

Village of Cayuga Heights
Meeting of the Board of Trustees

Present: Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely, Attorney Marcus, Supt. Cross, Treasurer Silber, Chief Boyce, Clerk Manning

Absent: Mayor Gilmore

Others: Sarah Hatcher, Barbara Lynn, Lee Donner, June Silberman, Bob Silberman, Sarah Ecbert, Tracy Mandel, Anthony Fazio, Ailin Dolson-Fazio, Linda Bors, Deedee Dillingham, Rena Ostry, Lori Degolyer, Maya Cantori, Garry Brodhead, Elijah Gold, Isabella Gold, Arel Gold, Elza Boycheva, Judy Keil, Elisabeth Lyon, Karen Kaufmann, Bill Patchen, Anita Watkins, Daniel Wood, Jeremy Ludenbacher, Charlene Temple, Adelaid Gomer, Ann Ashman, curt Ashman, Mindy Mindlin, Pat Shea, Diana Nathanielsz, Catherine Stein

The meeting was called to order at 7:00 pm by Deputy Mayor Donner.

Supt. Cross made an announcement that the capacity limit for the Village Hall was 50, and since he thought that the capacity would be reached, he was officially putting the Village Hall on fire watch. This meant that he had a radio with direct contact to Emergency Control in case of an emergency. If that were to happen, everyone would need to exit the building.

The minutes of September 21, 2009 were then presented for approval.

**Motion by Trustee Bors
Seconded by Trustee Andolina**

Move to approve the minutes of September 21, 2009 as amended.

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

Privilege of the Floor

The Deputy Mayor reminded the public of the rules about Privilege of the Floor....that each person is limited to 2 minutes, total POF is 30 minutes, and Cayuga Heights residents will speak first.

June Silberman – felt that fencing is an alternative to culling and sterilization is a good thing.

Garry Brodhead – in favor of new fence ordinance

Adelaide Gomer – the deer remediation plan is not going to be carried out in a vacuum. The Village is being watched.

Karen Kaufmann – many widely disparate opinions about deer. One place where we can place common ground is in the fence ordinance.

Sara Elbert – share deer with neighbors, fences make good neighbors. Supports fences.

Walter Lynn – reasonable fencing laws are a must.

Katy Stein – addressed fences – vegetable garden has a green meshed fence – costs approx. \$350

David Sahn – putting up a deer fence at a cost of \$4000-5000. Has a friend with lyme disease. Is ashamed that VCH hasn't done anything about deer and onerous fence laws have added to the frustration.

Mya Cantore – strongly opposes deer plan. Drive slowly and carefully. VCH should subsidize fencing to residents instead of culling/sterilizing them.

Ariel Gold – community values – doesn't want to raise her children with violence before life and love of animals. Murder is never a solution.

Deedee Billingham – not in favor of killing deer. Deer do not have a choice to live or die. Tourism may be affected in VCH. She has considered purchasing a home in the Village but will not now. Town of Salina was very concerned with children being hurt by shooting animals and didn't pass an ordinance they talked about passing for that reason.

Richard DiGiannaro – We live in a violence steeped society. Direction we may be heading is ugly and tragic. Consider very carefully before going down this path. It will have ugly repercussions.

Brad Zigler – saw it happen in Vancouver, Canada and it was a nose dive. In Vancouver, fences took some of the edge off. Option is a sterile community which has its own impact.

Brinna Austry – Born with lyme disease. The big problem is not knowing what a deer tick is. Be aware and learn about your surroundings. Education is the key.

Charlene Temple – against deer killing. Grateful to look at the deer in the Park Estate. When family visits, they want to drive around and see the deer as part of the environment.

Angie Baker – When you shoot a deer, it just doesn't drop dead. Have you thought about that?

End of Privilege of the Floor

Reports

Former Mayor Walter Lynn gave the background of the Bolton Point/SCLIWC vs. City of Ithaca issue, though it may be a moot point at this time since the City of Ithaca seems to be in favor of building their own water plant. The most important thing that he wanted to leave the trustees with was that there are two compelling issues – parties all agree that any action requires the unanimous consent of all 5 municipalities; and unanimous consent operations are unusual but viable. The Board thanked Walter Lynn for his time and information.

