

**Village of Cayuga Heights
Meeting of the Board of Trustees
Held at the Cayuga Heights Fire Station**

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

Absent: Trustees Antil, Mount

Others: Chris Anagnost, Paul Velleman, Sue Michelerry

**Motion by Trustee Kaplan
Motion to pass Agenda as distributed.**

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

**Motion by Trustee Kaplan
Seconded by Trustee Bisogni**

Motion to pass Resolution 6311 approving the minutes of December 17 as distributed.

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

No one wished to speak at Privilege of the Floor.

Report of the Police Chief – Report was distributed and is on file. The past month was busy, but everything is running smoothly. The Chief reported on two resignations – Part time Police Officer Tim Little, who resigned due to his new job in the Court System, and Part time Police Clerk Kathleen Trinkle, who resigned to take a full time position. Both positions will be filled soon.

Report of the Fire Supt. – Report was distributed and is on file. CHFD responded to mutual aid to Genoa to help fight a big fire at the Adam Baum Poultry Farm. The date for this year's banquet is April 26 at the Country Club. The Fire Company is planning a Community Yard Sale for the Spring. More information to come!

Report of the Ass't. Supt. of Public Works – Report was distributed and is on file. All winter projects have been completed, and the crew is busy getting ready for the spring projects. Leaves that are presently being picked up in bags are being transported to the sewer plant on East Shore Drive to be turned into mulch. Residents can make arrangements to obtain mulch from this location. Contact the DPW for details.

Report of the Mayor - At the present time, the Village of Cayuga Heights doesn't recognize Martin Luther King Jr. Day as a holiday, however, the P.B.A. **does** recognize it as a holiday and the Police Dept. is paid for that day. The D.P.W., represented by the Teamsters, does not recognize the holiday, nor do the non-bargaining unit employees. Mayor Lynn would like the Board's permission to have a discussion with the Teamsters regarding this. His suggestion would be for the Teamsters to trade one of their floating holidays for Martin Luther King, Jr. day. The Board agreed and the Mayor will talk to Bill Arnault, the Teamster's agent to the D.P.W.

On the subject of the proposed fence ordinance change, Mayor Lynn gave an overview of what has transpired over the past few months. However well intended, the fence ordinance change as presented had many flaws. He feels that the proposal floated last October should be withdrawn and worked on again. One of the new ideas is to have all fences that are erected require a building permit. The Board will work on this again at a later time.

Health Care Consortium – COGS – The Board was presented with a draft proposal for the creation of a county wide Health Care Consortium. The Board was asked to review the proposal for the structure of the consortium. The Mayor will ask Attorney Laurie Johnson to review the document. Treasurer Silber has concerns. Mayor Lynn will meet with the COGS where this will be further discussed.

Supt. of Public Works – Supt. Cross spoke to the Board about the past few months as it pertained to the fence issue. There needs to be clearer definitions on methods of measurements, natural grade and temporary fences. Mayor Lynn asked Supt. Cross to start the discussions with the Public Works Committee on this subject.

WWTP – Supt. Cross has received a set of drawings for the latest version of the phosphorous filtration project at the WWTP. As a reminder, the project that was designed by Stearns and Wheler was over budget. The Village decided to convert the trickling filter from parallel to serial, which has been done. Before the February board meeting, the following should be completed:

DEC to approve the new plans as satisfying its existing consent order.

There will be a new cost estimate.

The Board needs to be prepared to accept the plans and authorize the Clerk to advertise to go to bid.

Treasurer Silber commented that the Village needs to pass a bonding resolution before a commitment is signed. He has no idea of the state of bonding with the market being so volatile. The Village can begin the bidding and planning, but can't sign any contracts. Action of some sort will begin in February.

Kline Road Bypass – Connection between our sewer system and the City of Ithaca plant – paid by Lansing. The Town of Lansing has voted down a new sewer district. It appears that the flow diversion initiative may be dead, at least for the present time. The Village is diverting more sewage to the Town of Ithaca than we can recover from Lansing. The Village gave a substantial credit on the number of sewer units to the Town of Ithaca last year. The Village is going to explore some sort of technical way to control the flow to the City plant. There needs to be a physical way to make that happen. The Village also has the option to close the bypass. The Village of Lansing paid the Village of Cayuga Heights in cash for this project. As it stands now, the Village of Cayuga Heights will lose money in 5 years on what was supposed to be a risk free proposition.

Yaws Environmental, the operator of the Village's sewer plant, operates other plants in Central New York. They have a relationship with well owners that supply water. Yaws currently is taking the drill water to a plant in Cayuga County but has offered to bring some or all of the water to the Village's plant. The Village needs to be sure the D.E.C. approves. The water that the tankers bring into the plant can go into a holding tank for our use. Supt. Cross will research further with the D.E.C. and look at contracts with Yaws.

An additional component of the local law for stormwater management that the Village passed in December 2007 is a provision addressing the illicit discharge of stormwater. Supt. Cross has boilerplate language to insert into the local law. He will get a copy to the Board in February so the Clerk can advertise for a public hearing in March.

