

## **TOWN BOARD**

**MONDAY**

**DECEMBER 9, 2013**

**Supervisor Monforte opened the meeting at 7:30 P.M. with all Councilors present.**

**Pledge of Allegiance.**

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

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**Motion by Councilor Race, seconded by Councilor Zupan to accept the minutes from the prior meeting. The motion was unanimously approved.**

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**Jim Bruno** explained some drainage issues at his property on Ridge Road in the general area of Ten Eyck Avenue. He gave his perspective of the flooding history issues and wanted the Board to revisit Dunn & Sgromo's 2010 plan to address the problem for the neighborhood.

Tim Hunt said an easement would be needed from Mr. Anderson and Mr. Bruno to execute this work. He said there was an alternative to the 2010 plan to put drainage in the Town highway right-of-way and take it over to and down Wright Road.

John Dunkle shared a drawing and pointed out the current drainage problem which consisted of collected water from the north and the south which gathers at a low point and is relieved by an old clay tile pipe. He said a blockage has occurred causing flooding issues. He suggested to Mr. Bruno a temporary plan involving a catch basin to provide relief.

Tim Hunt said the obstruction was on Mr. Bruno's property and the section under Ridge Road was open and clear.

John Langey suggested Mr. Bruno contact an engineer because it is on private property. However, it would require Planning Board and Town Engineer review.

The redirection of the water to Wright Road was discussed along with the Town Board's intent to apply for a Water Quality Improvement Grant through NYS DEC due to the environmental effect of the drainage into the lake.

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Supervisor Monforte 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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**Resolution No. 111 presented by Councilor Zupan, seconded by Councilor Andersen relative to the Town Board's audit of Town Justice Timothy Moore's accounting records at the 12/4/2013 work session, all appears to be accurate and in good order.**

**Roll call:**

<b>Councilor Andersen</b>	<b>Yes</b>
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Zupan</b>	<b>Yes</b>
<b>Councilor Moran</b>	<b>Yes</b>
<b>Supervisor Monforte</b>	<b>Yes</b>

**Supervisor Monforte declared Resolution No. 111 adopted.**

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**Resolution No. 112 presented by Councilor Moran, seconded by Councilor Race relative to the Town Board's audit of Town Justice Fred Palmer's accounting records at the 12/4/2013 work session, all appears to be accurate and in good order.**

**Roll call:**

<b>Councilor Andersen</b>	<b>Yes</b>
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Zupan</b>	<b>Yes</b>
<b>Councilor Moran</b>	<b>Yes</b>
<b>Supervisor Monforte</b>	<b>Yes</b>

**Supervisor Monforte declared Resolution No. 112 adopted.**

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**Resolution No. 113 presented by Councilor Race, seconded by Councilor Monforte**

**LOCAL LAW NO. 1 - 2014  
BEST VALUE PURCHASING**

**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 a Type II action for purposes of environmental review under SEQRA thus concluding the environmental review process.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. 1-2014 at the Cazenovia Town Offices located at 7 Albany Street in the Town of Cazenovia on January 13, 2014 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:**

<b>Councilor Andersen</b>	<b>Yes</b>
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Zupan</b>	<b>Yes</b>
<b>Councilor Moran</b>	<b>Yes</b>
<b>Supervisor Monforte</b>	<b>Yes</b>

**Supervisor Monforte declared Resolution No. 113 adopted.**

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**Resolution No. 114 presented by Councilor Andersen, seconded by Councilor Zupan**

**AUTHORIZE BIDDING FOR  
TWO NEW 2014 PICKUP TRUCKS**

**WHEREAS**, the Town of Cazenovia Highway Department has advised it has analyzed the use of equipment, and

**WHEREAS**, the Town of Cazenovia Highway Department has advised it desires to replace two pickup trucks; and

**WHEREAS**, funds have been budgeted for such equipment replacements;  
and

**WHEREAS**, the 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 may be available through the public bidding process.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board that the Town of Cazenovia Highway Superintendent be and hereby is authorized to openly bid for the purchase of two new pickup trucks, as follows:

