

REGULAR ARCADIA TOWN BOARD MEETING

December 9, 2025 – 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: Diamond, Greco, Gerbig, VanLaeken
CEO DeWolf
Town Attorney David Hou
Deputy Vacchetto

ABSENT: Highway Superintendent Kuhlman

MINUTES: Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve the minutes of November 11, 2025 Regular Town Board Meeting and December 2, 2025 Public Hearing Minutes.
All voted Aye.

CODE ENFORCEMENT REPORT: CEO DeWolf read his report.

Town of Arcadia Code Enforcement Monthly Report For: November 2025

Total Permits Issued for the Month	10
Total Cost of Permits	\$ 405.00
Inspections Done for the Month	4
Total C of C's Issued for the Month	2
Total C of O's Issued for the Month	0
Total Variances Processed for the Month	0
Total Complaints Received	1
Total 911 Calls Received	0
Total of Violation Letters Sent	0
Total of Violations Resolved	0
Total of Appearance Tickets Issued	0

HIGHWAY REPORT: Councilman Greco read Highway Superintendent Kuhlman's report in his absence.

DECEMBER Town Board Meeting 12/9/2025

We turned in 8 plow trips to county for November reimbursement and we have 9 trips already for month of December. In between plow runs we are doing maintenance and repairs as needed.

We did Demo a JCB skid steerer during our leaf pick-up helping the Village, the operators really like some of the features it has versus our 2020 CAT Machine, it has a telescopic boom that extends out about 4' that worked nice for reaching up the curbs to pull leaves down into the street for pick-up, it also has side door for easier access in and out of cab compared to other machines you have to back your body down into seat through front windshield. I believe it is a safety issue also, there are times you have to climb over whatever implement is on the machine to get in and out.

They are offering close to what we paid originally for the CAT with our previous trade in but the price of the machines have really jumped since COVID, so we are looking at \$51, 500 and our trade. It is on SOURCEWELL pricing contract so there is no need for bidding, and I do have enough money in 2026 budget to make it happen with your approval.

Thank you;

Thomas Kuhlman/Highway Superintendent

Moved by Councilman Diamond, seconded by Councilman Gerbig to approve the purchase of JCB Skid Steerer for \$51,500.00 and the trade in for the CAT.

Roll Call:

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

NEW BUSINESS:

EMS Advisory Committee Reappointment:

Supervisor Piscioti asked Alicia Catalano if she would still be interested in being Arcadia's Representative for the EMS Advisory Committee. She said yes, she would be happy to continue being the Representative. Michael

Catalano said they had 270 calls and covered 86% of them. They are fully staffed now, including two hires from Western Wayne Ambulance. During the week, they are staffing two crews. They have a new Fly Car and Chief Car.

Moved by Councilman Greco, seconded by Councilman Gerbig to reappoint Alicia Catalano to be the 2026 Town of Arcadia Representative for the Wayne County EMS Advisory Committee.
All voted Aye.

Marbletown Volunteer Fire Department New Member: Moved by Councilman Diamond, seconded by Councilman Gerbig to approve Samantha Jones as a member of Marbletown Volunteer Fire Department.
All voted Aye.

Schedule Year End Clean Up Meeting: Motion made by Councilman Diamond, seconded by Councilman Greco to schedule the End of Year Clean Up Meeting for December 30, 2025 at 4:00 PM at the Arcadia Town Hall, 201 Frey St., Newark.
All voted Aye.

Organizational Meeting: Motion made by Councilman Greco, seconded by Councilman VanLaeken to schedule the 2026 Organizational Meeting for January 5, 2025 at 4:00 PM at the Arcadia Town Hall, 201 Frey St., Newark.
All voted Aye.

Local Law No. 1 for 2026 Tax Levy Limit – Schedule Public Hearing: Motion made by Councilman VanLaeken, seconded by Councilman Greco a Resolution introducing Proposed Local Law to override the tax levy limit and schedule a public hearing on January 13, 2026 at 7:10 PM at the Town of Arcadia Town Hall, 201 Frey St.
All voted Aye.

COMMUNICATIONS: PUBLIC HEARING: N/A

PUBLIC HEARING:

7:10 PM Fire Contracts: Motion made by Councilman Diamond, seconded by Councilman Greco to close the regular scheduled meeting and open to the Public Hearing for the Fire Contracts for the Year 2026.
All voted Aye.

Motion made by Councilman VanLaeken, seconded by Councilman Diamond to waive the reading of the legal notice as published.
All voted Aye.

Supervisor Piscioti stated the contracts are for the Fairville, Marbletown, and Newark Fire Departments and they would each received \$66,585.00. Supervisor Piscioti asked if there were any comments from the Public.

Hearing no Comments, Supervisor Piscioti asked to close the Public Hearing.

7:12 PM Motion made by Councilman Diamond, seconded by Councilman VanLaeken to close the Public Hearing for Fire Contracts and open back up to the Regular Town Board Meeting.
All Voted Aye.

AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:

General	#379-418	\$239,932.86
Highway	#244-273	<u>\$108,659.87</u>
	Total:	<u>\$348,592.73</u>

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

Roll Call:

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

UNFINISHED BUSINESS:

Audit of Town Clerk Books: Moved by Councilperson Greco, seconded by Councilman Diamond that the 2025 audit of the Town Clerks books have been completed and accepted. Sign off sheet attached.

Roll Call:

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

Audit of Justice Books: Moved by Council Greco, seconded by Council Diamond that the 2025 audit of the Town Justice books have been completed and accepted. Sign off sheet attached.

Roll Call:

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

PUBLIC HEARING:

7:15 Local Law No. 2 of 2025 to Rescind a Local Law and to Re-Establish a Date to Hear Complaints in Relation to Assessments:

Motion made by Councilman Diamond, seconded by Councilman Gerbig to close the Regular Town Board Meeting and open to the Public Hearing for Local Law No. 2 of 2025 to Rescind a Local Law and to Establish a Date To Hear Complaints in Relation to Assessments.

All voted Aye.

Motion made by Councilman Greco, seconded by Councilman Gerbig to waive the reading of the Legal Notice.

All Voted Aye.

Supervisor Piscioti explained Grievance Day is now the 4th Wednesday of May and would like it to be the 4th Tuesday of May.

Supervisor asked if there were any comments from the Public.

Hearing none Supervisor Piscioti asked for a motion to close the Public Hearing.

7:16 PM Motion made by Councilman Greco, seconded by Councilman VanLaeken to close the Public Hearing for Local Law No. 2 of 2025 to Rescind a Local Law and to Re-Establish a Date to Hear Complaints in Relation to Assessments and reopen to the Regular Town Board Meeting.

Roll Call:

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

Returned to Unfinished Business:

Fire Contracts: Moved by Councilman VanLaeken, seconded by Councilman Greco to approve Fairville Volunteer Fire Department, Inc., Marble Town Volunteer Fire Department, Inc. and Village Of Newark Fire Department contracts for \$66,585.00 each for the year 2026.

Roll Call:

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

Local Law No. 2 of 2025 to Rescind a Local Law and to Re-Establish a Date to Hear Complaints in Relation to Assessments: Motion made by Councilman Diamond, seconded by Councilman Greco to adopt the proposed Local Law No. 2 of the year 2025 to allow the Town of Arcadia to re-establish a date to hear complaints in relation to Assessments Pursuant to real property tax law 512(1-A). (4th Tuesday of May starting May of 2026.)

Roll Call:

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

Resolution Determining the Establishment of the Southwest Water Improvement Area Benefit Area No. 3 as Being in the Publics Best Interest: Motion made by Councilman Greco, seconded by Councilman Diamond the establishment of the proposed SWIA No. 3 is in the public's interest. Resolution attached.

Roll Call:

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

Resolution Authorizing the Establishment of the Southwest Water

Improvement Area Benefit Area No. 3: Motion made by Councilman Diamond, seconded by Councilman Greco to adopt the Establishment of Southwest Water Improvement Area Benefit Area No. 3 in the Town of Arcadia and subject to the approval of the NY State Comptroller.
Resolution attached.

Roll Call:

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

MRB Proposal for Professional Services for Southwest Water Improvement

Area No. 3: Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve the Proposal for Professional Engineering Services for SWIA No. 3 in the amount of \$270,400.00.
Proposal for Professional Services attached.

Roll Call:

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

Legal Service Agreement USDA: Motion made by Councilman Diamond, seconded by Councilman Greco to approve the United States Department of Agriculture Legal Services Agreement for SWIA No. 3.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye

Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

RETURN TO NEW BUSINESS:

Arcadia PV, LLC Solar Revised Conditions of Approval: Supervisor Piscioti asked the Representative from Arcadia PV, LLC if he had received the conditions from MRB. He had received it and will respond in writing go MRB. Arcadia PV, LLC Representative said there were three main items; the GeoWeb be place throughout the full length of the access road which they conceded to on that condition, removal of requirement for PILOT, and the Decommissioning Plan.

Councilman Greco asked about the PILOT. The Representative said there are three options: County PILOT, 487 PILOT or Full Taxes –Standardized NYS Tax Assessment Model. They have the ability to explore all three but are leaning towards the full tax assessment. He also questions condition #18 about any increase of storm water drainage from the site to the neighboring properties would trigger a meeting between the project owner and the Town Engineer. MRB wants an automatic review if that happens and he is not sure why they want it that way; why is it automatic. Supervisor Piscioti asked he please work with MRB on the conditions. The Representative said they would work with MRB and Attorney Hou to get things signed off on. Councilman Gerbig asked when they wanted to start building, in the spring. He responded that it is hard to say still working on financing but are aiming for the spring.

NY Arcadia I, LLC Solar – SUP Extension: Zach Rosenblatt from NY Arcadia I, LLC said they have been working with Sherman Gittens, MRB and CEO DeWolf is planning to provide them a building permit with the condition that no ground disturbance is to occur until they have final construction drawings approved. To be cautious, Sherman Gittens recommended NY Arcadia I, LLC to request an extension of 3-6 months since the SUP is close to the year mark.

Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve a 6-month extension of the SUP for NY Arcadia I, LLC Solar Project.
All voted Aye.

PUBLIC COMMENTS: Supervisor Piscioti asked if there were any comments. A resident from Smith Rd. asked if the water passed for the SWIA No. 3. Supervisor Piscioti confirmed it was approved.

REPORTS OF TOWN OFFICIALS:

All Town Reports

Moved by Councilperson VanLaeken, seconded by Councilperson

Greco to accept the following reports: Town Clerk, Code Officer, Assessor, Supervisor and Highway reports.

Roll Call:

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

ADJOURNMENT:

7:42 PM Moved by Councilman VanLaeken, seconded by Councilman Greco to adjourn the Town Board meeting.

All Voted Aye

Respectfully Submitted,
Terresa Vastbinder
Town Clerk

Annual Audit for the Arcadia Town Clerk Year 2025

I, Joseph W. Gerbig Councilperson for the Town of Arcadia have reviewed the completed audit checklist as provided by the Town Clerk. A review of said checklist has been completed with corresponding discussion of all items on the checklist to my satisfaction that proper record keeping and reconciliations are being performed.

A secondary review of all financial reconciliations is performed monthly. This includes all incoming funds compared to receipts and other income as well as review of all expenditures as compared to any payables. This secondary review is performed by personnel that do not have regular interaction with the day-to-day financial operations.

Signed Joseph W. Gerbig
Date Dec 4, 2025

Findings have been reviewed with the Arcadia Town Board.

Signed [Signature] Supervisor
Dated 12-4-2025

Signed [Signature] Councilperson
Dated 12-9-2025

Signed [Signature] Councilperson
Dated 12-9-2025

Signed [Signature] Councilperson
Dated 12-9-2028

V. GENERAL RECORDKEEPING REQUIREMENTS - ~~TOWN CLERKS~~

Adequate accounting records and effective procedures need to be in place to properly account for and report town clerk financial activities. Some basic and essential recordkeeping and reporting requirements include the following:

1. Maintain a cashbook, which chronologically identifies all receipts and disbursements.
2. Make all disbursements by check except for authorized petty cash payments.
3. Maintain official bank accounts.
4. Deposit all moneys received to official bank account no later than the third business day after \$250 has been collected.
5. Perform a monthly reconciliation of cash with amount in the bank and related liabilities.
6. Prepare monthly reports and remit collections to the supervisor and agencies on a timely basis.
 - To the Town Supervisor for fees collected belonging to the town - No later than the fifteenth day of each month (Town Law §27(1)) .
 - A report of hunting, fishing and trapping license sales - Filed by the second Tuesday of each month to the NYS Department of Environmental Conservation (Environmental Conservation Law, §11-0717).
 - Marriage Licenses, Domestic Relations Law, §15(3) - On or before the fifteenth day of each month to the NYS Department of Health.
 - Dog Licenses, Agriculture and Markets Law, §111(1) - On or before the fifth day of each month to the NYS Department of Agriculture and Markets-Dog Licensing Unit and County Treasurer.

The town clerk may also serve as collector of taxes. As collector, the town clerk would be responsible for collecting both town real property taxes and county real property taxes that are levied within the town. Taxes collected are remitted to the town supervisor (for town's share of taxes levied) and to the county treasurer (for county's share). Because of some unique or additional legal requirements pertaining to tax collectors, a separate audit checklist has been developed for this position.

THE ANNUAL AUDIT PROCESS FOR TOWNS

VI. CHECKLIST FOR INITIAL REVIEW OF TOWN CLERK'S RECORDS

Cash Receipts Book

YES NO

- ▶ Is the cash receipts book maintained up-to-date? yes
- ▶ Is the cash receipts book maintained in a manner to identify date received, payer, purpose and the amount (either individually or totals referenced to subsidiary receipt records e.g., water rents)? yes
- ▶ Are deposits identified? yes
- ▶ Do deposit amounts agree with cash receipt amounts? yes
- ▶ Are deposits made timely (no later than the third business day after \$250 has been collected)? yes
- ▶ Are deposits recorded up-to-date?

<i>Last Recorded Deposit:</i>	<i>Date</i>	<i>Amount</i>
	<u>10/22/2025</u>	<u>\$410.00</u>
- ▶ Is the receipt book totaled and summarized at the end of each month? yes

Cash Disbursements Book

YES NO

- ▶ Is a cash disbursements book maintained up to date? yes
- ▶ Is the cash disbursements book maintained in a manner to identify amounts disbursed? yes
- ▶ Are pre-numbered checks used for all disbursements other than petty cash? yes
- ▶ Are all checks signed by the Town Clerk? And Deputy Clerk in Clerks absence. yes
- ▶ Are canceled checks returned with bank statements and maintained on file? Copies are returned yes
- ▶ Are checks recorded up-to-date?

<i>Last Recorded Check :</i>	<i>#</i>	<i>Date</i>	<i>Amount</i>
	<u>2807</u>	<u>10/1/2025</u>	<u>\$ 4,480.73</u>

Cash Reconciliations

YES NO

- ▶ Are bank accounts reconciled? monthly yes

THE ANNUAL AUDIT PROCESS FOR TOWNS

▶ Is the reconciliation performed timely after the bank statement is received? *yes*

Last Bank Reconciliation for Each Bank Account:

Date Performed *Month Ending*
10/7/2025 Sept. 30, 2025

▶ Does the reconciled bank balance agree with cash balance recorded in the accounting records? *yes*

Accountability

YES NO

▶ Is accountability (what the town clerk owes) determined at the end of each month? *yes*

▶ Does the accountability amount agree with bank reconciliation and supporting records? *yes*

Reporting

YES NO

▶ Are monthly reports and payments made timely to the Supervisor? *yes*

▶ Are monthly reports and payments made timely to other agencies? *yes*

▶ Do reported amounts on monthly reports agree with cash receipt and disbursement books? *yes*

Other Concerns

YES NO

▶ Are unused checks properly safeguarded? *yes*

▶ Are undeposited cash receipts safeguarded? *yes*

▶ Are unissued licenses (e.g., conservation, dog) safeguarded? *yes*

▶ Are receivable control accounts maintained, if applicable (e.g., water rents)? *N/A*

▶ Is there indication that the receivable control accounts are reconciled to the detail subsidiary records? *N/A*

▶ Are revenues from town clerk fees comparable with those of previous years? *yes*
See attached sheets

Overall Evaluation

*yes roughly
 15 more
 for 2025
 11/4/25 JWB.*

As of:
10/22/2025
11:57:14

TOWN OF ARCADIA
TOWN CLERK'S 2025 ANNUAL REPORT

RECEIPTS

35	MARRIAGE TRANSCRIPT	350.00
3	MISCELLANEOUS REVENUE	90.00
10	COPIES & GENEALOGY	143.00
60	MARRIAGE LICENSES AND OFFICIANTS DECALS	2,370.00 5,483.00
8	DOG REDEMPTION	200.00
2338	VITAL STATISTICS	23,330.00
39	BINGO PROCEEDS	557.23
7	ZONING/PLANNING VARIANCE	700.00
2	MISC BUILDING PERMITS	130.00
4	TRAILER PARK ANNUAL FEE	800.00
3	MINING PERMITS	850.00
4	ALL POOL /HOT TUB PERMIT	120.00
7	DECK PERMITS	300.36
6	NEW RESIDENTIAL HOMES	1,119.46
22	BARN/GARAGE/CARPORT/ADDT	2,737.50
10	SHED PERMITS	536.16
20	ROOF ALTERATIONS/REROOF	600.00
6	RESIDENTIAL ADDITIONS	485.00
1	STOVE,CHIMNEY,FIREPLACES	30.00
6	PERK TESTING & SEPTIC	180.00
4	PORCH/GAZEBO PERMITS	189.00
6	GENERATOR PERMITS	180.00
1	CELL TOWERS/DISHES	100.00
8	ALTERATIONS/RENOVATIONS	296.00
2	SOLAR PERMITS	500.00
2	SUBDIVISION	225.00
1	ROADSIDE STAND	30.00
733	DOG LICENSES	5,652.00

TOTAL RECEIPTS: \$48,283.71

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	30,422.23
PAID TO SUPERVISOR FOR DECALS COMMISSION	274.62
PAID TO SUPERVISOR FOR PART TOWN FUND	10,108.48
PAID TO NYS DEC FOR DECALS	5,208.38
PAID TO NYS ANIMAL POPULATION CONTROL FUND	965.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	1,305.00

