

REGULAR ARCADIA TOWN BOARD MEETING

May 12, 2026 – 7:00 PM

Town Hall

201 Frey St.

Newark, NY 14513

Supervisor Piscioti welcomed those in attendance followed by the gathering in the pledge of allegiance.

PRESENT: Supervisor Piscioti
Councilmembers: Gerbig, Greco, VanLaeken

Highway Supt. Kuhlman
CEO DeWolf
Deputy Town Clerk Vacchetto
David Hou, Town Attorney

ABSENT: Councilman Diamond

MINUTES: Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve the minutes of April 14, 2026 Regular Town Board Meeting.

All voted Aye.

HIGHWAY REPORT: Highway Supt. Kuhlman read his report.
Report attached.

Highway Supt. Kuhlman said the auction would be starting for the surplus items of Mack Tandem Axle and Dodge. Auction runs about a week. He will let the Board know how it goes.

CODE ENFORCEMENT REPORT: CEO DeWolf read his April 2026 Report. Report Attached.

CEO DeWolf said the Code part of the Cloud Permit goes live next week.

He also said Brycer, L.P. reached out to him about software that does fire and safety reports. Would be no charge to the Town. The cost would go to the contractor.

CEO DeWolf told them he did not think we'd be interested in it because we don't have many businesses in the Town; but he would ask. Board felt it was not necessary.

REPORTS OF TOWN OFFICIALS:

All Town Reports: Moved by Councilperson Greco, seconded by Councilperson Gerbig to approve the following reports: Town Clerk, Code Officer, Assessor, Supervisor and Highway reports.
All voted Aye.

COMMUNICATIONS: Supervisor Piscioti noted NYS has passed legislation that requires all dog license applications and renewals to include a space for voluntary donations to the local municipal animal shelter. The monies collected from the voluntary contributions will be properly accounted for and given to the Wayne County Humane Society. Supervisor Piscioti said she believes this is already in process. Town Clerk Vastbinder said yes it is on the dog licenses and renewals. There has already been a donation made.

PUBLIC HEARING:

7:05 PM Local Law to Regulate Short Term Rentals Motion made by Councilman VanLaeken, seconded by Councilman Greco to close the Regular Town Board Meeting and open to a Public Hearing for Proposed Local Law to Regulate Short Term Rentals.
All voted Aye.

Motion made by Councilman Greco, seconded by Councilman Gerbig to waive the reading of the legal notice.

Supervisor Piscioti asked if there were any comments regarding the proposed Local Law. Debbie Lockner asked what the purpose of this was for. Attorney Hou answered this saying this is to regulate short-term rentals. Basically, they apply for a permit, which then allows the Town to inspect for health and safety reasons. CEO DeWolf said that Airbnb's are becoming more popular. Debbie also asked if there would be a fee. Attorney Hou said there could be if the Town wanted it. Attorney Hou also said the Town has the ordinary codes that apply.

Supervisor Piscioti asked if there any more questions or comments. Hearing none, she asked for a motion to close the Public Hearing.

7:11 PM Motion made by Councilman VanLaeken, seconded by Councilman Greco to close the Public Hearing for Local Law to Regulate Short Term Rentals and open back up to the Regular Town Board Meeting.
All voted Aye.

UNFINISHED BUSINESS:

Resolution – Local Law to Regulate Short Term Rentals: Councilman VanLaeken stated he is not in favor of this. No other motions were made for this. It was asked if this could be revisited later. Attorney Hou said it could be. He recommends having another Public hearing if it was revisited.

Local Law to Regulate Special Events – Schedule Public Hearing: Councilman Greco stated he was not in favor of this. No motions were made.

NEW BUSINESS:

Appointment of Health Officer: Motion made by Councilman VanLaeken, seconded by Councilman Gerbig to appoint Diane Devlin RN, MS, BSN as the Town of Arcadia Health Officer.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Absent
Supervisor Piscioti	Aye

Amended Rose City Drive In Liquor Authority Application: Paul Cole submitted an amended 30-day advance notice form to the Town for Rose City Drive In Liquor Authority License Application. The type of establishment changed to Bar/Tavern and patron dancing was added.

Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve EGQ Enterprises, Inc., Rose City Drive In of 5418 Rt. 31 W, Newark NY amended request to apply for a Liquor License to the NYS Liquor Authority. All voted Aye.

PUBLIC HEARING:

7:17 PM Local Law to Abolish Receiver of Taxes Position Motion made by Councilman VanLaeken, seconded by Councilman Greco to close the Regular Town Board Meeting and open to a Public Hearing for Proposed Local Law to Abolish Receiver of Taxes Position.

All voted Aye.

Motion made by Councilman VanLaeken, seconded by Councilman Greco to waive the reading of the legal notice.

All voted Aye.

Supervisor Piscioti asked if there were any comments regarding the proposed Local Law. Hearing none Supervisor Piscioti asked for a motion to close the Public Hearing.

7:19 PM Motion made by Councilman Gerbig, seconded by Councilman VanLaeken to close the Public Hearing for Local Law to Abolish Receiver of Taxes Position and reopen to the Regular Town Board Meeting.

All voted Aye.

RETURNED TO UNFINISHED BUSINESS:

Resolution – Local Law to Abolish Receiver of Taxes Position: Resolution offered by Councilman VanLaeken, seconded by Councilman Greco to adopt proposed Local Law number 2 of the year 2026 entitled “A Local Law to Abolish the Elective Office of Receiver of Taxes and Transfer its Duties to the Town Clerk.”

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Absent
Supervisor Piscioti	Aye

Resolution to Submit Revised Language for use of the 2026 Ballot to the Wayne County Board of Elections: Resolution offered by Councilman VanLaeken, seconded by Councilman Greco to submit revised language for use on the 2026 Ballot to the Wayne County Board of Elections Regarding the Abolishment of the Office of Receiver of Taxes.
Resolution attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Absent
Supervisor Piscioti	Aye

NEW BUSINESS:

Resolution Accepting Price Proposal for SWIA No. 3: Resolution offered by Councilman Gerbig, seconded by Councilman Greco to adopt the Wayne County Water and Sewer Authority Price Proposal for Owner Construction Work of the Project Southwest Improvement Area – Benefit Area No. 3 for the total cost of \$1,487,917.50.

Proposal Attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Absent
Supervisor Piscioti	Aye

Cooperative Agreement for Construction of Water Main and Related Improvements for SWIA No. 3: Moved by Councilman Greco, seconded by Councilman VanLaeken to approve the Cooperative Agreement for Construction on Water Main and Related Improvements for Southwest Improvement Area Benefit Area No. 3 and authorize Supervisor Piscioti to sign the agreement. Agreement attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Absent
Supervisor Piscioti	Aye

Supervisor Piscioti asked Tim Wood from NAVA if he wanted to give an update.

Tim said everything is well. The second bariatric gurney is being installed now.

PUBLIC COMMENTS: Supervisor Piscioti asked if there were any public comments.

Sue DeJohn asked about Water District No. 18 update and if we knew when a public informational meeting would be. Supervisor Piscioti said as of now there isn't any updates. Hoping do a survey in June and schedule a public informational meeting at the next Town Board Meeting.

AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:

General	#130-165	\$31,664.66
Highway	#85-107	<u>\$132,726.77</u>
	Total:	<u>\$164,391.43</u>

Moved by Councilman Gerbig, seconded by Councilman VanLaeken to authorize payment of the General and Highway bills.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Absent
Supervisor Piscioti	Aye

ADJOURNMENT:

7:24 PM Moved by Councilman VanLaeken, seconded by Councilman Greco to adjourn the Town Board meeting.

All Voted Aye

Respectfully Submitted,
Terresa Vastbinder
Town Clerk

MAY Town Board Meeting 5/12/ 2026

The guys have started work on a few of our road projects that are scheduled for this summer and are prepping 4 other roads for surface treating with fiber mat.

We also have both mowers out doing roadside maintenance, with the rains we have been getting the grass & weeds are growing fast !

- * Surface treating roads ;
Martin Rd.
Blue Cut Rd.
S. Cauwels Rd.
Finewood Rd.
- * Shoulder Rehabilitation (T & L) ;
Desmith Rd.
N. Cauwels Rd.

