

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

Present: Mayor Lynn, Trustees Collyer, Kaplan, Mount, Staley, Chief Boyce, Ass't. Supt. Frisbie, Supt. Cross, Fire Supt. Tamborelle, Attorney Tyler, Treasurer Silber

Absent: Trustee Antil, Trustee Bisogni

Others: Anita Watkins, Chris Anagnost

The Mayor opened the November meeting of the Board of Trustees at 7:00 P.M. The minutes of October 17, 2007 were discussed and an approval was requested.

Motion by Mayor Lynn

Move to pass Resolution 6293 approving the Minutes of October 17, 2007 as distributed.

Mayor Lynn, Trustees Collyer, Kaplan, Mount and Staley voted YES.

No one wished to speak at Privilege of the Floor.

Report of the Mayor

Cornell Deer Damage Remediation Report – Mayor Lynn reported that he has a copy of this report which Cornell prepared by Paul Curtis describing what Cornell has proposed for deer management. Trustee Mount asked to see a copy of the report.

Mayor Lynn distributed a copy of a letter sent to Dr. Judith Pastel, Superintendent of Ithaca City School District (ICSD). As a result of the TCAT bus issue discussed at the October Board meeting, Supt. Cross and Mayor Lynn met with Officer Lanning (CHPD) and two technical reps of ICSD to discuss serious deficiencies in the area near the Parkway entrance to Cayuga Heights Elementary School. The letter to Dr. Pastel asks for a meeting between the Mayor, Supt. Cross and the ICSD administration. A meeting with Paul Mintz, Business Manager of ICSD, is scheduled for November 26. The ultimate decision on any bus route changes still remains with TCAT.

The SPCA went to the Council of Governments requesting more money for mandated dog control. The Town of Ithaca handles the contract for the Village. Some other municipalities feel that the cost to run the SPCA is too high and are looking for alternate solutions.

Since the Corners Auto Repair Center (C.A.R.S.) will be leaving the Village at the end of November, a Resolution has been prepared expressing the Village's thanks for their years of service. The Trustees will sign the Resolution and the Mayor will deliver it to C.A.R.S. Tim Ciaschi will not be tearing down the existing building (service station) until the Village receives the building application for the proposed new building or buildings planned for the site.

The Shared Municipal Services Incentive (SMSI) Grant application requires that the municipalities pass their own resolutions in support of the effort to conduct a countywide evaluation and planning study of water and sewerage services. The Village passed a non-binding Resolution of support as follows:

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

Motion to pass Resolution 6294 in support of the County-wide Water and Sewer Evaluation.

Whereas, the Tompkins County Economic Development Strategy's goals include increasing and diversifying the county's housing supply and revitalizing the county's unique commercial districts and town centers; and

Whereas, the Economic Development Collaborative was organized to formalize, strengthen and deepen the cooperation among the many local agencies and municipal bodies addressing economic development issues in the County to make the process more effective through common goals and approach; and

Whereas, the Tompkins County Council of Governments (TCCOG) is a member of the Economic Development Collaborative, which is currently working to address the goals of the County's Economic Development Strategy, and

Whereas, the TCCOG supports the development of a county-wide evaluation of water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future planned growth to meet county housing and economic development goals; and

Whereas, the Economic Development Collaborative has suggested the creation of an updated, county-wide evaluation of existing water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future planned growth to meet county housing and economic development goals; and

Whereas, the Village of Cayuga Heights is a member of the TCCOG; and

Whereas the last county-wide evaluation of water and sewer infrastructure was completed in 1994; and

Whereas and updated evaluation would facilitate the development of housing within town and village centers, commercial revitalization of those centers and growth in the tax base, with the most efficient use of public dollars for infrastructure; now therefore be it

Resolved, that the Village of Cayuga Heights supports the development of a county-wide evaluation of water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future planned growth to meet county housing and economic development goals by an engineering consultant; and be it further

Resolved that the Village of Cayuga Heights pledges to work with the Engineering Consultant to ensure cooperation of its planning and engineering departments with this project.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

Mayor Lynn reported that Sally Grubb will serve as an alternate on the Zoning Board of Appeals (ZBA) for a 5 year term (2012).

The new Cornell Child Care Center on Pleasant Grove Road needed to have an official address assigned to it. 120 Pleasant Grove Road was the designated address.

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

Motion to pass Resolution 6295 assigning the address of 120 Pleasant Grove Road, Ithaca, New York 14850 to the Cornell University Child Care Center presently under construction.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

Mayor Lynn discussed the fence ordinance change issue which was the subject of a public hearing at the October meeting. At the public hearing, a variety of issues were expressed. The Village has received numerous comments and letters. The Trustees need to reflect and see if they want to revise the existing ordinance. The public hearing needs to be re-opened and closed at the December meeting. The Trustees will then have to decide if they want to pass the proposed change as it is, or make changes to it. If changes are made, a new public hearing will need to be re-advertised to review an alternate plan of the ordinance change. Any substantial change to the existing proposal needs another public hearing. The Board will not discuss the issue tonight because two trustees are absent. Trustee Mount suggested that the trustees drive around the Village to see the different kinds of fences that are out there.

