

Present: Mayor Supron, Trustees: Andolina, Crooker, Hamilton, Karns, Riesman, Szekely, Attorney Gutenberger, Police Chief Boyce, Fire Superintendent Tamborelle, Superintendent Cross, Clerk Mills
Absent: Treasurer Silber

Mayor Supron - Call to order 7:08 PM

Opened Public Hearing on the Tentative Budget at 7:09

M. Mindlin – would like more information concerning the contents and more explanation of the budget submitted. (see statement in appendix A)

Closed Public Hearing on the Budget at 7:13 PM

Open Public Hearing on the proposed Local Law “A” Fences and Walls at 7:13 PM

W. Lynn – stated there is no simple answer to the deer problem and that the current fencing proposal will not be effective as it lacks provision for front yard fencing.

R. Moresco – she and her husband have lived in the Village since 1974; are gardeners and they need fences to protect from the deer. She further indicated she and her husband erected a non-compliant fence seven years ago to protect their yard from the deer. (see statement in appendix A)

E. Mount - spoke in support of property line fencing. She indicated her gardens need fencing and she doesn't want to give the deer free food. (see statement in appendix A)

B. Lynn – has submitted a copy of an editorial to the Ithaca Journal. She opposes netting and bolting and maintains that people should have the right to property line fencing. (see statement in appendix A)

R. Bors – submitted a petition signed by 352 Villagers who are against changing the current fence ordinance. He states that fencing changes the open quality of the Village, shifts the deer burden to adjoining properties and roads. (see statement in appendix A)

D. Donner – states that approximately 87% of the persons who signed the petition he and Mr. Bors circulated oppose changing the fence ordinance. (see statement in appendix A)

G. Vehar – spoke in favor of the higher fencing. She also discussed Ahimsa – a concept of doing the least harm and doing the most good.

L. Garner – spoke in support of the liberalizing the fence ordinance. He became interested in the Village fences because of his opposition to netting and bolting as a means of culling the deer herd.

C. Temple – stated that gardeners have the right to taller, modern fences. She opposes killing living things. She displayed the antlers found in her yard and advocated sharing the planet.

M. Mindlin – outlined four changes to the proposed fence law. She is in support of property line eight foot fencing. (see statement in appendix A)

A. Druyan – she supports the right of anyone in the community who wants to build a fence. People should be allowed to build any kind of fence they want. She voiced opposition to the deer plan and the SEQR approval process.

S. Grubb – spoke in support of updating the fence ordinance. She would like the Board to allow 8 foot fencing at the property line. (see statement in appendix A)

Mayor Supron clarified that the Organizational meeting on April 4th was a publically advertised public meeting.

O. White – spoke in support of the deer fencing on property lines.

J. Silberman – supports the proposed changes in the fence ordinance but wants to protect property from the deer until deer remediation is impacted. (see statement in appendix A)

M. Johns – supports property line fencing and states that property owners have the right to protect their property. She has lived in the Village for 35 years.

C. Stein – supports the change in the fence ordinance. Any change needed to keep the deer out with fences. She also indicated the Board should have held the fencing hearing before the Board voted to accept the SEQR findings and proceed on deer management. (see statement in appendix A)

B. Thuesen – she has lived in the Village, in the same house since 1938. She states people have the right to protect their property from the deer and other wildlife.

M. Tabacchi – spoke in support allowing people to erect fences. She trusts her neighbors to build the fences they need. (see statement in appendix A)

G. Tabacchi – spoke in support of property line fencing. He provided a web address to attorney generals office. (see statement in appendix A)

A. Serling – spoke in support of property line fencing. She feels fences do no harm.

S. Wagner – spoke in support of updating the fence ordinance. He stated that the issue of deer and fences are linked.

D. Sahn – spoke in favor of revising the fence ordinance. He would like to be allowed to fence until the deer population is under control.

