

**Village of Cayuga Heights
Meeting of the Board of Trustees**

Present: Mayor Lynn, Trustees Bisogni, Collyer, Kaplan, Mount, Staley, Police Chief Boyce, Attorney Tyler, Treasurer Silber, Supt. Cross, Fire Supt. Tamborelle

Absent: Trustee Antil, Ass't. Supt. Frisbie

Others: see attached list

At 7:00 P.M. Mayor Lynn opened the Public Hearing and introduced the proposed change in the fence ordinance. Comments from the public followed:

Gerry Van Buren – a former deer committee member with concerns about the change in the present ordinance. A change as proposed would lead to a fenced in appearance in the Village. He is not in favor of the change. It would encourage extensive deer traffic in the unfenced portions of the Village, which is undesirable. Once one change is made, it will be difficult to go back to the previous ordinance.

Winthrop Wetherbee – agrees with Mr. Van Buren as to the aesthetic reason. The kinds of fences that will be erected are of concern, in part due to the natural grade in the Village.

Dominick LaCapra – the problem is communal – need a Village wide solution. To allow any fence to be built, however transparent, will destroy the park-like feeling in the Village. What is “creative decision” or subterfuge? Raising the ground is a subterfuge as to fence height limits.

Sally Grubb – surprised that comments so far have been in opposition to fences. The Village has progressed with changes. Good looking fences are around the Village...some are enmassed with plantings. It is unsafe in the Village presently with the number of deer roaming around. If we put up enough strong fences, we will deal with the deer problem. She supports the proposed fence ordinance change except for the 90% “see-thru”. Good looking fences make good neighbors.

Jack Young – originally from Pennsylvania – It’s almost impossible to keep deer out of fenced yards. They come thru everything. A community split with fences is not natural, not a place he would like to live in. Is not in favor of a change.

Kate Supron – has an unsightly and expensive fence around her house which cost approximately \$10,000 to erect. She didn’t put it up, it was there when she bought the house. She is not an advocate of fencing. There is a public health problem brought in by deer, lyme disease. Fences won’t keep lyme disease out. Why can’t we round the deer up and get them out? Feed them to the hungry. (applause)

Pam Quirk – lyme disease is here in the Village. She knows of 2 dogs who contracted it.

Patty Mutkoski - field mice is a carrier of lyme disease, not just deer.

Ronald Bors – correct the misquote ...”the building of fences make good neighbors”. Are deer type fences in violation of the current ordinance?

Jane Peterson – not in favor of changing the fence ordinance. If you start allowing all fences, you will lose the character of the Village.

Diana Nathanielz – exploring different methods of fences. Found almost invisible fencing, also very nice lattice fencing. There are fencing companies that do an excellent job.

Jane Peterson – there are plants that deer don't eat, plant more of those and the deer will leave.

Michelle Kiefer – opposed to the proposed change. Passage will have negative impact. Deer will move to neighborhoods where there aren't fences. Should leave things status quo.

Steve Hamilton – change so that there is a difference in fencing properties vs. fencing items.

Jim Gilmore – why can't we sedate the deer and take them away? He doesn't want fences.

Mayor Lynn answered that question stating that the DEC regulations state that deer cannot be transported.

Sally Grubb – culling won't work – only way to control deer is to control their food supply.

Masha Fontes – if the Village were to allow tall fences, it should allow residents to put up quality fences, not just mesh.

Karen Kaufman –in favor of fences, not culling deer.

Mindy Mindland – What is the procedure of this exchange? This hearing?

Mayor Lynn – the procedure is to make the exchange public, then the Trustees as a body meet and discuss the ordinance, and make changes if necessary. The Trustees have the power to pass the ordinance. This cannot go to a popular vote by law. The Trustees make the decision...they are your local legislature. Only certain things can go to referendum and this is not one of them.

Elizabeth Mount – most of the people seem to be talking about shrubs. There are serious gardeners in the Village. There cannot be a serious gardener without a serious fence. (“Speaking as a resident, and not as a Trustee)

Mary Agnes Hamilton – it is important to differentiate the position from an elected body to personal issues. There are many people in the Village who are gardeners.

Supt. Cross – has concerns about the methods of measurements for fences. There is a particular fence being discussed as misunderstanding in the “creative use of height”. The fence being discussed is in the process of being “terraced”.

The discussion of creating a terrace for a fence is not the way the ordinance is written.

Andrea Wetherbee – discussed the description of terraces.

At 7:55 PM, the Public Hearing ended but was not adjourned.

Report of the Mayor

Mayor Lynn then introduced Nancy Oltz of TCAT. The Mayor gave an overview of TCAT bus route around the Cayuga Heights Elementary School (CHES). One safety issue is with the driveway in the back area of the school, not the TCAT busses.