** (road work could change depending CHIPS MONEY available when state budget is approved)

THANK YOU ;

Thomas Kuhlman / Highway Superintendent

Town of Arcadia Code Enforcement Monthly Report For: April 2026

Total Permits Issued for the Month	18
Total Cost of Permits	\$ 899.04
Inspections Done for the Month	8
Total C of C's Issued for the Month	0
Total C of O's Issued for the Month	0
Total Variances Processed for the Month	1
Total Complaints Received	0
Total 911 Calls Received	0
Total of Violation Letters Sent	3
Total of Violations Resolved	0
Total of Appearance Tickets Issued	0

TOWN CLERK'S MONTHLY REPORT

TOWN OF ARCADIA, NEW YORK

APRIL, 2026

TO THE SUPERVISOR:

PAGE 1

urs t to Section 27, Subd 1 of the Town Law, I hereby make the following statement of all fees and moneys received
y n. a connection with my office during the month stated above, excepting only such fees and moneys the application
d payment of which are otherwise provided for by Law:

1255

9	DECALS	19.97	
5	MARRIAGE LICENSES NO. 26007 TO 26011	87.50	
3	MARRIAGE TRANSCRIPT	30.00	
1	COPIES & GENEALOGY	11.00	
TOTAL TOWN CLERK FEES			148.47

550

3	DOG REDEMPTION	75.00	
TOTAL A1550			75.00

601

231	VITAL STATISTICS	2,280.00	
TOTAL A1601			2,280.00

540

6	BINGO PROCEEDS	25.86	
TOTAL A2540			25.86

544

80	DOG LICENSES	548.00	
TOTAL A2544			548.00

110

1	ZONING/PLANNING VARIANCE	100.00	
TOTAL B2110			100.00

590

2	DECK PERMITS	91.04	
2	BARN/GARAGE/CARPORT/ADDT	187.00	
2	SHED PERMITS	84.00	
8	ROOF ALTERATIONS/REROOF	240.00	
2	RESIDENTIAL ADDITIONS	167.00	
2	SUBDIVISION	100.00	
TOTAL B2590			869.04

TOWN CLERK'S MONTHLY REPORT

APRIL, 2026

page ?

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	3,057.36
PAID TO SUPERVISOR FOR DECALS COMMISSION	19.97
PAID TO SUPERVISOR FOR PART TOWN FUND	969.04
PAID TO NYS DEC FOR DECALS	770.03
PAID TO NYS ANIMAL POPULATION CONTROL FUND	117.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	112.50
TOTAL DISBURSEMENTS	5,045.90

APRIL 30, 2026



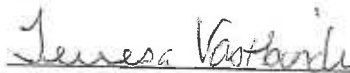
DAWN PISCIOTTI

SUPERVISOR

STATE OF NEW YORK, COUNTY OF WAYNE, TOWN OF ARCADIA

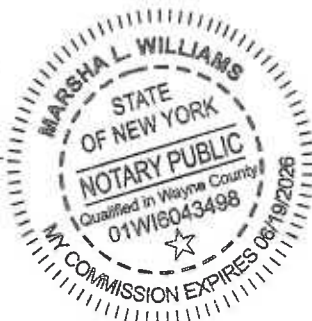
I, TERRESA VASTBINDER, being duly sworn, says that I am the Clerk of the TOWN OF
that the foregoing is a full and true statement of all Fees and moneys received by me during the month above stated, excepting
only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and sworn to before me this



Town Clerk

day of April 2026


Notary Public

MONTHLY REPORT OF SUPERVISOR

TO THE TOWN BOARD OF THE TOWN OF ARCADIA:

In pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of March, 2026:

DATED: May 15, 2026

SUPERVISOR

	Balance 02/28/2026	Increases	Decreases	Balance 03/31/2026
A GENERAL FUND-TOWNWIDE				
CASH - CHECKING	1,268,188.11	0.00	0.00	1,268,188.11
MONEY MARKET	739,970.04	2,199.64	0.00	742,169.68
PETTY CASH	600.00	0.00	0.00	600.00
MONEY MARKET - SPECIAL RESERVE	149,304.00	443.82	0.00	149,747.82
TOTAL	2,158,062.15	2,643.46	0.00	2,160,705.61
B GENERAL FUND-OUTSIDE VILLAGE				
CASH - CHECKING	1,079,454.11	0.00	0.00	1,079,454.11
MONEY MARKET	629,421.43	1,871.02	0.00	631,292.45
TOTAL	1,708,875.54	1,871.02	0.00	1,710,746.56
DA HIGHWAY FUND-TOWNWIDE				
CASH - CHECKING	1,277,859.77	0.00	0.00	1,277,859.77
MONEY MARKET - HWY TOWNWIDE	454,486.29	1,599.43	0.00	456,085.72
MONEY MARKET - SPECIAL RES - E	498,149.99	1,232.34	0.00	499,382.33
TOTAL	2,230,496.05	2,831.77	0.00	2,233,327.82
DA1- HIGHWAY SAFETY ACCOUNT				
CASH - CHECKING	403.60	0.00	0.00	403.60
TOTAL	403.60	0.00	0.00	403.60
DB HIGHWAY FUND-OUTSIDE VILLAGE				
CASH - CHECKING	1,690,451.99	0.00	0.00	1,690,451.99
MONEY MARKET	963,518.48	2,864.16	0.00	966,382.64
TOTAL	2,653,970.47	2,864.16	0.00	2,656,834.63
HN WATER DISTRICT #13				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
HR SW QUAD BENIFT AREA 3				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
HS WATER DISTRICT #18				
	0.00	0.00	0.00	0.00

MONTHLY REPORT OF SUPERVISOR

	Balance 02/28/2026	Increases	Decreases	Balance 03/31/2026
TOTAL	0.00	0.00	0.00	0.00
HWT HWT	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SF1- FIRE DISTRICT #1				
CASH - CHECKING	199,907.44	0.00	0.00	199,907.44
MONEY MARKET - FIRE DISTRICT #	2,859.75	8.50	0.00	2,868.25
TOTAL	202,767.19	8.50	0.00	202,775.69
SW1- WATER DISTRICT #1				
CASH - CHECKING	15,408.60	0.00	0.00	15,408.60
MONEY MARKET	148,672.78	441.98	0.00	149,114.76
TOTAL	164,081.38	441.98	0.00	164,523.36
SW10- WATER DISTRICT #10				
CASH - CHECKING	21,727.60	0.00	0.00	21,727.60
TOTAL	21,727.60	0.00	0.00	21,727.60
SW11- WATER DISTRICT #11				
CASH - CHECKING	110,810.11	0.00	0.00	110,810.11
MONEY MARKET	72,951.90	216.86	0.00	73,168.76
TOTAL	183,762.01	216.86	0.00	183,978.87
SW12- WATER DISTRICT #12				
CASH - CHECKING	38,964.15	0.00	0.00	38,964.15
MONEY MARKET	110,118.76	327.34	0.00	110,446.10
TOTAL	149,082.91	327.34	0.00	149,410.25
SW15- WATER DISTRICT 15				
CASH - CHECKING	10,880.83	0.00	0.00	10,880.83
TOTAL	10,880.83	0.00	0.00	10,880.83
SW16- WATER DISTRICT #16				
CASH - CHECKING	45,070.00	0.00	0.00	45,070.00
MONEY MARKET	12,961.41	38.53	0.00	12,999.94
TOTAL	58,031.41	38.53	0.00	58,069.94
SW17- WATER DISTRICT # 17				
CASH - CHECKING	20,941.58	0.00	0.00	20,941.58
MONEY MARKET	2,260.81	6.72	0.00	2,267.53
TOTAL	23,202.39	6.72	0.00	23,209.11
SW2- TELLIER RD WATER DISTRICT #2				