Regarding the Warren property/proposed driveway, Mayor Lynn sent a letter to Jim Warren and Bryan Warren thanking them for installing the attractive gate at the proposed driveway entrance.

Report of the Police Chief – Report was distributed and is on file. Trustee Collyer asked if the Chief has noticed an increase in the number of cars not stopping at stop signs. The Chief had not, but said that he will ask his officers to be vigilant about watching for this.

The Chief asked for a resolution approving an expenditure for radio equipment from the County.

**Motion by Trustee Mount
Seconded by Trustee Collyer**

Motion to pass Resolution 6296 approving an expenditure from contingency NTE \$6500 for radio equipment required for the police department and to piggyback the order onto the County order.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

The Chief reported that one of the part time officers, David Buck, handed in his resignation. That position will have to be filled soon.

New hire, Officer Chad Lansing, is doing very well with his training period and should be able to go on the next schedule which goes into effect on December 2.

Report of the Fire Supt. – Report was distributed and is on file. Chief Tamborelle reported that even though the bridge in Cornell is back in service, the number of mutual aid calls to Ithaca hasn't declined much. The Mayor asked the Chief to elaborate on what is a "mutual aid" call and how the mutual aid system works.

Report of the Ass't. Supt. of Public Works – Report was distributed and is on file. There were three more water main breaks in October. The water lines are showing numerous breaks in the same area, due to mostly corrosion type problems and weakened pipes due to soil conditions. The water flow situation in the Village is still not fully resolved. Supt. Cross said that at this time last year, there was discussion on having a company put on a demonstration of pipe cleaning for the Trustees.

Ass't. Supt. Frisbie talked to the Board about his request to promote D.P.W. employee Chong You from Laborer to Motor Equipment Operator. Chong has been employed by the Village for 10 years and has been a most reliable employee. He was the last laborer to obtain a CDL license to better himself. He recently passed the CDL tests and is in line for a promotion to advance to Motor Equipment Operator, the position left vacant when Tim Eighmey was promoted to Sr. Motor Equipment Operator.

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

Motion to pass Resolution 6297 promoting Chong You from Laborer to Motor Equipment Operator.

Whereas the Department of Public Works has a vacant Motor Equipment Operator (MEO) position open; and

Whereas Chong You has been employed with the Village of Cayuga Heights as a Laborer since August 1998,

Whereas Chong You recently applied for and passed his CDL license test,

Therefore, be it resolved that Chong You be promoted to the position of MEO effective November 20, 2007 at the MEO hire rate of \$15.12/hour.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

Mayor Lynn complimented both Ass't. Supt. Frisbie and Chong You for their perseverance in promoting Chong to the position of M.E.O.

**Motion by Trustee Mount
Seconded by Trustee Kaplan**

Motion to pass Resolution 6298 to advertise and fill the position of Laborer as vacated by the promotion of Chong You to Motor Equipment Operator.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

The Treasurer asked about the pros and cons of filling the Laborer position now instead of waiting until the Spring. Ass't. Supt. Frisbie explained his policy of "4 man" crew groups of equal experienced team members.

A discussion about the upcoming snow teams and call-in procedures by the Police Department then ensued.

Trustee Mount asked where the bulky trash collected by the DPW goes...it ends up at the transfer station downtown.

Report of the Supt. of Public Works –

Stearns & Wheler requests authorization to proceed with providing final design phase engineering services in connection with redesign of the proposed cloth media filter system for upgrading the Village's wastewater treatment plant for tertiary phosphorus removal. The redesign will utilize the existing intermediate settling tanks as a foundation for the new effluent filter system. The redesign will significantly reduce construction cost by eliminating the need for an entirely new effluent filter structure located as planned during construction of the original plant. Stearns & Wheler is requesting an increase of \$99,000 to complete the redesign and asks for the Board to approve Amendment No. 1 to the original authorization.

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

The Board of Trustees of the Village of Cayuga Heights authorizes the Mayor to sign Amendment No. 1 of the Agreement between the Village of Cayuga Heights and Stearns & Wheler dated May 19, 2006. This Amendment No. 1 describes Redesign Phase Services, Bidding Phase Services, and Construction Phase Services, as well as Payments to Engineer and Period of Service.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

Stormwater Ordinance – As previously discussed, the Village has to prepare an annual Stormwater Management Report by the end of this year. Another Village obligation as a result of the EPA Phase II regulations is that all municipalities (within a specific metropolitan areas) must adopt an ordinance that incorporates rules for developers, contractors and DPW workers to follow. There is also a requirement for provision of administration and enforcement of the regulations. The Village needs to act on this now. NYSDEC has published a draft model Stormwater Ordinance which we will adapt for ours. A copy of the NYSDEC version of the draft model will be available for inspection at the Village Clerk's office. It can also be viewed online at the NYSDEC website. A Public Hearing will need to be scheduled to hear public comments on this proposed ordinance.

