

**Present:** Mayor Supron, Trustees: Andolina, Crooker, Hamilton, Riesman, Attorney Gutenberger, Sergeant Steinmetz, Fire Superintendent Tamborelle, Superintendent Cross, Asst. Superintendent Frisbie, Treasurer Greenberg, Clerk Mills

Absent: Trustees: Karns, Szekely, Attorney Marcus, Chief Boyce

**Mayor Supron called the meeting to order at 7:08 PM**

**Public Hearing for July 11<sup>th</sup> will be rescheduled for August 8<sup>th</sup> meeting at 7:00PM**

**Mayor Supron read the Privilege of the Floor (PoF) guidelines**

**Mayor Supron opened PoF at 7:12PM**

B. Thuesen – there is a large number of buck thorn and this is something the deer prefer.

S. Grubb – hope to hear the Board has decided to update the fencing ordinance – making more sensible and less restrictive against homeowners.

G. Vehar – Spoke against the deer remediation.

A. Baker – Believes the Board is not listening to the public and supports saving the deer. She would like to see compromise by bring in gardeners.

C. Temple – She supports the speakers who want to modernize the fencing ordinance and this seems to be a non-controversial way to protect resident property.

Close Privilege of the Floor at 7:20 PM

**Approval of Minutes**

**Motion: Trustee Riesman**

**Second: Trustee Hamilton**

**Resolution #6818 to approve June 13<sup>th</sup> minutes as submitted.**

Discussion: none

**All approve – no nays or abstains – Motion carried**

**Todd Zwigard** – presentation regarding the renovation of Marcham Hall. This project is approximately 550 SF and will add handicap bathrooms and jury room on the first floor. Mr. Zwigard provided a view of the floor plan and a rendering of what the addition will look like when complete. The current Police Chief's office will become the jury room and the addition in the back will become the Police Chief's office, as well as adding an armory. Access from the vestibule will be reopened for access from the front to the jury room. A ramp will lead to a new back entrance into the building and to a hallway.

Discussion:

There has been a long history of attempting to renovate Marcham Hall. The estimate of cost ranged from \$1,000,000 and two stories adding space needed to another estimate for two stories but at \$500,000. This is not a “stage” addition where we will add onto in the future this is a modest addition where it will meet the needs of Marcham Hall. An important element will be an armory for the police department.

This is a matching grant - \$30,000 from the State and another \$30,000 from the Village budget. However, this \$60,000 will not cover the cost of Todd Zwigard’s design. The Village will need to supply an additional \$40,000 for a total of \$100,000 for the project costs.

The Court room and the new portion would have air conditioning and an upgrade to the wiring. The cost of the air conditioning is included in the \$100,000. Marcham Hall will now have handicap accessible egress from two sources, handicap bathrooms and an additional meeting room which may be used by the clerk’s office for those who are unable to climb to the second floor.

Mayor Supron has spoken with Trustee Szekely, who is unable to attend this meeting due to health reasons and she has given her full support to the project as outlined and the increase in expenditure. Will this project address the electrical issues of the building? There has been some updating to the electrical panels already.

Planning Board Chair, Martin Harms, has been involved with the design team, and states his support for the simple, modest design and agrees it will be a good addition to the building. This design gives a more modern look and gives a second access to the building with the handicap ramp and doorway.

The construction cost would be estimated at about \$180/sf – plus the use of the DPW crew to provide labor and certain trades: demolition, excavation and concrete. The end result would be \$100,000 plus DPW labor. There is already an offer to supply re-claimed lumber for the siding. This project is scheduled to begin late Fall 2011. The project needs to be completed by March 2012.

Trustee Andolina indicates the Village will need to “find” an additional \$40,000. Does this project finish the Marcham Hall renovations? Does this provide enough space to meet the needs of the Building? If this project satisfies this then once complete there would not be a need for other future Marcham Hall renovations. The \$40,000 will come from Village General Fund surplus and is a wise use of taxpayer dollars.

