

**Minutes  
Marcham Hall**

**EXHIBITS 2018-075 page 1 of 5  
VILLAGE OF CAYUGA HEIGHTS  
BOARD OF TRUSTEES  
MONTHLY MEETING**

**Monday, October 16, 2017  
7:00 p.m.**

**Present:** Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, Robinson, and Salton; Superintendent of Public Works Cross; Assistant Superintendent of Public Works Wiese; Clerk & Treasurer Mangione; Deputy Clerk Walker; Attorney Marcus.

**Call to Order:** Mayor Woodard calls the meeting to order at 7:03 p.m.

**1. Approval of Meeting Minutes: May 15, 2017 (Exhibit 2018-029)**

**Resolution #8087**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the May 15, 2017, Board of Trustee Meeting Minutes as presented in Exhibit 2018-029

Motion: Trustee Marshall

Second: Trustee Friend

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

Abstentions: None

Motion carried

**2. Approval of Meeting Minutes: June 19, 2017 (Exhibit 2018-038)**

**Resolution #8088**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves June 19, 2017, Board of Trustee Meeting Minutes as presented in Exhibit 2018-038

Motion: Trustee Biloski

Second: Trustee Marshall

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

Abstentions: McMurry

Motion carried

**3. Approval of Meeting Minutes: August 11, 2017 (Exhibit 2018-046)**

**Resolution #8089**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the August 11, 2017, Board of Trustee Meeting Minutes as presented in Exhibit 2018-046

Motion: Trustee Marshall

Second: Trustee McMurry

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

Abstentions: None

Motion carried

**4. Report of Fire Superintendent Tamborelle (Exhibit 2018-064)**

See Submitted Report

**5. Privilege of the Floor (PoF) - No members of the public wish to speak**

**6. Report of the Mayor:**

- a. NYCOM Letter: S.1411-B NYS Volunteer Firefighter Gap Coverage Cancer Disability Benefits Act. New York Conference of Mayors and Municipal Officials (NYCOM) is opposed to this legislation because it is an un-supported, unfunded mandate. This legislation would require local governments to offer disability benefits to volunteer firefighters who develop any one of a variety of different forms of cancer. (Exhibit 2018-065). NYCOM would like the Village to support them and oppose this legislation. Instead, the Village will send a letter supporting the legislation because it will offer more protection to the volunteer Firefighters but opposes using unfunded mandates to achieve this goal.
- b. Joint Principles for Fixed Charges and Local Elected Letter (Exhibit 2018-066)  
Utilities in New York State have very high fixed electric and gas charges, also known as customer charges. They are flat monthly fees that every customer pays, regardless of the amount of electricity consumed. Low-income households are affected the most. The Village of Cayuga Heights would like to support the New York State Public Service Commission and sign a letter of support and to reduce these fixed charges to below \$10.00.

**Resolution #8090**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves Mayor Woodard to sign the letter from the Secretary to the Commission of New York State Public Service Commission, which supports efforts to protect the ratepayers of New York State.

Motion: Trustee Salton

Second: Trustee Robinson

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

Abstentions: None

Motion carried

- c. WWTP: the Village is looking at several options for the WWTP. GHD is studying the reconstruction of the Headworks Facility and upgrades and expansion to the plant. They are also developing a plan to study inflow and infiltration (I&I). Mayor Woodard would like to sign a contract with TG Miller (Exhibit 2018-067) to conduct a cost analysis of installing a second sewer line to the City of Ithaca WWTP plant. The results of this study will provide benefits to both the Town and City of Ithaca. Mayor Woodard also discussed changes to how phosphorus will be measured in the future. Currently the Department of Environmental Conservation (DEC) measures phosphorus concentration. In the future phosphorus will be measured by total load. This will have a direct impact on possible plant expansion at our WWTP. Cornell has developed a model the DEC is using to determine total maximum daily load (TMDL). There is no clear timeline for when the DEC will incorporate this model. The current technology used at our WWTP and Ithaca's WWTP is a cloth filter system and has a lifespan of approximately 20 years.

