

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

Residents: M. Staples, S. Elbert, S. Hatcher, R. Bors, P. Shea, L. Donner, D. Donner, A. Druyan, K. vonWittelsbach, E. Mount, A. VandeMark, M. Mindlin, S. Grubb, M. Tabacchi, G. Tabacchi, C. Stein (represented by S. Stein), S. Bonnett, J Cowan

Non-Residents: S. Teel, L. Garner, J. Stein, J. LaVeck, E. Huang, G. Vehar, D. Preikstas, FA. Wood, C. Temple, A. Williams, N. Jarvis

Mayor Supron called the meeting to order at 7:03 PM

R. Bors – received his first copy of the e-news, and commend the Board, Mayor and Clerk’s office for getting this in place. The design and brevity were excellent and hope they continue.

M Staples – dressed in black because she is in mourning for her gardens which have been destroyed by the deer. (reading from statement – see at end)

E. Mount – planted extensive flower borders many years ago, soon after put up a fence – which had to be kept in place because of the damage the deer do. (reading from statement – see at end)

S. Grubb – in full support of comments made by E. Mount about the fences. A revision to the outdated fencing ordinance is long over due. She also had comments about the bus route. (reading from statement – see at end)

A. VandeMark – met with TCAT to ask to move the bus route. Over 300 members of the community, including members of the Board, have signed a petition asking that the bus route be moved. This Board adopted a resolution to ask TCAT bus to move. We have paid for an independent traffic study that made a specific recommendation and doesn’t believe that TCAT people will listen. He would like the Board to follow the recommendation from the traffic study.

C. Stein (represented by S. Stein) She has spoken at a few meetings, submitted statements as to her strong dislike for the plans to kill the deer in the Village and the negative impact on the children. (reading from the statement – see at end)

K. vonWittelsbach – doesn’t tell people that she lives in the village. Allow people to erect fences. There are alternatives to the cruelty.

S. Bonnet – would like to remind the Mayor and Trustees of the silent majority. You were elected by the residents of Cayuga Heights. You need to stick by what you’ve been elected to do even if other people try to intimidate you. I know it’s not fun doing your job right now because of the abuse. Just remember most people here elected you and support you and believe you are doing a good job and want you to keep going.

R. Segelken – believes that the fencing ordinance as it now stands is perfectly fine. If you want to see what the Village will look like with wall to wall fences, go to the Pheasant farm on Game Farm Rd. The deer will be totally baffled. The other is the buses, which hold 10-12 people; people who could drive cars. If you have an alternative idea for a bus route, give it to TCAT for consideration, provide them an alternative.

K. Kaufmann – (M. Tabacchi) she is unable to attend this meeting but needs to go on record. She expressed strong dislike at the prospect of net and bolt or any other mass slaughter of the deer in her community. There are questions that have gone unanswered. (reading from statement – see at end)

O. White – wanted to thank the Board for being so firm on their accepting no waste water fracking. There are fences and walls that are very attractive with wisteria and to say that there are no fences is the American way really isn't the case. The fact that I want the deer fence makes me a "bad" guy. If you go through with the culling there will still be deer and I will still want to put a fence up. I want to put a fence up on my boundary line – not 50 feet from the center of the road. Why not let us do this?

A. Druyan – I have submitted a number of scientific opinions from around the world, experts in the field of Lyme disease who say that the killing of the deer makes no sense. You don't care what the facts are. You will not change.

M. Mindlin – at the Kendal Forum you raised a number of interesting points of misinformation on the following; being open and transparent – there was no discussion at any meeting for utilizing the so called net and bolting method and rather than the use of firearms. There was no discussion of combining the Clerk and Treasurer positions necessitated by Jeff Silber's pending resignation. They want to take away our ability to protect children, pets and landscaping by taking away our fences. I am asking you not to vote in this once again uncontested election as a form of protest.

G. Tabacchi – we have been hearing for the last few years about being over populated with deer, deer are the carrier of Lyme disease and that the deer are causing an increase in the number of traffic accidents. (reading from a statement – see at end)

Non-residents

L. Gardner – In all I have witnessed and been able to determine to date, you, the Trustees have put all the science aside from recognized experts in the fields of ecology, veterinary medicine, Lyme disease and wildlife fertility control. (reading from statement – see at end)

C. Temple – strongly against the deer being killed or culled for any reason. She submitted two articles written to the editor of the Ithaca Journal (see at end). Is there a possibility for modernizing the fencing or to be updated?

