

EXHIBIT 2016-064

Minutes
Marcham Hall

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES MONTHLY MEETING

Monday, September 21, 2015
7:00 p.m.

Present: Mayor Supron; Trustees: Biloski, Friend, Marshall, Robinson, Salton, and Woodard; Fire Superintendent Tamborelle; Superintendent of Public Works Cross; Police Chief Steinmetz; Clerk & Treasurer Mangione; Attorney Marcus

Call to Order: Mayor Supron called the meeting and the public hearing to order at 7:05 p.m.

1. Public Hearing: PROPOSED LOCAL LAW C OF THE YEAR 2015 (EXHIBIT 2016-048)

A LOCAL LAW TO RESCIND THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Mayor Supron spoke briefly on the reason for this proposed law. Property owners cannot receive a Property Tax Freeze Credit from New York State for a municipality unless the governing body of that municipality does not have an override law in place and did in fact not exceed the annual tax levy cap (is freeze compliant).

No members of the public in attendance.

The public hearing is closed.

2. Approval of Minutes:

Resolution #7686

BE IT RESOLVED THAT: Minutes of the August 17, 2015 Village of Cayuga Heights Board of Trustees Meeting are approved as written in Exhibit FYE2016-054.

Motion: Trustee Salton

Second: Trustee Woodard

Discussion: No discussion

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton; and Woodard

Nays: none

Abstentions: Mayor Supron

Motion carried

3. Report of Fire Superintendent Tamborelle: (Exhibit FYE2016-055)

Response for the Fall Recruiting Dinner to be held on Saturday, October 3, 2015 has been excellent. There have been forty-three RSVPs to date. There are ten potential recruits who are already EMTs. Twenty recruits will be accepted into the class.

Superintendent Tamborelle has been asked if the fire station will be available on November 7, 2015 in order for the CHES PTA to hold their annual fundraising auction there as it has in past years. A Special Event Permit will be sought; they will request a waiver of the application fee.

A question related to the cost of painting the interior of 825Hanshaw Road was raised. The board is satisfied that the Procurement Policy was followed; Superintendent Tamborelle will provide a list of contractors from whom bids were requested. Primetime Painters was the only respondent to be willing and able to commit to the necessary timeframe.

A suggestion was made to move consideration of the Fire Company's request for approval of their annual fundraising letter to this point. (EXHIBIT 2016-058) For the benefit of newer board members the distinction between the fire department and the fire company was stated. The Cayuga Heights Fire Department is supported by taxpayer dollars and provides the facility, equipment, and maintenance thereof. Fire Superintendent Tamborelle is paid as a part-time employee of the Village. The Fire Company handles recruitment and training.

Resolution #7687

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves the Cayuga Heights Fire Company's Annual Fund Raising Letter as written in Exhibit FYE2016-058 and grants permission for its circulation.

Motion: Trustee Salton

Second: Trustee Robinson

Discussion: General appreciation for the letter's rewriting are expressed.

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton; and Woodard

Nays & Abstentions: none

Motion carried

4. Privilege of the Floor (PoF):

No members of the public to speak.

5. Report of the Mayor

a. Proposed Local Law C of the year 2015:

Resolution #7688

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves proposed Local Law C of the Year 2015: A Local Law to Rescind the Override of the Tax Levy Limit Established in General Municipal Law §3-C.

PROPOSED LOCAL LAW C OF THE YEAR 2015

A LOCAL LAW TO RESCIND THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

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

Section 1 Legislative Intent: It is the intent of this local law to rescind Local Law 2015-1 allowing the Village of Cayuga Heights to adopt a budget for the fiscal year commencing in 2015 that requires a real property tax levy in excess of the tax levy limit as defined by General Municipal Law §3-c.

Section 2 Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c which expressly authorizes a local governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3 Tax Levy Limit Override: The Board of Trustees of the Village of Cayuga Heights, County of Tompkins, is hereby rescinding authorization to adopt a budget for the fiscal year commencing in 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4 Severability: If a court determines that any clause sentence paragraph subdivision or part of this local law or the application thereof to any person firm or corporation or circumstance is invalid or unconstitutional the court order or judgment shall not affect impair or invalidate the remainder of this local law but shall be confined in its operation to the clause sentence paragraph subdivision or part of this Local Law or in its application to the person individual firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5 Effective Date: This Local Law shall take effect immediately upon filing with the Secretary of State.