Elizabeth Mount and Sally Grubb then gave their presentation entitled, "Proposal for a New Fencing Ordinance". A copy of this proposal is attached to these minutes.

The next report was a presentation by Dan Wood on the memorialization of Ellen Weigandt. Ms. Weigandt's son, Jeremy Ludebacher also spoke on this subject and read a letter by Mr/Mrs. Curtis, long time friends of Ms. Weigandt's. Trustee Szekely stated that the Village needs to come up with a policy on memorializing residents in the Village, and thanked Mr. Wood and Mr. Ludebacher for their time and patience while the Village gets together on this subject.

Report of the Deputy Mayor

Deputy Mayor Donner stated that the SEQR meeting is now scheduled for 11/3/09 at the Cayuga Heights Fire Station. The question was asked if we would include a Privilege of the Floor or was the meeting going just a SEQR work session. Atty. Marcus will lead the Board thru SEQR. There will be no Privilege of the Floor.

The Special Meeting to hear comments on the deer remediation plan is scheduled for October 28, 2009 at 7:00 PM at Cayuga Heights Elementary School. The agenda was discussed and agreed upon by the trustees.

Trustee Privilege of the Floor – Trustee Szekely spoke on her proposal to purchase half of the collection of personal papers by Jared Newman along with Cornell University. There was much discussion among the trustees, such as the number of documents in the collection, where they would be housed, and how would they be viewed by the public. Trustee Supron spoke in support of purchasing half of the collection. She said that the Village is lucky to have Cornell take on the responsibility of taking care of the papers. It was also noted that the Village should insure that our half of the collection is noted. Trustee Bors said that although he is a fan of historical preservation, he is uncomfortable with the proposal. He is concerned that the figure of \$3500 is not in writing. Trustee Szekely has requested a copy of the appraisal for the Board to see. Trustee Riesman stated the importance of the value of obtaining historical documents pertinent to our history. Trustee Andolina said that if the Village doesn't act on this and Cornell doesn't purchase the entire collection, it may be dispersed in pieces to someone else. A resolution was offered as follows:

**Motion by Trustee Szekely
Seconded by Trustee Supron**

Move to approve Resolution 6567:

Whereas the Village of Cayuga Heights was founded by Jared Newman, along with Charles Blood, and;

Whereas recently a collection of personal papers of Mr. Newman has been recently discovered, and;

Whereas Cornell University maintains a collection of nearly 40 boxes of materials relating to Jared Newman, and;

Whereas making these papers publically available would enrich the knowledge of the history of the Village of Cayuga Heights,

It is here by resolved to purchase one half of this collection at a cost not-to-exceed \$1750, and to make said collection available to the public through Cornell University, which has agreed to acquire the remaining portion, contingent on a copy of appraisal showing value of not less than \$3500 and receipt of Bill of Sale warranting ownership of the papers.

**Trustees Andolina, Riesman, Supron and Szekely
Voted YES.**

Trustees Bors and Donner Voted NO.

Trustee Riesman gave an update on the proposed sign to be erected in front of Marcham Hall. The cost for Cayuga Sign to do the lettering, including the hanging signs with days and times will be approximately \$488. The cost of the wood sign is approximately \$800-\$1000. Trustee Riesman will get the exact figure from Chris Lowe, who is constructing the sign.

Motion by Trustee Supron

Seconded by Trustee Riesman

Move to approve new signage for the front of Marcham Hall with a cost not to exceed \$2000.

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

If the sign is placed on Dr. Rubenstein’s land (in front of the Village Hall), Trustee Riesman will confirm with him that there will be no compensation involved, and will write a simple document to that fact.

Trustee Riesman asked Supt. Cross to give an update on the Headworks Analysis.

Report of the Supt. of Public Works

Supt. Cross gave the board an update on the delayed status of the Headworks Analysis. The analysis has not yet been completed due to an administrative oversight, and Supt. Cross thinks that the Board use the next 30 days to formulate an “action” plan on this item and be prepared to make an official decision (go/stop) at the next trustee meeting.

