal = Amount Available \$4,848.21

To increase budget for Street Lighting CE to accommodate actual expenditures for the year 2022.

To: SL 5182.4.000 Street Lighting CE \$250.00
 From: SL 599 Appropriated Fund Balance (250.00)

New Woodstock Water District (SWI)

To transfer budget into Source Power Pump EQ to accommodate water hydrant costs unanticipated in original budget.

To: SW18320.2.000 Source Power Pump EQ \$128.00
 From: SW18330.4.000 Purification CE (128.00)

To transfer budget into Transmission/Distribution PS and Social Security (Town Portion) to cover unanticipated labor costs.

To: SW18340.1.000 Transmission/Distribution PS \$1,000.00
 To: SW19030.8.000 Social Security (Town Portion) 30.00
 From: SW18330.4.000 Purification CE (1,030.00)

Joint Route 20 Water District (SW4)

Transfer unused revenue recognized from American Rescue Plan Act (ARPA) in A and transferred to Mt. Pleasant Water Capital Project to accommodate engineering fees (see budget transfers approved August 8, 2022) to Joint Route 20 Water District to accommodate Common Water Supply CE miscellaneous expenses, including legal not anticipated in original budget.

To: SW4 5031.001 Interfund Transfers ARPA Related (revenue)	\$2,869.00
From: H4 5031.001 Interfund Transfers ARPA Related (revenue)	(2,869.00)
To: SW4 8350.4.001 Common Water Supply CE ARPA Project	2,869.00
From: H4 8340.2.001 Trans/Distr EQ ARPA Project	(2,869.00)

Transfer budget to Debt Interest for Other Governments for reimbursed interest payments not anticipated in original budget.

To: SW4 9797.7.000 Debt Interest for Other Governments	\$770.00
From: SW4 8350.4.000 Common Water Supply CE	(770.00)

Roll call:

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

Supervisor Zupan declared Resolution No. 16 adopted.

Attorney's Report: *John Langey, Esq. said the Zoning Board of Appeals and Planning Board have had a slightly lighter agenda, than in the past, but everything is running well. He has been waiting to hear from Abundant Solar about the Highway Garage site. On another note, he said a group of residents proposed some cell tower changes and he needs to read through the information because it is already an in-depth law that is “on the books.” He would like to understand their suggested changes for the Board to consider. There are certain Federal laws in play that cannot be modified. Lastly, he reported he’s been talking with Chuck Ladd of the Codes Department and there may be some violations, but they want to work with the people to avoid court.*

Supervisor's Report: *Supervisor Zupan said he has been working on the organizational aspects of tonight’s agenda with the Town Clerk. Also, some highway employees have inquired about deferred compensation so he is trying to set-up a meeting to learn more about that program. Based on Councilor Reger’s suggestion, he is looking at higher interest rates for the town accounts. He is doing some investigative work at this point and is looking at NY Class. Right now, NY Class is paying 4%. At the County-level, the ambulance service is very intense. There will be weekly meetings-because there are areas in the County that are poorly serviced. The County is trying to come up with a way to make ambulance service viable for the whole County. He does not have an update on the landfill. There is a consultant that is doing an RFP to send out, at this point. Nor, did he have any news on the Cazenovia College front.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported there is not a lot of snow to plow. It is time to roll the skid-steer over and the Highway Superintendent has numbers on the replacement. The Town of Nelson may be interested in the old one.*

Councilor Golub {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage), Anti-Racism Coalition}: *Reported the College was the lead agency for a specialized boat. The boat will be used to collect data on fish populations. The Town has agreed to become the lead agent, since the College is unable to continue that role. The Town will pay the College for the down payment on the boat, plus the remaining cost of the boat. This ends up being close to \$ 100,000.00. The Town will be reimbursed through a grant. The CLA will pay the remainder of the cost which is \$ 18,000.00.*

Councilor Johnson inquired about the storage of the boat.

The Town Board had a minor discussion and decided it should be housed at the Town of Cazenovia Highway site.

Additionally, he thanked Councilor Reger for getting the solar law amendment to the finish line.

Councilor Reger (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): *Reported another busy month for the Planning & Zoning. He is very impressed with the Chairs of the various Boards and their service to our community. The Town of Cazenovia Comprehensive Plan Sub-committee continues to meet, twice a month. He mentioned the power to “The Green” is still underway. CazCares had a tremendous December and met hundreds of additional families’ needs.*

Councilor Johnson {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: *Reported she spoke to Lauren Lines of CACDA about the increase being proposed to CACDA who was grateful for the additional funding. She will provide updates in the future about the Gothic Cottage and Joint Youth Recreation Program.*

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: *There was no unshared correspondence.*

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

At 8:03 p.m., Supervisor Zupan declared this meeting adjourned.

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