

**TOWN BOARD  
REGULAR MEETING**

**MONDAY**

**March 13, 2023**

**Deputy Race opened the meeting at 7:30 p.m. with four Councilors present. Supervisor Zupan was excused.**

**Pledge of Allegiance.**

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

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**Motion by Councilor Reger, seconded by Councilor Johnson to accept the minutes from the February 13, 2023 regular meeting. The motion was unanimously approved.**

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Deputy Race 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.*

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**The Town Board heard the Water Pollution Control Facility grievance application of Mr. Courtney LaBarge and Mrs. Tara LaBarge in relation to:**

**8 Rippleton Road Service ID: 7320**

Bill Amount: \$ 555.96      Water Usage: 86,181 Gallons

*Courtney LaBarge was present for the grievance and said they moved to the Town of Cazenovia and this past summer was their first one. He noticed the sewer bill jumped up dramatically and said they had a lot of pool and algae issues. In order to mitigate this, they had to vacuum the pool and replace the water that was presently in the pool because the water could not go back through the filter system. The water that was drained did not go in the sewer. He mentioned this occurred a large part of last summer. Therefore, this created a high usage of water.*

*Deputy Race said typically the difference is split with the customer. However, if he promised to get a meter for next time, it would be his recommendation to the Town Board to waive the fee for the excess usage. He encouraged Mr. LaBarge to spread the word regarding sub-meters.*

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**Resolution No. 32 presented by Councilor Reger, seconded by Councilor Golub**

**AUTHORIZE CREDITS TO CERTAIN USER ACCOUNTS  
OF THE WATER POLLUTION CONTROL FACILITY**

To authorize the Sewer Billing Clerk to issue credits in the amounts shown to the following accounts of the Water Pollution Control Facility and the re-issuance of new bills:

- **LaBarge, Courtney & Tara**
  - Service ID: 7320 (8 Rippleton Road)      **\$ 393.46**

- **Ryan, Diane**
  - Service ID: 6310 (12 Gillette Lane) **\$ 157.07**

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

**Deputy Race declared Resolution No. 32 adopted.**

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**Resolution No. 33 presented by Councilor Reger, seconded by Councilor Johnson**

**AUTHORIZE CREDITS TO CERTAIN USER ACCOUNTS  
OF THE WATER POLLUTION CONTROL FACILITY**

To authorize the Sewer Billing Clerk to issue credits in the amounts shown to the following accounts of the Water Pollution Control Facility and the re-issuance of bills to the new owners:

**Prior Owner:** Flannery **New Owner:** Cashatt  
 ○ Service ID: 4990 (39 Sullivan Street) **\$ 289.19**

**Prior Owner:** Stremmel **New Owner:** Edwards/Bassett  
 ○ Service ID: C045 (2087 Wright Road) **\$ 187.50**

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

**Deputy Race declared Resolution No. 33 adopted.**

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**Resolution No. 34 presented by Councilor Johnson, seconded by Councilor Golub**

**AWARDING BID TO  
ALPHA BOATS UNLIMITED  
div. Barber Welding, Inc.  
Successful Bidder**

**(Procurement of a New Model Year 11-Foot Aquatic Plant Harvester & New Model Year Tilt-Deck Trailer for the Town of Cazenovia for Use on Cazenovia Lake)**

**WHEREAS**, protection and restoration of the water quality, aesthetic condition, recreational usage and aquatic habitat of Cazenovia Lake is in the best interest of our entire community with respect to environmental stewardship, culture heritage and the Town’s economic interests; and

**WHEREAS**, the invasive aquatic macrophyte *Myriophyllum spicatum*, commonly known as Eurasian watermilfoil, has become increasingly abundant in Cazenovia Lake and degrades the lake’s water quality, aesthetic value and recreational potential; and

**WHEREAS**, the Town Board has considered multi-faceted measures to address the proliferation of Eurasian watermilfoil in Cazenovia Lake and has addressed same over the years through a successful program of chemical treatment, stormwater management and local legislation practices; and

**WHEREAS**, it has previously been determined that certain other areas of Cazenovia Lake weed growth may be safely addressed through the consideration of a limited and controlled program of weed management by way of aquatic harvesting; and

**WHEREAS**, the Town of Cazenovia previously purchased a new 11-foot aquatic plant harvester (“aquatic weed harvester”) for use on Cazenovia Lake, which aquatic weed harvester produced positive results for the control of weeds on the Lake in conjunction with other aquatic weed control programs; and