MONTHLY REPORT OF SUPERVISOR

	Balance 02/28/2026	Increases	Decreases	Balance 03/31/2026
CASH - CHECKING	19.80	0.00	0.00	19.80
MONEY MARKET - TELLIER ROAD	11,187.94	33.26	0.00	11,221.20
TOTAL	11,207.74	33.26	0.00	11,241.00
SW4- FAIRVILLE WATER DISTRICT #4				
CASH - CHECKING	23,115.67	0.00	0.00	23,115.67
MONEY MARKET	37,490.24	111.44	0.00	37,601.68
TOTAL	60,605.91	111.44	0.00	60,717.35
SW5- FAIRVILLE EXT WATER DISTRICT #5				
CASH - CHECKING	28,279.49	0.00	0.00	28,279.49
MONEY MARKET	32,421.63	96.38	0.00	32,518.01
TOTAL	60,701.12	96.38	0.00	60,797.50
SW6- WATER DISTRICT #6				
CASH - CHECKING	12,350.97	0.00	0.00	12,350.97
MONEY MARKET	51,444.23	152.92	0.00	51,597.15
TOTAL	63,795.20	152.92	0.00	63,948.12
SW7- WATER DISTRICT #7				
CASH - CHECKING	49,247.70	0.00	0.00	49,247.70
MONEY MARKET	110,181.46	327.53	0.00	110,508.99
TOTAL	159,429.16	327.53	0.00	159,756.69
SW8- WATER DISTRICT #8				
CASH - CHECKING	19,962.58	0.00	0.00	19,962.58
MONEY MARKET	16,331.25	48.55	0.00	16,379.80
TOTAL	36,293.83	48.55	0.00	36,342.38
SW9- WATER DISTRICT #9				
CASH - CHECKING	16,337.67	0.00	0.00	16,337.67
MONEY MARKET	32,224.24	95.79	0.00	32,320.03
TOTAL	48,561.91	95.79	0.00	48,657.70
SWT SWT				
CASH - CHECKING	102,313.10	0.00	0.00	102,313.10
MONEY MARKET	30,956.63	92.02	0.00	31,048.65
TOTAL	133,269.73	92.02	0.00	133,361.75
TA TRUST & AGENCY				
CASH - CHECKING	9,225.10	0.00	0.00	9,225.10
TOTAL	9,225.10	0.00	0.00	9,225.10
TOTAL ALL FUNDS	10,148,433.23	12,208.23	0.00	10,160,641.46

TOWN OF ARCADIA

LOCAL LAW NO. __ OF THE YEAR 2026

A LOCAL LAW TO REGULATE SHORT-TERM RENTALS.

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

Section 1. Legislative Intent.

It is the intent of this Local Law to establish regulations for Short-Term Rentals in the Town to preserve protect the public health, safety and welfare of the general public and neighborhoods where Short-Term Rentals are operated, and to mitigate the adverse effects of Short-Term Rentals.

Section 2. Authority.

This Local Law is adopted pursuant to § 10 and § 20 of the Municipal Home Rule Law of the State of New York.

Section 3. Definitions.

As used in this chapter, the following term shall have the meaning indicated.

SHORT-TERM RENTAL - Any portion of real property rented for compensation in exchange for lodging for a period of not more than thirty consecutive days. The term Short-Term Rental shall not include hotels, motels, bed & breakfasts, campground sites, or ongoing month-to-month tenancies. Short-Term Rentals shall not be permitted in any mobile home regulated under Article 8 of the Zoning Code.

Section 4. Short-Term Rental Requirements.

A. All or part of a property that is offered for lease through any form of advertising, including but not limited to websites such as Airbnb, Home Away, VRBO, etc., for a rental period, at any time, of not more than thirty days. The foregoing presumptions may be rebutted by evidence presented to the Code Enforcement Officer that the premises is not operated as a Short-Term Rental.

B. Permit Required.

(1) No property shall be used as a Short-Term Rental without the owner having first obtained a revocable Short-Term Rental Permit.

(2) A Short-Term Rental Permit shall be valid for two years and must be renewed no fewer than thirty days prior to expiration of the permit. Failure to renew shall result in automatic termination. The permit shall include a registration number that shall be included on any advertising listing for the property.

- (3) The Short-Term Rental Permit is not transferable to a new owner or operator. The new owner or operator of the property must file a new permit application.
- (4) Notwithstanding the foregoing, existing Short-Term Rental properties shall be required to comply with the requirements of this local law within 120 days of its effective date. Properties with Short-Term Rental commitments existing on the date this local law takes effect shall be permitted to honor such existing commitments but must otherwise comply with this local law within 120 days of its effective date. In the event the property is not in compliance within 120 days of the effective date of this local law, all rental commitments for the property shall be cancelled.

C. Short-Term Rental Permit Application Requirements.

- (1) Applications for a Short-Term Rental Permit shall be submitted to the Code Enforcement Officer and shall be accompanied by payment of a non-refundable permit fee as set by the Town Board. The application shall include the following:
 - a. The signatures of all owners or their designated agents, including managers.
 - b. An acknowledgment of current and on-going compliance with the Short-Term Rental standards as set forth herein.
 - c. Authorization for the Code Enforcement Officer to inspect the property (including in the event of any violation of this local law) to ensure compliance herewith prior to issuance of the permit.
 - d. The name, address, telephone number and email address of the contact person who shall be responsible and authorized to act on the owner's behalf to promptly address any issue, complaints, or violation of the standards set forth in this local law.
 - e. A listing of the number of bedrooms as part of the property and the location of said bedrooms (e.g., first floor, second floor, etc.), including identifying which will be made available for rental hereunder and which will not.
 - f. A sketch drawing, which does not need to be prepared by a professional (e.g., it may be neatly depicted on a survey map), showing the building, location of parking, and the location of utilities and exits.
 - g. A copy of the property's "House Rules" and standard Short-Term Rental lease agreement which contains the following:
 - i. the maximum property occupancy.
 - ii. the maximum on-site parking.

- iii. a statement in boldface type that: "All guests shall observe quiet hours from 11:00 p.m. through 7:00 a.m."

D. General Property Requirements.

- (1) The property must comply with and meet all current NYS Uniform Fire and Building Codes. Any defects shall be corrected prior to permit issuance.
- (2) An evacuation plan shall be posted in each common area and sleeping room. It shall detail egresses to be used in the event of a fire. It shall also identify where fire extinguishers are located. There shall be a working fire extinguisher on each floor and in the kitchen. The owner shall cause fire extinguishers to be regularly inspected.
- (3) The property must have a minimum of one off-road parking space for every bedroom made available for rental. Parking on any public right of way does not constitute a parking space.
- (4) Maximum occupancy for each Short-Term Rental shall not exceed the limits established by New York Property Maintenance Code Section 404.
- (5) Insurance. All applicants and permit holders must provide evidence of property insurance, including a certificate of liability insurance indicating the premises is insured as a Short-Term Rental.
- (6) Provisions shall be made for weekly garbage removal during rental period.

Section 5. Permit Application and Renewal Process.

A. New Short-Term Rental Permit applications will be reviewed by the Code Enforcement Officer for completeness.

- (1) Upon acceptance of the completed permit application, including all documents and information required by this local law and the permit fee, a property inspection shall be conducted by the Town to certify and approve that all Short-Term Rental requirements have been met.
- (2) Upon a determination by the Code Enforcement Officer that the application requirements have been met, a Short-Term Rental Permit shall be issued. Short-Term Rental Permits shall detail the following:
 - a. The names, addresses and phone numbers of the owner(s) of the property.
 - b. The name, address and phone number of the primary contact person who shall be available during the entire time the property is rented.

- c. The maximum overnight occupancy and the number of parking spaces for the property.
- B. The Code Enforcement Officer shall decline to issue a permit where a previously issued Short-Term Rental Permit was revoked within the past year unless violations have been corrected.
- C. Permit Renewals. Renewal permits may be granted for an additional two-year term if the following conditions are met:
 - (1) Application for renewal of the Short-Term-Rental Permit is made thirty days prior to the expiration of the current permit and requires payment of the permit renewal fee as set by the Town Board. The renewal application shall contain an acknowledgement that the information contained in the original application remains materially the same, or shall identify any material changes from the original application.
 - (2) The property must be inspected by the Code Enforcement Officer.
 - (3) Any violations must be remedied prior to permit renewal.
- D. The Code Enforcement Officer shall file all permit denials with the Town Clerk.

Section 6. Enforcement and Penalties.