Motion: Trustee Robinson

Second: Trustee Woodard

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton; and Woodard

Nays & Abstentions: none

Motion carried

b. Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC) – Bolton Point Water System: Agreement to Change Water Rate Schedule (EXHIBIT 2016-057)

Each year, participating parties to the SCLIWC agreement review and have consistently, unanimously approved amendment of Exhibit I of Schedule A of the agreement in order to set a water rate for the upcoming fiscal year. For the year commencing on January 1, 2016, it is proposed that the water rate be raised by \$.09/1,000 gallons to \$4.44/1,000 gallons. The Finance Committee of the Commission prepares the budget and sets the rate as needed to cover proposed expenditures. A change in the rate structure has not as yet been adopted by the Commission. Trustee Woodard expressed her opinion that use of a 10,000 minimum usage charge is unfair and places a burden on low quantity water users. A change to the rate structure could be implemented at any time. Each municipality must approve the water rate in order for it to go into effect.

Resolution #7689

THIS AGREEMENT to change Water Rate Schedule is made as of the 1st day of January, 2016, between the TOWN BOARD OF THE TOWN OF DRYDEN, Tompkins County, New York, on its own behalf and on behalf of all water districts in the TOWN OF DRYDEN served by the Southern Cayuga Lake Intermunicipal Water Commission, (hereafter referred to as "Dryden"), the TOWN BOARD OF THE TOWN OF ITHACA, Tompkins County, New York (hereinafter referred to as "Ithaca"), the TOWN BOARD OF THE TOWN OF LANSING, Tompkins County, New York, on its own behalf and on behalf of the Town of Lansing Consolidated Water District and the Town of Lansing Consolidated Water District Extension #1 & #2 (the Town of Lansing and such districts are hereinafter collectively referred to as "Lansing Town"), VILLAGE OF LANSING, on its own behalf and as successor to LANSING WATER DISTRICT 1, Tompkins County, New York, (hereinafter referred to as "Lansing Village"), and VILLAGE OF CAYUGA HEIGHTS, Tompkins County, New York, therein after referred to as "Cayuga Heights"), all of the parties hereto sometimes collectively or individually referred to hereinafter as "Municipalities" or "Municipality",

WITNESSETH:

WHEREAS, the above named municipalities have entered into an amended, supplemental, restated and consolidated agreement of municipal cooperation for construction, financing and operation of an intermunicipal water supply and transmission system dated as of June 5, 1979 as the same has been amended from time to time (the "Agreement"); and

WHEREAS, pursuant to the Agreement each municipality agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as "Commission"), water revenues based upon, in part, a water rate schedule annexed as Exhibit I of Schedule A to the Agreement; and

WHEREAS, based on changes in costs, the Commission believes it is advisable to adopt a new water rate schedule in the form annexed to this modification agreement; and

WHEREAS, Schedule A of the Agreement provides that the water rate schedule may not be changed by the Commission without the written agreement to such change of all the parties; and

WHEREAS, Exhibit I of Schedule A to the Agreement has been amended from time to time since the initial date of the Agreement; and

WHEREAS, the parties believe it is necessary to amend Exhibit I of Schedule A further; and

WHEREAS, the parties are willing to agree to such change;

NOW, THEREFORE, in consideration of the premises and the mutual undertakings of the parties pursuant to the Agreement, the parties hereby agree that Exhibit I of Schedule A annexed to the Agreement be amended effective January 1, 2016 to read as set forth on the Exhibit I annexed hereto, and such exhibit is adopted as Exhibit I, the water rate schedule, for all purposes under the Agreement.

This modification agreement may be executed in multiple counterparts which, when taken together, shall constitute a complete document even though each of the counterparts may not bear the signatures of all of the parties.

IN WITNESS WHEREOF, the parties have executed this agreement to become effective as of the day and year set forth above.

SIGNATURE PAGES FOR ALL PARTIES FOLLOW

EXHIBIT I
SCLIWC - BOLTON POINT WATER SYSTEM
2016 WATER RATE SCHEDULE
EFFECTIVE JANUARY 1, 2016
RATE STRUCTURE:

The flat rate charge per 1,000 gallons shall be non-fluctuating and equal to four dollars and forty four cents (\$4.44). This rate is equal to three dollars and thirty two cents (\$3.32) per 100 cubic feet. The foregoing rate will be the rate charged for all regular quarterly bills sent after January 1, 2016. Actual or base consumption may occur prior to January 1, 2016.