S. Elbert – strongly opposed to net and bolting of the deer. Approves of fencing and willing to assist residents to find fencing materials. (reading from statement – see at end)

D. Preikstas – is for amending the antiquated zoning laws regarding fencing as being less costly, more humane and a more permanent solution to the problem of deer population. Culling is short term solution

at best where the fencing on the other hand forces change of established travel and grazing patterns permanently as shown in the previous SEQR. Altering the fencing laws puts the power of decision making and landscape choices in the hands of the individual homeowners. He would like to see the laws changed before culling the deer.

A. Serling – is a resident of the Village of Lansing. Is strongly opposed to the net and bolting of the deer; is however, in favor of fencing. (reading from statement – see at end)

S. Teel – is strongly opposed to the deer culling and still wants to have an open discussion with the Board. He says “we love the deer as much as the people who love their gardens...”

G. Gebhar – reading from a statement as if from the deer’s perspective.

A. Wood – have lost gardens and shrubs to the deer and think fences make total sense; culling the deer makes no sense at all. He enjoys watching the deer in his garden and don’t care if they eat my garden. He has dogs and has deer in his front and back yards constantly; he is surrounded by deer. He likes to have them.

A. Baker – in favor of saving the deer. The Board does not seem to want to compromise with the residents. What has been put on the table is the extreme and violent action to kill the deer.

G. Gumberg – would like to urge you not to proceed to kill or cull the deer - but to find a non-violent alternative.

J. LaVeck – indicated many are outraged by violent and unethical and completely unnecessary deer culling program imposed on our community. More people are outraged at the failure of updating the fencing ordinance. You (the Board) ignore scientific evidence. You (the Board) have divided the community and created resentment where there was none before. It’s time to stop.

J. Stein – many voices have attempted to address the Board with their expertise of science and reason and yet the Board has not listened. (reading from statement – see at end). Some villagers have indicated they will leave the Village if this program is implemented. With all the education and resources available, where is the creative solution to bring the community together?

Mayor Supron closed Privilege of the Floor at 7:50 PM

Duane Shoen – with Ciaschi – Dietershagen – Little – Mickelson & Company, LLP (CDLM); gave a detailed presentation of the firm’s audit of the Village’s financial accounts for the year ending March 31, 2010.

Mr. Shoen gave an overview of what is contained in the circulated bound report: “Financial Report for May 31, 2010 Audit,” referencing the attached “Communication with those charged with governance” and a management letter.

Regarding “Communication with those charged with governance” – auditing standards require auditors to make sure that within the process, management or the persons charged with governing an entity are

made aware of certain aspects of the audit. This letter is our vehicle to supply this information. There were no significant difficulties in dealing with management during the conduct of the audit; no disagreements with management during the conduct of the audit; and no significant issues or matters that came to our attention during the conduct of the audit.

Management letter – if during the audit issues come to the auditor’s attention that management needs to be made aware of - this letter does that. The only comment to note in this letter relates to the future. Auditing standards are changing somewhat in terms of the ways Fund balance and Net assets are reported. You will see these changes implemented in the May 2012 audit. The State Comptroller’s office has put out guidelines for this.

Question: Is this going to require us to make changes to the way we have our funds structured?

Answer: No, the Village will not have to make changes to the actual Fund structure because of the way the Village has handled Water and Sewer Funds, Special Revenues Fund. You do have the ability to change the way the Sewer Fund is structured and make it more like a business type entity; a enterprise entity. But this isn’t something Mr. Shoen is suggesting the Village do.

J. Silber – understands that some municipalities have to combine Funds. But thinks the Village doesn’t have to do this. With regard to the Water Fund, the Treasurer asked Mr. Shoen if the Board should move to officially designate the Water Fund in accordance with GASB (Governmental Accounting Standards Board) in order to keep it separate – as the Water Fund can go either way?

D. Shoen – the Water Fund designation may be changed but did not believe that the Village would need to officially move to have it stay as is. He continued to discuss the Audit content with the Board indicating that the Financial statement state fairly the Village’s financial position and any changes that occurred during the year. He encouraged the Board to read with special attention the “Management Discussion and Analysis” section on page 2 – 2g in order to gain an overview of the Village’s financial position, its Capital Assets and Long Term Debt. The next two pages are the Government-wide statements of assets and liabilities without the same fund categories used in the Village’s budget and monthly accounting. This gives you a longer term view as opposed to the Fund view where you look at a budget to budget year comparison.

