

TOWN BOARD

MONDAY

February 10, 2014

Supervisor Zupan opened the meeting at 7:30 P.M. with all Councilors present.

Pledge of Allegiance.

Correspondence: There was no unshared correspondence to report.

Motion by Councilor Driscoll, seconded by Councilor Race to accept the minutes from the prior meeting. The motion was unanimously approved.

Supervisor Zupan asked if anyone cared to speak to the Town Board regarding any subject on this meeting's agenda.

Public comment #1: *John Cawley* stated he was present on behalf of the Cazenovia Rowing Club to answer any questions the Board may have to be granted permission to use a portion of Gypsy Bay Park for the upcoming season.

Resolution No. 24 presented by Councilor Moran, seconded by Councilor Andersen to approve the following specific uses and no others from the Cazenovia Rowing Club for the use of a portion of Gypsy Bay Park for the 2014 rowing season with the following conditions:

1. Approval for 2014 must be obtained by CRC from NYS Office of Parks, Recreation and Historic Preservation and a copy of the approved permit submitted to the Town Clerk's Office a minimum of 10 days prior to any use of Gypsy Bay Park in 2014.
2. A one day Memorial Day Fund Raiser by CRC to be held at the Gypsy Bay parking area is permissible.
3. Any special CRC event must have the approval of the Cazenovia Town Board.
4. Any special event that will necessitate parking along US Route 20 will require CRC to hire a special agency to direct traffic and to complete Form

- Perm 33C with submission to New York State Dept. of Transportation.
5. A one million dollar liability insurance certificate naming the Town as also insured has been received by the Town Office covering the 2014 season. The insurance certificate must be continuously maintained throughout the 2014 CRC season.
 6. No more than the current approved 58 ft. floating dock is allowed. Highly visible markings must be placed and maintained at the corners of the dock.
 7. Approval for usage of the park is for CRC members only, includes only residents of the Cazenovia School District, and on a seasonal basis. Permission for usage by others must be granted by the Cazenovia Town Board. Refrain from using the rowing club's website to promote access to Cazenovia Lake as a membership benefit.
 8. This approval authorizes the use of one vehicle to take the shells to the racks in the spring and the use of one vehicle to remove them in the fall, and only one or two vehicles to transport the shells as needed to allow CRC to participate in summer and fall races. A schedule of such races will be provided to the Town Board for the 2014 rowing season. The un-authorized use of motorized vehicles within the boundaries of Gypsy Bay Park may jeopardize the future use of the park by CRC. *Parking at the racks is not permitted.*
 9. No duplication of CRC's single key to the Gypsy Bay Park gate is authorized. There is no authorization for use of the key by other than responsible CRC members.
 10. CRC must limit user membership of Gypsy Bay to not more than a total of 150 members.
 11. The CRC must protect the Town of Cazenovia, by naming the Town of Cazenovia on the US Rowing Waiver as an entity that is exempt from liability for the Cazenovia Rowing Club members.

Roll call:

Councilor Andersen	Yes
Councilor Race	Yes
Councilor Moran	Yes
Councilor Driscoll	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 24 adopted.

Resolution No. 25 presented by Councilor Race, seconded by Councilor Andersen to appoint David Webster to the Board of Assessment Review (BAR) to complete the unexpired term of Nancy Dady ending December 31, 2015.

Roll call:

Councilor Andersen	Yes
Councilor Race	Yes
Councilor Moran	Yes
Councilor Driscoll	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 25 adopted.

