

**TOWN BOARD  
REGULAR MEETING**

**MONDAY**

**May 8, 2023**

**Supervisor Zupan opened the meeting at 7:30 p.m. with all Councilors present.**

**Pledge of Allegiance.**

**Correspondence:** *There was no unshared correspondence.*

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**Motion by Councilor Reger, seconded by Councilor Golub to accept the minutes from the April 10, 2023 regular meeting. The motion was unanimously approved.**

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

**Public comment #1:** *There were no comments.*

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**Resolution No. 61 presented by Councilor Race, seconded by Councilor Reger**

**2023 RAKE TOSS SURVEY FOR CAZENOVIA LAKE**

To authorize the Town Supervisor to execute an agreement with Upstate Freshwater Institute to survey Cazenovia Lake in September and October 2023 for aquatic plant species presence and abundance by the rake-toss method at pre-determined sample locations selected using a 2008 survey performed by Allied Biological, Inc. and to provide a written report with electronic backup that documents plant species presence, identification to at least genus but generally plant species, abundance at the pre-determined GPS sample locations and contract the results to previous plant surveys conducted by Allied Biological, Inc. and Racine-Johnson Aquatic Ecologists. The report will be provided in a format similar to annual written reports of survey results to the Town of Cazenovia by Racine-Johnson Aquatic Ecologists for 2009 through 2022. The report will be provided no later than November 11, 2023. The cost for survey and reporting will be invoiced to the Town of Cazenovia in an amount not to exceed Sixteen Thousand Eight Hundred and 00/100 Dollars (\$ 16,800.00.)

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**AGREEMENT  
BETWEEN THE TOWN OF CAZENOVIA  
AND  
UPSTATE FRESHWATER INSTITUTE**

This agreement is entered into as of the last date on the signature page hereof, by and between the Town of Cazenovia located at 7 Albany Street, Cazenovia, NY 13035 and the Upstate Freshwater Institute (UFI), located at 224 Midler Park Drive, Syracuse, NY 13206.

The parties mutually agree to the following terms:

**ARTICLE 1. STATEMENT OF WORK**

UFI will use its best efforts to perform a macrophyte survey of Cazenovia Lake as described in the statement of work, and shall furnish all necessary labor, materials and facilities to carry out the specified objectives outlined in the work plan (Exhibit A).

**ARTICLE 2. PERIOD OF PERFORMANCE**

The period of performance for this Agreement shall be from the date upon this fully executed Agreement (beginning date) through December 31, 2023 (termination date), unless amended by written mutual agreement. Expenditures prior to the beginning date or subsequent to the termination date are unallowable.

**ARTICLE 3. PAYMENT**

The total cost of the work to be performed under this Agreement is \$16,800. The Town of Cazenovia shall not be obligated to reimburse nor shall UFI be obligated to incur any expenditure in excess of this limitation.

UFI shall submit detailed quarterly invoices on vouchers approved by the Town of Cazenovia. A UFI representative shall certify on the invoice that the request for payment is true and correct to the best of their knowledge and that all expenditures reported have been made in accordance with the work plan and this agreement. The invoices shall reference a contract or purchase order number and be sent to:

Town of Cazenovia  
Town Clerk's Office  
7 Albany Street  
Cazenovia, NY 13035

The Town of Cazenovia shall pay all invoices within 45 days of receipt. The final billing, clearly marked as FINAL, shall be submitted no later than 60 days after the end of the period of performance as indicated in Article 2. In no event shall the final billing exceed the Agreement amount.

**ARTICLE 4. GENERAL PROVISIONS**

A Federal W-9 must be completed and returned with the signed Agreement. The W-9 must be received prior to the issuance of a contract/purchase order number.

**ARTICLE 5. HOLD HARMLESS**

To the extent allowable by NYS Law, each party hereby assumes any and all risks of personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees and agents thereof.

**ARTICLE 6. EQUIPMENT**

No purchase of new equipment shall be made using funds from this agreement.

**ARTICLE 7. DISPUTES**

Except as otherwise provided for in this Agreement, any dispute not disposed of by mutual consent shall be decided by procedures jointly agreed upon by both parties.

**ARTICLE 8. ALLOWABLE COSTS**

For the performance of the work herein, the Town of Cazenovia agrees to pay UFI the cost thereof determined to be allowable in accordance with the terms of this Agreement, but in no event a sum greater than the amount of the grant.

