

EXHIBIT 2016-074

Minutes
Marcham Hall

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES MONTHLY MEETING

Monday, October 19, 2015
7:00 p.m.

Present: Mayor Supron; Trustees: Biloski, (joined the meeting at 7:35 p.m.) Friend, Marshall, Robinson, Salton, and Woodard; Fire Superintendent Tamborelle; Police Chief Steinmetz; Superintendent of Public Works Cross; 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. Approval of Minutes:

Resolution #7700

BE IT RESOLVED THAT: Minutes of the September 21, 2015 Village of Cayuga Heights Board of Trustees Meeting are approved as written in Exhibit FYE2016-064.

Motion: Trustee Salton

Second: Trustee Woodard

Discussion: Clerk & Treasurer Mangione asked for confirmation of the spelling of Officer O'Pray's surname. Chief Steinmetz will forward that information.

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

Nay & Abstentions: none

Motion carried

2. Report of Fire Superintendent Tamborelle: (Exhibit FYE2016-065)

The Recruiting Open House was a great success.

The Annual Cayuga Heights Elementary School PTA Fundraising Auction will be held at the Fire Station again this year. The required insurance form has been received and the permit has been issued for the November 7th event.

The parking lot at the fire station has been paved and striped.

The fall training classes of sixteen recruits are off to a good start as detailed in the September report. There are two local residents in the class.

New residents are now settled into the village-owned house at 825 Hanshaw Road. Their rent will be prorated to their move-in date. An overhang will be added to the back stairway to keep snow and ice off the steps.

3. Privilege of the Floor (PoF):

No members of the public to speak.

Mayor Supron suggested that review of the two applications for food service operating permits on the agenda should take place prior to her report. Superintendent/Zoning Officer Cross reviewed the applicable permitting process. Permits for such food service business are subject to Zoning Section 4.2.c. "...restaurant or dairy bar for the serving of food and beverages, but only on "special approval" of the Board of Trustees...shall determine, after public hearing...such use is in the general welfare of the Village..."

4. Permit Application: LonaCakes Café and Bakery (EXHIBIT 2016-071 pages 1 – 4; identified on the Agenda as EXHIBIT 2016-070)

As described in the Summary in EXHIBIT 2016-071 page 3, the Café and Bakery will have an on-site bakery for custom, per-order-only business and will offer counter service comprised of seating for fifteen, including a tasting and cake consultation area and a coffee bar. Pre-made cakes, cake in individual portions, cake pralines, cake bites, cake pops, cupcakes, ice cream and coffee for both eat-in and take-out will be available.

In regards to SEQR review, before the Board of Trustees reaches its determination, a SEQR short form it will need to be completed. Attorney Marcus explained that this type of action is not listed as exempt from SEQR. Until such time as Village Zoning Code may be rewritten to treat permit requests of this nature as an administrative action on the part of the Village Code Officer, the Board of Trustees will need to continue to follow this process.

Resolution #7701

BE IT RESOLVED THAT: The Board of Trustees of the Village of Cayuga Heights authorizes the scheduling of a Public Hearing to be held on November 16, 2015 at 7:00 p.m. to hear comment on the granting of a permit to LonaCakes Café and Bakery.

Motion: Trustee Marshall

Second: Trustee Friend

Discussion: none

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

Nay & Abstentions: none

Motion carried

Permit Application: Hope's Events & Catering (EXHIBIT 2016-070 pages 1 – 3; identified on the Agenda as EXHIBIT 2016-069)

Resolution #7702

BE IT RESOLVED THAT: The Board of Trustees of the Village of Cayuga Heights authorizes the scheduling of a Public Hearing to be held on November 16, 2015 at 7:05 p.m. to hear comment on the granting of a permit to Hope's Events & Catering.

Motion: Trustee Salton

Second: Trustee Friend

Discussion: none

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

Nay & Abstentions: none

Motion carried

5. Report of the Mayor:

- a. **Proposed Local Law 2015-D:** A Local Law to Establish Solar Energy Collector Requirements (EXHIBIT 2015-066) Mayor Supron with assistance from Fred Cowett drafted the text presented in the exhibit. She anticipates that over the course of the next month each trustee will have an opportunity to familiarize themselves with the draft and direct their questions and suggestions to her. The expectation being that a refined draft will be available for the November meeting and will allow a Public Hearing to be scheduled.