MINIMUM BASE CHARGES:

Notwithstanding the foregoing rate structure, the following minimum base charges shall be applicable to the meter size indicated below, for regular quarterly bills sent after January 1, 2016. The table below shows the amount of water consumption that is permitted before the minimum base charge would be exceeded:

<u>METER SIZE</u> <u>(INCHES)</u>	<u>BASE</u> <u>CONSUMPTION</u> <u>(GALLONS)</u>	<u>MINIMUM BASE</u> <u>CHARGE</u> <u>(DOLLARS)</u>
3/4	10,000	44.40
1	30,000	133.20
1-1/2	45,000	199.80
2	90,000	399.60
3	140,000	621.60
4	200,000	888.00
×6	350,000	1,554.00

Multiple Housing and mobile home parks of over two dwelling units, using a master meter, will be computed as follows: The quarterly master meter reading will be divided by the number of dwelling units and the water charge will be figured on this number as if the unit was individually metered. The water charge will then be multiplied by the number of units on the master meter and this will be the billing rendered. If the calculation of the water consumed per dwelling unit is less than the

allowable consumption for a three-quarter inch meter, then the billing will be calculated by multiplying the number of units on the master meter times the minimum base charge for a three-quarter inch meter (e.g., if there were 20 dwelling units on the master meter, and total water consumption shown by the master meter was 100,000 gallons, the Commission billing would be \$888.00 (20 units times \$44.40) rather than \$444.00 (100,000 gallons at \$4.44/1000 gallons))

An annual charge for each fire protection main serving a fire suppression system will be billed along with the first quarterly water bill of the calendar year.

Motion: Trustee Salton

Second: Trustee Robinson

Ayes: Trustees Biloski, Friend, Marshall, Robinson, and Salton

Nays: Trustee Woodard

Abstentions: none

Motion carried

c. Deer Management Program:

Contract extension terms with Cornell University Department of Natural Resources to conduct the annual deer count are to be discussed.

Resolution # 7690

BE IT RESOLVED THAT: An Executive Session of the Village of Cayuga Heights Board of Trustees is deemed appropriate by virtue of §105 of the NYS Open Meeting Law subsection (f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Motion: Trustee Friend

Second: Trustee Biloski

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays and Abstentions: none

Motion carried

Resolution # 7691

BE IT RESOLVED THAT: An Executive Session of the Village of Cayuga Heights Board of Trustees is ended and returned to Open Session.

Motion: Trustee Salton

Second: Trustee Friend

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays and Abstentions: none

Motion carried

Resolution # 7692

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes Mayor Supron to sign a contract extension with Cornell University Department of Natural Resources to conduct a camera survey and analysis for the purpose of a deer abundance estimate with a total cost not to exceed \$20,651.

Motion: Trustee Woodard

Second: Trustee Marshall

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays and Abstentions: none

Motion carried

d. Assistant Superintendent of Public Works Position:

A first round of interviews has been conducted. a strong candidate will be asked to return for a second interview.

Resolution # 7693

BE IT RESOLVED THAT: An Executive Session of the Village of Cayuga Heights Board of Trustees is deemed appropriate by virtue of §105 of the NYS Open Meeting Law subsection (f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Motion: Trustee Salton

Second: Trustee Friend

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays and Abstentions: none

Motion carried

Resolution # 7694

BE IT RESOLVED THAT: An Executive Session of the Village of Cayuga Heights Board of Trustees is ended and returned to Open Session.

Motion: Trustee Salton

Second: Trustee Robinson

Discussion: none

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays and Abstentions: none

Motion carried

A strong candidate will be asked to return for a second interview.

e. Kline Road Zoning Board Question:

Background information was presented on a situation before the Zoning Board of Appeals (ZBA). A variance was granted for installation of fencing on a property. Subsequently a building permit was sought for interior repairs to the home. Included with the documents presented for the building permit were drawings for additional work on the exterior of the house. Superintendent Cross did not address these drawings since they had no bearing on the interior work proposed. A non-compliant roofing structure was built which projects into the village right-of-way. The structure is on the homeowner's property and in the right-of-way. The ZBA's authority relates only to private property and has therefore asked the Board of Trustees to rule first on the right-of-way request. Attorney Marcus said that there is no strict defined order in a situation such as this. After additional discussion including concerns over future sidewalk placement, a determination that it is more appropriate for the ZBA to address the question first is reached.

6. Report of the Trustees:

Trustee Biloski, leading a renewed effort to draft an Emergency Plan for the village reported on progress made by the Department Heads meeting with Mayor Supron and herself. The goal is to prepare a consolidated, concise plan based on the City of Ithaca plan utilizing a structure similar to an example from Johnson City. Fire Superintendent Tamborelle will revise the document first, tracking his revisions. Then Police Chief Steinmetz, Superintendent Cross and Clerk & Treasurer Mangione will apply their changes in turn. The goal for this step is to have a draft version prepared for presentation to the Board by the end of the year. National Incident Management System (NIMS) training is required by no fewer than 75% of individuals who would be contributing to an emergency effort. All members of the Board of Trustees should complete at least NIMS series 700 and 100 by year end.