**Resolution #8091**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves Mayor Woodard to sign the contract with TG Miller to conduct a cost analysis of installing a second sewer line to the City of Ithaca's WWTP.

Motion: Trustee Robinson

Second: Trustee Salton

Discussion: none

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

Nays: none

Abstentions:

- d. Marcham Hall Flooring: a variety of bids and costs were received; Superintendent of Public Works Cross stated Miles McCarty was the next to lowest bid and will come in over the Thanksgiving holiday when staff is not in the building to work on the second floor. B. Cross will finalize the number of coats and timeline for this project. The Board will vote at the October 30th meeting.
- e. Proposed Local Law 2017: Sewer Rate Increase (Exhibit 2018-069)  
The purpose of this Local Law is to establish annual sewer rates of \$2.39/1000 gallons consumed for inside users and a rate of \$3.59/1000 gallons used for outside users, as defined in article XII, Sewer Rents, of the Village of Cayuga Heights Articles.

**EXHIBITS 2018-075 page 3 of 5**

**Section II. AUTHORITY**

This Local Law is enacted pursuant to the grant of powers of local governments provided for in (I) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law, (ii) General Municipal Law Article 14-F, (iii) General Municipal Law Sections 451 and 452, and (iv) Village Law Article 14.

**Section III. ESTABLISHMENT OF SEWER RATES**

As of January 1, 2018, annual sewer rates shall be established at a rate of \$2.39/1000 gallons used for the treatment of wastewater originating from properties located within the Village and a rate of \$3.59/1000 gallons used for the treatment of wastewater originating from properties located outside of the Village.

**Section IV. SUPERSEDING EFFECT**

All Local Laws, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect.

**Section V. VALIDITY**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

**Section VI. EFFECTIVE DATE**

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

**Resolution #8092**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees accepts the current draft of Proposed Local Law 2017, and authorizes a Public Hearing to be held at 7:10 p.m. on Monday, October 30, 2017, at Marcham Hall during the Monthly Board of Trustees meeting.

Motion: Trustee McMurry

Second: Trustee Biloski

Discussion: none

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

Nays: none

Abstentions:

Motion carried

- f. Zoning Law: Cornell University is proposing an increase of 2000 student beds on north campus; a small part of that project might fall in the Village. Planning Board Chair, Fred Cowett suggested the following change to our Zoning Ordinance to include Student Housing in the multi-housing district: "In the multiple housing districts one of the permitted uses would be college residence halls, a building owned, operated and administered by an institution of higher education in accordance with Education Law in the State of New York designed primarily for the purpose of housing college students at that institution." Attorney Marcus also recommended we change the definition of multiple dwelling to refer to a "building" containing three or more dwelling units. Trustee Friend is concerned about enforcement of the 14-day short term rental provision. In the event a violation does occur, we need to have a mechanism in place. Attorney Marcus raised a question from an earlier conversation with Superintendent of Public Works Cross; if a resident was interested in renting their house for more than 14 days, they could apply for a variance to allow for that use beyond the 14 days. A use variance allows for changing the nature of how the property is used. The language in the draft should read: a variance will be defined as a "use" variance, not an "area" variance in this situation.

**EXHIBITS 2018-075 page 4 of 5**

**Resolution #8093**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees authorizes a Public Hearing to review a Proposed Local Law to Replace All Zoning Laws and Ordinances with a Revised/Rewritten Zoning Ordinance to be held at 7:10 p.m. on Monday, October 30, 2017, at Marcham Hall during a Special Board of Trustees Meeting.

