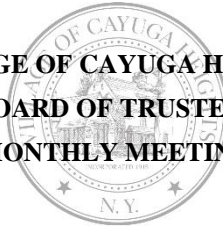


Minutes
Ronald E. Anderson Fire Station

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING



Tuesday, August 21, 2018
7:00 p.m.

Present: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, Robinson, Police Chief Steinmetz; Superintendent of Public Work Cross; Assistant Superintendent of Public Works Wiese; Treasurer Mangione; Clerk Walker; Attorney Marcus.

Absent: Trustee Salton

Call to Order: Mayor Woodard calls the meeting to order at 7:01

1. Approval of Meeting Minutes: August 2, 2018

Resolution # 8272

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves the August 2, 2018 Meeting Minutes as presented.

Motion: Trustee McMurry

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

2. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2019-051)

Fire Superintendent Tamborelle reported that CHF D will be decommissioning the Dodge Durango and putting in a purchase order for a 2019 Tahoe.

3. Privilege of the Floor

Mr. Tom McCarthy, a long-time resident of the Village and developer of the North Sunset Trail, was hospitalized for about a year from a ski accident. He is present to address the Board in protest of the late fee on his property tax bill.

Mayor Woodard informed Mr. McCarthy that, unfortunately New York State law overrides the Board of Trustees ability to waive any interest and fees.

Mr. John McCarthy stated that Remington Rd. is in bad shape and would like to know when the Village is going to address the potholes. Superintendent of Public Works, B. Cross, stated that the road was reopened in 1992 and the bare minimum was done to the road. It's beyond a patch job. The road needs repaving and this particular road is not high on the list due to low traffic.

4. Report of Mayor

a. Public Hearing Proposed L.L.- H No Parking on West Remington Road

- Mayor Woodard Opened Public Hearing at 7:08 p.m. -There is no discussion or comments from the public.
- Mayor Woodard Closes the Public Hearing at 7:09 p.m.
- Pursuant to GML 239 M, Tompkins County reviewed the law and saw no impact.
- This is a Type II action under SEQR 617.5(c)(16), installation of traffic controls devices on existing streets, roads and highways.

Resolution # 8273

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees adopts Proposed Local Law – H as Local Law # 8 of 2018.

VILLAGE OF CAYUGA HEIGHTS

PROPOSED LOCAL LAW 8 OF THE YEAR 2018

AMENDMENT OF

SECTION 7, “PARKING, STANDING AND STOPPING,” OF

ARTICLE IV, “TRAFFIC CONTROL,” OF

THE ARTICLES OF

THE VILLAGE OF CAYUGA HEIGHTS, ADOPTED AS

LOCAL LAW NUMBER 3 OF 1991

CONCERNING W. REMINGTON ROAD

BETWEEN NORTH SUNSET ROAD AND EAST SHORE DRIVE

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I PURPOSE AND INTENT

The purpose of this Local Law is to establish that no parking, standing or stopping is permitted on W. Remington Road between North Sunset Road and East Shore Drive. The Board of Trustees of the Village of Cayuga Heights (the “Village”) has determined that to potentially enhance the safety of operators of motorized and non-motorized vehicles, as well as pedestrians, no vehicles should be parked, left standing or stopped on W. Remington Road between North Sunset Road and East Shore Drive. The intent of this Local Law is to amend Section 7, "Parking,

Standing and Stopping," of Article IV, "Traffic Control," of the Articles of the Village, adopted as Local Law Number 3 of the Year 1991.

SECTION II AUTHORITY

This Local Law is enacted pursuant to the grant of powers to local governments provided for in (i) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law, (ii) Section 10 of the Statute of Local Governments and (iii) Article 5-J of the General Municipal Law.

SECTION III AMENDMENT OF SECTION 7, "PARKING, STANDING AND STOPPING," OF ARTICLE IV, "TRAFFIC CONTROL," OF THE ARTICLES OF THE VILLAGE OF CAYUGA HEIGHTS, ADOPTED AS LOCAL LAW NUMBER 3 OF THE YEAR 1991.

As of the effective date of this Local Law, the following text will is hereby added as subsection b(2)(ss) to Section 7, "Parking, Standing and Stopping," of Article IV, "Traffic Control," of the Articles of the Village of Cayuga, adopted as Local Law Number 3 of the year 1991:

b (2) (ss) On both sides of W. Remington Road between North Sunset Road and East Shore Drive

SECTION IV SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect.