The Information Technology Committee Chair, Linda Woodard reported no changes to the status from the August meeting. Clerk & Treasurer Mangione will forward a completed list of sites, numbers of internet users and phone users to Chair Woodard. This data is to be provided to Verizon and Time Warner Cable for their village needs analysis. There has not been any response from Finger Lakes Technology Group or Clarity Connect.

7. Report of Chief Steinmetz: (Exhibit FYE2016-059a, b)

Clarification of the dog control ordinance as relates to barking was requested. The Chief explained that a complaint of extended and repeated periods of barking can result in a citation.

Clarification of the policy on pre-employment background checks is needed. The agency used by Ithaca College charges \$30/hour and estimates a typical expenditure of eight hours. Suggestion of a stepped policy was offered. For instance, a temporary employee or summer intern would require a simple TRACS system check whereas a police officer would require a more in-depth review. Any individual with administrative authority to the IT infrastructure must have clearance as prescribed by the Department of Criminal Justice Services.

Interviews to fill the open part-time police officer position are complete and a recommendation has been made.

Resolution #7695

BE IT RESOLVED THAT: The Board of Trustees of the Village of Cayuga Heights approves an offer of employment as a part-time police officer to Terry O'Pre pending a successful outcome to all appropriate pre-employment screening.

Motion: Trustee Salton

Second: Trustee Friend

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays & Abstentions: none

Motion carried

8. Report of Superintendent of Public Works Cross: (Exhibit FYE2016-060)

A used sidewalk plow is available for \$9,500. It may not be ideal, but given the issues encountered with the current Bombardier plow at the end of last season it is a viable solution. The used plow has been inspected by public works mechanics and it is reportedly in sound functional condition. The value is at least equal to the asking price and the dealer guarantees a trade-in value of that amount if used to purchase a different vehicle next season.

Resolution #7696

BE IT RESOLVED THAT: The Board of Trustees of the Village of Cayuga Heights approves the purchase of a used MT Trackless sidewalk plow from Cyncon Equipment, Inc. at a cost not to exceed \$9,500.

Motion: Trustee Marshall

Second: Trustee Biloski

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays & Abstentions: none

Motion carried

At the Planning Board Meeting scheduled for Monday, September 28, 2015 a proposal to allow conversion of the single family property at 520 Wyckoff into a sorority house is on the agenda. Shortage of parking space is addressed through contractual agreement with Kimball Real Estate to park at Westbourne Apartment at 126 Westbourne Lane.

9. Report of Clerk & Treasurer Mangione (Exhibit FYE2016-061a,b)

- a. A sealed bid for the surplus 2011 Crown Victoria police cruiser was opened. It is noted that the bid did not contain any contact information for the bidder.

Resolution #7697

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees accepts the bid of \$5,238 from Mr. Syed A. Ali for the purchase of one 2011 Ford Crown Victoria.

Motion: Trustee Salton

Second: Trustee Biloski

Discussion: Every effort will be made to locate the bidder's contact information.

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays & Abstentions: none

Motion carried

- b. Modifications to the Budget for Fiscal Year ending May 31, 2016 for revised estimates provided by the NYS Employee Retirement System were reviewed.

Resolution #7698

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes budgetary modifications to the General Fund Budget for Fiscal Year Ending May 31, 2016 reducing account A9010.800, Employee Benefits: Retirement by \$4,321 and increasing account A9015.800, Employee Benefits: Police/Fire Retirement by \$14,967 and the Treasurer is instructed to make the balancing necessary Budget Journal entries by drawing down A1990.400, Contingency.

Motion: Trustee Woodard

Second: Trustee Biloski

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays & Abstentions: none

Motion carried

c. Revenues and Expenditures:

Resolution #7699

BE IT RESOLVED THAT: Abstract #4 for FYE2016 consisting of TA vouchers 25 - 37 in the amount of \$17,381.87 and Consolidated Fund vouchers 194 - 284 in the amount of \$185,087.70 is approved and the Treasurer is instructed to make payments thereon.

Motion: Trustee Friend

Second: Trustee Robinson

Ayes: Trustees Biloski, Friend, Marshall, Robinson, Salton, and Woodard

Nays & Abstentions: none

Motion carried

d. Transmittal of the CDLM Engagement Letter to the Governing Body

e. **“Put Fruit to Work Week” sponsored by the Wellness Coalition of Tompkins County**

10. Report of the Attorney:

No report.

Meeting of the Village of Cayuga Heights Board of Trustees was adjourned by Mayor Supron at 9:40 p.m.