

**TOWN OF SPRINGWATER  
TOWN BOARD MEETING  
March 9, 2026 -  
APPROVED**

**Meeting called to order** by Supervisor Babbitt Henry at 6:30 P.M.

**Pledge of Allegiance**

**Roll Call of Board** - Present: Councilmember Thomas Canute, Jr., Councilmember Timothy Haywood, Councilmember Lawrence Gnau, Deputy Supervisor Tracey Proctor, Supervisor Deborah Babbitt Henry.

**Present at Meeting** – Town Clerk Joyce Nisbet, Highway Superintendent Matt Nisbet, Attorney Jim Campbell, Livingston County Water & Sewer Authority, Jason Molino, and one member of the public

**Acceptance of Minutes**

Motion made by Councilmember Gnau to accept the minutes for the February 9<sup>th</sup>, 2026, meeting, seconded by Councilmember Tracey Proctor; motion carried with all Ayes.

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**Privilege of Floor**

Jason Molino, Executive Director of Livingston County Water and Sewer Authority updated the Board Members on the New Sewer Project; Board Members discussed keeping the 2024 WIIA Grant or returning the grant and reapply for the new WIIA Grant funding in 2026.

**Motion** made by Councilmember Canute Jr., to give back the 2024 WIIA Grant, seconded by Councilmember Haywood; Roll Call: Councilmember Canute Jr., aye; Councilmember Haywood, aye; Councilmember Gnau, aye; Deputy Supervisor Proctor, aye; Supervisor Babbitt Henry, aye; motion carried.

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**Abstract of Claims # 3 of 2026 \$ 265,709.79 Plus SFD Pass Thru \$ 223,060.00**

Approving the Abstract of Claims #3 of 2026 for Audit date 3/9/2026

General Fund \$ 66,389.79 Vouchers 44 - 83

Highway Fund \$ 146,865.99 Vouchers 37 – 61

Sewer District Fund \$ 52,454.01 Vouchers 1

**\*\*Springwater Fire District \$ 223,060.00 Vouchers 1**

**Motion** made by Councilmember Gnau to approve abstract of claims #3 of 2026 for an overall total of \$ **20,042.46**, seconded by Deputy Supervisor Proctor; Roll Call: Councilmember Canute Jr., aye; Councilmember Haywood, aye; Councilmember Gnau, aye; Deputy Supervisor Proctor, aye; Supervisor Babbitt Henry, aye; motion carried.

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**Bid Opening and Award – 2026 MOWING**

Three Bids were received for the 2026 Lawn Maintenance for Town Properties: Carey’s Lawn Care, in the amount of \$9,300.00 for Bid #1,2 and 3; F&M Lawn Services, in the amount of \$2,600.00, with an incomplete bid, Bid #4, 2; Frank’s Mowing N More Inc., in the amount of \$7,680.00, for Bid # 1,2,3,4,5, and 6. The 2026 Bid was awarded to Frank’s Mowing N More Inc.

**Motion** made by Councilmember Canute Jr. to accept Frank’s Mowing N Nore Inc., for the sum of \$7,680.00, seconded by Councilmember Haywood; Roll Call: Councilmember Canute Jr., aye; Councilmember Haywood, aye; Councilmember Gnau, aye; Deputy Supervisor Proctor, aye; Supervisor Babbitt Henry, aye; motion carried.

### **Supervisors**

1. The following monthly reports were distributed to the board: Assessor Report March 2026, Town Clerk Report March 2026, Town Justice Report March 2026, Town Supervisor Report March 2026.
2. A Letter from USDA to the Town of Springwater for Property Access to trap for invasive pest, the European Cherry Fruit Fly (ECFF) on town properties.

### **Old Business**

1. Supervisor Babbitt Henry has submitted an “Authorization & Pricing Proposal Request” to the MEGA Energy, Energy for Town owned Structures; there has been no response to date.
2. Motion to adopt **Resolution 31 of 2026**, Quitclaim deed of .65 acres to Michael and Kathleen Cassata. See **Resolution 31 of 2026, attached**.

**Motion** made by Supervisor Babbitt Henry to adopt **Resolution 31 of 2026** to transfer the property of .65 acres to Michael and Kathleen Cassata, seconded by Deputy Supervisor Proctor; Roll Call: Councilmember Canute Jr., aye; Councilmember Haywood, aye; Councilmember Gnau, aye; Deputy Supervisor Proctor, aye; Supervisor Babbitt Henry, aye; motion carried.