In the months that have passed since the Board previously approved the headworks analysis, the opposition to drill water has only increased. Cross suspects that the opposition will continue to grow and could impact the entire WWTP “industry” as a viable source of revenue for the Village.

The requirement to do the headworks analysis was to meet the new NYSDEC requirement in the event that we were to take drill water in the future. There was/is no obligation to perform the analysis for the drill water previously taken. The “side benefit” of doing the analysis (for future drill water), was to help document our innocence (for past drill water).

Based on this combination of factors, Supt. Cross suggests that the Village take the “opportunity” to reconsider and address the option to take drill water in the future. If the reconsideration results in the decision to “table” the idea of taking drill water in the future, then Cross recommends that the Village withdraw the authorization of the headworks analysis...saving \$28,000.

If the public opposition to drill water relaxes after the NYSDEC’s Generic Environmental Impact Statement (and subsequent regulatory changes), then we could always have the headworks analysis done to consider taking drill water in the future.

Supt. Cross then made a presentation to the Board on the proposed renovation of Marcham Hall. His overview at this point was of the construction of the building addition only. The estimate of this cost was approximately \$286,000. Since there was quite a bit of specific information that the Board would need to discuss, it was decided that there would not be enough time in this meeting to start the discussion. Therefore, a special meeting was proposed.

Motion by Trustee Szekely

Seconded by Trustee Bors

**Move to hold a special meeting to discuss Marcham Hall renovation on Wednesday,
December 2 at 9:00 AM.**

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

Report of the Treasurer

Financial reports for June and July were distributed.

An addition is needed to be approved for the Employee Handbook regarding Military Leave. The Village will be following the law for this addition, and the addition will need a resolution.

**Motion by Trustee Szekely
Seconded by Trustee Supron**

**Move to pass Resolution 6568 approving the following addition to the Cayuga Heights
Employee Handbook as follows:**

Military Leave

The Village of Cayuga Heights supports participation in Military Reserve and National Guard activities. In accordance with the federal Uniformed Services Employment and Re-employment Rights Act (USERRA) and applicable New York laws, employees attending mandatory training or other duty are eligible for leave without pay, or may use vacation or personal leave. Employees should provide a copy of orders or other documentation to their supervisor as soon as possible when leave will be required. Employees called to active duty may be eligible for other payments and/or benefits, which are provided in accordance to laws in effect at time of deployment.

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

Treasurer presented the following transfers for Board approval.

**Motion by Trustee Riesman
Seconded by Trustee Supron**

**Move to pass Resolution 6569 approving the FY09 Year-End transfers dated 10/19/09 as
listed below.**

From:	To:	Amount
A0.5110.410 STREET: Contr Exp	A0.5110.490 STREET Equip Maint	20.00
A0.5142.200 SNOW: Equip	A0.5142.410 SNOW: Contr Exp	550.00
A0.8160.150 REFUSE: Pers Serv-OT	A0.8160.100 REFUSE: Pers Serv	760.00
A0.8160.200 REFUSE: Equip	A0.8160.410 REFUSE: Contr Exp	220.00
A01990.400 General Contingency	A0.1410.100 CLERK: Pers Serv	1,890.00
A01990.400 General Contingency	A0.1620.410 VIL HALL: Contr Exp	60.00