It was noted that CDLM been the auditors with the Village since 1997. J. Silber – it’s not a requirement to do an annual audit nor periodically change auditors and there are only a couple of firms who are able to do municipal audits. CDLM also does the Court audit. Mr. Shoen agreed with Trustee Szekely’s comment that his company’s evaluation of the Village’s accounting practices as conforming to high levels of professional standards is largely attributable to Treasurer Silber’s stewardship.

Attorney Marcus made minor changes to the February 14, 2011 minutes in coordination with Attorney Gutenberger.

Approval of Minutes

Motion: Trustee Karns

Second: Trustee Hamilton

A resolution #6816 to approve the minutes of February 14, 2011 with amendments made at the March 14th meeting by Attorney Marcus from discussion with Attorney Gutenberger.

Discussion: none

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker

Abstain: Trustee Andolina Motion passed

Report of Fire Supt. Tamborelle

- He has already submitted the monthly report
- There are 62 Active members in the FD; 9 probationary, 27 exterior members and 26 interior firefighters, 17 EMTs – 6 of those are paramedics and 9 people are currently taking the EMT class now.
- Production of the new fire truck is on schedule. Plans are being made to do a day trip to see the truck in the 2nd or 3rd week of April.
- The Chief and his family are moving out of 825 Hanshaw Rd within the next 2 weeks. There are two Lieutenants who wish to rent the house once it becomes empty. One Lieutenant is a bunker who would like to become an Assistant Chief; once he is promoted his Lieutenant's position will be vacant. Upon the advice of Treasurer Silber the rent should increase from \$600 to \$750 per month.

Discussion: currently the house is being painted and a new window was installed. Before anyone moves in, the house should be cleaned and maybe insulation blown in to help with the heating cost. There is modest landscaping planned for the Spring 2011. It was discussed that the tenants will be responsible for mowing the grass and the DPW will plow the driveway. According to Treasurer Silber 825 Hanshaw has had either the Village police department or the fire department members as tenants for nearly 20 years.

Motion: Trustee Andolina
Second: Trustee Szekely

A resolution #6817 approving the creation of an annual lease for a monthly fee of \$750 per month and the tenant to maintain the grounds, in accordance with a lease prepared by the Village Attorney.

Discussion: none

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker, Andolina Motion passed

- Fire Department Elections will take place the first Sunday in April and a list of those elected will be presented to the Board at the next Trustee Board meeting following.
- Pancake breakfast is going to take place on April 30th and a note will go out to the school.

Report of the Assistant Superintendent of Public Works J. Frisbie

- He has already submitted the monthly report
- The DPW crew has been active with snow plowing and clearing the sidewalks.
- Overview of current activities – the DPW Committee has discussed plans for the second bus shelter, at Pleasant Grove Road, and for the Kendal crosswalk that will be completed by June 1st hopefully under budget.
- There are repairs and refurbishing being done at the Village Hall.
- When residents report potholes, the DPW responds right away with assistance in communication from the Police Department.

Report of the Mayor

- Acceptance of the Final Environmental Impact Statement (EIS)

Acceptance of the final EIS must take a particular form adhering to the State Environmental Quality Review Act (SEQR). If the Board considers documentation complete, it must pass a resolution of acceptance that serves as notice of completion.

Attorney Marcus read the following “Notice of Completion of Final EIS Pursuant to the NY State Environmental Quality Review Act (SEQRA)”:

**NOTICE OF COMPLETION OF FINAL EIS
PURSUANT TO THE
NY STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**

March 14, 2011

This notice has been prepared in accordance with Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law and is issued pursuant to Part 617 of the regulations implementing such Article 8.

A Final Environmental Impact Statement (FEIS) has been completed and accepted by the Village of Cayuga Heights Board of Trustees, as Lead Agency, for the proposed action described below.

Involved agencies and that public shall have a minimum of ten calendar days to review and consider the Final EIS, after which time, the Lead Agency will adopt a written Findings Statement.