**ARTICLE 9. TERMINATION**

Either party may terminate this Agreement without cause by providing thirty (30) days prior written notice to the other party. Upon termination notice, UFI will make no further commitments under this

Agreement and will take all reasonable actions to cancel outstanding obligations. UFI will furnish all necessary reports of research completed or in progress through the date of termination.

**ARTICLE 10. PERSONNEL**

The following individual will be responsible for all aspects of the proposed work to be provided by UFI: David A. Matthews, Ph.D., CLM. Substitutions for this individual or substantial reduction in any of the level of effort will not be made without prior written approval of the Town of Cazenovia.

**ARTICLE 11. PUBLICATIONS**

UFI is free to publish reports or results of the research being performed under this Agreement. Thirty (30) days prior to such publication UFI will submit to the Town of Cazenovia, a copy of the proposed publication. Publications based upon results of research supported directly or indirectly by this award should include the following acknowledgement: *“This [paper/report/video] was prepared by the Upstate Freshwater Institute under a grant funded by the Town of Cazenovia. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of the Town of Cazenovia.”*

**ARTICLE 12. PUBLICITY**

Neither the Town of Cazenovia nor UFI will use the name of the other expressly or by implication, in any news, publicity release, or other promotional fashion without the express written approval of the other.

**ARTICLE 13. REPORTS**

UFI shall prepare a report summarizing the 2023 Cazenovia Lake macrophyte survey that is similar in scope to that prepared for the Town by UFI in 2022 and previously by Racine-Johnson Aquatic Ecologists. The report will be submitted to the Town by November 10, 2023.

**ARTICLE 14. LIABILITY AND INSURANCE**

UFI agrees that it shall maintain appropriate levels of insurance as required by law or in an amount of at least one million dollars (\$1,000,000) and name the Town of Cazenovia as an additional insured. UFI shall supply the Town with a copy of its insurance prior to any work commencing. The Town of Cazenovia shall be given notice of any termination during the term of this agreement should insurance be cancelled for any reason. UFI also agrees that it has entered into this Agreement and will discharge its obligations, duties and undertakings and work pursuant thereto, whether requiring professional judgement or otherwise, as an independent agent without imputing liability on the part of the Town of Cazenovia for the acts of UFI and its employees.

**ARTICLE 15. ASSURANCES**

By signing this Agreement, UFI certifies that:

- It is not delinquent on the repayment of any Federal debt
- It is presently not disbarred, suspended, proposed for debarment, declared ineligible, nor voluntarily excluded from covered transactions by any Federal department or agency in accordance with Executive Order 12549 (34 CRP Part 85, Section 85.510)
- It is in compliance with the Drug-Free Workplace Act of 1988 (34 CFR Part 85, Subpart F)
- It is in compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) regarding restrictions on lobbying
- Funds expended under this award will comply with applicable Federal cost principles

**ARTICLE 16. EQUAL OPPORTUNITY**

During the performance of the work under this Agreement, UFI shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, special disability or special Vietnam era status. All Equal Employment Opportunity provisions set forth in Executive Order No. 11246, as amended by Executive Order 11375, and as supplemented by 41 CRF Part 60 are hereby incorporated by reference into this Agreement.

**ARTICLE 17. RECORDS**

All records and reports that relate to this Agreement shall be retained by UFI for three (3) years from the date of final payment and will be made available during that period for inspection by representatives of the Town of Cazenovia, its independent auditors, or the Federal Government during normal business hours.

**Agreed to by:**

**UPSTATE FRESHWATER INSTITUTE**

**TOWN OF CAZENOVIA**

  
\_\_\_\_\_  
**Signature**  
David A. Matthews, Ph.D., CLM  
\_\_\_\_\_  
**Typed/Printed Name and Title**  
Date: April 7, 2023

\_\_\_\_\_  
**Signature**  
\_\_\_\_\_  
**Typed/Printed Name and Title**  
Date: \_\_\_\_\_

**EXHIBIT A: Work Plan for 2023 Cazenovia Lake Macrophyte Survey**

**Background**

The macrophyte community of Cazenovia Lake has been surveyed annually since 2009 by Racine-Johnson Aquatic Ecologists or UFI to evaluate changes in response to herbicide treatments and mechanical harvesting to control the abundance of Eurasian watermilfoil. The herbicide triclopyr (Renovate®) was applied in 2009, 2010, 2012, 2014, 2017 and 2019. In 2021, the lake was treated with the herbicide florypyrauxifen-benzyl (ProcellaCOR®). Herbicide treatments since 2009 have successfully reduced the standing crop of Eurasian watermilfoil; the ProcellaCOR® treatment in 2021 was especially effective. Results of the annual macrophyte surveys are used to track effectiveness of the lake management program, determine priority areas for subsequent herbicide treatment, and document that the native plant community remains intact.