Resolution No. 26 presented by Councilor Race, seconded by Councilor Driscoll

**TOWN BOARD SEQR RESOLUTION
(ADOPTING POSITIVE DECLARATION)**

**Treatment and Application of Triclopyr ("Renovate")
on Cazenovia Lake (2014 Treatment)**

WHEREAS, over the past five (5) years, the Town of Cazenovia has undertaken treatment of portions of Cazenovia Lake to address the identified presence of invasive aquatic macrophyte *Myriophyllum spicatum*, commonly known as Eurasian watermilfoil; and

WHEREAS, after impartial evaluation of all viable alternatives, the chemical treatment program using the chemical Triclopyr, with a brand name of "Renovate OTF[®]," was determined to offer the greatest potential for effective control of Eurasian watermilfoil in Cazenovia Lake and has been used successfully in the northern, central and southern portions and spot treatment areas of the Lake subject to New York State Department of Environmental Conservation Permit; and

WHEREAS, the chemical Triclopyr has been subject to rigorous federal and state environmental reviews prior to its approval for use in New York State lakes for control of Eurasian watermilfoil; and

WHEREAS, a Generic Supplemental Environmental Impact Statement was accepted by the New York State Department of Conservation with regard to Triclopyr; and

WHEREAS, the Town Board has determined to pursue an additional new supplemental application to New York State Department of Environmental Conservation for a chemical treatment program using Triclopyr as part of an integrated long-term control strategy of Eurasian watermilfoil; and

WHEREAS, the Town Board has caused the completion and submission of a Long Form Environmental Assessment Form; and

WHEREAS, the Town Board now desires to undertake an additional (2014) treatment and application of Cazenovia Lake with Renovate OTF[®] in an area up to 269± acres of the littoral (nearshore) zone of Cazenovia Lake, subject to the granting of approval, licenses and permits from the DEC as may be necessary; and

WHEREAS, it has been previously determined by the Town Board, on January 13, 2014, that:

- 1) This action will require a separate and additional review under SEQR.
- 2) The following are involved and/or interested agencies in connection with the SEQRA review: New York State Department of Environmental Conservation (including Region 7); U.S. Army Corps of Engineers; Village of Cazenovia Board of Trustees; Madison County Health Department; New York State Office of Parks, Recreation and Historic Preservation; and the New York State Thruway Authority and Canal Corp.
- 3) The action is a Type I action.
- 4) The Town of Cazenovia Town Board will assume lead agency status for SEQR review purposes; and

WHEREAS, notices of the Town's intent to take Lead Agency status were transmitted on or about January 15, 2014 and no objections were received; and

WHEREAS, as part of the three (3) previous treatments of those portions of Cazenovia Lake and as part of the process for the granting of the three (3) previous permits to treat Cazenovia Lake with the herbicide Triclopyr, the Town Board caused to be prepared a Draft Environmental Impact Statement and subsequently thereto a Final Environmental Impact Statement, which Environmental Impact Statements were subject to rigorous revisions and study; and

WHEREAS, Supplemental Environmental Impact Statements were prepared for the 2010 and 2012 applications of the herbicide Triclopyr to the Lake; and

WHEREAS, the Board has reviewed a proposed Positive Declaration which would require the preparation of a 2014 Supplemental Environmental Impact Statement ("SEIS") to evaluate the potential negative environmental impacts of this action.

NOW, THEREFORE, BE IT RESOLVED, upon motion of Councilor Race, seconded by Councilor Driscoll, that the Town Board of the Town of Cazenovia hereby adopts the Positive Declaration dated February 10, 2014 as attached hereto and directs the Town's legal counsel to provide notice of same to all involved and interested agencies and to publish in the Environmental News Bulletin as may be required by law.

14-12-7 (2/87) - 9c

SEQR

617.21
Appendix F
State Environmental Quality Review
POSITIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: Town of Cazenovia

Date: February 10, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Cazenovia Town Board, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and a Draft Supplemental Environmental Impact Statement will be prepared.

Name of Action: Application (treatment) of herbicide Renovate OTF® to portions of Cazenovia Lake for control of the invasive aquatic plant Eurasian watermilfoil (*Myriophyllum spicatum*).