Trustee Crooker commented that the original grant proposal was a one – to – one match on funds. What ever was received would be matched by the Village even before the grant was applied for. This had already been planned. We are getting a 550sf addition for \$100,000. An interesting development is the additional entrance to the building in the back.

Trustee Riesman indicated that Chief Boyce and Sergeant Steinmetz were involved in the discussion of the needs of the police department. Sergeant Steinmetz related that it is understood the economic times will not allow for a larger building. However the armory will be a welcome and much needed addition to accommodate the weapons, ammunition and training equipment.

Trustee Andolina concluded that the only item this project doesn't provide for is the easier access to the clerk's office by the residents. Mayor Supron added that the lift was not included in the purpose of the original grant.

**Motion: Trustee Riesman**

**Second: Trustee Crooker**

**Resolution #6919 to accept the draft design from Todd Zwigard for the Marcham Hall renovation project and approve \$40,000 allocated out of the General Fund surplus.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Report of Fire Superintendent Tamborelle –**

- Submitted report and opened up for questions  
Question: How many CO2 calls are received?  
Answer: It depends, but an average would be one or two a month. Usually it is due to batteries being dead. Very rarely is it a carbon monoxide poisoning.

**Report of Asst. Superintendent DPW Frisbie –**

- Submitted report and opened up for questions – none
- Needs a resolution to approve one of the Bids opened today for the Trailer Mounted Sewer Flusher. Two Bids were received: Joe Johnson Equipment and Dynovac. Both met the Bid requirements and Joe Johnson came in as the lowest bid.
- One other item related to purchasing equipment will be the 800 MHz radios with the balance of \$18,000.

**Motion: Trustee Andolina**

**Second: Trustee Hamilton**

**Resolution #6920, to accept low bid of Joe Johnson Equipment and authorize purchase of Trailer Mounted Sewer Cleaner from Joe Johnson Equipment Inc, Rochester NY from bid submitted less trade in of 1997 Trailer Jetter (4,000) in the amount of \$44,969.20.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Report of Superintendent Cross -**

- Application from Ned's Pizza, Mr. Nadim Khazzaka, for seasonal outdoor seating

Discussion – Mr. Khazzaka's original approval from the Board of Trustees within the Zoning Law for the operation of his restaurant did not cover outdoor seasonal seating. This process is consistent with prior applications, such as JJ's and the Height's Café and their outdoor seating. Mr. Khazzaka spoke in support of the additional seating and explained there would be three tables and supporting chairs. This outdoor seating would begin April 1<sup>st</sup> and end Oct 31<sup>st</sup> and be directly on the sidewalk in front of the restaurant.

**Motion: Trustee Hamilton**

**Second: Trustee Andolina**

**Resolution #6921: Grant Special Approval to Ned's Pizza to have Seasonal Outdoor Seating beginning April 1<sup>st</sup> and end October 31<sup>st</sup>.**

**Whereas, the Village of Cayuga Heights Zoning Ordinance Section 4.2.c. requires the Board of Trustees to grant Special Approval to restaurants, and**

**Whereas, the Village has previously granted Special Approval to Nadim Khazzaka to operate a pizzeria restaurant (Ned's Pizza), and**

**Whereas, Ned's Pizza wishes to have outdoor tables/chairs for the use of its customers. There are to be 4 tables with 2 chairs each, to be located on the concrete sidewalk along the front of restaurant, and**

**Whereas, the outdoor tables/chairs will be used seasonally between April 1 and October 31 of each year, and**

**Whereas, such request is considered to be a Type II Action under SEQRA NYCRR 617.5, which does not require further investigation of environmental impacts, and**

**Now, Therefore, the Village of Cayuga Heights Trustees have determine that "the need for such use exists for the convenience of the neighborhood and that the general welfare of the Village will be served and that there will be no excessive noise in conjunction with the use", and**

**Therefore, the Village of Cayuga Heights Board of Trustees, hereby grants Special Approval to Ned's Pizza for seasonal outdoor seating.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Report of the Mayor –**

- Deer management – Court was held June 24<sup>th</sup> and the Village is waiting to hear the decision of the judge.
  - A browse study will be done as part of the deer remediation program – The Mayor has been working with Dr. Bernd Blossey, from Cornell. There was an article in the Ithaca Journal on Saturday (July 16<sup>th</sup>) giving some information. This will be a scientific base line to show that the deer eat everything.