SECTION V PARTIAL INVALIDITY.

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION VI EFFECTIVE DATE.

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

Motion: Trustee Robinson

Second: Trustee Friend

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

- b. Re-Vote Proposed L.L.- G Chickens:** At the July Board of Trustees meeting, it was determined that the Village did not notify the County as required under GML 239 M. Since then, Tompkins County was notified and stated that there was no impact.

Resolution # 8274

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees adopts Local Law – G as Local Law # 7 of 2018.

VILLAGE OF CAYUGA HEIGHTS

PROPOSED LOCAL LAW 7 OF THE YEAR 2018

A LOCAL LAW TO AMEND

THE VILLAGE OF CAYUGA HEIGHTS ZONING LAW

**SECTIONS 3.3, “DEFINITIONS,” AND 5.3, “PERMITTED ACCESSORY BUILDINGS AND USES” IN
THE RESIDENCE ZONE**

TO PERMIT THE KEEPING OF CHICKENS

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I PURPOSE AND INTENT

It is the intent of this Local Law to add to the permitted uses in the Residence Zone, as set forth in the Zoning Law (the “Zoning Law”) of the Village of Cayuga Heights (the “Village”) the use of keeping chickens. The final

version of the Village’s new Zoning Law, adopted as of February 6, 2018, did not include keeping chickens as a permitted use, although this use was contemplated and discussed in prior proposed drafts of the Zoning Law. The Village’s Board of Trustees has determined that the use of keeping chickens in the Residence Zone should be a permitted use in accordance with certain stated conditions, requirements and limitations. The purpose of this Local Law is to add this permitted use and these conditions, requirements and limitations by adding such provisions to Zoning Law Section 5.3 and by adding two definitions to Zoning Law Section 3.3.

SECTION II AUTHORITY

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal home Rule Law.

SECTION III AMENDMENT OF ZONING LAW SECTION 3.3, “DEFINTIONS”

The two following definitions are hereby added to Zoning Law Section 3.3, “Definitions”:

COOP, CHICKEN

An enclosed, raised structure for housing and sheltering chickens that is designed to be predator proof, ventilated, watertight, and easily accessed and cleaned, with a minimum of four (4) square feet per chicken and a maximum size of thirty (30) square feet.

RUN, CHICKEN

An enclosed, fenced area for containing and allowing chickens to roam and eat that is designed to be predator proof and easily accessed and cleaned, with a minimum area of ten (10) square feet per hen.

SECTION IV AMENDMENT OF ZONING LAW SECTION 5.3, “PERMITTED ACCESSORY BUILDINGS AND USES” IN THE RESIDENCE ZONE

The following text is hereby added to Zoning Law Section 5.3, “Permitted Accessory Buildings and Uses” in the Residence Zone, as subsection “K” thereof:

K. The keeping of chicken hens (hens), but no roosters nor other type of poultry, for personal use only, subject to the following conditions:

1. A maximum of six (6) hens per property;
2. Hens must be kept in an enclosed coop that is locked every night with a minimum enclosed coop size of

four (4) square feet per hen and a maximum coop size of thirty (30) square feet;

3. Hens shall have access to a run which must be fenced with a minimum run size area of ten (10) square feet per hen;
4. Coops and runs shall be located in a side or rear yard with a minimum setback of twenty-five (25) feet from the lot line;
5. All dead, diseased, or severely ill hens shall be properly disposed of immediately;
6. Cruel treatment of hens is prohibited;
7. Any coop, run, and fencing deemed to be in poor condition by the Village's Code Enforcement Officer must be repaired as soon as possible;
8. Hen feces not properly disposed of and any objectionable odor shall be considered health hazards and must be remedied immediately;
9. Hens may not run loose outside the coop or run.

SECTION V SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of the Zoning Law of the Village of Cayuga Heights are deemed to be in conflict with the requirements of this Local Law, the terms of this Local Law shall govern and control.

SECTION VI PARTIAL INVALIDITY.

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION VII EFFECTIVE DATE.

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

Motion: Trustee McMurry

Second: Trustee Biloski

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: Trustee Friend

Motion carried

c. Brian Eden: Mr. Eden is on the Environmental management counsel for the Village.

- There is a large proposed Varna housing development. The Freeze Road bridge if reconstructed will become a 2 lane bridge.