SEQR Status: Type I ☒
Unlisted ☐

Description of Action:

The action involves treatment of up to 269± acres of the littoral (nearshore) zone of Cazenovia Lake through the application of the herbicide "Renovate OTF®". The treatment is designed to address the continued presence of the invasive aquatic plant species Eurasian watermilfoil (*Myriophyllum spicatum*) which had dominated the Lake surface area in recent years. This action represents a fourth phase of treatment (2014 treatment) and will complement previous treatments of the entire Lake.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Cazenovia, New York (Treatment of selected portions
of Cazenovia Lake -- 1,164 ± surface acres)
(See attached map)

Reasons and Findings Supporting This Determination:

1. After considering the action contemplated and reviewing the Long Environmental Assessment Form prepared by the Lead Agency and after reviewing the criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. §617 et seq.), the Town Board as Lead Agency finds that the proposed action may have a significant impact on the environment based upon the following findings:
 - a. The proposed action involves the introduction of an herbicide into portions of Cazenovia Lake (up to 269± acres of the littoral (nearshore) zone) to control the invasive species Eurasian watermilfoil (*Myriophyllum spicatum*). The action therefore has a potential negative impact on untargeted aquatic plant species.
 - b. The proposed action has a potential negative impact on protected wetlands within the Cazenovia Lake Watershed.
 - c. The proposed action has a potential negative impact on animal life in Cazenovia Lake and in particular fish communities.
 - d. The proposed action has a potential negative impact on drinking water resources, human health and animal health for those property owners that utilize the Lake as a source of drinking water and bathing water.
 - e. The proposed action has a potential negative impact on recreational use of Cazenovia Lake for limited periods of time.
 - f. The proposed action has a potential negative impact on the use of Cazenovia Lake water for irrigation.
 - g. The consequences of the eradication of Eurasian watermilfoil (*Myriophyllum spicatum*) from portions of the Lake may have potential negative impact on fish species and aquatic fauna and flora presently in the Lake.

(Note: the above findings are consistent with previous findings assumed by the Lead Agency from previous successful treatments of Cazenovia Lake with Renovate OTF®).

For Further Information:

Contact Person: Hon. William Zupan, Town Supervisor
Address: Town of Cazenovia, Town Hall, 7 Albany Street, Cazenovia, NY 13035
Telephone Number: (315) 655-9213

A Copy of this Notice Sent to:

Involved:

- 1) NYS Department of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-0001
- 2) NYS Department of Environmental Conservation, Region 7, 615 Erie Blvd. West, Syracuse, NY 13204-2400
- 3) U.S. Army Corps of Engineers, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 2109, New York, NY 10278-0090
- 4) Village of Cazenovia Board of Trustees, c/o Katherine A. Burns, Clerk, 90 Albany Street, Cazenovia, NY 13035

Interested:

- 5) Commissioner of Health, Madison County Health Department, P.O. Box 605/138 North Court Street, Wampsville, NY 13163
- 6) NYS Office of Parks, Recreation and Historic Preservation, Empire State Plaza, Agency Building 1, Albany, NY 12238
- 7) NYS Thruway Authority & Canal Corp., 200 Southern Blvd., P.O. Box 189, Albany, NY 12201-0189
- 8) NYS Thruway Authority & Canal Corp., Suite 250, 2nd Floor, 290 Elwood Davis Road, Liverpool, NY 13088-0308

Roll call:

Councilor Andersen	Yes
Councilor Race	Yes
Councilor Moran	Yes
Councilor Driscoll	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 26 adopted.

Resolution No. 27 presented by Councilor Driscoll, seconded by Councilor Andersen

**TOWN BOARD SEQR RESOLUTION
(ADOPTING SCOPING DOCUMENT)**

**Treatment and Application of Triclopyr ("Renovate OTF®")
on Cazenovia Lake (2014 Treatment)**

WHEREAS, after impartial evaluation of all viable alternatives in 2009, 2010 and 2012, the Town of Cazenovia treated portions of Cazenovia Lake with an aquatic herbicide to address the identified presence of invasive aquatic macrophyte *Myriophyllum spicatum*, commonly known as Eurasian watermilfoil; and

WHEREAS, the chemical treatment program using the chemical Triclopyr, with a brand name of "Renovate OTF®," was determined to offer the greatest potential for effective control of Eurasian watermilfoil in Cazenovia Lake and has been used successfully in the northern, central and southern portions of the Lake subject to a New York State Department of Environmental Conservation Permit; and