**One (1) New 2014 3/4 Ton Truck, 4X4, with Extended Cab, Power Equipment Group, Running Boards, Trailer Tow Package, and 8.5 ft V Plow**

utilizing as is trade-in of one (1) as is 2012 3/4 Ton Truck with Plow

**One (1) New 2014 1/2 Ton Truck, 4X4, with Extended Cab, Premium Package with leather**

utilizing as is trade-in of one (1) as is 2012 3/4 Ton Truck with Plow

**Roll call:**

**Councilor Andersen      Yes**

**Councilor Race            Yes**

**Councilor Zupan          Yes**

**Councilor Moran          Yes**

**Supervisor Monforte    Yes**

**Supervisor Monforte declared Resolution No. 114 adopted.**

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**Resolution No. 115 presented by Councilor Race, seconded by Councilor Moran to approve the entering of the Town of Cazenovia by use of County Route 80 and the use of a portion of Reservoir Road, DeRuyter Lake, for**

**IRONMAN 70.3 SYRACUSE 2014 LONG DISTANCE TRIATHLON** consisting of 1.2 mile swim, 56 mile bike, and 13.1 mile run with 2,100 participants, encompassing 45 states and 10 countries, **scheduled for Sunday, June 22, 2014. This approval given conditional that a one million dollar certificate of liability insurance stating the event name and date, and which states “the Town of Cazenovia is additionally insured,” the certificate to be submitted to the Town of Cazenovia Office no later than Friday, June 13, 2014.**

**Roll call:**  
**Councilor Andersen**      **Yes**  
**Councilor Race**          **Yes**  
**Councilor Zupan**        **Yes**  
**Councilor Moran**        **Yes**  
**Supervisor Monforte**   **Yes**

**Supervisor Monforte declared Resolution No. 115 adopted.**

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**Resolution No. 116 presented by Councilor Zupan, seconded by Councilor Race to approve the following 2013 budget transfers:**

General Fund A

To increase Justices CE for Justice Clerk reimbursement for DSL.

To: A1110.4 Justices CE	\$275.00
From: A1110.1.10 Justices PS Clerk	(275.00)

To increase Dog Control CE for mileage and expense reimbursement to Dog Control Officer.

To: A3510.4 Dog Control CE	\$680.00
From: A1990.1 Contingency	(680.00)

General Fund B

To increase Zoning Board Clerk PS for additional personnel.

To: B8010.1.24 Zoning PS Zoning Board Clerk	\$1,200.00
From: B1990.4 Contingency	(1,200.00)

To increase Zoning PS Clerk for additional personnel.

To: B8010.1.10 Zoning PS Clerk	\$1,800.00
From: B1990.4 Contingency	(1,800.00)

To increase Zoning CE for unanticipated changes to code and local laws.

To: B8010.4 Zoning CE	\$2,500.00
From: B1990.4 Contingency	(2,500.00)

To increase Planning PS Clerk for additional personnel.

To: B8020.1.10	\$800.00
From: B1990.4 Contingency	(800.00)

To increase State Retirement for 2013 B Portion of annual retirement invoice.

To: B9010.8 State Retirement	\$250.00
From: B1990.4 Contingency	(250.00)

To increase Social Security for additional personnel.

To: B9030.8 Social Security (Town Portion)	\$290.00
From: B1990.4 Contingency	(290.00)

Highway Fund DA

To increase Principal on Installment Purchase to first payment for 2014 Western Star Lease.

To: DA9785.6 Princ on Installment Purchase	\$22,000.00
From: DA5130.2 Machinery EQ	(22,000.00)

Highway Fund DB

To increase Environmental Control for testing of oil water separator and drainage projects.

To: DB8090.4 Environmental Control CE	\$500.00
From: DB5110.1 General Repairs PS	(500.00)

To increase State Retirement for 2013 DB Portion of annual retirement invoice.