**WHEREAS**, the Town of Cazenovia Highway Department has previously advised the Town Board of the Town of Cazenovia of its continuing need to repair, replace and update its fleet of heavy equipment; and

**WHEREAS**, the existing aquatic weed harvester is scheduled for replacement as part of the Town’s equipment replacement program;

**WHEREAS**, a new aquatic weed harvester will provide a more reliable and consistent method of addressing aquatic weed growth on Cazenovia Lake such that the Town Board desires to acquire a new 11-foot wide aquatic weed harvester and associated trailer for such purposes; and

**WHEREAS**, the Town of Cazenovia previously determined to acquire a new weed harvester as part of its multifaceted program to address this important issue (to wit, the procurement of a new Model Year Aquatic Plant Harvester with a cutting capacity of 11-feet (width) and 7-feet (depth) with diesel engine and a minimum power output of 74 hp); and

**WHEREAS**, on December 12, 2022, the Town Board of the Town of Cazenovia authorized the solicitation of bids pursuant to General Municipal Law §103 for the procurement of a new Model Year 11-foot aquatic plant harvester for the Town of Cazenovia for use on Cazenovia Lake; and

**WHEREAS**, bid packages were duly received by the Town of Cazenovia in response to the bid solicitation authorized under the December 12, 2022 Resolution; and

**WHEREAS**, said bids were opened on February 7, 2023 at the Town Hall, located at 7 Albany Street, Cazenovia, New York; and

**WHEREAS**, the Town has conducted due diligence and a review of the specifications of the bid packages; and

**WHEREAS**, the bid solicitation authorized by the Town Board on December 12, 2022 utilized the ability to consider “best value” as authorized under Town of Cazenovia Local Law No. 1-2014.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Cazenovia Town Board hereby awards the successful bid for a new Model Year Aquatic Plant Harvester (Model FX-11) with 12-gauge Stainless Steel Hull and a new Model Year Tilt Deck Trailer (Model TLT-800) to

**Alpha Boats Unlimited (div. Barber Welding Inc.)** at a total bid price of Four Hundred Eighty-Seven Thousand Nine Hundred and 00/100 Dollars (\$487,900.00) subject to entering into a purchase contract for said equipment and authorization of financing relative to same; and it is further

**RESOLVED**, that the equipment shall be delivered no later than May 15, 2024; and it is further

**RESOLVED**, that the Town of Cazenovia Supervisor and/or Highway Superintendent is authorized to execute the necessary documentation to procure the equipment so awarded herein; and it is further

**RESOLVED**, that the above authorization is subject to appropriate procurement of financing for this acquisition.

**Roll call:**

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

**Deputy Race declared Resolution No. 34 adopted.**

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**Resolution No. 35 presented by Councilor Reger, seconded by Councilor Golub**

**AUTHORIZATION FOR THE CONTINUATION OF THE TREATMENT  
OF CAZENOVIA LAKE FOR THE ERADICATION OF THE INVASIVE  
SPECIES EUROPEAN FROG-BIT (*HYDROCHARIS MORSUS-RANAE*)  
AND SEQR RESOLUTION WITH AUTHORIZATION FOR  
CLASSIFICATION OF POSITIONS PURSUANT TO CIVIL SERVICE LAW  
SECTION 22 (PULLING OF EVASIVE SPECIES FROM THE LAKE)  
(2023 TREATMENT)**

**WHEREAS**, previously the Town of Cazenovia has determined that the protection and restoration of water quality, aesthetic conditions, recreational usage and the aquatic habitat of Cazenovia Lake and its surrounding area is in the best interest of the entire community with respect to environmental stewardship, cultural heritage and economic interest; and

**WHEREAS**, the Town of Cazenovia in previous years has authorized the treatment of the Lake and its surrounding areas to address the identified presence of the invasive species European Frog-bit (*Hydrocharis morsus-ranae*) which have presently been identified to be located in various portions of Cazenovia Lake and its surrounding shorelines; and

**WHEREAS**, the Town of Cazenovia has previously noted that this species is highly invasive and poses a threat to the Lake and to its uses; and

**WHEREAS**, the Town of Cazenovia has determined that the eradication of European Frog-bit (*Hydrocharis morsus-ranae*) can be accomplished through a combination of specially trained hired temporary workers and volunteers who will hand-pull plants from Cazenovia Lake; and