WHEREAS, the chemical Triclopyr has been subject to rigorous federal and state environmental reviews prior to its approval for use in New York State lakes for control of Eurasian watermilfoil; and

WHEREAS, a Generic Supplemental Environmental Impact Statement was accepted by the New York State Department of Conservation with regard to Renovate OTF®; and

WHEREAS, the Town Board has determined to pursue an additional new supplemental application to the New York State Department of Environmental Conservation for a chemical treatment program using Triclopyr as part of an integrated long-term control strategy of Eurasian watermilfoil; and

WHEREAS, the Town Board now desires to undertake an additional (2014) treatment and application of Cazenovia Lake with Renovate OTF® in an area up to 269± acres of the littoral (nearshore) zone of Cazenovia Lake, subject to the granting of approval, licenses and permits from the DEC as may be necessary; and

WHEREAS, it has been previously determined by the Town Board, on January 13, 2014, that:

- 1) This action will require a separate and additional review under SEQR.
- 2) The following are involved and/or interested agencies in connection with the SEQR review: New York State Department of Environmental Conservation (including Region 7); U.S. Army Corps of Engineers; Village of Cazenovia Board of Trustees; Madison County Health Department; New York State Office of Parks, Recreation and Historic Preservation; and the New York State Thruway Authority and Canal Corp.
- 3) The action is a Type I action.
- 4) The Town of Cazenovia Town Board will assume lead agency status for SEQR review purposes; and

WHEREAS, notices of the Town's intent to take Lead Agency status were transmitted on or about January 15, 2014 and no objections were received, the Town Board affirmed its Lead Agency status; and

WHEREAS, as part of the three (3) previous treatments of those portions of Cazenovia Lake and as part of the process for the granting of the three (3) previous permits to treat Cazenovia Lake with the herbicide Triclopyr, the Town Board caused to be prepared a Draft Environmental Impact Statement and subsequently thereto a Final Environmental Impact Statement in 2009, a Supplemental Environmental Impact Statement in 2010 and a Supplemental Environmental Impact Statement in 2012, which Environmental Impact Statements were subject to rigorous revisions and study; and

WHEREAS, the Board on February 10, 2014 approved a Positive Declaration which would require the preparation of a third Supplemental Environmental Impact Statement ("SEIS") to evaluate the potential negative environmental impacts of this action.

NOW, THEREFORE, BE IT RESOLVED, upon motion of Councilor Driscoll, seconded by Councilor Andersen, that the Town of Cazenovia hereby adopts the attached Draft Scoping Document for this action and directs the forwarding of the Draft Scoping Document to all involved and interested agencies for review and comment (such comments to be received in writing by March 3, 2014); and it is further

RESOLVED, that the Town Board hereby requests comment on the Draft Scoping Document from all interested persons (such comments to be received in writing by March 3, 2014).

DRAFT SCOPE - TOWN OF CAZENOVIA LEAD AGENCY
TREATMENT OF PORTIONS OF CAZENOVIA LAKE WITH THE
HERBICIDE RENOVATE OTF® (PHASE IV - UP TO 269± ACRES
OF THE LITTORAL (NEARSHORE) ZONE OF CAZENOVIA LAKE)
TOWN OF CAZENOVIA, MADISON COUNTY, NEW YORK
(2014 TREATMENT)

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (SEIS)
DRAFT SCOPE OF ISSUES TO BE ADDRESSED

Name of Project:	Application (treatment) of herbicide Renovate OTF® to portions of Cazenovia Lake for control of the invasive aquatic plant Eurasian watermilfoil (<i>Myriophyllum spicatum</i>).
Project Location:	Town of Cazenovia, New York (Cazenovia Lake -- 1,164± surface acres)/(See attached map) (2014 Treatment Area is up to 269± acres of the littoral (nearshore) zone of Cazenovia Lake)
SEQRA Classification:	Type I Action
Lead Agency:	Town of Cazenovia Town Board 7 Albany Street Cazenovia, New York 13035