In the Fall of 2007, when Supt. Cross took a letter to the resident who had built the so-called "beaver dam" behind 518 Wyckoff Ave, across and obstructing a major water course, he found that the dam had been significantly knocked down. Supt. Cross negotiated that the Village would wait until December 15 for the dam to be eliminated. He went back in early January and at least 95% of the pile had been moved out of the stream bed. Supt. Cross is recommending that the Board allow the resident until Spring to finish the job. The second part of this problem, however, is the debris in the resident's backyard where he has moved all the debris. The Village will not act on this new issue at this time but will revisit the situation in the spring.

Report of the Treasurer – Treasurer Silber presented his report. Treasurer Silber noted that the audit report performed yearly by independent auditors is ready to be issued. He asked the Board if they wished to meet with the auditors. The Board decided that it was not necessary.

The following resolution was passed regarding funding of the phosphorous treatment improvements at the WWTP.

**Motion by Trustee Bisogni
Seconded by Trustee Kaplan**

Motion to pass Resolution 6312 authorizing the Treasurer and Attorney to engage bond counsel in relation to the financing of phosphorous treatment improvements at the WWTP.

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

There was discussion on the upcoming budget preparation process. The Budget packets will be prepared and distributed. Is there any other guidance by the Board to the department heads other than do not increase their line items? Due to the general mood of the public and the anti-tax sentiment, the Village would like to avoid tax increases. Some obvious cost issues that will be looming is anything relating to fuel, and the upcoming negotiations with the police bargaining unit. The timetable is that the dept. heads will have until the end of February to complete their budget recommendations. In March a special Saturday morning session will be held to work on the budget. The Treasurer will file the tentative budget with the Clerk at the March meeting. At the Organizational meeting on April 7, a public hearing will be held on the budget, and typically the budget is adopted at this meeting.

Treasurer Silber noted that he will not be in attendance at the February meeting.

A brokerage account was established at A.G.Edwards to accommodate a gift totaling \$950.00 (after liquidation fees) given to the Fire Department by Village resident Peter Kuniholm. Mayor Lynn will send a letter of thanks on behalf of the Village.

The gasoline billing is lagging behind due to some software configuration issues. More bills are forthcoming.

Supt. Cross noted that the new stamping procedure being used for bill payment is working well.

The Treasurer presented the transfers.

**Motion by Trustee Bisogni
Seconded by Trustee Collyer**

Motion to pass Resolution 6313 approving the transfers dated 1/22/08 as listed below.

From:	To:	Amount
A05110.100 Streets Pers Serv	A05110.150 Streets OT	300
A05112.410 Cap Impr Contr Exp	A05112.410 Streets Contr Exp	11,200
A01640.410 Centr Garage Contr Exp	A05142.410 Snow Equipment Maint	2,000
A01990.400 Contingency	A09050.800 Unemployment Exp	2,000

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

**Motion by Trustee Collyer
Seconded by Trustee Bisogni**

Motion to pass Resolution 6314 approving the Abstract of Audited Vouchers dated 1/22/08 in the amount of \$107,575.55, and instruct that the Treasurer make payments thereon.

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

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

Attorney Tyler has written to Susan Brock, the attorney for the Town of Ithaca regarding the status of shared wastewater agreement drafts previously being negotiated (spring/summer of 2006). The “grand plan” has been changed as the proposed new sewer district was voted down by Lansing. Therefore, any agreements discussed won’t be coming together because the rules have changed.

Attention has to be given this year to training sessions for the Planning Board and the Zoning Board of Appeals. Atty. Tyler has offered people from his firm to provide training to the two groups.

A Conservation Easement was given to the Village by Paul Velleman of 615 Lisa Lane in 1992. A title examination by the lender on a proposed loan Mr. Velleman wants to close on turned up the fact that the legal description was inadvertently omitted from the document. Survey maps and Brent Cross's conversation with the former Mayor Ron Anderson (who was Mayor when the easement was given) confirmed what the omitted page of the document should have contained. Attorney Tyler requests the Board's authorization for him and the Mayor to provide the necessary corrective documentation.

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

Motion to pass Resolution 6314 approving the clerical omission of a legal description in the conservation easement granted to the Village by Paul Velleman to the Village of Cayuga Heights dated 5/21/1992 and recorded in the Tompkins County Clerks office the following day in 675 Deeds, page 166 to be rectified by affidavit prepared and signed by the Village attorney on the approval of the Mayor and to confirm the Village's consent to Mr. Velleman to his proposed mortgage of a portion of the easement area so long as the easement is in no way impaired.

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

Report of the Clerk – The February Board Meeting will be held at the Fire Station on February 19 due to the Village observing Presidents Day on February 18.

Trustee Collyer will not attend the February meeting.

**Motion by Trustee Bisogni
Seconded by Trustee Kaplan**

Move to go into Private Session at 9:08 PM to receive advice of counsel on a matter of potential litigation.

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

**Motion by Trustee Bisogni
Seconded by Trustee Kaplan**

Move to come out of Private Session at 9:33 PM.

Trustees Bisogni, Collyer, Kaplan, and Staley voted YES

**Motion by Trustee Collyer
Move to adjourn the meeting at 9:34 PM.**

Trustees Bisogni, Collyer, Kaplan, and Staley voted YES