

**Cayuga County Community College  
Auburn, New York**

Minutes of the regular meeting of the Board of Trustees held Monday, July 30, 2012, at 6:00 p.m. in the Business Industry Center, James T. Walsh Regional Economic Center on the Auburn Campus.

Present: Mrs. Jane Bowen  
Mr. John M. Camardo  
Mrs. Melina Carnicelli  
Mr. Jeffrey Edwards  
Hon. George C. Fearon  
Mr. John A. Karpinski  
Mr. John J. Klink  
Dr. Linda P. Van Buskirk

Excused: Mr. Kevin D. Coleman  
Mr. Stanley J. Kott

Also: Dr. Daniel P. Larson, President  
Wendy Marsh, Esq. Hancock Estabrook, LLP

Mr. Camardo called the meeting to order at 6:18 p.m.

A motion was made by Mr. Edwards, seconded by Mrs. Bowen to add 3.3.1 and 3.3.2 to today's agenda. Motion carried following unanimous voice vote.

**3.3 Personnel**

Mr. Edwards presented the following personnel items and moved their approval.

**3.3.1 Creation of Civil Service Classified Position:**

RESOLVED, that the fulltime Civil Service competitive position of Custodian be created effective September 1, 2012 at the Fulton Campus at a salary of \$33,224.

Motion seconded by Mrs. Bowen and carried following unanimous roll-call vote by those present.

**3.3.2 Creation of Civil Service Classified Position:**

RESOLVED, that the fulltime Civil Service non-competitive position of Building Maintenance Helper be created effective September 1, 2012 at the Fulton campus at a salary of \$35,500.

Motion seconded by Mr. Klink and carried following unanimous roll-call vote by those present.

Mr. Camardo announced that the Board needed to adjourn into Executive Session to discuss proposed, pending, or current litigation and acquisition of property.

Motion to adjourn into Executive Session made by Mr. Camardo, seconded by Mrs. Bowen and carried by unanimous voice vote.

The Board adjourned into Executive Session at 6:23 p.m. Mr. Camardo did not participate in the Executive Session.

At 7:13 p.m. a motion was made by Mr. Fearon to return to Regular Session, seconded by Mrs. Bowen, and carried unanimously.

Ms. Marsh, from Hancock Estabrook, LLP reviewed Part 1 of the Full Environmental Assessment Form.

**3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL**

**3.1 Building and Grounds**

**RESOLUTION OF CAYUGA COMMUNITY COLLEGE ACCEPTING PART 1 OF THE FULL ENVIRONMENTAL ASSESSMENT FORM AND ISSUING NOTICE OF INTENT TO ESTABLISH CAYUGA COUNTY LEGISLATURE AS "LEAD AGENCY" PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE CENTER FOR PERFORMING ARTS AND EDUCATION PROJECT**

**WHEREAS**, the Cayuga Community College (hereinafter the "College") proposes to undertake to construct and operate the Center For Performing Arts and Education Project located at 1-7 State Street, in the Town of Auburn, County of Cayuga, New York (hereinafter the "Project"); and

**WHEREAS**, the Cayuga County Legislature has expressed its commitment to the College for funding the Project in Resolution No. 724-09 on December 17, 2009, which was amended on September 28, 2011; and

**WHEREAS**, the City of Auburn issued a Negative Declaration pursuant to the State Environmental Quality Review Act (hereinafter "SEQRA") for the Project on February 25, 2011, which Negative Declaration has been subject to subsequent litigation, and the validity of such Negative Declaration has been called into question; and

**WHEREAS**, it is necessary for the Project to be subject to a review pursuant to SEQRA before an agency may proceed with any discretionary approvals of such Project; and

**WHEREAS**, the Project requires a building permit be issued by the Cayuga County before construction can commence; and

**WHEREAS**, the College caused to be prepared Part 1 of a Full Environmental Assessment Form dated June 19, 2012 for the Project (hereinafter "EAF"); and

**WHEREAS**, the Project is an "Unlisted Action" pursuant to 6 NYCRR §617.2(ak) and therefore coordinated SEQRA review is optional; and

**WHEREAS**, the Cayuga County Legislature had originally declared its intent be Lead Agency with respect to the Project in accordance with the SEQRA regulations at 6 NYCRR §617.6, and in furtherance of this declaration, forwarded the EAF to the Involved Agencies and Interested relative to the Project; and

**WHEREAS**, all Involved Agencies consented to the Cayuga County Legislature being the Lead Agency; and

**WHEREAS**, the Cayuga County Legislature subsequently declined to accept the responsibility of Lead Agency with respect to the Project; and

**WHEREAS**, the College now seeks to declare its intent to be Lead Agency with respect to the project in accordance with the SEQRA regulations at 6 NYCRR 617.6; and

**WHEREAS**, the EAF, having been reviewed by the College, was deemed adequate and accurate relative to the Project; and

**3.1 Building and Grounds (continued)**

**3.1.1 RESOLUTION OF CAYUGA COMMUNITY COLLEGE ACCEPTING PART 1 OF THE FULL ENVIRONMENTAL ASSESSMENT FORM (continued)**

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CAYUGA COMMUNITY COLLEGE BOARD AS FOLLOWS:**

1. Based upon a thorough examination of the EAF and review of the SEQRA regulations at 6 NYCRR Part 617, and based further on the Board's knowledge of the area surrounding the Project, the College finds that the Project constitutes an Unlisted Action as defined by the SEQRA regulations at 6 NYCRR §617.2(ak).
2. The College accepts Part 1 of the Full Environmental Assessment Form dated June 19, 2012, prepared for the Project.
3. The College further finds, after reasonable inquiry and due diligence, that the Cayuga County Legislature, Dormitory Authority State of New York, and State University of New York Capital Projects are SEQRA Involved Agencies and, pursuant to the SEQRA regulations at 6 NYCRR §617.6, must be notified of the proposed Project and be given a reasonable opportunity to object to the College being established as Lead Agency relative to the Project.
4. The President of the College is hereby authorized and directed to transmit a Notice of Intent to Assume Lead Agency to the Involved Agencies, along with a copy of Part 1 of the EAF, indicating that a Lead Agency must be agreed upon within 30 calendar days of the date the Notice is mailed to it, and that absent a written objection from the Involved Agencies, the College will establish itself Lead Agency relative to the Project.
5. The President of the College is hereby also authorized and directed to transmit a copy of Part 1 of the EAF to all Interested Agencies and to solicit comments therefrom.
6. This Resolution shall take effect immediately.

Motion to approve made by Mr. Edwards, seconded by Mr. Klink and carried following a roll-call vote with Mrs. Bowen, Mrs. Carnicelli, Mr. Edwards, Mr. Fearon, Mr. Karpinski, Mr. Klink, and Dr. Van Buskirk voting "yes" and Mr. Camardo "abstaining".

**10.0 ADJOURNMENT**

Mr. Fearon moved to adjourn the meeting, seconded by Mrs. Carnicelli and carried by unanimous voice vote. The meeting adjourned at 7:30 p.m.

Respectfully submitted:

Stanley J. Kott, Secretary  
Board of Trustees