**WHEREAS**, the Town of Cazenovia has also entered into prior Agreements with Thad Yorks, a Professor of Biology and Environmental Biology at Cazenovia College, through Professor Yorks’ program at the College; and

**WHEREAS**, the Town of Cazenovia recognizes that the status of Cazenovia College is currently undetermined, therefore necessitating the securing of hand-pulling services by alternate means; and

**WHEREAS**, it is proposed for the Town of Cazenovia to hire three (3) part-time individuals for such services as Town employees; and

**WHEREAS**, the Town of Cazenovia has previously undertaken an environmental review of the proposed action, *to wit* the eradication of the invasive species European Frog-bit (*Hydrocharis morsus-ranae*); and

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

**WHEREAS**, the Town Board has reviewed the Short EAF prepared for this action and has fully considered, analyzed and discussed the areas of concern of said EAF.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Cazenovia hereby determines for purposes of SEQRA that:

1. This project, which anticipates the treatment and potential eradication of the invasive species known as European Frog-bit (*Hydrocharis morsus-ranae*) will require SEQRA review;
2. The proposed action is an unlisted action;
3. The following agencies are involved/interested agencies:
  - a. New York State Department of Environmental Conservation;
  - b. New York State Department of Environmental Conservation, Region 7;
  - c. United States Army Corps of Engineers;
  - d. Madison County Department of Health;
  - e. Village of Cazenovia;
4. The Town of Cazenovia Town Board will assume lead agency status for SEQRA review purposes; and it is further

**RESOLVED**, that the Town Board of the Town of Cazenovia, after careful review of the proposed action and the submitted EAF, hereby determines that the proposed action will 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 for purposes SEQRA; and it is further

**RESOLVED** that the reasons and findings supporting the foregoing Negative Declaration are as follows:

1. The proposed action anticipates eradication of European Frog-bit (*Hydrocharis morsus-ranae*) currently found in Cazenovia Lake through a combination of hired temporary workers and volunteers who will hand-pull the plants;
2. The proposed action will be temporary in nature as it will be accomplished over a multi-week period, depending on weather conditions and timing of plant growth;
3. All volunteers and workers will be specially trained and instructed to appropriately weed the target plant. Such training will include appropriate handling and removal of all harvested plants;

4. There are no anticipated impacts to land, as the action will not involve construction on or physical alteration of the land surface;
5. The proposed action will not result in a modification of, destruction of or inhibit access to any unique or unusual landforms, as no such landforms have been identified;
6. While the proposed action will have some effect on water surface bodies, including the Lake itself, it is anticipated that such actions will provide an overall benefit to the quality of water on Cazenovia Lake. In addition, the hand-pulling method of eradicating the European Frog-bit (*Hydrocharis morsus-ranae*) is determined to be the least impactful to the Lake;
7. The proposed action shall have no impact on groundwater and will not introduce contaminants to groundwater or any aquifers;
8. The proposed action will have no impacts on flooding or on air or air quality;
9. While the proposed action will result in a loss of the targeted plant; however, it is not anticipated that other aquatic flora will be impacted by this action;
10. There are no anticipated impacts on agricultural resources as the action will occur wholly within the confines of Cazenovia Lake;
11. It is anticipated that the proposed action will improve the aesthetic resources of Cazenovia Lake by removing the targeted species of invasive plant;
12. There is no anticipated impact on historic or archeological resources, or open space, as none have been identified or associated with the project area;
13. The proposed action should result in a positive impact to recreation by removing the targeted invasive species;
14. The proposed action should improve the condition and quality of the established critical environmental area found along the edge of Cazenovia Lake;
15. There have been no anticipated impacts to transportation, energy, noise, odor or light, nor have there been any anticipated impacts to human health;
16. The proposed action is consistent with the Town of Cazenovia's Community Plans, as the Lake has been identified as an area for protection and improvement to its water quality;
17. There is no anticipated negative impact to community character from this treatment;
18. The proposed 2023 treatment will represent the sixth such treatment of the Lake for this invasive species and no negative impacts have been identified in the prior activities; and it is further

**RESOLVED** that the Town of Cazenovia hereby authorizes the undertaking of the proposed action for the above-referenced treatment through a combination of hired temporary workers and volunteers who will hand-pull said invasive species; and be it further

**RESOLVED** that the Town Board of the Town of Cazenovia hereby further authorizes the hiring of three (3) part-time employees to undertake such work subject to and consistent with the completed "New Position Duties Statement" pursuant to Civil Service Law Section 22 and further authorizes the Town of Cazenovia to submit the necessary and required paperwork to the Madison County Department of Personnel/Civil Service; and be it further

**RESOLVED** that the Town Board of the Town of Cazenovia hereby authorizes payment to two (2) part-time employees at an hourly rate of Fourteen and 29/100 Dollars (\$ 14.29) and one (1) part-time employee at a hourly rate of Twenty-One and 43/100 Dollars (\$ 21.43) for the project services relating to the eradication of the invasive species European Frog-bit (*Hydrocharis morsus-ranae*).

