

**TOWN BOARD
REGULAR MEETING**

MONDAY

October 2, 2023

Meeting Location: New Woodstock Firehouse – 2632 Mill Street, New Woodstock

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

Pledge of Allegiance.

Correspondence: *There was no unshared correspondence.*

Supervisor Zupan announced the November Town Board meeting will be a week earlier than normal, Monday, November 6, 2023, and back to its normal location, the Town Hall, 7 Albany Street, Cazenovia.

Motion by Councilor Reger, seconded by Councilor Golub to accept the minutes from the September 11, 2023 regular meeting.

Roll call:

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

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.*

NOTE FOR THE RECORD - The timely receipt (9/29/2023) of the 2024 Tentative Budget and the timely distribution of same to the Town Board (electronically 9/29/2023 and paper copies 10/2/2023 at the Regular Meeting.)

Supervisor Zupan mentioned the budget work session will be October 16, 2023 at 6:00 p.m.

Resolution No. 119 presented by Councilor Race, seconded by Councilor Reger

2024 TENTATIVE/PRELIMINARY BUDGET

WHEREAS, the Town Supervisor of the Town of Cazenovia duly filed with the Town Clerk the Tentative Budget of said Town for the fiscal year beginning January 1, 2024; and

WHEREAS, the Town Clerk of the Town of Cazenovia, duly presented said Tentative Budget to the Town Board as prescribed by law, at a regular meeting on October 2, 2023, at which time such Tentative Budget was considered, discussed and reviewed.

NOW, THEREFORE, BE IT RESOLVED, that said Tentative Budget is hereby set forth, and be it

FURTHER RESOLVED, the said Tentative Budget is hereby approved as is and shall become the Preliminary Budget of the Town of Cazenovia, for the fiscal year beginning January 1, 2024; and be it

FURTHER RESOLVED, that said Preliminary Budget shall be kept in the Office of the Town Clerk of the Town of Cazenovia, and said Town Clerk is hereby authorized to reproduce copies of same for public distribution upon request; and be it

FURTHER RESOLVED, that the Town Board shall conduct a public hearing as to the adoption of the proposed 2024 Town Budget at the Cazenovia Town Offices located at 7 Albany Street in the Town of Cazenovia on Monday, November 6, 2023 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested shall be heard.

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

Supervisor Zupan declared Resolution No. 119 adopted.

Resolution No. 120 presented by Councilor Race, seconded by Councilor Johnson

AUTHORIZE THE SECOND AMENDMENT TO THE INTERMUNICIPAL AGREEMENT RELATIVE TO THE SUPPLY OF WATER AND MANAGEMENT, MAINTENANCE, OPERATION, BILLING, CONSTRUCTION AND FINANCING FOR THE TOWN OF NELSON ROUTE 20 WATER DISTRICT AND THE TOWN OF CAZENOVIA ROUTE 20 WATER DISTRICT

WHEREAS, previously the Town of Cazenovia, the Town of Nelson and the Village of Cazenovia entered into an Intermunicipal Agreement Relative to the Supply of Water and

Management, Maintenance, Operation, Billing, Construction and Financing for the Town of Nelson Route 20 Water District and the Town of Cazenovia Route 20 Water District (the “Amended and Re-Styled IMA”), and

WHEREAS, pursuant to the terms of the Amended and Re-Styled IMA, the parties have anticipated that from time to time the terms of said Amended and Re-Styled IMA may be amended upon agreement by all parties; and

WHEREAS, the parties have acknowledged additional changes to the relative assessed values in the Town of Cazenovia, such that the originally contemplated pro rata share of each participating municipality in the payment of indebtedness for the two districts has created unexpected outcomes; and

WHEREAS, the parties wish to amend the Amended and Re-Styled IMA to better reflect the original intent of the sharing of the debt service for the two districts; and

WHEREAS, previously in 2022 the Town Boards of the Town of Cazenovia and the Town of Nelson approved a first amendment to the Amended and Re-Styled IMA (the “First Amendment”) as more specifically addressed in the First Amendment to the IMA; and

WHEREAS, it has been recognized that since the execution of the Amended and Re-styled IMA and the First Amendment, the relative taxable values contained within each Town have fluctuated, such that a second amendment to the Amended and Re-styled IMA should be implemented to reflect an appropriate current and fair pro-rata share for each Town; and

WHEREAS, the Town of Cazenovia Town Board and the Town of Nelson Town Board have directed the preparation of a proposed Second Amendment to the Amended and Re-Styled IMA, as more specifically addressed in the Second Amendment to the IMA (copies of which are attached hereto as Schedule “A”).