There will be 5 sites selected within the Village where 20 small oak saplings will be open planted and another 20 saplings will be fenced, after 10 days he will then measure at each site the survival rate of both fenced and unfenced saplings. Then approximately every two to four weeks after that during the growing season return to see how the saplings are doing – both fenced and unfenced. This will provide the data needed as a base to start with before anything is done with the population program. The cost to the Village will be \$1000 / year for the trees, materials and data collection.

What would the study show if the deer population is reduced fairly quickly? This process will be done annually – the seedlings are planted every year at 30 cm tall – to gauge deer impact. If after you have done the reduction and nothing changes, you will need to determine if you are doing what is best at that time. This study can be done at anytime. The seedlings are tall now and the time of planting shows that the browse happens during the summer months.

**Motion: Trustee Andolina**  
**Second: Trustee Crooker**

**Resolution #6922 to approve the Mayor entering into a contract with Dr. Bernd Blossey and commit to spend up to \$1000 to be funded from the deer remediation fund.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

- **TCAT** is not ready to move the bus. The mayor does not support using a local law to force TCAT into cooperation. This is not the path to develop a partnership with TCAT. However, if the members of the Board have a different opinion please say so, otherwise the mayor will continue to attend the Ithaca Tompkins Transportation Council meetings to focus on transportation issues. Patrick Jenson will be out of the office until the end of July and the mayor has not had the opportunity to discuss his official views.

Trustee Andolina indicated if the Village were to use a local law to limit TCAT's operation that it would be viewed in their eyes as confrontational. It is his opinion that they would challenge the Village's right to do so. This would then lead to a deterioration in the relationship with TCAT who provides a service to the Village and do we really want to do that? It may also cause a financial burden to the Village by being drawn into a lawsuit. It would be worth having a dialog with TCAT and the residents should not only send their view in writing to us, the Board members, but to TCAT as

well, as to the current bus route location. TCAT has indicated they have not heard from the public. So it is important for the residents to voice their concerns directly to TCAT.

Trustee Riesman agrees with the view of Trustee Andolina. She would like to know from the people who signed the original petition what their opinions are now that there are certain safety measures that have been put into place, the four way stop sign, crosswalk and 15 mile an hour sign. You can't put a local law into place that discriminates against TCAT. Mayor Supron agreed with this and added that if there was a "no right hand turn from The Parkway on to Northway or from Triphammer on to Northway may alleviate the problem. It would be best to work with them to agree where the bus route will be; using a local law would not be the best direction to take.

- Fences update – Trustees Andolina and Hamilton volunteered to do some work on this topic at our last meeting. Trustee Andolina has asked someone who works in landscaping – he spoke with David Fernandez of Cayuga Landscaping. Is there a way to think about enclosure fencing in a sensible way? Is there a way to define enclosure fencing that serves to protect the planting and eliminate the temptation to expand to something that can be considered permanent perimeter fencing?
- Information that came from this discussion: defining enclosure fencing in terms of distance from the furthest protrusion makes sense and, in general, follows practice. Seasonal fencing actually follows a well defined timeframe. Seasonal fencing might begin November 1<sup>st</sup> and end May 1<sup>st</sup> with a timeframe being flexible by a couple of weeks while plantings begin to bud – the deer will eat the plantings until the grass is green enough to browse. Trustee Andolina suggests we limit enclosure fencing within property line setbacks to cover no more than say, 75% of the linear property line frontage. This would be relatively easy to enforce as we know the property line frontage distances for each property and could simply sum the measures of the front-facing linear coverage of enclosure fencing within the setback. Anything beyond would have to get a variance from the Zoning Board of Appeals. Trustee Andolina proposes we alter the ordinance language to specify only one 4' fence to be allowed within the setback. Another issue would be if you want to put a fence around anything you will still have to have a permit to do so. Should seasonal enclosure fencing be exempt from getting a permit? Further discussion will follow at the next Board meeting.

