

**TOWN BOARD
REGULAR MEETING**

MONDAY

August 12, 2024

Supervisor Reger opened the meeting at 7:30 p.m. with four Councilors present. At 7:32 p.m., Councilor Johnson arrived.

Pledge of Allegiance.

Correspondence: *There was no unshared correspondence.*

Supervisor Reger reflected on an important event in the history of Cazenovia that occurred in August of 1850 in which a fugitive slave convention was held in Cazenovia. The gathering started near the college theater but the number of attendees grew to such a large group it moved to an apple orchard on Sullivan Street. He said Frederick Douglass and Garrett Smith, well-known abolitionists, were in attendance. On August 18th 3:00 p.m. – 5:00 p.m., there will be an event to commemorate this historical event.

Councilor Golub said it is the second year the Anti-racism Coalition has recognized this important day in history and they hope to grow this event each year. He informed everyone the ceremony will start at the actual site on Sullivan Street and migrate to the Presbyterian Church.

Councilor Johnson mentioned the impact of this event, which happened right here in our own community and said there is a daguerreotype from this event at the Liberty Bell in Philadelphia.

Motion by Councilor Fallon, seconded by Councilor Golub to accept the minutes from the July 8, 2024 regular meeting.

Roll call:	
Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Abstain
Councilor Fallon	Yes
Supervisor Reger	Yes

Motion by Councilor Johnson, seconded by Councilor Race to accept the minutes from the July 11, 2024 special meeting.

Roll call:	
Councilor Race	Yes
Councilor Golub	Abstain
Councilor Johnson	Yes
Councilor Fallon	Abstain
Supervisor Reger	Yes

Motion by Councilor Golub, seconded by Councilor Johnson to accept the minutes from the July 12, 2024 special meeting. The motion was unanimously approved.

Supervisor Reger 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.*

Supervisor Reger said the Town of Cazenovia adopts this local law annually to give the Town the ability to exceed the tax cap formula that is designated by the State Comptroller’s Office. He mentioned he has been working with the bookkeeper and 3.04% is the allowable limit for the 2025 budget. He said if it is deemed necessary to exceed the allowable limit, this local law will allow the Town to do so. And, if it is determined it is not needed, it will be rescinded later in the year.

Resolution No. 105 presented by Councilor Race, seconded by Councilor Fallon

**TOWN OF CAZENOVIA LOCAL LAW C OF 2024
 (“A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-C in the Town of Cazenovia”)**

Introduced proposed Local Law No. C-2024, relating to the ability of the Town of Cazenovia to override the limit on the amount of real property taxes that may be levied by the Town of Cazenovia pursuant to General Municipal Law §3-c, and to allow the Town of Cazenovia to adopt a Town budget for the fiscal year 2025 in excess of the “tax levy limit,” and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

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

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

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

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

NOW, THEREFORE, RESOLVED AND DETERMINED the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. C-2024 at the Cazenovia Town Offices located at 7 Albany Street in the Town of Cazenovia on September 9, 2024 at 7:30 p.m., or as soon thereafter as the matter can be heard at which time all persons interested in the subject shall be heard.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 105 adopted.

Supervisor Reger stated this local law will give property owners with disabilities an easier way to attain a tax exemption.

John Langey, Esq said this is an income-based exemption and will allow folks to participate at a higher level.

Resolution No. 106 presented by Councilor Golub, seconded by Councilor Johnson

LOCAL LAW NO. D OF 2024
(“A Local Law to Amend Chapter 150 (Taxation) of the Code of the Town of Cazenovia to Add Article IV (Disability Exemption) Providing for a Tax Exemption for Persons with Disabilities Pursuant to Real Property Tax Law §459-c”)

Introduced proposed Local Law No. D-2024, titled “A Local Law to Amend Chapter 150 (Taxation) of the Code of the Town of Cazenovia to Add Article IV (Disability Exemption) Providing for a Tax Exemption for Persons with Disabilities Pursuant to Real Property Tax Law §459-c.”:

WHEREAS, proposed Local Law No. D-2024 has been introduced and will be considered for enactment pursuant to Real Property Tax Law §459-c, as well as the provisions of the New York State Municipal Home Rule Law and New York State Town Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether the action is subject to the aforementioned law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether the action is subject to the aforementioned law; and

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

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

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

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

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

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. D-2024 is an Unlisted Action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

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

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. D-2024 at the Town Hall located at 7 Albany Street, Cazenovia, New York on September 9, 2024 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 106 adopted.