NOW THEREFORE, it is

RESOLVED that the Town of Cazenovia Town Board hereby authorizes the Town Supervisor to execute the attached Second Amendment to the IMA, conditioned, however, upon the approval of the terms of said Amendment by the Village of Cazenovia and Town of Nelson.

Schedule “A”

**SECOND AMENDMENT TO THE INTERMUNICIPAL AGREEMENT
RELATIVE TO THE SUPPLY OF WATER AND MANAGEMENT,
MAINTENANCE, OPERATION, BILLING, CONSTRUCTION AND FINANCING
FOR THE TOWN OF NELSON ROUTE 20 WATER DISTRICT AND
THE TOWN OF CAZENOVIA ROUTE 20 WATER DISTRICT**

This **SECOND AMENDMENT** to the Intermunicipal Agreement Relative to the Supply of Water and Management, Maintenance, Operation, Billing, Construction and Financing for the Town of Nelson Route 20 Water District and the Town of Cazenovia Route 20 Water District, made as the ____ day of _____, 2023, by and between the **VILLAGE OF CAZENOVIA**, a municipal corporation with offices located at 90 Albany Street, Cazenovia, New York 13035 (“Village”), the **TOWN OF NELSON**, a municipal corporation with offices located at 4085 Nelson Road, Cazenovia, New York 13035 (“Nelson”), and the **TOWN OF CAZENOVIA**, a municipal corporation with offices located at 7 Albany Street, Cazenovia, New York 13035 (“Cazenovia”):

WHEREAS, previously the Town Board of the Town of Nelson has formed, pursuant to the provisions of Article 12-A of the Town Law, a water district in the Town now known as the “Town of Nelson Route 20 Water District” (“the Nelson District”); and

WHEREAS, previously the Town Board of the Town of Cazenovia has formed, pursuant to the provisions of Article 12-A of the Town Law, a water district in the Town now known as the “Town of Cazenovia Route 20 Waer District” (“the Cazenovia District”); and

WHEREAS, in furtherance of the management, maintenance, operation, billing, construction and financing of the Water Districts, the Town of Nelson and the Town of Cazenovia, along with the Village of Cazenovia, have entered into a certain Intermunicipal Agreement dated February 11, 2019 (“the Amended and Re-stated IMA”); and

WHEREAS, pursuant to said Amended and Re-stated IMA, the financing of the project, including the project indebtedness, is based upon each Town bearing a “pro-rata share of the balance of the Total Project Cost and Project Indebtedness” as defined within the Amended and Re-stated IMA, as “based upon the percentages determined by dividing the sum of the total assessed value of all properties within each Town’s District” into a Total Project Cost of \$19,830,300, being the sum of the total assessed values of all properties within both Districts; and

WHEREAS, the Amended and Re-stated IMA further requires that each Town shall pay their respective share based upon that Town’s relative percentage of overall assessed value; and

WHEREAS, it is and was recognized that from time-to-time assessed values within each portion of the Towns may fluctuate depending on numerous factors; and

WHEREAS, it has been recognized that since the execution of the Amended and Re-stated IMA, the relative taxable values contained within each Town have fluctuated, such that an amendment to the Amended and Re-stated IMA should be implemented to reflect an appropriate current and fair pro-rata share for each Town; and

WHEREAS, in furtherance of said amendment to the Amended and Re-stated IMA, the Town of Nelson and the Town of Cazenovia, along with the Village of Cazenovia, have executed a certain First Amendment to the Intermunicipal Agreement Relative to the Supply of Water and Management, Maintenance, Operation, Billing, Construction and Financing for the Town of Nelson Route 20 Water District the Town of Cazenovia Route 20 Water District, dated December 12, 2022 (“the First Amendment”); and

WHEREAS, it has been recognized that since the execution of the Amended and Re-stated IMA and the First Amendment, the relative taxable values contained within each Town have fluctuated, such that a second amendment to the Amended and Re-stated IMA should be implemented to reflect an appropriate current and fair pro-rata share for each Town.