Several questions about efficiency, fire fighter safety, and the NYS Unified Solar Permit Application form were shared and discussed. Further information gathering is necessary. Among other changes, the law will need to include an enforcement section.

- b. **Zoning Review Committee:**

After another run through by the committee, the draft will be forwarded to Attorney Marcus. One of the defined goals of review process is to include all local laws pertaining to zoning within the final document.

- c. **Shared Services:**

Shared Services grant money will become available through the state in the near future. The TCCOG Committee has identified a need for a common accounting platform. Smaller municipalities in the area use budget-affordable accounting software that is less user-friendly. Before other workflow processes can be combined, a uniform basic accounting system should be in place.

NYS has rejected the countywide Government Efficiency Plan that was submitted by the county on behalf of all local governments back in June.

The plan bundled the health costs savings associated with the Consortium's dependent eligibility initiative plus the County's adoption of both the Consortium's new Platinum Plan and a higher drug co-pay offered by the Consortium. There were documented tangible countywide cost savings that averaged \$1.7 million per year--well beyond the State's saving threshold of 2% of combined tax levies.

The State has taken the position that calculation of the County's negotiated health benefit savings must deduct the cost of any negotiated wage growth. The State is saying that the savings in health benefits were simply converted to higher wages rather than to tax relief.

The County countered that because our wage growth was not out of line with CPI, the State's wage schedule, or general wage growth in NYS, our \$1.7 million in documented benefit savings represented a true savings and should be counted fully.

It is suggested that an Article 78 appeal may be in order on the basis that the determination is arbitrary and capricious. NYCOM's legal department will be contacted for advisement.

- d. **Appointment of Wies Van Leuken to the TWC Access Oversight Committee (AOC):**

A new AOC term begins on January 1, 2016 and runs for three years. The City of Ithaca would like the Village of Cayuga Heights Board of Trustees to approve Ms. Leuken for a term consistent with the city's term. She has been appointed by the Mayor and approved by the Board each April at the Organizational Meeting for one official year.

The Village has done everything within its balance of authority and cannot change the manner in which appointees are approved annually. Certification will be sent to the city's representative each year regarding the reappointment.

e. Waiver of Special Event Permit Application Fee for CHES PTS Auction:

Resolution #7703

BE IT RESOLVED THAT: The Board of Trustees of the Village of Cayuga Heights waives the twenty-five dollar (\$25.00) Special Permit Application Fee for the Charity Auction to be held by the Cayuga Heights Elementary School PTA on November 7, 2015 at the Ronald E. Anderson Fire Station.

Motion: Trustee Salton

Second: Trustee Biloski

Discussion: Chief Steinmetz added that they also registered as a vendor.

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

Nay & Abstentions: none

Motion carried

6. Report of the Trustees:

Trustee Biloski reported on progress to draft an Emergency Plan for the village. She reminded the Board that National Incident Management System (NIMS) training needs to be completed. She gave helpful hints for successful completion of NIMS series 700 and 100. The next committee meeting is scheduled for November 10th at 1:00 p.m.

Trustee Woodard shared that members of the Information Technology Committee met with Finger Lakes Technology Group (FLTG). It sounds as if they have the capability to provide both phone and internet solutions. They will be preparing a written proposal. Feedback on FLTG's responsiveness to problem resolution has been mixed. Prior to presentation and recommendation to the Board of Trustees, additional references will be checked.

7. Report of Chief Steinmetz: (Exhibit FYE2016-067a, b)

There were no questions on the Chief's report. A part-time police officer has submitted his resignation. The Mayor called for an Executive Session.

Resolution # 7704

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 Robinson

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

Nays and Abstentions: none

Motion carried

Resolution # 7705

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 #7706

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 Adam Langlois pending a successful outcome to all appropriate pre-employment screening.

Motion: Trustee Friend

Second: Trustee Woodard

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

Nays & Abstentions: none

Motion carried

Due to the inability to contact the winning bidder, Mr. Syed A. Ali regarding the purchase of one 2011 Ford Crown Victoria, the vehicle will need to be re-advertised for sale.

Chief Steinmetz left the meeting at 8:20 p.m.

