



## **TOWN OF CAIRO**

### **GENERAL/REGULAR MEETING AGENDA**

**October 23, 2013 @ 7PM**

**Location: Town Hall, Cairo**

**Call to Order**

**Pledge of Allegiance**

**Attendance**

**Public Hearings: Resort Moratorium Local Law #3 2013 & Junkyard Moratorium Local Law #4 2013**

**Comments/Presentations:**

**Approval of Minutes: October 9, 2013; August 14, 2013 Amended; September 25, 2013 Amended**

**Reports**

- |                    |                   |                    |
|--------------------|-------------------|--------------------|
| - Ambulance        | - Library         | - Tax Collector    |
| - Assessor         | - Park Task Force | - Water & Sewer    |
| - Board of Appeals | - Planning Board  | - Sewer Contractor |
| - Building & Codes | - Police          | - Highway          |
| - Historian        | - Summer Rec      | - Supervisor       |

**Appointments & Resolutions**

**Unfinished Business**

- Animal Control
- Budget Public Hearing November 6<sup>th</sup> @ 7pm

**New Business**

- Zoning Attorney & Review
- Climate Smart Strategy

**Correspondence**

**Adjournment**



## **TOWN OF CAIRO**

### **Public Hearing**

October 23, 2013 @ 7:00PM

Location: Town Hall, Cairo

**Reason/Proposal:** To renew the Resort Moratorium-Local Law #3 2013

#### **Section 2. Purpose and Intent:**

Pursuant to the statutory powers vested in the Town of Cairo by the Municipal Home Rule Law of the State of New York, to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a temporary six (6) month moratorium on any new subdivision application, site plan review, building permits or other municipal approvals for any use involving the conversion of a resort, motel or bed and breakfast to some other use other than those relating to an agricultural use as that term is defined in the NYS Agriculture and Markets Law or one or two-family dwellings in the Town, or the issuance of any approvals or building permits therefore.

The Town Board has recently adopted a new Comprehensive Plan and is now in the process of implementing a new zoning law and other land use goals set forth therein which would address, among other things, subdivision of lands, site plan review, building permits or other municipal approvals of land relating to the preservation and rejuvenation of the Town's tourism infrastructure and base attractions including but not limited to seasonal resorts, inns, hotels and similar uses and structures in the Town. The Town Board finds and determines that several former resort properties have recently been permanently lost to a change in use by new development. The Town Board further finds and determines that it needs the period of time covered by the moratorium imposed herein in order to carefully complete the enactment of the necessary statutory and other tools to implement the same, including but not limited to, drafting proposed amendments to existing Town Local Laws, schedule and hold the required public hearing on either amendments to existing Local Laws or the enactment of new Local Laws, perform the appropriate environmental reviews thereof, comply with applicable provisions of law, adopt the Local Law(s), and file the same with the Secretary of State of the State of New York.

#### **Town Clerk:** Notice of Hearing

- Please take notice that the Town Board of the Town of Cairo will hold a public hearing on Wednesday, October 23, 2013 at 7:00 PM at the Cairo Town Hall for the purpose of imposing a further temporary six month moratorium on approvals involving resorts.

By Order of the Town Board

Tara A. Rumph, Town Clerk

#### **Supervisor:** Review of Public Hearing Procedure:

- Speakers must raise their hand, be called upon by the Supervisor to speak, identify themselves-stating full name, direct their comments to the Town Board, and state clearly & briefly why they are in favor or against the proposal.

- Speakers may not speak a second time until all those who wish to speak have spoken once. Speakers may be held to a 5 minute time frame. Speak clearly, intelligently, and responsibly. Avoid redundancy. Be courteous & respectful.
- The Town Board may choose to listen and not comment.



## **TOWN OF CAIRO**

### **Public Hearing**

October 23, 2013 @ 7:00PM

Location: Town Hall, Cairo

**Reason/Proposal:** To renew the Junk Yard Moratorium-Local Law #4 2013

### **Section 3. Purpose and Intent:**

Pursuant to the statutory powers vested in the Town of Cairo to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a temporary six month moratorium on the establishment or development of new junk yards or similar business activities in the Town, or the issuance of any approvals or permits therefore.

The Town Board is now in the process of considering various options relating to this issue and is nearing completion of a proposed zoning law that will address the issue. The Town Board finds and determines that it needs the period of time covered by the moratorium imposed herein in order to carefully study the issue, draft proposed amendments to the Town local laws, including a new zoning document, make appropriate changes to the draft of the proposed new Local Laws, schedule and hold the required public hearing on the Local Laws, comply with applicable provisions of law, adopt the Local Law, and file a copy of the Local Laws (as adopted) with the Secretary of State of the State of New York.

### **Town Clerk:** Notice of Hearing

- Please take notice that the Town Board of the Town of Cairo will hold a public hearing on Wednesday, October 23, 2013 at 7:10 PM at the Cairo Town Hall for the purpose of imposing a further temporary six month moratorium on Junk Yard approvals.

By Order of the Town Board

Tara A. Rumph, Town Clerk

### **Supervisor:** Review of Public Hearing Procedure:

- Speakers must raise their hand, be called upon by the Supervisor to speak, identify themselves-stating full name, direct their comments to the Town Board, and state clearly & briefly why they are in favor or against the proposal.
- Speakers may not speak a second time until all those who wish to speak have spoken once. Speakers may be held to a 5 minute time frame. Speak clearly, intelligently, and responsibly. Avoid redundancy. Be courteous & respectful.
- The Town Board may choose to listen and not comment.



## TOWN OF CAIRO

### **PUBLIC HEARING Definitions, Descriptions, & Information:**

Town Law Manual 2006 states:

A statutory direction that a notice of public hearing be published means that a fair and impartial hearing be held pursuant to such notice and that all interested parties attending the hearing be accorded an opportunity to be heard.

Means a right to appear and give evidence and the right to hear and examine witnesses.

Any hearing open to the public, or any hearing, or such part thereof, as to which testimony or other evidence is made available or disseminated to the public by the agency.

Its very purpose is to give the public an opportunity to express its views and to make inquiries in respect to...matters.

Additional information from public meeting resources:

A public hearing is where comments from the public go into the public record.

A public hearing is not a question and answer format.

Public hearings offer an opportunity for consumers, property owners, local government officials, industry representatives, and others to bring their thoughts and concerns to the attention of the Commission or Board.

### Comments:

Inherent in the words and title "Public Hearing" is exactly what it states: the public is heard, a board or commission hears from the public, etc.

It is not a tutorial, it is not a classroom, it is not a class, it is not a seminar, it is not a work session, it is not a presentation, it is not a conference, etc. It is what it states, a forum for the public to be heard.

Therefore, the Town Board may only listen.

# Local Law Filing

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231  
[www.dos.ny.gov/corps](http://www.dos.ny.gov/corps)

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☐ Town ☐ Village

Of CAIRO

Local Law No. 3 of the year 2013

**Imposing a Further Temporary Six Month Moratorium on Approvals Involving Resorts**

A local law (Insert Title)

TOWN BOARD

Be It enacted by the of the  
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☐ Village

of CAIRO as follows:

PLEASE SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1.(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2013 of the (County)(City)(Town)( Village) of CAIRO was duly passed by the TOWN BOARD on \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. ~~(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)~~**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_ and was (approved)(not approved)(repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_,  
(Elective Chief Executive Officer\*)  
in accordance with the applicable provisions of law.

**3. ~~(Final adoption by referendum.)~~**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)( Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved)(repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was submitted  
(Elective Chief Executive Officer\*)  
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

**4. ~~(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)( Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved)(repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to  
(Elective Chief Executive Officer\*)  
permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 \_\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF GREENE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature

ATTORNEY FOR THE TOWN

\_\_\_\_\_  
Title

County

City

of CAIRO

Town

Village

Date: \_\_\_\_\_



TOWN OF CAIRO  
LOCAL LAW # 3 OF 2013

Be it enacted by the Town Board of the Town of Cairo as follows:

Section 1. Title.

This Local Law shall be referred to as the “Local Law Imposing a Further Temporary Six Month Moratorium on Approvals Involving Resorts.”

Section 2. Purpose and Intent.

Pursuant to the statutory powers vested in the Town of Cairo by the Municipal Home Rule Law of the State of New York, to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a temporary six (6) month moratorium on any new subdivision application, site plan review, building permits or other municipal approvals for any use involving the conversion of a resort, motel or bed and breakfast to some other use other than those relating to an agricultural use as that term is defined in the NYS Agriculture and Markets Law or one or two-family dwellings in the Town, or the issuance of any approvals or building permits therefore.

The Town Board has recently adopted a new Comprehensive Plan and is now in the process of implementing a new zoning law and other land use goals set forth therein which would address, among other things, subdivision of lands, site plan review, building permits or other municipal approvals of land relating to the preservation and rejuvenation of the Town’s tourism infrastructure and base attractions including but not limited to seasonal resorts, inns, hotels and similar uses and structures in the Town. The Town Board finds and determines that several former resort properties have recently been permanently lost to a change in use by new development. The Town Board further finds and determines that it needs the period of time covered by the moratorium imposed herein in order to carefully complete the enactment of the necessary statutory and other tools to implement the same, including but not limited to, drafting proposed amendments to existing Town Local Laws, schedule and hold the required public hearing on either amendments to existing Local Laws or the enactment of new Local Laws, perform the appropriate environmental reviews thereof, comply with applicable provisions of law, adopt the Local Law(s), and file the same with the Secretary of State of the State of New York.

Section 3. Scope of Controls.