- A. The Code Enforcement Officer shall enforce this local law.
- B. Each violation of any provision of this local law shall be declared to be an offense, punishable by a fine not exceeding \$350 dollars for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than \$350 dollars nor more than \$700 dollars; and, upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than \$700 dollars nor more than \$1000 dollars. Each week's continued violation shall constitute a separate additional violation.
- C. If the Code Enforcement Officer determines there is a violation of this local law, the owners shall be notified, in writing, by first-class mail and certified return receipt mail of said violations and the Code Enforcement Officer may take any or all of the following actions:
 - (1) By written notice, require corrective action that remedies the violation(s). The corrective action must be completed and approved within ten days' notice or the owner risks revocation of the Short-Term Rental permit.

(2) Revoke the Short-Term Rental Permit. The Code Enforcement Officer shall send notices of revocation to the owners and manager of the property and shall file a copy with the Town Clerk. Revocation may be based upon the following grounds:

- a. The applicant falsified or failed to provide required information in the permit application or the renewal application.
- b. The owner has failed to meet or comply with any of the requirements of this local law after notice and the time designated by the Code Enforcement Officer to take corrective action.
- c. Any condition on the property which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.
- d. The owner has been issued three or more notices of violation within the term of the permit, regardless of the status of corrective any such violations.
- e. The property fails to meet or comply with any of the requirements of the Town Code (after notice and time to take corrective action, if applicable).
- f. The owner or any guests/occupants of the Short-Term Rental have been convicted of any provision of the New York State Penal Code which violation occurred at or is otherwise related to the occupancy of the Short-Term Rental.

(3) Pursue a fine in a court of competent jurisdiction.

D. The remedies herein are not exclusive, and the Town reserves the right to pursue any other remedy available to it pursuant to law, including but not limited to injunctive relief.

Section 7. Appeals and Hearings.

The owner is entitled to appeal the Code Enforcement Officer's determination to the Zoning Board of Appeals when a permit application (or renewal) is denied or revoked. A notice of appeal shall be filed with the Town Clerk and the Zoning Board of Appeals within thirty days of the Code Enforcement Officer's filing of the denial or revocation with the Town Clerk. A hearing shall be held by the Zoning Board of Appeals not more than forty-five days after the filing of the notice of appeal.

Section 12. Repeal, Amendment and Supersession of Other Laws.

All other ordinances or local laws of the Town which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent to give this local law force and effect.

Section 13. Severability.

If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this Local Law, or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 14. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

TOWN OF ARCADIA

LOCAL LAW NO. __ OF THE YEAR 2026

A LOCAL LAW TO REGULATE SPECIAL EVENTS.

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

Section 1. Legislative Intent. It is the intent of this Local Law to establish regulations for conducting special events in the Town to preserve the public peace, good order and the integrity of the use regulations established under the Zoning Code, to properly provide for the health, safety and welfare of the general public and to provide penalties for violations of the provisions herein.

Section 2. Authority. This Local Law is adopted pursuant to § 10 and § 20 of the Municipal Home Rule Law of the State of New York.

Section 3. Definitions.

As used in this local law, the following terms shall have the meanings indicated:

SPECIAL EVENT — Any preplanned, temporary, social gathering, occasion or activity, or series of such occasions or activities, sponsored or conducted by a person other than the Town or other governmental agency, occurring on private property and open to the general public or to such classes of users as to be in effect open to the general public, or on any public highway right-of-way or property owned by or leased to the Town, conducted indoors or outdoors, with or without admission or invitation fee, sponsorship or requested donation, for the purpose of entertainment, celebration, amusement, cultural recognition, amateur or professional sports demonstration or competition, or similar activities generically considered recreational in nature, including but not limited to carnivals, circuses, outdoor shows and concerts, festivals, car shows, fairs, bazaars, arts and cultural events, arts and crafts displays and/or sales, bicycle races, motor vehicle rallies, road running races and walk-a-thons, public celebrations, parades, celebrations, ceremonies, marches, demonstrations, exhibitions, and any other occurrence involving public gathering and/ or attendance which is not otherwise considered a matter of right under prevailing law such as to be exempt from governmental regulation, and including accessory activities conducted by vendors, and which may involve one or more of the following:

- A. The closing of a public street.
- B. The use, blocking or restriction of Town property, roads or rights-of-way;
- C. The use of amplified sound which may disturb the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.
- D. The sale of merchandise that is not ordinarily sold in the normal course of the applicant's business.
- E. The sale or service of food to the public, with the exception of the following:

- (1) On land used in agricultural production, the sale or service of food products composed primarily of ingredients produced on site; or
 - (2) On land used in agricultural production that maintains a winery or farm winery license issued by the New York State Liquor Authority, the sale or service of food items which customarily complement wine tastings and that are ordinarily consumed while standing or walking and without the need for utensils.
- F. The substantial increase or disruption of the normal flow of traffic on any street or highway.
- G. The placement of portable toilets.
- H. The placement of temporary no-parking or directional signs or banners.
- I. The use of any Town services that would not be necessary in the absence of such an event.

SPECIAL EVENT PERMIT — A permit or instrument granted by the Town Board pursuant to the provisions of this local law.

Section 4. Permit Required

- A. Special event permit required. No special event shall take place unless and until an application for a special event permit has been submitted to the Town Board and such permit has been issued thereby.
- B. Exemptions.
- (1) Occasional events occurring wholly within or upon the grounds of a private residence, hosted by the owner thereof, to celebrate family events such as weddings, religious celebrations and functions, and other similar events, where the property owner receives no compensation for hosting the event and guests/attendees are not charged a fee or asked to contribute a donation, whether mandatory or voluntarily, for admission.
 - (2) Events which are held on property owned by or leased to the Town or other governmental agency and which are sponsored, conducted, or otherwise permitted by the Town, municipal corporation or other governmental agency.
 - (3) Events which are held on public property, excluding highway rights-of-way, not owned by or leased to the Town.
 - (4) Events for which a special use permit was issued pursuant to the Town Code.
 - (5) Events held on property owned by an incorporated fire company for the purposes of its own fundraising, that is contained on site and has adequate parking, ingress, egress, traffic control and sanitary facilities to host such event.

Section 5. Application

- A. An application for a special event permit shall be filed with the Town Clerk's Office not less than 60 days before the date of the proposed special event. Upon receipt of an application, the Town Clerk shall cause the application to be forwarded to the Code Enforcement Officer.
- B. Upon receipt of an application, the Town Code Enforcement Officer shall review the application for completeness. Upon making a determination that the application is complete, the Code Enforcement Officer shall forward the application to the Town Board for review. The Town Board may forward the application to the Fire Marshall, any law enforcement agency, or other relevant department or agency for review and comment. In the event an application is received after the above deadline, the Town Board may waive such lateness if the Town Board determines that such late filing shall not have materially impaired the Town's ability to adequately review the application and the arrangements necessary to hold the special event, so as to safeguard the protection of the health, safety, property and general welfare of the public.
- C. Information and material to be submitted with a completed application for a special event permit. A single application may be made for a recurring event or a series of similar events (not to exceed six in a three-month period) that are of like size and scope. The application for a special event permit shall be on the form provided by the Town Clerk. Such application shall include the following written material:
- (1) The name and address of the applicant; if the applicant is a corporation or does not reside in Wayne County, the name, address and phone number of the agent who shall be authorized to accept notices or summonses issued with respect to violations of any laws, rules or regulations resulting from a special event.
 - (2) The address of the event location and the name and address of the record owner of the property on which the event will be held.
 - (3) A description of the purpose and nature of the special event, including the dates, hours, admission and other pertinent details, including but not limited to setup and shutdown times; expected maximum number of persons intended to use such property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively; the admission fee to be charged, if any; the groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
 - (4) A plan showing the layout of any parking area and the means of ingress and egress; a description of how traffic will be managed; sanitary facilities; the streets or highways abutting the property; the size and location of any existing or proposed buildings, structures, stages or tents, or of any signs to be erected for the special event; the location of any camping areas; the designated areas for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all temporary utilities to be installed for the special event.