Resolution No. 107 presented by Councilor Race, seconded by Councilor Fallon

**IN THE MATTER OF THE APPLICATION
FOR AN EXTENSION OF THE TOWN OF CAZENOVIA
CONSOLIDATED SEWER DISTRICT (EXTENSION NO. 4)
ENCOMPASSING LANDS IN THE TOWN OF CAZENOVIA,
COUNTY OF MADISON AND STATE OF NEW YORK.
(Ten Eyck Avenue Sewer Line Extension)**

WHEREAS, the Town Board of the Town of Cazenovia (the “Town Board” and the “Town”, respectively), in the County of Madison, State of New York, has received a Petition, dated August 5, 2024, pursuant to Article 12 of the Town Law, for an extension to the Town of Cazenovia Consolidated Sewer District (to be known as the “Consolidated Sewer District Extension No. 4 -- Ten Eyck Avenue Sewer Line Extension”) encompassing lands in the Town of Cazenovia, County of Madison and State of New York, in an area generally known as Tax Map Nos. 94.28-2-3 (2128 Ten Eyck Avenue), 85.84-1-12 (2129 Ten Eyck Avenue), 94.28-2-4 (2138 Ten Eyck Avenue), 86.3-1-3 (2139 Ten Eyck Avenue) and 86.3-1-4 (2151 Ten Eyck Avenue), within the Town of Cazenovia, New York, exclusive of the Village of Cazenovia, which Petition is signed by the owners of taxable real property situate in the proposed Consolidated Sewer District Extension, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed Consolidated Sewer District Extension, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed Consolidated Sewer District Extension, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, said Petition purported to describe the boundaries of the proposed Consolidated Sewer District Extension in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the Petitioners and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the proposed Consolidated Sewer District Extension is bounded and described in the attached Schedule “A”; and

WHEREAS, following preparation of a Map, Plan and Report, prepared by Wayne C. Matteson, Jr., P.E., a competent engineer duly licensed by the State of New York, dated July 24, 2024, as last revised, for the proposed extension of said Consolidated Sewer District, which Consolidated Sewer District Extension will include an approximately 350’ of additional sewer main along Ten Eyck Avenue to be connected to and tied into the Town’s existing sewer main currently on located along the north side of Ten Eyck Avenue, downgradient of the Tax Map Parcels noted herein, as a connection to the existing consolidated sanitary sewer systems therein (all at Petitioners’ sole cost and expense); and

WHEREAS, the proposed District extension will include only the parcel owned by the Petitioners and the Petitioners shall be required to: 1) obtain the approval of the Town of Cazenovia for connection to the Town’s sewer system and treatment at the Town’s Water Pollution Control Facility prior to undertaking any work; and 2) to install, at Petitioners’ own

cost and expense, an approved water meter connected to the on-premise water service (which meter shall be read and reported to the Town as applicable). There will be no new construction financed by the Town of Cazenovia. Said Map, Plan and Report are now on file in the Office of the Town Clerk; and

WHEREAS, no other agency (including any Federal agency) is involved within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to this matter, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the extension of a special district is an unlisted action for purposes of environmental review under SEQR; and

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

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

WHEREAS, the Town Board has considered the proposed extension of the Consolidated Sewer District, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.11 and has compared the impacts which may be reasonably expected to result from said action against said criteria.