A. During the effective period of this Local Law:

1. The Town Board and/or any other municipal body shall not grant any approvals which would have as the result the establishment or development of any new subdivision, site plan review, building permits or other municipal approvals within the Town related to or involving the conversion of or change of use of a resort, motel, inn or bed and breakfast to any other use except for use of such land and/or structures to an agricultural use as that term is defined in the NYS Agriculture and Markets Law or one or two-family dwellings in the Town.
2. The Building Inspector and/or Code Enforcement Officer of the Town shall not issue any building permit or other permit which would result in the establishment or development of any new subdivision, site plan review, building permits or other municipal approvals within the Town related to or involving the conversion of or change of use of a resort, motel, inn or bed and



breakfast to any other use except for use of such land and/or structures to an agricultural use as that term is defined in the NYS Agriculture and Markets Law or one or two-family dwellings in the Town..

B. The Town Board reserves the right to direct the Town Building and Code Inspector to revoke or rescind any Building Permits or Certificates of Occupancy issued in violation of this Local Law.

C. Definitions. For the purposes of this local law the following terms shall mean:

- i) Resort or motel: any structure, building or group of structures or buildings, whether owner-occupied or otherwise, that contain more than five guest rooms where lodging, with or without meals, is provided for compensation;
- ii) Bed and Breakfast: an owner occupied dwelling unit that contains no more than five guest rooms where lodging, with or without meals, is provided for compensation;
- iii) Inn: any structure or building that contains no more than five guest rooms where lodging, with or without meals, is provided for compensation

#### Section 4. No Consideration of New Applications.

No applications for the conversion of any resort, inn, or motel to any other use in the Town. Additionally, no pending request for approval of a site plan, a site plan review, building permits or other municipal approvals, a variance, or other permits relating to same shall be considered by any board, officer or agency of the Town while the moratorium imposed by this Local Law is in effect.

#### Section 5. Term.

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. The Town Board reserves the right to enact subsequent short-term periodic moratoria in the future, in the event it determines that such subsequent local laws or extensions are necessary and in the public's interest.

#### Section 6. Penalties.

Any person, firm or corporation that shall establish or develop any new subdivision, use that would require a site plan review, building permits or other municipal approvals for the conversion of any resort, inn, or motel to any other use in the Town in violation of the provisions of this Local Law shall be subject to:

A. Such penalties as may otherwise be provided for in the Town's Site Plan Review Law and by applicable local laws, ordinances, rules, regulations of the Town for violations; and

B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law.

#### Section 7. Validity.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law which can be given effect without such invalid provision.

## Section 8. Variances

Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board of the Town of Cairo in writing for a variance from the strict compliance with this Local Law upon the submission of proof of such unnecessary hardship. For the purpose of this Local Law, unnecessary hardship shall not be mere delay in being permitted to make application or waiting for a decision on the application for a subdivision, variance, special use permit, site plan, site plan review, building permits, other municipal approvals or permits during the period the moratorium imposed by this Local Law.

Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variance of this Local law, the Town Board of the Town of Cairo shall, within sixty (60) days of receipt of such application, schedule a public hearing on said application upon five (5) days written in the official newspaper of the Town. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have opportunity to be heard, and the Town Board shall, within thirty (30) days of the close of the Public Hearing, render its decision in writing, either granting or denying the application for a variance from the strict requirements of this Local Law. In the event that the Town Board determines that the property owner shall suffer an unnecessary hardship, the applicant shall then be referred to the Town Board, Planning Board, Building Inspector and/or Code Enforcement Officer for a full review of the proposed project in accordance with the then enacted subdivision, site plan review, building permits or other municipal approvals laws, rules and regulations in the Town of Cairo and the State of New York.

## Section 9. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with section 27 of the Municipal Home Rule Law.



# Local Law Filing

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231  
[www.dos.ny.gov/corps](http://www.dos.ny.gov/corps)

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☐ Town ☐ Village

Of CAIRO

Local Law No. 4 of the year 2013

Establishing A Further Temporary Six Month Moratorium on Junk Yard Approvals

A local law (Insert Title)

TOWN BOARD

Be It enacted by the of the  
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☐ Village

of CAIRO as follows:

PLEASE SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1.(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2012 of the (County)(City)(Town)( Village) of CAIRO was duly passed by the TOWN BOARD on \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_ and was (approved)(not approved)(repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_,  
(Elective Chief Executive Officer\*)  
in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)( Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ Such local law was submitted  
(Elective Chief Executive Officer\*)  
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)( Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to  
(Elective Chief Executive Officer\*)  
permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 \_\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF GREENE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature

ATTORNEY FOR THE TOWN

\_\_\_\_\_  
Title

County

City

of CAIRO

Town

Village

Date: \_\_\_\_\_



**TOWN OF CAIRO  
LOCAL LAW # 4 OF 2013  
JUNK YARD MORATORIUM**

Be it enacted by the Town Board of the Town of Cairo as follows:

Section 1. Title.

This Local Law shall be referred to as the “Local Law Imposing a Further Temporary Six Month Moratorium on the Establishment of New Junk Yards.”

Section 2. Definitions

**GARBAGE** – All animal and vegetable waste resulting from the growing, processing, marketing and preparation of food items, including the container in which packaged.

**JUNK APPLIANCE** – Any abandoned, wrecked, discarded, dismantled or partly dismantled household appliance, including but not limited to stoves, washing machines, dryers, dishwashers, freezers, refrigerators, air conditioners, water heaters, computers or televisions, that is stored or placed outside of any residence or structure.

**JUNK FURNITURE** – Any abandoned, wrecked, discarded, dismantled or partly dismantled furniture, including but not limited to sofas, mattresses, bed frames, desks, tables, lawn furniture, chairs and chests of drawers, that is stored or placed outside of any residence or structure.

**JUNK MATERIAL** – Any abandoned, wrecked, discarded, dismantled or partly dismantled material including but not limited to a junk appliance, junk furniture, a junk vehicle, or garbage, rubbish, clutter and debris.

**JUNK VEHICLE** - Any vehicle, or used parts or waste materials from vehicles, that is a) Uninspected or unregistered; or b) Abandoned, wrecked, discarded, dismantled or partly dismantled; or c) Not in condition for legal use upon the public highways.

**JUNK YARD** – The use of any land for the temporary or permanent storage of garbage, rubbish, clutter, litter, debris, junk appliance(s), junk furniture, junk material, or more than one junk vehicle regardless of the intended future use of materials. Junk yard shall also mean those activities defined in Local Law #6 of 1985 of the Town of Cairo entitled “Salvage and Junk Yards”.

**RUBBISH, CLUTTER, LITTER AND DEBRIS** – Household or commercial trash, including, but not limited to, paper and paper products, barrels, cartons, boxes, cardboard, cans, glass, metals, machinery, plastics, rubber, crates, furniture, rags, mattresses, blankets, cigarettes, tires, lumber, brick, stone and other building materials, no longer intended for in condition for customary use, and any and all tangible personal property no longer intended or in condition for customary use.

**UNINSPECTED VEHICLES** – A vehicle that has not been currently inspected for the State of New York and approved for safe and regular operation on roads and highways in the State of New York or does not bear an appropriate or valid inspection sticker by regulating agencies of any state or other governmental entity.



UNREGISTERED VEHICLE – A vehicle that has not been currently registered for the State of New York or does not bear an appropriate or valid registration sticker by regulating agencies of any state or other governmental entity.

VEHICLE – A device or conveyance used for the purpose of carrying or transporting passengers or goods or equipment or any combination of the above purposes, including but not limited to automobiles, buses, trailers, trucks, tractors, motor homes, mobile homes, campers, motorcycles, mini bikes, recreational vehicles, boats, all-terrain vehicles or snowmobiles.

### Section 3. Purpose and Intent.

Pursuant to the statutory powers vested in the Town of Cairo to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a temporary six month moratorium on the establishment or development of new junk yards or similar business activities in the Town, or the issuance of any approvals or permits therefore.

The Town Board is now in the process of considering various options relating to this issue and is nearing completion of a proposed zoning law that will address the issue. The Town Board finds and determines that it needs the period of time covered by the moratorium imposed herein in order to carefully study the issue, draft proposed amendments to the Town local laws, including a new zoning document, make appropriate changes to the draft of the proposed new Local Laws, schedule and hold the required public hearing on the Local Laws, comply with applicable provisions of law, adopt the Local Law, and file a copy of the Local Laws (as adopted) with the Secretary of State of the State of New York.

### Section 4. Scope of Controls.

A. During the effective period of this Local Law:

1. The Town Board shall not grant any approvals which would have as the result the establishment or development of any new junk yard or related business activity within the Town whether in accordance with Local Law #6 of 1985, Entitled “Salvage and Junk Yards” or otherwise.
2. The Town Planning Board shall not approve any site plan, approve any special use permit or other permit which would have as a result the establishment or development of any new junk yard or related business activity within the Town.
3. The Code Enforcement Officer/Building Inspector of the Town shall not issue any building permit or other permit which would result in the establishment or development of any new junk yard or related business activity within the Town.
4. The Town Board reserves the right to direct the Town Building and Code Inspector to revoke or rescind any Building Permits or Certificates of Occupancy issued in violation of this Local Law.

### Section 5. No Consideration of New Applications.

No applications for any junk yard or related business activity affected by this Local Law or for approval for a site plan, a variance, a special use permit or other permits relating to junk yards shall be considered by any board, officer or agency of the Town while the moratorium imposed by this Local Law is in effect.



#### Section 6. Term.

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. In the event that a local law relating to junk yard or related business activities is adopted prior to the date that the moratorium imposed by this Local Law expires, then in that event the moratorium imposed by this Local Law shall expire immediately on the date that the Local Law relating to junk yard or related business activities takes effect in accordance with section 27 of the Municipal Home Rule Law.

#### Section 7. Penalties.

Any person, firm or corporation that shall establish or develop any new junk yard or related business activity in violation of the provisions of this Local Law shall be subject to:

- A. Such penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Town violations; and
- B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law.