Name of Action: Deer Management Plan

Description of Action: The Village of Cayuga Heights proposes to engage in deer population control by sterilizing approximately 20 to 60 does, followed by culling of deer living within the 1.84 square mile Village boundary. After these actions the Village will implement a program of ongoing maintenance of the herd size. This action is designed to reduce the size of the herd in the first three years, and then provide stability in the herd size thereafter, bringing the herd count closer to levels achieved in the wild. The long term target is a herd size of 20 to 60 deer total in the Village, versus the estimate of ± 200 as of Spring of 2009. Where possible, all healthy deer venison culled will be donated to local food banks.

SEQR Classification: Unlisted Action

Location: The Village of Cayuga Heights, Tompkins County, New York.

Potential Environmental Impacts: The EIS identifies and evaluates the following potential environmental impacts of the proposed action: short term impact on land use, particularly from noise; long term reduction of local deer population; short term and long term program cost to the Village; long term reductions in deer/car accidents, deer damage to landscape plants, and incidence in Lyme disease (all benefits); long term improvement in local vegetation diversity and wildlife habitat (benefit).

Lead Agency: Village of Cayuga Heights Board of Trustees
836 Hanshaw Road
Ithaca, New York 14850

A Copy of the Final EIS may be viewed at: Village Offices and via the Village website at www.cayuga-heights.ny.us/.

NOTICE OF COMPLETION OF FINAL EIS

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Contact Person: Ms. Kate Supron, Mayor
Village Offices
836 Hanshaw Road
Ithaca, New York 14850
(607) 257-1238

A Copy of this Notice and Final EIS Will be Sent to:

New York State Department of Environmental Conservation (NYSDEC)
Kenneth P. Lynch, Regional Director
615 Erie Blvd. West
Syracuse, NY 13204-2400

This Notice will be posted in the NYSDEC Environmental Notice Bulletin

Motion: Trustee Crooker
Second: Trustee Andolina

To pass resolution #6818 the FEIS as being complete

Discussion: We have had ample time to read and digest this extensively in many different forms. We have carried out a long and arduous process. It has been noted that all comments and letters have been reviewed, scanned and documented by the Village Clerk, and circulated to all members of the Board of Trustees in January 2011.

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

The next step is to place on the agenda for the April meeting consideration of the Finding Statement that may be thought of as the summary of the Environmental Impact Statement incorporating the conclusions drawn from the final environmental impact statement as a part of the SEQR process.

- TCAT update – Mayor Supron has spoken with Hank Dullea, TCAT Board Chair, who indicates that the TCAT Board believes they are not being listened to. TCAT has been asked to look at the SRF traffic survey.

Trustee Crooker: Is the ultimate result to be a positive end with TCAT? We should consider all possible courses of actions, including additional stop signs and speed bumps. We need to anticipate the end game and pursue the best option.

Trustee Szekely expressed thanks to Kate and Randy for their research where it is noted that the Village can pass a law to prohibit vehicles over a stated length from turning from Triphammer Rd onto Northway or from the Parkway.

Attorney Marcus clarified that section 1640 of the New York State traffic law would not provide the Village with authority in this set of circumstances. Even though not every part of section 1640 would apply, subsection 2 would allow the Board to prohibit or regulate the turning of vehicles or specified types of vehicles at intersections or other designated locations.

The next step may be consideration of speed bumps and stop signs. It's the safety of the intersection and not necessarily what traffic uses it that matters. What steps can the Board take to make The Parkway and Northway intersection at the elementary school safer? Parked cars narrow the road, especially in snow conditions.

It was agreed to have a painted crosswalk on The Parkway at the north side of the Upland intersection for the safety of school children and all other pedestrians.

Trustee Andolina agrees with Trustee Crooker and it might be time to spend few minutes of Executive Session discussing possible litigation.

Motion: Trustee Andolina
Second: Trustee Szekely

To pass resolution #6819 to move into Executive Session for the purposes of discussing proposed litigation.

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

Board adjourned into Executive Session at 9:15 PM

Board exited Executive Session at 9:43 PM.

Motion: Trustee Andolina
Second: Trustee Hamilton

To pass resolution #6820, pending receipt of a letter of support from SRF, there will be a crosswalk installed on The Parkway from sidewalk to sidewalk at the north side of the intersection going from east to west or west to east with handicap provisions.

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

Motion: Trustee Andolina
Second: Trustee Crooker

To pass resolution #6821 allowing Chief Boyce to erect stop signs at Northway and The Parkway upon advisement of SRF who conducted the recent traffic.

Discussion: Trustee Hamilton notes this is a trial basis and Chief Boyce indicated that this will be done in accordance with handicap slope provisions.

