

**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. Approval of Meeting Minutes: March 20, 2017**

**Resolution #8031**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the March 20, 2017 Board of Trustee Meeting Minutes as presented in Exhibit 2018-006.

*Motion:* Trustee McMurry

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* Salton

**Motion carried**

**Items 2, 3, and 4 not presented.**

**5. Report of Fire Superintendent Tamborelle (Exhibit 2018-020)**

There are no questions or comments on the Fire Superintendent's report.

**6. Privilege of the Floor (PoF) Sign-in Sheet displayed below:**



**Village of Cayuga Heights**

MARCHAM HALL  
836 HANSHAW ROAD  
ITHACA, NEW YORK 14850  
(607) 257-1238  
fax (607) 257-4910

Linda Woodard, Mayor  
Joan M. Mangione, Clerk & Treasurer  
Jeffrey Walker, Deputy Clerk  
Brent A. Cross, Engineer

**Board of Trustees Meeting – Privilege of the Floor**  
**May 15, 2017 – 7:00 PM – Marcham Hall**

	<b>PLEASE PRINT Name/Anonymous</b>	<b>Address</b>	<b>Do you wish to speak? Indicate Yes or No</b>
1.	Nina Kohn	113 East Upland Rd	Yes
2.	Jamol Pender		Yes
3.	Ed LaVigne	LANSING, NY 19 Fiddlers Ridge	NO
4.	RICHARD COYLE	110 HAMPTON RD	YES
5.	DENISE COYLE	110 HAMPTON RD	No
6.			

Ms. Nina Kohn speaks in favor of short-term rentals in the Village. She mentions that there are many reasons to allow short-term rentals. It is her belief that not allowing homeowners to rent an auxiliary apartment in their home threatens property ownership.

Mr. Jamol Pender says that he rents his accessory apartment to Cornell visitors. He purchased the property with the impression that short-term apartment rentals are legal. He and his wife only allow rentals when they are both at home. This is unlike some other areas such as NYC where the property owners vacate their property to accommodate renters.

Mr. Richard Coyle shares that a key feature in the purchase of their home is the ability to accommodate visiting academics through short-term rentals. He believes it would be difficult for the Village to enforce a short-term rental ordinance.

Ms. Pam Quirk thinks the temporary fence that has been constructed at Sunset Park makes no sense. She lives near the Park and states that no one has been hurt by a fall down the slope. If a permanent fence were to be constructed, she believes that it would only provide children a structure on which to climb.

Another villager, Maggie (unk.) is a lifelong resident and grew up near Sunset Park. She sees no reason for a fence.

Ms. Nancy Molina is willing for there to be a fence at Sunset Park.

**7. Report of the Mayor (Exhibits 2018-021 through 2018-024)**

- a. Mayor Woodard reappoints Michael Pinnisi as a member of the Zoning Board of Appeals for the remainder Kirk Segal's term. His reappointment is necessary because more than 30 days has elapsed since his initial appointment and he has not yet been sworn-in (or affirmed) as a member of the ZBA.

**Resolution #8032**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the appointment of Michael Pinnisi as a member of the Zoning Board of Appeals for the remainder Kirk Segal's term.

*Motion:* Trustee Friend

*Second:* Trustee Robinson

*Discussion:* Trustee Salton expresses concern that Mr. Pinnisi may continue to be unavailable for ZBA meetings.

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

*Nays:* none

*Abstentions:* Salton, solely for the reason expressed during Discussion.

**Motion carried**

**9. Report of Police Chief Steinmetz (Exhibit 2018-025a, b, c)**

Mayor Woodard suggests that Chief Steinmetz be allowed to present his report and leave the meeting. He is having surgery and will be out of the office for several weeks.

The new Police vehicle budgeted for the new fiscal year will be procured using the NYS mini-bid system. He has been assisted by a retired Ithaca PD officer who is familiar with the mini-bid system.

There is no news to report on the police services consolidation study.

**7. Report of the Mayor -- continued (Exhibits 2018-021 through 2018-024)**

- b. Review of Rewritten Zoning Ordinance: Mayor Woodard recommends that the Board's discussion of the draft rewritten Zoning Ordinance, take place over several of the next meetings. By designation of sections to be discussed at each session, review will be manageable and invite public comment on those sections. Voting will not be necessary on each section. However, there must be consensus. The Mayor mentions that she has been asked to write an Executive Summary. It is determined that a summary on this type of document is unadvisable. If it is resolved during the August meeting, that the draft document is ready for a Public Hearing, it will be held at the September Board Meeting. If the Board has not completed its review, the Public Hearing will be delayed accordingly. Attorney Marcus explains that concurrent with the draft's acceptance by the Board, a short-form SEQR will be required. In this instance, it will be an administrative or pro forma process, since it is agreed that a change to the zoning law will have a positive effect. He continues with the reminder that the draft will need to be sent to Tompkins County Planning and that 239 notification to municipalities bordering on Cayuga Heights will need to occur.

