

Present: Mayor Supron, Trustees: Andolina, Crooker, Hamilton, Karns, Riesman, Szekely, Attorneys: Marcus, Gutenberger, Police Chief Boyce, Fire Superintendent Tamborelle, Superintendent Cross, Asst. Superintendent Frisbie, Treasurer Greenberg, Clerk Mills

Mayor Supron called the meeting to order at 7:05 PM

The Board of Trustees and the entire staff of the Village of Cayuga Heights extend their deepest sympathy to the family of former Mayor Walter Lynn on the sad occasion of his death and acknowledge with sincere appreciation his eight years of devoted service to the Village from 2000 to 2008. We invite everyone present to join in a minute of silence in Mayor Lynn's memory.

Mayor Supron opened the Public Hearing on proposed Local Law "H" of the Year 2011 - A Local Law Establishing Minimum Meeting Attendance Requirements for Regular Planning Board and Zoning Board of Appeals Members

PROPOSED LOCAL LAW "H" OF THE YEAR 2011 - A LOCAL LAW ESTABLISHING MINIMUM MEETING ATTENDANCE REQUIREMENTS FOR REGULAR PLANNING BOARD AND ZONING BOARD OF APPEALS MEMBERS

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

Section I. PURPOSE AND INTENT.

The purpose of this Local Law is to establish minimum meeting attendance requirements for Regular Planning Board and Zoning Board of Appeals members. The intention of this Local Law is to ensure a quorum at as many Planning Board and Zoning Board of Appeals meetings as possible and to facilitate the timely review of applications received by the Planning Board and Zoning Board of Appeals.

Section II. AUTHORITY.

This Local Law is enacted pursuant to the grant of powers to local governments provided for in (i) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law, (ii) Village Law § 7-712 (9), and (iii) Village Law § 7-718 (9).

Section III. ESTABLISHMENT OF MINIMUM MEETING ATTENDANCE REQUIREMENTS.

As of the effective date of this law, all Regular Planning Board Members and Regular Zoning Board of Appeals Members shall be required to attend a minimum of 65% of all regularly scheduled meetings within any consecutive 12 month period. Any Regular Member of the Planning Board and Zoning Board of Appeals may be removed by the Mayor, after a public hearing, for non-compliance with these minimum requirements.

Section IV. SUPERSEDING EFFECT.

All Local Laws, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect.

Section V. VALIDITY.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section VI. EFFECTIVE DATE.

This Local Law shall be effective as of the date of filing with the New York Secretary of State.

V2 5.19.11

S. Grubb – spoke in support of the proposed local law, though felt the attendance requirements should be higher than the proposed 65%.

Closed Public Hearing at 7:08PM.**Mayor Supron read the Privilege of the Floor (PoF) guidelines****Mayor Supron opened PoF at 7:12PM**

S. Grubb – spoke in favor of a revised fence ordinance which will protect yards and gardens from deer but is not happy to have to get a permit for an enclosure. (see statement in appendix A)

E. Mount – spoke in favor of a revised fence ordinance and would like property-line hedges to be included. (see statement in appendix A)

M. Tabacchi – spoke in agreement with the statement made by S. Grubb.

G. Vehar – stated she is a pacifist and spoke against being restricted by not being allowed to display items during the meeting.

E. Root – spoke against the fertility control of the deer. (see statement in appendix A)

S. Teel – wants a public place to address issues where everyone will be aware of the conversation that takes place. There are people in the community who are willing to compromise and those who are not.

C. Temple – spoke in favor of a revised fence ordinance so the gardeners can have their gardens.

P. Bartorff – spoke in support of the Trustees and the deer issue. Also spoke in favor of free speech but agreed with the guidelines prohibiting signs within the meeting place.

S. Elbert – spoke against the “bolt and shoot” plan for the Cayuga Heights deer. (see statement in appendix A)

J. Stein – spoke against the guidelines prohibiting the display of signs at a public meeting.

L. Garner – alerted the Board he would be sending them a scanned document from a book on nature – a section regarding cutting down trees. This is in comparison with what the Village is going through. People need to be able to do what they want with their property.

A. Baker – spoke in agreement with the recently voted down fence ordinance and looks for a revision in a future fence ordinance that will be agreeable with small lots. She also spoke in favor of the recent lawsuit against the Village regarding the deer culling.

Mayor Supron closed PoF at 7:34PM

Attorney Marcus explained that a prepared response for Board review regarding the recent lawsuit will be provided within the next two weeks.

