

Town of Arcadia

Supervisor
Dawn Pisciotti

Town Clerk
Terresa Vastbinder

Highway Supt.
Thomas Kuhlman

Code Enforcement Officer
Ed DeWolf, Jr.

Office Building
201 Frey Street
Newark, NY 14513
315-331-1222

TOWN BOARD MEETING AGENDA

Councilpersons
Michael Diamond
David Greco
Joe Gerbig
Richard VanLaeken

Town Attorney
David Hou

**DATE: April 14, 2026
7:00 PM**

1. Call to Order
2. Pledge to flag
3. Roll Call
4. Approval of Minutes of Previous Meeting(s)
5. Reports of Town Officials
6. Communications:

7. Public Hearing: N/A

8. Unfinished Business:

Local Law to Regulate Short Term Rentals – Schedule Public Hearing

Local Law to Regulate Special Events – Schedule Public Hearing

9. New Business:

SWIA No. 3 Loan Resolution

Lease Agreement between Town of Arcadia and Wayne County Water and Sewer Authority

Bond Resolution for SWIA No. 3

Final Resolution Establishing SWIA No. 3

Local Law to Abolish Receiver of Taxes Position – Schedule a Public Hearing

Board of Assessment Review Re-appointment

ALS Awareness Month Proclamation

10. Public Comments
11. Audit/Payment of Bills
12. Adjournment

DRAFT

**RESOLUTION INTRODUCING A PROPOSED LOCAL LAW
FOR THE YEAR 2026 AND PROVIDING FOR
PUBLIC NOTICE AND PUBLIC HEARING**

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

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

That a proposed Local Law for the year 2026, entitled "A Local Law to Regulate Short Term Rentas", is hereby introduced before the Town Board of the Town of Arcadia, Wayne County, New York, which local law, if adopted will establish regulations for short term rentals in the Town.

That copies of the proposed Local Law be laid upon the desk of each Member of said Town Board.

That the Town Board hold a Public Hearing concerning the adoption of the proposed Local Law at the Town Hall at No. 201 Frey Street in the Village of Newark, New York on _____, 2026 at 7:15 p.m.

That the Town Clerk publish or cause to be published a Public Notice of said Public Hearing in the official newspaper of said Town at least five (5) days prior thereto, and post such Public Notice as prescribed by law.

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 _____, 2026.

DRAFT

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.

**RESOLUTION INTRODUCING A PROPOSED LOCAL LAW
FOR THE YEAR 2026 AND PROVIDING FOR
PUBLIC NOTICE AND PUBLIC HEARING**

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

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

That a proposed Local Law for the year 2026, entitled "A Local Law to Regulate Special Events", is hereby introduced before the Town Board of the Town of Arcadia, Wayne County, New York, which local law, if adopted will establish regulations for special events in the Town.

That copies of the proposed Local Law be laid upon the desk of each Member of said Town Board.

That the Town Board hold a Public Hearing concerning the adoption of the proposed Local Law at the Town Hall at No. 201 Frey Street in the Village of Newark, New York on _____, 2026 at 7:15 p.m.

That the Town Clerk publish or cause to be published a Public Notice of said Public Hearing in the official newspaper of said Town at least five (5) days prior thereto, and post such Public Notice as prescribed by law.

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 _____, 2026.

DRAFT

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.

LOAN RESOLUTION
(Public Bodies)A RESOLUTION OF THE **Town Council**OF THE **Town of Arcadia**AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A
PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS**Drinking Water**

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the **Town of Arcadia**

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Five Hundred Forty-Five Thousand & 00 100pursuant to the provisions of **New York State Local Finance Law**WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture,
(herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921
et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event
that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 0

under the terms offered by the Government; that the Supervisor

and Town Clerk of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas _____ Nays _____ Absent _____

WITNESS WHEREOF, the Town Council of the

Town of Arcadia has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this _____ day of _____

SEAL)

Test:

By Dawn Piscioti
Title Supervisor

Terresa Vastbinder
Town Clerk

ADDENDUM NO. 1
to
AMENDED AND RESTATED LEASE AGREEMENT
between the
WAYNE COUNTY WATER AND SEWER AUTHORITY
and the
TOWN OF ARCADIA

DRAFT

This Addendum No. 1 is entered into effective as of March 1, 2026, by and between the **Wayne County Water and Sewer Authority**, a public benefit corporation (the "Authority") and the Town Board of the **Town of Arcadia**, a municipal corporation (the "Town"), on its own behalf and on behalf of the Southwest Water Improvement Area and Water Districts No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16 and 17 of the Town of Arcadia and all other existing and future water districts, extensions and improvement areas which may be created to serve areas within the Town (collectively the "Arcadia Service Area"), acting through its Town Board (the "Town Board").

