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VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING

Minutes
Marcham Hall

Monday, April 17, 2016
7:00p.m

Present: Mayor Woodard; Trustees: Friend, Marshall, McMurry, Robinson, and Salton; Superintendent of Public Works Cross; Assistant Superintendent of Public Works Wiese; Police Chief Steinmetz; Clerk & Treasurer Mangione; Attorney Marcus.

Call to Order: Mayor Woodard calls the meeting to order at 7:01 p.m.

1. Public Hearing on Proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C

No members of the public are in attendance to speak and no comments have been received by the Clerk on this topic to enter into the record.

Resolution #8022

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees closes the Public Hearing on Proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C

Motion: Trustee Marshall

Second: Trustee Friend

Ayes: Mayor Woodard, Friend, Marshall, McMurry, Robinson, and Salton

Nays and Abstentions: none

Motion carried

Mayor Woodard explains that overriding the tax levy limit is necessary because the total assessed value of the Village's taxable property increased 3.7% over last year. If the tax levy were to stay flat, the Village would exceed the tax levy limit established in General Municipal Law §3-C. The Proposed Budget for Fiscal Year June 1, 2017 through May 31, 2018 includes a tax rate increase of \$0.03/\$1000 of a property's assessed value, which is a 0.05% increase. The increase in total assessment is primarily due to the Kendal expansion.

Resolution #8023

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees passes Proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C.

Motion: Trustee Salton

Second: Trustee Robinson

Ayes: Mayor Woodard, Friend, Marshall, McMurry, Robinson, and Salton

Nays and Abstentions: none

Motion carried

2. Report of Fire Superintendent Tamborelle (Exhibit 2018-009)

During the reconstruction of the front pad at the Fire Station, the trucks are facing the rear door of the fire station bays.

3. Privilege of the Floor (PoF)

Mr. Stuart Phoenix explains his compromise proposal for relocation of a fence constructed in the Village right-of-way (ROW). Agenda Exhibit 2018-011 is the document presented to Superintendent of Public Works Cross and addressed to the Board of Trustees. Trustee Salton asks if a copy of the survey map is available. Mr. Phoenix says he does have a survey map but did not include it in the proposal; he brings the Board's attention to Figure 1 which is a highly modified version of the survey map. No decision is made during PoF.

4. Report of the Mayor (Exhibits 2018-010 through 2018-014)

a. The Proposed Budget for Fiscal Year June 1, 2017 through May 31, 2018

Clerk & Treasurer Mangione informs the Mayor and the Board that Central Garage/Mechanics Personnel costs could be justifiably distributed between the General, Water, and Sewer Funds in the same manner as Administrative costs. In the new fiscal year, personnel expenditures for the Mayor, Clerk's staff, and the Clerk & Treasurer will be directly allocated between funds. Previously these expenditures have been accounted for through a flat transfer of \$100,000 from Water and the same amount from Sewer to reimburse the General Fund. At the recommendation of the Office of the State Comptroller, this direct expenditure distribution method is to be adopted.

The Clerk & Treasurer steps away from the meeting to prepare a document reflecting the Proposed Budget with Garage Personnel account expenditures allocated as discussed. Deputy Clerk Walker sits in to record the Board's actions.

b. Community Choice Aggregation

A sub-committee of TCCOG is studying Community Choice Aggregation. The Public Service Commission (PSC) approved the practice of a municipality or group of municipalities selecting a preferred vendor for energy commodity purchase. By agreeing that all residents will purchase from the selected vendor (an Opt-out option would be available) a preferred contractual price can be obtained. It is assumed that the aggregated price will be a cost savings for villagers. Additionally, the communities can opt to support alternative energy sources.

Resolution #8024

**MUNICIPAL RESOLUTION SUPPORTING THE EXPLORATION
OF COMMUNITY CHOICE AGGREGATION**

WHEREAS, the Village of Cayuga Heights is interested in promoting energy efficiency and local renewable energy generation, and also in reducing energy costs for its residents; and,

WHEREAS, the NY State Public Service Commission, in April 2016, authorized the development of Community Choice Aggregation programs, that allows participating local governments to work together through a shared purchasing agreement to procure natural gas and/or electric energy supply on behalf of their residents and small businesses; and,

WHEREAS, Community Choice Aggregation (CCA) is a means to provide lower, more stable and predictable energy costs, while also promoting energy efficiency, local renewable energy development and local job growth; and,

WHEREAS, residents and small businesses that are not interested in participating in CCA energy procurement are able to opt out; and,