S. Barnett – opposes changing the fence ordinance. She stated that fencing pushes the deer onto neighboring properties. She indicated the community should share the burden.

S. Teel – spoke in favor of higher fences. He invited any member of the Board to debate the deer issues in an open forum.

Mayor Supron commented that anyone was invited to meet with her during posted hours, or contact her by e-mail or leave a message by phone.

R. Kittredge – enjoys opens space but would like fencing options and also in favor of deer culling.

L. Ungberg – indicated she has lived in the Village for 30 years; 20 years without the deer present and 10 with and has no problem with moderate fencing although fencing is not neighborly. She is also concerned with the drainage issues. (see statement in appendix A)

M. Piery – wanted to discuss the flooding issue instead of fencing and was advised to contact the Village.

S. Elbert – she volunteered she has been a Tompkins County resident all her life and lives with three separate herds of deer on her property, 71 acres in Danby. She spoke in favor of fences and is willing to help anyone who wanted to erect fences. She advised that once fences are erected it will take time for the deer to migrate to other pastures and is totally against net and bolt.

T. Gilovich – spoke in favor of modernizing the fencing ordinance. Fencing is needed until the deer population is under control.

J. Ankrum – spoke in favor of changing the fencing ordinance and would like to see the bottom of the fence be “hard wired” and is totally in support of eliminating the deer. He has lived on Oak Hill Rd for 50 years.

J. Romano – he spoke in favor of fencing and doesn’t want to see the deer killed. He also said he would like to see more open democracy practiced by the Board so that people are able to discuss the issues.

D. Nathanielsz – indicated she has been a Cayuga Heights resident for over 30 years. Her concern is for the safety of her grandchildren and pets when they play in her back yard where the deer have defecated everywhere. She supports the fences and believes it is a property owner’s right to protect what is theirs by fencing.

J. Stein – She spoke in favor of amending the fencing ordinance and commended the Board for the proposed compromise; the proposal to use netting and bolting indicates there isn’t enough support for the culling. (see statement in appendix A)

P. Carruthers – has lived in the Village for 30 years and watched the deer herds grow and watched them eat everything. Over the past 15 years he has had five deer collisions, had Lyme disease contracted through a deer tick and is in total support of allowing higher fencing at property line.

D. Paul – indicated his views have already been expressed by the speakers before him and urged the Board to keep the municipal government an open democracy. He spoke in favor of supporting higher fencing. It’s no one’s responsibility to feed the deer on their property.

L. Woodard – being a gardener, her property can’t be fenced because of the layout. She further said that she opposes changing the current fencing ordinance and felt that fencing takes away the open vista.

S. Baugher – spoke in favor of the new fencing ordinance and allowing individuals to erect fences as is their right. She also indicated the Town of Ithaca now allows 8 foot fences and doesn’t see any problems there.

J. LaVeck – he spoke on the subject of the Environmental Impact Statement and SEQR process, in opposition to deer population control.

M. Berens – spoke in opposition of the proposed fence ordinance. She believes with more fences makes the community less friendly. (see statement in appendix A)

M. Eisner – He agreed with Walter Lynn’s point about the proposed fence ordinance. He asked the question “what good does this law accomplish?” He feels, this proposed law as written, will still allow the deer access to yards from the front.

B. Eden – spoke in support of the proposed fence ordinance. He indicated he respects the open vistas but also respects the right of property owners to have a choice. He suggested that the Planning Board develop a standard for fencing. He continued to say regardless of fences, the deer will eat anything you plant.

P. Salton – spoke against the proposed fence ordinance. He believes people should be able to build what they feel is logical just to keep the deer out of their yards, without having to go to the Zoning Board of Appeals.

A. Baker – spoke in favor of the fence ordinance to allow 8 foot fences at property line. (see statement in appendix A)

Mayor Supron closed the Public Hearing on the proposed local law “A” Fences and Walls at 8:43

Mayor Supron paused the meeting for a break – back at 8:53

Report of Fire Superintendent Tamborelle

- Trustees have received his monthly report
- Delivery of the new fire truck will be delayed by two weeks

It was noted that Treasurer Silber has been in touch with the Town of Ithaca regarding the new fire truck.