- NYSEG has not formally dropped the natural gas compressor stations project, but by the next quarter the Village should have an official letter from NYSEG.

d. NYSERDA

- Terry Carrol who is the County’s Clean Energy Community Coordinator from NYSERDA has been mapping the street lights in the village.

- Terry Carrol’s staff have found 276 street lights that are an exact match with NYSEG list. There are still 16 streets lights that are unaccounted for.

- The City of Ithaca is using George Woodbury who has helped municipalities negotiate buyouts with NYSEG. He will be able to evaluate the proposal from NYSEG and offer suggestions on how to proceed with a buyout from NYSEG.

- Trustee Robinson would be interested in the locations of street lights that are not working. Terry Carroll stated that the GIS mapping system also has the capability to import photos.

- Trustee Marshall asked how NYSEG can be charging full market value on depreciated street lights. Terry Carroll responded that NYSEG has found unique ways to get around that issue.

e. Chief Steinmetz Resolution: Chief Steinmetz will be retiring on August 30th, 2018.

HONORING POLICE CHIEF STEINMETZ UPON HIS RETIREMENT

RESOLUTION # 8275

WHEREAS, James M. Steinmetz was hired as a Police Officer for the Village of Cayuga Heights in September of 1994; and

WHEREAS, prior to joining the Cayuga Heights Police Department, Officer Steinmetz served as a Campus Police Officer with Ithaca College; and

WHEREAS, Officer Steinmetz served as Village Police Officer until 2007, where he was promoted the rank of Sergeant and, whereas in 2012 Sergeant Steinmetz was promoted to Police Chief, and served with honor and distinction; and

WHEREAS, Chief Steinmetz’s hallmarks have been supporting law enforcement, fire, emergency medical services, and other first responder efforts; and

WHEREAS, The Village of Cayuga Heights desires to enter into the record in honor James M. Steinmetz for his steadfast public service; and

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees does hereby commend and thank Police Chief Steinmetz for many years of dedicated law enforcement service, and especially for his dedication and

positive contributions to the Cayuga Heights Police Department and wishes him a healthy and enjoyable retirement.

Motion: Trustee Robinson

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

Chief Steinmetz stated that it has been an honor and privilege to serve the Board and community.

f. Traffic Consultant Results:

•The review committee selected Bergmann & Associates engineering team to conduct the Community Corners traffic study. The Bergmann engineering team was more engaging and understood the complexities and “real world” trade-offs involved.

•Another distinction was the updated software which incorporated the pedestrian models in the study. This firm is also willing to wait for the Village developments of Cayuga Medical Offices and the Cornell N. Campus residential development.

Resolution # 8276

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes Mayor Woodard to sign a contract following approval from Village Engineer and Village Attorney with Bergman and Associates to conduct a traffic study beginning in April 2019.

Motion: Trustee Biloski

Second: Trustee Robinson

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

g. Administrative Office Committee Formation

Resolution # 8277

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes the formation of an Administrative Office Committee.

Motion: Trustee Robinson

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

Resolution # 8278

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes the appointment of the Village Mayor, Village Clerk, Village Deputy Clerk, and Village Treasurer to the Administrative Committee.

Motion: Trustee McMurry

Second: Trustee Robinson

Ayes: Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: Mayor Woodard

Motion carried

Mayor Woodard appoints Trustee McMurry to the Administrative Office Committee.

Resolution # 8279

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves Mayor Woodard's appointment of Trustee McMurry to the Administrative Office Committee.

Motion: Trustee Robinson

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, and Robinson

Nays: none

Abstentions: Trustee McMurry

Motion carried

Mayor Woodard appoints Deputy Treasurer Biloski to the Administrative Office Committee.

Resolution # 8280

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves Mayor Woodard's appointment of Deputy Treasurer Biloski to the Administrative Office Committee.

Motion: Trustee Friend

Second: Trustee Robinson

Ayes: Mayor Woodard; Trustees: Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: Trustee Biloski

Motion carried

h. Brush pickup- email from Gail Wagner

• Village resident, Gail Wagner, asked Mayor Woodard about offering a second brush pickup during each month. Assistant Superintendent of Public Works Wiese stated the extra cost associated with a second brush pickup would not be feasible for the Village.

5. Report of the Trustees

a. \$400,000 CD-

- Treasurer Mangione will investigate the different rates available to renew this CD for 6 months.