WHEREAS, the Tompkins County Council of Governments (TCCOG) works to identify shared services and procurement opportunities to provide better service and lower costs to our residents; and,

WHEREAS, TCCOG has established a CCA Advisory Committee made up of elected/appointed officials plus community members to explore CCA and advise interested municipalities on CCA administrative and procurement models, and to search for and recommend a program administrator; and,

WHEREAS, participation in the TCCOG CCA Committee does not obligate the Village of Cayuga Heights to participating in CCA, (which requires passage of a local law), but rather indicates the Village of Cayuga Heights' interest in exploring the option of CCA, therefore be it

RESOLVED, that Village of Cayuga Heights selects Trustee James Marshall to serve on the TCCOG CCA Advisory Committee.

Motion: Trustee McMurry

Second: Trustee Marshall

Ayes: Mayor Woodard, Trustees Friend, Marshall, McMurry, Robinson, and Salton

Nays and Abstentions: none

Motion carried

c. Highland Road Fence Removal

The survey map for the property at 914 Highland Road is reviewed by the Board. The right-of-way is clearly marked. Following additional discussion, the following is moved.

Resolution #8025

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees denies the compromise proposal presented by Mr. and Mrs. Phoenix and concludes that the fence in the right-of-way at 914 Highland Road must be removed within sixty (60) days.

Motion: Trustee Salton

Second: Trustee McMurry

Ayes: Mayor Woodard, Trustees Friend, Marshall, McMurry, Robinson, and Salton

Nays and Abstentions: none

Motion carried

Discussion returns to the Proposed Budget (item a.). The afore mentioned Central Garage revision to the General Fund budget affects the Fund Balance favorably by reducing the amount to be drawn from Fund Balance to satisfy budgeted expenditures.

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Resolution #8026

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees establishes the tax rate of \$6.49/1000 for Fiscal Year Ending May 31, 2018 and approves the Proposed Budget as discussed.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays and Abstentions: none

Motion carried

Members of the Board express interest in starting the upcoming fiscal year budgeting process earlier. It is recommended that financial discussions take place at meetings specifically called for that purpose. Different report formats and group meetings will be planned to prepare for subsequent budget preparation.

d. Verizon Underpayments of Gross Receipts Tax

Audits for more than 80 municipalities have uncovered widespread local Gross Receipts Tax underpayments by Verizon. NYCOM USA performs a no-risk "Utility Savings Audit" to provide cities and villages with a utility billing analysis that identifies, corrects and secures refunds for overcharges on electric, natural gas and telecommunications bills, or underpayments of cable franchise fee and gross receipts tax (GRT) revenues.

Resolution #8027

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes NYCOM USA to perform a gross receipts tax audit, specifically Verizon.

Motion: Trustee Robinson

Second: Trustee Marshall

Ayes: Mayor Woodard, Trustees Friend, Marshall, McMurry, Robinson, and Salton

Nays and Abstentions: none

Motion carried

e. The Waste Water Treatment Plant (WWTP)

Following a Department of Environmental Conservation (DEC) inspection report, the Village contracted GHD, an engineering firm to perform a study to recommend steps ensuring that the WWTP would become DEC compliant. One problem was the belt press used to remove most of the water from the solid waste in preparation for transportation and disposal. A replacement belt press was acquired, installed, and is functioning well.

Additionally, capacity questions have been raised. Both the Village and Town of Lansing have requested additional sewer units. A memorandum of understanding (MOU) between the Village of Cayuga Heights, the Village of Lansing, and the Town of Lansing has been drawn up. The MOU was reviewed by Attorney Marcus; his revisions have been forwarded to the Town of Lansing for their incorporation.

GHD provided graphs representing daily flow data provided by the WWTP operators. The Village's SPDES Permit allows a maximum sustained 30-day flow equivalent to 2.0 million gallons per day (MGD). The plant's maximum flow rarely reaches 2.0 MGD. The occasions that the permit maximum has been reached/exceeded can be attributed directly to snow melt or heavy rain events. The WWTP can handle sewage flow but the inflow/infiltration (I and I) throughout the wastewater system is a significant problem. To appropriately resolve the magnitude of a future plant expansion, the quantity and ingress points of I and I must be identified and remediation steps taken where appropriate. The Department of Public Works is already in the process of inspecting manhole covers for evidence of stormwater infiltration.