IT IS HEREBY RESOLVED AND DETERMINED, that extension of the said Consolidated Sewer District and construction of improvements therein will have no significant adverse effects on the environment, and this Resolution shall constitute a negative declaration under SEQR for the following reasons:

The improvements shall consist of the below ground connection to existing sanitary sewer facilities to provide sanitary sewer service for the proposed parcels. Such installation will result in no substantial adverse changes in existing air quality, water quality or noise levels, and no substantial increase in solid waste production and no substantial increase in the potential for erosion, flooding or drainage problems. There will be minor and temporary removal and destruction of vegetation during installation of the facilities. No substantial interference with or adverse effects on animal life is anticipated. None of the other criteria listed in 6 N.Y.C.R.R. Part 617.11 have been identified as being relevant to this action. The Petitioners will be required to obtain the approval of the Town of Cazenovia Consolidated Sewer District and the Town of Cazenovia Water Pollution Control Facility, as necessary.

NOW THEREFORE, BE IT ORDERED, that a hearing of the Town Board of said Town of Cazenovia shall be held at the Town Office located at 7 Albany Street in said Town, on the 9th day of September, 2024, at 7:30 p.m., or as soon thereafter as the matter can be heard, to consider said Petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said Petition as may be required by law or proper in the premises; and it is further

ORDERED, that certified copies of this Order shall be duly published and posted as required by law.

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 107 adopted.

SCHEDULE “A”

EXTENSION OF THE TOWN OF CAZENOVIA
 CONSOLIDATED SEWER DISTRICT (EXTENSION No. 4)
TEN EYCK AVENUE SEWER LINE EXTENSION
 TEN EYCK AVENUE

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CAZENOVIA, COUNTY OF MADISON AND STATE OF NEW YORK BEING DESCRIBED AS FOLLOWS:

Beginning at a point on the centerline of Ten Eyck Avenue, said point located at the intersection of the centerline of Ten Eyck Avenue with the southerly extension of the westerly boundary of Gregory D. Clarke and Lynn S. Clarke (Now or Formerly - Instr. #2023-2420), said point being further described as being easterly 344.2 feet as measured along the centerline of Ten Eyck Avenue from a point located at the intersection of the centerline of Ten Eyck Avenue with the centerline of Ridge Road; thence N01°03'26”W 294.65 feet along the westerly boundary of Clarke and the southerly extension thereof to a point located on the northerly boundary of Clarke; thence N89°25'13”E 462.46 feet along the northerly boundary of Clarke, along the northerly boundary of Tracy A. McKinnon (Now or Formerly - Liber 1380/Page 87) and along the northerly boundary of Chad C. Puffer (Now or Formerly - Instr. #2014-027) to a point located on the easterly boundary of Puffer; thence S00°21'57”W 302.51 feet along the easterly boundary of Puffer and the southerly extension thereof to a point located on the centerline of Ten Eyck Avenue; thence N89°35'40”W 73.37 feet along the centerline of Ten Eyck Avenue to a point located on the easterly boundary of Andrew Swatkovsky and Pamela Watt Blom (Now or Formerly - Liber 1395/ Page 67); thence S00°09'53”E 301.82 feet along the easterly boundary of Swatkovsky and Blom to a point located on the southerly boundary of Swatkovsky and Blom; thence S89°54'47”W 226.22 feet along the southerly boundary of Swatkovsky and Blom to a point located on the easterly boundary of Sean P. O’Malley and Mary O’Malley (Now or Formerly - Instr. #2011-3309); thence S00°16'49”E 69.55 feet along the easterly boundary of O’Malley to a point located on the southerly boundary of O’Malley; thence S88°56'12”W 231.00 feet along the southerly boundary of O’Malley to a point located on the westerly boundary of O’Malley; thence N00°36'40”W 379.28 feet along the westerly boundary of O’Malley and the northerly extension thereof to a point located on the centerline of Ten Eyck Avenue; thence S89°35'40”E 78.32 feet along the centerline of Ten Eyck Avenue to the point and place of beginning.

The above-described premises containing 6.724± acres of land more or less.

Subject to any easements, covenants or restrictions of record.