**Roll call:**

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

**Deputy Race declared Resolution No. 35 adopted.**

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*Deputy Race stated a long time ago representatives from the Town of Cazenovia told the developer the requirements for the base standard and he felt the road was built to exceed these standards.*

**Resolution No. 36 presented by Councilor Reger, seconded by Councilor Johnson**

**ACCEPTING COBBLESTONE DRIVE FOR THE CUNNINGHAM SUBDIVISION**

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

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

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

A Highway and Drainage Construction and Maintenance Agreement dated February 13, 2023; and

Security in proper form and amount as required by said Agreement including a cash deposit for engineering inspection and monuments; and

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

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

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

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

**WHEREAS**, the Developer has requested that the street or highway be named Cobblestone Drive; and

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

**NOW, THEREFORE**, it is

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

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

**RESOLVED**, that the Town Clerk be and hereby is conditionally authorized and directed to file and record in her office the aforementioned “Dedication of Land and Release of Damages” dated June 24, 2022 and executed by **Phillip Cunningham**, the written consent of the Town Board and the order of the Highway Superintendent laying out said streets or highways; and it is further

**RESOLVED**, that the Developer, subject to the above stated approvals of the Town’s attorney related to the acceptance of title to the improvements and satisfactory completion of the work as identified by the Town’s consulting engineer, hereby will be released from further obligation under the Highway and Drainage Construction and Maintenance Agreement dated February 13, 2023, and that any remaining securities be released to the Developer; and it is further

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

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**SCHEDULE “A”  
LAND DESCRIPTION  
(Proposed Road - Cobblestone Drive)**

**ALL** that tract or parcel of land situate in the Towns of Cazenovia and Nelson, being part of Lot 75 & 76 in the Town of Cazenovia and part of Lot 31 in the Town of Nelson, Madison County, State of New York and being more particularly bounded and described as follows: **Beginning** at a point in the westerly highway boundary of Moseley Road, said point being northerly along said highway boundary, a distance of **255.29** feet from the southerly line of a parcel of land heretofore conveyed to Phillip and Tracie Cunningham by deed recorded in the Madison County Clerk’s Office in Book of Deeds 1370 at page 80; thence **S 79° 27' 30" W**, a distance of **121.92** to a point on the easterly line of Farm Lot 75 and the true point of beginning; thence **S 79° 27' 30" W**, a distance of **8.42** feet to a point of curve; thence