#### Section 8. Validity.

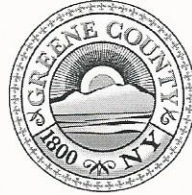
The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law which can be given effect without such invalid provision.

#### Section 9. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**GREENE COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT, TOURISM & PLANNING**

Greene County Office Building  
411 Main Street  
Catskill, New York 12414



Telephone: (518) 719-3290  
Fax: (518) 719-3789  
E-Mail: [planning@discovergreene.com](mailto:planning@discovergreene.com)

Warren Hart, Director

**COUNTY PLANNING BOARD REPORT ON PLANNING AND ZONING REFERRAL**

Municipality T Cairo  
Referral ID 13-29  
Date Received October 10, 2013

Response to Town ☒ Village of ☐ of Cairo Referring  
Agency Town Board

Date: October 16, 2013

Name of Case: Resort Conversion Moratorium

**COUNTY PLANNING BOARD ACTION**

- ☐ NO JURISDICTION  
☐ 30-DAY EXTENSION REQUESTED (see comments)  
☐ LOCAL DECISION - NO COUNTY IMPACT  
☐ LOCAL DECISION WITH COMMENT (see comments)  
☐ APPROVAL  
☐ APPROVAL WITH MODIFICATIONS (see comments)  
☒ DISAPPROVAL  
☐ INCOMPLETE - ADDITIONAL INFORMATION NEEDED FOR REVIEW  
☐ OTHER

Planning Board Comments: As expressed in the CPB's May 16, 2013 response to referral 13-12, the County Planning Board believes the town should not extend the moratorium beyond the current period

  
County Planning Board Secretary

If the County Planning Board disapproved the proposal, or approved with modifications, the referring agency shall not act contrary to the recommendation except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within seven days after taking final action, the referring agency shall file a notice of the final action with the County Planning board. The Greene County Planning Board's Notice of Final Action Form is provided for this purpose. A copy is attached.

Att: (1) Copy of original Planning and Zoning Referral Form  
(2) Staff Review (if any)  
(3) Notice of Final Action Form



Town of Cairo  
Work Session Meeting  
October 9, 2013

The Town Board of the Town of Cairo met for a work session meeting on Wednesday, October 9, 2013 at the Town Hall, Main Street, Cairo, New York

Supervisor Banta called the meeting to order at 4:05 and then asked the attendees to Pledge Allegiance to the flag. Councilperson Ostrander, Councilperson Joyce, Councilperson Suttmeier were present. Councilperson Puorro was absent.

The minutes from the September 25, 2013 Zoning Public hearing was accepted by Councilperson Joyce and seconded by Councilperson Suttmeier.

The minutes from the September 25, 2013 Board Meeting was accepted by Councilperson Ostrander and seconded by Councilperson Joyce.

Members from the Cairo Historical Society were present to discuss the possible property acquisition on Railroad Avenue. Discussion arose pertaining to the conveyance of said property. Attorney for the Town Tal Rappleyea stated that an appraisal of said property will need to be performed to establish a value and that a title conveyance will be the most effective for conveyance rather than a long term lease. Once an appraisal is received & reviewed, The Town Board can commence conveyance of said property.

The Code Enforcement officer gave an update on pending violations. Terrace Manor LLC was discussed. The Planning Board did not have any objections in their letter dated September

22, 2013 submitted by Chairperson Daniel Benoit. The Building & Code Enforcement Departments had no major issues in their 4 pg report submitted on October 7, 2013 by Stacy Sprague except for 2 minor issues: 1) Sites need to be identified clearly on the plans and 2) Vehicle turn-around sections need to be identified on same plans. Attorney for the Town suggested moving forward with conditional approval pending fulfillment of the Building Department's acceptance of the site plan revisions. The Building Department will draft and send a letter offering conditional approval.

**Resolution No. 222-13** "Granting Conditional Approval to Terrace Manor LLC" offered by Councilperson Joyce and seconded by Councilperson Ostrander.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby grant Terrace Manor LLC conditional approval pending the owner inserts lot lines and turn around spaces on the site plan.

All members in favor - motion carried.

Supervisor Banta spoke about employee performance evaluations and asked the Board if the Board members had any changes to offer for the evaluation forms. He will keep the board updated on the progress of the evaluations.

Councilperson Suttmeier gave an update on Clean Up Day.

Supervisor Banta addressed several residents regarding the agriculture section of the proposed zoning law and advised them that there will be another public hearing scheduled once they review the comments from the previous public hearing.

Councilperson Joyce gave an update on animal control. Discussion arose on the options available. He will research further and report to the board.



**RESOLUTION NO. 223-13** “Authorization to Purchase a Water/Sewer Software Program”

Offered by Supervisor Banta and seconded by Councilperson Ostrander.

WHEREAS, the current water & sewer billing program is antiquated and is in need of an update and;

WHEREAS, three quotes were received for a software program:

Williamson Law Book Company: Software and Annual Support \$3,735.00; Data

Conversion \$500.00; Installation, Training and Travel Expense \$1,070.48

BAS: Software and Annual Support \$3,600.00; Data Conversion \$1,500.00 -

\$4,000.00; Installation, Training excluding Travel Expenses \$1,920.00 and;

CUSI: Software and Annual Support \$2,395.00; Data Conversion \$1,000.00;

Installation, Training excluding Travel Expenses \$3,000.00 and;

WHEREAS, Williamson Law Book quote of \$5,305.48 is the most cost effective software program; therefore be it

RESOLVED, that Town Board authorizes the purchase of the Williamson Law Book Company Water/Sewer Software Program.

All members in favor – motion carried.

**Resolution No. 224-13** “Accept First Deputy Town Clerk Resignation” offered by Councilperson Ostrander and seconded by Councilperson Suttmeier.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby accept the resignation from Debbie Litchko, First Deputy Town Clerk.

All members in favor – motion carried.

**Resolution No. 225-13** “Appoint First Deputy Town Clerk” offered by Supervisor Banta and seconded by Councilperson Ostrander.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby appoint Debra Sommer to the position of First Deputy Town Clerk at a rate of \$11.60 per hour.

**Resolution No. 226-13** "Supervisor to sign Smith Well Drilling Contract" offered by Councilperson Suttmeier and seconded by Councilperson Joyce.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize Supervisor Banta to sign contract with Smith Well Drilling.

All members in favor – motion carried.

**Resolution No. 227-13** "Supervisor to sign Certificate of Substantial Completion" offered by Councilperson Ostrander and seconded by Councilperson Joyce.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize Supervisor Banta to sign Certificate of Substantial Completion for pump station and force main.

All members in favor – motion carried.

Supervisor Banta spoke about Bullying Awareness Month October 2013. He is still trying to coordinate an event with the school.

Budget Public Hearing will be held on November 6, 2013 at 7:00pm in the Town Hall.

Supervisor Banta spoke about IT problems with certain departments and the security of the system.

Robert Hempstead, Director of Parks, Buildings & Grounds gave an update on Town Hall renovations. He also stated that he will be meeting with Judge Miller regarding surveillance cameras and how we can combine all systems within the town.

Supervisor Banta stated that the moratoriums on Junk Yard Approvals and Approvals Involving Resorts are due for renewal. The Town Board will hold both public hearings on October 23, 2013 at 7:00pm in the Town Hall.

**Resolution No. 228-13** “Board to Enter Into Executive Session” offered by Councilperson Suttmeier and seconded by Councilperson Joyce.

BE IT RESOLVED, the Town Board of the Town of Cairo does hereby move into Executive Session at 5:20pm to discuss medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

All members in favor – motion carried.

**Resolution No. 229-13** “Board to Exit Executive Session” offered by Councilperson Joyce and seconded by Councilperson Ostrander.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit the Executive Session at 6:32pm.

Note: Councilperson Suttmeier exited the Executive Session at 6pm.

All members in favor – motion carried.

A motion was made by Councilperson Joyce and seconded by Councilperson Ostrander to adjourn the meeting at 6:35pm.

Respectfully submitted,

Debra Sommer  
First Deputy Clerk



## **Minutes**

### **Town of Cairo**

### **Town Board Work Session**

**Location: Town Hall Meeting Room @ 4:00 PM**

**August 14, 2013**

The Town Board of the Town of Cairo met for a work session meeting on Wednesday, June 12, 2013 at the Town Hall, Main Street, Cairo, New York.

Supervisor Banta called the meeting to order at 4:05 PM and then asked the attendees to Pledge Allegiance to the flag. Councilperson Puorro, Councilperson Joyce, Councilperson Suttmeier were present. Councilperson Ostrander was absent.

The minutes from the July 24, 2013 Board Meeting was accepted by Councilperson Puorro and seconded by Councilperson Joyce.

Joe Myers from the Water & Sewer Department reported that they are almost done with the pumping of the first round septic tanks.

Supervisor Banta announced they receive one bid for the sidewalk plan.

Supervisor Banta announced the ambulance negotiations would occur and asked if any board member would like to attend. The meeting is October 9, 2013 at 10am at Town Hall

Councilperson Suttmeier announced they have a date for cleanup day which will be October 12, 2013 from 7:30 am to 3:30 pm.

Supervisor Banta announced they will inquire with the State to to set up a meeting for September 16<sup>th</sup> or September 18<sup>th</sup> to discuss lifting the Sewer Moratorium.



Supervisor Banta announced there will be a service for Emily Feeney on August 24, 2013 at 1:00 pm at Richards Funeral Home.

**Resolution No. 180-13** - “Grant Permission to the Justice Court to apply for the 2013 JCAP Grant” offered by Councilperson Suttmeier and second by Councilperson Joyce.