- (5) The name, address and telephone number of the person(s) who will be engaged in the preparation and/or sale of food, alcohol, or beer and a copy of the State Liquor Authority license and County Department of Health Services permit number for the activity.
- (6) The applicant must provide a certificate of general liability insurance naming the Town of Arcadia as an additional insured with limits of \$2,000,000 per occurrence or such other limit as may be required by the Town Board.
- (7) The name, address, and emergency contact number of the security company, if any, which will work on the premises, and a description of the duties to be performed.
- (8) A description of how trash and rubbish will be handled and removed.
- (9) A minimum cleanup deposit of \$500.00. If an applicant fails to comply with the conditions of such permit or does not clean the property or immediately surrounding areas of debris within twenty-four hours of the end of the event, the Town may use the cleanup deposit to remedy the situation.
- (10) A statement as to whether the applicant requests a permit for the proposed use of fireworks or pyrotechnics to be used during the event, which shall be in the sole discretion of the Town Board. Such statement shall include a description of the type(s) of fireworks or pyrotechnics to be used, the anticipated time and the location on the property in which they will be used.

Section 6. Application Review.

- A. The Town Board shall review the application and make a determination whether to: grant the application as applied for, deny the application, or grant the application with conditions. In making its determination the Town Board shall consider the following:
- (1) The size and capacity of the site to accommodate the proposed event.
 - (2) The facilities available.
 - (3) The availability of highways and other means of transportation to and from the site.
 - (4) The impact of the event on the safe and orderly movement of traffic within and contiguous to the event.
 - (5) The need and availability of police for such event.
 - (6) The impact of the event on fire and police protection and ambulance service to the areas contiguous to the event and to the Town in general.
 - (7) The impact of the event on the movement of firefighting equipment or ambulance service to the Town or to areas contiguous to the event.
 - (8) The impacts on adjacent property owners and the surrounding neighborhood.

- (9) Whether the owner, applicant or event sponsor has violated a previously issued special event permit.
- (10) Verification that there are no outstanding violations on the property at which the event will be held or any outstanding or unsatisfied conditions of a Town agency approval, including, but not limited to, those of the Planning Board or the Zoning Board of Appeals.
- (11) Verification that the grant of the permit will not violate any existing covenants or easements on the property.
- (12) Whether a permit has been granted for a prior event that was the same or substantially similar in size and scope to the event applied for and/or resulted in the impacts defined in Subsection A(4), (5), (6), (7) and (8) above.
- (13) Whether the frequency of prior or proposed special events on the site constitutes a change or intensification of the permitted use of the property necessitating a use variance or further site plan review.
- (14) Any other matters that relate to the health, safety and welfare of the general public.

B. Other requirements.

- (1) Notwithstanding the foregoing, the Town Board, upon request, may waive in whole or in part any of the foregoing application requirements upon a finding that said requirements are not necessary for proper consideration, or for the protection of health, safety and welfare of the general public. If a waiver is granted, the Town Board may attach appropriate conditions to protect the public interest.
- (2) Notwithstanding the foregoing, the Town may also require an applicant to provide a letter of credit, bond or other suitable security instrument to ensure compliance with conditions in the special event permit and to ensure adequate cleanup of the property after a special event. In such circumstance, no permit shall be issued unless and until such security has been provided to the Town.
- (3) The Town shall have the right to require any applicant at its own cost and expense to provide notice to neighbors before the special event occurs, in a form and manner prescribed by the Town.
- (4) The special event permit issued hereunder shall be displayed on the premises during the special event and shall be available for inspection by a police officer or other enforcement officer of the Town upon request of such officer.

C. Fee. All applications for a special event permit shall be accompanied by a fee in an amount established by resolution of the Town Board, in order to defray the costs of administering this local law. In addition, the applicant shall reimburse the Town for any reasonable sums expended for necessary or appropriate engineering and other

professional assistance solicited and obtained by the Town in order to act upon such application.

Section 7. Conditions of Special Event Permit.

- A. The following conditions shall apply to all special event permits:
- (1) Except as provided, below, a special event permit shall be valid for a period of not more than twelve consecutive months.
 - (2) No vendor shall sell or serve alcoholic beverages or conduct games of skill or chance during the operation of a special event unless the applicant or the vendor obtains a proper and legal license to dispense alcoholic beverages and/or conduct games of skill or chance from the State of New York or any other applicable regulatory agency.
 - (3) The Town, the County of Wayne and any agent of the state or other municipal government shall be authorized to enter and inspect the premises proposed to be used.
 - (4) The applicant shall agree to indemnify, save and hold the Town harmless against any and all actions and claims for personal injury, property damage, or other losses, liability or expense, relating to the special event, except as may be the result of any gross negligence on the part of the Town or its agents or employees.
 - (5) The Town Board may attach such other conditions as may be deemed necessary to protect the health, safety, property and general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.
 - (6) No special event permit issued under the provisions of this local law may be transferred or assigned from one applicant, person or location to another applicant, person or location.

Section 8. Denial, Revocation, Suspension or Modification of Special Event Permit.

- A. The granting of a special event permit is a privilege and not a right and may be denied, revoked, suspended or modified in the event that the applicant fails to comply with any applicable provision of this local law or for any other reason not prohibited by law.
- B. The Town Board may deny a special event permit or revoke, suspend or modify a special event permit for any of the factors below:
- (1) It is determined that there are inadequate Town resources available to protect the health, safety, property and general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.
 - (2) The special event will disturb the public peace and good order of the Town or adversely affect the use and enjoyment of adjoining properties or that the conduct of such event will not be consistent with or will jeopardize the health, safety, property or general welfare of neighboring residents and/or the Town at large.
 - (3) The special event has been subject to a violation or has had any adverse impacts on the surrounding property in the Town within the last three years and a

mitigation plan has not been approved.

- (4) The special event does not provide for sufficient services or facilities (including but not limited to parking and first aid or emergency medical services) that are reasonably necessary to ensure that such event will be conducted with due regard for the health, safety, property and general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.
- (5) The special event may create a high probability of disorderly conduct likely to endanger public safety or to result in significant property damage.
- (6) There are materially false statements or omitted relevant information in the application.
- (7) The applicant has failed to conduct a previously permitted special event in accordance with the law or the terms of a permit, or both.
- (8) The applicant has not obtained the approval of any other Town or public agency within whose jurisdiction the event or portion thereof will occur.
- (9) Exterior lighting at the special event uses or will use search lights, strobe lights, laser lights or revolving lights.

C. Closing of special events due to public safety hazard. The issuance of a special event permit notwithstanding, the Sheriff's Department, the Code Enforcement Officer or the Fire Marshal may close any special event or any portion of a special event that is subsequently determined to be an imminent hazard to the health, safety, property or general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.

D. In addition to the penalties for offenses set forth in this local law, the applicant's special event permit may be revoked, suspended or modified by the Town Board at any time during the life of such permit for any violation by the applicant of any provision of this local law or any violation of the Town Code or any other applicable county, state or federal law.

E. If a special event permit is revoked, no refund of any part of the application fee shall be made and, in addition, additional fees may be levied by the Code Enforcement Officer to reimburse the Town for unanticipated costs borne by the Town as a result of the conditions leading to the revocation.

Section 9. Appeals.

If an application for a special event permit is denied, revoked, suspended or modified, the applicant may apply to the Town Board within thirty days of the applicant's receipt of such denial, revocation, suspension or modification. The Town Board may, following a public hearing, affirm, amend or reverse its prior decision subject to any conditions deemed appropriate under the circumstances.

Section 10. Enforcement and Penalties for Offenses.

A. This local law shall be enforced by the Code Enforcement Officer. It shall be unlawful for any owner, occupant or his/her agent or any other person to fail to comply with any provisions of this local law or to fail in any manner to comply with a written notice, directive or order of the Code Enforcement Officer, Fire Marshall, or Sheriff's Department, or to conduct any special event

in a manner not in compliance with a permit issued pursuant to this chapter and with the provisions of this local law.

- B.** Each violation of this local law shall be declared an offense, punishable as follows:
- (1)** Failure to obtain a permit or comply with the terms of a permit. Any person conducting a special event without first obtaining a permit according to the procedures outlined herein, or failing to comply with the terms of a permit shall be subject to a fine of not less than \$500 and not more than \$3,000, and/or imprisonment for a period not to exceed six months, or both.
 - (2)** For each subsequent offense hereunder, violators shall be guilty of a misdemeanor and subject to a fine of not less than \$1,000 nor more than \$3,000, and/or imprisonment for a period not to exceed six months, or both.
- C.** No new special event permits will be issued to any property owner, occupant or his/her agent if such person is a named defendant in an outstanding or unresolved violation of this chapter.
- D.** The Town may also maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.
- E.** For each and every day that a violation of this local law exists, such violation shall constitute a separate offense and the penalties prescribed herein shall be applicable to each such separate offense.

