

## Village of Cayuga Heights

Board of Trustees  
Annual Organizational Meeting  
Marcham Hall  
April 4, 2016  
7:00 p.m.  
AGENDA



### Exhibit No.

1. Affirmation of the Oath of Office by the following officials elected on March 15, 2016:  
Mayor Kathryn Supron; Trustees Maryann Friend, James Marshall,  
and Linda Woodard - oath administered by Village Clerk Mangione.
2. Public Hearing on Proposed Local Law 2016-B: Override Tax Levy Limit 2016 – 108
3. Report of Fire Superintendent 2017 – 001  
Approval of Slate of Fire Council Officers
4. Appointments and Approvals 2017 - 002
5. Annual Resolutions 2017 - 003
6. Report of the Mayor 2017 - 004
  - Resolution of Gratitude to Sean Cunningham
  - Proposed Local Law 2016-B to allow an override of the tax levy  
limit established by General Municipal Law 3-C see above
  - Budget: Fiscal Year Ending 2017
  - Deer Management Reports (Drafts)
7. Executive Session as needed
8. Adjournment

**EXHIBIT 2016-108**

**VILLAGE OF CAYUGA HEIGHTS**

***PROPOSED LOCAL LAW B OF THE YEAR 2016***

**A LOCAL LAW TO OVERRIDE 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 allow the Village of Cayuga Heights to adopt a budget for the fiscal year commencing in 2016 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 authorized to adopt a budget for the fiscal year commencing in 2016 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.

## **EXHIBIT 2017-001**

2016 Cayuga Height Fire Department Slate of Officers  
Presented for Approval to the Village of Cayuga Heights Trustees.

These officers have been elected by the members of the Cayuga Heights Fire Company and approved by the Cayuga Heights Fire Department Fire Council. All of these officers have met the requirements for their positions according to the by-laws of the Fire Department.

**Resolution # ----**

**BE IT RESOLVED THAT:** The Village of Cayuga Heights Board of Trustees approves the following Cayuga Height Fire Department Slate of Officers as voted on by the Cayuga Heights Fire Company and approved by the Cayuga Heights Fire Department Fire Council.

Fire Chief George Tamborelle  
Assistant Fire Chief Joe Price  
Assistant Fire Chief John Putnam  
Assistant Fire Chief Robert Shepherd  
Lieutenant Blake Berger  
Lieutenant Jaden Gladstone

**EXHIBIT 2016-002 page 1 of 2**

Appointment of Peter Salton as Deputy Mayor by Mayor Supron for the Official Year 2017.

Appointment by the Mayor and approval by Board of Trustees of the following:

<b><u>Appointee</u></b>	<b><u>Position/Term</u></b>
Joan M. Mangione	Clerk two official years (4/2018)
Angela M. Podufalski	Deputy Clerk two official years (4/2018)
Joan M. Mangione	Treasurer two official years (4/2018)
Linda Woodard	Deputy Treasurer one official year (4/2017)
Joan M. Mangione	Records Management Officer one official year (4/2017)
Brent Cross	Building Commissioner one official year (4/2017)
Brent Cross	Stormwater Mgmt. Officer one official year (4/2017)
Brent Cross	Engineer one official year (4/2017)
Brent Cross	Zoning Officer one official year (4/2017)
Barney, Grossman, et al	Law Firm: Municipal one official year (4/2017)
David Klein	Acting Village Justice one official year (4/2017)
TBD	Law Firm: Labor one official year (4/2017)
TBA	Litigation Attorney one official year (4/2017)
Beatrice Szekely	Historian one official year (4/2017)
Patricia Longoria	Deputy Historian one official year (4/2017)
Andre Bensadoun	Forester one official year (4/2017)

**EXHIBIT 2016-002 page 2 of 2**

Alison Shull	ZBA Member five official years (4/2020)
Rosemarie Parker	ZBA Member five official years (4/2020)
Kirk Sigel	ZBA Member five official years (4/2021)
Mark Eisner	ZBA Alternate five official years (4/2021)
Sue Manning	ZBA Alternate five official years (4/2021)
Diedre Hay	Planning Board Member five official years (4/2020)
Meloney McMurry	Planning Board Member five official years (4/2021)
Jenny Leijonhufvud	Planning Board Alternate five official years (4/2021)

## **Appointments:**

Access Oversight Committee:

Wies van Leuken for one official year (4/2017)

Bolton Point Water Commission Board of Directors:

Roy Staley and Mayor Kate Supron for one official year (4/2017)

Environmental Management Council

Brian Eden for one official year (4/2017)