Motion: Trustee Szekely

Second: Trustee Karns

Resolution #6903 to move into executive session at 7:50PM to discuss possible litigation of the recently submitted lawsuit.

Discussion: none

All approve – no nays, abstains – Motion carried.

Motion: Trustee Andolina

Second: Trustee Crooker

Resolution #6904 to leave executive session at 8:19PM.

Discussion: none

All approve – no nays or abstains – Motion carried

No Action Taken in executive session

Attorney Marcus left and Attorney Gutenberger sat in as replacement

Approval of Minutes

Motion: Trustee Andolina

Second: Trustee Karns

Resolution #6905 to approve April 27th minutes as submitted.

Discussion: none

All approve – no nays or abstains – Motion carried

Motion: Trustee Andolina
Second: Trustee Hamilton

Resolution #6906 to approve May 9th minutes as submitted.

Discussion: none

All approve – no nays or abstains – Motion carried

Motion: Trustee Andolina
Second: Trustee Karns

Resolution #6907 to approve May 27th minutes as submitted.

Discussion: none

All approve – no nays or abstains – Motion carried

Report of the Fire Superintendent Tamborelle

- Update on Truck 202 – the truck has been put into service but will be out on warranty issues at the Syracuse plant and will be back in service some time next week (June 20th)
- Town of Ithaca Supervisor Mr. Herb Engman visited the station with other members from his board to learn more about the on going relationship between the Village of Cayuga Heights Fire Department and the Town of Ithaca.
- The “garage” sale went very well, a little less this year due to having fewer larger items available.

Report of the Asst. Superintendent of Public Works Frisbie

- Further work on the Pleasant Grove bus shelter is awaiting execution of formal agreements and a pole to be moved.
- Kendal Crosswalk – proposed changes have been approved and the layout will be done sometime this month once the granite company has been contacted to confirm the changes.
- There have been three water main breaks all on Forest Drive; 2 at the same location and the third was further down within the last few months. Supt. Cross indicated this may be due to being in a corrosive soil area. The soil is breaking down the pipes which lead to the breaks in the line. He is working with Bolton Point to identify the area affected.
- A resolution is needed to request bids for a sewer flush piece of equipment.

Motion: Trustee Andolina
Second: Trustee Riesman

Resolution #6908 to request bids for a Sewer Flush machine.

Discussion: none

All approve – no nays or abstains – Motion carried

Report of Mayor Supron

- **Coyotes:** Trustee Andolina reported that there have been coyote sightings within the Village boundaries. Trustee Andolina has spoken with Jack Rumsey and he indicates it is very difficult to remove these animals. The best advice is to watch your children and companion pets – don't let them out without supervision. There have been reports of doe attacking dogs. The doe are very aggressive at this time of year – they are protecting their young fawns and the territory they travel – don't let you children approach the fawns – the doe will attack the children to protect their young.
- **TCAT update:** The Mayor, Chief Boyce and Trustee Andolina met with Joe Turcotte, General Manager of TCAT. TCAT is currently reviewing their entire route service and considering service adjustments due to budget shortfalls, which will take precedent over working with the Village on this issue at the present time. Mr. Turcotte made clear that there is fatigue on this issue and that the TCAT Board does not feel that a change in the Route 30 service is operationally warranted. TCAT understands the views of the Village but stated that they have not heard from the public. The verbal and written complaints regarding TCAT should be shared with the TCAT Board and Joe Turcotte.
- The Village will continue its efforts to work with TCAT and work with the residents for an amiable agreement. Mayor Supron and Trustee Andolina indicated that they consider writing a local law to restrict TCAT routes through the Village an undesirable option at this point. The Board acknowledges that they have some authority to regulate vehicular traffic on Village roads under Vehicle and Traffic Law #1640, which they used to reduce the speed limit in the school zone to 15 mph and to install north and south bound Stop signs on the Parkway at its intersection with the Northway to address safety concerns at this intersection.
- **The Parkway and Northway:** Chief Boyce indicated that the traffic pattern with the temporary stop signs in place is working well. There is no congestion or back up and it is slowing down the traffic.

Motion: Trustee Karns

Second: Trustee Riesman

Resolution #6909 to make the temporary stop signs be permanent signs on the North and South bound on The Parkway at its intersection with the Northway.

Discussion: The Board is allowed to pass by resolution instead of by a local law option.