An extensive discussion, considering the best ways to communicate this zoning law revision to property owners and residents, takes place. With the goal of informing and engaging as many individuals as possible, ideas include: notification with Property Tax bills, a postcard, eNewsBlast articles, website references, Ithaca Journal or radio announcements, or a combination of these. It is agreed that as the Board's review takes place over the summer, if there is little or no public participation, additional efforts to communicate will be made.

- c. Sunset Park Fence: A potential safety hazard has been created from the cutting of overgrown vegetation on the park slope. The wall of bushes created a visual barrier denoting the edge of a steep incline. The view-scape had deteriorated as scrub trees and bushes grew. In response to repeated residents' complaints, the cutting took place. The Public Works committee will recommend a plan to address the potential safety hazard at the Park. The Town of Ithaca Parks Department might offer some guidance since there are several parks in the area that have steep cliffs. Suggestions are entertained; costs to implement all ideas presented are unknown and there is no parks budget encumbered in the upcoming fiscal year. The Village will provide a green construction style fence though the July 4<sup>th</sup> weekend in order to provide a barrier for those who gather to view the holiday fireworks display. The Board will consider creating a Park Committee in the future.
- d. Marcham Hall - Landscaping and Flooring: Mayor Woodard tables this topic for another time in order to devote more time to the Waste Water Treatment Plant (WWTP).
- e. The Bolton Point Committee on Rate Structure has voted to accept the change to the water rate structure which sets 5,000-gallon minimum water consumption base. The full Commission will vote on the recommendation in July, following which all five (5) SCLIWC members will vote on the change. Mayor Woodard will perform further analysis and recommend water and sewer rates to become effective in 2018.
- f. WWTP – Response to NYSDEC Findings: The NYSDEC's January inspection findings identified areas of the plant which need attention. High phosphorus readings, due to the failure of the belt-press, were detected. Replacement of the belt press has been addressed and phosphorus readings are no longer problematic. GHD USA was engaged in December to assist the Village with its response to the DEC. Additionally, they would analyze the potential for expanding plant capacity in order to respond to requests from the Village and the Town of Lansing as well as the Town of Ithaca for more sewer units. The WWTP is not designed to handle storm-water; its sole purpose is to process waste-water. The plant has room for around a 50% capacity expansion, however through unintentional breaches, illegally connected sump pumps, and/or poorly fitted manhole covers, capacity has come dangerously close to exceeding licensed limits. There have been single storm-water breaches flowing into the plant causing an approach to its daily capacity limit. The plant could treat up to two (2) million gallons per day. The Headworks building protects downstream equipment but is at the end of its useful life. The grit chamber is undersized and the geography of the plant makes expansion difficult. An engineering report is needed to apply to the 2018 grant program. The WWTP is designed as a fixed-film reactor processor. If a change to a different wastewater treatment solution were to be implemented, the current system would need to continue to function during a change-over so its equipment could not be used as part of a new/different process. The current system is effected by infiltration and inflow (I and I) of storm and ground water. Controlling I and I in Cayuga Heights and in the municipalities served by the WWTP is advisable.

**Resolution #8033**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign GHD USA Contract Amendment #2 which increases the contract total by \$25,500 for preparation of a preliminary design of what would be needed for construction to upgrade the entire "headworks building". The work product will be an Engineer's Report (ER) that is needed to seek NYSDEC approval before moving to final design/construction, the ER is also used to get on the Environmental Facilities Corp's (EFC) Intended Use Plan (IUP).

*Motion:* Trustee Robinson

*Second:* Trustee Salton

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

*Nays and Abstentions:* none

**Motion carried**

- g. Proposed Local Law 2017-B (PLL 17-B) defines a sewer rent unit as 200 gallons per day. Local Law 2011-8 (LL#8) replaced any and all prior laws establishing the basis for sewer rent. When LL#8 was written, it failed to include the definition from the original sewer rent law, of how many gallons per day designate a unit. A unit, from the original sewer rent law, is defined as 16,000 cubic feet annually. Using that same metric, PLL-B of 2017 uses the simplified designation of 200 gallons per day. Cayuga Heights charges for sewer treatment by the volume measured by water meters. PLL-B of 2017 also categorizes the types of uses which are considered to be assessed the number of units. A single-family structure is one (1) unit. Mayor Woodard adds that her analysis of three years' usage data shows an average usage of 115 gallons per day, however the variance is very high. Since every gallon of water used carried with it a certain amount of I and I, the 200 gallons per day figure provides adequately for the variance.