NOW, THEREFORE, in consideration of mutual promises of the parties set forth herein and in the Amended and Re-stated IMA, and for other good and valuable consideration, it is hereby agreed that the following amendments to the Amended and Re-stated IMA (and the First Amendment) shall be effective as of January 1, 2024:

1. The following adjusted pro-rata shares shall be incorporated into the Amended and Re-stated IMA and Section 3 (“Financing of the Project”) of the Amended and Re-stated IMA is hereby amended to reflect the following changes:

Total assessed value within the Town of Cazenovia (2024) = \$5,178,000

Total assessed value within the Town of Nelson (2024) = \$13,012,900

and it is further agreed that:

“Each of the Town’s shall bear their pro-rata share of the balance of the Total Project Cost and Project Indebtedness based upon the percentages determined by dividing the sum of the total assessed value of all properties within each Town’s District into \$18,190,900, being the sum of the total assessed value of all properties within both Districts. As such, the Cazenovia District’s pro-rata share of the Total Project Cost is 28.46% and the Nelson

District’s pro-rata share of the Total Project Cost is 71.54% for Tax Year 2023. Each Town’s pro-rata share of the balance of the Total Project Cost and Project Indebtedness as described above shall remain in effect unless and until the Towns mutually agree in writing to amend said pro-rata shares.”

The balance of the Amended and Re-stated IMA and the First Amendment shall remain in full effect and force unless otherwise changed and mutually agreed upon in writing. This Agreement shall be deemed to replace those portions of the Amended and Re-stated IMA, as referenced herein, and shall in all respects supersede those terms of the Amended and Re-stated IMA as of the effective date of this Agreement set forth above and all other provisions shall remain in effect.

VILLAGE OF CAZENOVIA

TOWN OF NELSON

By: _____
Kurt Wheeler, Mayor

By: _____
James Cunningham, Supervisor

TOWN OF CAZENOVIA

By: _____
William Zupan, Supervisor

STATE OF NEW YORK)
COUNTY OF MADISON) ss.:

On the ____ day of _____, 2023, before me, the undersigned, a notary public in and for said State, personally appeared **Kurt Wheeler, Mayor of the Village of Cazenovia**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF MADISON) ss.:

On the ____ day of _____, 2023, before me, the undersigned, a notary public in and for said State, personally appeared **James Cunningham, Supervisor of the Town of Nelson**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF MADISON) ss.:

On the ____ day of _____, 2023, before me, the undersigned, a notary public in and for said State, personally appeared **William Zupan, Supervisor of the Town of Cazenovia**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

Roll call:

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

Supervisor Zupan declared Resolution No. 120 adopted.

Supervisor Zupan said Jim Cunningham’s contract with the Town increased by 1.6%.

Resolution No. 121 presented by Councilor Reger, seconded by Councilor Johnson

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE AN AGREEMENT WITH NEW WATER TECHNOLOGIES, INC. FOR WASTEWATER TREATMENT PROFESSIONAL SERVICES

WHEREAS, the Town of Cazenovia Water Pollution Control Facility and Town of Cazenovia Consolidated Sanitary Sewer District is comprised of sewer mains, lines, appurtenances and a wastewater treatment facility; and

WHEREAS, the Town of Cazenovia requires professional services for the operation and maintenance of the Sewer District and wastewater treatment; and

WHEREAS, the Town of Cazenovia accepted the Agreement with New Water Technologies, Inc. as part of the closing and transfer of the sewer treatment plant from Madison County to the Town of Cazenovia in 2018 for professional services related to the operation and maintenance of the Sewer District and wastewater treatment; and

WHEREAS, said Agreement will expire November 30, 2023; and

WHEREAS, the Town of Cazenovia and New Water Technologies, Inc. desire to enter into a new Agreement commencing on December 1, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Agreement with New Water Technologies, Inc.

Roll call:

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

Supervisor Zupan declared Resolution No. 121 adopted.