All approve – no nays or abstains – Motion carried

- **Treasurer transition:** Mr. Greenberg is in his second week working hard to learn the specific Village functions and responsibilities of Village Treasurer. The Board and staff welcome Mr. Greenberg and are glad to have him on board.
- **Marcham Hall addition:** Architect Mr. Todd Zwigard was chosen to work with the Village on the approximately 500 square foot addition of handicapped restrooms and a Jury/Break Room. The project is partially funded through a \$30,000 NYS Justice Court Grant. Mr. Zwigard will present his schematic design for the addition at the July 11th meeting. The Planning Board is invited to attend and add their comments/suggestions.

- **Sherpa update:** Michael Salm of Sherpa has been coming in every Friday to address issues the Village has and had provided recommendations to update the Village's equipment and software. These recommendations include replacing the server, and installing an external drive system for backup instead of a tape backup system that is currently being used. He has indicated our fire wall is not adequate and needs to be upgraded. Asst Supt Frisbie will receive a laptop to take to the field as he works with Supt Cross and code enforcement issues; and there additional charges related to the installation/conversion of the new server.

Trustee Karns, Treasurer Greenberg and Mayor Supron met with Michael Salm to review the recommendations and inquire if any of these items are under NYS contract. Trustee Karns indicated that the largest cost of the recommendation was the labor cost that would cover the conversion of the older server to the new. The recommendation is a reasonable estimate. Once the equipment and transfers are complete, this estimate may be lower. If there are unforeseen problems, it may be higher.

Motion: Trustee Andolina

Second: Trustee Crooker

Resolution #6910 enter into the proposal with Sherpa and authorize the Mayor to sign a contract to purchase equipment and install new equipment and software not to exceed \$16,500; the IT funds will be used and the balance of the funding will come from contingency.

Discussion: there is a concern that the electric supply may not be adequate. There was also a concern regarding humidity and temperature.

All approve – no nays or abstains – Motion carried

- **Planning Board appointment –**

Motion: Trustee Szekely

Second: Trustee Andolina

Resolution #6911 to appoint Sean Cunningham to the Planning Board replacing Mark Morris until 2016 (a 5 year term).

Discussion: Sean currently is an alternate and works with the Planning Board's web site, has excellent attendance, and contributes interesting points of view to the Board. He is a stay at home dad and is the head of the Home Owners Association – currently President of the Pleasant Grove Association.

All approve – no nays or abstains – Motion carried

Proposed local law “H” – Planning Board members are in support of this proposed local law and this is a reasonable expectation. Planning Board Chair Martin Harms reported that the Planning Board thought this was already in place. When people are volunteering to serve on committees they need to be informed of the importance to attend all the meetings.

Motion: Trustee Riesman

Second: Trustee Andolina

Resolution #6912 to approve proposed local law “H” of the Year 2011 – A Local Law establishing Minimum Meeting Attendance Requirements for Regular Planning Board and Zoning Board of Appeals Members.

Discussion: none

All approve – no nays or abstains – Motion carried

- **Pegasis Studio Access Budget:** there are three municipalities who contribute to this budget: City of Ithaca, Town of Ithaca and Village of Cayuga Heights. The Town of Ithaca, the City of Ithaca and the Village of Cayuga Heights receive franchise fees from Time Warner Cable (Town and Village 3%, City 5%.) As per the Franchise Agreements, Time Warner retains a half a percent of the franchise fee to pay for the salary of the person who runs the studio. There is a \$.15 per month, per subscriber fee that is collected by Time Warner Cable which goes toward the equipment for the Studio.

Ms. Wies VanLeuken is the Village’s appointed representative to this oversight committee and works very hard at making sure everything is in order. The Board of Trustees for the Village of Cayuga Heights needs to confirm by resolution the PEG Access Studio Capital Budget.

Motion: Trustee Andolina

Second: Trustee Karns

Resolution #6913 adopting the 2012 PEG Access Studio Capital Budget

Whereas the Franchise Agreement between the Time Warner Entertainment and the Village of Cayuga Heights authorizes Time Warner Entertainment to collect \$0.15 per subscriber per month to be used for the purchase of equipment for the PEG Access Studio; and

Whereas the total capital budget for the life of the ten-year agreement was estimated to be \$200,000;

Whereas the Franchise Agreement outlines the creation of an Access Oversight Committee which shall be responsible for approving the timing, use and amount of PEG access equipment acquired each year over the term of the agreement; and

Whereas the Access Oversight Committee has approved a 2011 capital budget in the amount of \$30,000.00; and

Whereas the Franchise Agreement states that participating municipalities, including the Village of Cayuga Heights, must adopt the annual PEG Access Studio budget by June 30 of the preceding year; now therefore be it

Resolved that the Board of Trustees of the Village of Cayuga Heights adopts the 2012 PEG Access Studio budget as approved by the Access Oversight Committee.