WHEREAS, the Town of Cairo Justice Court is in need of (1) 8 channel DVR, (2) internal cameras, (2) inmate benches, (1) bullet proof insert for the court clerk office door, (1) night drop, and (3) desktop computers; and

WHEREAS, there is a 2013 Justice Court Assistance Program Grant (JCAP) available; therefore be it

RESOLVED, that the Town Board of the Town of Cairo does hereby grant permission to the Justice Court to apply for the 2013 JCAP Grant.

All members in favor-carried

**Resolution No. 181-13** - “Authorize Town Supervisor to Sign the rental agreement between the Greene County Department of Human Service and the Town of Cairo” offered by Councilperson Suttmeier and seconded by Councilperson Joyce.

BE IT RESOLVED, the Town Board of the Town of Cairo does hereby authorized the Town Supervisor to sign the rental agreement for the Town’s Acra Community Center.

All members in favor – carried.

**Resolution No. 182-13**- “Authorization for 37 Jerome Ave to get hooked up to the sewer system” offered by Supervisor Banta and seconded by Councilperson Puorro.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the hook up of 37 Jerome Ave to the sewer system .

AND BE IT FURTHER RESOLVED, that the Town of Cairo would incur the cost of the tap to the main sewer and the homeowner would incur the tap cost of the line to the sewer

system.

All members in Favor-Carried

**Resolution No. 183-13-** “Received sidewalk plan bid” offered by Supervisor Banta and seconded by Councilperson Puorro.

BE IT RESOLVED, that the Town of Cairo received one bid from WSP for the sidewalk plan.

BE IT FURTHER RESOLVED, That the Town of Cairo Board Members have postponed the acceptance of the bid to inquire with the County.

All members in favor- carried

**Resolution No. 184-13-** “Appoint members to the Energy Committee/Task Force” offered by Councilperson Puorro and seconded by Councilperson Suttmeier.

BE IT RESOLVED, that the Town of Cairo appoints Doug Ostrander as Chairperson to the Energy Committee/Task Force, and Ewald Schwarzenegger and Dan Joyce as members to the Energy Committee/Task Force.

All members in favor – carried

**Resolution No. 185-13** – “Accept Trident Insurance Quote” Offered by Councilperson Puorro and seconded by Councilperson Joyce.

BE IT RESOLVED, that the Town of Cairo Board members accepts the \$74,907.00 Quote for the year 2013.

A motion was made by Councilperson Suttmeier and seconded by Councilperson Joyce to adjourn the meeting at 5:15 PM.

Respectfully submitted,

Debbie Litchko  
Deputy Town Clerk



## **Minutes**

### **Town of Cairo Town Board Meeting**

**Location: Town Hall Meeting Room @ 7:00 PM**

**September 25, 2013**

The Town Board of the Town of Cairo met for a board meeting on Wednesday, September 25, 2013 at the Town Hall, Main Street, Cairo, New York.

Supervisor Banta called the meeting to order at 7:15 PM and then asked the attendees to Pledge Allegiance to the flag. Councilperson Ostrander, Councilperson Joyce, Councilperson Suttmeier were present. Councilperson Puorro was absent.

There was a presentation by John Wolham with the Office of Real Property Tax to give an overview of the Basic Star re-registration this year. After the presentation, he met with people in the hallway and helped them sign up for the basic star program.

The minutes from the September 11, 2013 Board Meeting was accepted by Councilperson Ostrander and seconded by Councilperson Suttmeier.

Supervisor Banta went over the Department Reports.

Dare Day will be held on Saturday, September 28, 2013 from 10 AM – 4 PM at the Cairo Town Park.

**Resolution No. 210 -13** “Receipt of Monthly Supervisor’s Report” offered by Councilperson Suttmeier and seconded by Councilperson Joyce.

WHEREAS, it has been recommended by the NYS Comptroller's Office in the Town of Cairo report of Examination 2008M-175, that the Supervisor should present a Monthly Report to the Board Members consisting of cash receipts, cash disbursements, and a budget versus actual report for expenses and revenues, and it be documented in the minutes; therefore, be it

RESOLVED, that the Town Board Members accept the monthly Supervisor's Report for August, 2013.

All members in favor-carried

**Resolution No. 211-13** "Accepting Sewer Billings" offered by Councilperson Ostrander and seconded by Councilperson Joyce.

WHEREAS, it is necessary for the EDU Billings be authorized by the Town Board and documented in the minutes; therefore, be it

RESOLVED, that the Town Board accepts the EDU Billings as presented from the Water Clerk in the amount of \$109,700.00 dated September 2, 2013.

All members in favor-carried

**Resolution No. 213-13** "Accepting Sewer Billings" offered by Councilperson Suttmeier and seconded by Councilperson Ostrander.

WHEREAS, it is necessary for the Sewer Billings be authorized by the Town Board and documented in the minutes; therefore, be it

RESOLVED, that the Town Board accepts the Sewer Penalties as presented from the Water Clerk in the amount of \$2,917.87 dated September 12, 2013.

All members in favor-carried

**Resolution No. 214-13** "Water Meter Reader" offered by Councilperson Joyce and seconded by Councilperson Ostrander.

Be it resolved, that the Town Board of the Town of Cairo does hereby authorize Albert Gasparini to read the water meters for the rate of \$10.00 per hour retroactive to September 19, 2013.

All members in favor-carried

**Resolution No. 215-13**

“Building & Code Enforcement Conference

Travel October 2013” offered by Councilperson Suttmeier and seconded by Councilperson Ostrander:

Whereas, the Building Inspector & Code Enforcement Officer have to participate in annual training to maintain applicable certifications and the State mandated 24 hours of educational training; therefore,

Be it resolved, that the Town Board of the Town of Cairo does hereby authorize the Building Inspector & Code Enforcement Officer to attend the Capital District Educational Conference in Albany on October 22<sup>nd</sup> to 23<sup>rd</sup>. The Town Board approves 2 nights and 2 days for the conference. Mileage and travel expenses will be reimbursed according to the Town’s Travel Policy. Vouchers and receipts must be submitted to receive reimbursement.

All members in favor-carried

**Resolution No. 216 -13**

“Building & Code Enforcement Conference

Travel October 2013” offered by Councilperson Suttmeier and seconded by Councilperson Ostrander:

Whereas, the Building Inspector & Code Enforcement Officer have to participate in annual training to maintain applicable certifications and the State mandated 24 hours of educational training; therefore,

Be it resolved, that the Town Board of the Town of Cairo does hereby authorize the Building Inspector & Code Enforcement Officer to attend the Tri-County NYSBOC Conference in Kauneonga Lane on December 5<sup>th</sup> to 6<sup>th</sup>. The Town Board approves 2 nights and 2 days for the conference. Mileage and travel expenses will be reimbursed according to the Town’s Travel Policy. Vouchers and receipts must be submitted to receive reimbursement.

All members in favor-carried

**Resolution No. 217 -13**

Climate Smart Communities Pledge” offered

by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, the Town Board of the Town of Cairo believes that climate change poses a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

BE IT RESOLVED that Town Board of the Town of Cairo, in order to reduce greenhouse gas emissions and adapt to a changing climate will:

### **1. Pledge to Combat Climate Change by Becoming a Climate Smart Community**

Set goals to reduce GHG emissions and adapt to predicted climatic changes. Establish a task force of local officials and community members to review the issues and propose a plan of action. Designate a point person who will oversee climate change initiatives and publicly report on progress. Work cooperatively with similar task forces in neighboring communities to ensure that efforts complement and reinforce one another. As an official signal of commitment and for access to technical resources, sign on to a widespread climate campaign such as ICLEI Local Governments for Sustainability - Climate Protection campaign.

### **2. Set Goals, Inventory Emissions, Move to Action**

Gather data, inventory GHG gas emissions, and establish baselines for local government operations and community sectors. Develop quantifiable interim GHG emission targets consistent with emission reduction goals and propose a schedule and financing strategy to meet them. Encourage stakeholder and public input and develop an action plan. Report emissions to The Climate Registry (TCR), which has developed a standardized method for reporting emissions inventories; use ICLEI and TCR's tools to track and evaluate progress.

### **3. Decrease Energy Demand for Local Government Operations**

Adopt a goal of reducing electricity use by 15 percent from projected levels no later than 2015.

**Existing Public Facilities.** Inventory current building electricity usage and identify opportunities for conservation and efficiency retrofits. Obtain energy assessments from the New York State Energy Research and Development Authority (NYSERDA), the New York Power Authority, the Long Island Power Authority or other professionals. Consider actions such as purchasing energy efficient equipment and appliances, such as ENERGY STAR®; improving lighting, heating, and



cooling efficiency; setting thermostats for maximum energy conservation; decreasing plug load from office equipment; and increasing pump efficiency in water and wastewater systems.

**New Public Buildings.** Achieve at least minimum U.S. Green Building Council Leadership in Energy and Environmental Design standards (LEED Silver) for all new local government buildings. Infrastructure. Incorporate energy efficient technologies and operations and maintenance practices into municipal street lighting, traffic signals, and water and wastewater treatment facilities.

**Vehicle Fleet and Commuting.** Improve the average fuel efficiency of local government fleet vehicles. Discourage vehicle idling and encourage bicycling, car-pooling and public transit for employees. Consider reducing the number of vehicles; converting fleet vehicles to sustainable alternative fuels; and using electric vehicles where possible.

#### **4. Encourage Renewable Energy for Local Government Operations**

Supply as much of the local government's power, heat and hot water needs as possible from solar, wind, and small hydro through purchase or direct generation.

#### **5. Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices**

Expand the "reduce, reuse and recycle" approach to waste management in local government operations and in the whole community. Reduce the amount of solid waste generated -- promote backyard composting, implement volume-based pricing and educate residents on how to prevent waste. Promote reuse by organizing community-wide yard sales, and providing a space for drop-off or trade of reusable goods. Provide recycling receptacles in local government buildings and outdoor spaces, require duplex printing in government offices, compost food scraps and green waste, and adopt a comprehensive green purchasing program.