**Report of Police (Chief Boyce not present) Sergeant Steinmetz –**

- A report was submitted – no questions resulted
- The STEP grant and Buckle UP New York grant are the two CHPD have applied for. This is the first year the CHPD has applied for these grants.
- The temporary crosswalks near Cayuga Heights School were made permanent by resolutions.

Discussion: No SEQR consideration is needed by any of the following as they are a type actions as indicated by legal council.

**Motion: Trustee Hamilton**

**Second: Trustee Andolina**

**Resolution #6923 Authorize installation of Permanent Crosswalks at the Intersection of The Parkway and E Upland Rd.**

Whereas, the Village has had requests from the public for the installation of pedestrian crosswalks at the intersection of The Parkway and E Upland Rd, and

Whereas, the crosswalks have been installed on a trial basis, as approved by the Police Chief, for up to 120 days without any known concerns or unforeseen hazards, and

Whereas, the Village has evaluated the need for the pedestrian crosswalks and determined that general public will benefit from a formal crosswalk at this location, and

Whereas, the Village Engineer has prepared a site evaluation to that the installation of the crosswalk does not create any hazards for pedestrians and motorists due to such conditions as site distance, traffic control devices, road conditions, grade changes, etc., and

Now, therefore, the Village Board of Trustees hereby authorizes the installation of the crosswalk on a permanent basis.

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Motion: Trustee Andolina**

**Second: Trustee Hamilton**

**Resolution #6924 Authorize installation of Permanent Crosswalks at the Intersection of E Upland Rd and The Parkway.**

Whereas, the Village has had requests from the public for the installation of pedestrian crosswalks at the intersection of E Upland Rd and The Parkway, and

Whereas, the crosswalks have been installed on a trial basis, as approved by the Police Chief, for up to 120 days without any known concerns or unforeseen hazards, and

Whereas, the Village has evaluated the need for the pedestrian crosswalks and determined that general public will benefit from a formal crosswalk at this location, and

Whereas, the Village Engineer has prepared a site evaluation to that the installation of the crosswalk does not create any hazards for pedestrians and motorists due to such conditions as site distance, traffic control devices, road conditions, grade changes, etc., and

Now, therefore, the Village Board of Trustees hereby authorizes the installation of the crosswalk on a permanent basis.

Discussion – none

**All approve – no nays or abstains – Motion carried**

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

**Resolution #6925 Authorize installation of Permanent Crosswalks at the Intersection of The Parkway and Northway Road.**

Whereas, the Village has had requests from the public for the installation of pedestrian crosswalks at the intersection of The Parkway and Northway Road, and

Whereas, the crosswalks have been installed on a trial basis, as approved by the Police Chief, for up to 120 days without any known concerns or unforeseen hazards, and

Whereas, the Village has evaluated the need for the pedestrian crosswalks and determined that general public will benefit from a formal crosswalk at this location, and

Whereas, the Village Engineer has prepared a site evaluation to that the installation of the crosswalk does not create any hazards for pedestrians and motorists due to such conditions as site distance, traffic control devices, road conditions, grade changes, etc., and

Now, therefore, the Village Board of Trustees hereby authorizes the installation of the crosswalk on a permanent basis.