Supervisor Zupan said Liz Moran told him it should be easier for the 2024 Lake Treatment because it will probably be a Type II action as opposed to a Type I.

Resolution No. 122 presented by Councilor Race, seconded by Councilor Golub

AUTHORIZING THE PROCUREMENT OF PROFESSIONAL SERVICES FROM ECOLOGIC, LLC IN ASSOCIATION WITH THE TREATMENT AND APPLICATION OF ProcellaCOR EC ON CAZENOVIA LAKE (2024 TREATMENT)

WHEREAS, the Town of Cazenovia has previously considered and undertaken the treatment of Cazenovia Lake to address the identified presence of invasive aquatic macrophyte *Myriophyllum spicatum*, commonly known as Eurasian watermilfoil; and

WHEREAS, the Town of Cazenovia Town Board has considered the potential for undertaking a 2024 treatment of particular areas of Cazenovia Lake experiencing the presence of Eurasian watermilfoil; and

WHEREAS, as part of its program for treatment of Cazenovia Lake, the Town Board has determined it is 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 has determined that the firm of Ecologic, LLC possesses 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, the acquiring of such services constitutes a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated.

NOW, THEREFORE, IT IS RESOLVED that the Town Board of the Town of Cazenovia, in conjunction with the 2024 treatment of Cazenovia Lake to address the identified presence of Eurasian watermilfoil, authorizes the Town Supervisor to execute a contract for professional services for assistance in completion of the State Environmental Quality Review process, including any necessary Environmental Impact Statement with Ecologic, LLC of Cazenovia for an amount not to exceed Two Thousand Dollars and 00/100 (\$2,000.00) without prior written authorization, conditioned upon final review by the Attorney for the Town.

Roll call:

Councilor Golub Yes

Councilor Reger Yes

Councilor Johnson Yes

Councilor Race Yes

Supervisor Zupan Yes

Supervisor Zupan declared Resolution No. 122 adopted.

Supervisor Zupan said this purchase offer for 2037 Main Street, New Woodstock is subject to attorney approval. In the purchaser’s offer, a warranty deed is part of the terms, but the Town will only give a quit-claim deed. A survey was done last year, so another one will not be done and the Town will not update the abstract. He said if the purchaser does not agree to those terms, they will move onto the next bidder.

Resolution No. 123 presented by Councilor Reger, seconded by Councilor Race

**AUTHORIZING THE SALE OF 2037 MAIN STREET, NEW WOODSTOCK
(TOWN OF CAZENOVIA) SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, the Town of Cazenovia owns certain land in the Town of Cazenovia consisting of approximately 0.87± acres of land known as 2037 Main Street, New Woodstock (Town of Cazenovia), otherwise identified as Tax Map No. 146.8-1-7 and more particularly described on the attached Schedule “A”; and

WHEREAS, the subject property is excess and surplus land and is not needed by the Town of Cazenovia; and

WHEREAS, Jason E. Olkowski and Jacob Olkowski have presented a Purchase Offer offering to purchase said property from the Town of Cazenovia for \$55,000.00; and

WHEREAS, an analysis of the value of the property was undertaken by the Town of Cazenovia assessor; and

WHEREAS, the Town Board having determined that the manner of sale undertaken by the Town is likely to facilitate the best price for the property; and

WHEREAS, such action constitutes a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated thus ending the environmental review process.

NOW, THEREFORE, IT IS

RESOLVED AND DETERMINED that, **subject to permissive referendum as required by law**, this Board authorizes the sale of the aforementioned property to the Jason E. Olkowski and Jacob Olkowski, by Quit Claim Deed, **as is**, without survey or abstract for a purchase price of \$55,000.00, with all costs and expenses of such transfer to be borne solely by the purchaser; and it is further

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

SCHEDULE “A”

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cazenovia, County of Madison and State of New York, described as follows: Beginning in the center of the Old Skaneateles Turnpike Road in the Village of New Woodstock, at the Southeast corner of land now owned and occupied by W. C. Jenkins; thence Northerly on said Jenkins’ East line to lands formerly owned by Fenton G. Maine (now Madison Elmore); thence Easterly on said Elmore’s South line 5 rods, 7 1/2 feet; thence Southerly parallel to said East line of said W. C. Jenkins to the center of the aforesaid turnpike road; thence Westerly along the center of said turnpike road to the place of beginning.