Tompkins County Council of Governments (TCCOG) Board of Directors:

Mayor Kate Supron; Trustee TBD, alternate for one official year (4/2017)

Greater Tompkins County Municipal Health Insurance Consortium Board of Directors:

Trustee Peter Salton; Mayor Kate Supron, alternate for one official year (4/2017)

Greater Tompkins County Municipal Health Insurance Consortium Joint Committee:

Clerk & Treasurer Joan Mangione for one official year (4/2017)

Communications Committee: Maryann Friend, TBD for one official year (4/2017)

Human Resources Committee: Maryann Friend, TBD for one official year (4/2017)

Public Safety Committee: Maryann Friend, Peter Salton, Linda Woodard for one official year (4/2017)

Public Works Committee: Maryann Friend, James Marshall, Richard Robinson for one official year (4/2017)

Finance Committee: Jennifer Biloski, Richard Robinson, Linda Woodard for one official year (4/2017)

Planning Board Liaison: TBD for one official year (4/2017)

## EXHIBIT 2017-004

### a. Designation of the Village's Official Newspaper

**WHEREAS:** The Ithaca Journal has general circulation within the Village; and

**WHEREAS:** The Ithaca Journal is not published in the village, but the Board of Trustees determines that it is broadly distributed with the Village; and

**WHEREAS:** Designation of an official newspaper is generally effective for one year.

**THEREFORE BE IT RESOLVED THAT:** That the Ithaca Journal is designated the official newspaper of record for the Village of Cayuga Heights Official Year beginning April 4, 2016.

### b. RULES OF PROCEDURE:

**WHEREAS:** New York State law does not establish meeting procedures for village boards of trustees; and

**WHEREAS:** Village Law § 4-412 provides that the Board of Trustees may determine its own rules of procedure.

**THEREFORE BE IT RESOLVED THAT:** The Village of Cayuga Heights Board of Trustees establishes the following Meeting Rules of Procedure:

- i. **REGULAR MEETINGS:** The date, location, and time for regular meetings of the Board of Trustees is established as the 3rd Monday of each month at Marcham Hall starting at 7:00 p.m. as follows: May 16<sup>th</sup>, June 20<sup>th</sup>, July 18<sup>th</sup>, Aug 15<sup>th</sup>, Sept 19<sup>th</sup>, Oct 17<sup>th</sup>, Nov 21<sup>st</sup>, Dec 19<sup>th</sup>, 2016; Jan 17<sup>th</sup>, (Tuesday after Martin Luther King Day - held at the CHFD), Feb 20<sup>th</sup>, Mar 20<sup>th</sup>, Apr 3<sup>th</sup>, 2017 – Organizational meeting held the 1<sup>st</sup> Monday of April each year.
- a. **SPECIAL MEETINGS:** Special meetings of the Board of Trustees are all Board meetings other than Regular Meetings. A Special Meeting may be called by the Mayor or any Trustee member of the Board of Trustees by telephone, in person, or email at least 24 hours in advance of the meeting unless an emergency requires the meeting to be held on less than 24-hours notice.
- ii. **QUORUM:** A quorum of the Board of Trustees must be physically present to conduct business. A quorum is a majority of the total legally authorized membership of the body, regardless of vacancies or absences. Although a quorum is required to conduct a meeting, a majority vote of the total legally authorized membership of the body is still required to pass most measures.
- iii. **EXECUTIVE SESSIONS:** Executive sessions must be held in accordance with NYS Public Officers Law § 105. All executive sessions must be entered into by a motion made from a properly noticed and conducted open meeting.
- iv. **AGENDAS:** The agenda is to be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda must be provided to the Clerk in writing or via email at least 24 hours before the meeting's start time. The agenda must be prepared by noon on the day of the meeting. However, items may be placed on the agenda at any time. If necessary, a supplemental agenda may be distributed at the beginning of the meeting.
- v. **VOTING:** Pursuant to the New York State Village Law and General Construction Law, each member of the Board has one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law. A vote upon any question must be taken by ayes and nays, and the names of the members present and their votes must be entered in the minutes.
- vi. **GENERAL RULES:**
  - b. The Mayor presides at the meeting. In the Mayor's absence, the Deputy Mayor presides at meetings of the Board. The presiding officer may debate, move and take any action that may be taken by other members of the Board. Board members are not required to rise, but must be recognized by the presiding officer before making motions and speaking.
  - c. Every motion must be seconded before being put to a vote: all motions must be recorded in their entirety in the Board's minutes.
  - d. Once recognized, a member may not be interrupted when speaking unless it is to call him/her to order. If a member is called to order, they must stop speaking until the question of order is

determined, and, if in order, they must be permitted to proceed. There is no limit to the number of times a member may speak on a question. Motions to close or limit debate may be entertained and require a two-thirds vote to pass.

