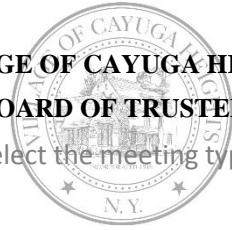


Minutes
Markham Hall

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
Select the meeting type.

Monday, March 19, 2018
7:00 p.m.



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

Absent: Trustee Robinson

Call to Order: Mayor Woodard calls the meeting to order at 7:00 p.m.

1. **Approval of Meeting Minutes: February 6, 2018**

The Board of Trustees did not vote on approving the meeting minutes.

2. **Justice Court Annual Report:**

Submitted Report

3. **Historian Presentation: Gail Cashen:**

Village resident, Gail Cashen took over 1000 photos of the Bolton Point water main pipe project on N. Triphammer Rd. and described the work around her farm house to the Board. The photo album is available to view at Marcham Hall in the Clerk's office.

4. **Report of Fire Superintendent Tamborelle:**

Submitted Report (**Exhibit 2018-115**)

The CHFAD Annual Banquet will be held on April 21, 2018, and Fire Department Elections will take place on March 24, 2018. There will be a funeral procession for Colin Toland taking place, March 20, 2018 and the Cayuga Heights Fire Department ladder truck will display an American Flag on the overpass of Route 13.

5. **Report of Mayor**

- a. Brian Eden is a resident of the Village of Cayuga Heights and represents the Town of Ithaca on the Solar Tompkins Board, which he chairs. He also participated in the presentation of the Building and Heating with the Climate in Mind and frequently meets with commercial developers on their energy models. NYSEG is moving forward with seeking locations for Natural Gas Compressor stations. There are on-going discussions on a RFP for non-pipe alternatives, but there may be no responders to this request. NYSEG has been very quiet on discussing the 4 locations in 3 different municipalities. The next update from NYSEG should be around April or May. County Legislature, Deborah Dawson states, the proposed compressors only serve as one part of the whole pipeline project; to boost gas pressure into the moratorium area during high use periods in and around Ithaca and Stabilize pressure for existing customers.

Trustee Biloski arrived at 7:30 p.m.

Attorney R. Marcus, informed the Board, the process for approving a public utility project would come before the Board of Trustees. The Board might want to change that or set conditions. B. Cross feels no private property owner can avoid Zoning. There for site plan review would have to take place. The SEQR review process will have to have more discussion.

- b. Energy Benchmark Resolution:

RESOLUTION NO. 8137

**ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR
CERTAIN MUNICIPAL BUILDINGS**

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Cayuga Heights is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Cayuga Heights Board of Trustees desires to use Building Energy Benchmarking - a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village of Cayuga Heights; and

WHEREAS, the Village of Cayuga Heights Board of Trustees desires to establish procedure or guideline for Village of Cayuga Heights staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) "Commissioner" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Village of Cayuga Heights that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Village Clerks Office.

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than June 1st, 2018, and no later than June 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2017 and by September 1 of each year thereafter, for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Board of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

RESOLUTION: 8137

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trust adopts Energy Smart Benchmarking for the Village of Cayuga Heights Municipal buildings.

Motion: Trustee Friend

Second: Trustee Marshall

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

Nays:

Abstentions:

Motion Carried

c. Trustee Marshall reports on the EV Connect Charging Station was shipped from California on Thursday, Matco Electrical will do the installation. This will complete the third benchmark with NYSERDA.

Mayor Woodard reported, the City of Ithaca is going forward to converting to LED Street lights. The Village is still waiting for a buyout cost from NYSEG for our own lights. NYSEG has until this May 2018 to provide us with that information. Terry Carroll with Cornell Cooperative Extension Tompkins County has developed some tools for evaluating the best way to move forward. The Rule of thumb is 5-8 years to recover the initial investment. Terry Carroll has offered to map the Village street lights.

d. Public Hearing April 16, 2018: The budget workshop will be held, April 7, 2018 from 9-12 at Marcham Hall which will allow us to schedule the Public Hearing.

RESOLUTION: 8138

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes a Public Hearing for the 2018-2019 Budget at the Monthly Meeting on April 16, 2018 at Marcham Hall, starting at 7:00 p.m.

Motion: Trustee Biloski

Second: Trustee McMurry

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

Nay: none

Abstentions: none

Motion carried

e. Employee Healthcare Provision: The Village would like to offer the same Health Care coverage to employees who work 30 hours a week or more. An employee who is working as much as 30 hours a week likely would not be able to get health insurance from another job.

RESOLUTION: 8139

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes offering Health Care Coverage to a full-time employee who works 30 hours a week or more

Motion: Trustee McMurry

Second: Trustee Friend

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

Nay: none

Abstentions: none

Motion carried

f. Tree City Designation: The Village of Cayuga Heights has been named a Tree City once again. The American Chestnut trees will be planted in April.

7. Privilege of the Floor: County Legislator Deborah Dawson introduced herself to the Board, she is the new County legislature. She has authored two Resolutions in the County legislature which asked Spectrum Cable to back down on WSKG and WENY. She is on the Planning Development Economic Committee, Government Operations and Transportation and Housing.