In December 2003, an Intermunicipal Sewer Agreement was entered into by the Village of Cayuga Heights, the Village of Lansing, the Town of Lansing, the Town of Dryden, City of Ithaca, and Town of Ithaca. Its purpose is to help coordinate and synchronize operations between the treatment facility run by the City of Ithaca and one owned by the Village of Cayuga Heights. Engineers from these municipalities met recently and agreed to provide Superintendent Cross with flow data collected from meters installed at the point their pipe enters the Village. It is one tool to identify I and I. There is also the potential of an additional connection between the Village and the City at Remington Road. Although they would have peak flows at the same time as the Village, the City seems to have more excess capacity.

f. Village Seal

The Board reviews examples of illustrations, one of which to be chosen as the municipal seal on documents. Further alterations are proposed to simplify the design and to be reassessed at a future meeting.

- g. Newsletter
The printed newsletter publication frequency is discussed and it is decided that it should be distributed once a year in September.

5. Report of the Trustees

- a. Trustee McMurry reports that there is nothing new as far as the General Code recodification is concerned. The Table of Contents deliverable will be sent this week.
- b. Climate Smart Community Pledge
Trustee Friend presents the Pledge which is the first step for the Village to be certified as a Climate Smart Community.

Resolution #8028

WHEREAS, the Village of Cayuga Heights (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Village of Cayuga Heights, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

1. Pledge to be a Climate Smart Community.
2. Set goals, inventory emissions, plan for climate action.
3. Decrease community energy use.
4. Increase community use of renewable energy.
5. Realize benefits of recycling and other climate-smart solid waste management practices.
6. Reduce greenhouse gas emissions through use of climate-smart land-use tools.
7. Enhance community resilience and prepare for the effects of climate change.
8. Support development of a green innovation economy.
9. Inform and inspire the public.
10. Commit to an evolving process of climate action.

Motion: Trustee Marshall

Second: Trustee McMurry

Ayes: Mayor Woodard, Trustees Friend, Marshall, McMurry, Robinson, and Salton

Nays: none

Abstentions: Salton

Motion carried

- c. Zoning Ordinance Revisions
The Planning Board is scheduling one additional meeting to finalize their review of the updated Zoning Ordinance. The Board of Trustees will begin its discussions of it at the June meeting.

6. Report of Police Chief Steinmetz (Exhibits 2018-015 a,b,c)

Chief Steinmetz responded to Trustee McMurry's question regarding the assignment of an officer to a recent investigation. He explained that several agencies had officers involved in the investigation; they were sworn in statewide.

In conjunction with Historic Ithaca, in celebration of Tompkins County's Bi-Centennial, Bea Szekely, Village Historian, will be presenting a "Walk and Talk" commencing at Sunset Park. Chief Steinmetz requests the following resolution on her behalf.

Resolution #8029

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees waives the permit fee for the "Walk and Talk" at Sunset Park to be presented by Village Historian, Bea Szekely on July 8, 2017.

Motion: Trustee Friend

Second: Trustee Salton

Discussion: none

Ayes: Mayor Woodard, Trustees Friend, Marshall, McMurry, Robinson, and Salton

Nays & Abstentions: none

Motion carried

There is no requirement for the "Stop DWI" contract to be approved by the Board for the Mayor's signature.

7. Report of the Assistant Superintendent of Public Works (Exhibits 2018-016)

March was a quiet month with the exception of the snow storm that was handled efficiently and with good spirit by the department.

Four crew members were sent for NYS Soil and Erosion training.

The "Report a Problem" web based system is up and running.

8. Report of the Superintendent of Public Works (Exhibits 2018-017)

The Macom contract has been signed by all parties. Superintendent Cross expresses his appreciation for the interest that the Mayor and Trustees have shown in the operation of the Waste Water Treatment Plant. What started out with a marginal inspection report has evolved into positive action for improvement of the facilities and its operation.

9. Report of the Treasurer (Exhibits 2018-018)

It is reported that Village sales tax distribution is based on census population numbers. This is the same criteria used to allocate revenues collected in the County to other villages.

Resolution #8030

BE IT RESOLVED THAT: Abstract #011 for FYE2017 consisting of TA vouchers 94 ó 102 in the amount of \$16,645.39 and Consolidated Fund vouchers 855 - 928 in the amount of \$174,394.04 is approved and the Treasurer is instructed to make payments thereon.

Motion: Trustee Salton

Second: Trustee Robinson

Discussion: none

Ayes: Mayor Woodard, Trustees Friend, Marshall, McMurry, Robinson, and Salton

Nays & Abstentions: none

Motion carried

10. Report of the Attorney

Attorney Marcus reports that the Cornell University annual report on deer population. The report will be added to the website and Cornell recommends that monitoring be continued.

Mayor Woodard adjourns the meeting at 9:50 p.m.