Recitals

WHEREAS, Town has created or will create such Districts to provide water service to **residents in the Arcadia Service Area. The Town has constructed improvements and may construct** additional improvements to provide water to the residents and businesses in the Arcadia Service Area; and

WHEREAS, the town and the Authority previous entered into an Amended and Restated Lease Agreement, effective as of March 1, 2023, (the "Lease") pursuant to which the Authority assumed direct, primary responsibility for the operation and maintenance of the water system within the Arcadia Service Area, including procuring water for and distributing the water to retail customers in the Arcadia Service Area; and

WHEREAS, the term of the Lease, as amended, currently expires on February 28, 2063;
and

WHEREAS, the parties desire to extend the term of the Lease through February 28, 2066.

NOW, THEREFORE, it is hereby mutually agreed as follows:

1. **Extension of Lase Term.** The term of the Lease is hereby extended through February 28, 2066.
2. **Remaining Provisions Unchanged.** Except as expressly modified herein, all of the other terms, covenants and conditions set forth in the Lease, as amended and restated in an Agreement dated March 1, 2023, shall remain unchanged and in full force and effect.

DRAFT

EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD
ADOPTING BOND RESOLUTION

At a meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Offices in Arcadia, New York, on the 14th day of April, 2026:

PRESENT:

ABSENT:

_____ presented the following resolution and duly moved that it be adopted and was seconded by _____:

BOND RESOLUTION DATED APRIL 14, 2026 OF THE TOWN BOARD OF THE TOWN OF ARCADIA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Arcadia Southwest Water Improvement Benefit Area No. 3 is a water improvement benefit area of the Town of Arcadia, New York, duly established by the Town Board pursuant to the Town Law; and

WHEREAS, the Comptroller of the State of New York has duly made an Order, dated April 1, 2026, granting permission for the establishment of said the Town of Arcadia Southwest Water Improvement Benefit Area No. 3; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on December 30, 2024, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ARCADIA, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Arcadia shall undertake certain capital improvements consisting of the acquisition and construction of water improvements for the Town of Arcadia Southwest Water Improvement Benefit Area No. 3, to include the construction

of approximately 20,000 linear feet of new 8-inch distribution main to provide public water to 22 unserved homes within the existing Arcadia Southwest Water Improvement Area (SWIA), including, without limitation, fire hydrants, valves, related appurtenances, and a aster meter/control valve station located at the intersection of Turner and Thompson Roads, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$545,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost to the Town of Arcadia of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$2,138,000. The plan for financing of said purpose is to provide (i) up to \$545,000 from USDA Rural Development loan to be evidenced by the issuance of bonds, as well as, bond anticipation notes in anticipation thereof as herein authorized; and (ii) up to \$146,000 from available SWIA funds; and (iii) up to \$1,447,000 from anticipated grant funds.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Arcadia.

Section 7. The faith and credit of the Town of Arcadia, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Arcadia together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES

NAYS

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on April 14, 2026, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Arcadia is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Terresa Vastbinder, Town Clerk
Town of Arcadia, New York

STATE OF NEW YORK }
 }
COUNTY OF WAYNE } ss:

I, the undersigned clerk of the Town of Arcadia, DO HEREBY CERTIFY as follows:

1. A meeting of the Town Board of the Town of Arcadia, Wayne County, State of New York, was held on April 14, 2026, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Arcadia this ____ day of _____, 2026.

{SEAL}

Town Clerk
Town of Arcadia

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on April 14, 2026, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Arcadia is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Terresa Vastbinder, Town Clerk
Town of Arcadia, New York

BOND RESOLUTION DATED APRIL 14, 2026 OF THE TOWN BOARD OF THE TOWN OF ARCADIA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Arcadia Southwest Water Improvement Benefit Area No. 3 is a water improvement benefit area of the Town of Arcadia, New York, duly established by the Town Board pursuant to the Town Law; and

WHEREAS, the Comptroller of the State of New York has duly made an Order, dated April 1, 2026, granting permission for the establishment of said the Town of Arcadia Southwest Water Improvement Benefit Area No. 3; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on December 30, 2024, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ARCADIA, NEW

YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Arcadia shall undertake certain capital improvements consisting of the acquisition and construction of water improvements for the Town of Arcadia Southwest Water Improvement Benefit Area No. 3, to include the construction of approximately 20,000 linear feet of new 8-inch distribution main to provide public water to 22 unserved homes within the existing Arcadia Southwest Water Improvement Area (SWIA), including, without limitation, fire hydrants, valves, related appurtenances, and a aster meter/control valve station located at the intersection of Turner and Thompson Roads, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$545,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost to the Town of Arcadia of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$2,138,000. The plan for financing of said purpose is to provide (i) up to \$545,000 from USDA Rural Development loan to be evidenced by the issuance of bonds, as well as, bond anticipation notes in anticipation thereof as herein authorized; and (ii) up to \$146,000 from available SWIA funds; and (iii) up to \$1,447,000 from anticipated grant funds.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Arcadia.