To: DB9010.8 State Retirement	\$1,400.00
From: DB5110.1 General Repairs PS	(1,400.00)

New Woodstock Water

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

Present Year Budget:

SL510 Estimated Revenues	\$17,275.00
Plus SL599 Appropriated Fund Balance	<u>00,000.00</u>
Subtotal	\$17,275.00

Present Year Actual:

SL980 Actual Revenues to Date	\$18,716.30
Plus Other Revenues Expected by year end	0.00
Plus 909 Fund Balance at beginning of year	<u>141,968.05</u>
Subtotal	\$160,684.35

<b>Actual Subtotal less Budgeted Subtotal = Amount Available</b>	<b>\$143,409.35</b>
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To increase Transmission/Distribution PS for increase in work hours in NW Water District.

To: SW8340.1 Transmission/Distribution PS	\$2,100.00
From: SW599 Appropriated Fund Balance	(2,100.00)

To increase Transmission/Distribution CE for expenses for pipe locator equipment

To: SW8340.4 Transmission/Distribution CE	\$3,140.00
From: SW599 Appropriated Fund Balance	(3,140.00)

To increase State Retirement for 2013 portion of annual invoice.

To: SW9010.8 State Retirement	\$40.00
From: SW8320.2 Source Power Pump EQ	(40.00)

To increase Social Security (Town Portion) for additional hours.

To: SW90308.8 Social Security (Town Portion)	\$190.00
From: SW599 Appropriated Fund Balance	(190.00)

To increase Medical Insurance (Town Portion) for additional benefits on increased hours.

To: SW9060.8 Medical Insurance (Town Portion)	\$535.00
From: SW599 Appropriated Fund Balance	(535.00)

Wellington Water

To increase Transmission/Distribution PS for increase in work hours in WWDistrict.

To: SW8340.1 Transmission/Distribution PS	\$545.00
From: SW8330.4 Purification CE	(545.00)

To increase State Retirement for 2013 Wellington Water Portion of annual invoice.

To: SW9010.8 State Retirement	\$30.00
From: SW8330.4 Purification CE	(30.00)

To increase Social Security (Town Portion) for increase in work hours in WW District.

To: SW9030.8 Social Security (Town Portion)	\$42.00
From: SW8330.4 Purification CE	(42.00)

To increase Medical Insurance (Town Portion) for additional benefits on increased hours.

To: SW9060.8 Medical Insurance (Town Portion)	\$250.00
From: SW8330.4 Purification CE	(250.00)

Mt. Pleasant Water

To increase Transmission/Distribution PS for increase in work hours in Mt. Pleasant WD.

To: SW8340.1 Transmission/Distribution PS	\$915.00
From: SW8330.4 Purification CE	(915.00)

To increase budget in State Retirement for 2013 Portion of annual invoice.

To: SW9010.8 State Retirement	\$30.00
From: SW8330.4 Purification CE	(30.00)

To increase Social Security (Town Portion) for increase in work hours in Mt. Pleasant WD.

To: SW9030.8 Social Security (Town Portion)	\$70.00
From: SW8330.4 Purification CE	(70.00)

To increase Medical Insurance (Town Portion) for additional benefits on increased hours.

To: SW9060.8 Medical Insurance (Town Portion)	\$250.00
From: SW8330.4 Purification CE	(250.00)

**Roll call:**

<b>Councilor Andersen</b>	<b>Yes</b>
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Zupan</b>	<b>Yes</b>
<b>Councilor Moran</b>	<b>Yes</b>
<b>Supervisor Monforte</b>	<b>Yes</b>

**Supervisor Monforte declared Resolution No. 116 adopted.**

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**Resolution No. 117 presented by Councilor Race, seconded by Councilor Andersen**

**AUTHORIZING THE TOWN OF CAZENOVIA  
SUPERVISOR TO EXECUTE AN APPLICATION FOR  
GRANT MONIES UNDER THE NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION WATER QUALITY  
IMPROVEMENT PROJECT PROGRAM  
(AND NEGATIVE DECLARATION)**

**WHEREAS**, the Town of Cazenovia has recognized the importance of the health of Cazenovia Lake as a vital economic and environmental resource to the Town, its citizens and the region; and

**WHEREAS**, Cazenovia Lake further serves as an important economic generator for tourism, recreational and other purposes; and