**Macrophyte Survey**

Upstate Freshwater Institute (UFI) will perform the macrophyte survey of Cazenovia Lake in 2023, using the same sampling protocols and locations that have been sampled annually by Racine-Johnson Aquatic Ecologists and UFI since 2009. Specifically, UFI will conduct duplicate tosses with a dual-headed rake attached to 50 feet of nylon rope at 304 sites located around the perimeter of the lake and record presence and abundance of aquatic plant species. Sites will be located using GPS and the coordinates published in UFI’s 2022 report. Overall and species-specific abundance will be recorded for each sampling location. These data will be entered into an Excel spreadsheet and provided to the Town of Cazenovia. The abundance estimates from each of the two rake-tosses will be averaged to produce a mean value for each location. The survey will be conducted within the August to early September timeframe to ensure the results are comparable to earlier surveys.

**Report**

The results of the 2023 macrophyte survey will be summarized in a report similar in content to those prepared previously by Racine-Johnson Aquatic Ecologists and UFI. The report, which will be submitted to the Town of Cazenovia by November 10, 2023, will provide the Town with important information to guide management of Cazenovia Lake in 2024.

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**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 61 adopted.**

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*Supervisor Zupan said a contract has to be in place for the SAM Grant.*

**Resolution No. 62 presented by Councilor Race, seconded by Councilor Johnson**

**AUTHORIZING THE TOWN OF CAZENOVIA SUPERVISOR TO EXECUTE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH DUNN & SGROMO ENGINEERS, PLLC RELATIVE TO THE LINCKLAEN ROAD AND RIDGE ROAD STORMWATER INFRASTRUCTURE PROJECT**

**WHEREAS**, the Town of Cazenovia Town Board has previously discussed the authorization of improvements to the stormwater conveyance systems for Lincklaen Road and Ridge Road (the “Stormwater Project”); and

**WHEREAS**, an application was submitted for financing and grant funding under the New York State Division of Budget’s State and Municipal Facilities Program (“SAM Grant”) to assist with the cost of the authorized improvements; and

**WHEREAS**, the Town Board has also investigated other sources of funding for the Stormwater Project; and

**WHEREAS**, the Town was notified on \_\_\_\_\_, 202\_\_ that they were the recipient of a grant award in an amount not to exceed One Hundred Twenty-five Thousand and 00/100 Dollars (\$125,000.00); and

**WHEREAS**, additional sources of funding have been identified, including the Climate Smart Communities Project Grant and in-kind funding from the Town of Cazenovia; and

**WHEREAS**, an Engineering Agreement is required in order to execute the necessary related paperwork; and

**WHEREAS**, the Town of Cazenovia desires to engage professional services from an engineer to assist with the planning and design of the Stormwater Project improvements and to assist with the coordination of the Grant Administration and to provide other needed services for the Stormwater Project; and

**WHEREAS**, the Town of Cazenovia has been presented with a proposed Professional Services Agreement titled “An Agreement for Professional Engineering Services for the Town of Cazenovia Lincklaen and Ridge Road Stormwater Infrastructure Project - \_\_\_\_\_ 2023 - By and Between the Town of Cazenovia and Dunn & Sgromo Engineers, PLLC”; and

**WHEREAS**, the Town of Cazenovia desires to engage the services of Dunn & Sgromo Engineers, PLLC for such purposes pursuant to the terms of said Agreement; and

**WHEREAS**, the engagement of Dunn & Sgromo Engineers, PLLC for such professional engineering services constitutes a Type II action for purposes of State Environmental Quality

Review and, as a result, no environmental impact is anticipated, thus ending the environmental review process.