southwesterly on a curve to the left, having a radius of **128.00** feet, an arc distance of **42.78** feet to a point of tangency; thence **S 60° 18' 38" W**, a distance of **193.82** feet to a point of curve; thence southerly on a curve to the left, having a radius of **238.65** feet, an arc distance of **99.28** feet to a point of tangency; thence **S 36° 28' 31" W**, a distance of **161.32** feet to a point of curve; thence southwesterly on a curve to the right, having a radius of **325.96** feet, an arc distance of **338.11** feet to a point of curve; thence **S 84° 52' 54" W**, a distance of **372.52** feet to a point of curve; thence westerly on a curve to the right, having a radius of **625.72** feet, an arc distance of **292.00** feet to a point of tangency; thence **N 68° 22' 50" W**, a distance of **64.44** feet to a point of curve; thence westerly on a curve to the left, having a radius of **1063.41** feet, an arc distance of **221.08** feet to a point of tangency; thence **N 80° 17' 32" W**, a distance of **11.41** feet to a point of curve; thence westerly on a curve to the right, having a radius of **990.48** feet, an arc distance of **130.57** feet to a point of tangency; thence **N 72° 44' 21" W**, a distance of **297.61** feet to a point; thence **S 17° 15' 39" W**, a distance of **20.00** feet to a point; thence **N 72° 44' 21" W**, a distance of **44.92** feet to a point in the westerly line of lands heretofore conveyed to Phillip Cunningham by deed recorded in the Madison County Clerk's Office as Instrument Number 2019-4602; thence along said westerly line, **N 18° 31' 49" E**, a distance of **60.28** feet to an angle point therein; thence continuing along said westerly line of lands of Cunningham (2019-4602), **N 17° 57' 18" E**, a distance of **39.72** feet to a point therein; thence **S 72° 44' 21" E**, a distance of **43.22** feet to a point; thence **S 17° 15' 39" W**, a distance of **20.00** feet to a point; thence **S 72° 44' 21" E**, a distance of **297.61** feet to a point of curve; thence easterly on a curve to the left, having a radius of **930.48** feet, an arc distance of **122.76** feet to a point of tangency therein; thence **S 80° 17' 32" E**, a distance of **11.41** feet to a point of curve; thence easterly on a curve to the right, having a radius of **1123.41** feet, an arc distance of **233.55** feet to a point of tangency; thence **S 68° 22' 50" E**, a distance of **67.44** feet to a point of curve; thence easterly on a curve to the left, having a radius of **565.72** feet, an arc distance of **264.00** feet to a point of tangency; thence **N 84° 52' 54" E**, a distance of **372.52** feet to a point of curve; thence northeasterly on a curve to the left, having a radius of **265.96** feet, an arc distance of **224.70** feet to a point of tangency; thence **N 36° 28' 31" E**, a distance of **161.32** feet to a point of curve; thence northeasterly on a curve to the right, having a radius of **298.65** feet, an arc distance of **124.24** feet to a point of tangency; thence **N 60° 18' 38" E**, a distance of **193.82** feet to a point of curve; thence easterly on a curve to the right, having a radius of **188.00** feet, an arc distance of **62.83** feet to a point of tangency; thence **N 79° 27' 30" E**, a distance of **37.35** feet to a point on the easterly line of Lot 75; thence along the easterly line of Lot 75, **S 17° 01' 35" W**, a distance of **66.6** feet to the point of beginning.

**Roll call:**

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

**Deputy Race declared Resolution No. 36 adopted.**

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**Resolution No. 37 presented by Councilor Golub, seconded by Councilor Johnson**

**A RESOLUTION TO HOLD A PUBLIC HEARING  
ON THE SUBJECT OF FAIR HOUSING AND AUTHORIZING  
THE DESIGNATION OF APRIL AS  
“FAIR HOUSING MONTH” IN THE TOWN OF CAZENOVIA**

**WHEREAS**, Fair Housing Month is celebrated each April across the United States in recognition of the Fair Housing Act, which was enacted and subsequently amended to provide protections against discriminatory housing and mortgage lending practices; and

**WHEREAS**, the Town Board wishes to reaffirm and support the right of all persons, regardless of race, color, religion, sex, ancestry, national origin, handicap, familial status, sexual orientation or gender identity to enjoy fair and equal access to housing within the Town; and

**WHEREAS**, the Town Board recognizes that illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all persons within the Town; and

**WHEREAS**, the Town Board recognizes that stable, integrated, and balanced residential patterns are threatened by discriminatory housing practices that result in segregation of residents and opportunities within the Town; and

**WHEREAS**, the Town has shown its own commitment to eliminating housing discrimination and maintaining a diverse, inclusive community through development and enforcement of its own local Fair Housing Law; and

**WHEREAS**, in 2016, the Town Board amended and updated its existing Fair Housing Law protecting the right of fair housing to all residents in the Town.

**WHEREAS**, the Town of Cazenovia is committed to educating the public about the right to fair housing.

**WHEREAS**, the Town Board requests public feedback from the community on how to protect the right to fair and equal access to housing within the Town; and

**NOW, THEREFORE**, it is

**RESOLVED** that the Town of Cazenovia Town Board hereby:

1. will hold a public hearing on the subject of fair housing on April 10, 2023 at 7:30 p.m. at the Cazenovia Town Offices, 7 Albany Street, Cazenovia, New York and that notice of the time and place of such hearing describing in general terms the purpose of such hearing shall be published in accordance with Town Law; and
2. Designates April as “Fair Housing Month” in the Town of Cazenovia; and
3. Reaffirms its commitment to the principles guaranteed in the Federal Fair Housing Act and its own Fair Housing Law, Chapter 86 of the Code of the Town of Cazenovia; and Town Board Meeting Minutes - March 13, 2017-26
4. Reaffirms its commitment to promoting public awareness of the laws and remedies available to combat discriminatory housing practices.