**WHEREAS**, the Town of Cazenovia has recognized that the health of Cazenovia Lake is dependent upon many factors and has most recently taken actions to support the quality of this important resource; and

**WHEREAS**, examples of actions taken by the Town of Cazenovia to support the health of Cazenovia Lake include:

1. adoption of regulations relating to the use of phosphorous-based lawn treatments within the Cazenovia Lake watershed;
2. establishment of the Cazenovia Lake Watershed Council;
3. adoption of the Cazenovia Lake Watershed Management Plan and the recommendations contained therein;
4. creation of a Lake Watershed Management Program; and

**WHEREAS**, one of the implied recommendations contained in the Lake Watershed Management Plan includes seeking and application for available water quality improvement funds through grants and other available sources; and



**WHEREAS**, the New York State Department of Environmental Conservation has announced the availability of grants pursuant to the Water Quality Improvement Project (“WQIP”) Program for projects that reduce polluted runoff, improve water quality and restore habitats in New York’s water bodies; and

**WHEREAS**, the Town Board desires to apply for funds available under the WQIP; and

**WHEREAS**, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days of a complete project proposal, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, the Town has completed and submitted a Short Form Environmental Assessment Form and the same has been reviewed and considered by the Town Board.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Cazenovia hereby notices all agencies involved, if any, that it shall be lead agency for this proposed action; and it is further

**RESOLVED**, that the Town Board of the Town of Cazenovia hereby determines that the proposed action is an Unlisted Action, that the action does not involve any federal agency and the proposed action does not involved more than one agency; and it is further

**RESOLVED**, that this Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, for the following reasons:

1. The application for WQIP funds and implementation of the improvement measures with the use of such funds will have a positive impact on the Lake and the watershed by improvement of water quality and will reduce polluted runoff to Cazenovia Lake;
2. While there may be some temporary disturbance in the area of work associated with projects funded by the grant monies, no long-term effects or impacts are anticipated and any projects funded by such grant monies shall be subject to a separate environmental review;
3. No other areas of concern have been identified by the public or the Town Board;

and it is further

**RESOLVED**, that the Town Board of the Town of Cazenovia hereby determines that the Town of Cazenovia Supervisor is hereby authorized to execute the application documents associated with the grant application for the New York State Department of Environmental Conservation's WQIP.

**Roll call:**

<b>Councilor Andersen</b>	<b>Yes</b>
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Zupan</b>	<b>Yes</b>
<b>Councilor Moran</b>	<b>Yes</b>
<b>Supervisor Monforte</b>	<b>Yes</b>

**Supervisor Monforte declared Resolution No. 117 adopted.**

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**Resolution No. 118 presented by Councilor Zupan, seconded by Councilor Race**

**Proclamation ~ Mrs. Linda Mather, Town Clerk**

**WHEREAS**, Linda Mather has provided over twenty-six (26) years of unblemished service to the taxpayers, voters and residents of the Town of Cazenovia in the position of Town Clerk and Tax Collector; and

**WHEREAS**, Linda has served in various other important Town positions, including Records Management Officer and Freedom of Information Law Officer and other unofficial positions important to the Town; and

**WHEREAS**, Linda has been a lifetime resident of the Town of Cazenovia and has displayed her love for Cazenovia through her tireless efforts in the many positions that she has served over the years; and

**WHEREAS**, through Linda's efforts, initiatives leadership and perseverance, she has created a seamless method under which the Town Board has been able to achieve many accomplishments; and

**WHEREAS**, Linda's efforts and determination have collectively resulted in savings of time and money to the Town Taxpayers and making Cazenovia one of the most accessible local governments in all of Central New York; and

**WHEREAS**, many individuals throughout her years of service have marveled at Linda's dedication and loyalty to the Town, expressed through her work ethic and vast knowledge of the Town and her position as Town Clerk; and

**WHEREAS**, at numerous times, too many to count, Linda has made herself available to the public outside of her regular office hours when residents and

customers of the Town could not come to the Town Office during normal business hours to conduct their business; and

**WHEREAS**, Linda's efforts expanded to the preservation and beautification of the Town Hall facilities, as both the caretaker and custodian of the Gothic Cottage, including her care for the ferns which have decorated the Town Hall property over the years; and

**WHEREAS**, Linda has demonstrated that she is an excellent teacher and has provided assistance to those who have worked at the Town, both elected and appointed officials alike; and

**WHEREAS**, Linda's exceptional abilities, enthusiasm, determination, professionalism, energy, warm personality, direct manner and total dedication to her work has played an instrumental and beneficial role in the Town of Cazenovia's collective life.