Report of Treasurer Silber – absent from meeting

- Transfer of funds
- Abstract
- Budget

Motion: Trustee Andolina

Second: Trustee Crooker

To pass resolution #6866 to authorize the transfer of funds as noted by the Treasurer.

Discussion: none

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

Motion: Trustee Riesman

Second: Trustee Szekely

To pass resolution #6867 to approve the Abstract as noted by the Treasurer.

Discussion: none

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

Motion: Trustee Andolina
Second: Trustee Hamilton

To pass resolution #6868 to authorize Mayor Supron to sign the lease agreement, as drafted by the Village of Cayuga Heights attorney, for 825 Hanshaw Road for one year beginning on April 15, 2011.

Discussion: none

Aye Votes: Mayor Supron, Trustees: Riesman, Szekely, Hamilton, Karns, Crooker, Andolina
no nays or abstains Motion passed

Next item: Budget

Opening the discussion, Trustee Andolina suggested tabling the budget until a meeting when more members of the public will be in attendance and Treasurer Silber is able to attend. Others agreed that there were several items that still needed to be discussed in length. Attorney Gutenberger indicated that since the public hearing on the budget had closed, the Board has until May 1st to approve and adopt the budget. Other comments included the need for all of the Board members to be present for this meeting.

There is an understanding that the Village has contractual salary and benefits obligations that are not adjustable. There is some room to make changes in contingency funding. The Board will be utilizing monies from the general fund surplus. It was discussed that within the proposed, tentative budget a rough calculation shows 38% allocated for salaries and 25% for benefits in the operating budget. It was suggested that Treasurer Silber be asked to engage in further discussion before the Board votes on the budget proposal.

The Board is looking at difficult decisions. How much can actually be changed? Realistically could the departments reduce their budgets by 25% in order to balance the budget without using contingency funding? How much of the general fund surplus should be used? Other than salary and benefits line items within the budget across the board have been flat for several years. Asking the departments to reduce their budget request by 25% is not reasonable.

A tentative meeting date of April 26 at 7PM was scheduled to be held at the CHFD for two hours to discuss the budget.

Report of the Mayor

- At the April 4th organizational meeting the Board voted to accept the SEQR Finding Statement on the proposed deer management program. At the same meeting, Trustee Andolina asked what the next step should be in the process of policy formation. Attorney Marcus indicated that although the Board need not adopt a general resolution to carry out the proposed program of sterilization and culling, such a motion would be a good course of action, so the Board went ahead and did so, as the April 4 Board of Trustees minutes show. Going forward, the Board will work with the State Department of Environmental Conservation (DEC) regarding permitting for the actions to be taken and will identify the contractor to work with.
- TCAT update – The Mayor reported a lack of encouraging communication with TCAT. In the interim Police Chief Boyce has been working with TCAT staff. We are hearing from villagers who are frustrated and believe the Village could move much faster, but municipal government does move slowly. The stop signs will be erected soon at The Parkway and Northway intersection at the entrance to Cayuga Heights Elementary School.

- Fences and Walls – during the public hearing on April 11th the Board heard from many individuals; discussion resulting from the hearing on the proposed fencing law will take place at the May 9th Board meeting.

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Report of Superintendent of Public Works Cross

- Winthrop Drive drainage – Trustee Szekely took copious notes (which have been sent to all Trustees) at a recent meeting held at Marcham Hall for residents of the Winthrop Drive and Winthrop Place neighborhood who are distressed about the drainage problem. This forum gave an opportunity to see what service the Village could provide. Any Village assistance could not provide improvement to any single individual's property but would have to help the entire neighborhood. There are four particular properties identified along the stream course. With their agreement and the execution of easement documents by way of permission, the Village may in the future make suitable repairs of the water course, in consultation during the process with Village Attorneys Marcus and Gutenberger.
- Superintendent Cross has carried out a brief, one-day survey of fencing on a few streets referencing data in the survey of current fencing compiled by Joe Lisi. At the May 9th Board of Trustees meeting, he will present more comprehensive data to help the Board in its deliberations over the proposed fencing ordinance.
- Attorney Gutenberger is researching the installation of crosswalks with regard to how the Village may wish to address future requests for crosswalks.

