

Village of Cayuga Heights  
Meeting of the Board of Trustees

Present: Mayor Supron, Trustees Andolina, Crooker, Karns, Riesman, and Szekely, Attorney Marcus, Treasurer Silber, Supt. Cross, Fire Supt. Tamborelle, Police Chief Boyce, Clerk Manning

Others: Pete Bottorff, Dorothy Rinaldo, Barbara Foote, Christina Wu, Madeline & Vern Rockcastle, M & H. Wimpfheimer, Cynthia Robinson, Richard Hutcheson, B.F. Stanton, Doris Goodrich, David Morey, Edward Burgen, Walter Gates, Sarah Hatcher, Susan Benisch, Peggy Petrillose, Charlene Temple, Frank Collyer, Katie Stein, Betty & Joseph Weneser, David & Lee Donner, Clare & Helen Cotton, Mindy Mindlin, M. Stahl, Sally Grubb, Dominick LaCapra, Mary & Guy Tabacchi, Elizabeth Mount, Krisy Gashler

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Mayor Supron opened the meeting of July 19 at 7:00 PM and asked for approval of the minutes of June 14.

**Approval of Minutes**

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

**Move to approve the minutes of June 14, 2010.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

**Privilege of the Floor**

Quite a few residents of Kendal of Ithaca attended the meeting to discuss a crosswalk at the entrance to the facility.

- Dorothy Rinaldo, Kendal spokesperson - thanked the Village for sending representatives to discuss a crosswalk, stating that the idea of lengthening the island and placing the crosswalk at that point was very pleasing to the residents. All of Kendal crosses at that location. She also feels that having a crosswalk at a bus stop makes the crosswalk very visible to drivers.
- Pete Bottorff – concerned about the temporary aspect of temporary deer fencing. Fences will drive deer to other properties that are not fenced.
- Katie Stein – appalled at the potential tax increase that will come with a \$1 million deer-killing proposal, which includes sharpshooters every year for 10 years. Urges residents to make their opinions known to the trustees.
- Sally Grubb – deer eat in her yard all the time. Supports temporary fencing while working on the deer situation.
- Dominick LaCapra – problem is division – how do you count majority and minority? Killing the deer will not keep other deer out of the Village. VCH is not

an enclosed entity. What if the Village is hit with a wrongful death suit?  
Accidents can and will happen.

- Elizabeth Mount – wants to garden in her front yard, which does not abide by the present setback rules. Applauds Mayor and Trustees Karns and Szekely for their proposals on front yard fencing. Applauds the Board but things are moving too slowly.
- Suzanne Van de Mark – Thanks to all for keeping VCH safe especially near the school. Thanks for not allowing TCAT to bully their way through the Village. Applaud face-to-face meetings and hopes for more.
- Derrick Stewart – supports TCAT resolution by Village. Fully in support of deer remediation program.
- Leslie Danks Burke – Thanks to Board for TCAT conversations.
- Angie Baker – read an excerpt from a blog regarding hunters killing deer.
- Jenny Stein – deer accidents occur when cars drive faster than speed limit. Striker lights, etc., are helpful but the Board is not interested in hearing about them.
- Charlene Temple – feels bad for gardeners whose gardens are eaten by deer. Why not have VCH zoning laws recognize that.
- Mary Tabacchi – supports temporary fencing idea.
- Claire Lunney – looking at houses in VCH but won't consider moving to a community that kills deer.
- Barbara Foote – husband was hit by a deer when they first moved to Ithaca.

Privilege of the Floor closed.