Contact: Hon. William Zupan, Town Supervisor
Town of Cazenovia
7 Albany Street
Cazenovia, NY 13035
Telephone Number: (315) 655-9213

Public Comments on Draft Scope: March 3, 2014

PRELIMINARY ORGANIZATION OF THE DEIS SCOPE

*** The EIS may draw conclusions, where appropriate, from the environmental data and analysis contained in the original (2009) Environmental Impact Statement and the 2010 and 2012 Supplemental Environmental Impact Statements prepared by the Town of Cazenovia. In addition, the 2014 EIS will incorporate by reference the 2007 document “Supplemental Environmental Impact Statement: Use of the Aquatic Herbicide Triclopyr Renovate OTF® In the State of New York” prepared for NYSDEC by ENSR/AECOM.**

*** Incorporation of original and Supplemental Final Environmental Impact Statements (2009, 2010 and 2012) by reference.**

Section

Description of the Proposed Action

Potential Significant Adverse Impacts (impact on water quality; impact on drinking water supply and water contact recreation; impact on aquatic plant and animal life; impact on terrestrial vegetation; impact on wetlands; impact on recreational opportunities)

General Guidelines

- I. Front Material
 - A. Cover Sheet
 - B. List of Consultants Involved With the Project
 - C. Table of Contents
- II. Summary
 - A. Brief Description of the Proposed Action
 - B. List of Involved Agencies and Required Approvals/Permits
 - C. Anticipated Impacts and Proposed Mitigation Measures (impact on water quality; impact on drinking water supply and bathing water; impact on aquatic plant and animal life; impact on wetlands; impact on recreational opportunities; impact on irrigation)

D. Project Alternatives

III. Description of Proposed Action

A. Project Overview

B. Approvals

C. Site Description

D. Surrounding Uses and Facilities

E. Detailed Description of Proposed Action

F. Project Purpose, Needs and Benefits

IV. Environmental Analyses (Existing Conditions, Potential Impacts and Mitigation Measures)

A. Water Resources - It has been determined that the lead agency should evaluate the potential impacts of the proposed use of Renovate OTF® on the general water quality of Cazenovia Lake.

B. Impact on Potable Water Supply and Human Health - Property owners abutting Cazenovia Lake are reported to use - lake water as a source of drinking water, as well as for cooking and bathing. The supplemental environmental impact statement should address the potential negative impacts and mitigation measures associated with the introduction of Renovate to the drinking water supply and any potential impacts on human health. In addition, residences along the northern portion of the lake shoreline are served by a community groundwater supply (known as Oweria Point). The SEIS will consider the potential impacts of the application of Renovate to the groundwater and any necessary mitigation and mitigation. The SEIS "Use of the Aquatic Herbicide Triclopyr Renovate OTF® in the State of New York" dated August 2007 will serve as an important reference document regarding the potential impacts on potable water supply and human health.

C. Impact on Terrestrial Flora The SEIS should address potential adverse impacts if lake water treated with Renovate is applied to lawns and gardens and food crops.

D. Impact on Aquatic Flora - The SEIS should address potential negative impacts on non-targeted plant species, which may be incidentally affected by treatment of the Lake water with Renovate.