**Resolution #8034**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the scheduling of a Public Hearing for June 19, 2017 on Proposed Local Law 2017-B

*Motion:* Trustee Salton

*Second:* Trustee Friend

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

*Nays and Abstentions:* none

**Motion carried**

In the interest of time, Mayor Woodard proposes tabling the remaining items listed under her report until a future meeting. There are no objections.

**8. Report of the Trustees:**

Trustee McMurry states the Safe Routes to School sidewalk grant was not awarded to Cayuga Heights; another round of funding is taking place in 18 months. A formal debriefing on the Village's application is scheduled for Wednesday. Depending on the feedback received, improvements can be made to a future application.

Trustee Marshall shares that the Community Choice Aggregation (CCA) Committee met on 4/28/2017. The committee is trying to determine a plan since procuring commitments on price from suppliers without knowing how many municipalities will sign up to use the program isn't possible. They are also still working out the language of the law; there is not likely that there will be a quick solution.

Trustee Salton discussed the Greater Tompkins County Municipal Health Insurance Consortium's growth and the possibility of the City of Auburn joining the group. Expenses are down this year. GTCMHIC is moving forward with CanaRX.

Trustee Friend is planning to set-up and start the benchmarking on Clean Energy initiative.

NYSEG will be holding a public meeting 5/24/2017 to talk about the Smart Meters Program. It is an "opt-out" program.

**10. Report of Assistant Superintendent of Public Works Wiese (Exhibits 2018-026)**

The Village parking lot paving is complete. Texas Lane and Sheldon Road have also been paved. Residents have expressed their appreciation for the road paving. Striping of the parking lot will take place during the upcoming weekend. A granite curb has been installed on N. Triphammer Road to prepare it for paving. The new loader will arrive next week; the purchase price is made possible due to the high trade-in value of the backhoe which is about half of the original value even though the backhoe is twelve (12) years old. ASPW Wiese gives credit to the DPW crew for the strong trade-in value due to its regular maintenance of equipment.

**11. Report of Superintendent of Public Works Cross (Exhibits 2017-027)**

The Village participates in the Tompkins County Stormwater Coalition, which produces the required annual NYSDEC Stormwater Report. Superintendent Cross formally presents the report to Mayor Woodard for her signature. The report is ready for the public to view in the Clerk's office; it will also be posted to our website. The Stormwater Management law requires municipalities to take action in six different categories each year. Each action is called a Minimum Control Measure (MCM). One requires public education; the Coalition conducts educational programs on behalf of the Village and its other members. MCM #6 is called Municipal Housekeeping. In short, it requires that both the DPW facility and the work performed throughout the Village by the DPW must comply with stormwater regulations. A NYSDEC inspection took place approximately two and a half years ago; these inspections take place on a five-year rotation. The DEC makes it known that reducing the daily load of phosphorus entering Cayuga Lake is a priority. They are focusing on DPW facilities as a source of phosphorus. The Village's DPW site has evolved over time and has no specific stormwater plan. It will be necessary for a project involving regrading to be performed. Superintendent Cross requested and received a quote from T.G. Miller to develop a site design plan which considers the existing surfaces, the amount of runoff to be expected, and how to incorporate the design plan to meet DEC standards. The quote is for \$10,000. It will contain documents that can be presented to the DEC for a stormwater permit and will describe the work required to bring the DPW into stormwater compliance.

**Resolution #8035**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes the Mayor to sign a contract with T.G. Miller to provide a site design plan for the DPW Sheldon Road site to comply NYSDEC stormwater regulations. The contract is for \$10,000 to be drawn from the Capital Fund account previously encumbered for a Palmer Woods landscape architect.

*Motion:* Trustee Robinson

*Second:* Trustee Salton

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

*Nays and Abstentions:* none

**Motion carried**

**12. Report of Clerk & Treasurer - Submitted reports (Exhibits 2017-028 a,b)**

**Resolution #8036**

**BE IT RESOLVED THAT:** Abstract #012 for FYE2017 consisting of TA vouchers 103 – 111 in the amount of \$16,278.61 and Consolidated Fund vouchers 929 - 1013 in the amount of \$279,904.73 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**

**13. Report of the Attorney**

Attorney Marcus indicates that all legal issues have been addressed. However, he circulates three different versions of the Village seal that his wife Terry edited at the request of the Board.

**14. No Executive Session**

**15. Adjournment**

Mayor Woodard adjourns the meeting at 9:56 p.m.