Trustee Szekely spoke on the Kendal crosswalk. Kendal wants to move the current crosswalk to the main driveway into Kendal. Thanks to various individuals involved with discussions. Speaking to the Board, accessibility issue is a big issue for Kendal residents. Chief Boyce's idea of lengthening the island for a stopping point when crossing N. Triphammer Road was a good one. The traffic study that determined placement of the current crosswalk was conducted in 1993, well before Kendal's opening for occupancy in December 1995. Cross then went thru the history of the crosswalk at Kendal. The Village has now been asked to look at a crosswalk change. A traffic study will be done but Cross thinks it is a less safe location. He won't endorse that location without completing a traffic study. The proposed location warrants a thorough review before the Village moves forward. The quote the Village got from SRF Associates for a traffic study is \$3900. The Mayor said that she doesn't want to debate a crosswalk change as the Board all thinks it is needed. NYCOM said that a transportation study is needed, so one will be done. She would like Cross to ask SRF to see what it would take to make the crosswalk safe, NOT where the crosswalk should be placed. Trustee Szekely said that the proposal should also include a visit to Kendal and a meeting at which a presentation should be made. Trustee Riesman agreed and offered to make the call to SRF. Cross said that he will negotiate this all with SRF. Trustee Karns would like time constraints on the study (no later than end of October). There may be some work that can be done now during the summer, but the counts should be done after Cornell is in session. The money for the study will come from contingency.

At this point, Vern Rockcastle (an elderly resident of Kendal) let the Board know that it is very difficult for the elderly to hear the discussions at the Board table.

The Mayor wished to summarize. Kendal has the support of the Board for a change in the location of the crosswalk. NYCOM said that the Village needs to have a traffic study

performed. The study will include how the Village can make the new location of the crosswalk safe. Trustee Szekely added that safe accessibility meets the needs of senior citizens. The following motion was introduced:

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

**Move to pass Resolution 6691 authorizing the Mayor to enter into a contract with SRF Associates to conduct a traffic study pertaining to providing a crosswalk on N. Triphammer Road at the Kendal entrance at a cost NTE \$4300 paid from contingency.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

**Report of the Mayor**

Mayor Supron and Trustees Andolina, Riesman, and Szekely met with Frank Proto, Chrmn. of TCAT Board. TCAT sent the Mayor a letter saying that they did not want to move the bus. Therefore, the Board of Trustees will pass a resolution asking TCAT to move the bus. Trustee Riesman asked the Board about the word “demand” in the resolution. Is the word too strong? Atty. Marcus said that the Board has put much time and effort into this issue with nothing received in return and doesn’t see anything wrong with using the word “demand”. Trustee Karns asked if TCAT stated a reason for not changing the route. Trustee Szekely stated that TCAT said it would be bad public relations to change and never said a word about safety. Trustee Crooker asked if the Board should discuss the next step if TCAT doesn’t respond to the resolution. It was decided to wait until August to do that. Mayor Supron will write a letter to TCAT and include the resolution on Tuesday as our meeting is early in August and the Board would like an answer before the August meeting.

**Motion by Trustee Andolina  
Seconded by Trustee Karns**

**Move to pass Resolution 6692 as follows:**

Whereas, TCAT changed the route of the Route 30 bus through the Village of Cayuga Heights from Upland Road to Northway Road between The Parkway and Triphammer Road without having undertaken a traffic survey, risk assessment or providing the opportunity for the public to express their views on the change prior to its implementation;

Whereas, the Principal of Cayuga Heights Elementary School and 300 local residents and parents of school children have expressed serious concerns that having the Route 30 pass through the back entrance of the Cayuga Heights Elementary School increases traffic in an already busy intersection and therefore produces an increased and unacceptable level of risk to safety, in particular the safety of our children coming and going from Cayuga Heights Elementary School;

Now, therefore, the Board of Trustees of the Village of Cayuga Heights demands that TCAT immediately re-route the Route 30 bus out of the intersection of Northway, The Parkway, and the CHES entrance and back to its original route along Upland Road until a thorough assessment of any revision to the route has been completed by a neutral party on criteria developed jointly by TCAT, the Village of Cayuga Heights Board of Trustees and residents.