Resolution # 8281

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes the Treasurer to transfer \$458,300.00 from the Sewer Fund (G) Fund Balance to budget for Headworks Design Studies conducted by GHD Consulting Services.

Motion: Trustee Robinson

Second: Trustee Biloski

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

b. Barton and Loguidice Fund allocation

- If the Village does receive a grant for TAP then Treasurer Mangione would allocate funds to a specific account, but nothing needed at this time.

c. Right of Way (ROW) Issues

•Trustee Robinson asked the question of how obstructions in the be right of way issues will be enforced in the new zoning law. B. Cross, stated enforcement falls back on the Code Enforcement Officer, not the police department.

6. Report of Police Chief Steinmetz: Submitted Report (Exhibit 2019-054)

- Sergeant Wright who has been the officer in charge in Chief Steinmetz's absence will present to the Board.
- New cameras for the Police Department office and outside the building will be scheduled for installation.

7. Report of Assistant Superintendent of Public Works Wiese

a. Bellisario Resolution: The DPW had another culvert pipe collapse and does not have the equipment to complete the work. This resolution ratifies the decision to proceed with hiring a contractor to perform that work based on an emergency basis.

Resolution # 8282

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees ratifies the decision to hire Bellisario to perform work for the Village on an emergency basis in connection with a culvert pipe collapse.

Motion: Trustee Robinson

Second: Trustee McMurry

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

a. The Parkway

- The paving is complete and stripping lanes will be next. Chief Steinmetz asked if the width of the road had been measured to determine whether or not The Parkway could accommodate a bike lane.

- During the resurfacing of The Parkway, the elevation was raised in order to make room for the natural gas piping underneath. Historically only 5” of asphalt and 12” of base had been applied for resurfacing. This time, The Parkway has 8” with an 18” base. This should hold up longer and help with drainage.

8. Report of Superintendent of Public Works Cross

a. JCAP Grant Cost Breakdown

- The JCAP projects includes air conditioning in the court room, Village Hall gutters and upgrades to the electrical work for the Court, and Police Department.

Resolution # 8283

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes the Village of Cayuga Heights Justice Glenn Galbreath to submit a Justice Court Assistance Program Grant application to the New York State Unified Court System. The Board of Trustees agrees to allocate funds in the amount of \$15,750.00 towards the total grant award.

Motion: Trustee Friend

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

b. Aqua-Aerobic WWTP

- The current sewer plant main phosphorus filtration system controller panels have become obsolete, and if there is an electronic failure the plant could be out of service for up to 8 weeks. A field inspection from Aqua-Aerobic has to take place before new controllers can be built.

Resolution # 8284

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes Mayor Woodard to sign a purchase agreement with Aqua-Aerobic for new controllers for the phosphorus filtrations system at the Village of Cayuga Heights Waste Water Treatment Plant.

Motion: Trustee biloski

Second: Trustee Robinson

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

9. Report of Treasurer Mangione: Submitted Reports (Exhibit 2019-056)

- The Annual AUD for New York State has been submitted.

- The annual INSERO audit is coming up in September.

Resolution # 8285

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves Abstract #3 for FYE2019 consisting of TA vouchers 11-23 in the amount of \$18,737.15 and Consolidated Fund vouchers 102-194 in the amount of \$366,273.22 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Marshall

Second: Trustee Biloski

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

- Chief Steinmetz stated after the budget was decided a grant application for protective vest program was received. It is a matching grant that provides law enforcement officers with new protective vests. This was not budgeted, and Chief Steinmetz stated it just slipped through the cracks. He will have more details at next month's meeting.

10. Report of Clerk Walker:

a. Deputy Clerk Position Update

- Interviews were conducted, and the HR Committee has made a recommendation.

Elaine Quaroni Appointment to the Planning Board

Mayor Woodard appoints Elaine Quaroni as a member of the Village of Cayuga Heights Planning Board.

Resolution # 8286

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves Mayor Woodard's appointment of Elaine Quaroni as a member of the Village of Cayuga Heights Planning Board.

Motion: Trustee McMurry

Second: Trustee Friend

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

11.Executive Session

Resolution # 8287

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees enter into Executive Session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Motion: Trustee Robinson

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

Resolution # 8288

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees exit from Executive Session and return to the open meeting.

Motion: Trustee Robinson

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, and Robinson

Nays: none

Abstentions: none

Motion carried

Meeting Adjourned at 10:18 p.m.