- vii. GUIDELINES FOR PUBLIC COMMENT: Privilege of the Floor guidelines are as established at January 9, 2012 Board of Trustee meeting as follows.

**Privilege of the Floor at Meetings of the Board of Trustees of the Village of Cayuga Heights**

Thank you for attending a Village Board of Trustees meeting. The following policy on public participation in Board meetings is intended to invite your participation in the interest of open government.

Meetings of the Board of Trustees of the Village of Cayuga Heights take place in accordance with New York State law, for the purpose of Village governance. Meetings are convened by the Mayor or by an appointed deputy.

Discussion takes place among the members of the Board with the Village professional staff. Minutes are recorded by the Clerk. As provided in the New York State Open Meetings Law, all Board meetings are open to the public, and members of the public are very welcome to attend. Although not required by law, the Mayor and the Trustees of Cayuga Heights offer Privilege of the Floor in order to provide individuals in the audience with the opportunity to voice their opinion on Village affairs.

In the interest of expediting the flow of Village business during its lengthy meetings, Privilege of the Floor is open for 30 minutes only, ordinarily following any scheduled Public Hearings.

Fifteen (15) minutes prior to the commencement of any regularly scheduled Board of Trustee's meeting, a sign-in sheet will be placed on a table inside the meeting room. Upon arrival, all attendees are requested to sign in, indicating if they wish to speak. The speakers may give their name and address if they choose. If a speaker does not want to provide their name, they must sign in as "Anonymous Speaker" and then they are responsible for remembering the number associated with their place on the list.

Attendees will be called to speak in the order shown on the sign-in sheet on a first come, first to speak basis.

Speakers are asked to stand unless prevented by a disability, to give their name and address if they so choose, and must limit their remarks to two minutes of time. Please note that a speaker's time may not be yielded to other speakers.

Speakers are requested to observe standards of courtesy and good taste and may be asked to terminate remarks at any time by the Mayor or another presiding officer if the speaker's language is repetitive, profane, boisterous, threatening, offensive, or unruly. Audience members are asked not to engage with the speaker, or with each other.

The Village Clerk keeps time and gives notice when 30 seconds are remaining. Occasionally, Board members may ask a speaker for clarification.

Speakers are very welcome to submit their comments to the Board in writing for consideration and attachment to the meeting minutes. The minutes will include all the speakers' names, if provided by the speaker, with a brief statement of their positions.

Although the public is only invited to speak during Privilege of the Floor, the Board may, at its discretion, allow the public to speak at other times. Speakers must be recognized by the Mayor or by another presiding officer.

Anyone with an interest in any facet of Village government is encouraged to contact the Mayor, the Board of Trustees and the Village staff through email addresses found on the Village of Cayuga Heights web site ([www.Cayuga-Heights.ny.us](http://www.Cayuga-Heights.ny.us)).

Adopted by the Board of Trustees, Village of Cayuga Heights, January 9<sup>th</sup>, 2012

viii. **MINUTES:**

- a. The Clerk is responsible for taking the minutes of the board. Minutes must consist of a record or summary of all motions, proposals, resolution and any other matter formally voted upon and the vote thereon. Minutes must be taken at executive of any action that is taken by formal vote. Executive session minutes must consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law (FOIL).
- b. Minutes must also include the following:
  - Name of the Board;
  - Date, place and time of meeting;
  - Notation of the presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment;
  - Name and title of other villag officials and employees present and the approximate number of attendees;
  - Record of communications presented to the Board;
  - Record of reports made by Board or other village personnel; and
  - Time of adjournment; and signature of Clerk or person who took the minutes if not the Clerk.
- c. Minutes should not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board resolves to have the Clerk do so.
- d. The Clerk is responsible for creating a draft of the minutes within the timeframe provided for under the New York State Open Meetings Law. The Board of Trustees approves the minutes at the next board meeting. Amendments to the Clerk’s minutes require approval of the Board of Trustees by a majority vote.

ix. **ORDER OF BUSINESS OF THE BOARD OF TRUSTEES:**

- a. Call to order;
- b. Roll call;
- c. Approval of minutes of previous meeting;
- d. Report of officers and committees (Fire, Mayor, Trustees, Police, Public Works, Clerk & Treasurer);
- e. Public comment period;
- f. Old Business;
- g. New business;
- h. Appropriation;
- i. Auditing; and
- j. Adjournment

- x. **GUIDELINES FOR USE OF RECORDING EQUIPMENT:** All member of the public and all public officials are allowed to tape or video record public meeting. Recording is not allowed during executive sessions. Recoding should be done in a manner which does not interfere with the meeting. The mayor may determine whether the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the village board, size of the equipment, and the ability of the public to participate in the meeting. If the recording is determined to be intrusive and interferes with the meeting, the mayor may direct that the recording be stopped or undertaken in a different manner or location.