**NOW THEREFORE, BE IT RESOLVED** that the Town of Cazenovia Town Board hereby authorizes the Town Supervisor to execute the Professional Services Agreement titled “An Agreement for Professional Engineering Services for the Town of Cazenovia Lincklaen and Ridge Road Stormwater Infrastructure Project - \_\_\_\_\_ 2023 - By and Between the Town of Cazenovia and Dunn & Sgromo Engineers, PLLC”, subject to final review by the attorney for the Town, and to take such other and further actions as are necessary to engage such services.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 62 adopted.**

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*Supervisor Zupan explained a map, plan and report is required in order to apply for funding for this project.*

**Resolution No. 63 presented by Councilor Johnson, seconded by Councilor Golub**

**AUTHORIZE DUNN & SGROMO ENGINEERS, PLLC TO PREPARE A MAP, PLAN AND REPORT IN RELATION TO A POSSIBLE EXTENSION OF THE CAZENOVIA CONSOLIDATED SEWER DISTRICT UP EAST LAKE ROAD**

**WHEREAS**, the Town Board of the Town of Cazenovia recognizes the importance of the health of Cazenovia Lake; and

**WHEREAS**, past studies and testing has found an abundance of phosphorus present in the Lake; and

**WHEREAS**, one source of phosphorus is from failing septic systems leaching into the Lake; and

**WHEREAS**, recently Governor Hochul and her administration announced they will be awarding funding to modernize the state’s aging water and sewer systems by providing financial resources to municipalities; and

**WHEREAS**, the Town of Cazenovia Town Board feels now is an appropriate time to have Dunn & Sgromo Engineers, PLLC prepare a map, plan and report to be in a position to apply for such funding.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that the Town Board of the Town of Cazenovia, Madison County, New York, does hereby direct Dunn & Sgromo Engineers, PLLC to prepare a map, plan and report/preliminary engineering report and provide such other services consistent therewith regarding future sewer system capital improvements in the Town of Cazenovia in an amount not to exceed \$7,500.00.

**RESOLVED AND DETERMINED**, that the Town Board of the Town of Cazenovia hereby authorizes the Town Supervisor to execute any documents necessary to carry out the intent

of this resolution.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 63 adopted.**

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*Supervisor Zupan stated the annual road tour is Sunday, June 11, 2023 at 7:00 a.m. The Town Board will meet Bryan Smith, Highway Superintendent, at the Town Office as the starting point.*

**Resolution No. 64 presented by Councilor Race, seconded by Councilor Reger**

**AGREEMENT FOR THE EXPENDITURE OF HIGHWAY FUNDS  
– 2023 –**

Town of Cazenovia                      Madison County, NY

Pursuant to the provisions of section 284 of the Highway law, we agree that money levied and collected in the Town of Cazenovia for the repair and improvement of highways, and received from the State for State Aid for the repair and improvements of Highways, shall be expended as follows:

1. **General repairs.** The Sum of **\$ 50,000** shall be set aside to be expended for primary work and general repairs upon all road miles of Town highway, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. **Improvements.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:
  - a. On Corkinsville Road, a distance of .36 miles
    - i. for the sum of **\$ 38,553.93**
    - ii. Project type – Cold Mix Pave
    - iii. Width of Surface – 19.0’
    - iv. Thickness – 1.5”
  - b. On Thurber Road as follows:
    - a distance of .64 miles
      - i. for the sum of **\$ 68,991.24**
      - ii. Project type – Cold Mix Pave
      - iii. Width of Surface – 18.0’
      - iv. Thickness – 3.0”
    - a distance of .03 miles
      - i. for the sum of **\$ 3,043.73**
      - ii. Project type – Cold Mix Pave
      - iii. Width of Surface – 10.0’
      - iv. Thickness – 3.0”

- c. On Reservoir Road, a distance of 1.09 miles
    - i. for the sum of **\$ 116,676.37**
    - ii. Project type – Cold Mix Pave
    - iii. Width of Surface – 19.0’
    - iv. Thickness – 3.0”
  - d. On Cobb Hill Road, a distance of 1.94 miles
    - i. for the sum of **\$ 194,485.41**
    - ii. Project type – Cold Mix Pave
    - iii. Width of Surface – 20.0’
    - iv. Thickness – 1.5”
3. **Improvements.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:
- a. On the following roads:

<b>NAME</b>	<b>DISTANCE</b>
Chard Road	.85
Glenwood Road	.21
Hoffman Road	.34
Lucas Cross Road	.37
Maple Road	1.20
Preston Road	.21
Ridge Road	4.32
Stanley Road	1.83
Ten Eyck Avenue	.35
Wright Road	.20
	<b>9.88 miles</b>

- b. a distance of 9.88 miles
  - c. for the sum of **\$ 139,711.59**
  - d. Project type – chip seal
- The total amount of improvements not to exceed the amount of **\$ 611,462.27**

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 64 adopted.**

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**Resolution No. 65 presented by Councilor Race, seconded by Councilor Reger  
ANNUAL HIGHWAY EQUIPMENT RENTALS**

Pursuant to Highway Law, Article 7, § 143 to authorize the rental of equipment for Highway Department use for 2023:

All Roads

Rental of all equipment shall not exceed \$ 30,000.00.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 65 adopted.**

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**Resolution No. 66 presented by Councilor Reger, seconded by Councilor Johnson**

**ADOPTION OF THE STATE OF NEW YORK  
DEFERRED COMPENSATION PLAN**

**WHEREAS**, the Town of Cazenovia wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

**WHEREAS**, the Town of Cazenovia is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law\* and

**WHEREAS**, the Town of Cazenovia has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

**WHEREAS**, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Cazenovia by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

**NOW, THEREFORE**, it is hereby:

**RESOLVED**, that the Town of Cazenovia hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

**RESOLVED**, that the appropriate officials of the Town of Cazenovia are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

**RESOLVED**, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

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\*A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance

Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State: a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the state.

**Roll call:**  
**Councilor Race**                    **Yes**  
**Councilor Golub**                    **Yes**  
**Councilor Reger**                    **Yes**  
**Councilor Johnson**                    **Yes**  
**Supervisor Zupan**                    **Yes**

**Supervisor Zupan declared Resolution No. 66 adopted.**

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*Bryan Smith, Highway Superintendent, appointed Evan Spaulding as Deputy Highway Superintendent for 2023.*

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**Resolution No. 67 presented by Councilor Reger, seconded by Councilor Johnson to make the following Board appointments:**

<u>Board</u>	<u>Term Length</u>	<u>Term Expiration</u>
Linda Cushman	Planning Board Alternate Member	Remainder of 2023
Joseph Juskiewicz	Zoning Board of Appeals	Remainder of 2023

**Roll call:**  
**Councilor Race**                    **Yes**  
**Councilor Golub**                    **Yes**  
**Councilor Reger**                    **Yes**  
**Councilor Johnson**                    **Yes**  
**Supervisor Zupan**                    **Yes**

**Supervisor Zupan declared Resolution No. 67 adopted.**

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**Resolution No. 68 presented by Councilor Golub, seconded by Councilor Johnson**

**APPOINT MEMBERS TO THE COMMUNITY GEOTHERMAL SUBCOMMITTEE**

**WHEREAS,** the Town of Cazenovia Town Board recognizes the importance of renewable energy; and

**WHEREAS**, Councilor Golub has expressed his interest in Geothermal Energy as a type of energy source for future projects in the Town of Cazenovia; and

**WHEREAS**, Supervisor Zupan suggested a committee be formed to explore this type of energy and how it could help the community.

**NOW THEREFORE, BE IT IS RESOLVED**, the following individuals shall be appointed to the committee known as the Community Geothermal Subcommittee:

- Jimmy Golub (*Town of Cazenovia*)
- Dave Porter or Katherine Hahn (*Village of Cazenovia*)
- James Cunningham (*Town of Nelson & WPCF Operator*)
- Eric Benedict (*Cazenovia Central School District*)
- Christopher Carrick (*CNY Regional Planning & Development Board*)
- Lauren Lines (*CACDA*)
- Laurie Dudley (*U-CAN Representative*)

**Roll call:**

- Councilor Race**                    **Yes**
- Councilor Golub**                    **Yes**
- Councilor Reger**                    **Yes**
- Councilor Johnson**                    **Yes**
- Supervisor Zupan**                    **Yes**

**Supervisor Zupan declared Resolution No. 68 adopted.**

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**Resolution No. 69 presented by Councilor Reger, seconded by Councilor Johnson**

**JULY 4<sup>TH</sup> FOOT RACE 2023**

To approve the use of Ridge Road, Glenwood Road, and Preston Road, for the “50th Annual Cazenovia July 4th Foot Race 2023” scheduled for Tuesday, **July 4, 2023** 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” has been filed with the Town Clerk.