**Roll call:**

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

**Deputy Race declared Resolution No. 37 adopted.**

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**Resolution No. 38 presented by Councilor Reger, seconded by Councilor Johnson**

**APPROVE USE OF GYPSY BAY PARK FOR THE 4<sup>TH</sup> OF JULY FIREWORKS**

To approve the use of Gypsy Bay Park on the evening of the 4<sup>th</sup> day of July, 2023 (rain date – July 5, 2023) by the Cazenovia Lions Club/Majestic Fireworks, for the display of fireworks.

This approval is contingent upon the following conditions:

- a. The Cazenovia Village Police and NYS Police must be notified, in writing, regarding traffic control well in advance of the event;
- b. Majestic Fireworks shall provide to the Town of Cazenovia proof of general liability insurance, naming the Town of Cazenovia as an “Additional Insured” and such proof shall be filed with the Town Clerk prior to the fireworks display. Said insurance must be in a minimum combined limit of One Million Dollars (\$1,000,000) per occurrence with a \$2,000,000.00 (Two Million Dollar) aggregate General Liability and/or Umbrella policy for each occurrence/aggregate;
- c. The Cazenovia Lions Club shall demonstrate that is has made arrangements with the Cazenovia Volunteer Fire Department to be on-site during the fireworks display;
- d. The Cazenovia Lions Club shall make arrangements with CAVAC to be on-site during the fireworks display;
- e. The Cazenovia Lions Club and Majestic Fireworks, at all times, shall remain in compliance with the written requirements of the “Gypsy Bay Park Checklist,” (hereinafter referred to as the “GBP Checklist”) previously adopted by the Town of Cazenovia, which requirements are more fully set forth in said checklist with the following exceptions:
  - Item #7 on the “GBP Checklist” is not required.
  - Item #8 on the “GBP Checklist” is extended to the day after the fireworks display.

**Roll call:**

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

**Deputy Race declared Resolution No. 38 adopted.**

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**Resolution No. 39 presented by Councilor Johnson, seconded by Councilor Golub**

**AUTHORIZE THE DEPUTY TOWN SUPERVISOR TO EXECUTE THE "PARK USE, GENERAL RELEASE AND INDEMNIFICATION AGREEMENT" BETWEEN THE CAZENOVIA LIONS CLUB AND THE TOWN OF CAZENOVIA FOR THE 4TH OF JULY FIREWORKS DISPLAY AT GYPSY BAY PARK**

The Town of Cazenovia Town Board hereby authorizes the Deputy Town Supervisor to execute the "Park Use, General Release and Indemnification Agreement" with *the Cazenovia Lions Club* in relation to the Fourth of July Fireworks Display at Gypsy Bay Park. A copy of said Agreement is on file in the Office of the Town Clerk.

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

**Deputy Race declared Resolution No. 39 adopted.**

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**Resolution No. 40 presented by Councilor Reger, seconded by Councilor Golub**

**AUTHORIZE THE DEPUTY TOWN SUPERVISOR TO EXECUTE THE "PARK USE, GENERAL RELEASE AND INDEMNIFICATION AGREEMENT" BETWEEN MAJESTIC FIREWORKS, INC. AND THE TOWN OF CAZENOVIA FOR THE 4TH OF JULY FIREWORKS DISPLAY AT GYPSY BAY PARK**

The Town of Cazenovia Town Board hereby authorizes the Deputy Town Supervisor to execute the "Park Use, General Release and Indemnification Agreement" with *Majestic Fireworks, Inc.* in relation to the Fourth of July Fireworks Display at Gypsy Bay Park. A copy of said Agreement is on file in the Office of the Town Clerk.