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed.**

Next item: Discussion on the proposed local law on fencing in order to learn where we all stand with the proposal on the table, regarding exclosures in front yard setbacks, as well as property line fencing.

Trustee Andolina will be interested to hear the expressions of opinion during the public hearing on the proposed fencing law and is uncomfortable with the proposal to revise it.

Trustee Riesman continues to suggest leaving the ordinance as is because it supports the original concept of the Village's open vistas and park-like setting. If we allow high fencing at property lines, the character of the Village will be changed. I don't want high fencing but by default, if my neighbor

installs one, I will have one. Fencing will not solve the deer problem. It could possibly help property owners keep deer off their property. The deer will not be deterred; there will be more deer on streets creating hazards for driving. We have a fence law where you can build a fence at a 25 foot set back and a 4 foot fence at the property line. This may be a huge mistake with lasting repercussions.

Mayor Supron asked if the Board wishes to schedule a public hearing for the proposed local law as it is now with the various views from the Trustees, so that we hear from the public. There was a large turnout at the 2007 public hearing when fencing was discussed, largely in opposition to the proposed change. Opinions expressed at the August 2010 public hearing on fencing were more diverse.

Trustee Szekely noted that she has spoken in favor of allowing deer fencing along property lines but in the interest of compromise would support the 25 foot front property line setback, in order to resolve the fencing issue. Keeping the fencing law as it is creates a large hurdle down the road because of the number of illegal fences in the Village. Joe Lisi has completed the fencing survey and Superintendent of Public Works Cross will be able to identify properties where fencing is non-compliant. At that point, letters will need to be sent to all those property owners, which will take a huge amount of work and create a drain on staff resources. So, she feels that we need to change the fencing ordinance and get on with other issues.

A suggestion/question to Attorney Marcus: can the Board make a law temporary; can the Board direct that for five years there is an allowance for property line fencing up to side and back property lines with a 25 foot setback in the front? Attorney Marcus indicated the Board has the ability to make any law temporary, but he noted the enforcement problems that this could create. The Board may also revoke or further amend laws.

Trustee Riesman agreed that there will be a huge amount of work to identify non-compliant fences but stated that the workload should not be the determining factor. Making deer fencing temporary will only increase that job that will have to be done in five years if there are many more fences that will have to come down.

Motion: Trustee Andolina

Second: Trustee Karns

To pass resolution #6822 to hold the Organizational Meeting on April 4th at 7:00pm at place to be determined.

Discussion: none

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

Motion: Trustee Riesman

Second: Trustee Andolina

To pass resolution #6823 to hold Public Hearing on proposed Local Law "A" Monday, April 11th at 7:00pm at a place to be determined.

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

Location to be announced and published in the newspaper.

Treasurer Silber noted that the Board has received a list of necessary transfers, including one from the Fund Balance. There have been a couple of exceptional expenses for the year, as a result of which we have exhausted the contingency budget line, for example we spent over \$60,000 on emergency repairs for N. Sunset Road snow removal costs have been above average, and other unexpected costs. Because we have exhausted contingency, a transfer from fund balance is required.

**Motion: Trustee Riesman
Second: Trustee Andolina**

To pass resolution #6824 authorizing the Treasurer to approve the transfers including the transfer from fund balance.

Discussion: there was an e-mail with the items of transfer listed

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

**Motion: Trustee Andolina
Second: Trustee Szekely**

To pass resolution #6825 approving the abstract and supplemental abstract as submitted.

Discussion: none

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina No nays or abstained Motion passed**

This (FY2012) is a difficult budget year. The Village has enacted very modest tax increases for the past few years; for 2008 there was no increase. Several factors may keep the Village from doing that this year. There have been decreases in what have been dependable funding sources. Sales tax revenue has declined; we will see a turn around this year but in the short run not to the level that we have seen before. The two major sources of revenue for the Village general fund are property and the sales tax with minor revenues from the fire contract with the Town of Ithaca and utility taxes, state aid and the transfers from water and sewer funds. But other expenses within the Village budget grow, principally salaries (most of which are contractually obligated) and health insurance that have grown greatly in recent years. Pension costs have also increased; this year pension costs are \$200,000, and next year will be closer to \$250,000. These factors all combine to put pressure on the Village budget. Treasurer Silber recommends budgeting \$300,000 of surplus funds to keep from raising taxes as much as would otherwise be necessary. Using \$300,000 of fund surplus to balance the budget would require a 5% tax