**NOW THEREFORE, BE IT**

**RESOLVED AND DETERMINED** that the Town Board of the Town of Cazenovia, on behalf of the Town and its Citizens, hereby expresses profound appreciation to Linda Mather for her unparalleled service to the Town of Cazenovia and further designates Friday, December 20, 2013 as "Linda Mather Day" in the Town of Cazenovia; and it is further

**RESOLVED AND DETERMINED** that the Town Clerk Elect shall and hereby is directed to make this Proclamation a part of the official record of the Town so that in years to come, all persons may know and appreciate the high esteem in which Linda Mather is and has been held by the Town of Cazenovia, its citizens and we, the people who have served with her.

**Roll call:**

<b>Councilor Andersen</b>	<b>Yes</b>
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Zupan</b>	<b>Yes</b>
<b>Councilor Moran</b>	<b>Yes</b>
<b>Supervisor Monforte</b>	<b>Yes</b>

**Supervisor Monforte declared Resolution No. 118 adopted.**

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**Attorney's Report:** John Langey mentioned after the meeting he would need to speak to the Board to provide some attorney-client privileged advice.

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**Supervisor's Report:** Supervisor Monforte “thanked” Linda for her help throughout his two terms. He mentioned some County initiatives that he was involved in during his tenure that included a Rural Health Network. He realized there was very limited health services to residents in the southwest area of Madison County without having to leave the County. He also mentioned his involvement in The Buy Local Campaign that puts energy into local businesses in Madison County. He showed everyone the Buy Local charge card available from Oneida Savings. He encouraged people to volunteer for local governmental boards, such as a Planning Board or a Zoning Board.

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**Councilor Race** (Highway Department & South Cemetery, Water Districts): Reported that the highway department is engaged in the normal winter activities. The complete brine system will be in, in approximately two weeks and in the area where the brine has been used, it has worked nicely on black ice. Lastly, the two newpick-up trucks will be put to bid soon.

**Councilor Andersen** (Planning & Zoning, CACDA, Shared Services, CACC): Reported on the Water Quality Improvement Grant that CACDA has been developing. She said the Planning Board and CACC have been very busy.

**Councilor Moran** (Lake, and Future of the Gothic Cottage) Reported at the Watershed Council meeting Bob Johnson’s rake toss results for 2013 were shared. Jim Cunningham of Madison County Sewer District and Councilor Race unveiled the option and cost association with potentially restoring harvesting to areas of the lake as an integrated solution. A DEC aquatic plant expert will be at a meeting at the Town Office on December 16 and then will meet with the Cazenovia Lake Association later that day. The Watershed Council is going to meet again on December 30<sup>th</sup> because they have not decided on what to do with the lake for 2014 and they will continue conversations at that time. She said Holmes, King, Kallquist & Associates have been measuring the Gothic Cottage and they will talk to Linda Mather who has vast knowledge from her tenure of the building issues and peculiarities.

**Councilor Zupan** (Senior Recreation & Joint Youth Recreation, State Police, Parks, New Woodstock Fire Department, and High Impact Industrial Use Zoning) Reported he is pretty confident he has filled three vacant positions: 1 on the CACC and 2 on the Board of Assessment Review. He is just waiting for confirmation from the interested parties for the BAR positions. He said he is working on moving the Town courts to the village.

Supervisor Monforte 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 will present 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 Moran, seconded by Councilor Zupan to approve payment of the bills.**

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**Motion by Councilor Race, seconded by Councilor Zupan to adjourn this meeting.**

**Supervisor Monforte will declare this meeting adjourned.**

**Signed** \_\_\_\_\_  
Connie J. Sunderman, Town Clerk-Elect