#### **6. Promote Climate Protection through Community Land Use Planning**

Combat climate change by encouraging low-emissions development that is resilient to climatic changes. When updating land use policies, building codes or community plans, include provisions to combat climate change; reduce sprawl; preserve and protect open space, biodiversity, and water supplies; promote compact, transit-oriented, bikeable and walkable communities; promote infill development; minimize new development in floodplains; maintain or establish healthy community forests; and promote best forest management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide.

#### **7. Plan for Adaptation to Unavoidable Climate Change**

Evaluate risks from unavoidable climate change, set adaptation goals and plan for adaptation. Identify climate change impacts (such as flooding, drought, and extreme temperatures) that could affect the community. Identify areas such as water supply and sewer infrastructure that may be at risk due to sea-level rise and future changes in climate. Factor risks into long-term investments and decision-making. Execute climate change adaptation and preparedness measures through local government planning, development and operations, giving priority to the highest risk areas.

## 8. Support a Green Innovation Economy

Identify opportunities to incorporate climate protection, sustainability and environmental goods and service industries into economic development plans. Encourage workforce development training and school curricula that support the emerging green collar job sector, including renewable energy and energy efficiency, as well as climate smart solid waste management practices. Procure climate smart goods and services for local government operations and support modernizing of local and national electricity grids.

## 9. Inform and Inspire the Public

Lead by example. Highlight local government commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects by hosting open houses; distributing fliers; holding local meetings; working with school districts, colleges, and universities to develop climate change curricula and programs; engaging faith-based communities in climate protection; and regularly communicating community climate protection goals and progress to constituents.

## 10. Commit to an Evolving Process

Acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and commit to update plans and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less-effective actions and amplify positive results.

All members in favor-carried

### **Resolution No. 218 -13**

“Approve Well Drilling” offered by Supervisor

Banta and seconded by Councilperson Ostrander.

Be it resolved, that the Town Board of the Town of Cairo does hereby approve well drilling bids at \$9,900 - \$14,000 from Smith Well Drilling. Recommendation for 1 - 3 wells for an aggregate of the 3.

All members in favor-carried

### **Resolution No. 219 -13**

“Budget Amendments and Payments of Bills on

Abstract #317” offered by Councilperson Ostrander and seconded by Councilperson Joyce.

WHEREAS, the town law requires that no fund or appropriation account may be overdrawn; and

WHEREAS, payment of bills should be properly authorized and documented in the minutes; therefore be it

RESOLVED, THE Town Board does hereby authorize the following budget amendments:

From	A-1990.4	Contingent	-116.29
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To	A-1010.4	Legislative-Contractual	+116.29
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From	A-1990.4	Contingent	-15,680.42
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To	A-1420.4	Law	+15,680.42
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From	A-1990.4	Contingent	-1,452.28
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To	A-5182.4	Street Lighting-Contractual	+1,452.28
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From	DA-5120.4	Maint. of Bridges-Contractual	-710.94
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To	DA-5130.4	Machinery-Contractual	+710.94
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From	SS-8120.4	Sanitary Sewers-Contractual	-40.55
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To	SS-8110.451	Sewer Admin-Contractual	+40.55
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And be it further RESOLVED, the Town Board does hereby authorize that Abstract #317, consisting of 2013 Vouchers #2165 through #2267 in the amount of \$529,044.54 is approved for payment.

The total amount to be paid from the:

General Fund -	\$42,995.41
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Street Lighting -
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Highway Fund -	\$437,331.39
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Sewer Fund -	\$5,061.45
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Cap. Water Fund -
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Water Fund -	\$416.69
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Cap. Sewer Fund -	\$42,645.50
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Trust & Agency -	\$594.10
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Hydrant Fund –

**Resolution No. 220-13** “Board to Move into Executive Session” offered by Councilperson Suttmeier and Seconded by Councilperson Joyce:

BE IT RESOLVED, Town Board of the Town of Cairo does hereby move into Executive Session at 8:20 PM to discuss medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

All members in favor - motion carried.

**Resolution No. 221-13** “Board to exit Executive Session” offered by Councilperson Suttmeier and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit the Executive Session at 8:55 PM.

All members in favor - motion carried.

A motion was made by Councilperson Ostrander and seconded by Councilperson Joyce to adjourn the meeting at 8:55 PM.

Respectfully submitted,

Tara A. Rumph, RMC, CMC  
Cairo Town Clerk

**Town of Cairo  
Ambulance Service**

PO Box 728  
512 Main Street  
Cairo, NY 12413  
518-622-2357

**Monthly Report  
October 23, 2013**

Total Calls for September..... 75  
Total Transported Calls.....45  
Total Non-transported Calls.....30

Total Amount Billed\_\_\_\_\_ \$ 39,040

**Miscellaneous Items of Interest:**

1. Propane furnace scheduled for installation.
2. Ambulances being prepared for winter. Tires etc.
3. Would like to increase the internet speed to the station through Mid-Hudson cable. Cost will increase about Five dollars per month to double the speed.

<b>TOWN OF CAIRO BOARD MEETING</b>
<b>ASSESSOR'S MONTHLY REPORT</b>

**October 23, 2013**

**New Business: 22 property transfers for the month of September**

**CLOSING**

Janice Hull  
**Sole Assessor**





TOWN OF CAIRO

BUILDING AND CODE ENFORCEMENT

MONTHLY REPORT

September 25, 2013 – October 21, 2013

(03) Building Permits Issued

(04) Certificates of Occupancy Issued

(03) Certificates of Compliance Issued

(22) Violations & Complaints

(01) Violations Pending in Court

(03) Violation Pending with the Town Board

(41) Total Inspections were performed on current projects, violations, and fire inspections

- 
- Attending Capital District Educational Conference 10/22/13 & 10/23/13 for Mandated training hours
  - GOAL for the month: Begin sending out paperwork to do fire inspections.

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16 Railroad Avenue, P.O. Box 728

Phone (518) 622-9894 Fax (518) 622-3217

Cairo, New York 12413

Hours Mon. – Thur. 10am – 3pm & Fri. 10am – 2pm



### **Park Task Force Report**

Meeting convened at 5:25 p.m. on October 1, 2013 at the Angelo Canna Town Park.

**In attendance:** Elizabeth Brinckerhoff, Task Force Chairperson, Linda Kuever, Fran Wolf, Janet McKeon.

### **Agenda Items discussed:**

#### **1.Fund raising update:**

Elizabeth reported receipt of \$500.00 from the Rotary. The slide will be ordered by Robert. He has been given 4 different selections. A dedication will be held when the slide is installed. Invitations will be extended to the Town Board, the media and the donors. To date \$600.00 has been raised toward the purchase of the Fitness center.

#### **2. Gazebo update:**

The Task Force needs to move forward as soon as possible with the plans. Dave Infantino should be contacted to get the plans to the Task Force so the foundation can be completed before winter. A final decision for placement of the gazebo should be done forthwith. Ted will contact Robert about the foundation work.

#### **3.General discussion items:**

- Suggestion of a Maypole dance for the spring picnic.
- Future use of Park may include tennis lessons; possibly through the summer rec. program, and movies in the Park.
- At some point the Town/Task Force may want to discuss hiring a Youth Director.
- Bistro tables need to be finished and placed near the concession area.
- A map of the Park should be done. Elizabeth shared a copy of the Bethlehem Elm Avenue Park map. Fran will contact a teacher she knows who many want to do the map as part of a High School class project for students to receive community service credit. Having a map will be helpful if/when hiring potential landscaping people. Linda, Elizabeth and Fran know of landscapers for possible work.
- Fran will contact Lisa Heinz to get designated smoking areas signs for the Park. (see attached).

Meeting adjourned at 6:00 p.m.

The next Task Force meeting will be held on Tuesday, November 12, 2013 at the Cairo Public Library.

Respectfully submitted by Fran Wolf

Cairo Planning Board Meeting 10/8/2013

Ray Pacifico Acting Chairperson

All present except for Dan Benoit

Master Units Retreat had public hearing and also got final approval based on conditions that were attached and in the work file.

DeFalco-Not present

Schneider Site plan- Rep there for them saying that Scott Lane could not be there, but he is working on site plan, and that a new building is being proposed. There are not sure what will happen with existing buildings, and will let us know at next meeting.

Dollar General-Presented new façade which looks better than previous is the feedback we gave them. I still think they need to make it better. Also, the engineer blamed the proposed zoning law for having to face the building sideways. We need to look into this. They wanted public hearing for next month.

Living Waters Retreat- We voted to waive the review with the understanding that they continue use as apartments only. They mentioned having catering for some gatherings. Do not know if we need to look into this.

South Cairo General Store-Not there

Fabrizio- Came to meeting to say he will be at next meeting with an attorney. He gave us letter of his attorney for our files.

Villela- Not there

Buddhist Temple-Wanted set back for an extension of residence waived. We did but afterwards came up that this parcel is assessed as a commercial property and not residential.

Also Board discussed the proposed zoning law and need to have some changes made and we all should get together as a planning board and send a letter to the Town Board.

Ray Pacifico





512 Main St., PO Box 728  
Cairo, NY 12413

**TOWN OF CAIRO WATER & SEWER  
MONTHLY REPORT**  
September 2013

**Water Department**

Water was billed on October 4, 2013. Resolution submitted. A letter went out with all water bills letting the customers know that all bills will be due by November 10<sup>th</sup> and any un paid bills will be re-levied on the taxes. The letter also asked for them to update their contact information. I have had a great response from them. Received a few phone calls from customers regarding high usage of water. Dave went out and checked for leaks and to make sure the water meters are working properly. There were no leaks and water meters are working fine. Spoke with the homeowners and explained this to them and re-assured them we will continue to watch their water usage. Received a complaint that there was an old water pipe sticking up out of the ground in front of the Cairo Elementary School out by the road where parents park to pick their children up. Dave went and looked at that and said he will go back out there to cut off the pipe sticking up. Wrote a letter to Stacy from the Building Department regarding the water & Sewer at Hannaford for her to issue the CO. Water was turned on at the Villa Napoli Apartments. Water at 650 Main street was turned off. And there is 1 water scheduled to be turned off on 20 Williams Street the week of October 28<sup>th</sup>.