- E. Impact on Aquatic Fauna - The SEIS should address potential negative impacts on aquatic fauna, in and around Cazenovia Lake. Cazenovia Lake maintains a diverse community of fish and reptile species, as well as water fowl. The SEIS should analyze the potential impact of the treatment of the Lake with Renovate on all aquatic fauna, especially the fish community.
 - F. Impact on Wetlands - The site contains both federally protected and state protected wetlands. The current proposal appears to place portions of the treatment on or within 100 feet of certain wetland areas. The SEIS will provide details in the form of a written discussion on the potential impact on the wetlands and proposed mitigative measures for same.
 - G. Impact on Recreational Pursuits and Economic Stability - It is recognized that Cazenovia Lake is a source of recreational opportunities for residents of the Town, as well as visitors. The SEIS should review the potential impacts of treatment of the Lake with Renovate OTF® on recreational pursuits, as well as economic aspects of the treatment, including impacts on rentals, property values, etc.
 - H. Impact on Aesthetics and Human Perceptions - The introduction of an herbicide into Cazenovia Lake has the potential to change the aesthetic condition of lake water by eliminating submerged and emergent plant material and thus will have some effect on its visual quality. Additionally, residents may hold opinions relating to the treatment of lake water with any chemical substance. The SEIS should address these potential impacts.
- V. Reasonable Alternatives to be Considered
- A. No action alternative
 - B. Harvesting
 - C. Biological controls using grass carp, weevils, and/or aquatic moths
 - D. Suction dredging to remove plant material
 - E. Benthic barriers
 - F. Integrated macrophyte management approach incorporating multiple control measures
- VI. Adverse Impacts That Cannot Be Avoided if the Proposed Action is Implemented
- VII. Sources and Bibliography
- VIII. Appendices

- A. SEQRA Documentation
 - B. Official Correspondence
 - C. Technical Studies
- IX. SEIS - Supplemental Areas of Analysis for EIS

The following additional areas of concern will be addressed in the SEIS:

- A. Original (2009), 2010 and 2012 (Supplemental) Program Review and Results
- B. Annual Macrophyte Surveys (2008 - 2013)
- C. Triclopyr Toxicity testing for pulmonate snails
- D. Residual Monitoring in lake and downstream waters
- E. Discussion of Lake Management Plan's Implications to the Project
- F. Chemical Application Summary: 2009, 2010 and 2012
- G. Discussion of proposed 2014 Treatment Areas
- H. Posting and Notices to Landowner's and Lake Users

GENERAL GUIDELINES

This scoping document relates to the process by which the lead agency has identified the potentially significant adverse impacts related to the proposed action that are to be addressed in the Supplemental Environmental Impact Statement, including the content and level of detail of the analysis, the range of alternatives, the mitigation measures needed and the identification of non-relevant issues. Scoping provides a Project Sponsor with guidance on matters which must be considered and provides an opportunity for early participation by involved agencies and the public in the review of the proposed action. The primary goals of scoping are to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or nonsignificant.

The SEIS for the development shall cover all items in this Scope of Issues document. Each impact issue can be presented in a separate subsection which includes a discussion of existing conditions, significant impacts associated with the proposed action, and mitigation measures designed to minimize the identified impacts.

Narrative discussions shall be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in a graphic format, the narrative discussion should merely summarize and highlight the information

presented graphically. All plans and maps showing the site shall include adjacent homes, other neighboring uses and structures, including but not limited to wells and subsurface sanitary sewage disposal systems, roads and water bodies within a distance of not less than fifty (50') feet from the property line of the proposed action based upon existing available data sources.

Information shall be presented in a manner that can be readily understood by the public.

NOTICE TO ALL INVOLVED/INTERESTED AGENCIES - The enclosed document is a draft scoping document. Any involved agencies which wish to have the lead agency consider any amendment to the draft scoping document should contact the responsible officer of the lead agency within twenty (20) days of the date of this document.

Roll call:

Councilor Andersen	Yes
Councilor Race	Yes
Councilor Moran	Yes
Councilor Driscoll	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 27 adopted.

Supervisor Zupan stated two bids were received today for the Aquatic Plant Harvester & Shore Conveyor. He said since there was not enough time between the bid opening that occurred at 4:00 p.m. earlier today and the meeting tonight; he would like to hold a special meeting in a week. He added this would give the Board time to review the two proposals and make a decision. He suggested Monday, February 17, 2014 at 7:00 A.M.

Supervisor Zupan asked the editor of the Cazenovia Republican (who was in the audience) to post the special meeting on the newspaper website with the purpose being to potentially award the bid of an aquatic weed harvester and shore conveyor.

Motion by Councilor Moran, seconded by Councilor Race to hold a special meeting on Monday, February 17, 2014 at 7:00 A.M. The motion was unanimously approved.

J. Langey confirmed the requirements of a special meeting had been met: Town Board members were notified, newspaper notified, and Town Clerk will post in two conspicuous places.