TOTAL DISBURSEMENTS: \$48,283.71

All of 2024

10/10/2025

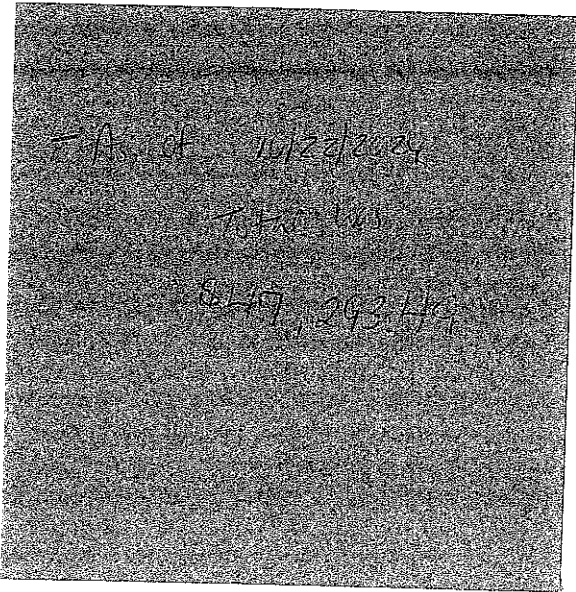
13:22:56

TOWN OF ARCADIA

TOWN CLERK'S 2024 ANNUAL REPORT

RECEIPTS

51	MARRIAGE TRANSCRIPT	510.00
4	MISCELLANEOUS REVENUE	60.00
24	COPIES & GENEALOGY	261.25
62	MARRIAGE LICENSES AND OFFICIANTS	2,435.00
	DECALS	6,952.00
8	DOG REDEMPTION	200.00
2243	VITAL STATISTICS	22,380.00
8	GAMES OF CHANCE LICENSES	200.00
1	BINGO LICENSES	937.50
55	BINGO PROCEEDS	735.98
15	ZONING/PLANNING VARIANCE	1,500.00
7	MISC BUILDING PERMITS	275.00
4	TRAILER PARK ANNUAL FEE	800.00
3	MINING PERMITS	850.00
4	ALL POOL /HOT TUB PERMIT	120.00
9	DECK PERMITS	342.00
8	NEW RESIDENTIAL HOMES	1,193.00
18	BARN/GARAGE/CARPORT/ADDT	6,804.50
13	SHED PERMITS	557.00
1	MOBILE HOME PERMITS	75.00
20	ROOF ALTERATIONS/REROOF	630.00
7	RESIDENTIAL ADDITIONS	676.00
3	STOVE,CHIMNEY,FIREPLACES	90.00
2	SIGNS	60.00
3	PERK TESTING & SEPTIC	90.00
1	PORCH/GAZEBO PERMITS	37.00
4	GENERATOR PERMITS	120.00
4	ALTERATIONS/RENOVATIONS	482.00
1	DEMOLITION	50.00
4	SOLAR PERMITS	400.00
1	SUBDIVISION	50.00
1	ROADSIDE STAND	30.00
892	DOG LICENSES	7,213.00



TOTAL RECEIPTS:

\$57,116.23

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	31,759.73
PAID TO SUPERVISOR FOR DECALS COMMISSION	367.39
PAID TO SUPERVISOR FOR PART TOWN FUND	15,231.50
PAID TO NYS DEC FOR DECALS	6,584.61
PAID TO NYS ANIMAL POPULATION CONTROL FUND	1,163.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	1,327.50
PAID TO STATE COMPTROLLER FOR GAMES OF CHANCE LICENSES	120.00
PAID TO STATE COMPTROLLER FOR BINGO LICENSES	562.50

Call of 2021

10/10/2025

13:26:16

TOWN OF ARCADIA

TOWN CLERK'S 2021 ANNUAL REPORT

RECEIPTS

47	MARRIAGE TRANSCRIPT	470.00
8	COPIES & GENEALOGY	88.00
81	MARRIAGE LICENSES AND OFFICIANTS	3,240.00
	DECALS	11,092.00
4	DOG REDEMPTION	100.00
2118	VITAL STATISTICS	21,160.00
4	GAMES OF CHANCE LICENSES	100.00
1	BINGO LICENSES	993.75
51	BINGO PROCEEDS	962.22
10	ZONING/PLANNING VARIANCE	1,075.00
1	ZONING, SUBDIVISION BOOK	30.00
1	MISC BUILDING PERMITS	72.00
4	TRAILER PARK ANNUAL FEE	800.00
3	MINING PERMITS	850.00
10	ALL POOL /HOT TUB PERMIT	300.00
13	DECK PERMITS	508.52
3	NEW RESIDENTIAL HOMES	345.00
29	BARN/GARAGE/CARPORT/ADDT	3,550.04
7	SHED PERMITS	311.40
1	MOBILE HOME PERMITS	75.00
38	ROOF ALTERATIONS/REROOF	1,140.00
8	RESIDENTIAL ADDITIONS	480.56
4	STOVE, CHIMNEY, FIREPLACES	120.00
5	HOME OCCUPATION PERMIT	500.00
1	PERK TESTING & SEPTIC	30.00
10	PORCH/GAZEBO PERMITS	391.72
7	GENERATOR PERMITS	280.00
2	CELL TOWERS/DISHES	200.00
1	ADMINISTRATIVE SURCHARGE	30.00
5	ALTERATIONS/RENOVATIONS	240.00
3	DEMOLITION	90.00
3	SOLAR PERMITS	300.00
820	DOG LICENSES	6,233.00

TOTAL RECEIPTS:

\$56,158.21

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	29,799.22
PAID TO SUPERVISOR FOR DECALS COMMISSION	593.14
PAID TO SUPERVISOR FOR PART TOWN FUND	11,719.24
PAID TO NYS DEC FOR DECALS	10,498.86
PAID TO NYS ANIMAL POPULATION CONTROL FUND	1,069.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	1,822.50
PAID TO STATE COMPTROLLER FOR GAMES OF CHANCE LICENSES	60.00
PAID TO STATE COMPTROLLER FOR BINGO LICENSES	596.25

All of 2019
10/10/2025
13:25:43

TOWN OF ARCADIA

TOWN CLERK'S 2019 ANNUAL REPORT

RECEIPTS

56	MARRIAGE TRANSCRIPT	560.00
2	WAYNE COUNTY MAP	6.00
18	COPIES & GENEALOGY	281.75
69	MARRIAGE LICENSES AND OFFICIANTS DECALS	2,760.00 13,098.00
4	DOG REDEMPTION	95.00
1980	VITAL STATISTICS	19,710.00
5	GAMES OF CHANCE LICENSES	125.00
3	GAMES OF CHANCE PROCEEDS	4.65
1	BINGO LICENSES	975.00
50	BINGO PROCEEDS	338.37
7	ZONING/PLANNING VARIANCE	600.00
1	MISC BUILDING PERMITS	40.00
4	TRAILER PARK ANNUAL FEE	800.00
3	MINING PERMITS	800.00
5	ALL POOL /HOT TUB PERMIT	150.00
18	DECK PERMITS	727.00
4	NEW RESIDENTIAL HOMES	608.00
27	BARN/GARAGE/CARPORT/ADDT	3,989.00
9	SHED PERMITS	413.12
1	RENEWAL OF BLDG PERMITS	30.00
41	ROOF ALTERATIONS/REROOF	1,267.00
3	RESIDENTIAL ADDITIONS STOVE,CHIMNEY,FIREPLACES	169.88 30.00
1	SIGNS	30.00
3	PERK TESTING & SEPTIC	90.00
7	PORCH/GAZEBO PERMITS	341.00
8	GENERATOR PERMITS	240.00
4	CELL TOWERS/DISHES	400.00
5	ALTERATIONS/RENOVATIONS	198.00
1	DEMOLITION	50.00
1	SUBDIVISION	50.00
953	DOG LICENSES	7,190.00

TOTAL RECEIPTS:

\$56,166.77

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	28,652.27
PAID TO SUPERVISOR FOR DECALS COMMISSION	643.95
PAID TO SUPERVISOR FOR PART TOWN FUND	11,023.00
PAID TO NYS DEC FOR DECALS	12,454.05
PAID TO NYS ANIMAL POPULATION CONTROL FUND	1,181.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	1,552.50
PAID TO STATE COMPTROLLER FOR GAMES OF CHANCE LICENSES	75.00
PAID TO STATE COMPTROLLER FOR BINGO LICENSES	585.00

November 3, 2025

Dear Supervisor Piscitelli,

Pursuant to Section 2019-a of the Uniform Justice Court Act, it is the duty of every justice to present his/her records and docket, at least once a year, to the auditing board of the village or town, which shall examine said records or docket, or cause same to be examined, and enter in the minutes of its proceedings the fact that they have been duly examined.

Consistent with Section 2019-a of the Uniform Justice Court Act, I hereby advise that the court's records and docket are available to be presented for such examination. I look forward to working with you to schedule such examination in an expeditious manner.

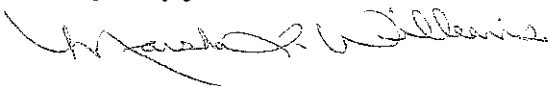
It is my understanding the OCA's Internal Audit Services (IAS) unit will be corresponding with you as well in the very near future in this regard. Subsequent to the audit or examination, please forward to the IAS unit the audit report, as well as the Board's resolution noting that the records have been duly examined, and that the fines therein collected have been turned over to the proper officials of the Town as required by law. Such materials may be mailed to the following:

Internal Audit Services Unit
Attn: Joan Casazza
2500 Pond View, Suite LL01
Castleton-on-Hudson, New York 12033

In the alternative, such materials may be sent via email to; jcasazza@nycourts.gov

Thank you.

Very truly yours,



Hon. Marsha L. Williams

Town of Acadica

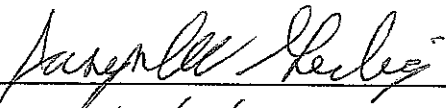
cc: Hon. William K. Taylor, Administrative Judge

EMailed 11/21/25 - TV

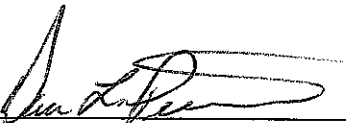
Annual Audit for the Arcadia Town Justice Courts Year 2025

I, Joseph W. Gerbig, Councilperson for the Town of Arcadia have reviewed the completed audit checklist as provided by the Town Justice. A review of said checklist has been completed with corresponding discussion of all items on the checklist to my satisfaction that proper record keeping and reconciliations are being performed.


A secondary review of all financial reconciliations is performed monthly. This includes all incoming funds compared to receipts and other income as well as review of all expenditures as compared to any payables. This secondary review is performed by personnel that do not have regular interaction with the day-to-day financial operations.

Signed 
Date 12/4/25

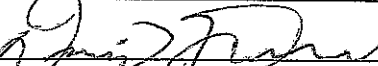
Findings have been reviewed with the Arcadia Town Board.