Resolution No. 108 presented by Councilor Race, seconded by Councilor Johnson

AWARDING BID TO FRIENDLY FORD OF HAMILTON

Successful Bidder

(Procurement of Four (4) New 2024 Three-Quarter Ton Pickup Trucks with Plows)

WHEREAS, the Town of Cazenovia Highway Department advised it has analyzed its need for and the use of equipment for highway purposes; and

WHEREAS, the Town of Cazenovia Highway Department has advised it desires to replace three (3) three-quarter ton pickup trucks; and

WHEREAS, the Highway Superintendent has further advised he has offered to assist the Water Pollution Control Facility with the replacement of their existing pick-up truck; and

WHEREAS, funds have been budgeted for such equipment replacements for the Highway Department and Water Pollution Control Facility; and

WHEREAS, the Town of Cazenovia Town Board, after due deliberation, has determined that the replacement of such equipment would be in the best interest of the Town; and

WHEREAS, the Highway Superintendent has ascertained that such equipment is available through the public bidding process; and

WHEREAS, on July 11, 2024, the Town Board of the Town of Cazenovia authorized the solicitation of bids pursuant to General Municipal Law §103 and as authorized through the Town of Cazenovia’s Procurement policy Paragraph 7 (as adopted by the Town Board on January 13, 2014) for the procurement of four (4) new 2024 three-quarter ton trucks with crew cabs, 4x4, power equipment group, trailer tow package and 8.5’ stainless steel V-plow for use by the Town of Cazenovia Highway Department and Water Pollution Control Facility; and

WHEREAS, one (1) bid package was duly received by the Town of Cazenovia in response to the bid solicitation authorized under the July 11, 2024 Resolution; and

WHEREAS, said bids were opened on August 7, 2024 at 12:01 p.m. at the Cazenovia Town Hall, 7 Albany Street, Cazenovia, New York; and

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

WHEREAS, the bid solicitation authorized by the Town Board on July 11, 2024 utilized the ability to consider “best value” as authorized under Town of Cazenovia Local Law 1 of 2014; and

WHEREAS, the bid responses have been reviewed carefully by the Town Board; and

WHEREAS, the proposed procurement of the 2024 three-quarter ton pickup trucks have been determined to be a Type II action pursuant to SEQR.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cazenovia Town Board hereby awards the successful bid for four (4) new 2024 three-quarter ton trucks with crew cabs, 4x4, power equipment group, trailer tow package and 8.5’ stainless steel V-plow to Friendly Ford of Hamilton at a bid price of Fifty-Eight Thousand Three Hundred Twenty-Three and 32/100 Dollars (\$58,323.32) per truck, subject to entering into a purchase contract for said equipment and securing of financing (including cash) relative to same; and it is further

RESOLVED, that the equipment shall be delivered as soon as available; 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:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 108 adopted.

Resolution No. 109 presented by Councilor Race, seconded by Councilor Golub

**AUTHORIZE SYSTEM UPGRADES TO THE
NEW WOODSTOCK WATER DISTRICT**

WHEREAS, the New Woodstock Water District has two tanks that serve the users of the District which consist of a 100,000-gallon welded steel tank and an 88,000-gallon glass-lined steel tank; and

WHEREAS, routinely, these water storage tanks require an inspection; and

WHEREAS, Atlantic Underwater Services, Inc. completed an inspection on said tanks in May of this year; and

WHEREAS, Atlantic Underwater Services, Inc. prepared a report based on the inspection which is on file in the Town Clerk’s Office; and

WHEREAS, the Water Treatment Plant Operator created a list of work to be done based on the findings in said report; and

WHEREAS, additionally, the Operator prepared a list of upgrades for the pump house that include a flow meter, chemical feed pump and several other improvements; and

WHEREAS, the various quotes equal Twenty-Two Thousand Five Hundred Twenty and 52/100 Dollars (\$ 22,520.52).