Being the same premises described in a deed to the party of the first party dated May 29, 1959 and recorded in the Madison County Clerk’s Office on June 1, 1959 at Book 561 at Page 490.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cazenovia, County of Madison and State of New York, more particularly described as follows:

Beginning at an iron pipe situate in the line between lands of Elmore and lands of Mann in the Hamlet of New Woodstock, said iron pipe being located westerly along the boundary line of Mann 96 feet from the west line of the New Woodstock Cemetery, thence westerly along line between lands of Mann and Elmore and an old fence line 62.14 ft. to an iron pipe marking the northeast corner of the American Legion premises, thence southerly 237.83 ft. to an iron pin at the southeast corner of said Legion premises, thence continuing southerly in an extension of said line 48 ft. to the center of the Hamilton Skaneateles Turnpike, thence easterly along the center line of said Hamilton Skaneateles Turnpike 62 ft. to a point, thence northerly 48 ft. to an iron pin situate in the northerly side of said Hamilton Skaneateles Turnpike said iron pin being 88.96 feet westerly from the west line of the New Woodstock Cemetery, thence northerly in an extension of said line 235.30 ft. to the point of beginning.

Being the same premises described in a deed to the party of the first party dated August 3, 1971 and recorded in the Madison County Clerk’s Office on August 5, 1971 at Book 658 at Page 240.

All of the above being the same premises described in a deed from the New Woodstock Memorial Association to the Town of Cazenovia dated November 12, 2021 and recorded in the Madison County Clerk’s Office on January 7, 2022 as Instrument # 2022-143.

Roll call:

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

Supervisor Zupan declared Resolution No. 123 adopted.

The Town Clerk explained the building permit records are sent to a company to be scanned. The company that scans the records sends them to General Code and they do some “behind the scenes” work to get the documents to the Cloud.

Resolution No. 124 presented by Councilor Race, seconded by Councilor Reger

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE A SCANNED IMAGE INDEXING AND PROCESSING SERVICES PROPOSAL FROM GENERAL CODE

To authorize the Town Supervisor of the Town of Cazenovia to execute a Scanned Image Indexing and Processing Services Proposal from General Code. General Code will receive the electronic documents from the scanning vendor and upload them to the Cloud for importing into the Town’s Repository. Said services as outlined in the proposal dated September 6, 2023 cost Seven Hundred and 00/100 (\$ 700.00).

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

Supervisor Zupan declared Resolution No. 124 adopted.

NOTES FOR THE RECORD

✓ The timely receipt (9/27/2023) of the Highway Department’s Annual Equipment Inventory List.

Resolution No. 125 presented by Councilor Race, seconded by Councilor Johnson

AUTHORIZE SEASONAL CLOSING OF A SECTION OF CORKINSVILLE ROAD

To authorize the Town Clerk to give notice of the seasonal closing of Corkinsville Road from the Lordon residence to the Town of Cazenovia Line for the winter of 2023/2024.

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

Supervisor Zupan declared Resolution No. 125 adopted.

Resolution No. 126 presented by Councilor Reger, seconded by Councilor Golub

APPROVE USE OF TOWN ROADS FOR THE 2023 PUMPKIN RUN

To approve the use of Ridge Road, Ten Eyck Avenue, Lincklaen Road and Syosset Drive for the 2023 PUMPKIN RUN, a fundraising event for the Cazenovia Central Schools Graduating Class of 2025 scheduled for Sunday, October 29, 2023 commencing at 1:00 p.m. It is understood the Cazenovia Village Police Department and Madison County Sheriff’s Department will be informed for traffic control and CAVAC will be on alert.

An endorsed certificate of liability insurance in the amount of one million dollars naming the Town of Cazenovia as an additional insured will be filed with the Town Clerk. The insurance certificate must be maintained throughout the date of the event. The area of the Town-owned “Green” located between Emory Avenue and Green Street will be utilized for the start and conclusion of the race and must be noted for coverage on the insurance certificate.