**Motion by Trustee Mount
Seconded by Trustee Collyer**

Motion to pass Resolution 6299 to set up a Public Hearing at 7:00 P.M. on Monday, December 17, 2007 (prior to the regular Board Meeting) to consider the enactment of proposed Local Law #2 of the Year 2007 for Stormwater Management and Erosion and Sediment Control.

Trustees Collyer, Kaplan, Mount and Staley voted YES.

A copy of the draft ordinance will be delivered to the Trustees on December 10, 2007.

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

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

Motion to pass Resolution 6300 approving the transfers dated 11/19/2007 as listed below.

From:		To:		Amount
A08160.410	Refuse Contr Exp	A08160.490	Refuse Eqpt Maint	2,000
A09010.800	EMP BEN: Retirement	A09015.800	EMP BEN: Police/Fire Retire	8,730
G01990.400	Sewer Contingency	G08130.150	Sewer Plant Pers Serv – OT	2,000

Trustees Collyer, Kaplan, Mount and Staley voted YES

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

Motion to pass Resolution 6301 approving additional transfers dated 5/31/2007 as listed below.

<u>Account</u>	<u>Title</u>	<u>Amount</u>
A01990.400	Contingency	(24,600.73)
A01640.460	Cent Garage Fuel System	(12,270.00)
A01680.410	Info Tech Contr Exp	(5,890.00)
A03120.410	Police Contr Exp	240.00
A03410.410	Fire Contr Exp	1,350.00
A09554.900	Transfer Capital	41,170.73
F01990.400	Water Contingency	(1,310.00)
F08350.410	Water Contr Exp	1,310.00
F09010.800	Retirement	230.00
F09030.800	FICA	(230.00)
G01990.400	Sewer Contingency	(670.00)
G09010.800	Retirement	670

Motion to pass Resolution 6302 approving the Abstract of Audited Vouchers dated 11/19/2007 in the amount of \$324,116.77, and instruct that the Treasurer make payments thereon.

Trustees Collyer, Kaplan, Mount and Staley voted YES

Treasurer Silber addressed the Trustees regarding the future of health insurance for retirees. Due to the ever rising cost of health insurance, and the burden it is placing on the Village, the Trustees should consider changing in some way the manner in which health insurance is offered to retired employees starting with new non-bargaining unit employees after January 1. Employees under contracts will follow. In 2009, the Village has to start showing the insurance as a liability on our books. Treasurer Silber will prepare materials relative to costs for the Board to review and discuss.

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

As an addition to the Treasurer’s report, Attorney Tyler said that he feels the State of New York will soon discover that it can’t afford its Retirement System.

Regarding the fence issue, an individual who is unhappy with a particular fence in the Village should appeal to the Zoning Board of Appeals (ZBA) whose job it is to grant variances and provide interpretations of decisions, if requested, made by the Code Enforcement Officer. Petitioners should write a letter to the ZBA asking for an interpretation on Supt. Cross’s decision regarding a specific fence in question. This comes after a letter from Dooley Kiefer asking for the correct procedure to address the “misconstruction” by Supt. Cross on a particular fence.

Mayor Lynn also urged the Trustees to look at the fences around the Village and be prepared to discuss the fence issues before the Board at the December meeting.

Attorney Tyler received a letter from Attorney Tavelli asking for an extension of time on Upland Road Estates. He is waiting for a no action letter from the Attorney General’s Office, which is expected within the next 60 days.

Regarding the Tien dam issue, a letter was prepared and delivered by Supt. Cross. Mr. Tien asked Supt. Cross to look at the progress Mr. Tien had made, and he had knocked down quite a bit of debris. Supt. Cross said that it had to be completely cleared by winter and Mr. Tien wrote a letter accepting responsibility to remove it completely by December 15.

A letter was received by Attorney Hooks stating that Ms. Wadach is amenable to proceeding in accordance with the terms outlined in Tyler’s letter to Hooks of October 18, 2007. Atty. Tyler asked Supt. Cross if the work could be completed before winter weather set in. Supt. Cross replied that it can be done now, and then touched up in the Spring. Supt. Cross will convey this to Ms. Wadach.

Report of the Clerk – The Clerk presented a list of unpaid taxes to be sent to the County for relevy and asked for a resolution of the same.

**Motion by Trustee Collyer
Seconded by Trustee Staley**

Motion to pass Resolution 6303 sending the list of unpaid Village taxes to the County for relevy.

Trustees Collyer, Kaplan, Mount and Staley voted YES

The Clerk is talking to people about our web site and the redesign of it. Trustee Mount is very interested in making the website more informative and user friendly. There was a discussion on communicating to the residents, the role of the website, informative emails, etc. This topic will be discussed more in the near future.

Mayor Lynn said that from now on, our meeting agenda that is distributed with the packet will be a DRAFT Agenda so there can be changes made to it up to the Board Meeting.

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

Move to adjourn the meeting at 10:30 PM.

Trustees Collyer, Kaplan, Mount and Staley voted YES