- I will be working on a list of homes that still need water meters.
- I will be working on updating customer information

**Sewer Department**

Received several calls regarding septic problems. One was at 688 main Street, another at 571 main Street and one at 24 Grove Street. Spoke with Joe Myers regarding these, the one at 688 Main Street had a clog and the homeowner was told to call a plumber. The one at 571 Main Street needs to be pumped out and the one at 24 Grove Street had a clog that is the owners responsibility. Receieved a call from the owner at 10 Grove street about a smell coming from the sewer pipes outside. Joe Myers was notified. I met with Highway Supervisor Robert Hempstead, Highway Deputy Supervisor Debi Sommers and Alan Tavenner from Delaware Engineering in regards to the paper work needed to finish the Sewer Project.

- I will be working with Debi Sommers to get all paper work needed to finish up the Sewer project and send it to Alan Tavenner

Debbie Litchko



**J MYERS WATER SERVICE, INC.**

7974 Main Street, PO Box 214  
Hunter, New York 12442

October 23, 2013

Ted Banta, Supervisor  
Town of Cairo  
PO Box 728  
Cairo, New York 12413

Re: Sewer Dept. Monthly Report for September, 2013

The following report cover's facility operations of the Waste Water Treatment Plant (WWTP) and collection system servicing the Town of Cairo.

**WWTP**

**Flow, monthly average:**

September      E19,000gpd

**Biosolids:**

September      0 gals. WWTP Sludge

**Compliance:**

**Compliance was met for the month of September.**

**Comments:**

The new filters went on-line on 7/22/09 and are performing well.

Contractor is almost done with the WWTP upgrades. There is a problem with air distribution in the SBR units. Engineers and Sanitare are still, working on the problem.

## **Collection System**

### **PS-1, Cumberland Farms**

All conditions normal. New pump station in operation.

### **PS-2, Schindler's Garage**

All conditions normal.

### **PS-3, Snyder La**

All conditions normal

Generator off line for repairs from Hurricane Irene (8/2011). FEMA has approved mitigation funds and repair/replacement funds. Highway has begun working on the generator.

### **PS-4, 23 over-pass**

All conditions normal.

### **PS-5, Cairo Collision**

All conditions normal.

### **PS-6, Jerome Rd**

All conditions normal.

### **PS-7, Dunkin Donuts**

All conditions normal

### **PS-8, McDonalds**

All conditions normal.

## **Septic Tank(s)**

N/A

Please call me with any concerns or questions,

Joe Myers, cell 528-8842

## Highway Report

October 23, 2013

1. Chip sealed Agnes Drive, Morehouse Road, Vienna Woods, Holiday Lane, Bald Hill Road.
2. Resurfaced (oil and Stone) Red Rock Road, HM Chadderdon, Scotch Rock Road, Thomas Road, Thomas Drive.
3. Drag box paved Bailey Road, and Bowery Creek
4. 93 residents attended clean up day at the transfer station in Catskill. A special thank you to Karl Wydell and his crew for their assistance.
5. Worked with the Chamber of Commerce in preparation of the Apple harvest
6. Assisted police with the preparation of Dare Day
7. Centerline painting completed, approximately 20 miles of road were painted.
8. Aerial service performed on bucket truck
9. Road sign maintenance ongoing
10. Met with contractors to get estimates for propane furnaces for the highway garage and ambulance building.
11. Assisted Catskill with a truck for paving.
12. Library pump not working. Jim Foley sent maintenance personnel from Columbia Greene to meet with Joe and myself to review/inspect the system.
13. Joe Mazzone came down to repair toilet in ladies room, geothermal pump number 2 in the library.
14. ACS came down to make ongoing repair on air compressor AHU-1 rooftop unit at the library (still not functioning).
15. Town hall renovations continues.
16. Inspected Driveway/Culvert requests
17. Continuous meetings with Hannaford/Bast and Hatfield to finalize highway/drainage changes to facilitate the dedication of Lake Avenue.
18. Paved sections of the Town Park and repaired sections of the walk path.
19. Crews out patching pot holes as weather permits
20. Mechanics servicing snow and ice removal equipment
21. Aquired a used drag box through auctions international
22. Assisted Greene County Soil and Water in the Bowery Creek with Irene and Sandy storm damage repairs with excavator and dozer operations.
23. Coordinated with Sue Boyle for the Cairo Durham Teacher's Association 5K run/walk.
24. Slide has been ordered for the park.
25. New York Museum continues their research in the quarry
26. Moved Water/Sewer/Ambulance department to the Annex
27. Worked with the Water/Sewer department on various repairs, turn offs.
28. Met with Sewer department and engineer regarding pump outs and funding.
29. Ron Baitsholts and Joe DeAngelis attended an equipment show in Syracuse.
30. Gradall out ditching/drainage on various roads.



31. Lime energy working at town hall to retrofit all fixtures to conserve energy.
32. Last year's F350 and the two F550's will be put out to bid.
33. Roadside mowing continues
34. Worked with dozer in the quarry.
35. Myself and Debi will be attending a training in November on how to comply with the Americans with Disabilities Act.
36. Removed Synder Lane generator and site is being prepped for the new generator installation.
37. All Staples sales items located at Town Hall and the Annex have been moved to St. Edmunds. Repairs are being made to secure the building.



## **TOWN OF CAIRO SUPERVISOR'S REPORT**

**October 23, 2013 @ 7PM**

**Location: Town Hall of Cairo, Meeting Room**

### **Notification of Meeting:**

- Town Clerk's Board
- Town Hall
- Outdoor Bulletin Board
- Town Website
- Daily Mail
- Town Email from Clerk

### **Monthly Financial Report: September 2013**

### **Zoning:**

- **Zoning Meetings 2013:**
  - o January 8<sup>th</sup> @ 4pm, January 15<sup>th</sup> @ 3:30pm, January 28<sup>th</sup> @ 4pm
  - o February 4<sup>th</sup> @ 4pm, February 15<sup>th</sup> @ 3pm, February 26<sup>th</sup> @ 10am
  - o March 15<sup>th</sup> @ 9am, March 26<sup>th</sup> @ 4pm
  - o April 8<sup>th</sup> @ 4pm, April 15<sup>th</sup> @ 3:30pm, April 22<sup>nd</sup> @ 3:30pm, April 29<sup>th</sup> @ 3:30pm
  - o May 6<sup>th</sup> @ 3:30pm, May 13<sup>th</sup> @ 3:30pm, May 22<sup>nd</sup> @ 3:30pm, May 31<sup>st</sup> @ 3:30pm
  - o June 18<sup>th</sup> @ 4pm, June 25<sup>th</sup> @ 4pm(completed review of classification chart)
  - o July 8<sup>th</sup> & 15<sup>th</sup> @ 4pm, next meeting July 25<sup>th</sup> @ 3:30pm
  - o August 12<sup>th</sup> @ 3:30pm

[February 28<sup>th</sup>, March 19<sup>th</sup>, & July 22<sup>nd</sup> meetings were cancelled]

\*Completed review of the text on 5/13; reviewed zones on 5/22

\*Final review completed on 8/12

**Public Hearing scheduled for September 25<sup>th</sup> from 5pm to 7pm**

**Greene County Approved the Proposed Zoning Law with recommendations**
- I have received several inquiries thus far regarding the Zoning Map and the zones that apply to the interested parties. I have instructed them to fill out a feedback form that is available on the homepage of the town's website if they have specific requests for changes.
  - o Documents posted on website:
    - Proposed Zoning Law
    - Proposed Zoning Map
    - Feedback Form
- **Final Process:**
  - o Hire John Lyons-Attorney & Zoning Moderator to evaluate proposed errors/contradictions/discrepancies.

- Town Board to meet with Town Counsel and John Lyons to discuss any discrepancies, review property owner requests, and apply any changes to the Zoning Law.
- Host another Public Hearing prior to approval of the Zoning Law.

#### **Employee Meetings 2013:**

- January 23<sup>rd</sup>, March 27<sup>th</sup>, April 24<sup>th</sup> (Employee Luncheon), May 29<sup>th</sup>, June 27<sup>th</sup> @ 10:30am
- October 8<sup>th</sup> @ 11am
- Apple Pie/Cider/Hot Chocolate: October 23<sup>rd</sup> @ 1pm

#### **Budget Sessions & Timeline:**

- Departmental Budget Sessions September 16<sup>th</sup> 11am to 2:30pm
- Tentative Budget due by September 30<sup>th</sup>
- Town Clerk must submit budget to Town Board by October 5<sup>th</sup>
- Public Hearing must take place by November 8<sup>th</sup>
  - November 6<sup>th</sup> at 7pm for the PH
- Adoption of Budget must occur by November 20<sup>th</sup>. We can adopt the budget at our Work Session on November 13<sup>th</sup>.

#### **Parks:**

- Gazebo project:
  - Wood to be donated by B&B Forest Products
  - Metzer will donate labor and resources to cut the wood
  - Town personnel will build the gazebo
- Grant Initiative:
  - CFA Grant completed by Jill Snyder and submitted on August 12<sup>th</sup>
- Soccer Fields: Patty Gibson completed and submitted grants for the Soccer Fields

#### **Office Renovation:**

- Construction in progress

#### **Annex Building Renovation:**

- Received draft from engineer. Reviewing & revising draft.
- Met with Doug O. & Rick B. to review/revise plans on 9/20 @ 10am

#### **Sidewalk Initiative:**

- Seeking funding & support for sidewalks down Main Street
- Preparing grant submissions
- Grant extension filed and granted for design phase
- RFP for sidewalk design or pre-design exorbitant
  - Will inquire with the County as to their ability to help us with design

#### **Well supply/drilling:**

- Site Inspection: September 11, 2013 @ 5:30pm at Town Park with Park Task Force, Hydro-Geologist, and Delaware Engineering
- Identified priority of site drilling: will start at site 1 which is on the road between the football field and playground parking lot before the walking path.