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

**Deputy Race declared Resolution No. 40 adopted.**

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**Resolution No. 41 presented by Councilor Johnson, seconded by Councilor Golub to approve the following 2023 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 into Tax Collector CE to accommodate new tax software unanticipated in original budget.  
To: A 1330.4.000 Tax Collector CE \$4,000.00  
From: A 1990.4.000 Contingency CE (4,000.00)

**General Fund B**

To transfer budget into Safety Inspection PS to cover salary paid to Code Enforcement Officer retired January 31, 2023 not anticipated in original budget.  
To: B 3620.1.000 Safety Inspection PS \$1,024.00  
From: B 1990.4.000 Contingency Account (1,024.00)

**Highway Fund DB**

Transfer budget into Unemployment Insurance for claim not anticipated in original budget.  
To: DB 9050.8.000 Unemployment Insurance \$890.00  
From: DB 5110.1.000 General Repairs PS (890.00)

**Roll call:**

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

**Deputy Race declared Resolution No. 41 adopted.**

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**Attorney's Report:**

*John Langey, Esq. reported Abundant Solar is moving forward with the project at the highway garage site. He spoke with the gentleman from the DEC and they are ready to go out to the solid waste site at any time. The cell tower regulations were discussed last week at a meeting with Councilors Reger and Johnson. His assistant will share the red-lined changes to the law. He talked to Supervisor Zupan about the American Legion building in New Woodstock. There was some interest in purchasing that property from the Town. There is a real estate agent who is looking at its value.*

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**Councilor Race** (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported there is a fairly large snowstorm expected for later this evening through tomorrow. The crew is gearing up for that snow event. He said after the meeting is over, there will be a conversation about some personnel situations. Lastly, the weed harvester, by way of resolution, was secured this evening.*

**Councilor Golub** {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage), Anti-Racism Coalition}: *Reported he attended the U-CAN Summit, the highlight was Barry Carr, who has been doing electric vehicles for 30 years and is a tremendous wealth of knowledge. He felt Mr. Carr would be a great resource should the town have to put in electric chargers, at some point. They also talked about geothermal and agrivoltaics, growing crops under solar panels. The CLA does a community outreach for anyone with concerns about the lake. The event will be held at 1590 Peth Road, Manlius, on April 23<sup>rd</sup>. On another note, he mentioned that over a year ago, he had a meeting with the CLA President, Dave Miller, John Dunkle, Engineer for the Town, and a DOT Representative for a plan to do check dams, stones and plantings at the corner of Routes 92 & 20. He said he contacted the DOT representative and reminded him about this project, who was aware this still needed to be done and thought it would happen in late spring. He mentioned Trouts Unlimited is interested in the possibility of funding the removal of the dam and stream restoration.*

**Councilor Reger** (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): *Reported the Zoning Board of Appeals and Planning Board were active this month. He thanked John Langey for taking the time to meet with him and Councilor Johnson about the cell tower regulations. He said in a week or so he will have a meeting with someone in the cell business to get a different perspective. The Town of Cazenovia Comprehensive Plan continues to make good progress. The next meeting is this coming Wednesday. They have been engaging with the community advisory group for the College and Village. There are some mutual studies that each group needs to do, so they are looking at certain things collectively. In closing, CazCares continues to do a great job and there has been an uptick in numbers due to the ending of SNAP benefits in February.*

**Councilor Johnson** {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: *Reported CACDA has been a part of the grants that have been reported on in the Cazenovia Republican over the past couple of weeks. She commented on what an asset CACDA and Lauren Lines is to the community. She talked about some of the Cazenovia College assets, such as Reisman Hall and the Jephson Campus. She said conversations are occurring which is forward thinking, but a lot is speculation at this point. She went to a CRIS meeting which was more of a visioning session to discuss how to gain exposure to the residents and evolve as an organization. She has been working on the Summer Youth Recreation Program. The Gothic Cottage Committee will have another meeting on March 26<sup>th</sup>.*

*The Board had a brief discussion regarding grants for the Gothic Cottage. They recognized some grants will be restrictive on what can be done with the building in the future.*

*Councilor Johnson wanted to bring exposure to the RecDesk software application. She feels it is an underutilized tool and suggested Kate Hill of the Cazenovia Republican run an article to bring attention to this resource.*

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

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

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**The Town Clerk presented the monthly bills list.**

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

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

**Motion by Councilor Reger, seconded by Councilor Golub to approve payment of the bills. The motion was unanimously approved.**

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**At 8:08 p.m., motion by Deputy Race, seconded by Councilor Johnson to go into Executive Session for discussing the potential employment of a particular person.**

**The Board invited the following individuals into the Session:**

- **John R. Langey, Attorney for the Town**
- **Bryan R. Smith, Highway Superintendent**
- **Connie J. Sunderman, Town Clerk**

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**At 8:33 p.m., motion by Councilor Golub, seconded by Councilor Reger to adjourn the Executive Session.**

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

**At 8:33 p.m., Deputy Race declared this meeting adjourned.**

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