Section 11. No Endorsement by Town.

The granting of permission by the Town and/or the use of Town-owned property or facilities by any person shall in no way be considered an endorsement or any expression of support, of disagreement or of any position or opinion of the Town whatsoever with respect to the activities, policies, opinions, positions, precepts or other aspects of the person organizing, sponsoring, holding or participating in a special event, and no person associated in any way with such event is authorized to or shall make any public statements or representations concerning the Town concerning same.

Section 12. Conflict with other provisions.

When the requirements or restrictions imposed by this local law conflict with the requirements or restrictions imposed by other laws, ordinances, codes, rules or regulations, the greater requirement or restriction, respectively, shall prevail.

Section 13. Severability. If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this Local Law, or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 14. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: April 9, 2026 1a. Delivered by: USPS

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☒ New Application ☐ Removal ☐ Class Change

For premises in the City of New York: (counties of Kings, New York, Bronx, Queens and Richmond):

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal

☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: Town of Arcadia

Applicant/Licensee Information:

4. Licensee License ID (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: EGQ Enterprises, Inc

6. Trade Name (if any): Rose City Drive In

7. Street Address of Establishment: 5418 Route 31 West

8. City, Town or Village: Newark, NY Zip Code: 14513

9. Business Telephone Number of applicant/ Licensee: 315-573-4525

10. Business E-mail of Applicant/Licensee: paul@rosecitydrivein.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☒ Wine, Beer & Cider ☐ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Bar/Tavern

☒ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☐ Recorded Music ☐ Karaoke

14. Method of Operation: (check all that apply) ☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____

☒ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☐ None ☐ Patio or Deck ☐ Rooftop ☒ Garden/Grounds ☐ Freestanding Covered Structure
 (check all that apply) ☐ Sidewalk Cafe ☒ Other (specify): Drive In Theater and Concert Grounds

16. List the floor(s) of the building that the establishment is located on:
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and ID number of the licensee:
- | Name | License ID Number |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
21. Does the applicant or licensee own the building in which the establishment is located? ☒ Yes (if YES, SKIP 23-26) ☐ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:
23. Building Owner's Street Address:
24. City, Town or Village: State: Zip Code:
25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:
27. Representative/Attorney's Street Address:
28. City, Town or Village: State: Zip Code:
29. Business Telephone Number of Representative/Attorney:
30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature:

Date:



At a Regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Hall at No. 201 Frey Street in the Village of Newark, Wayne County, New York, in said Town, on the 12th day of May, 2026 at 7:00 p.m.

PRESENT: Dawn L. Piscioti, Supervisor
Michael J. Diamond, Councilperson
Joseph W. Gerbig, Councilperson
David Greco, Councilperson
Richard D. VanLaeken, Councilperson

The following Resolution was offered by Councilman VanLaeken, who moved its adoption, seconded by Councilman Greco, to wit:

RESOLUTION DATED May 12, 2026

A RESOLUTION ADOPTING A PROPOSED LOCAL LAW OF THE YEAR 2026 TO ABOLISH THE ELECTIVE OFFICE OF RECEIVER OF TAXES AND TRANSFER ITS DUTIES TO THE TOWN CLERK.

WHEREAS, the Town Board of the Town of Arcadia has determined that it is in the best interests of the Town to abolish the elective office of Receiver of Taxes pursuant to applicable provisions of the Town Law and Municipal Home Rule Law; and

WHEREAS, Town Law § 20 designates the Receiver of Taxes as an elective office in towns of the first class, the Town of Arcadia is a town of the first class, and the Town Board finds that abolishing said office and transferring its powers, duties, and responsibilities to the Town Clerk will promote administrative efficiency, reduce costs, and better serve the residents of the Town; and

WHEREAS, the Town Clerk is willing and able to assume the duties of receiving, collecting, and remitting Town taxes and assessments; and

WHEREAS, the proposed abolition of the elective office of Receiver of Taxes and the transfer of its duties constitute a change subject to mandatory referendum under Municipal Home Rule Law § 23(2)(b) and Town Law provisions, requiring submission to the qualified electors of the Town for approval; and

WHEREAS, the Town Board desires to enact a local law effectuating such abolition and transfer, contingent upon voter approval at the next general election or a special election as provided by law;

WHEREAS, a Resolution was introduced proposing a Local Law for the year 2026 entitled "A Local Law to Abolish the Elective Office of Receiver of Taxes and Transfer Its Duties to the Town Clerk"; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, said Town Board has duly held a public hearing on the proposed Local Law on May 12, 2026, at which all interested persons had an opportunity to be heard; and

WHEREAS, said Town Board has determined that the adoption of said Local Law would promote the general welfare of the residents of said Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, Wayne County, New York, as follows:

Section 1. A proposed Local Law No. 2 of the year 2026 entitled “A Local Law to Abolish the Elective Office of Tax Receiver and Transfer Its Duties to the Town Clerk” is hereby adopted in the form heretofore introduced before said Town Board by Resolution dated April 14, 2026.

Section 2. This resolution and the proposed local law are adopted subject to mandatory referendum and shall be submitted to the qualified electors of the Town at the general election to be held on November 3, 2026, or at such earlier special election as may be required or requested pursuant to law. The Town Clerk is directed to enter said local law in the Minutes of this meeting, cause notice of the referendum to be published and posted as required by Municipal Home Rule Law § 23(8) and Election Law.

Section 3. The Supervisor is authorized to take all actions necessary to implement this resolution, including execution of any related documents, and the Town Attorney is directed to review and finalize the proposed local law for legal sufficiency.

Section 4. Effective Date. This resolution shall take effect immediately upon adoption.

The question of the adoption of the foregoing **Resolution** was duly put to a vote on roll call, which resulted as follows:

Dawn L. Piscioti	VOTING	<u>Aye</u>
Michael J. Diamond	VOTING	<u>Absent</u>
Joseph W. Gerbig	VOTING	<u>Aye</u>
David Greco	VOTING	<u>Aye</u>
Richard D. VanLaeken	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted on May 14, 2026.

TOWN OF ARCADIA

LOCAL LAW NO. 2 OF THE YEAR 2026

**A LOCAL LAW TO ABOLISH THE ELECTIVE OFFICE OF RECEIVER OF TAXES
AND TRANSFER ITS DUTIES TO THE TOWN CLERK.**

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

Section 1. Legislative Intent.

It is the intent of this local law to abolish the elective Office of Receiver of Taxes of the Town of Arcadia, effective January 1, 2027, and, at that time, to consolidate the powers and duties of such office in the Office of the Town Clerk, upon the approval of this local law by the qualified electors of the Town at referendum.

Section 2. Authority.

This Local Law is adopted pursuant to New York Municipal Home Rule Law §§ 10, 20, and 23. and expressly supersedes any provision of Town Law which is contrary to this article, including but not limited to §§ 20, 30, and 37 thereof.

Section 3. Abolition; Transfer of Duties.

The Office of Receiver of Taxes of the Town of Arcadia, New York, is abolished as of January 1, 2027 (i.e. the end of the calendar year 2026). Upon abolition of said Office, all powers, duties, and responsibilities of that Office, including but not limited to the receipt, collection, recording, and remittance of Town taxes and assessments, the issuance of receipts, maintenance of tax records, and reporting to the Town Board, shall be transferred and consolidated to the Office of the Town Clerk of the Town of Arcadia.

Section 4. Transition Provisions.

The Supervisor and Town Clerk are authorized to execute any necessary agreements, transfer records, and ensure continuity of tax collection services. Any outstanding collections or obligations of the former Tax Receiver shall be completed or transferred as directed by the Town Board.

Section 5. Mandatory Referendum.

This local law is subject to mandatory referendum at the next general election, to be held on November 3, 2026.

Section 6. Effective Date.

This local law shall take effect upon the affirmative vote of a majority of the qualified electors voting thereon at the General Election to be held on November 3, 2026 and, thereafter, the filing of same with the Office of the New York State Secretary of State.

Section 6. Repeal, Amendment and Supersession of Other Laws.

All other ordinances or local laws of the Town which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent to give this local law force and effect.

Section 7. Severability.