It should be understood no roads can be closed to local traffic and no paint products shall be applied to the roads.

Roll call:

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

Supervisor Zupan declared Resolution No. 126 adopted.

Resolution No. 127 presented by Councilor Golub, seconded by Councilor Race

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

To authorize the Sewer Billing Clerk to issue a credit in the amount shown to the following account of the Water Pollution Control Facility and the re-issuance of the bill to the new owner:

Prior Owner: Shaw	New Owner: Sparks
o Service ID: 4900	(59 Sullivan Street) \$ 210.88
Prior Owner: Clark	New Owner: Rio
o Service ID: 0730	(33 Nelson Street) \$ 175.00

Roll call:

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

Supervisor Zupan declared Resolution No. 127 adopted.

Supervisor Zupan said this gentleman had a broken pipe in his basement.

Resolution No. 128 presented by Councilor Johnson, seconded by Councilor Golub

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

To authorize the Sewer Billing Clerk to issue a credit in the amount shown to the following account of the Water Pollution Facility and re-issue a new bill for \$ 189.88:

- **Brown, Scott**
 Service ID: 2970 (13 Center Street) **\$ 1,534.52 Credit**

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

Supervisor Zupan declared Resolution No. 128 adopted.

Resolution No. 129 presented by Councilor Reger, seconded by Councilor Johnson

AUTHORIZE CREDITS TO USER’S ACCOUNTS OF THE WATER POLLUTION CONTROL FACILITY

To authorize the Sewer Billing Clerk to issue credits for the penalty incurred in the amounts shown to the following accounts of the Water Pollution Facility:

- **Lorenzo State Historic Site**
 Service ID: 7210 (*Lorenzo Stable*) **\$ 39.37 Credit**
- **Lorenzo State Historic Site**
 Service ID: 7220 (*Lorenzo Museum*) **\$ 17.50 Credit**
- **Lorenzo State Historic Site**
 Service ID: 7230 (*Route 13/School House*) **\$ 17.50 Credit**

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

Supervisor Zupan declared Resolution No. 129 adopted.

Resolution No. 130 presented by Councilor Reger, seconded by Councilor Johnson to approve the following budget transfers and adjustments:

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

General Fund B

To transfer budget balance to accommodate second payment to CACDA for community development services not in original 2023 budget.

To: B 8686.4.000 Community Development Administration CE \$8,000.00
 From: B 1990.4.000 Contingency Account (8,000.00)

Highway Fund DB

To appropriate Fund Balance we must make a calculation that Fund Balance is available in Highway Fund DB by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

DB 510 Estimated Revenues \$1,343,777.00
 Plus DB 599 Appropriated Fund Balance 0,000.00
 Actual Subtotal \$1,343,777.00

Present Year Actual:

DB 980 Actual Revenues to Date \$1,130,437.33
 Plus Other Revenues Expected by year end 250,000.00
 Plus DB 909 Fund Balance at beginning of year 828,966.00
 Actual Subtotal \$2,209,403.33

Actual Subtotal less Budgeted Subtotal = Amount Available \$865,626.33

To transfer budget to accommodate additional paving expenses posted to Capital Outlay for multiple road surface treatments.

To: DB 5112.2.000 Road Improvements Capital Outlay \$154,300.00
 From: DB 599 Appropriated Fund Balance (154,300.00)

Roll call:

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

Supervisor Zupan declared Resolution No. 130 adopted.

Attorney's Report: *In John Langey's absence, Rich Andino, Esq. of Costello, Cooney & Fearon was present and had nothing to report.*

Supervisor's Report: *Supervisor Zupan alluded to his trip abroad and reported he had a good vacation. He thanked Councilor Reger and Bookkeeper, Elizabeth Merrill for their assistance in getting the budget submitted timely. He said there is a .03¢ per thousand increase to the tax rate. For example, a \$ 300,000.00 assessed property will be \$ 9.00 more.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported the drainage project is complete on Lincklaen Road and the crew did a fine job. They worked in conjunction with the City of Oneida for their hydrovacuum to get around the utilities that were present. He said they are buttoning things up and getting ready for winter.*

Bryan Smith, Highway Superintendent, added the seaweed harvester is currently on DeRuyter Lake. He said he will pick it up on Monday and they will put it in storage until next year.