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Motion: Trustee Hamilton**  
**Second: Trustee Riesman**

**Resolution #6926 Authorize installation of Permanent Crosswalks at the Intersection of Northway Road and The Parkway.**

Whereas, the Village has had requests from the public for the installation of pedestrian crosswalks at the intersection of Northway Road and The Parkway, and

Whereas, the crosswalks have been installed on a trial basis, as approved by the Police Chief, for up to 120 days without any known concerns or unforeseen hazards, and

Whereas, the Village has evaluated the need for the pedestrian crosswalks and determined that general public will benefit from a formal crosswalk at this location, and

Whereas, the Village Engineer has prepared a site evaluation to that the installation of the crosswalk does not create any hazards for pedestrians and motorists due to such conditions as site distance, traffic control devices, road conditions, grade changes, etc., and

Now, therefore, the Village Board of Trustees hereby authorizes the installation of the crosswalk on a permanent basis.

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Motion: Trustee Riesman**

**Second: Trustee Andolina**

**Resolution #6927 Authorize installation of Permanent Crosswalks at the Intersection of Midway Road and Northway Road.**

Whereas, the Village has had requests from the public for the installation of pedestrian crosswalks at the intersection of Midway Road and Northway Road, and

Whereas, the crosswalks have been installed on a trial basis, as approved by the Police Chief, for up to 120 days without any known concerns or unforeseen hazards, and

Whereas, the Village has evaluated the need for the pedestrian crosswalks and determined that general public will benefit from a formal crosswalk at this location, and

Whereas, the Village Engineer has prepared a site evaluation to that the installation of the crosswalk does not create any hazards for pedestrians and motorists due to such conditions as site distance, traffic control devices, road conditions, grade changes, etc., and

Now, therefore, the Village Board of Trustees hereby authorizes the installation of the crosswalk on a permanent basis.

Discussion – none

**All approve – no nays or abstains – Motion carried**

Trustee Riesman provided information: at Iroquois crossing at The Parkway there is a slight incline from the south where cars approach and then descend – this is a crossing area for people and seems to be in more need of a crosswalk. Discussion continued – there will be more of a safety issue. There isn't a light or stop sign to indicate there is a crosswalk. Can a sign be installed to alert drivers of the crosswalk? This will be a discussion for a future DPW meeting. Supt Cross will research the MUTCD manual. The general issue of crosswalks or the extension of the sidewalk at The Parkway and Hanshaw is also going to be discussed at the DPW meeting.

**Report of Superintendent Cross (continued)**

- Public Works update – the successful bid for the sewer flusher will save \$18,000 in the DPW budget. However, this money may address the upgrading of the radio issue – going to 800 MHz system which is currently being used by the CHPD and CHFD. In an emergency situation at the moment the DPW can't communicate with CHPD or CHFD.
  - Renew the current license, keeping it as a local use and keep the cost minimal, or
  - Purchase the equipment that will upgrade to the current FEMA and Federal requirements for emergency conditions.

The purchase of the equipment would cost around \$18,000. Plus, with the renovation of Marcham Hall, the pole will be removed which is where the local Band is kept. The radio technology is such if everyone has a handheld device – they will perform adequately rather than having one mounted in each vehicle. This will be looked at for the August meeting for replacing prior to the October deadline for the renewal of the current system. The county has already done the bidding process and we will be able to use this pricing.

- There needs to be another public hearing scheduled for the proposed local law to shift from a unit basis to a water consumption basis.

**Motion: Trustee Andolina**

**Second: Trustee Riesman**

**Resolution #6928 to schedule a public hearing at the Board of Trustee meeting of August 8, 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**

- There is a delay on the crosswalks at Kendal and TCAT bus stop. This was put on hold due to Kendal changing the size of the crosswalk and island and the Grant Curbing wanting to do both at the same time. **We anticipate the project to be completed in the next 30 days.**

**Report of Clerk Mills**

- Received the quote from All-Mode and they have kept the total below \$6,500 as requested. The Village will continue to use its current equipment.

