

**TOWN BOARD  
SPECIAL MEETING**

**WEDNESDAY**

**July 5, 2023**

**Supervisor Zupan opened the meeting at 9:00 a.m. with four Councilors present. Councilor Race was excused.**

**Proper notification of the meeting took place and further a quorum was present for the purposes of this meeting.**

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*John Langey, Esq. said there has been a proposal to do upgrades and improvements to the Water Pollution Control Facility (treatment plant). He stated Jim Cunningham, Plant Operator, was present to answer any questions in regards to the condition of the facility. There are multiple grant programs that are available. Costello, Cooney & Fearon is working with several towns and villages in relation to applying for the WIIA (Water Infrastructure Improvement Act) Grant Program. The Town is applying for the grants, but the largest user is the Village. The Village is intricately involved in this proposed project. In order to meet the deadline for submission of the grant application, there has to be a special meeting because of the timing. The special meeting would result in potentially adopting a resolution to file the application, accept the map, plan and report and schedule a public hearing on the project on the 20<sup>th</sup> of July at 8:30 a.m. He said four members would need to present for the meeting on the 20<sup>th</sup> because of the bond resolution. He said some bonding will have to be obtained which will hopefully be supplemented by the grant monies.*

*Jim Cunningham said the main driver is the new Department of Environmental Conservation permit and the requirements of the new permit. The facility is approaching 50 years old.*

*John Langey, Esq. mentioned the town's score will increase because of the ultraviolet system that is being proposed. GHD is preparing the SEQRA which will be done at a future meeting. He guided the Town Board and said if they approve the resolution; they will be accepting the map, plan and report and they will set the public hearing for July 20<sup>th</sup> at 8:30 a.m. He said there will be a few more steps involved including a SEQRA negative declaration and coordination with the Village of Cazenovia and Town of Nelson to update the current inter-municipal agreement. He explained the inter-municipal agreement contains language that for any capital upgrades done to the system; the involved parties have to decide on a fair way to share the cost. He said there will be an opportunity for public input for the bond resolution.*

*Supervisor Zupan said the map plan and report states it is 26.5 million dollars, but it ranges from 8 million to approximately 26.5 because it depends on funding and several other variables. He said the public will have a number of times to have input on this project.*

**Resolution No. 84 presented by Councilor Golub, seconded by Councilor Reger**

**ACCEPTANCE OF THE MAP, PLAN AND REPORT RELATIVE TO THE INCREASE AND IMPROVEMENTS OF FACILITIES FOR THE TOWN OF CAZENOVIA WATER POLLUTION CONTROL FACILITY AND CONSOLIDATED SANITARY SEWER DISTRICT**

**WHEREAS**, the Town of Cazenovia has identified certain necessary improvements for the Town of Cazenovia Waste Water Pollution Control Facility ( WWPCF) located 4500 Route 13 North including construction of improvements to and reconstruction of the WWPCF and related facilities with original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses (“the Project” or “the Improvements”) in connection therewith all as set forth in the Map Plan and Report prepared by GHD and dated June 2023 on file at the Town Clerk's Office; and

**WHEREAS**, the Town of Cazenovia Town Board has been made aware of grant programs and other funding sources which can assist in the funding of the Improvements which will benefit the users of the treatment plant including the Town of Cazenovia Consolidated Sewer District, the Town of Nelson and the Village of Cazenovia and other connected users; and

**WHEREAS**, the Town Board desires to apply for such potential funding to partially offset the costs of said Improvements as outlined in the Map, Plan and Report.

**NOW THEREFORE, IT IS HEREBY**

**RESOLVED** that the Town of Cazenovia Town Board accepts the Map, Plan and Report related to the Increase and Improvement of Facilities of the Town of Cazenovia Water Pollution Control Facility and the Town of Cazenovia Consolidated Sanitary Sewer District; and it is further

**RESOLVED** that the Town Supervisor (or Deputy Supervisor in his absence) is authorized to execute any necessary documentation relative to the matters referenced in this resolution without further action.