Councilor Golub received confirmation that the Town will have the new harvester next year.

Councilor Golub {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage), Anti-racism Coalition, UCAN}: *Reported he had the honor of riding in the electrofishing boat a few days ago. He volunteered to catch the fish with the net and really enjoyed that task. He said there were eight people on the boat and there could have been twice that number. He said Lauren Lines of CACDA is working on a grant for the washing station in an effort to eliminate invasive aquatic weeds.*

Councilor Reger (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): *Reported there was a lot of things happening with the Planning Board and Zoning Board of Appeals. He said the Town Comprehensive Plan Presentation will be Tuesday, October 24, 2023 at 6:30 p.m. at the Cazenovia Public Library. This will be a public outreach session where they will get input. They will do a brief summary of the plan and then there will be an opportunity for the public to give their feedback. He thought this was an important step and will help make the plan even more of a success, the more feedback they get. On another note, he said tomorrow night is the last of the CPR and AED classes. He thought it was very gracious of Cazenovia-resident, Josie Glos to donate her time and a great way to make the Town employees become even better public servants. He thanked Supervisor Zupan for allowing him to be a part of the budget process.*

Councilor Johnson {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: *Reported the CACDA public forum is on October 11th at the Hampton Inn. There will be two sessions, 12:00 p.m.-2:00 p.m., 6:30 p.m.-8:30 p.m. She said there are about 4-5 proposals which will briefly be presented on ways the Cazenovia College Campus can be repurposed. She said there is funding for feasibility studies. It is an opportunity to hear some of the ideas that have been put forth and a chance to talk to the working groups. She mentioned she will get more information on the housing letter of interest in relation to the Comprehensive Plan to be mindful of different housing options. On another note, she mentioned she attended a webinar called, "How Immigrant and Refugee Populations Can Support Downtown Revitalization Efforts." She said it was interesting and highlighted how Utica has embraced refugee and immigrant populations to revitalize their downtown community. She thought it was a good opportunity to learn considering the College closing and the vacant storefronts. One of the presenters, a representative of*

“Welcoming America” said there are 18 certified welcoming communities in the United States and New York does not have any, at this point. She will investigate this further to get a better understanding.

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:

Roger Cook said at the annual meeting of the New Woodstock Historical Society, they determined they will be able to continue as the Town Historian. Rachel Hunt is willing to take back her old position within their organization. On another note, he said the Christmas tree at New Woodstock Heritage Park has been struggling. They are getting a new 25’ Norway Spruce that will be planted in the next few weeks. He said the New Woodstock Fire Department will pay for the tree and the New Woodstock Historical Society will continue to decorate and light the tree.

Supervisor Zupan inquired why the Town wasn’t paying for it.

Roger Cook reminded the Board that Don Ferlow designed a plan for the Park several years ago.

Ron Fazio, New Woodstock Fire Dept. Chief, said the tree is \$ 6,255.00, but the expensive part is planting the tree because it involves a crane.

Roger Cook said they will be using watering bags to water the tree. On another note, he said the Town of Cazenovia bought the Park in 1972 for \$ 3,000.00.

Ron Fazio and the Town Board discussed paying for the tree.

Ron Fazio expressed the people in the New Woodstock Hamlet have been very good to the New Woodstock Fire Department and it is a way of giving back.

Bryan Smith confirmed the highway department could use the excavator to remove the old tree.

Ron Fazio asked Councilor Johnson about the speed sign.

Supervisor Zupan inquired about the moveable sign.

Ron Fazio would like a more permanent speed sign solution.

Councilor Race said we should purchase two more signs.

Supervisor Zupan said this can be discussed at the work session. In the meantime, Bryan can bring the mobile sign down to the Hamlet.

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 Reger, seconded by Councilor Golub to approve payment of the bills. Supervisor Zupan recused himself from payment of the Cunningham Excavation. Councilor Race recused himself from payment of the Suit-Kote invoice. Otherwise, the motion was unanimously approved.

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

At 8:02 p.m., Supervisor Zupan will declare this meeting adjourned.

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