The insurance certificate should describe the name of the activity, including date and time and must be maintained throughout the date of the event.

**Roll call:**

- Councilor Race**                    **Yes**
- Councilor Golub**                    **Yes**
- Councilor Reger**                    **Yes**
- Councilor Johnson**                    **Yes**
- Supervisor Zupan**                    **Yes**

**Supervisor Zupan declared Resolution No. 69 adopted.**

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**Attorney's Report:** *John Langey, Esq. reported the cell tower law that is being worked on is making good progress. He said he is just doing a final review of the proposed changes before it gets re-circulated to the Committee. Then, the Town Board will look at the proposed changes and decide how they want to proceed. If the changes move forward, then the local law process would commence which would consist of the law getting introduced, moving to a public hearing and getting input from Madison County Planning Dept. On another note, he said he got a request from the Planning Board for the Town Board to look at a potential change to the submission requirements for demolitions. As a separate topic, he is working with another client on an update for large wind system regulations, the big wind turbines. He said he wasn't sure if the Board would be interested in looking at the regulations as something they want to address. The current law addresses smaller wind energy conversion systems. The Town has been very active in enforcement matters and he will be working with the Codes Enforcement Officer. The Lucas Solar Project has a little glitch and they would like to see the turn-around location in a different spot and their attorney is checking on that aspect.*

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**Supervisor's Report:** *Supervisor Zupan said he is working with GHD on upgrades to the sewer plant. They are designing upgrades of what they think is needed at the treatment plant and the individual costs. On another note, he mentioned he has been working on the SAM Grant for Ridge and Lincklaen Roads with the Town Clerk. He joined John Langey and Bryan Smith at the Barrett Road solar site to discuss the road request. He said on a County-level, sales tax is up 3% for this quarter. He reported he has been working on some of the problems that John alluded to regarding zoning.*

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**Councilor Race** (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported the highway department is ready to start the summer season. They've started to haul in stone for the paving projects. The parts and pieces for the Lincklaen Road project should be in soon. In regards to CHIPS funding, there is a 10% increase in the state budget for road work. On another note, he met with Supervisor Zupan and GHD regarding the sewer plant improvements.*

**Councilor Golub** {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage), Anti-Racism Coalition}: *Reported regarding the CLA, the construction on Lakeland Park will resume soon, if it hasn't already. The CLA community outreach session had the best attendance, yet. Supervisor Zupan's attendance was helpful in answering questions. Michael Roets of Lorenzo was present and was helpful in answering some McNitt State Park questions. In regards to Earth Day, it was a success for U-CAN, the electric cars component was a great addition. The Geothermal Committee has started meeting. The Committee consists of Dave Porter and Kathy Hahn representing the Village. Dave, being an engineer, is very familiar with this type of technology. Jim Cunningham, Town of Nelson Supervisor and the Operator of the Water Pollution Control Facility is an invaluable member to the Committee. Chris Carrick is associated with Central New York Regional Planning & Development and knows all about NYSERDA. Eric Benedict of the Cazenovia Central Schools*

was very knowledgeable. Lauren Lines of CACDA and Laurie Dudley of U-CAN are also part of the Committee. He said regarding the Anti-racism Coalition, he felt there was excellent cooperation between the town and ARC regarding the Nazi propaganda campaign.

**Councilor Reger** (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): Reported John Langey captured most of the zoning and planning items. He thanked John for his time on the mobile services and cell tower law revisions. He thought something would be ready for the Board next month. He welcomed Linda Cushman and Joseph Juskiewicz and thinks they will be nice assets to the Planning Board and Zoning Board. He said they are working on finalizing the agreement for the Comprehensive Plan with EDR. The next meeting is on the 18<sup>th</sup> and the group is volunteering a lot of time. He said CazCares is seeing an increase and serving about 130 families and they continue to have a great group of volunteers and outpouring from the County. He said there is an uptick because the rise in costs for everyday living. He wanted to recognize two great public servants that passed away recently. Tom Driscoll who was on the Town Board and was a leader in so many different organizations within the community and Deborah Kenn from the Town of Nelson. He only worked with her briefly on the Joint Youth Recreation program, but he recognized her service to the greater Cazenovia area.