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

### **Planning Board Report**

At this time, Planning Board Chairman Harms said that the Planning Board has met numerous times to discuss fencing and was asked to recommend a change to the fence ordinance. He then read proposed Local Law amending Section 9 of the Village of Cayuga Heights Zoning Ordinance to Permit “Temporary Deer Fences.” Trustee Szekely spoke on Planning Board member Fred Cowett’s study on what the impact is on those with small front lots. Close to 20% of residents in the Village could not withstand the 25 ft. setback. Trustee Karns added that up to 27% of houses would not be in compliance and asked why did the Planning Board persist with a 25 ft setback? Where did the number 25 come from? Atty. Marcus said that it is in the original ordinance and is a fairly common number used for this purpose. Supt. Cross stated that he studied Cowett’s report and small lots are most likely going to have front yard issues. The Mayor said that last month she felt that her proposal (which was for a less than 25 ft. setback in the front) did not have the Board’s approval and suggested the Board approve to go to Public Hearing to hear the public’s thoughts.

Atty. Marcus stated that this Local Law would be subject to SEQR and County 239M, and while advancing to the next level of a Public Hearing the proposed law could also be sent to County Planning for their approval.

**Motion by Trustee Crooker  
Seconded by Trustee Karns**

**Move to pass Resolution 6693 to schedule a Public Hearing at 7:00 pm on August 9 before the Board meeting to hear comments on Proposed Local Law amending Section 9 of the Village of Cayuga Heights Zoning Ordinance to permit “temporary deer fences”.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

The next item to be discussed was an ambiguity to the Village’s Local Law on occupancy regulations in the residential district where the word “residence” is used instead of “occupancy” in Section 2, 1 a,b,c. Chrmn. Harms presented the proposed Local Law change. Both Trustees Riesman and Szekely attended the Planning Board when this was discussed. This is not a new issue and will be addressed in the Comprehensive Plan; however, this is a beginning step that is necessary. The Mayor felt that a Public Hearing should also be scheduled on this proposed change.

**Motion by Trustee Crooker  
Seconded by Trustee Karns**

**Move to pass Resolution 6694 to schedule a Public Hearing at 7:05 pm on August 9 before the Board meeting to hear comments on Proposed Local Law amending Section 2 of the Village of Cayuga Heights Zoning Ordinance Regarding Residence District Occupancy Regulations.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

The Mayor has received 4 proposals from Environmental Consulting Firms regarding the EIS for deer remediation. The criteria are being set up by a review committee of the Board and they will respond to the firms during the month.

The Mayor received two resignations from members of the Zoning Board of Appeals - Sarah Howe and Alison Smith. The Board offered the following resolutions:

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

**Move to pass Resolution 6695 as follows:**

**WHEREAS, Sarah E. How has been a member of the Zoning Board of Appeals since November 7, 2005, and**

**WHEREAS, she has provided insight to the process of granting or denying of resident(s) variance requests,**

**THEREFORE BE IT RESOLVED, that Sarah Howe's resignation from the Village of Cayuga Heights Zoning Board of Appeal effective June 30, 2010 is hereby accepted with regret.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

**Motion by Trustee Karns  
Seconded by Trustee Riesman**

**Move to pass Resolution 6696 as follows:**

**WHEREAS, Alison Smith was appointed as an alternate member of the Village of Cayuga Heights Zoning Board of Appeals at the April 18, 2008, and**

**WHEREAS, has served on an as need basis to the Zoning Board of Appeals,**

**NOT THEREFORE BE IT RESOLVED, that Alison Smith's resignation from the Village of Cayuga Heights Zoning Board of Appeals effective June 30, 2010 is hereby accepted with regret.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

### **Report of the Fire Superintendent**

Supt. Tamborelle's report is on file. He reported that the bid opening for the new truck is being held on August 3. He will report back to the Board the results of the opening at the August meeting.

### **Report of the Police Chief**

Chief Boyce's report is on file. The Civil Service exam for the position of Police Clerk is scheduled by the County on Sept. 25. Lisa Withrow will take the exam. The part time Police Clerk has passed all her background checks and is doing a good job with Lisa. The Chief informed the Public Safety Committee that he was ordering sights for the new AR15's. There is training on July 29 and 30, and then the new equipment will be in use.