Resolution No. 28 presented by Councilor Race, seconded by Councilor Andersen

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
ANNUAL MAINTENANCE AND SPECIAL USE PERMITS**

WHEREAS, the Town of Cazenovia from time-to-time has received permits from the New York State Department of Transportation and otherwise conducts activities and operations upon highways and/or within the rights-of-way controlled by the State of New York for such purposes as construction, installation, maintenance and/or operation of Town facilities; and

WHEREAS, the Town's access and operation upon State rights-of-way is conditioned upon compliance with applicable sections of the New York State Highway Law, including the conditions that the Town assume responsibility for temporary control of all modes of traffic affected by the Town's operations prior to being permitted or authorized in such areas; and

WHEREAS, New York State Department of Transportation, pursuant to its regulations, requires that the Town obtain a surety bond in relation to the issuance of said permits; and

WHEREAS, alternatively, the New York State Department of Transportation will allow the Town to offer a "undertaking" in the place of said surety bond; and

WHEREAS, the Town of Cazenovia desires to utilize the placement of an undertaking in the place of the otherwise required surety bond.

RESOLVED, that the Town Board of the Town of Cazenovia hereby elects to provide to the State of New York an undertaking (NYSDOT PERM 1) in the place of a surety bond for purposes of undertaking work within New York State Department of Transportation rights-of-way; and it is further

RESOLVED, that the Town Supervisor is hereby authorized to execute the proposed undertaking and provide same to the New York State Department of Transportation.

Roll call:

Councilor Andersen	Yes
Councilor Race	Yes
Councilor Moran	Yes
Councilor Driscoll	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 28 adopted.

Resolution No. 29 presented by Councilor Race, seconded by Councilor Moran

July 4th Foot Race

Per the request of the Syracuse Chargers to approve the use of Ridge Road, Glenwood Road, and Preston Road, for the "42nd Annual Cazenovia July 4th Foot Race 2014" scheduled for Friday, July 4, 2014 commencing at 8:00 A.M. It is understood that the Madison County Sheriff's Department and the Cazenovia Village Police Department will be utilized for traffic control and that CAVAC will be on-site. A one million dollar liability insurance certificate, naming the Town of Cazenovia as "also insured" and describing the name of the activity, including date and time must be filed with the Town Clerk and must be maintained throughout the date of the event. If the area of the town owned "Green," located between Emory Avenue and Green Street will be utilized for the start and conclusion of the race, that must also be noted for coverage on the insurance certificate.

Roll call:

Councilor Andersen	Yes
Councilor Race	Yes
Councilor Moran	Yes
Councilor Driscoll	Yes
Supervisor Zupan	Yes

Supervisor Zupan declared Resolution No. 29 adopted

Attorney's Report: John Langey reported the sewer consolidation work has begun at his office. He said he has been in contact with Linda Mather who will assist him with this project, and he will have her proposal of fees, at next month's meeting. He stated there has to be a planned consolidation and an agreement that the work is being done on behalf of all the sewer districts. He further said there will be updates to the sewer regulations to make them more conforming and maybe, "up" some of the penalties for inflow and infiltration issues. He stated the Town of Cazenovia regulations will be updated and they are encouraging the Village of Cazenovia and the Town of Nelson to do the same; so all three sets of regulations are relatively consistent, as well as, consistent with what the County is expecting will be discharged into their system.

Supervisor's Report: Supervisor Zupan reported he has a great Town Board and great office staff behind him. He commended everyone on the job they are doing and their efforts which have allowed him time to "to get his feet on the ground."

Councilor Race (Highway Department, South Cemetery & Water Districts): Reported the work has begun on the planned equipment program updates and he is anticipating to have a resolution for a loader and skidsteer for the March meeting. He said the new spare plow truck is at Tracey Road Equipment getting a 3,500 gallon brine system installed. He further stated this will help alleviate the number of trips required to go back to the garage to refill, since their current tank is only a 500 gallon tank.