Section 7. The faith and credit of the Town of Arcadia, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Arcadia together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

DRAFT

**FINAL RESOLUTION ESTABLISHING THE SOUTHWEST WATER IMPROVEMENT
AREA BENEFIT AREA NO. 3**

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

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

WHEREAS, the Town Board previously authorized the formation of the Southwest Water Improvement Area Benefit Area No. 3 (SWIA #3) by resolution adopted by the Town Board on December 9, 2025, subject to the approval of the New York State Comptroller; and

WHEREAS, on December 19, 2025, the Town Board submitted an application to the New York State Comptroller requesting approval of the formation of SWIA #3 and construction of proposed improvements therein (the "Improvements") consisting of the construction and acquisition of water transmission and distribution mains including water mains, service connections and hydrants, and all appurtenances and incidental equipment including the acquisition of rights-of-way, if necessary, all as more particularly described in the engineering report of MRB Group dated October 2025 (the "Engineer's Report") which are on file in the office of the Town Clerk; and

WHEREAS, by order dated April 1, 2026, the New York State Comptroller approved the establishment of SWIA #3.

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

1. that SWIA #3 in the Town of Arcadia, Wayne County, is hereby established in accordance with the Engineer's Report, and SWIA #3 shall be bounded and described as set forth on Schedule A attached hereto; and
2. that the construction of the Improvements is hereby authorized at a maximum estimated cost of \$ 2,138,000.00, which shall 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
3. that the Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be recorded in the office of the Wayne County Clerk.

This Resolution shall take effect immediately.

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 April 14, 2026.

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 I; thence, northwesterly, northerly, westerly, southwesterly and southerly along the last mentioned existing Town of Arcadia Benefit Area I 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.

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, adopted at a meeting of the Arcadia Town Board on April 14, 2026, 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 _____, 2026.

Terresa Vastbinder
Town Clerk

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3. **Counterparts.** This Addendum may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum No. 1 with all the intent that it be effective on the day and year first above written.

**WAYNE COUNTY WATER AND
SEWER AUTHORITY**

TOWN OF ARCADIA, on its own behalf
and on behalf of the Southwest Water
Improvement Area and Water Districts No. 1,
2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, and 17 and
all other existing and future water districts,
extensions and improvement areas within the
Town.

By: _____
Martin J. Aman, Executive Director

By: _____
Dawn Piscotti, Supervisor

**RESOLUTION INTRODUCING A PROPOSED LOCAL LAW
FOR THE YEAR 2026 AND PROVIDING FOR
PUBLIC NOTICE AND PUBLIC HEARING**

DRAFT

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

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

That a proposed 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"; is hereby introduced before the Town Board of the Town of Arcadia, Wayne County, New York, which local law, if adopted, will abolish the elective office of Receiver of Taxes for the Town of Arcadia and transfer the duties of that office to the Town Clerk.

That copies of the proposed Local Law be laid upon the desk of each Member of said Town Board.

That the Town Board hold a Public Hearing concerning the adoption of the proposed Local Law at the Town Hall at No. 201 Frey Street in the Village of Newark, New York on May 12, 2026 at 7:15 p.m.

That the Town Clerk publish or cause to be published a Public Notice of said Public Hearing in the official newspaper of said Town at least five (5) days prior thereto, and post such Public Notice as prescribed by law.

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 April 14, 2026.

DRAFT

TOWN OF ARCADIA

LOCAL LAW NO. __ 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.



Town of Arcadia
Proclamation Recognizing
Amyotrophic Lateral Sclerosis Awareness Month

WHEREAS, amyotrophic lateral sclerosis, also commonly known as Lou Gehrig's disease, is a progressive fatal neurodegenerative disease in which a person's brain loses connection with their muscles, slowly reducing a person's ability to walk, talk, eat, and eventually breathe; and

WHEREAS, thousands of new amyotrophic lateral sclerosis (ALS) cases are reported every year, and estimates show that every 90 minutes, someone is diagnosed with ALS and someone passes away from ALS; and

WHEREAS, on average, patients diagnosed with ALS survive only two to five years from the time of diagnosis; and

WHEREAS, the exact causes of ALS are unknown and there is no known cure for ALS; and

WHEREAS, people who have served in the military are more likely to develop ALS and die from the disease than those with no history of military service; and

WHEREAS, securing access to new therapies, durable medical equipment, and communication technologies is of vital importance to people living with ALS; and

WHEREAS, clinical trials play a pivotal role in evaluating new treatments, enhancing quality of life, and fostering assistive technologies for those living with ALS; and

WHEREAS, the ALS Association is the largest philanthropic funder of ALS research globally and has committed more than \$154 million to support more than 550 projects across the United States and 18 other countries; and

WHEREAS, the ALS Association is committed to make ALS livable and cure it for everyone, everywhere; and

WHEREAS, Amyotrophic Lateral Sclerosis Awareness Month provides an opportunity to increase public awareness of the dire circumstances of people living with ALS, acknowledge the terrible impact this disease has on those individuals and their families, and support research to eradicate this disease;

Now, therefore, We, Town Supervisor Piscioti and Town Clerk Vastbinder, do hereby proclaim the month of [May 2026](#) as ALS Awareness Month. I call upon all Americans to join in supporting ALS research, advocating for increased funding, and standing in solidarity with those affected by this relentless disease.