### **Report of the Supt. of Public Works**

For many years now, the Village has discussed a change to the current billing method of sewer rates from a residential household equivalent basis to an actual water consumption basis. Bolton Point has offered to put this charge on the water bills, instead of putting the charge on the tax bill, which is presently being done. This would require the Village to create a database that identifies every property within the VCH WWTP service area so that the water meter readings from those properties can be used to determine the cost/gallon to operate the facility. Since most of the properties involved are outside of the Village, we do not have their water consumption information. Most or all of the properties are part of the Bolton Point system and they have the data available. Cross has asked TG Miller Engineers to prepare a proposal to create a service area map with every property and use the Bolton Point data to generate the water consumption data needed to set-up a new system. Cross would like to know if the Village wants to undertake this project ourselves, or ask the other municipalities to participate. T.G. Miller's quote is for \$11,850. Treasurer Silber said that this step would be a component of getting new contracts with all of the municipalities, and figuring out the numbers as was explained above would be very difficult. He suggests that the Village let T.G. Miller do the work. The sewer charge, which currently is on our tax bill, is not a tax, it is a fee. Therefore, we should really get it off the tax bill. Silber doesn't recommend charging the other munis for this study, the Village should pay for it and it will ultimately be collected from the other munis. Once this is finished, the wording of our local law will have to be changed. This should be finished by the beginning of our next budget season.

**Motion by Trustee Andolina  
Seconded by Trustee Crooker**

**Move to pass Resolution 6697 authorizing the Mayor to sign a contract with T.G. Miller not to exceed \$13,000 to create a database that identifies every property within the VCH WWTP service area so that the water meter readings from those properties can be used to determine the cost/gallon to permeate the facility.  
Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

Village Clerk's Office – Supt. Cross said that since the building's renovation project is on hold, there is a need to move forward with a renovation to the Clerk's office to make it more private. Beaver Dam Construction has presented a plan to do this at a cost of approximately \$2900. The Board agreed that this should proceed.

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

**Move to pass Resolution 6698 authorizing the Mayor to sign a contract Beaver Dam Construction to build an entryway into the Village Clerk's office not to exceed \$3500.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

#### **Report of the Ass't Supt. of Public Works**

Ass't. Supt. Frisbie presented his report which is on file. A resolution is requested to accept the bid from Southworth-Milton, Inc. for a purchase a 2010 Wheel Loader as approved in the budget.

**Motion by Trustee Andolina  
Seconded by Trustee Crooker**

**Move to pass Resolution 6699 as follows:**

**WHEREAS**, the Village of Cayuga Heights Department of Public Works desires to replace its 2002 John Deer TC 54H loader, and

**WHEREAS**, a bid opening was held on July 12, 2010 for a 2010 Wheel Loader, and

**WHEREAS**, the deviations to the specifications were reviewed by Assistant Superintendent of Public Works, Jeffrey Frisbie and Mechanic, Jeff Ellis, and

**WHEREAS**, it is the recommendation of Ellis and Frisbie that the Board of Trustees accept the bid of Milton Cat for a 2010 model 930H Wheel Loader with the trade-in of the 2002 John Deer TC54H Wheel Loader in an amount not to exceed \$95,048.00,

**NOW THEREFORE** BE IT RESOLVED, that this Board hereby accepts Southworth-Milton, Inc. bid of \$95,048.00 with trade-in for a new 2010, model 930H wheel loader and authorizes it purchase.

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

**Report of the Treasurer –**

Treasurer Silber presented his report, which is on file.

**Motion by Trustee Riesman  
Seconded by Trustee Karns**

**Move to pass Resolution 6700 approving the Abstracts of Audited Vouchers dated 7/19/10 in the amount of \$168,703.62 plus the addendum of \$375.27 and instruct the Treasurer to make payment.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

The Village received word from TCCOG that the New York State Insurance Department lowered the reserve requirement for the Health Consortium to 12% from 17%, thus reducing the amount of cash needed for start up by over \$1 million. Since the Village has told the Consortium that it will contribute 5% of the first year's premium up front to cover the reserves, the Board needs to pass a resolution stating their approval.