Discussion: none

All approve – no nays or abstains – Motion carried

Report of the Police Chief Boyce

- A question from the Trustees was inquiring what the three incidents were regarding aggravated unlicensed operation of a motor vehicle. His response was that there must have been a reason why the individual's license was taken away. It could be from a number of reasons which a person's license is suspended – once that occurs you are not to drive – but they drive anyway – then when they are caught there are penalties.
- There are two new part-time police officers who are in training and that means they are partnered with a seasoned officer when they are on duty. This means there is double coverage during this training and double payroll.
- Chief Boyce alerted the Village Board to the NYS Excess Property Program – where equipment is made available to outside organizations at no cost to the organization who wants the items. The only cost would be to pick up the item(s) where ever they may be; for example: Fort Drum could have a server available – we would have to drive there to retrieve the server. Chief Boyce has asked the Board for a resolution allowing the Mayor and him to sign the contract. Sergeant Steinmetz indicated another example would be the availability of M16's from the Vietnam era would be free to the organization picking them up as long as they are enrolled in the program through this type of contract.

Motion: Trustee Hamilton

Second: Trustee Andolina

Resolution #6914 to authorize the Mayor and Police Chief to sign the contract for the NYS Excess Property Program.

Discussion – Mayor Supron confirmed with the Chief that the Board would be consulted before any donations are accepted through this program.

All approve – no nays or abstains – Motion carried

Report of the Superintendent of Public Works Cross

- Supt Cross lowered the Village flag in honor of former Mayor Walter Lynn's passing. He indicated it was an emotional and humble experience.
- Paving – the paving schedule will be as follows: the 400 block of Cayuga Hgts Rd section from Hanshaw to East Upland Rd; West Upland to lower section of East Upland; and Oak Hill Rd. There is some NYSEG gas main work that will be done before we can begin the paving. The goal is to have the paving done prior to school starting.
- Hanshaw Rd is a County project – the Village's portion is covered under the ICTC organization recommendation to the County that it be covered. The Village will have to provide a 5% contribution – which at the time the project was estimate would have been in the \$20,000 range. The project looks to start Summer 2012. The project will run on Hanshaw Rd from Pleasant Grove Rd to Sapsucker Rd.
- A resident incurred damage to her vehicle from a displaced manhole cover and submitted a claim without a written estimate for damages. A response was given asking for an estimate on the repair and was received at 6:00 pm this evening. The Village will review the incident, police report and damages before responding to the claim. This particular manhole was welded shut due to an earlier claim. It may be that this is considered a new incident and the Village is not liable. Further investigation is pending.
- A request was made by residents to erect "children at play" signs along Sheldon Rd. It was determined that there are deep ditches along both sides of the road. What they really may be asking for are sidewalks. This item will be addressed at a later date.
- A public hearing will be scheduled for the July 11th meeting for the proposed local law "E" Sewer Rents. This proposed law would change sewer billing from the number of units to a bill based on water consumption, with an effective date of June 2012. This long window will provide our client municipalities to make the necessary changes to their billing systems. The change is designed to be revenue neutral.

Motion: Trustee Karns

Second: Trustee Hamilton

Resolution #6915 to schedule a public hearing at the Board of Trustee meeting of July 11, 2011 at 7:00PM regarding proposed local law "E" – Sewer Rents shifting from a unit basis to a water consumption basis effective June 1, 2012.

Discussion – none

All approve – no nays or abstains – Motion carried

Report of Clerk Mills

- The Clerk reminded the Board of the need to update the telephone system. Estimates and degrees of update were presented to the Board at their May 9th meeting. The Clerk will contact Frank Agola with All-Mode for more information.

Report of Treasurer Greenberg

- The April financials were completed by Jeff Silber. May 2011 is year end and all the invoices need to be approved and we will close May within another month to be sure all the prior years invoices have been received for the last fiscal year.
- There have been two bonding distribution notes: One for the water system and the other for the new fire truck.
- Abstract and Supplemental Abstract – these cover half of invoices from fiscal year 2011 and half for fiscal year 2012.

Motion: Trustee Andolina

Second: Trustee Szekely

Resolution #6916 to approve the Abstract and Supplemental Abstract as submitted for June 13, 2011.

Discussion – questions were asked and answered regarding specific items within the Abstract.

All approve – no nays or abstains – Motion carried

- The contingency monies will be used to pay the Sherpa recommended items for IT equipment and software. Also, the contingency will be used to pay the upgrades for the phone system. The Village has General Fund Surplus that will be used to pay services and equipment as appropriate.