**Roll call:**

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

**Supervisor Zupan declared Resolution No. 84 adopted.**

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**Resolution No. 85 presented by Councilor Reger, seconded by Councilor Golub**

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**PUBLIC HEARING RESOLUTION AND ORDER OF THE TOWN BOARD IN  
THE MATTER OF THE INCREASE AND IMPROVEMENT OF FACILITIES  
PURSUANT TO TOWN LAW § 202-b OF THE TOWN OF CAZENOVIA WATER  
POLLUTION CONTROL FACILITY AND THE TOWN OF CAZENOVIA  
CONSOLIDATED SANITARY SEWER DISTRICT IN  
THE TOWN OF CAZENOVIA, MADISON COUNTY, NEW YORK**

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**WHEREAS**, the Town Board of the Town of Cazenovia, Madison County, New York, has had under consideration the increase and improvement of the facilities of the Town of Cazenovia Water Pollution Control Facility and the Town of Cazenovia Consolidated Sanitary Sewer District (the “District”), consisting of the construction of improvements to and reconstruction of the Water Pollution Control Facility and related facilities, including original furnishings, machinery, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, as further described in a map, plan and report prepared by GHD, competent engineers duly licensed in the State of New York, including an estimate of the cost and on file in the office of the Town Clerk where they may be inspected during regular office hours or by request to the Town Clerk; and

**WHEREAS**, the maximum estimated cost to said District of such increase and improvement of facilities is determined to be Twenty-Six Million Five Hundred Thousand and 00/100 Dollars (\$26,500,000.00); and

**WHEREAS**, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, in an amount sufficient to pay the principal and interest on said bonds as the same become due; and

**WHEREAS**, said capital project is part of a larger joint sewer improvement project in conjunction with the Village of Cazenovia and the Town of Nelson designed to improve and correct deficiencies of the Town of Cazenovia Water Pollution Control Facility for all users of the Facility; and

**WHEREAS**, the joint project has been determined to be an “Type I Action” pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”) and the Town Board has declared itself lead agency and the documentation relating to SEQRA is available in the office of the Town Clerk for inspection during normal office hours; and

**WHEREAS**, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Facility and the District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, by the Town Board of the Town of Cazenovia, Madison County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 7 Albany Street, Cazenovia, New York, in said Town, on the 20<sup>th</sup> day of July, 2023, at 8:30 A.M., on the question of the proposed increase and improvement of the Facility and said Districts in said Town, and the estimate of cost referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the official newspaper of said Town, and also to cause a copy thereof to be posted on the signboard of the Town, such publication and posting to be made not less than ten, nor more than twenty days, before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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## **Exhibit A**

### **NOTICE OF PUBLIC HEARING**

#### **Town of Cazenovia Water Pollution Control Facility and the Town of Cazenovia Consolidated Sanitary Sewer District of the Town of Cazenovia, Madison County, New York**

PLEASE TAKE NOTICE that the Town Board of the Town of Cazenovia, Madison County, New York, will meet at the Town Hall, 7 Albany Street, Cazenovia, New York, in said Town, on the 20<sup>th</sup> day of July, 2023, at 8:30 A.M. for the purpose of conducting a public hearing upon a certain map, plan, report, including an estimate of cost in relation to the proposed increase and improvement of the Town of Cazenovia Water Pollution Control Facility and the Town of Cazenovia Consolidated Sanitary Sewer District in said Town, being generally described as the construction of improvements to and reconstruction of the Water Pollution Control Facility and related facilities, including original furnishings, machinery, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of Twenty-Six Million Five Hundred Thousand and 00/100 Dollars (\$26,500,000.00) at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

The amount so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Said capital project is part of a larger joint sewer improvement project in conjunction with the Village of Cazenovia and the Town of Nelson designed to improve and correct deficiencies of the Town of Cazenovia Water Pollution Control Facility for all users of the Facility.

The improvements as described above have been determined to be a "Type I Action" pursuant to the regulations promulgated under the State Environmental Quality Review Act ("SEQRA"). The map, plan and report for said improvements prepared by a competent engineer

licensed by the State of New York and SEQRA compliance materials are available for inspection at the Office of the Town Clerk where they may be inspected during normal business hours.

At said public hearing, said Town Board will hear all persons instituted on the subject matter thereof.

**Dated: July 5 2023.**

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF CAZENOVIA, MADISON  
COUNTY, NEW YORK**

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**Connie Sunderman, Town Clerk**

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**Roll call:**

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

**Supervisor Zupan declared the Order and Resolution No. 85 adopted.**

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**At 9:07 a.m., motion by Councilor Reger, seconded by Councilor Johnson to adjourn this meeting. The motion was unanimously approved.**

**Supervisor Zupan declared this meeting adjourned.**

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