**Motion by Trustee Andolina  
Seconded by Trustee Crooker**

**Village of Cayuga Heights Resolution #6701**

**AUTHORIZATION TO CONTRIBUTE TO THE RESERVES OF THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM**

**WHEREAS, the Village of Cayuga Heights shall join the Greater Tompkins County Municipal Health Insurance Consortium for the purpose of providing employee health insurance and prescription drug coverage, and**

**WHEREAS, the Consortium, as required by the New York State Insurance Department, must establish sufficient financial reserves to begin working as a consortium, now, therefore be it**

**RESOLVED, that the Village of Cayuga Heights shall contribute as listed as Estimated Initial Capitalization in the following table:**

	<b>2010 Premium</b>	<b>Percent of Total Premium</b>	<b>Estimated Initial Capitalization</b>	<b>Total Reserves</b>	<b>Reserves Due</b>
County	13,351,312	54.55%	500,000	667,566	167,566
City of Ithaca	8,558,874	34.97%	300,000	427,944	127,944
Town of Ithaca	888,082	3.63%	137,033	44,404	-92,629
Town of Caroline	122,633	0.50%	37,000	6,132	-30,868
Town of Danby	81,161	0.33%	62,000	4,058	-57,942

Town of Dryden	459,233	1.88%	137,032	22,962	-114,070
Town of Enfield	50,400	0.21%	2,520	2,520	0
Town of Groton	126,095	0.52%	6,305	6,305	0
Town of Ulysses	113,175	0.46%	5,659	5,659	0
Village of Cayuga Heights	360,799	1.47%	18,040	18,040	0
Village of Dryden	121,349	0.50%	6,067	6,067	0
Village of Groton	150,900	0.62%	7,545	7,545	0
Village of Trumansburg	<u>90,696</u>	<u>0.37%</u>	<u>4,535</u>	<u>4,535</u>	<u>0</u>
	24,474,709	100.00%	1,223,736	1,223,735	0

Explanation: Four municipalities - the Towns of Ithaca, Caroline, Danby, and Dryden, are able to contribute a greater amount in reserve than what is owed for their municipal shares. It is anticipated that by the year 2013, the four municipalities will be “paid back” with 3% interest by the Consortium.

Reserves Due by the County and City shall be paid in 2012.

**RESOLVED FURTHER, that the fiscal officer of this municipality is authorized to make payment immediately to the Consortium.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

Explanation: Four municipalities - the Towns of Ithaca, Caroline, Danby, and Dryden, are able to contribute a greater amount in reserve than what is owed for their municipal shares. It is anticipated that by the year 2013, the four municipalities will be "paid back" with 3% interest by the Consortium.

Reserves Due by the County and City shall be paid in 2012.

**Trustee Privilege of the Floor**

- The Public Works Committee will meet with intern Hannah Wingate to hear about the projects she is currently working on.
- Supt. Cross has sent out a “lawn police” letter to a resident. The Village needs to enforce the law we have on the books regarding this. As part of the Comprehensive Plan, the PB should look at whether the Village wants to “police” how people take care of their lawns.
- Trustee Szekely said that the Village needs to work more closely with NYSEG about their timing of road work.
- Putting “kids for hire” in The Courier needs to be thought out more before it is done.
- Since it now costs money to take solid waste to the County Solid Waste station, is there a way the Village can have a compost area for its residents?

**Motion by Trustee Andolina  
Seconded by Trustee Crooker**

**Move to enter into Executive Session at 10:00 pm to discuss potential litigation with the attorney.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

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

**Move to exit Executive Session at 10:30 pm to discuss potential litigation with the attorney.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**

**Motion by Trustee Andolina  
Seconded by Trustee Crooker**

**Move to adjourn at 10:32 pm.**

**Mayor Supron, Trustees Andolina, Crooker, Karn, Riesman, and Szekely  
Voted YES.**