increase. The current budget incorporates paying for the new fire truck over 5 years; you may want to lengthen the payment period. The salary increase recommended for non-bargaining unit (NBU) employees is 2%; which covers the rate inflation. The PBA and DPW are under contract at 2% and 3% for the coming year. The tentative budget figures assume moving additional persons from the Teamsters health insurance plan to the TCCOG consortium plan during the coming year. Retiree benefits are actual, those persons already having moved to the consortium health insurance plan. Within their operating budgets, the department heads have kept their requests even with the current year. Property assessments on which taxes are based in the Village have not increased much at all. We used to have \$80,000 revenue annually; last year this decreased to \$40,000, and this year to only \$7,000.

The Justice Court grant may need to be spent by May 31; it appears in the budget under the revenue line for Justice contractual expense.

There are several items which Treasurer Silber will work with Trustee Andolina on financing questions. One is the Fire Truck Bond, one is the Water Bond. Between now and May we need to review the \$1M water BAN. Prior to it renewing in May we need to decide to renew for 1 year, or bond for a longer term. For the budget this year we will pay down 10% of the note and next year we are planning the same. This is being paid by water revenues.

Trustee Andolina thanked Treasurer Silber for all the hard work in putting together the tentative FY2012 and left the meeting at 10:34 PM

It was agreed to meet for 2 hours beginning at 5:00 on March 29th at the Fire Station. The Clerk will make arrangements with Chief Tamborelle.

At this time March 14, 2011, Treasurer Silber has filed the tentative fy2012 Village budget with the Clerk.

Motion: Trustee Szekely
Second: Trustee Hamilton

To pass resolution #6826 to schedule budget workshop meeting at 5:00 on March 29th at Fire Station.

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina Absent: Trustee Andolina No nays or abstained**
Motion passed

Treasurer Silber indicated that it has been stated during privilege of the floor and in correspondence with the Village office that the Treasurer has engaged in a conflict of interest. In the communication to the Village it was alleged that there is a conflict of interest between his employment with Cornell and the potential for the Village to contract with Cornell for any future deer management program. In no way does this meet the recognized criteria of conflict of interest. Although he works for Cornell University, the Treasurer explained, he works in the area of research grant funding financial management, and he has no personal financial interest in whether Cornell University receives a particular grant.

Also Treasurer Silber continued, he has always disclosed his concurrent employment with the Village and Cornell every year at the Village's organizational meeting so that any questions may be addressed at that time. The Village contracted with Cornell in the past for the deer sterilization program and recently for work on the comprehensive plan. He has worked out with his supervisor at Cornell a practice whereby he would recuse himself from any action related to that particular agreement. If, for example, the Village were to fail to make payment in accordance with the terms of that contact, his supervisor would deal with any action. He has taken extra steps to avoid any appearance of conflict.

Treasurer explained that it is for personal reasons he has chosen to move on from his role in the Village.

Attorney Marcus stated, in agreement with Treasurer Silber's very clear explanation, that nothing has occurred related to Treasurer Silber's role or any of those of the Board members that approach either NYS or the Village's conflict of interest definitions.

The Mayor's next item: Information technology (IT) can be included as an item on the agenda for the March 29, 2011 meeting.

Next item – we will hold the HR item regarding a particular employee until the end of the meeting.

Report of Police Chief Boyce

- Monthly report was given to the Board prior to tonight's meeting.
- The annual report was given to the Board prior to tonight's meeting. There was discussion on some of the line items noted for clarification.
- Asked the Board to approve the resignation of the Part-time Police Clerk, Roger Jagoda.

Motion: Trustee Karns

Second: Trustee Szekely

To pass resolution #6827 to accept the resignation of Roger Jagoda

Discussion: none

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina Absent: Trustee Andolina No nays or abstained
Motion passed**

Motion: Trustee Riesman

Second: Trustee Hamilton

To pass resolution #6828 to authorize Police Chief to search for replacement Police Clerk.

Discussion: none

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina Absent: Trustee Andolina No nays or abstained
Motion passed**

Trustee Szekely noted that Village Forester Andre Bensadoun is in touch with Jeff True, chair of the Board of Directors of the Pleasant Grove Cemetery, with plans for the Cemetery to mitigate the area logged near the creek bordering properties that are owned by members of the Pleasant Grove Homeowners Association. The measures worked out, as a result of a meeting convened by Brent Cross, are spreading the logging debris, removal of cut wood and the planting of 15 trees to replace those that were cut down.