**Councilor Johnson** {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: Reported there is a grant application into the NYS Environmental Facilities Corporation for Mt. Pleasant for the water infrastructure improvements. She said it was unsuccessful the last round, but they are more confident for this application because there is more funding available. CACDA also recently prepared a final request to EFC for another grant that was awarded to Mt. Pleasant a few years ago. Lauren Lines is working with the DEC as part of the contract for the Climate Smart Communities Grant on Ridge Road for drainage work. On another note, there is a \$ 46,000 grant for strategic planning for the Cazenovia College campus from Empire State Development. The funding was secured for this grant. This will hopefully leverage the funding for the federal grant. The grant that was awarded to the College for the electro-fishing boat is still being resolved.

John Langey, Esq. chimed in and said he is still waiting to hear from the college’s attorney. Lauren Lines told him the college was working on an agreement.

Councilor Johnson happily reported the Joint Youth Recreation Program has lifeguards for this year. She said they have also been discussing the RecDesk program which is used for recreational activities. There are some improvements that could be made to that program. She is going to check in with some other communities to see what they do for recreational programs. She also reported the Baseball Softball Association is waiting on the survey for the site layout before proceeding with improvements.

Supervisor Zupan additionally reported the town received a proclamation from Assemblyman Al Stirpe and Joe Griffo for the 230<sup>th</sup> Anniversary of the Town of Cazenovia. Ann Ferguson’s group, Cazenovia Heritage will receive Senator Joe Griffo’s proclamation and Al Stirpe’s will be displayed at the Town Office.

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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:**

*Ed Eagan recently attended his first Cazenovia Lake Association meeting. He was interested to know what the town does to educate those who use the lake. He felt there was a relatively small user base and it behooves everyone to do our best to educate the users. He also wondered what the legal requirement was to make all boats launch through the village launch site in order to regulate potential invasive species.*

*Supervisor Zupan said he spoke with the Attorney for the Town and the only way to stop someone from launching other people’s boats from their property is if they are charging money.*

*Ed Eagan inquired about the Yacht Club and the Brewster Inn.*

*Supervisor Zupan said he was fairly certain the Brewster Inn can’t get boats down to the lake and they use the Village launch site.*

*Ed Eagan said Lake George has a pretty active effort.*

*John Langey, Esq. suggested the Cazenovia Lake Association and Councilor Golub, as the Town Board liaison investigate what efforts have been made in Lake George, for example. This information could be brought to the Lake Association. He said the Town Board has limited authority and could pass local laws, but there is very little strength of enforcement.*

*Ed Eagan said he is a believer of education versus punishment.*

*Supervisor Zupan said when the public launch first opened, around 14 years ago, there was a lot of educational brochures that were given out to people launching their boats. The Lake Association was very helpful in handing out brochures about invasive species. He said the village launch has been very successful. However, there is no control over the kayaks and canoes that launch at McNitt State Park and the south end of the lake. He said people will put their small motor boats over the rocks, but the town has no control over that site.*

*Councilor Race said the boulders were placed at that site to preclude people from launching their boats there. He further added, to the best of his knowledge, there is no other public launch besides the Yacht Club. He said they closed a couple of them.*

*Councilor Johnson suggested the town could use technology and social media to educate the public.*

*Rebecca Garden, a representative from the Anti-racism Coalition, wanted the Town Board to keep in mind equity, diversity, and inclusion with these types of initiatives. She came to the community not knowing there was public access at all. In her opinion, it is not the type of lake that welcomes people and invites them. She felt the gates were a little “off-putting”. She heard the initiatives that were mentioned, but just asked the board to keep in mind this element when educating the public.*

*Councilor Johnson mentioned WCNY is currently doing a series on lake health in the Finger Lakes.*

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**The Town Clerk presented 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.

**Motion by Councilor Reger, seconded by Councilor Golub to approve payment of the bills. Councilor Race recused himself from payment of the Suit-Kote invoice. Supervisor Zupan recused himself from payment of the Cunningham Trucking invoice. Otherwise, the motion was unanimously approved.**

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

**At 8:09 p.m., Supervisor Zupan declared this meeting adjourned.**

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**Signed:**           *Connie J. Sunderman*          

Connie J. Sunderman, Town Clerk