Signed  Supervisor

Dated 12-4-2025

Signed  Councilperson

Dated 12-9-2025

Signed  Councilperson

Dated 12-9-2025

Signed  Councilperson

Dated 12-9-2025

IX. GENERAL RECORDKEEPING REQUIREMENTS - TOWN JUSTICE COURTS

As a general rule, you should first gain an understanding of how the court operates, what the general rules and requirements are for financial accountability and reporting, and what types of financial records should be maintained to meet these responsibilities. Many board members, particularly newly elected members, may not have a clue to these concerns. The first step is to ASK? Ask the applicable individuals involved, other more experienced board members, your town attorney, or call us. The Office of the State Comptroller issues many publications, which provide guidance on a variety of topics that will provide you with needed information. The Comptroller's Justice Court Fund issues a publication entitled *Handbook for Town and Village Justices and Court Clerks*, which provides guidance as well as requirements for Justice Court transactions.

Court personnel are required to maintain various records and documents pertaining to the cases handled in their respective courts. They are also required to perform certain finance related duties to account for and report all transactions. Some of the recordkeeping requirements issued by the Office of Court Administration are as follows:

1. Maintain individual case files containing all papers and other documents pertaining to each case.
2. Maintain an index of all cases.
3. Maintain a cashbook, which chronologically identifies all receipts and disbursements.
4. Maintain official bank accounts.
5. Issue acceptable receipt forms for all moneys collected.
6. Deposit all moneys received to official bank accounts within 72 hours of collection.
7. Make all disbursements by check signed by the Justice except for acceptable petty cash transactions.
8. Submit monthly reports and remittances to the Justice Court Fund within 10 days after end of month collected.

You should expect to find the following minimum records being maintained by court personnel required to receive and disburse moneys (either manually prepared or computerized):

1. Cash receipts records and supporting documents.
2. Cash disbursement records and supporting documents.
3. Bank statements and supporting documents
4. Determinations of accountability.
5. Reports to applicable governmental agencies.

THE ANNUAL AUDIT PROCESS FOR TOWNS

X. CHECKLIST FOR INITIAL REVIEW OF JUSTICE COURT RECORDS

Cash Receipts Book

YES NO

- ▶ Are pre-numbered receipt forms issued for all collections? *yes*
- ▶ Are duplicate copies kept for court records? *yes*
- ▶ Are receipts recorded up-to-date? *yes*

<i>Last Recorded Receipt: #</i>	<i>Date</i>	<i>Amount</i>
<i>Colacino 4409</i>	<i>10-17-25</i>	<i>20</i>
<i>Williams 9861</i>	<i>10-15-25</i>	<i>200</i>

- ▶ Is the receipt book maintained in a manner to identify date received, payer, and the amount of fines, fees, bail and other categories of collection? *yes*
- ▶ Are deposits identified? *yes*
- ▶ Are duplicate deposit slips kept for court records? *yes*
- ▶ Do deposit amounts agree with cash receipt amounts? *yes*
- ▶ Are deposits made within 72 hours of collection? *yes*
- ▶ Are deposits recorded up-to-date?

<i>Last Recorded Deposit:</i>	<i>Date</i>	<i>Amount</i>
<i>Colacino</i>	<i>10/17/25</i>	<i>20</i>
<i>Williams</i>	<i>10-16-25</i>	<i>500</i>

- ▶ Is the receipt book totaled and summarized at the end of each month

Last Month Totaled and Summarized: Colacino \$980
Williams \$2343

Cash Disbursements Book

YES NO

- ▶ Are pre-numbered checks used for all disbursements other than petty cash? *yes*
- ▶ Are all checks signed by the Justice? *yes*
- ▶ Are canceled checks returned with bank statements and kept for court records? *N/A*
- ▶ Are checks recorded up-to-date? *yes*

<i>Last Recorded Check: #</i>	<i>Date</i>	<i>Amount</i>
<i>1045</i>	<i>10-1-25</i>	<i>980</i>
<i>136</i>	<i>10-11-25</i>	<i>\$19,000</i>

FISCAL MANAGEMENT AND OVERSIGHT FOR TOWNS

THE ANNUAL AUDIT PROCESS FOR TOWNS

Bank Reconciliations

YES NO

- ▶ Are bank accounts reconciled promptly after bank statements are received? *yes*

Last Bank Reconciliation for Each Bank Account:

Date Performed
10-2-25

Month Ending
Sept. 2025

Additional Supporting Records

YES NO

- ▶ Is a list of bail maintained? *yes*
- ▶ Is a record of uncollected installment payments maintained? *N/A*

Dockets and Case Files

YES NO

- ▶ Are separate dockets maintained for various classification of cases, such as Vehicle and Traffic, Criminal, Civil and Small Claims? *yes*
- ▶ Are case files maintained for all cases? *yes*
- ▶ Are indexes maintained for all cases? *yes*
- ▶ Do dockets for disposed cases appear to be complete? *yes*
- ▶ Do dockets for disposed cases agree with amounts reported? *yes*

Accountability

YES NO

- ▶ Is accountability determined at the end of each month? *yes*
- ▶ Do accountability amounts agree with bank reconciliations and supporting information?

Last Determination of Accountability: *Date Performed* *Month Ending*

Reports to Division of Criminal Justice Services

YES NO

- ▶ Are reports made timely to the Division of Criminal Justice Services? *yes*
- ▶ Has the court received any notices regarding late reporting? *no*
If yes, why were reports late and what corrective actions were taken.

FISCAL MANAGEMENT AND OVERSIGHT FOR TOWNS

THE ANNUAL AUDIT PROCESS FOR TOWNS

Reports to Justice Court Fund

YES NO

- ▶ Are monthly reports made timely to the Justice Court Fund? *yes*
- ▶ Do reported amounts agree with cash receipt and disbursement books? *yes*
- ▶ Do reported amounts agree with docket dispositions and case files?

Last Report Submitted - Month Ending Sept Date 10/1/21 Amount \$980 + \$2343

- ▶ Has the court received any notices regarding late reporting? *no*
If yes, why were reports late and what corrective actions were taken?

Reporting to Department of Motor Vehicles - TSLE&D Program

YES NO

- ▶ Is information reported timely to TSLE&D? *yes*
- ▶ Has the court received any notices regarding late reporting? *no*
If yes, why were reports late and what corrective actions were taken?

- ▶ Are reports from TSLE&D to the court maintained and utilized? *yes*
Last TSLE&D Report Available: Date 10-15-21

- ▶ How many cases are shown as pending in the last TSLE&D report? _____
 - ⇒ Is the number of pending cases reasonable?
 - ⇒ How many cases are shown as pending for more than 90 days? _____
 - ⇒ What actions have been taken to dispose of these cases?

Suspensions

Overall Evaluation

Annual Audit for the Arcadia Book Keeper Year 2025

I, Joseph W. Gerbig, Councilperson for the Town of Arcadia have reviewed the completed audit checklist as provided by the Town Book Keeper. A review of said checklist has been completed with corresponding discussion of all items on the checklist to my satisfaction that proper record keeping and reconciliations are being performed.

A secondary review of all financial reconciliations is performed monthly. This includes all incoming funds compared to receipts and other income as well as review of all expenditures as compared to any payables. This secondary review is performed by personnel that do not have regular interaction with the day-to-day financial operations.

Signed Joseph W. Gerbig
Date 12/4/25

Findings have been reviewed with the Arcadia Town Board.

Signed [Signature] Supervisor
Dated 12-4-2025

Signed [Signature] Councilperson
Dated 12-9-2025

Signed [Signature] Councilperson
Dated 12-9-2025

Signed [Signature] Councilperson
Dated 12-9-2025

At a Regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Hall at 201 Frey Street in the Village of Newark, Wayne County, New York, in said Town, on the 9th day of December 2025 at 7:15 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 Councilperson Diamond, who moved its adoption, seconded by Councilperson Greco, to wit:

RESOLUTION DATED DECEMBER 9, 2025

A RESOLUTION ADOPTING A PROPOSED LOCAL LAW OF THE YEAR 2025 TO RESCIND A LOCAL LAW AND TO RE-ESTABLISH A DATE TO HEAR COMPLAINTS IN RELATION TO ASSESSMENTS PURSUANT TO REAL PROPERTY TAX LAW.

WHEREAS, a Resolution was introduced proposing a Local Law for the year 2025 entitled “A Local Law To Rescind a Local Law and to Re-Establish A Date to Hear Complaints In Relation to Assessments Pursuant to Real Property Tax Law”; 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 December 9, 2025, 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, as follows:

Section 1. A proposed Local Law No. 2 of the year 2025 entitled “A Local Law To Rescind a Local Law and to Re-Establish A Date to Hear Complaints In Relation to Assessments Pursuant to Real Property Tax Law” is hereby adopted in the form heretofore introduced before said Town Board by Resolution dated November 11, 2025.

Section 2. The Town Clerk is hereby directed to enter said Local Law in the Minutes of this meeting, to file a copy of this Local Law, and to give due notice of the adoption of said Local Law to the New York Secretary of State and the New York Commissioner of Taxation and Finance.

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>Aye</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 December 11, 2025.

Proposed Local Law
To Rescind a Local Law and to Re-Establish A Date to Hear Complaints In Relation to
Assessments Pursuant to Real Property Tax Law

TOWN OF ARCADIA

LOCAL LAW NO. 2 OF THE YEAR 2025

A Local Law to Rescind a Local Law and to Re-Establish A Date to Hear Complaints In Relation to Assessments Pursuant to Real Property Tax Law

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 rescind a local law adopted on April 12, 2022 entitled, "A Local Law to establish a date to hear complaints in relation to assessments pursuant to Real Property Tax Law § 512 (1-a), and to re-establish the date, the fourth Tuesday of May, beginning May 26, 2026, to hear complaints in relation to tax assessments, pursuant to Real Property Tax Law § 512. Through the aforementioned local law adopted April 12, 2022, the Town Board set the grievance date as the fourth Wednesday of May, but now intends to re-establish the grievance date as the fourth Tuesday of May because it no longer employs an assessor that is shared with another assessing unit.

Section 2. Authority. This Local Law is adopted pursuant to Real Property Tax Law § 512(1), which states that on the fourth Tuesday of May, or on such other date as is established by local law, the board of assessment review shall meet to hear complaints in relation to assessments, and § (1-a), which states that such local law shall remain in effect until rescinded or superseded by subsequent local law.