Councilor Andersen (Planning & Zoning, CACDA, Shared Services, CACC): Reported the sewer consolidation work that John Langey referred to was through a grant that CACDA worked on and submitted to the State. She said Lauren Lines, Tim Hunt and others are working on a "Cleaner Greener Communities Grant" that would potentially fund the micro-hydro project in New Woodstock. This grant could also possibly help with ways to keep the cold temperatures out of the highway garage, plus, the addition of a solar-integrated salt shed. She further reported the courts are not consolidating, but moving to the Village, as of April 1st and it will be more convenient, less confusing to the public and more conforming to the State guidelines of what courts facilities should be like. She mentioned a vacancy on the CACC and asked the editor of the Cazenovia Republican to run an article that she would write to encourage people to apply for one of the Boards. Lastly, she said Roger Cook, Codes Enforcement Officer, John Langey, and she have worked on a noise ordinance and the draft is currently under a technical review by the sound engineer. She said the three of them have also been working on a special events permit for large gatherings that is underway and once the changes are re-circulated through the committee and approved, the document will be disbursed to the Town Board.

Councilor Driscoll added the consolidation of the courts made good sense and the need to look at shared services. He further stated money will be available through the State, in terms of non-duplication.

Councilor Moran (Future of the Gothic Cottage & Cazenovia Lake Watershed Council): Reported the "Future of the Town Office" meeting with the task force and architects had to be postponed due to the weather and the meeting has been rescheduled for the March 5th work session.

She said the Cazenovia Lake Watershed Council meets quarterly and the major activity is getting the permits through for the lake. She stated Allied Biological has provided some draft permitting applications for submission to the DEC. She mentioned Supervisor Zupan wrote a letter to David Bimber, the Regional Permit Administrator for Region 7, asking for a meeting to discuss the integrated, multi-faceted permitting plan, as well as, the possibility of a letter of understanding for the north end of the lake, instead of a permit. She said the major activity for the next month will be to draft the Supplemental EIS. Lastly, she said everything is on schedule for meeting all the milestones, in relation to the lake.

Councilor Driscoll (Cazenovia Lake Association, Cazenovia Lake Watershed Council, Senior Recreation & Joint Youth Recreation, State Police, Parks, New Woodstock Fire Department, and High Impact Industrial Use Zoning): *Reported he went to the Cazenovia Lake Association (CLA) meeting so he could be introduced and explain his role to the Association. He said he brought the CLA up to speed with the notion of a multi-faceted lake treatment approach. He stated in addition to the purchase of a harvester; he researched a Plan B and contacted Scott Ingmire of the County Planning Department regarding the County harvester. Mr. Ingmire agreed to commit to the Town for the week of July 15th and two weeks in August at the rate of \$ 31.00/hour. He said exclusive of the town truck and the Town employees to haul the weeds away, it would cost approximately \$ 3,800. Furthermore, he said Mr. Ingmire was "OK" if the harvester was cancelled, since it is a Plan B.*

Supervisor Zupan asked if any member of the public cared to use the second comment period to speak to the board regarding any area of Town Board oversight.

Public comment #2: There were no comments.

The Town Clerk will present the monthly bills list.

The Town Board's method-of-choice for review of the monthly bills:

The Town Board's first review takes place when detailed lists of the monthly bills are emailed to them on the weekend preceding the meeting. As a second review, the Town Clerk reads aloud the monthly bills list as the Town Board followed along with hard copies. The invoices are present at the meeting and the Town Board visually inspects them and discusses them at their discretion.

Councilor Race informed the Board that the highway department will begin to use Wright Express Gas cards and the Town will be guaranteed state contract pricing. He further stated the billing will be monthly and gasoline will no longer be obtained through the Village of Cazenovia. He said the cards can be used at any gas station and the state contract price is guaranteed.

Motion by Councilor Driscoll, seconded by Councilor Race to approve payment of the bills. The motion was unanimously approved.

Motion by Councilor Race, seconded by Councilor Andersen to adjourn this meeting. The motion was unanimously approved.

Supervisor Zupan declared this meeting adjourned.