3. Motion to adopt Resolution 32 of 2026, Proposal from Empire Access to allow placement of a transfer cabinet on the old Town highway property that was approved by Town Board Members at the February 9th, 2026, Board Meeting and was forwarded onto the Town Attorney, Jim Campbell with the request of an easement. See **Resolution 32 of 2026, attached**.

**Motion** made by Councilmember Gnau to adopt **Resolution 32 of 2026**, seconded by Deputy Supervisor Proctor; Roll Call: Councilmember Canute Jr., aye; Councilmember Haywood, aye; Councilmember Gnau, aye; Deputy Supervisor Proctor, aye; Supervisor Babbitt Henry, aye; motion carried.

### **Board Reports**

***Town Clerk*** - Nothing to report.

***Councilman Proctor*** (Recreation, Town Clerk, Planning) - Nothing to report.

***Councilman Canute*** (Highway, LCWSA) – A Sub Contractor for Empire Access caused road damage on Straight Road installing conduit for fiber optic. Livingston County is holding the company responsible for replacing the damaged portion of the road.

The Highway Departments ten-wheel Cab and Chassis should be in at the dealership by the end of this month and the Highway Department should have possession shortly afterwards. The plow equipment should be in the first of the year of 2027.

***Councilman Gnau*** (Highway, LCWSA) – Nothing to report.

*Councilman Haywood* (Fire) Reminder from Councilmember Haywood of the steak dinner and Comedy show being held, Saturday, March 14th at the Springwater Fire Department.

**Motion** made by Councilmember Gnau to adjourn the meeting at 7:55pm, seconded by Deputy Supervisor Proctor; motion carried with all ayes.

Respectfully submitted,

Joyce Nisbet  
Town Clerk

## **RESOLUTION 31 of 2026**

At a regular meeting of the Town Board of the Town of Springwater, Livingston County, State of New York, held at the Springwater Town Hall on the 9<sup>th</sup> day of March 2026.

**WHEREAS**, the Town of Springwater is the record owner of approximately 0.65 +/- acres of land located in the Town of Springwater, County of Livingston and State of New York, which such property was part of the former Erie Lackawanna Railway Company railroad and which such property was abandoned by said company and deeded to the Town by quitclaim deed dated May, 2, 1980 and recorded May 7, 1980 in Liber 566 of Deeds, page 224. (hereafter “Subject Property”); and

**WHEREAS**, since being transferred to the Town in 1980, the subject property has not been used or enjoyed by the Town in any capacity for the benefit of the Town or its citizenry; and

**WHEREAS**, the Subject Parcel is a small strip of property that is land-locked and has no access from any public road or right-of-way and can only be accessed through private lands, over which the Town has no rights; and

**WHEREAS**, the Town of Springwater has determined that it is not beneficial for the Town to own the Subject Parcel, since the Subject Parcel does not have any economically viable, practicable or advantageous use for the Town; and

**WHEREAS**, the Town has further determined that the continued ownership of the Subject Parcel only constitutes a potential liability for the Town and its citizens, since the Subject Parcel cannot be readily accessed, controlled or monitored; and

**WHEREAS**, since the Town Board has determined that the Town of Springwater has no viable use or need for the Subject Parcel, the Town accordingly seeks to declare the same surplus for purposes of allowing such real property to be transferred for the benefit of the taxpayers of the Town of Springwater; and

**WHEREAS**, because the Subject Parcel is land-locked and not legally accessible excepting by the owners of contiguous property, the Town Board has determined that the Subject Parcel has no or negligible marketable value; and

**WHEREAS**, the Subject Property shows on the latest Town of Springwater tax rolls as having an assessed value of \$900.00; and

**WHEREAS**, neighboring property owners, Michael and Kathleen Cassata, who own the property contiguous to the Subject Parcel on both the east and west side (Tax Identifier Map Parcel Number 164.-1-30), have expressed interest in obtaining title to the Subject Parcel in order to unify their existing property, which spans both the eastern and western side of the Subject Parcel; and

**WHEREAS**, Michael and Kathleen Cassata have agreed to pay the Town the sum of \$900.00 for the subject parcel, plus all recording fees associated with the transfer of title.