NOW, THEREFORE, BE IT RESOLVED, the Town of Cazenovia Town Board authorizes the improvements to the New Woodstock Water District as submitted in the work plan and quotes for a total amount of Twenty-Two Thousand Five Hundred Twenty and 52/100 Dollars (\$ 22,520.52).

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 109 adopted.

Resolution No. 110 presented by Councilor Race, seconded by Councilor Fallon

AUTHORIZE CHANGE ORDER No. 1 REGARDING THE PAINTING OF THE GAZEBO AT NEW WOODSTOCK HERITAGE PARK BY BARNES & REES PAINTING CONTRACTORS

WHEREAS, the Town Board authorized the services of Barnes & Rees Painting contractors for the painting of the New Woodstock Heritage Park gazebo at their July 8, 2024 regular meeting; and

WHEREAS, the quote for said project was in the amount of Two Thousand Four Hundred and 00/100 Dollars (\$ 2,400.00); and

WHEREAS, the quote specifically excluded the beadboard ceiling inside the structure; and

WHEREAS, the Town Board wishes to address and complete the painting of the ceiling inside the gazebo; and

WHEREAS, the Town Board received an additional quote for Twelve Hundred and 00/100 Dollars (\$ 1,200.00) to complete this task.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED the Town Board authorizes Change Order No. 1 to include the priming and painting of the beadboard ceiling for an additional fee of Twelve Hundred and 00/100 Dollars (\$ 1,200.00).

Roll call:

Councilor Race	Yes
Councilor Golub	Yes
Councilor Johnson	Yes
Councilor Fallon	Yes
Supervisor Reger	Yes

Supervisor Reger declared Resolution No. 110 adopted.

Supervisor Reger said this is the Letter of Support that the Board was polled about in late July.

Resolution No. 111 presented by Councilor Johnson, seconded by Councilor Race

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE A LETTER OF SUPPORT

The Town Board of the Town of Cazenovia authorizes the Town Supervisor to execute the following Letter of Support to the New York State Forest Conservation Easements for Land Trusts Grant Program for the Cazenovia Preservation Foundation’s grant application to protect and conserve 467 acres of forested land.

July 29, 2024

NYS FCELT Grants Review Committee
112 Spring Street, Suite 204
Saratoga Springs, NY 12866

Dear NYS FCELT Grants Review Committee:

I would like to express my support for the Cazenovia Preservation Foundation's application for a grant through the New York State Forest Conservation Easements for Land Trusts Grant Program (FCELT) to support their work to conserve 467 acres of primarily forested land owned by CHC Conservation, LLC through the purchase of a perpetual conservation easement. The majority of the project area, five of the seven parcels, are located within the Town of Cazenovia, with the remaining two parcels being located in the adjacent towns of Nelson and DeRuyter.

Conservation of this area, which is adjacent to other protected forestlands, is consistent with local, regional and statewide goals for creating a resilient and connected network of open space and habitat.

Conservation of our important local forestlands and open spaces is increasingly important as we see growing development pressure in our area. These pressures are driven by an increased need for housing and by renewable energy development, including several utility-scale projects that are in review or proposed for our area. There will be additional regional implications for development related to the Micron chip manufacturing facility that are not yet fully understood. The facility is to be located in Clay, NY, approximately thirty miles from Cazenovia, and construction is slated to begin in 2025.

CPF has made many contributions to the community over the last 57 years through its work to protect the historic, agricultural and natural resources in and around Cazenovia. In the last decade, CPF has more than tripled the amount of protected property in its portfolio and the organization is poised to double its conservation portfolio again over the next five years.

I am pleased to offer my support and endorsement of CPF's grant request as I believe that this project will provide long-term benefits to our community and to advancing our mutual conservation goals.

Thank you for your consideration.

Sincerely,

Kyle M. Reger,
Town Supervisor

cc: Town of Cazenovia Town Board

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

Supervisor Reger declared Resolution No. 111 adopted.