#### **Sewer Moratorium:**

- Met with DEC on Thursday, October 3<sup>rd</sup> at 9:30am at the Wastewater Plant
  - They understand we are in compliance and will process our request to lift the moratorium

#### **DARE Program Presentation:**

- Tom Plank 20 years of service

### **Labor Negotiations:**

- Ambulance Department negotiations in progress:
  - o Mediation held October 9, 2013 @ 10am at Town Hall
  - o Next meeting: November 20, 2013 @ 10am
- Highway Department should commence fall of 2013
- Police Department should commence fall of 2013

### **Animal Control:**

- Bruce Feml from Tannersville submitted a proposal
  - o Dan Joyce is working on costs

### **Boy Scouts Highway Clean-up Day:**

- Highway Clean-up 10/19 8:30am – 12:30pm @ Acra Manor

### **Meeting Schedule:**

- Town Board meeting on November 27, 2013 is cancelled-day before Thanksgiving
- Town Board meeting on December 25, 2013 is cancelled-Christmas

### **Holiday Parade:**

- November 30<sup>th</sup>, Saturday
- Parade at around 4:30pm
- Craft Fair 2pm to 6pm in Library
- Decorating contest for Business & Homes on Main St

### **Department Reports:**

- You'll now see goals listed

### **Events Attended:**

- Senior Annual Meeting 10/9/13 1:30pm
- Hannaford Grand Opening Preview 10/18/13 5pm
- Hannaford Grand Opening Ribbon Cutting 10/19/13 6:30pm
  - o Offered Welcome Plaque-Certificate of Appreciation
- Fire Department Honoree 10/19/13 12pm:
  - o Joe Distefano-saved another's life passing a car accident

### **Upcoming Event:**

- Breaking the Cycle, October 25<sup>th</sup>, Friday at 12:45pm
- Cairo-Durham High School
- Non-violent Conflict Resolution through Forgiveness

### **CDTA:**

- Thank you to the Town for the assistance for the 5K Walk/Run fundraising effort.
- Raised \$1,000 for Graduating Seniors

**TOWN OF CAIRO**

**October 23, 2013**

**RESOLUTION NO. \_\_\_\_\_**

**“Receipt of Monthly Supervisor’s Report”**

Councilperson \_\_\_\_\_ offered the following resolution and moved its adoption:

WHEREAS, it has been recommended by the NYS Comptroller’s Office in the Town of Cairo Report of Examination 2008M-175, that the Supervisor should present a Monthly Report to the Board Members consisting of cash receipts, cash disbursements, and a budget versus actual report for expenses and revenues, and it be documented in the minutes; therefore, be it,

RESOLVED, that the Town Board Members accept the monthly Supervisor’s Report for September, 2013.

SECONDED BY COUNCILPERSON \_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_ CARRIED \_\_\_\_\_ DEFEATED \_\_\_\_\_



**TOWN OF CAIRO**

**October 23, 2013**

**RESOLUTION NO. \_\_\_\_\_**

**“Schoenecker Construction Change Order 1”**

Councilperson \_\_\_\_\_ offered the following resolution and moved its adoption:

WHEREAS, there was an approved contract in the amount of \$1,010,003.00 between the Cairo Town Board and contractor Schoenecker Construction for Wastewater Plant Improvements; and

WHEREAS, the contractor completed additional work as requested of Delaware Engineering, PC (see attached list); and

WHEREAS, the additional work requested for materials and labor is \$46,950.00; therefore be it

RESOLVED, that contract change order no. 1 for Schoenecker Construction be approved in the amount of \$46,950.00 for a total contract price of \$1,056,953.00.

SECONDED BY COUNCILPERSON \_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_ CARRIED \_\_\_\_\_ DEFEATED \_\_\_\_\_

**CHANGE ORDER NO. 1**

Owner TOWN OF CAIRO, NY Date 10/17/2013  
 Project WASTEWATER PLANT UPGRADES - GENERAL CONSTRUCTION  
 Owner's Contract No. 1G Contractor SCHOENECKER CONSTRUCTION  
 Date of Contract Start 9/19/2011 \$ 1,010,003.00

You are directed to make the following changes in the Contract Documents. Description:

COMPLETE ADDITIONAL WORK AND COMPLETE THE PROJECT IN ACCORDANCE WITH THE ATTACHED.

## Reason for Change Order:

UNKNOWN SITE CONDITIONS. TIME EXTENDED DUE TO WINTER AND OTHER WEATHER CONDITIONS AND SUPPLIER DELAYS IN DELIVERING EQUIPMENT AND START-UP SERVICES.

CONTRACT PRICE		CONTRACT TIMES (Calendar Days)	
		To substantial completion	To final completion
Original:	\$ 1,010,003.00		
Previous C.O.s (ADD/DEDUCT):	\$ 0.00		
This C.O. (ADD/DEDUCT):	\$ 46,950		
Contract Price with all approved Change Orders:	\$ 1,056,953		
Original:			
Previous C.O.s (ADD/DEDUCT):			
This C.O. (ADD/DEDUCT):			
REVISED:			
Original Completion Date:			
Revised Completion Date:			

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

## RECOMMENDED:

By: [Signature]  
 Engineer (Authorized Signature)

Date

10/18/2013

## APPROVED:

By: \_\_\_\_\_  
 Owner (Authorized Signature)

Date

## ACCEPTED:

By: [Signature]  
 Contractor (Authorized Signature)

Date

10/18/2013

## CAIRO WASTEWATER PLANT – GENERAL CONSTRUCTION

## ADDED WORK FOR CHANGE ORDER No. 1 TO CLOSE OUT

1. Extra steel in base of SBR #1. The drawings omitted a layer of steel bars around the perimeter of the tank. When steel was being set this was identified. The extra layer of bars was supplied and installed, this amounted to approximately one-ton of extra steel at installed cost of \$1/lb is \$2000.
2. An 8-ft square reinforced concrete pad and an 8" wall casting was set in the wall of the new Equalization Tank. DEC had expressed concerns that the tank might need to be aerated. To address DEC questions the pad was poured on which to install a pump to draw liquid out of the tank for recirculation with a jet aerator. The pump and aerator were not installed but the pad and pipe opening are there if the equipment proved to be needed at a later date. This was done by the contractor at a lump sum of \$2800.
3. Contractor located and excavated existing 6-in lines from the EQ tank to the SBR's and cut in and installed two 6" plug valves with risers. Unit price for these is \$1100 each, for a cost of \$2200.
4. Operator requested a spare liner-sleeve for main inlet pinch valve as a spare. These are special fabricated and take time to get. Cost from supplier plus overhead and profit is \$1800.
5. Fabricate custom base plate for lift crane on SBR #3. Base not included in plans, added to allow removal of crane using existing winch (jib crane); Cost was \$450.
6. Existing duplex air compressor was found to barely run and it had been planned for use with new equipment. Contractor spent one day-two men cleaning, lubricating and rehabbing the unit and bought and installed two new 3-hp 3-phase motors (\$500 each). Price for work and motors was \$3500.
7. Clean out of SBRs was not assumed to be a significant amount of work, but heavy sludge mixed with rags, plastic and grit could not be pumped form 16' down in tank. Work required contractor to enter the tank, install floor anchors and set new equipment. For SBR #1 there was also a truck load of sand, the source of which was never determined – possibly old filters. The contractor spent a day with three men, a truck and a large excavator manually cleaning out. Cost for the work was \$4500.
8. Clean-out of SBR #2 was more difficult than anticipated as well but took less equipment and time than SBR #1. The cost for a day of work, manual cleaning and pumping was \$3000.
9. SBR #1 Decanter old actuator failed during project. Contractor took apart; determined actuator had failed and damaged other parts. Contractor obtained parts (cost of \$820 for actuator plus additional parts) and repaired. Cost for the parts and work was \$2500.
10. Added 4-inch flanged gate valve in flow control pit to allow for pit bypass giving operator more flexibility. Also added to cut flanges, support block and additional time. Cost for the parts and work was \$1000.
11. Fabricated custom mounting for top-rails where they interfere with grating for service removal of SBR #3 pump. Cost for parts and work was \$1600.
12. When EQ tanks were throttled hold back water as originally designed, water back-flowed out of sludge tanks and filter backwash pipe in plant. Header was found to be connected to these waste lines as well. Contractor excavated pipes, cut in fittings, laid 50-ft of new 4" pipe, removed and re-laid side walk and put

in a new bypass pipe to prevent future overflows and allow operation as intended. Costs for three days of machine, 2-men and parts were \$12,500.

13. To correct backflow through the filter backwash pipe the 4" DI piping there was changed to a rigid connection and an air release valve was furnished and installed. The cost for parts and labor for this was \$1600.

14. Replace Bolts in SBR Tank #1 and #2 that hold underwater decanter assembly together. The old nuts and bolts were severely corroded and fused into metal and concrete. Old bolts were cut out and replaced with new large diameter stainless steel nuts and bolts. The cost for clean-out, new hardware and other labor was \$2000.

15. The two original tanks were equipped with return pumps that had not been used since the plant started. They were much larger than expected and were in the way of the new air piping. Because of new tank location it was necessary to bring back boom-lift to remove pumps. Cost for the truck, and labor was \$2000.