**NOW, THEREFORE**, upon motion by Supervisor Deborah Babbitt Henry, seconded by Deputy Supervisor Tracey Proctor, it is hereby:

**RESOLVED**, that the Springwater Town Board declares surplus the real property being known and currently identified as Tax Identifier Map Parcel Number 164.-1-60, being approximately 0.65 acres of land located on the west side of Indian Valley Road (NYS Rt. 15) and being a part of the property formerly owned by the Erie Lackawanna Railway Company as deeded to Grantor by Quitclaim Deed dated May, 2, 1980 and recorded May 7, 1980 in Liber 566 of Deeds, page 224; and be it further

**RESOLVED**, that the Town Board determines that the Subject Parcel has no or negligible marketable value because it is land-locked and not accessible excepting by the owners of contiguous adjoining property; and be it further

**RESOLVED**, that the Town is willing to accept the sum of \$900.00, the current assessed value of the Subject Parcel, from Michael and Kathleen Cassata, who own the property contiguous to the Subject Parcel on both the east and west side (Tax Identifier Map Parcel Number 164.-1-30); and be it further

**RESOLVED**, that the Town Board is authorized to proceed to execute a Quitclaim Deed and other necessary conveyancing documents transferring the Subject Parcel to Michael and Kathleen Cassata, without any representations or warranties as to legal title, property condition or any other representations or warranties regarding the Subject Parcel for the consideration of \$900.00 and that Michael and Kathleen Cassata shall be responsible for all recording costs associated with the transfer of title; and be it further

**RESOLVED**, that this resolution is made subject to permissive referendum pursuant to Article 7 of the New York State Town Law.

DATED: March 9, 2026

**VOTE OF THE BOARD:**

Deborah Babbitt, Supervisor	Aye
Tracey Proctor	Aye
Thomas Canute, Jr.	Aye
Larry Gnau	Aye
Tim Haywood	Aye

**TOWN BOARD  
TOWN OF SPRINGWATER  
COUNTY OF LIVINGSTON**

**RESOLUTION #32 Of 2026**

At a regular meeting of the Town Board of the Town of Springwater, Livingston County, State of New York, held at the Springwater Town Hall on the 9<sup>th</sup> day of March, 2026.

**WHEREAS**, the Town of Springwater (hereafter “Town”) owns certain real property located at and known as 8061 School Street, Springwater New York 14560, which is also identified as Tax Map Number 151.20-1-38 (hereafter “School Street Parcel”); and

**WHEREAS**, Empire Telephone Corporation (hereafter “Empire”) has requested that the Town grant it a perpetual easement on the Town’s School Street Parcel to locate various high speed fiber optic cabling equipment within a 15’ by 25’ easement area as shown on a map by Hunt Engineering, Architects and Surveyors styled as sheet C-2 Site and Grading Plan Springwater POP Site Livingston County Reconnect Project No. 3326.008 and being last dated February 3, 2026, which will facilitate Empire being able to provide fiber optic high-speed internet and phone services to residences within the Town of Springwater; and

**WHEREAS**, the Town has determined that it is in the best interest of the Town residents to grant the requested easement to Empire in return for Empire providing free high-speed internet and telephone service to the Town facilities; and

**WHEREAS**, the Town Board wishes to authorize the Town Supervisor to grant a perpetual easement as described on the above referenced map, which will be attached as an exhibit to the easement upon approval of the easement format and terms by the Town’s Attorney and to authorize the Supervisor to execute any and all documents necessary to effectuate such granting of the aforesaid easement with the assistance of the Attorney for the Town.

**NOW, THEREFORE**, upon motion by Councilmember Lawrence Gnau, seconded by Deputy Supervisor Tracey Proctor, it is hereby:

**RESOLVED**, that the Springwater Town Board does hereby authorize the granting of a perpetual easement on the Town’s property located at 8061 School Street, Springwater New York 14560, which is also identified as Tax Map Number 151.20-1-38, for the benefit of Empire Telephone Corporation to locate various high speed fiber optic cabling equipment within a 15’ by 25’ easement area as shown on a map by Hunt Engineering, Architects and Surveyors styled as sheet C-2 Site and Grading Plan Springwater POP Site Livingston County Reconnect Project No. 3326.008 and being last dated February 3, 2026, in return for Empire providing the Town with free fiber optic high-speed internet and phone services; and be it further

**RESOLVED**, that the Town Board does hereby authorize the Town Supervisor to execute a perpetual easement granting such rights to Empire Telephone Corporation, along with

any and all documents necessary to effectuate such easement, as the same may be negotiated, prepared and/or reviewed by the Attorney for the Town; and be it further

**RESOLVED**, Adoption of this Resolution is subject to permissive referendum pursuant to Article 7 of the New York State Town Law.

DATED: March 9, 2026

**VOTE OF THE BOARD:**

Supervisor Deborah Babbitt Henry  
Councilmember Lawrence Gnau  
Councilmember Thomas Canute, Jr.  
Deputy Supervisor Tracey Proctor  
Councilmember Timothy Haywood