Resolution No. 112 presented by Councilor Race, seconded by Councilor Fallon to approve the following 2024 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 A

Received \$178,882.93 from Cazenovia Lake Association July 17, 2024 to reimburse Town of Cazenovia for Cazenovia Lake ProcellaCOR EC Application, Pre and Post Treatment Analysis and Year End Reporting.

To appropriate this unanticipated revenue, we increase budget for **both** the revenue and the expenditure.

To: A 2705.000 Gifts & Donations (revenue account)	\$178,882.93
To: A 8740.4.000 Watershed Protection CE (expenditure account)	178,882.93

Received \$54,120.00 March 26, 2024 for sale of NW Legion Hall. To appropriate this unanticipated revenue, we increase budget for **both** the revenue and the expenditure.

To create budget for Interfund Transfer to SW4 Joint Route 20 Water District for debt service reimbursement to Town of Nelson for prior years. To be repaid by SW4 Joint Route 20 Water District using 2025 budget.

To: A 2660.000 Sale of Real Property	\$1,925.00
To: A 9901.4.000 Interfund Transfer CE	1,925.00

To increase Unallocated Insurance to accommodate actual insurance costs, relative to moving to NBT Insurance.

To: A 1910.4.000 Unallocated Insurance CE	\$1,845.00
From: A 1990.4.000 Contingency	(1,845.00)

To increase Dog Control CE for legal fees not anticipated in original budget.

To: A 3510.4.000 Dog Control CE	\$2,000.00
From: A 1990.4.000 Contingency	(2,000.00)

To increase Parks EQ for mowing equipment, purchase not anticipated in original budget.
 To: A 7110.2.000 Parks EQ \$6,100.00
 From: A 1990.4.000 Contingency (6,100.00)

To increase Watershed Protection EQ for parts for boat washing station from CD3, not anticipated in 2024 budget.
 To: A 8740.2.000 Watershed Protection EQ \$30.00
 From: A 1990.4.000 Contingency (30.00)

General Fund B

To increase Zoning Officer PS to accommodate Town Board Resolution # 62 – 2024 adopted April 8, 2024 as regards Zoning/Codes Enforcement Officer Duties and Compensation increase.
 To: B 8010.1.023 Zoning Officer PS \$21,450.00
 From: B 1990.4.000 Contingency (21,450.00)

Joint Route 20 Water District SW4

To move existing 2024 budget to new debt service accounts to be used as per Office of the State Comptroller during Annual Financial Reporting of 2023.
 To: SW4 9789.6.000 Long Term Debt, Other Gov'ts Principal \$9,572.00
 From: SW4 9797.6.000 Debt Principal, Other Gov'ts (9,572.00)
 To: SW4 9789.7.000 Long Term Debt, Other Gov'ts Interest 6,803.00
 From: SW4 9797.7.000 Debt Interest, Other Gov'ts (6,803.00)

To appropriate Fund Balance we must make a calculation that Fund Balance is available in SW4 Joint Route 20 Water District by running the following calculation to prove that Fund Balance is available:

Present Year Budget:

SW4 510 Estimated Revenues \$20,644.00
 Plus A 599 Appropriated Fund Balance 000000.00
 Actual Subtotal \$20,644.00

Present Year Actual:

A 980 Actual Revenues to Date \$20,644.00
 Plus Other Revenues Expected by year end (Interfund Transfer from A) 1,925.00
 Plus A 909 Fund Balance at beginning of year 8,084.45
 Actual Subtotal \$30,653.45

Actual Subtotal less Budgeted Subtotal = Amount Available \$10,009.45

To appropriate budget for debt service reimbursement to Town of Nelson.
 To: SW4 9789.6.000 Long Term Debt, Other Gov'ts Principal \$9,175.00
 From: SW4 8350.4.000 Common Water Supply CE (700.00)
 From: SW4 599 Appropriated Fund Balance (8,475.00)
 To: SW4 9789.7.000 Long Term Debt, Other Gov'ts Interest 1,531.00
 From: SW4 599 Appropriated Fund Balance (1,531.00)

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

Supervisor Reger declared Resolution No. 112 adopted.