Attorney Marcus's Report

The City of Ithaca and the Village of Cayuga Heights have entered into an intermunicipal agreement for building inspection service. Code Enforcement activity is shared for the six properties whose boundaries span the Village and the City. Attorney Marcus delivered the original, signed agreement to the Clerk.

Attorney Marcus responded to the remarks by several speakers during privilege of the floor about the structure of privilege of the floor, reminding the members of the Board that New York State law does not require any municipality to hold privilege of the floor. It is entirely optional, and there are many municipal Boards in the State that do not hold privilege of the floor. The rules for privilege of the floor are entirely at the discretion of the Board, including who can speak, the order of the speakers, the time allotted to a speaker and the topics. The only time when the public must be allowed to speak at a municipal Board meeting is during a public hearing, but that is a procedural matter distinctly different from privilege of the floor.

Treasurer Silber asked for the scheduling of public hearings on the tentative 2012 Budget at 7:00 and on the proposed sewer rate at 7:05 at the April 4th Organizational meeting of the Board of Trustees..

**Motion: Trustee Riesman
Second: Trustee Szekely**

To pass resolution #6829 to schedule Public Hearing regarding the Budget on April 4, 2011 at 7:00 PM

**Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns,
Crooker, Andolina Absent: Trustee Andolina No nays or abstained
Motion passed**

**Motion: Trustee Karns
Second: Trustee Hamilton**

To pass resolution #6830 to schedule Public Hearing on the local law to establish the Sewer Rate 110.00/unit on April 4, 2011 at 7:05 PM.

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker, Andolina Absent: Trustee Andolina No nays or abstained Motion passed

**Motion: Trustee Hamilton
Second: Trustee Szekely**

To pass resolution #6831 to adjourn into Executive Session at 11:07 PM

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker, Andolina Absent: Trustee Andolina No nays or abstained Motion passed

**Motion: Trustee Szekely
Second: Trustee Karns**

To exit Executive Session

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker, Andolina Absent: Trustee Andolina No nays or abstained Motion passed

**Motion: Trustee Hamilton
Second: Trustee Crooker**

To pass resolution #6832 to adjourn at 11:17 PM

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker, Andolina Absent: Trustee Andolina No nays or abstained Motion passed



Village of Cayuga Heights

MARCHAM HALL
836 HANSHAW ROAD
ITHACA, NEW YORK 14850

(607) 257-1238
fax (607) 257-4910

Kathryn D. Supron, Mayor
Mary E. Mills, Clerk
Jeffrey A. Silber, Treasurer
Brent A. Cross, Engineer

Please PRINT your name and address for the Record.
Thank You.

Board of Trustees
March 14, 2011
Village of Cayuga Heights
Residents

Name	Address
MILDRED STAPLES	217 KIMWOODS RD
Sarah ELBERT	405 TROY RD
Sarah Hatcher	E Lemington Rd.
Daryl & Lee Donner	107 E. Kengton Rd
Mindy Mindus	112 Midway
Catherine Stein represented by ^{Jessica} Stein	11 Spruce Ln
Sally Gubb	104 Midway Rd.
Ann DEUYAN	11 Tyler Rd.
Kora von Wittelsbach	519 Cayuga Heights Rd.
Elizabeth Mount	303 E. Upland Rd.
RONALD BORS	121 TEXAS LN.
Guy & Mary TABACCHINI	705 The Parkway
Susan Baretta	
Joe Cowan	395 E Upland Rd.

Police Dept. & Village Administration
OFFICE HOURS
9 AM - 4:30 PM

<http://www.cayuga-heights.ny.us>



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Thank You.

Board of Trustees
March 14, 2011
Village of Cayuga Heights Non-Residents

Name	Address
SCOT Teel	710 N. Cayuga St. Ithaca
Gabrielle Vehar	217 Columbia St. Ithaca
James Laveck	Ithaca
Darius PREKSHAS	ITHACA
Lynell Garnet	Ithaca
James Laveck	"
Jenny Stein	"
Eric Huang	"
F Alexander Wood	502 Cayuga Hstr Rd Ithaca N.Y
Charlene Temple	Renwick Drive
Adrian Williams	Ithaca
Nathan Jones	H.F. Park NY

Police Dept. & Village Administration
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