**Motion: Trustee Andolina**

**Second: Trustee Crooker**

**Resolution #6929 authorize the Mayor to enter into a contract with All-Mode to upgrade telephone system not to exceed \$6,500 and funds will come out of General Funds contingency.**

Discussion – an advertised bid would be needed if is over \$10,000.

**All approve – no nays or abstains – Motion carried**

- The Clerks office will work with Sherpa and Tim Kessler to take over maintaining the Web site and the additions that need to be put on the site. Tim will still host the server and provide assistance when needed. Trustee Riesman developed a flyer to be used to advertise signing up for the VCH e-News or the Web Blast.

**Report of Treasurer Greenberg -**

- The purchase of the server and other components currently exceeds the newly adopted budget. The over target amount will be taken from contingency. Sherpa is providing a breakdown of pricing for the components of the quote and working with the State site for pricing.
- The 2011-2012 budget has been filed with the NYS Comptrollers Office.
- A resolution was approved to transfer

**Motion: Trustee Andolina**

**Second: Trustee Crooker**

**Resolution #6930 to approve the transfer of \$2,030.00 from account A0.5142.200 (Snow: Equip) to account A0.5110.200 (Street: Equip) for the fiscal year end May 31, 2012. This transfer is required to cover the cost of the new wood chipper and new line painter.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

- The Abstract and Supplemental abstract were approved.

**Motion: Trustee Andolina**

**Second: Trustee Hamilton**

**Resolution \$6931 to approve the Abstract of Audited Vouchers dated July 18, 2011 in the amount of \$196,881.48 and the Supplemental Abstract of Audited Vouchers dated July 18, 2011 in the amount of \$900.00 and instruct that the Treasurer make payments thereon.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Report of Attorney Gutenberger –**

- Resolution accepting Deed from Tim Ciaschi to the Village of Cayuga Heights and execution of documents relating to same. Mr. Ciaschi has offered to dedicate 242 SF to the Village on the strip of land at the corner of Pleasant Grove Rd and Hanshaw Rd.

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

**Resolution# 6932 Authorizing Mayor Supron to accept the deed from Tim Ciaschi for dedication of land at the corner of Pleasant Grove Rd and Hanshaw Rd. The Mayor is also authorized to execute any related documents and to file the Deed in the Tompkins County Clerk's Office.**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Trustee Privilege of the Floor – none**

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

**Resolution #6933 to move into executive session to discuss a legal matter @ 10:17PM**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**No action items taken in executive session.**

**Motion: Trustee Andolina**  
**Second: Trustee Hamilton**

**Resolution #6934 to leave executive session at 11:03PM**

Discussion – none

**All approve – no nays or abstains – Motion carried**

**Meeting Adjourned at 11:04PM**

**Submitted by:**  
**Clerk Mills**



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 – July 18, 2011 – 7:00 PM – Marcham Hall

PLEASE PRINT Name	Address	Resident/Non-Resident	Privilege of Floor Speak/No Speak
✓ Gabrielle Vekar	509 Lake St, Ithaca	1 ✓	✓ 1
Sarah Hatcher	E. Rowington	✓ 1	1 ✓
LINDA BORS	121 TEXAS LN.	✓ 1	1 ✓
ROBERT BORS	" "	✓ 1	1 ✓
Dwight Donner	107 E Remigton	✓ 1	1 ✓
Lee Donner	" "	✓ 1	1 ✓
Mindy Mordica	112 Midway Rd	✓ 1	1
✓ BARBARA THUESSEN	201 HAMPTON RD	✓ 1	✓ 1
✓ Sally Gubb	104 Midway Rd	✓ 1	3 1
Jenny Stein		1	1
James Laveck		1	1
Eric Huang		1	1
Martin Hams.		✓ 1	1 ✓
Graham Gillesp		1	1
NOT SIGNED IN - asking to speak		1	1
Angie Baker		1 ✓	✓ 1
Charlene Temple Renuick		✓	✓

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

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