Attorney's Report: *John Langey, Esq. said the wind energy committee continues to meet. He also has been involved in some justice court matters. He said the Planning and Zoning Board meetings continue to be busy, but have been a little lighter as of late.*

Councilor Race (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported our area has dodged the recent severe storms with minimal damage. He said construction at Mt. Pleasant for the additional water supply is coming along nicely and wanted to thank the highway crew who have been working on the upgrades. The new pickups will be ordered, harvesting is ongoing and all the paving, except for Ridge Road is complete. The crew will now commence the maintenance part of the road program.*

Councilor Golub (Cazenovia Lake Association, Cazenovia Lake Watershed Council, Renewable Energy, UCAN, Future of the Town Office, Anti-racism Coalition): *Reported Councilor Fallon accompanied him to a site visit of a large-scale wind project because they wanted to see first-hand a 700' tall windmill. They met with the Supervisor of the Town of Sanford which includes the Village of Deposit. They talked to the Supervisor about many different aspects including: ramifications for the Town, resistance, navigating the process and how their experience has been since the completion of the project. There are 27 total windmills, 25 are located in the Town of Sanford and two are in a neighboring township. He explained it is a hilly area so you don't see all the turbines at once. From his perspective, as he approached the site from the highway, he was "quite shocked." However, he grew accustomed to them as he was at the site for a period of time.*

Councilor Fallon felt they ruin the beautiful view, which is one of our greatest assets. She said it is not the only consideration, but that is her opinion. The Sanford Supervisor informed them this project took place before the State's creation of the 94-c Law. The company was very helpful and cooperative with the Town which now might not be the case.

John Langey, Esq. commented that you can interact with ORES (Office of Renewable Energy Siting) and send position letters and hire experts. However, over time, the Governor has set-up this mandate and often times ORES will determine the concerns by the towns are not as strong as the goals set by the Governor to reach the target. He said he has seen these rulings for both solar and wind.

Councilor Golub said the Town Supervisor said when the project was under review it was quite controversial. The Town got \$ 460,000 a year in payments and a PILOT that was around \$ 200,000.00.

Councilor Golub said if you are concerned about agriculture, a windmill is a better choice. If one is concerned about a view, a solar project is a better option. He said one windmill takes about 5 acres and can generate 5 megawatts per turbine.

Councilor Golub said the CLA is concerned about the wetland designation from New York State. He mentioned the Governor has said an additional million acres of wetland has to be designated as such in the State.

The concern is our Lake could be designated as a wetland. There was a meeting with DEC officials and they could not assure attendees that it would not be designated because they did not know for sure. There is a strong concern about this designation because it would affect lake treatment and harvesting. He strongly encouraged community members to write a letter to the DEC before the determination is made.

Supervisor Reger said there could be impacts if this designation is made and could go from 20’ to 100’ on the shore line.

Lastly, he said the ARC is putting on a commemoration for the 1850 Fugitive Slave Convention.

Councilor Johnson (CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Renewable Energy & Future of the Town Office): *Reported last week a significant grant was received to study the recreational needs in Cazenovia. She said there will be a study to identify what is currently being offered, what could be offered and where there are gaps. She said it will help the Town look at what can be done to boost recreation intergenerationally. In terms of the Joint Youth Recreation Program, she said it ended last Friday. There were 273 registrations for the entire season including some attendees from the Morrisville-Eaton School District. She said they started the season with enough lifeguards and ended the season strong. She indicated the costs are coming in a little lower than anticipated, but until there are actual payroll costs from the Village they won’t know for sure. She thanked Kristin Brink, Director, of the Joint Youth Recreation Program and said she puts together a conservative budget and does a lot of planning. Additionally, she does a good job communicating with the Health Dept. in regards to regulations, especially involving the swimming area.*