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law, or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**RESOLUTION TO SUBMIT REVISED LANGUAGE FOR USE ON THE 2026
BALLOT TO THE WAYNE COUNTY BOARD OF ELECTIONS REGARDING THE
ABOLISHMENT OF THE OFFICE OF RECEIVER OF TAXES**

At a regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Municipal Building in Newark, New York, in said Town, on the 12th day of May, 2026 at 7:00 P.M.

PRESENT: Dawn Piscioti, Supervisor
Michael Diamond, Councilperson
Joseph Gerbig, Councilperson
David Greco, Councilperson
Richard D. VanLaeken, Councilperson

The following Resolution was offered by VanLaeken, who moved its adoption, seconded by Councilman Greco, to wit:

WHEREAS, on May 12, 2026, the Arcadia Town Board approved by Resolution Local Law No. 2 of 2026, which would abolish the elected Office of Receiver of Taxes of the Town of Arcadia, New York effective as of January 1, 2027, and transfer the powers and duties of said Office to the Office of the Town Clerk of the Town of Arcadia, New York; and

WHEREAS, such resolution and local law are subject to mandatory referendum; and

WHEREAS, the Town Board wishes to provide to the Board of Elections proposed language to be included on the ballot for said referendum.

NOW, THEREFORE, BE IT, RESOLVED, that along with a certified copy of this Resolution and the Resolution approving the subject Local Law, the following language be submitted for consideration and certification by the Town Clerk to provide to the Wayne County Board of Elections for use on the ballot at the November 2026 election:

Shall there be approved the local law entitled “to Abolish the Elective Office of Receiver of Taxes and Transfer Its Duties to the Town Clerk”, which would abolish the Office of Receiver of Taxes of the Town of Arcadia, New York, as of January 1, 2027, and, contemporaneous with such abolishment, transfer and consolidate the powers and duties of said Office of Receiver of Taxes to the Office of the Town Clerk of the Town of Arcadia, New York?

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Dawn L. Piscioti	VOTING	<u>Aye</u>
Michael J. Diamond	VOTING	<u>Absent</u>
Joseph Gerbig	VOTING	<u>Aye</u>
David Greco	VOTING	<u>Aye</u>
Richard D. VanLaeken	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted on May 12th, 2026.

**RESOLUTION ACCEPTING PRICE PROPOSAL
FOR OWNER CONSTRUCTION WORK
ARCADIA SOUTHWEST IMPROVEMENT AREA – BENEFIT AREA NO. 3**

At a regularly scheduled meeting of the Town Board of the Town of Arcadia, Wayne County, New York, duly held at the Town Offices in Arcadia, New York on the 12th day of May, 2026:

PRESENT:

Dawn Piscioti, Supervisor
Richard VanLaeken, Councilperson
David Greco, Councilperson
Joseph Gerbig, Councilperson

ABSENT: Michael Diamond, Councilperson

The following Resolution was offered by Gerbig, who moved its adoption, seconded by Greco, to wit:

WHEREAS, USDA-Rural Development (“RD”) authorized the Town of Arcadia (“Town”) to seek a price proposal (the “Price Proposal”) for Owner Construction via the Wayne County Water and Sewer Authority (“WCWSA”) for the Arcadia Southwest Improvement Area - Benefit Area No. 3 water main improvements (the “Project”) and a Cooperative Agreement to be executed between the Town and WCWSA; and

WHEREAS, WCWSA submitted a Price Proposal to the Town for construction of the Project for a cost of \$1,487,917.50, on a unit price basis; and

WHEREAS, RD subsequently reviewed the Price Proposal and concurred in the WCWSA performing the Owner Construction Work via Cooperative Agreement, contingent upon availability of funds and completion of any other administrative requirements.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, Wayne County, New York as follows:

Section 1. The Town Board hereby accepts the WCWSA Price Proposal for Owner Construction of the Project for the total cost of \$1,487,917.50 subject to unit prices.

Section 2. The Supervisor of the Town of Arcadia is hereby authorized to execute the Cooperative Agreement, the Notice of Award and the formal Construction Agreement for the Project.

Section 3. This Resolution shall take effect immediately.

The question of adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Dawn Piscioti	Voting	Aye
Richard VanLaeken	Voting	Aye
Michael Diamond	Voting	Absent
David Greco	Voting	Aye
Joseph Gerbig	Voting	Aye

The Resolution was thereupon declared duly adopted.

* * * * *

NOTICE OF AWARD

Date of Issuance: **05-12-26**
Owner: **Town of Arcadia** Owner's Project No.:
Engineer: **MRB Group** Engineer's Project No.: **0106.25002.000**
Project: **SWIA Benefit Area No. 3**
Contract Name:
Bidder: **Wayne County Water and Sewer Authority**
Bidder's Address: **3377 Daansen Road, Walworth, NY 14568**

You are notified that Owner has accepted your Bid dated **April 21, 2026** for the above Contract, and that you are the Successful Bidder and are awarded a Contract for: **SWIA Benefit Area No. 3.**

The Contract Price of the awarded Contract is **\$1,487,917.50**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

[3] unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☐ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner **[3]** counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): **None.**

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: **Town of Arcadia**
By (signature): 
Name (printed): **Dawn Piscioti**
Title: **Supervisor**
Copy: Engineer

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April 21, 2026

Dawn Piscioti, Supervisor  
Town of Arcadia  
201 Frey St.  
Newark, NY 14513

**RE: TOWN OF ARCADIA, SWIA BENEFIT AREA #3  
COOPERATIVE AGREEMENT FOR CONSTRUCTION OF WATER MAIN AND RELATED  
IMPROVEMENTS**

Dear Supervisor Piscioti:

The Wayne County Water and Sewer Authority ("Authority") is pleased to enclose our Itemized Proposal (the "Proposal") to the Town of Arcadia (the "Town") for the installation of water main and related improvements for the above referenced project (the "Project"). The Proposal and this letter collectively make up our Cooperative Agreement for the construction of the Project.

The Town and Authority hereby mutually agree as follows:

1. The Project is funded by a loan and grant from the United States of America acting through the Rural Utilities Service, United States Department of Agriculture ("RUS").
2. The Town and Authority are both arms of the State, and as such, by express statutory authorization, each of the Authority and the Town has been granted the power to construct water and sewer improvements using their own forces. In addition, each of them has been granted the power to effect such improvements by working together cooperatively.
3. Competitive bidding is not implicated under RUS Regulations (7CFR § 1780.70) when two public sector owners (i.e. the Authority and Town) enter into a cooperative agreement to effect a project involving construction using either (or both) of their forces.
4. The Town requests and the Authority agrees to construct the project in accordance with the Proposal and the plans, specifications and contract documents approved by the RUS State Engineer including Performance and Payment Bonds on the required Engineers Joint Contract Documents Committee (EJCDC) and RUS forms with the following changes:
  - a. The Advertisement for Bids, Instructions to Bidders, Bid Form, and Bid Bond are to be deleted as they do not apply.
  - b. All references to bidding are considered deleted as they are not applicable.

- c. All references to the Contractor shall be understood to mean the Authority.
  - d. The parties entering into agreement for this work (by signing of the EJCDC C-520 Agreement) are the Town of Arcadia and the Authority.
  - e. All references to liquidated damages are considered deleted as they are not applicable.
  - f. It shall be understood that there is no procurement with this agreement or this project.
  - g. RUS review, approval, and authorities are not reduced or negated by this Cooperative Agreement.
5. Should RUS so request, the Authority will submit a letter documenting its qualifications and experience in performing the work.
6. Construction will not commence (unless otherwise approved by RUS), until such time that the Town has complied with the RUS Letter of Conditions and the RUS State Engineer's Contract Document Review letter (as applicable and unless superseded by Item 4 above), a pre-construction meeting convened by RUS has been conducted, and a formal Notice-to-Proceed has subsequently been issued by the Town.

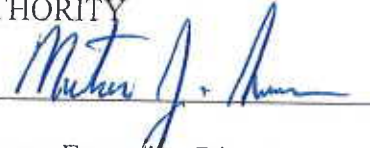
IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement as of the 12th day of May, 2026.