A01990.400 General Contingency	A0.1620.440 VIL HALL: Utilities	40.00
A01990.400 General Contingency	A0.1620.450 BUILDINGS: 825 Hanshaw	40.00
A01990.400 General Contingency	A0.3120.120 POLICE: Pers-Non Sworn	70.00
A01990.400 General Contingency	A0.3410.100 FIRE: Pers Serv	170.00
A01990.400 General Contingency	A0.5010.100 STREET ADMIN: Pers Serv	2,160.00
A01990.400 General Contingency	A0.5110.100 STREET: Pers Serv	8,890.00
A03410.410 FIRE: Contr Exp	A0.3410.430 FIRE: Insurance	12,830.00
A03410.410 FIRE: Contr Exp	A0.3410.480 FIRE: Station Maintenance	270.00
A03410.460 FIRE: Rescue Squad	A03410.410 FIRE: Contr Exp	1,870.00
A03410.460 FIRE: Rescue Squad	A03410.200 FIRE: Capital Eqpt	130.00
F0.9030.800 EMP BEN: FICA	F0.9010.800 EMP BEN: Retirement	620.00
F0.9030.800 EMP BEN: FICA	F0.9060.810 EMP BEN: Health/VCH Funded	30.00
G0.8130.410 WWT PLANT: Contr Exp	G0.8130.490 WWT PLANT: Equip Maint	10.00

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

The abstract of vouchers was then presented. Treasurer Silber answered questions from the Board.

**Motion by Trustee Bors
Seconded by Trustee Andolina**

Move to pass Resolution 6570 approving the supplemental Abstracts of Audited Vouchers dated 10/19/09 in the amount of \$5,270.15 below and instruct the Treasurer to make payments thereon.

Miller Mayer, LLP	Legal Services	A-1420.410	Attorney Contr. Exp.	4908.75
Citibank	Car Wash, paint (Squeaky Clean/Lowes)	A03410.410	Fire Contr Exp	87.15
Stapes	Printer Cartridges	A03410.410	Fire Contr Exp	268.96
Staples	Alcohol Pads	A03120.410	Police Contr Exp	5.29

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

Treasurer then asked for board approval to sign the auditing engagement letter with CDLM.

**Motion by Trustee Bors
Seconded by Trustee Szekely**

Move to pass Resolution 6571 authorizing Treasurer Silber to sign the auditing engagement letter not to exceed \$7900 with CDLM.

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

**Motion by Trustee Szekely
Seconded by Trustee Riesman**

Motion to move into Executive Session at 9:42 PM for the purpose of a personnel issue.

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

**Motion by Trustee Andolina
Seconded by Trustee Szekely**

Motion to move out of Executive Session at 10:12 PM.

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

Trustee Szekely thanked Deputy Mayor Donner for running the meeting.

**Motion by Trustee Riesman
Seconded by Trustee Supron**

Motion to adjourn the meeting at 10:15 PM

**Trustees Andolina, Bors, Donner, Riesman, Supron and Szekely
Voted YES.**

Proposal for New Fence Ordinance for the Village of Cayuga Heights

For the purpose of this ordinance, a fence is any artificially constructed, vertical structure, of any material or combination of materials, intended as a barrier to prevent escape or intrusion, to mark a boundary or the proximity thereof, to ensure privacy, or to act as a support for vegetation if the support is wider than 4ft.

- **Fences up to four feet high** may be erected anywhere on a property right up to all property lines without a fence permit. **(No change from current ordinance)**
- **Fence Permits for fences over four feet high** with set backs of 25 feet from the front property line, and 15 feet from side and rear property lines, must be obtained. **(No change from current ordinance)**
- **Fence Permits to erect fences up to 8 feet high anywhere on a property** must be obtained and will be granted in the following instances:
 1. **Existing fences** may be extended to 8 feet high provided the extending material is 90% open and any supports for the extension are inside the existing fence.
 2. **New fences** 8 feet high may be erected right up to the property line provided the fence is no less than 60% open. *(Examples of acceptable fencing materials and types of fences may be obtained from the Village Engineer's office but will not include solid fencing, walls or chain-link fencing.)*
(New - to allow the protection of property until deer remediation makes fencing an unnecessary deterrent)
- The **height of fences** will be measured from the natural grade level with any berm, retaining wall, or any other structure upon which the fence is placed being included in the height of the fence. Examples of how measurements are taken may be obtained from the Village Engineer's office.

Proposed by Elizabeth Mount, elizamount@yahoo.com
and Sally Grubb, sallycg@clarityconnect.com

If you are in favor of amending the current fencing ordinance, whether or not you agree with these specific proposals, please sign up and leave us your email so we may contact you with more information about our proposals.