- xi. **ADJORNMENT:** Meeting may be adjourned by motion.

- xii. **AMENDMENTS TO THE RULES OF PROCEDURE:** The forgoing procedure may be amended from time to time by a majority vote of the Board.

e. **DESIGNATING DEPOSITORY:**

**WHEREAS:** the Board of Trustees has determined that Village Law § 4-412 (3)(2) requires the designation of banks or trust companies for the deposit of all village monies;

**THEREFORE BE IT RESOLVED THAT:**

Section 1. That the Board of Trustees designates the Tompkins Trust Company, Ithaca, NY as official depository for all Village funds received by the Village Clerk & Treasurer and receiver of taxes for the Fiscal Year June 1, 2016 – May 31, 2017, with a maximum deposit of \$4,500,000.

Sections 2. That the Clerk is authorized to notify Tompkins Trust Company of the following names to be honored on checks for the Fiscal Year June 1, 2016 – May 31, 2017 with two signatures required for each check.

Kathryn D. Supron, Mayor or Peter Salton, Deputy Mayor

Joan M. Mangione, Clerk & Treasurer or Linda Woodard, Deputy Treasurer

Section 3. That this resolution is effective immediately.

- f. **BE IT RESOLVED THAT:** The date, location, and time for next regular Board of Trustees meeting is April 11, 2015 at Marcham Hall, 7:00 p.m.
- g. **BE IT RESOLVED THAT:** The date, location, and time for regular meetings of the Planning Board is established as the 4<sup>th</sup> Monday of the month at Marcham Hall starting at 7:00 p.m.: April 25<sup>th</sup>, May 23<sup>rd</sup>, June 27<sup>th</sup>, July 25<sup>th</sup>, Aug 22<sup>nd</sup>, Sept 26<sup>th</sup>, Oct 24<sup>th</sup>, Nov 28<sup>th</sup>, Dec 26<sup>th</sup>, 2016; Jan 23<sup>rd</sup>, Feb 27<sup>th</sup>, Mar 27<sup>th</sup>, 2017.
- h. **BE IT RESOLVED THAT:** The date and time for regular meetings of the Zoning Board of Appeals is scheduled on an as needed basis (historically held the 1<sup>st</sup> Monday of the month at 7:00 p.m.).
- i. **CODE OF ETHICS:**  
**BE IT RESOLVED THAT:** The Mayor must insure that a copy of the Code of Ethics is distributed to each officer and employee of the village. In addition, the Village Mayor must insure that a copy of General Municipal Law §§ 800-809 is posted in each public building under the Village's jurisdiction. Failure to either distribute or receive a copy of the local Code of Ethics does not affect an officer's/employee's duty to comply with the code, nor does it affect the enforcement of provisions of the code.
- j. **ADVANCE APPROVAL OF CLAIMS:**  
**WHEREAS:** The Board of trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and  
**WHEREAS:** all such claims must be presented at the next regular meeting for audit; and  
**WHEREAS:** the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount of Board of Trustees disallows.  
**THEREFORE BE IT RESOLVED THAT:**  
Section 1. That the Board of Trustees authorized payment in advance of audit of claims for public utility services, postage, freights and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount of Board of Trustees disallows.  
Section 2. That this resolution is effective immediately.

**EXHIBIT 2017-004**

**Resolution:**

**IN APPRECIATION FOR OUTSTANDING PUBLIC SERVICE BY SEAN CUNNINGHAM**

**WHEREAS**, the Village Board of Trustees appointed Sean Cunningham to serve as the Alternate member of the Planning Board in September 2009, a position he held until June 2011; and

**WHEREAS**, the Village Board of Trustees appointed Sean as a member of the Planning Board in June 2011, a position he held until March 2016; and

**WHEREAS**, Sean's input over these years was very valuable,

**THEREFORE BE IT RESOLVED**, the Village of Cayuga Heights Board of Trustees recognizes and appreciates Sean Cunningham's service to the Village of Cayuga Heights Planning Board.