TOWN OF ARCADIA

By: 

Dawn Piscioti, Supervisor

WAYNE COUNTY WATER AND SEWER  
AUTHORITY

By: 

Martin J. Aman, Executive Director

Upon review and approval by the Town Board, please sign the Cooperative Agreement where indicated above. Please feel free to give me a call if you require any additional information at this time.

Very truly yours,

Martin J. Aman, Executive Director  
Wayne County Water and Sewer Authority

cc: Laverne Blik, Chairman, WCWSA  
Jason Monroe, Director of Operations, WCWSA  
David M. Doyle, P.E., MRB Group  
John T. Helgren, P.E., State Engineer



Project: SWIA Benefit Area #3  
(Smith Rd, Turner Rd, Bell Rd, Pardy Smith Rd, Botcher Rd)

Project No.: 0106.25002.000

Bid Open Date: April 21, 2026

Owner: Town of Arcadia

OFFICIAL  
SUMMARY OF BID RESULTS

| BIDDER                                 | BASE BID       | TOTAL BID (WITH ALL ALTERNATES) | Acknow. Addenda | RD Instruction 1940-Q |
|----------------------------------------|----------------|---------------------------------|-----------------|-----------------------|
| Wayne County Water and Sewer Authority | \$1,487,917.50 | \$1,487,917.50                  | N/A             | X                     |
|                                        |                |                                 |                 |                       |
|                                        |                |                                 |                 |                       |
|                                        |                |                                 |                 |                       |
|                                        |                |                                 |                 |                       |
|                                        |                |                                 |                 |                       |

# TABULATION OF BIDS RECEIVED

PROJECT: SWIA Benefit Area #3

(Smith Rd, Turner Rd, Bell Rd, Pardy Smith Rd, Botcher Rd)

Project No.: 0106.25002.000

Bid Date: 4/21/2026

OWNER: Town of Arcadia

| ITEM NO. |  | DESCRIPTION                                                                | EST. QTY. | UNIT | Wayne County Water and Sewer Authority |              |            |        |            |        |
|----------|--|----------------------------------------------------------------------------|-----------|------|----------------------------------------|--------------|------------|--------|------------|--------|
|          |  |                                                                            |           |      | Unit Price                             | Total        | Unit Price | Total  | Unit Price | Total  |
| BASE BID |  |                                                                            |           |      |                                        |              |            |        |            |        |
| 021.03C  |  | NO.1/NO. 2 CRUSHED STONE (UNSTABLE TRENCH)                                 | 30        | CY   | \$50.00                                | \$1,500.00   |            | \$0.00 |            | \$0.00 |
| 023.02C  |  | CRUSHER RUN                                                                | 50        | CY   | \$40.00                                | \$2,000.00   |            | \$0.00 |            | \$0.00 |
| 100.08   |  | 8" PVC WATERMAIN (DR-18)                                                   | 18,650    | LF   | \$39.00                                | \$727,350.00 |            | \$0.00 |            | \$0.00 |
| 111.08   |  | 8" GATE VALVE AND BOXES                                                    | 21        | EA   | \$2,600.00                             | \$54,600.00  |            | \$0.00 |            | \$0.00 |
| 126      |  | HYDRANT UNIT ASSEMBLY WITH 6" GUARD VALVE                                  | 34        | EA   | \$7,000.00                             | \$238,000.00 |            | \$0.00 |            | \$0.00 |
| 130      |  | HYDRANT EXTENSIONS                                                         | 5         | LF   | \$1,000.00                             | \$5,000.00   |            | \$0.00 |            | \$0.00 |
| 131      |  | ADDITIONAL 6" HYDRANT ANCHOR PIPE                                          | 10        | LF   | \$300.00                               | \$3,000.00   |            | \$0.00 |            | \$0.00 |
| 134      |  | 1" SAMPLING & DISINFECTION TAP                                             | 25        | EA   | \$600.00                               | \$15,000.00  |            | \$0.00 |            | \$0.00 |
| 156      |  | CONNECT NEW WATERMAIN TO EXISTING                                          | 4         | EA   | \$1,500.00                             | \$6,000.00   |            | \$0.00 |            | \$0.00 |
| 160      |  | PLUG AND BLOCK NEW WATERMAIN                                               | 3         | EA   | \$750.00                               | \$2,250.00   |            | \$0.00 |            | \$0.00 |
| 163      |  | CONNECT PVC TO POLYETHYLENE                                                | 26        | EA   | \$700.00                               | \$18,200.00  |            | \$0.00 |            | \$0.00 |
| 187      |  | PRV AND MASTER METER VAULT                                                 | 1         | EA   | \$50,000.00                            | \$50,000.00  |            | \$0.00 |            | \$0.00 |
| 331      |  | EROSION CONTROL                                                            | 1         | LS   | \$12,000.00                            | \$12,000.00  |            | \$0.00 |            | \$0.00 |
| 332.12   |  | 12" SMOOTH INTERIOR POLY. PIPE (10 LF) AND END SECTIONS (2 EA) AT HYDRANTS | 3         | EA   | \$700.00                               | \$2,100.00   |            | \$0.00 |            | \$0.00 |
| 404      |  | TEMPORARY ASPHALT PAVEMENT                                                 | 10        | TON  | \$220.00                               | \$2,200.00   |            | \$0.00 |            | \$0.00 |
| 417.08   |  | 08" HORIZONTAL DRILLING (8" DR-11 HDPE CARRIER PIPE)                       | 1,130     | LF   | \$150.00                               | \$169,500.00 |            | \$0.00 |            | \$0.00 |
| 417.08R  |  | 08" HORIZONTAL DRILLING (ROCK)                                             | 190       | LF   | \$350.00                               | \$66,500.00  |            | \$0.00 |            | \$0.00 |
| 429      |  | ROAD PAVEMENT REPLACEMENT                                                  | 200       | SF   | \$6.50                                 | \$1,300.00   |            | \$0.00 |            | \$0.00 |

**TABULATION OF BIDS RECEIVED**

**PROJECT:** SWIA Benefit Area #3  
(Smith Rd, Turner Rd, Bell Rd, Pardy Smith Rd, Botcher Rd)

**Project No.:** 0106.25002.000  
**Bid Date:** 4/21/2026

**OWNER:** Town of Arcadia

| ITEM NO.              | DESCRIPTION                                  | EST. QTY. | UNIT | Wayne County Water and Sewer Authority |             |               |        |               |        |               |        |
|-----------------------|----------------------------------------------|-----------|------|----------------------------------------|-------------|---------------|--------|---------------|--------|---------------|--------|
|                       |                                              |           |      | Unit Price                             | Total       | Unit Price    | Total  | Unit Price    | Total  | Unit Price    | Total  |
| 504                   | DRIVEWAY PAVEMENT (BITUMINOUS) REPLACEMENT   | 450       | SF   | \$6.50                                 | \$2,925.00  |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| 505                   | DRIVEWAY PAVEMENT REPLACEMENT (STONE/GRAVEL) | 1,340     | SF   | \$4.50                                 | \$6,030.00  |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| 521                   | TURF RESTORATION                             | 18,450    | LF   | \$3.25                                 | \$59,962.50 |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| 561                   | ROCK REMOVAL (TRENCH)                        | 50        | CY   | \$130.00                               | \$6,500.00  |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| 001                   | MOBILIZATION (4% SUB. MAX)                   | 1         | LS   | \$20,000.00                            | \$20,000.00 |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| 002                   | MAINTENANCE & PROTECTION OF TRAFFIC          | 1         | LS   | \$15,000.00                            | \$15,000.00 |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| 004                   | PROJECT SURVEY AND STAKEOUT                  | 1         | LS   | \$1,000.00                             | \$1,000.00  |               | \$0.00 |               | \$0.00 |               | \$0.00 |
| <b>BASE BID TOTAL</b> |                                              |           |      | <b>\$1,487,917.50</b>                  |             | <b>\$0.00</b> |        | <b>\$0.00</b> |        | <b>\$0.00</b> |        |

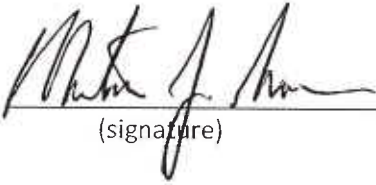
**RD Instruction 1940-Q  
Exhibit A-1**

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

  
(signature)

Martin J. Aman  
(name)

4/21/2026  
(date)

Executive Director  
(title)

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