Report of Attorney Gutenberger

- TCAT and Pleasant Grove Rd – Attorney Gutenberger will keep the Village informed of all updates. It was noted there has been a telephone pole that has been struck three times in the last few months. There may be a need to place guard rails in this area.

Trustee Privilege of the Floor

- Trustee Szekely advised the Board of the invitation from the Planning Board member, Graham Gillespie to attend the next several meetings of the Planning Board where they will be discussing the Comprehensive Plan. The Planning Board would value the opinions of the Board of Trustees regarding the Comprehensive Plan. The dates of interest would be: June 27th, July 25th and August 29th; George Frantz will be working with the Planning Board and the Comprehensive Plan. The Planning Board anticipates making a draft presentation of the Comprehensive Plan at the Board of Trustees September 12th meeting. The Planning Board plans to complete the SEQR process, hold a public hearing, and obtain Tompkins County Planning Dept approval.

- Recognition resolution of former Treasurer Jeff Silber:

Motion: Trustee Andolina

Second: Trustee Riesman

Resolution #6917 to recognize former Treasurer Jeff Silber for his 22 years of service to the Village of Cayuga Heights as follows:

Whereas: Jeff Silber has for 22 years been a dedicated, and trusted Treasurer in service to the Village of Cayuga Heights; and

Whereas: Jeff Silber has been an essential partner and effective leader in the financial stewardship of the Village of Cayuga Heights; and

Whereas: Jeff Silber has lent his considerable expertise to the management of the Village of Cayuga Heights technology usage needs; and

Whereas: Jeff Silber has been a long time volunteer of his services to the Village of Cayuga Heights Fire Department and a member of the Village of Cayuga Heights Fire Company; and

Whereas: Jeff has been generous with his time, his respect, his keen insights, and his commitment to working with the Village of Cayuga Heights

Therefore, be it now resolved: that the members of the Board of Trustees of the Village of Cayuga Heights, individually and on behalf of the Village department heads and employees, hereby congratulate and honor

Jeff Silber and recognize and thank him for his leadership and the unique contributions he has made to the Village of Cayuga Heights

Discussion: none

All approve – no nays or abstains – Motion carried

- Trustee Hamilton seeks guidance on the fencing ordinance and is looking for opinions focused on enclosures – defining what an enclosure is – to assist Supt Cross in performing his duties of code enforcement.

Mayor Supron discussed the fact that the revised ordinance didn't pass at last month's Board meeting and those residents who wish to erect a fence need to apply for a permit or variance if the fence they want is not compliant with the current ordinance.

Mayor Supron will work with Trustees Hamilton and Andolina regarding revising the fencing ordinance. Supt Cross indicated most other municipalities require a permit for any kind of fencing.

Meeting adjourned at 10:30PM

Submitted: Clerk Mills

6/22/2011



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
Angela M. Korbel, Deputy Clerk
Steven M. Greenberg, Treasurer
Brent A. Cross, Engineer

Board of Trustee Meeting – June 13, 2011 – 7:00 PM – Marcham Hall

PLEASE PRINT

Name	Address	Resident/Non-Resident	Public Hearing Speak/No Speak	Privilege of Floor Speak/No Speak
Pete Bortorst	2100 N T-iphawm Rd		/	/
Sarah Hatcher	111 E Remington	✓	/ ✓	/ ✓
Gabrielle Vehar	509 Lake St, Ithaca	✓	NR / ✓	✓ /
Sarah EBERT	405 TROY RD	✓	NR /	/
James LaVeck		✓	NR /	/
Jenny Stein		✓	NR /	/
SALLY Gumb	104 Midway	✓	NR /	NR /
Elizabeth Mout	303 E. Upland	✓	NR /	NR /
Elizabeth Root	18 Popper St Turg	✓	NR /	✓ /
Hazel Brampton	131 Christopher	Non	/	/
MARY TABACCHI	705 THE PARKWAY	✓	✓ /	NR /
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← Illegal question

Police Dept. & Village Administration
OFFICE HOURS
9 AM – 4:30 PM
<http://www.cayuga-heights.ny.us>



Village of Cayuga Heights

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Board of Trustee Meeting – June 13, 2011 – 7:00 PM – Marcham Hall

PLEASE PRINT

Name	Address	Resident/Non-Resident	Public Hearing Speak/No Speak	Privilege of Floor Speak/No Speak
Lowell Garner		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Charlene Temple		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry Richardson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jan Segeler		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Roger Segeler		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Eder		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sat Teel		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Martin Harms		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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