Nancy Oltz was introduced to give an overview on TCAT and route selection. Nancy talked about the change in the Village. It was, earlier this year, suggested that TCAT look at the Northway for a route as it would be easier than the present route of Triphammer Road and E. Upland Road. This was evaluated by TCAT staff, along with coupling it with school use. It was a better route to use for those reasons. At that point, Nancy wrote to Supt. Cross saying that TCAT wants to make the change. Now she hears that residents are dissatisfied.

Supt. Cross wanted to clarify some points. E. Upland Rd. wasn't holding up well under bus traffic due to its twisting course. There were roads that needed to be rebuilt. If Northway was a better route, then Supt. Cross will make it stronger.

Nancy said that TCAT is a service provided in Tompkins County. Northway Road is a better road and CHES would be a scheduled stop.

Michelle Kiefer thanked Nancy Oltz and read a letter that was written to the Board with 158 signatures on it. Michelle is asking for the elected officials of the Village to work on the resident's behalf.

Ralph Young – demographics have changed in the Village. The pickup and drop off at the school has gotten worse with the way parents drop off the kids and the present layout of the school/driveways.

Kate Supron – lots of kids still walk – there is a tremendous amount of activity in the area. Congestion is worst at the beginning and end of the school day.

Molly Shoemaker – there are many issues of safety on Northway. She has a phone log dated 9/22/05 – 10/3/05 with many notes regarding concerns of safety on roads, concerns of children being told to ride bicycles on the road, etc. She has been trying to get Supt. Cross's attention for 2 years and should have been part of the decision making. In a letter from Nancy Oltz to Molly Shoemaker, "Brent recommended that TCAT change the route to Northway Road."

Suzanne Vandermark – would you consider keeping TCAT out of the way of vehicular traffic? TCAT serves the community...or is it the other way around?

Nancy Oltz – TCAT serves the community.

Abby Cohn – procedural issues – who makes the decision? There is no time for public comment...no one has represented the residents or the school. The process has gone astray and we need to back up. TCAT should go back to the way it was and let the officials meet with TCAT and the residents.

Bruce Cayward – CHES has 2 sides---the school buses use the front and the students/parents use the back. Why not change it around?

Elaine Kuo – opposes Northway Road bus stop. It puts kids at risk.

Abby Cohn – please invite us to another meeting....Supt. Cross invited residents to this meeting and we are not being given a chance to be heard.

Attorney Tyler – the Board has heard.

Vincent Lukas – the Board has the authority to tell TCAT where to go. The people are petitioning for the Board's support.

Supt. Cross – There was a memo generated to the Trustees about our relationship with TCAT. Supt. Cross asked TCAT to put a stay on moving the route until tonight. The Village will communicate to Nancy Oltz to continue the stay for now.

At this point, Mayor Lynn asked residents who wanted to continue to talk to Nancy Oltz to assemble in the foyer so the meeting could proceed with its regular agenda.

The minutes of September 17, 2007 were discussed and an approval was requested.

**Motion by Trustee Biosogni
Seconded by Trustee Mount**

Move to pass Resolution 6288 approving the Minutes of September 17, 2007 with one minor correction.

Trustees Bisogni, Collyer, Kaplan, Mount and Staley voted YES.

Mayor Lynn discussed the proposed SCLIWC Agreement to change the water rate schedule as distributed to the Trustees. The proposed change is to \$2.32/1000 gallons, and to take \$97,275 from the fund balance. Mayor Lynn, as a Commissioner of Bolton Point, is asking for the Board's approval.

**Motion by Trustee Biosogni
Seconded by Trustee Staley**

Move to pass Resolution 6289 allowing the Mayor to sign the agreement on behalf of the Village of Cayuga Heights to raise the water rate to \$2.32/thousand gallons with the surcharge to remain at the current percentage of 70%.

Trustees Bisogni, Collyer, Kaplan, Mount and Staley voted YES.

Report of the Police Chief – The police report was distributed and is on file. Chief Boyce explained the process for bringing a new hire on board and asked the Board to approve the appointment of Chad Lansing as the new patrolman. The Public Safety Committee discussed the appointment and a recommendation was made by Trustee Collyer.

**Motion by Trustee Collyer
Move to pass Resolution 6290**

At the recommendation of the Public Safety Committee (Trustees Collyer, Mount and Kaplan), the Trustees herewith approve Resolution 6290 appointing Chad Lansing to the position of Patrolman at a salary level of Patrolman, Step 3, which was left vacant due to the promotion of James Steinmetz to Sergeant. Officer Lansing's appointment will become effective October 16, 2007.

Trustees Bisogni, Collyer, Kaplan, Mount and Staley voted YES.

Report of the Fire Supt. - Report was distributed and is on file. Chief Tamborelle reported that the Open House held earlier in the month was a great success. The new recruit class is working hard. Trustee Mount asked the Chief about house number signs. The Chief will get more information on this.