16. Waste grinder pump under new drive is leaking, needs to be excavated, repaired and pavement patched. Cost for this work is \$3500.

#### SUMMARY OF ADDITIONS:

1	Added steel reinforcing SBR #1 floor	
2	Pump equipment pad and pipe at new EQ	\$2,000
3	Added valves	\$2,800
4	Spare parts for pinch valve	\$2,200
5	Base plate for SBR #3 lift crane	\$1,800
6	Repair/Rehab existing compressor	\$450
7	SBR #1 extra cleaning	\$3,500
8	SBR #2 extra cleaning	\$4,500
9	Repair failed actuator on SBR #1	\$3,000
10	Add gate valve and pipe in control valve pit	\$2,500
11	Special fabricate pump mounts for SBR #3.	\$1,000
12	Re-route sludge line pipe found connected to other pipe.	\$1,600
13	Plumbing and air relief on filter waste line	\$12,500
14	Repalce corroded hardware in old SBRs with stainless	\$1,600
15	Removal of two old waste pumps using boom truck	\$2,000
16	Repairs on septic grinder at plant.	\$2,000
	Total	<u>\$3,500</u>
		\$46,950

# TOWN OF CAIRO

October 23, 2013

## ❖ RESOLUTION NO. \_\_\_\_\_

❖ “Accepting Water Billing  
Dated October 3, 2013”

Councilperson \_\_\_\_\_ offered the following resolution and moved its adoption:

WHEREAS, it is necessary for the Water Billings be authorized by the Town Board and documented in the minutes; therefore, be it

Resolved, that the Town board accepts the Water Billing as presented from the Water Clerk in the amount of \$46,418.10 dated October 3, 2013.

SECONDED BY COUNCILPERSON \_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_ CARRIED \_\_\_\_\_ DEFEATED \_\_\_\_\_



**TOWN OF CAIRO**

**October 23, 2013**

**RESOLUTION NO. \_\_\_\_\_**

**“Authorize Supervisor to Sign Climate Smart Strategy for Cairo”**

Councilperson\_\_\_\_\_ offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Town Supervisor to sign the Climate Smart Communities Custom Service Strategy for Cairo August 2013, dated July 24, 2013.

SECONDED BY COUNCILPERSON\_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_ CARRIED \_\_\_\_\_ DEFEATED \_\_\_\_\_



# Climate Smart Communities – Capital Region Custom Service Strategy for Cairo August 2013

**IN-PERSON CONSULTATION DATE:** July 24, 2013

**COMMUNITY MEMBERS IN ATTENDANCE:**

Ted Banta – Town Supervisor  
Doug Ostrander – Deputy Town Supervisor  
Ray Suttmeier – Town Board Member  
Dan Joyce – Town Board Member  
Tony Puorro – Town Board Member  
Ewald Schwarzenegger – Volunteer  
Janet Schwarzenegger – Volunteer

**CSC REGIONAL COORDINATOR SUPPORT TEAM MEMBERS PRESENT:**

Todd Fabozzi, CDRPC  
Angela Vincent, VHB

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**CLIMATE PROTECTION PRIORITIES**

1. Investigate PACE financing, particularly as it relates to Main Street revitalization efforts
2. Install a solar farm on the old quarry to power all Town facilities
3. Updating the zoning ordinance to incentivize density
4. Using energy management software to track energy use from Town buildings

**CLIMATE SMART COMMUNITY SERVICE RECOMMENDATION**

Investigate the financing options for installing a solar farm at a former quarry off of state route 145. These options could include: leasing, remote net metering, and a power purchase agreement (PPA).

**CLIMATE PROTECTION ISSUE TO BE ADDRESSED**

Installing renewable energy systems, such as solar power systems, is an important way for local governments to reduce the use of fossil fuels and resulting greenhouse gas emissions, as well as decrease municipal energy costs. There are a variety of financing structures available to communities to install solar power systems on municipal property. The best option for financing the system will depend on the resources and priorities of the municipality in the short and long term. This strategy will uncover the intricacies of several financing possibilities to help the Town decide which option will work the best.

**PLEDGE ELEMENT TO BE ADDRESSED**

*Pledge Element 4: Encourage Renewable Energy for Local Government Operations*

**POTENTIAL RESOURCES AVAILABLE AND FINAL DELIVERABLES**

**Resources:**

- The Database of State Incentives for Renewables and Efficiency (DSIRE)
- NYS Public Services Commission (regarding net metering)
- Central Hudson (for data)
- Economic Development Growth Extension (EDGE) Program



## Climate Smart Communities – Capital Region Custom Service Strategy for Cairo August 2013

### ***Deliverable:***

Summary of financing options to fund the installation of a solar farm on Town-owned land, including a description of each option, basic process for securing the financing, and the pros and cons of each financing possibility.

### **TIMELINE FOR COMPLETION OF STRATEGY**

TASK	WHO	TIME					
		Week 1	Week 2	Week 3	Week 4	Week 5	Week 6
Schedule a call with Town representatives to determine what has been accomplished to-date	Kari Hewitt, VHB and Town reps						
Obtain data on energy use from Central Hudson for all Town facilities	Kari Hewitt, VHB						
Research various financing options, including PPA, leasing and remote net metering.	Marianne Iarossi, VHB						
Compile research into summary of options for Cairo	Kari Hewitt, VHB						
Deliver summary to Town	Todd Fabozzi (CDRPC)						

### **ACKNOWLEDGEMENT**

I, \_\_\_\_\_, hereby acknowledge receipt of this Climate Smart  
(elected official/staff)

Communities Custom Service Strategy (Strategy) for Cairo. The Town

is committed to working with VHB to implement this Strategy. We look forward to  
furthering our climate protection efforts through the Climate Smart Communities Program.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Primary Contact Person for this Project:** \_\_\_\_\_

**TOWN OF CAIRO**

**October 23, 2013**

**RESOLUTION NO. \_\_\_\_\_**

**“Hire Attorney John F. Lyons for Zoning Counsel”**

Councilperson\_\_\_\_\_ offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby hire John F. Lyons of Grant & Lyons LLP for work pertaining to the Zoning Law at a rate of \$150 per hour, retroactive to September 25, 2013.

SECONDED BY COUNCILPERSON\_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_ CARRIED \_\_\_\_\_ DEFEATED \_\_\_\_\_

# TOWN OF CAIRO

October 23, 2013

## RESOLUTION NO. \_\_\_\_\_

### “Budget Amendments and Payment of Bills on Abstract #319”

Councilperson\_\_\_\_\_ offered the following resolution and moved its adoption:

WHEREAS, town law requires that no fund or appropriation account may be overdrawn; and

WHEREAS, payment of bills should be properly authorized and documented in the minutes;  
therefore be it

RESOLVED, the Town Board does hereby authorize the following budget amendments:

From	A-1990.4	Contingent	-375.84
To	A-1010.4	Legislative - Contractual	+375.84
From	A-1110.104	Personal Services	-6,730.77
To	A-1110.101	Personal Services	+6,730.77
From	A-1110.2	Municipal Court-Equipment	-242.49
To	A-1110.4	Municipal Court-Contractual	+242.49
From	A-1990.4	Contingent	-309.75
To	A-1420.4	Law – Contractual	+309.75
From	A-5182.2	Street Lighting-Equipment	-680.59
To	A-5182.4	Street Lighting-Contractual	+680.59
From	A-8810.4	Cemeteries-Contractual	-504.20
To	A-8810.15	Cemeteries-Personal Services	+504.20
From	A-9730.6	BAN-Principal	-5,147.19
To	A-9730.7	BAN-Interest	+5,147.19
From	DA-5130.2	Machinery-Equipment	-6,700.35
To	DA-5130.4	Machinery-Contractual	+6,700.35
From	DA-5140.2	Brush/Weeds-Equipment	-227.17
To	DA-5140.4	Brush/Weeds-Contractual	+227.17
From	SL	Fund Balance	-2,689.36
To	SL-5182.443	Street Light-Cairo	+92.30
To	SL-5182.444	Street Light-Purling	+1,939.43
To	SL-5182.445	Street Light-Round Top	+592.93
To	SL-5182.447	Street Light-Winter Clove	+64.70



From	SS-8110.103	Sewer Admin-Persl Ser	-161.10
To	SS-8110.451	Sewer Admin-Contractual	+161.10

And be it further RESOLVED, the Town Board does hereby authorize that Abstract #319, consisting of 2013 Vouchers #2300 through #2407 in the amount of \$234,068.57 is approved for payment.

The total amount to be paid from the:

General Fund -	\$88,999.86	Hydrant -	\$7,500.00
Highway Fund -	\$126,496.02	Sewer Fund -	\$7,929.35
Cap. Water Fund -		Water Fund -	\$1,163.69
Cap. Sewer Fund -		Trust & Agency -	\$1,979.65

SECONDED BY COUNCILPERSON \_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_ CARRIED \_\_\_\_\_ DEFEATED \_\_\_\_\_

# TOWN OF CAIRO

October 23, 2013

## RESOLUTION NO. \_\_\_\_\_

“Void Delaware Engineering Voucher #2251”

Councilperson \_\_\_\_\_ offered the following resolution and moved its adoption:

WHEREAS, there was an approved voucher #2251 to be paid to Delaware Engineering, PC in the amount of \$1,805.00 on Abstract #317; and

WHEREAS, New York State Environmental Facilities will not release the funds for this voucher because it would exceed the approved contract amount for the Engineering Construction Phase; therefore be it

RESOLVED, that voucher #2251 for Delaware Engineering, PC in the amount of \$1,805.00 is void on Abstract #317.

SECONDED BY COUNCILPERSON \_\_\_\_\_

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AY E	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE \_\_\_\_ NAY \_\_\_\_ ABSENT \_\_\_\_ CARRIED \_\_\_\_ DEFEATED \_\_\_\_