8. Report of Superintendent of Public Works Cross: (Exhibit FYE2016-068; omitted from the list on the Agenda)
As the report shows, the crew has been really busy.

a. Marcham Hall Roof Repair authorization: Exhibit FYE2016-069 pages 1 – 3; identified on the Agenda as EXHIBIT 2016-068)

The Charles F. Evans Company has submitted a proposal covering two distinct Scopes of Work. Fortunately Scope of Work #1 is moot due to findings by a police officer who surveyed the roof from the attic during a heavy rain event.

Superintendent Cross is of the opinion that a different solution to the problem targeted for repair by Scope of Work #2 would be optimal. However, if his solution is undertaken and the resulting construction did not resolve the problem, the Village would have no recourse for correction. He is therefore advising that the Board approve Scope of Work #2 as proposed. Concerns were raised that the slate roof may be nearing the end of its useful life.

Resolution # 7707

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes Mayor Supron to sign a contract with the Charles F. Evans Company to perform work identified as Scope of Work #2 on their Roof Repair Proposal dated August 26, 2015 for an amount not to exceed sixteen thousand, three hundred ninety-six dollars (\$16,396.00).

Motion: Trustee Salton

Second: Trustee Robinson

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

Nays and Abstentions: none

Motion carried

b. WWTP – GHD Consulting Services: (Exhibit FYE2016-072 pages 1 – 7; identified on the Agenda as EXHIBIT 2016-071)

GHD Consulting Services was formerly known as Sterns and Wheeler; the Village has a long working relationship with them. Exhibit A found on page 7 of the Agreement labeled Exhibit 2016-072 contains a Scope of Services for three tasks. Superintendent Cross explained the requirement for each of them in order.

Task 1 The Village, under US EPA Regulation, must process industrial waste for a new manufacturing facility in the Village of Lansing. GHD will assist the Village with review of a wastewater discharge permit application and potential permitting. There is a long term financial commitment from M/A-COM Technology Solutions Holdings, Inc. to the Village for monthly testing of the facilities' discharge.

Task 2 Bio-solids are a by-product of wastewater treatment. The Village's current hauler will no longer be offering the service at the same price. The City of Ithaca is willing to talk with the Village regarding acceptance of bio-solids from the Village, however they require a feasibility report containing an analysis of the hydro component of the product.

Task 3 Current replacement cost estimates for each wastewater unit processes are needed for appropriate levels of insurance and for Homeland Security purposes.

GHD will provide the documentation needed for each of these tasks as further defined in the Agreement.

Resolution # 7708

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes Mayor Supron to sign a contract with GHD Consulting Services Inc. to perform work identified as Scope of Services 1, 2, and 3 on their Agreement between the parties for Professional Services associated with the Cayuga Heights Wastewater Treatment Plant dated October 2015.

Motion: Trustee Robinson

Second: Trustee Salton

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

Nays and Abstentions: none

Motion carried

9. Report of Clerk & Treasurer Mangione (Exhibit FYE2016-073a,b; identified on the Agenda as EXHIBIT 2016-072)

Resolution #7709

BE IT RESOLVED THAT: Abstract #5 for FYE2016 consisting of TA vouchers 38 - 46 in the amount of \$16,216.18 and Consolidated Fund vouchers 285 - 363 in the amount of \$228,344.32 is approved and the Treasurer is instructed to make payments thereon.

Motion: Trustee Woodard

Second: Trustee Robinson

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

Nays & Abstentions: none

Motion carried

The Board agrees that the Village's surcharge for water rents will remain at 79% for the 2016 calendar year. The combined water and sewer minimum payment per quarter for a single unit dwelling will be \$101.00. Since this represents no change, no action is required.

10. Report of the Attorney:

Attorney Marcus advised the Board that since he counsels the Village on planning and building related matters and a petition is currently on the Zoning Board agenda for November which presents a conflict of interest for his firm, should the Zoning Board desire legal representation a different attorney should be retained.

Resolution # 7710

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 Robinson

Second: Trustee Friend

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

Nays and Abstentions: none

Motion carried

Resolution # 7711

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 Friend

Second: Trustee Salton

Discussion: none

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

Nays and Abstentions: none

Motion carried

The meeting of the Village of Cayuga Heights Board of Trustees is adjourned by Mayor Supron at 9:40 p.m.