Report of the Ass't. Supt. of Public Works – Report was distributed and is on file.

Report of the Supt. of Public Works – Supt. Cross discussed the Tien situation of removal of tree debris from the creek behind his house as was brought to the Board's attention at a previous meeting. The tentative plan is to hire one of our D.P.W. employees, who is a former logger. He has a "skid steer" that he can use to get the logs out of the dam area. The cost estimate of doing this work is \$6000. A letter should be sent by certified mail to the Mr. Tien; however, Supt. Cross would like to hand deliver it to Mr Tien. It was

suggested that the Sheriff's Department serve it, but Supt. Cross would prefer to handle it himself.

At this time, Supt. Cross showed the Board pictures of his fence drawings....drawings of what a fence with the specifications as proposed in the change to the fence ordinance would look like. He also showed the Board a picture of the specific fence situation on top of a terrace that was discussed at the Public Hearing. There was discussion on how the fence/terrace was crafted. Supt. Cross said that the Board should consider changing the rules so they are not ambiguous. There was discussion on the way the ordinance is now written. Attorney Tyler said that if the neighbors are not happy with a decision made by the Code Enforcement Officer, they can go to the Zoning Board of Appeals. Trustee Mount asked if the Board can interpret what a fence that satisfies the current ordinance is....Attorney Tyler answered that it can do that, but it really cannot decree what a "beautiful" fence is, her other question.

Stormwater Ordinance – see attached report from Building Commissioner Cross.

Report of the Treasurer – Treasurer Silber presented the transfers and abstract of vouchers.

**Motion by Trustee Staley
Seconded by Trustee Bisogni**

Motion to pass Resolution 6291 approving the transfers dated 10/15/07 as listed below.

From:	To:	Amount:
A05110.410 Street Contr Exp	A08560.400 COMM ENV Shade Tree	2,940
A01990.400 Contingency	A09050.800 EMP BEN: Unemployment	4,500
G01990.400 Sewer Fund Cont.	G08120.410 SWR LINES: Contr Exp	10,000
G01990.400 Sewer Fund Cont.	G08130.150 Sewer Plant Pers Serv – OT	1,250

Trustees Bisogni, Collyer, Kaplan, Mount and Staley voted YES

**Motion by Trustee Kaplan
Seconded by Trustee Staley**

Motion to pass Resolution 6292 approving the Abstract of Audited Vouchers dated 10/15/07 in the amount of \$197,180.32, and instruct that the Treasurer make payments thereon.

Trustees Bisogni, Collyer, Kaplan, Mount and Staley voted YES

Report of the Attorney – Attorney Tyler reported on the following:

- There has been no payment for copies and no action on the FOIL request in to the Village made by Mindy Mindlin.
- The Shared Services Agreement has been distributed among the participating municipalities.

-Regarding Mrs. Wadach's project on drainage – The Village will maintain what is within its right-of-way. This will be communicated back to her attorney. All Trustees agreed.

-There was a traffic fatality where Cayuga Heights Police were involved. The Village insurance carrier will be made aware once the report is available.

Report of the Clerk – The Clerk commented that the Village needs to curtail its use of paper whenever it can for the purposes of economy and environmental concerns.

Trustee Mount reminded everyone that the next issue of the Courier is coming up quickly. She would like to hear from Department heads by the end of October with their information.

**Motion by Trustee Kaplan
Seconded by Trustee Collyer**

Move to adjourn the meeting at 10:55 PM.

Trustees Bisogni, Collyer, Kaplan, Mount and Staley voted YES

Board of Trustees Meeting
October 15, 2007

Attendees:

Ginny and Bob Powers

Chris Anagnost

Abigail Cohn

Michele Kiefer

Jerry VanBuren

Patty Mutkoski

Edward Hiefer

Elaine Kuo

Molly Shoemaker

Sydney Soemaker

Mindy Mindlin

Roy Levine

F. Gouldin

Vincent Lukas

June and Bob Silberman

Roger Segelken

Wendy Kimble-Dugan

Barbara Eden

Linda Bors

Ronald Bors

Ron and Carol Schmitt

Mary Agnes Hamilton

Steve Hamilton

Andrea Wetherbee

Winthrop Wetherbee

Leonard Loria

Bruce Cayward

Nancy Oltz

Sally Grubb

Masha Fontes

Kate Supron

Pam Quirk

Jane Pedersen

Dominick LaCapra

Anita Watkins

Birgit Andersen

Dooley Kiefer

Jasmine Wagner

David Faulkner

Jim Gilmore

Karen Kaufmann

Suzanne Van De Mark

Aaron Wagner

Diana Nathaniels

Jack Young

Peter Salton

Paul Kintners

Monica Touesnard

David Donner

Lee Donner