Motion: Trustee McMurry

Second: Trustee Biloski

Discussion: none

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

Nays: none

Abstentions:

Motion carried

**7. Report of the Trustees:**

- a. Trustee McMurry informed the Board that the General Code analysis will arrive for review in November and changes will be due in March 2018.
- b. Sunset Park: The goals for this year include reseeding and aerating the grass, repointing the stonework, or protecting it until spring. The edge of the slope needs a low native hedge of some kind; the committee would like to solicit proposals before next year's budget so the work could be done next fall. Superintendent of Public Works Cross intends to walk down the slope and evaluate how best to cut trees that will grow into the view of Cayuga Lake.
- c. Parking at the Cayuga Heights Elementary School: Mayor Woodard and Trustee McMurry met with ICSD Board Member Brad Grainger and Head of Facilities Paul Alexander to discuss parking issues at the Cayuga Heights Elementary School. Increasing parking was discussed and dismissed. Staggered release to reduce the traffic congestion will be explored with school transportation personnel. Another proposal was to have a pull out on Upland Rd. but there is not much room, it creates a longer walk for the children and would increase traffic on that curve.  
The school will install three more bike racks and Trustees McMurry and Biloski will actively promote biking and walking during the Cayuga Heights Elementary PTA meetings.  
Trustee McMurry noted in 2013 the City of Ithaca used speed bumps to slow traffic as part of their Safe Routes to School funding.  
Trustee Biloski recommends the school provide more staff to help direct kids to use the sidewalks versus walking through cars and buses.
- d. Energy Smart Community: No meeting last month, Mayor Woodard met with Terry Carroll from Cornell Cooperative Extension of Tompkins County to discuss the two remaining benchmarks. We have already received \$2500 from the state for submitting the Energy Audit and passing the Solar Permit Process. One possibility is switching out the 250 street light bulbs with LED bulbs. Another possibility is to contract with T. Y. Lin for energy code training. It could be a web-based training. The Village could then "piggyback" with the Town of Ithaca on projects that they are working on with T. Y. Lin. Another option is to install an electric car charging station at the Village Hall. Completion of the last two benchmarks would enable the Village to receive a \$50,000 grant earmarked for energy conservation.
- e. Tompkins County Health Consortium: Trustee Salton reports that there will be a 4% Blue Cross/Blue Shield (BCBS) premium increase for 2018. Three municipalities have been approved to join the Consortium: Homer, Newfield, and Owasco. The Consortium is going to increase the amount of aggregate stop-loss insurance coverage for the next year.

**8. Report of Police Chief Steinmetz:** (Exhibits 2018-070) See Submitted Report

**9. Report of Assistant Superintendent of Public Works Wiese:** (Exhibit 2018-071)

The Remington Road storm pipe project was completed 4 days ahead of schedule.  
The new leaf box was built by DPW for less than \$1000.00.  
There were no reports of damage from the most recent heavy rains.  
Bolton Point had a broken valve on Overlook Road.

**EXHIBITS 2018-075 page 5 of 5**

**10. Report of Superintendent of Public Works Cross:**

Bolton Point project on North Triphammer Road is on schedule.

A building permit has been issued for a vacant lot on Remington Road.

The fence in the Phoenix property is about 80% removed. Superintendent of Public will inquire about the remaining fence, and removal timeline.

A vacant Fraternity house, 306 Highland Road. is listed for sale; there have been many inquiries about allowable uses of this property.

**11. Report of Clerk & Treasurer Mangione:** Submitted reports (Exhibits 2018-072)

Tayo was on vacation for two weeks and Jeff was in Albany for four days to attend the NYCOM training.

The annual NIMIR audit was conducted this month; no issues to report and our coverage amounts were adequate.

**Resolution #8094**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves Abstract #05 for FYE2018 consisting of TA vouchers 36-44 in the amount of \$16,038.54 and Consolidated Fund vouchers 269-359 in the amount of \$291,162.95 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Marshall

Second: Trustee Biloski

Discussion: none

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

Nays & Abstentions: none

Motion carried

**12. Report of the Attorney:** There are no questions for Attorney Marcus

**13. Adjournment:** Mayor Woodard adjourns the meeting at 9:21 p.m.