Councilor Fallon (Planning & Zoning, CACC, Shared Services & New York State Police): *Reported the Planning and Zoning Board of Appeals have been quite busy. She said Councilor Golub and she went on a boat ride with Planning Board Chair Ridler and Zoning Board of Appeals Chair Pratt, along with Planning Board Member, Dale Bowers. She said the purpose was to get a better understanding of what is being proposed in regards to setbacks for smaller lakefront lots. On another note, she said she has been meeting with the wind committee every two weeks. Additionally, she said she will be looking at the short-term rental law and another law to potentially redefine the definition of a farm.*

Supervisor's Report: *Thanked each Councilor for their time and appreciated their efforts. He said the insurance for the Town was switched to NYMIR recently. He thanked Clerk Sunderman for all of her time filling out the forms. He said he has been working on some of the local laws and was enthusiastic about the firefighter’s exemption law. He worked with CAVAC, Cazenovia Fire Dept., and the Assessor to put some numbers together and then worked with the Treasurer and Real Property Tax Director at the County. Once through the initial process, the proposed law moved to the Finance Ways and Means Committee and was introduced into law last month and will be voted on after the public hearing tomorrow. He said this will essentially be the same type of exemption of 10% that was passed by the Town Board last December. If this does pass, individuals that qualify will be able to participate on this for their County tax. He said there was a lot of research and time and thanked those that participated for their time and efforts. On another note, he said there was a meeting with EDR on the Comprehensive Plan. There will*

be a meeting with the Village and the intention is to present to the Town Board, as early as next month. In jest, he said it was a quick 2 ½ years. He said with all the storms as of late, he thanked Councilor Race and Highway Superintendent Smith and their team who aided Canastota with clean up efforts from the tornado. He said the Supervisor’s Office Hours in New Woodstock were well-attended and Councilor Johnson joined him. He said there was a walking tour through New Woodstock after the session. He invited the Councilors when their time permits to join him for these sessions. He said his hours for August will be on the 25th at the Town Office from 11:30 a.m.-2:30 p.m.

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

Public comment #2:

Mark Braiman of 4775 East Lake Road said he owns his property, but has a separate tax parcel which includes some lakefront. He said the redefinition of the wetlands is of great concern to him. The 100’ setback would constitute taking that entire tax parcel, depending on how restrictive the use would become. He said he received no notice of this change from the State in terms of his property rights. The Town Clerk told him the Town Board intends to send a response to the State. He hopes the response includes a comment regarding the inaccurate notice to property owners of the potential loss of property rights. He believes the State has an obligation to inform the people whose rights might be threatened by this proposed change.

He additionally wondered if this was part of the State environmental review period.

John Langey thought they were offering opportunities for comments which will be taken as a whole, which would necessarily include the process for environmental review. He responded to a follow-up question from Mr. Braiman and said typically the DEC does not send postcards and letters and notifications to individual homeowners, but posts the information to the Environmental Bulletin which is a clearing house that has a lot of publications. He said it probably has been put in newspapers, also.

Councilor Golub told Mr. Braiman he was not the only one that didn’t know about this potential wetland change. He said the CLA has been contacting other lakes. The CLA was tipped off by Chautauqua Lake representatives. He said nobody else seems to know about this, so they have been contacting other lakes.

Supervisor Reger said they contacted the Region 7 DEC Director to speak at the CLA meeting. He said this is a collaborative effort between the CLA and our state representatives to advocate about the impact it could have on our Lake. He said it would not only impact lakefront owners, but our whole community. He said a letter is being crafted and thought the cut-off was September 19th.

Chad Puffer thanked the Board for their efforts with the sewer extension on Ten Eyck Avenue.

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 Johnson, seconded by Councilor Race to approve payment of the bills in the amount of \$ 425,720.44. Councilor Race recused himself from payment of the Suit-Kote invoice. Otherwise, the motion was unanimously approved.

Supervisor Reger said the Bookkeeper sent each department head actual expenses versus budgeted. He recommended everyone start looking at the number for 2025.

Motion by Councilor Golub, seconded by Councilor Johnson to adjourn this meeting.

At 8:21 p.m., Supervisor Reger declared this meeting adjourned.

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