Section 3. Establishment of Date for Assessment Review Hearings. The Town Board of the Town of Arcadia hereby establishes that the date for hearing complaints in relation to tax assessments shall be the fourth Tuesday of May, commencing on May 26, 2026, and continuing on the fourth Tuesday of each May thereafter.

Section 4. 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 5. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION DETERMINING THE ESTABLISHMENT OF THE SOUTHWEST
WATER IMPROVEMENT AREA BENEFIT AREA NO. 3 AS BEING IN THE PUBLIC
INTEREST**

At a Regular Town Board Meeting of the Town Board of the Town of Arcadia, held at the Arcadia Town Hall, 201 Frey St., Newark, New York, at 7:00 p.m.

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

WHEREAS, the Town desires to establish a new water improvement benefit area within the Town, called the Southwest Water Improvement Area Benefit Area No. 3 (“SWIA #3”), and has engaged MRB Group to prepare a Map, Plan and Report for SWIA #3 which is on file and is available for public review at the Town Clerk’s office; and

WHEREAS, the boundaries of the proposed SWIA #3 roughly encompasses properties located in the southwest corner of the Town, bordering the Towns of Manchester and Phelps and including portions of Smith Road, Turner Road, Pardy Smith Road, Bell Road, and Botcher Road, as more fully detailed in the Map, Plan and Report and as described in Schedule A attached hereto and made a part of this Resolution ; and

WHEREAS, a Resolution was duly adopted by the Town Board on November 11, 2025, which set a public hearing for the establishment of SWIA #3 for December 2, 2025, at 7:00 p.m. at the Marbletown Fire Department, 6416 Silver Hill Road, Newark, New York, and described the boundaries of SWIA #3, the improvements proposed, the maximum amount proposed to be expended for said improvements, \$2,138,000.00, to be apportioned as follows: approximately \$146,000.00 of which will be provided by existing SWIA fund balance, \$1,447,000.00 to be provided by a USDA Rural Development Agency (“RD”) grant, and an RD loan of \$545,000.00; said loan will be secured by the issuance of serial bonds and payable through a levy upon the properties within SWIA #3 and assessed on a benefit basis, and the fact that the Map, Plan and Report were on file in the Town Clerk’s Office for public inspection; and

WHEREAS, a Notice of Public Hearing was duly published and posted as required by law; and

WHEREAS, said public hearing was duly held at the time and place set forth therein and all persons desiring to be heard were heard and all submissions were entered into the record of those proceedings; and

WHEREAS, the Town Board has duly considered the Map, Plan, and Report, together with all evidence and testimony entered into the record of the proceedings herein.

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

That the above recitals are incorporated by reference as if fully restated herein; and

That the establishment of the proposed SWIA #3 is in the public interest; and

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Public Interest 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>Aye</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 December 9, 2025.

CERTIFICATION

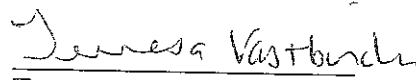
STATE OF NEW YORK)
COUNTY OF WAYNE)

I, the undersigned Clerk of the Town of Arcadia, Wayne County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing copy of the Resolution Determining the Establishment of the Southwest Water Improvement Area Benefit Area No. 3 as Being in the Public Interest, adopted at a meeting of the Arcadia Town Board on December 9, 2025, with the original thereof on file in my Office, and that the same is a true and correct copy of said original and the whole of said original so far as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), that said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given in the manner required by law, and that further notice of the time and place of such meeting was given to the public by timely posting said notice on the Bulletin Board maintained for such purpose at the Town Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this December 9, 2025.


Terresa Vastbinder
Town Clerk



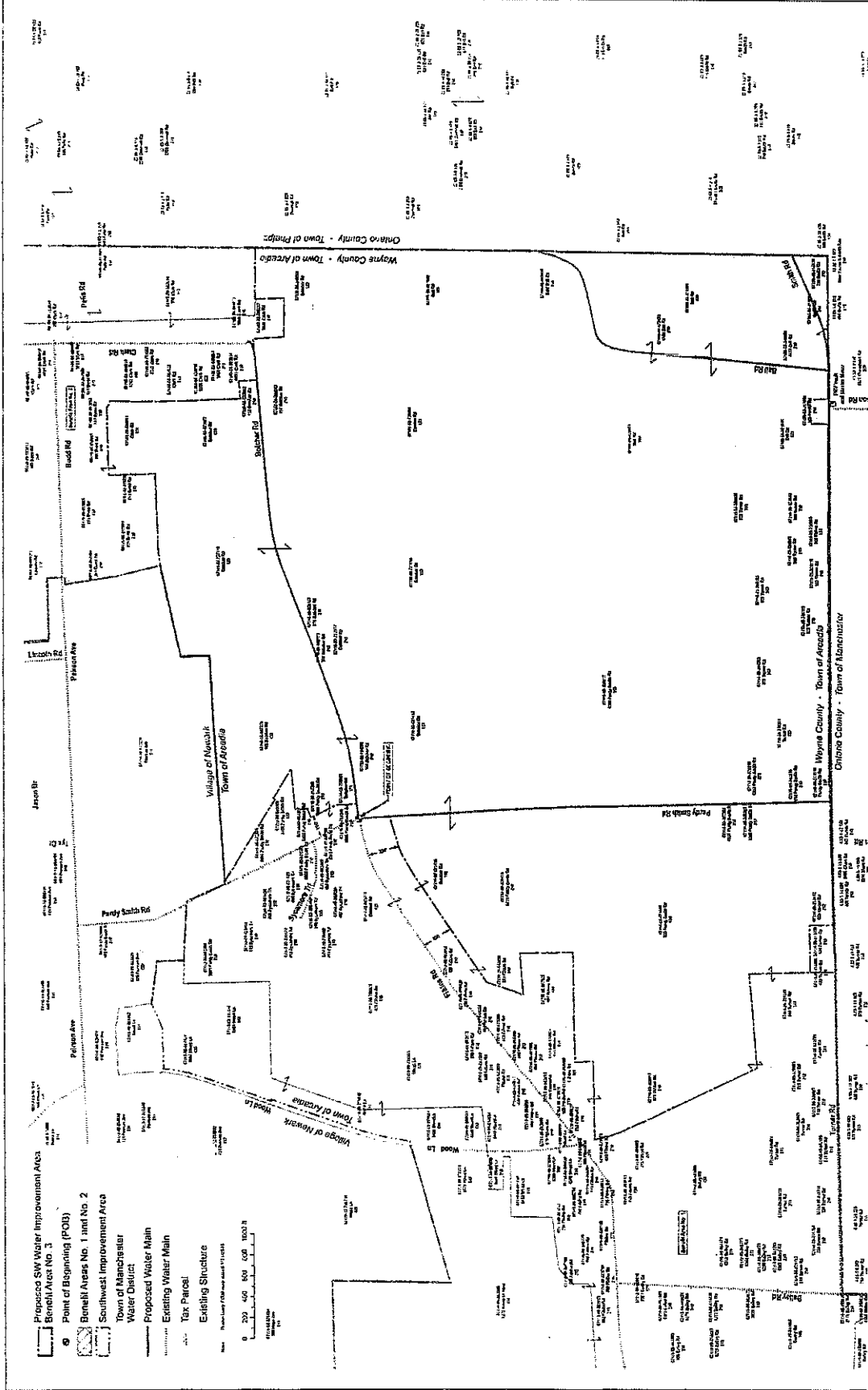


MRB Group
 1000 Lakeshore Blvd. West
 Suite 1000
 Oakville, Ontario L6L 1H4
 Tel: (905) 846-8888
 Fax: (905) 846-8889
 Email: info@mrbgroup.com

Drawn By	J.S.
Scale	1" = 400'
Date	NOV. 2022



TOWN OF ARCADIA SWIA - BENEFIT AREA MAP
 TOWN OF ARCADIA, WAYNE COUNTY, NEW YORK
 SOUTHWEST WATER IMPROVEMENT AREA BENEFIT AREA NO. 3



Proposed SWIA Water Improvement Area
 Benefit Area No. 3

Point of Beginning (POB)

Benefit Areas No. 1 and No. 2

Southwest Improvement Area

Town of Manchester Water District

Proposed Water Main

Existing Water Main

Tax Parcel

Existing Structure

Scale: 1" = 400'

0 200 400 600 800 1000 ft

Schedule A

Description of Proposed Arcadia Southwest Water Improvement Area Benefit Area No. 3

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Arcadia, County of Wayne and State of New York and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated November 2025, entitled "Town of Arcadia SWIA – Benefit Area Map" (Project No. 0106.13000) and being more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the existing centerline of Botcher Road with the Centerline of Pardy Smith Road; thence,

1. Westerly, along the last mentioned existing centerline of Pardy Smith Road to a point, 300' southerly, as measured at right angles of, the existing centerline of Botcher Road. Said centerline also being the existing southerly bounds of Town of Arcadia Benefit Area 1; thence, northwesterly, northerly, westerly, southwesterly and southerly along the last mentioned existing Town of Arcadia Benefit Area 1 the following ten (10) courses.
2. Northwesterly, running parallel to and 300' southwesterly of, as measured at right angles of, the existing centerline of Filkins Road to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-643498; thence,
3. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly bounds of Tax Map Parcel 67110-00-643498; thence,
4. Southerly, along the last mentioned existing westerly boundary to a point at its intersection with the existing northerly boundary of Tax Map parcel 67110-00-471440; thence,
5. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-471440; thence,
6. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-471440; thence,
7. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-488617; thence,
8. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-488617; thence,
9. Southwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the northerly extension of the existing westerly boundary of Tax map Parcel 67110-00-471440; thence,

10. Southerly, along the last mentioned existing westerly boundary and also along the existing westerly bounds of Tax Map Parcel 67110-00-471440 to a point at its intersection with the existing easterly extension of the existing northerly boundary of Tax Map Parcel 67110-00-312488; thence,
11. Westerly, along the last mentioned existing easterly extension to a point at its intersection with the existing westerly boundary of Tax Map Parcel 67110-00-339530; thence,
12. Southerly, along the last mentioned westerly boundary and also along the existing westerly boundary of Tax Map Parcel 67110-00-313465 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-0-313442; thence,
13. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing centerline of Turner Road, said centerline also being the existing easterly municipal boundary between the County of Wayne with the County of Ontario; thence
14. Southerly, along the last mentioned existing municipal boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67109-00-315958; thence,
15. Easterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-315958; thence,
16. Southerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing southerly boundary of Tax Map Parcel 67109-00-315958; thence,
17. Westerly, along the last mentioned existing southerly boundary to a point at its intersection with the abovementioned existing easterly municipal boundary between the County of Wayne and the County of Ontario; thence,
18. Southerly, along the last mentioned existing easterly municipal boundary to a point at its intersection with the existing northerly municipal boundary between the County of Wayne with the County of Ontario; thence,
19. Easterly, along the last mentioned existing northerly municipal boundary and also along the existing southerly boundaries of Tax Map Parcels 67109-00-318819, 67109-00-475981, crossing Bell Road and continuing along the southerly bounds of Tax Map Parcels 67109-00-586829, 67109-00-697840 and 67109-00-838833 to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-838833; thence,
20. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 37109-00-838833 said point also being the existing southerly boundary of Benefit Area No. 2; thence, Westerly, Northerly, Easterly along the last mentioned Benefit Area No. 2 the following nine (9) courses.

21. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly boundary of Tax Map Parcel 37109-00-838833; thence,
22. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 37109-00-838833; thence,
23. Easterly, along the last mentioned existing southerly boundary to a point at its intersection with the existing southerly extension of the existing centerline of Botcher Road; thence,
24. Northerly, along the last mentioned existing centerline of Botcher Road to a point at its intersection with the existing southerly boundary of Tax Map Parcel 67109-00-892932; thence,
25. Easterly, along the last mentioned existing southerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-882932; thence,
26. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing southerly boundary of Tax Map Parcel 67109-00-923972; thence,
27. Easterly, along the last mentioned existing southerly boundary and also along the existing southerly bounds of Tax Map Parcel 67109-00-998974 to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-998974; thence,
28. Northerly, along the last mentioned existing easterly boundary and its northerly extension a point at its intersection with the existing southerly boundary of Tax Map Parcel 67110-00-727116; thence,
29. Westerly, along the last mentioned existing southerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-727116; thence,
30. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-727116; thence,
31. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-857278; thence,
32. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-857278 said point also being the existing southerly bounds of Town of Arcadia Benefit Area #1; thence, Southwesterly, Northerly and Westerly, along the existing Town of Arcadia Benefit Area #1, the following eight (8) courses.
33. Southwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly boundary of Tax Map Parcel 67110-00-857278; thence,

34. Southeasterly, along the last mentioned existing westerly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-857278; thence,
35. Southwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-857278; thence,
36. Northerly, westerly, and northerly along the last mentioned existing easterly boundary to a point said point being 200' southerly of as measured at right angles of the existing centerline of Pardy Smith Road; thence,
37. Southwesterly, through lands of Tax Map Parcel 67110-00-815336 to a point said point being the existing northeasterly corner of Tax Map Parcel 67110-00-785328; thence,
38. Westerly, along the existing northerly boundary of Tax Map Parcel 67110-0-785328 to a point at its intersection with the existing centerline of Botcher Road; thence,
39. Northerly, along the last mentioned existing northerly centerline of Botcher Road to the point and place of beginning.

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE SOUTHWEST
WATER IMPROVEMENT AREA BENEFIT AREA NO. 3**

At a Regular Town Board Meeting of the Town Board of the Town of Arcadia, held at the Arcadia Town Hall, 201 Frey St., Newark, New York, at 7:00 p.m.

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

BE IT RESOLVED AND ORDERED, by the Town Board of the Town of Arcadia, New York, as follows:

Section 1.

1. That the Town desires to establish a new water improvement benefit area within the Town, called the Southwest Water Improvement Area Benefit Area No. 3 (“SWIA #3”), and has engaged MRB Group to prepare a Map, Plan and Report for SWIA #3 which is on file and is available for public review at the Town Clerk’s office; and
2. The boundaries of the proposed SWIA #3 roughly encompasses properties located in the southwest corner of the Town, bordering the Towns of Manchester and Phelps and including portions of Smith Road, Turner Road, Pardy Smith Road, Bell Road, and Botcher Road, as more fully described and detailed in the Map, Plan and Report and as described in Schedule A attached hereto and made a part of this Resolution; and
3. That the total costs of the improvements for SWIA #3, \$2,138,000.00, shall be apportioned as follows: \$146,000.00 will be provided by existing SWIA fund balance, \$1,447,000.00 to be provided by a USDA Rural Development Agency (“RD”) grant, and an RD loan of \$545,000.00; said loan will be secured by the issuance of serial bonds and payable through a levy upon the properties within SWIA #3 and assessed on a benefit basis; and
4. That on November 11, 2025, the Town Board duly adopted a Resolution setting a public hearing for the establishment of the proposed SWIA #3 to be held at the Marbletown Fire Department on December 2, 2025, at 7:00 p.m. and the notice of public hearing was duly published and posted as required by law, and said public hearing was duly held at said time and place set forth and all persons desiring to be heard were heard and all submissions were entered into the record of those proceedings; and
5. That the Town Board has duly considered the Map, Plan, and Report, together with all evidence and testimony entered into the record of the proceedings herein; and

6. That the Town Board adopted a Resolution on December 9, 2025 determining that the establishment of the proposed SWIA #3 would be in the public interest; and
7. That the establishment of the proposed SWIA #3 and improvements therefore as provided in the Map, Plan, and Report is hereby authorized, subject to the approval of the New York State Comptroller.

Section 2. That within ten days after the adoption of this Resolution, the Town Clerk shall file a certified copy of this Resolution in the office of the state department of audit and control at Albany, New York, together with an application for the approval of the state comptroller to the providing of such water improvement. The Town Supervisor is hereby authorized execute and verify the application and all other documents reasonably necessary in furtherance thereof.

Section 3. That the Town Clerk shall cause a certified copy of this Resolution to be duly recorded in the Wayne County Clerk's Office within ten days after the adoption of this Resolution.

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>Aye</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 December 9, 2025.

CERTIFICATION

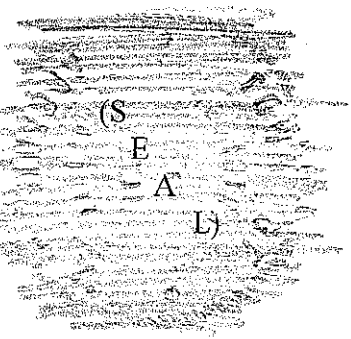
STATE OF NEW YORK)
COUNTY OF WAYNE)

I, the undersigned Clerk of the Town of Arcadia, Wayne County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing copy of the **Resolution** contained herein, held on the 9th day of December, 2025, with the original thereof on file in my Office, and that the same is a true and correct copy of said Original and the whole of said Original so far as the same relates to the subject matters referred to therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 17th day of December, 2025.

Terresa Vastbinder
Terresa Vastbinder
Town Clerk



Schedule A

Description of Proposed Arcadia Southwest Water Improvement Area Benefit Area No. 3

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Arcadia, County of Wayne and State of New York and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated November 2025, entitled "Town of Arcadia SWIA – Benefit Area Map" (Project No. 0106.13000) and being more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the existing centerline of Botcher Road with the Centerline of Pardy Smith Road; thence,

1. Westerly, along the last mentioned existing centerline of Pardy Smith Road to a point, 300' southerly, as measured at right angles of, the existing centerline of Botcher Road. Said centerline also being the existing southerly bounds of Town of Arcadia Benefit Area 1; thence, northwesterly, northerly, westerly, southwesterly and southerly along the last mentioned existing Town of Arcadia Benefit Area 1 the following ten (10) courses.
2. Northwesterly, running parallel to and 300' southwesterly of, as measured at right angles of, the existing centerline of Filkins Road to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-643498; thence,
3. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly bounds of Tax Map Parcel 67110-00-643498; thence,
4. Southerly, along the last mentioned existing westerly boundary to a point at its intersection with the existing northerly boundary of Tax Map parcel 67110-00-471440; thence,
5. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-471440; thence,
6. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-471440; thence,
7. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-488617; thence,
8. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-488617; thence,
9. Southwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the northerly extension of the existing westerly boundary of Tax map Parcel 67110-00-471440; thence,

10. Southerly, along the last mentioned existing westerly boundary and also along the existing westerly bounds of Tax Map Parcel 67110-00-471440 to a point at its intersection with the existing easterly extension of the existing northerly boundary of Tax Map Parcel 67110-00-312488; thence,
11. Westerly, along the last mentioned existing easterly extension to a point at its intersection with the existing westerly boundary of Tax Map Parcel 67110-00-339530; thence,
12. Southerly, along the last mentioned westerly boundary and also along the existing westerly boundary of Tax Map Parcel 67110-00-313465 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-0-313442; thence,
13. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing centerline of Turner Road, said centerline also being the existing easterly municipal boundary between the County of Wayne with the County of Ontario; thence
14. Southerly, along the last mentioned existing municipal boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67109-00-315958; thence,
15. Easterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-315958; thence,
16. Southerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing southerly boundary of Tax Map Parcel 67109-00-315958; thence,
17. Westerly, along the last mentioned existing southerly boundary to a point at its intersection with the abovementioned existing easterly municipal boundary between the County of Wayne and the County of Ontario; thence,
18. Southerly, along the last mentioned existing easterly municipal boundary to a point at its intersection with the existing northerly municipal boundary between the County of Wayne with the County of Ontario; thence,
19. Easterly, along the last mentioned existing northerly municipal boundary and also along the existing southerly boundaries of Tax Map Parcels 67109-00-318819, 67109-00-475981, crossing Bell Road and continuing along the southerly bounds of Tax Map Parcels 67109-00-586829, 67109-00-697840 and 67109-00-838833 to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-838833; thence,
20. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 37109-00-838833 said point also being the existing southerly boundary of Benefit Area No. 2; thence, Westerly, Northerly, Easterly along the last mentioned Benefit Area No. 2 the following nine (9) courses.

21. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly boundary of Tax Map Parcel 37109-00-838833; thence,
22. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 37109-00-838833; thence,
23. Easterly, along the last mentioned existing southerly boundary to a point at its intersection with the existing southerly extension of the existing centerline of Botcher Road; thence,
24. Northerly, along the last mentioned existing centerline of Botcher Road to a point at its intersection with the existing southerly boundary of Tax Map Parcel 67109-00-892932; thence,
25. Easterly, along the last mentioned existing southerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-882932; thence,
26. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing southerly boundary of Tax Map Parcel 67109-00-923972; thence,
27. Easterly, along the last mentioned existing southerly boundary and also along the existing southerly bounds of Tax Map Parcel 67109-00-998974 to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67109-00-998974; thence,
28. Northerly, along the last mentioned existing easterly boundary and its northerly extension a point at its intersection with the existing southerly boundary of Tax Map Parcel 67110-00-727116; thence,
29. Westerly, along the last mentioned existing southerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-727116; thence,
30. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-727116; thence,
31. Westerly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-857278; thence,
32. Northerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-857278 said point also being the existing southerly bounds of Town of Arcadia Benefit Area #1; thence, Southwesterly, Northerly and Westerly, along the existing Town of Arcadia Benefit Area #1, the following eight (8) courses.
33. Southwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly boundary of Tax Map Parcel 67110-00-857278; thence,

34. Southeasterly, along the last mentioned existing westerly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 67110-00-857278; thence,
35. Southwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 67110-00-857278; thence,
36. Northerly, westerly, and northerly along the last mentioned existing easterly boundary to a point said point being 200' southerly of as measured at right angles of the existing centerline of Pardy Smith Road; thence,
37. Southwesterly, through lands of Tax Map Parcel 67110-00-815336 to a point said point being the existing northeasterly corner of Tax Map Parcel 67110-00-785328; thence,
38. Westerly, along the existing northerly boundary of Tax Map Parcel 67110-0-785328 to a point at its intersection with the existing centerline of Botcher Road; thence,
39. Northerly, along the last mentioned existing northerly centerline of Botcher Road to the point and place of beginning.



November 6, 2025

Dawn Piscioti, Supervisor
Town of Arcadia
201 Frey Street
Newark, New York 14513

Re: Proposal for Professional Services
Southwest Water Improvement Area Benefit Area No. 3

Dear Supervisor Piscioti:

MRB Group is pleased to provide our proposal for professional engineering services for the above referenced project ("Project"). This letter proposal describes our understanding of the scope of the Project and provides an estimate of our compensation. We appreciate very much the opportunity to continue to assist the Town with this important Project.

Assuming our proposal is acceptable, and upon approval by the Town Board we will forward for signature the Standard Form of Agreement between Owner and Engineer for Professional Services – EJCDC E-500 (2020) (the "Agreement"). The scope of work and engineering fees outlined in the Agreement will be consistent with that outlined herein. The EJCDC E-500 is the form of Agreement Rural Development (RD) uses for projects funded through that agency.

I. Scope of Services

MRB Group will provide the general scope of services described below:

- **Basic Engineering Services:** Includes Preliminary Engineering, Environmental Review, Design, Bidding, and Construction Administration services to be performed on a lump sum or hourly fee basis, as applicable.
- **Construction Observation Services:** Includes construction observation to be performed on an hourly, not-to-exceed basis, plus mileage for the Construction Observer.

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MRBGroup.com

- **Additional Services:** Includes services not included in the Basic Services or Construction Observation Services. Included in this category are services for which the need, level of effort, or scope of work is not certain and may vary depending upon a number of factors. Sub-consultant fees will be handled as a "pass-thru" cost applied to Additional Services as appropriate. Additional services provided by MRB Group, directly will be billed on an hourly basis. Total billings for Additional Services will not exceed the "Not-to-Exceed" amount estimated below without an amendment to the Agreement, executed by the Town and MRB Group.

The scope of services is described in more detail, below:

Basic Engineering Services

A. Preliminary Engineering

Preliminary Engineering includes work completed to date, over multiple years, to advance the Project to the current status, along with anticipated work to complete Benefit Area creation, including feasibility studies and the alternatives and concepts that were examined before the final service area for the Project was selected. Preliminary Engineering includes, but is not necessarily limited to cost analyses, hydraulic calculations, field reconnaissance, preliminary schematic layouts, coordination and meetings, assisting the Town in developing public survey forms and conducting public surveys, summarizing the public survey results including map exhibits that depicted the results, EDU determinations, and related work. Also included are preparation of the Preliminary Engineering Report (PER) and final Engineering Report, along with any engineering work related to creation of the Benefit Area, formal response to RD's PER review, preparation for and attendance at public information meetings and hearings, including the preparation of meeting exhibits, and coordination with the Town and Town Attorney for establishment of the Benefit Area, including proceedings schedules.

This work is nearly complete and has been invoiced for work completed.

B. Environmental Review

The Environmental Review includes SEQR and preparation of the RD Environmental Report required for funding of the Project. Also included is preparation of the Preliminary and Final Notices of Intent for undertaking an action in an Agriculture District and related coordination with Involved and Interested Agencies during the SEQR process, including SHPO.

This work is nearly complete and has been invoiced for work completed.

C. Design

MRB will prepare design plans, technical specifications, and "front end" procurement documents (collectively the "Contract Documents") consistent with the requirements and standards of the Town, Wayne County Water and Sewer Authority (Authority), and New York State Department of Health (NYSDOH), as applicable, for the nearly 20,000 LF of new water main, valves, hydrants, pressure reducing valve, and related water system appurtenances necessary for a functional Project. The scope also includes completing forms and compiling an application package for technical review and approval by the NYSDOH. A Stormwater Pollution and Prevention Plan (SWPPP) will be prepared and a Notice of Intent submitted to the New York State Department of Environmental Conservation (NYSDEC).

The Town retained a surveyor directly to complete survey and design mapping. This proposal does not include survey and mapping. The Town also separately retained a consultant to complete freshwater wetland/watercourse delineation, reporting, and permitting.

D. Proposal and Contract Award Phase

Based on previous discussions with the Town, we assume that the Project will be completed by "owner construction" via the Authority. The Proposal and Contract Award Phase consists of the following:

- a. Prepare a written summary letter to the Town Board, based on the Authority's proposal to the Town and the overall project budget.
- b. Coordination with the Town's fiscal advisor for completion of the Final "As-Proposed" Form E Budget Report.
- c. Preparation and submission of the RD "Pre-Award" Submission incorporating the above items, in order to solicit formal RD approval to award the construction contract(s).
- d. Preparation of a draft "Resolution of Award" for use by the Town Board following RD permission to award the construction contract.
- e. Preparation of the Notice of Award and assembly of the performance/payment bonds and Agreement forms.
- f. Preparation of a Contract Award letter soliciting the submission of the Agreement, bonds and insurance information.

- g. Preparation and submission of the RD "Pre-construction" Submission incorporating the above items, in order to solicit formal RD approval to schedule a pre-construction meeting.
- h. Coordination with the Town Attorney for the completion of the required RD "Right-of-Way" certifications, and "Certificate of Owner's Attorney."
- i. Day-to-day coordination with the Town, Authority, RD, regulatory agencies, and the Town's fiscal advisor to address any necessary changes to the Contract Documents or Project Budget.

E. Construction Administration Services

RD's regulations require significant documentation and coordination during construction, including but not necessarily limited to:

- a. Convening and chairing a pre-construction meeting with the Town, fiscal advisor, funding agencies as necessary, the Authority, subcontractors, and local utility companies. Key discussion items at the pre-construction meeting will include project schedule, procedures for processing submittals and pay requests, special project conditions, and funding agency requirements. RD requires that the pre-construction meeting strictly follow the RD standard format and agenda.
- b. Issuance of the Notice-to-Proceed.
- c. Processing monthly payment applications.
- d. Supervise construction office staff in the processing of submittals and other administrative documents.
- e. Scheduling and attendance at monthly progress meetings and preparation and distribution of meeting minutes.
- f. Periodic site visits by the Design Engineer to resolve field issues and coordinate any necessary adjustments due to unforeseen conditions and concerns of residents.
- g. Coordination with regulatory and funding agencies and assisting the construction observer with day-to-day construction issues.
- h. Coordination with the construction observer for testing and health sampling of the water mains, including preparation of the required certifications to the NYSDOH.
- i. Coordination and attendance at the Substantial Completion site inspection with RD, the Authority, the Town and all other interested parties.

- j. Preparation and/or Assembly of closeout documentation including the Notice of Substantial Completion, Release of Liens, final over-under adjustment as required by RD, final Form E Budget Report, and copies of final test reports.

Construction Observation Services

A. Construction Observation Services

The general responsibilities of the Construction Observer include:

- a. Achieving familiarity with the construction plans and specifications prior to construction.
- b. Observation of the work to assist in observing the progress and quality of the work, thereby endeavoring to provide further protection for the Town against defects and deficiencies in the work.
- c. Preparation of daily reports documenting the labor and equipment on site, the work performed, problems encountered and their resolution, quantities of materials installed, and test data. RD will review these reports once per month, at the monthly progress meetings.
- d. Monitor that appropriate as-built measurements and documentation is made during construction so that a set of as-built or "Record" Drawings can be produced.
- e. Report directly to the Design Engineer any construction problems or issues so that they can be effectively and efficiently resolved. The Design Engineer will also make periodic visits to the site during construction to provide technical support to the Construction Observer and assist in problem resolution.
- f. Assist the Town in verifying installed quantities for monthly payment applications.
- g. Observe testing and sampling for certification of the completed water mains.