Trustee Szekely noted that the Public Works Committee, made of Trustees Riesman, Crooker and herself, recommend that in the future initial discussions about potential crosswalks be referred to the Committee for conversation with Superintendents Cross and Frisbie, as well as Police Chief Boyce that will result in recommendations to the Board. Crosswalk installation is another topic that may find a place in the Village's comprehensive plan related to transportation, roads, and concerns for walkers.

Report of the Clerk

- Oath of office update – Before the April 4th meeting, newly elected Trustees Andolina, Hamilton and Szekely were sworn into office. Trustee Szekely, as acting Deputy Mayor, will administer the oath of office to the newly elected officers of the Cayuga Heights Fire Department at the installation dinner on April 23rd.
- IT proposal update – both Sherpa Technology and The Computing Center have submitted proposal to contract with the Village for the provision of information technology services have been called by the Clerk regarding references; responses are expected later this week.

Next item – Privilege of the Floor

In addition to the changes adopted for Privilege of the Floor Guidelines, Board members discussed changes for procedures throughout Board meetings. Members of the public have expressed discomfort with visual displays in the meeting room. The Board is not legally required to allow signs in the room.

With respect to signs and any kind of visual aid, if someone wants to have a sign s/he should hold the sign and keep it on his or her person, not decorate the room and or place signage on empty seats. It will be an improvement in procedure if visual displays are eliminated and an environment created that is comfortable for people to attend and speak before the Board.

Public Hearings and Privilege of the Floor are times for the public to make statements about their opinions and/or to submit written statements in a formal setting. Additionally, everyone is encouraged to express opinion by writing in the newspaper, sending the Board email or speaking to the Board directly. Signs should not be allowed in the meeting room or elsewhere inside Marcham Hall. No one's freedom of speech is being limited by maintaining neutrality in the meeting room.

There are numerous members of the community who will not come to meetings any longer because they are intimidated by the atmosphere that is presented by the opposition to the current Board's conversations and proposals.

In sum: no signs are to be hung in the Village Hall. Attorney Gutenberger advised that the Board adopt "reasonable rules" to govern the conduct of all Board meetings, not just meetings of the Board of Trustees. The Board agreed to ask Attorneys Marcus and Gutenberger to draft these rules and bring before the Board at the next meeting.

Trustee Privilege of the Floor

Trustee Szekely has been researching the maps that are hung in the meeting room and entry hall of Marcham Hall. Cornell Emeritus Professor of City and Regional Planning John Reps' company, Ithaca Historic Plans, produced them in the 1960's. He was good friends with Mayor Marcham and presented them to the Village in time for the very first meeting held in March Hall in December 1969. They do not have particular financial value as reproductions; all are available on the Company's website. But, they are a distinctive collection and are a part of the Village's heritage. Trustee Szekely will make a complete file record of the collection and is in touch with Professor Reps and the current owners of Ithaca Historic Plans.

Trustee Andolina reported that he and fellow members of the Public Safety Committee, Fire Superintendent Tamborelle, and Asst. Superintendent Public Works Frisbie are working with Police Officer Lanning on an Emergency Preparedness Plan for the Village; a draft should be ready for the Board within the next few months.

Trustee Karns confirmed that the proposed local fencing law will be placed on the agenda of the May 9th meeting.

Motion: Trustee Andolina

Second: Trustee Hamilton

A resolution #6869 to adjourn meeting at 9:32PM

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