8. Report of the Trustees:

Trustee Biloski reported on General Code, and the organization of materials for the final review before the document is sent to Attorney R. Marcus.

The Codification Committee raised the question of how the police department handles habitual barking dogs. The first step is to warn the resident of the dog barking, if it continues a ticket is issued.

Trustee McMurry found that there is no law in the Village that allows children under 13 to ride on the sidewalk. The Committee will put together language for a proposed Local Law.

6. **Report of Police Chief Steinmetz**

The 2013 Explorer VIN # 1FM5K8ARXDGC92051 will go up for auction in April. Teitsworth Inc. Auction site will handle the sale. The Explorer has had problems with an intermittent exhaust leak, Ford has looked into it, and cannot find it. The Police Department would ideally like to have 2 SUV and 1 patrol car. Chief Steinmetz would like a Chevy Tahoe to replace the Explorer.

RESOLUTION: 8140

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes Chief Steinmetz place a purchase order on a 2018 Chevy Tahoe police SUV out of next fiscal year's budget recognizing that next year's budget has not been passed yet.

Motion: Trustee Salton

Second: Trustee Friend

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

Nay: none

Abstentions: none

Motion carried

7. Report of ASPW Wiese:

Bolton Point in their attempts to find a water line leak fixed pipes on Wycoff Road and Highland Park Lane. Bolton point is still losing a water, ASPW Wiese has not heard that Bolton Point has found and fixed the leak. Bolton Point has a sound testing devise that they will pick up the friction or vibration of the water pressure in the line leaking out.

The Village Hall beaker panel in the basement has been installed and converted to one meter for the building. Truck #1 has arrived (F 650).

The unexpected Highland Road washout cost \$156,000 and still has around \$40,000 more to finish this spring. That Money was submitted for reimbursement from the annual CHIPS funds and a check should arrive in March-April. This will allow for the ability to repave Triphammer Road in early May and submit to CHIPS before the new fiscal year.

Trustee Salton suggested the pipes under the road should be examined before Triphammer Road is paved. Mayor Woodard would like the Public Works Committee to discuss whether or not to spend the money on video/camera the sewer pipes. The cost is \$2.50 per foot. There is about 3000 feet to inspect.

RESOLUTION: 8141

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes taking \$206,000 out of the fund balance to pay for the Triphammer Road Paving in May 2018.

Motion: Trustee Salton

Second: Trustee Biloski

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

Nay: none

Abstentions: none

Motion carried

8. Report of Engineer Cross:

Borg Warner needs to have an industrial sewer permit reissued, GHD will help guide us through this process. The cost is around \$5000-\$7500. An industrial sewer permit is a 5-year permit. Trustee Salton asked are there provisions for the passing on the costs associated with these issues. B. Cross stated with testing and fees we get some of that money back, but he will consider the wording and address those future expenses.

RESOLUTION: 8142

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes GHD to provide engineering services with issuance with an industrial sewer permit to Borg Warner, not to exceed \$7500.00

Motion: Trustee Marshall

Second: Trustee Biloski

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

Nay: none

Abstentions: none

Motion carried

-B. Cross updated the Board the GHD I&I study should take place the first week in April to take flow measurements.

-The GHD Headworks full draft report in a couple of weeks.

-Dave Harrick from T.G. Miller will have their report on the -Remington Road connection to the City of Ithaca in the next month.

9. Report of the Clerk & Treasurer Mangione

Submitted Reports -

RESOLUTION: 8143

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #10 for FYE2018 consisting of TA vouchers 101-112 in the amount of \$20,108.26 and Consolidated Fund vouchers 700-789 in the amount of \$376,733.16 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Salton

Second: Trustee Biloski

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

Nay: none

Abstentions: none

Motion carried

Mayor Woodard reports that Cornell University has received a \$1,000,000.00 Grant to explore geo-thermal alternatives to heating the campus.

10. Report of Attorney Marcus:

After researching the flood damage prevention law, there is no legal requirement to use their text. It can be modified as needed to fit the Village of Cayuga Heights with the new changes in codification.

The Community Corners new water line is already in. The revised map does not show the 15' easement. The water line runs parallel to the sidewalk and repairs would not be the expense of the Village.

RESOLUTION: 8144

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes Mayor Woodard ratify and to sign the new revised easement contract with the knowledge that part of the easement runs within the area of the sidewalk not along the sidewalk.

Motion: Trustee McMurry

Second: Trustee Marshall

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

Nay: none

Abstentions: none

Motion carried

Mayor Woodard and Trustee McMurry reported the complexity of the crosswalk

11. Executive Session

RESOLUTION: 8145

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees enters into an executive session (F) for 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

Motion: Trustee Salton

Second: Trustee Friend

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

Nay: none

Abstentions: none

RESOLUTION: 8146

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes Mayor Woodard to sign a contract with White Buffalo with funds from the fiscal year 2018 and not to exceed \$45,000.00

Motion: Trustee Salton

Second: Trustee Friend

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

Nay: none

Abstentions: none

12. **Meeting adjourns at 10.00 p.m.**

DRAFT