Additional Services

A. Additional Services

The following services are not included in the Basic Services or Construction Observation Services but will be performed under the Additional Services category.

- a. Services related to easements or property acquisition, including preparation of easement maps, documentation necessary for Owner to obtain easements, field meetings and

coordination with Owner and property owners with respect to easements. Also included are changes to already completed plans as a result of easements.

- b. Printing of plans and specifications for regulatory or agency review, bidding, or as necessary for construction.
- c. Services related to Inter-municipal Agreements (IMA's), water supply/sewer agreements and/or water/sewer rate negotiations.
- d. Subsurface or geotechnical investigations including test pits or borings, coordination to receive quotes for the work, coordination of the work itself, adding geotechnical information to the plans, revisions to the plans necessary as a result of the geotechnical investigation, and related technical reports and evaluations.
- e. Preparation of a NYSDEC Water Supply Application and related work, forms and exhibits.
- f. SWPPP Inspections and reports after full time Construction Observation has concluded.
- g. Any services related to the NYS Comptroller Application or Benefit Area Creation after the effective date of the Agreement.
- h. Any services related to wetland/watercourse delineation and permitting including field delineation of NYS freshwater or Army Corps of Engineers (ACOE) jurisdictional wetlands, survey or GPS locations of wetland flagging, identification of regulated watercourses, preparation of wetland delineation reports, permit applications, and related materials (including related additions or modifications to the engineering plans), Pre-construction Notifications (PCN), and related documentation that may be needed to obtain the necessary permits and/or jurisdictional determinations from the NYSDEC or ACOE, as applicable.
- i. Plan submissions, coordination, correspondence, meetings, revisions, response to comments, applications for work permits, additional environmental or Smart Growth reviews, and any related work necessary to obtain regulatory approval from NYSDOT, the Wayne County Highway Department, or municipalities other than the Town of Arcadia.
- j. Plan submissions, coordination, correspondence, meetings, revisions, response to comments, additional hydraulic or source capacity analyses, and any related work necessary to obtain regulatory approval from the NYSDOH beyond the initial plan submission to NYSDOH.
- k. Completion of any required documentation for SHPO clearance, including coordination with an archeologist.
- l. Applications and permitting through NYS Canal Corporation.

- m. Plan submissions, coordination, correspondence, meetings, revisions, response to comments, modifications to Project scope, and any related interaction with regulatory agencies regarding requirements or limitations that may be imposed on the Project with respect to Coastal Areas or Coastal Erosion Hazard Areas.
- n. Furnishing services of Consultants for other than Basic Services.
- o. Project Administration
 - 1. Assist the Town in coordinating the completion and assembly of the various forms and documentation required by RD prior to and during construction of the Project. We will coordinate with the Town and the Town's fiscal advisor, attorney, bond counsel, accountant, and other advisors to assist the Town in assembling the required documentation.
 - 2. Assist the Town in assembling agreements from the Town's fiscal advisor, attorney, bond counsel, accountant, and other advisors, as applicable.
 - 3. Prepare an "As-Bid" Form E Budget Report, based on the Preliminary Form E Budget Report, as updated based on the agreements from the Town's consultants and advisors.
 - 4. Based on the "As-Bid" Form E Budget Report, and prior to the pre-construction meeting, prepare an initial Form E Budget Report No. 1, reflecting eligible expenses to date, based on documentation provided by the Town (invoices and vouchers).
 - 5. Attend the pre-construction meeting.
 - 6. On a monthly basis, prepare updated Form E Budget Reports reflecting expenditures incurred that month, based on documentation (invoices and vouchers) provided by the Town. The monthly Form E Budget Reports will generally be prepared just prior to the monthly progress meetings.
 - 7. Update the Form E Budget Report as necessary to reflect approved budget modifications including change orders, amendments to agreements, and other budgetary adjustments approved by the Town and RD. Budget modifications on the Form E will generally be reflected on the next monthly Form E, as opposed to issuing a separate Budget Report to reflect budget modifications.
 - 8. Upon expenditure of all RD loan funds, prepare grant fund release request letters for the Town Supervisor's signature. The grant fund release request letters will be prepared on a monthly basis, to accompany the monthly Form E Budget Report.
 - 9. Assist the Town in tracking project expenditures via the Form E Budget Reports.



- 10. Assist the Town in scheduling the RD loan closing with the RD Area Specialist and coordinate the assembly of required documentation from the Town's legal, bonding, and fiscal advisors.
- 11. Assist the Town in assembling the final close-out documents, including the Final Form E Budget Report for the project, and related coordination with the Town's advisors.

Our proposal assumes the Town will contract directly for survey and mapping and wetland delineation. MRB will support these services as necessary as part of the Additional Services category.

COMPENSATION

Our price proposal for the above referenced services is as follows:

Basic Services

<u>Task</u>	<u>Fee</u>
Preliminary Engineering	\$76,190
Environmental Review	\$16,400
Design Phase	\$57,500
Proposal and Contract Award Phase	\$7,350
Contract Administration	<u>\$42,000</u>
Total Basic Services.....	\$199,440

Construction Observation Services

<u>Task</u>	<u>Fee</u>
Construction Observation	\$46,000
Total Construction Observation	\$46,000



Additional Services

<u>Task</u>	<u>Fee</u>
Additional Engineering	\$15,000
Project Administration	\$10,000
Total Additional Services.....	\$25,000

Total Basic, \$270,440
Construction Observation
And Additional Services

Thank you for your consideration of our firm providing professional services for this important project. We are grateful for the opportunity to continue to work with the Town to bring the Project to fruition. Please contact us with any questions you may have.

Respectfully submitted,



David M. Doyle, P.E.
Principal

N:\0106.13000.000\Arcadia SW Quad (2024)\Admin\dmd-T. Arcadia SWIA Proposal - 10.23.25.docx

UNITED STATES DEPARTMENT OF AGRICULTURE
Rural Utilities Service

LEGAL SERVICES AGREEMENT

This agreement made this 9th day of December, 2025, between the Town of Arcadia, New York, hereinafter referred to as "Owners," and David K. Hou, Esq., attorney at law, of the law firm Bond, Schoeneck & King, PLLC, hereinafter referred to as "Attorney":

WHEREAS, Owners are intending to create a new water benefit area with an existing town water district, in Wayne County, New York, under the provisions of New York Town Law Article 12-C; and

WHEREAS, the Attorney agrees to perform all legal services necessary to create said water benefit area under the provisions of said statutes and to perform all other customary legal services necessary to the organization, financing, construction, and initial operation of a water benefit area expansion within the existing Town water district;

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

SECTION A - LEGAL SERVICES

That the Attorney will perform such services as are necessary to accomplish the above recited objectives including, but not limited to, the following:

1. Preparation and filing of petition for incorporation and supervision and assistance in the taking of such other actions as may be necessary or incidental to cause the Owners to become duly organized and incorporated and to be authorized to undertake the proposed system.
2. Furnish advice and assistance to the governing body of the duly incorporated association in connection with (a) the notice for and conduct of meetings; (b) the preparation of minutes of meetings; (c) the preparation and enactment of such resolutions as may be necessary in connection with the authorization, financing, construction, and initial operation of the system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications, and other instruments and advice as may be needed in the conduct of such bond elections as may be necessary; (e) the preparation and completion of such bonds or other obligations as may be necessary to finance the system; (f) the completion and execution of documents for obtaining a loan made or insured or a grant made by the United States of America, acting through the Rural Utilities Service, U. S. Department of Agriculture; (g) entering into construction contracts; (h) preparation and adoption of By-Laws, Rules and Regulations, and rate schedules; (i) such other corporate action as may be necessary in connection with the financing, construction, and initial operation of the system.

3. Review of construction contracts, bid-letting procedure, and surety and contractual bonds in connection therewith.
4. Preparation, negotiation, or review of contract with a city or other source of water supply when necessary.
5. Preparation, where necessary, and review of deeds, easements and other rights-of-way documents, and other instruments for sites for source of water supply, pumping stations, treatment plants, and other facilities necessary to the system and to provide continuous rights-of-way therefor; rendering title opinions with reference thereto; and providing for the recordation thereof.
6. Obtain necessary permits and certificates from county and municipal bodies, from State regulatory agencies, and from other public or private sources with respect to the approval of the system, the construction and operation thereof, pipeline crossings, and the like.
7. Cooperate with the engineer employed by Owners in connection with preparation of tract sheets, easements, and other necessary title documents, construction contracts, water supply contracts, health permits, crossing permits, and other instruments.
8. When applicable, secure assistance of and cooperate with recognized bond counsel in the preparation of the documents necessary for the financing aspects of the system. The attorney shall pay all bond counsel in perfecting the financing aspects, e.g., assessment procedures and completion of documents. Where bond counsel is retained, the Attorney will not be responsible for the preparation and approval of those documents pertaining to the issuance of the Owner's obligations.

SECTION B - COMPENSATION

1. Owners will pay to the Attorney for professional services rendered in accordance herewith, fees as follows:

Hourly rate of \$280.00, for all attorneys, and \$175.00 for all paralegal time.

Said fees to be payable in the following manner and at the following times:

Invoiced on a monthly basis, by the last Friday of each month.

SECTION C - OTHER PROVISIONS

1. That upon organization and incorporation the association shall by appropriate resolution adopt and ratify this Agreement, that the association shall be substituted for the individual Owners as a party to this Agreement, and that the Owners as individuals shall thereupon be relieved of all personal liability existing or arising from this Agreement.

2. That upon organization and incorporation should the association fail or refuse to adopt and ratify this Agreement by appropriate resolution within 60 days from the date of the commencement of its legal existence, this Agreement shall terminate and Owners shall be liable to the Attorney for payment of all amounts due full for the organization and incorporation of the association and for all

other legal services rendered to Owners under the terms of this Agreement to the date of said termination.

Attorney:

David K. Hou, Esq.
Bond, Schoneck & King, PLLC

Owners:

Rural Development:
