

Minutes
Marcham Hall

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING

Monday, April 15, 2019
7:00 p.m.



Present: Mayor Woodard; Trustees: Marshall, McMurry, Robinson (arrives at 7:45 p.m.), and Salton; Police Chief Wright; Superintendent of Public Works Cross; Assistant Superintendent of Public Works Wiese; Treasurer Mangione; Clerk Walker; Attorney Marcus

Absent: Trustees: Biloski, and Friend

Call to Order: Mayor Woodard calls the meeting to order at 7:05 p.m.

Mayor Woodard opens the meeting with a short discussion on increasing the garbage tag fee.

- The Village has never raised the trash tag price; the current tag price is \$1.00 for 15 pounds of garbage.
- Tipping fees are not the only cost going into the tag; gas, equipment and staff also need to be incorporated into tag fees. After a cost analysis, the Village is spending over \$106,000 and tags sales only generate \$43,000 annually.
- Trustee Salton stated that we have chosen to be a municipality that provides garbage service and the Village tax rate covers this service, making the argument that staffing contributes to the cost invalid.
- Mayor Woodard stated that this is a fee-for-service.

The Board will continue this discussion after the Public Hearings.

2. Approval of Meeting Minutes: March 18, 2019 (Exhibit 2020-001)

RESOLUTION # 8453

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the March 18, 2019 meeting minutes as presented.

Motion: Trustee Marshall

Second: Trustee Salton

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

Nays: none

Abstentions: none

Motion Carried

Approval of Meeting Minutes: April 1, 2019 (Exhibit 2020-002)

RESOLUTION # 8454

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the April 1, 2019 meeting minutes as presented.

Motion: Trustee McMurry

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

3. Report of Fire Superintendent Tamborelle: Submitted Report

a. Movie Night: On Wednesdays during the summer months the Village of Cayuga Heights Fire Department hosts “Movie at the Station” night. The Fire Department is requesting the Special Events Permit fee to be waived.

RESOLUTION # 8455

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves and authorizes the Cayuga Heights Fire Department request to hold “Movies at the Station” on Wednesdays this summer and waives the Special Events Permit fee.

Motion: Trustee McMurry

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

b. Fire Council Election: The Cayuga Heights Fire Department election was held on April 6, 2019. The following list has been elected to the Fire Council and seeks the Board approval.

RESOLUTION # 8456

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 April 6, 2019 by the Cayuga Heights Fire Company and approved by the Cayuga Heights Fire Department Fire Council.

Asst. Chief Joe Price

Asst. Chief John Putnam

Asst. Chief Mike Garrett

Lt. Brendan Bloodnick

Lt. Devin Savoy

Lt. Sophie Janowsky

Lt. Ray Bally

Motion: Trustee Salton

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion Carried

4. Privilege of the Floor:



VILLAGE OF CAYUGA HEIGHTS
 836 HANSHAW ROAD · ITHACA · NY · 14850
 (607) 257-1238 · FAX: (607) 257-4910

Board of Trustees Monthly Meeting
 April 15, 2019

Public Hearing on Proposed LL B-2019 – Override the Tax Cap
 Public Hearing on Proposed LL C-2019 – Road Us
 Public Hearing on Proposed FYE 2019-2020 Budget

PLEASE PRINT Name/Anonymous	Address	Do you wish to speak? Indicate Yes or No
1. <u>RON BORS</u>		<u>YES</u>
2. <u>DAVID DONNER</u>	<u>107E, Remington</u>	<u>Yes</u>
3. <u>Katie Durrant</u>	<u>105 Berkshire</u>	<u>No</u>

Enter any content that you want to repeat, including other content controls. You can also insert this control around table rows in order to repeat parts of a table.

5. Report of Mayor Woodard:

a. Public Hearing on Proposed Local Law B- 2019- Tax Cap: This local law allows flexibility with budgeting the new fiscal year. The Board recognizes that there was a large number of increased assessments throughout the Village. The Board is allowed to pass a local law to adopt a budget for the fiscal year commencing in 2019 that requires a real property tax levy in excess of the tax levy limit as defined by General Municipal Law §3-c.

Mayor Woodard opens the Public Hearing at 7:18 p.m.

No members of the public wished to speak.

Mayor Woodard closes the Public Hearing at 7:18 p.m.

A super majority is required to pass the proposed tax cap law. The Board will vote when Trustee Robinson arrives.

•The Board moves on to the Public Hearing of Local Law -C of 2019 Road Use.

b. Public Hearing on Proposed Local Law C- 2019- Road Use: With the onset of the North Campus Residential Expansion project (NCRE), the Village wants to regulate, preserve, and protect the conditions of Village roads.

Mayor Woodard opens the Public Hearing at 7:26 p.m.

•Mr. Ron Bors asked how the Village will enforce this law.

•Superintendent of Public Works B. Cross stated that depending on the nature of the activity, this law seeks to regulate any projects with a permit or have the property owner enter into an agreement of compensation for the accelerated deterioration of the Village roads.

•Mayor Woodard informs the Board that the North Campus Residential Expansion (NCRE) vehicle construction traffic route will use North Triphammer Road to Hanshaw Road and turning onto Pleasant Grove Road. Alternatively, the traffic could exit RT. 13 at Warren Road, turning onto Hanshaw Road and then Pleasant Grove Road.

•Mrs. Linda Bors voiced her concern for the pedestrians crossing at North Triphammer and Kendal.

•A majority of the road damage is caused at intersections.

•B. Cross will incorporate into the road use agreement with NCRE a simulation for the potential of having smaller trucks use Warren Road and the large trucks still use North Triphammer, Hanshaw Road and Pleasant Grove Road.

•The Planning Board will also address this at the April 22, 2019 meeting.

Mayor Woodard closes the Public Hearing at 7:36 p.m.

RESOLUTION # 8457

BE IT RESOLVED THAT: The Board of Trustees adopts Proposed Local Law -C of 2019 as Local Law #3 of 2019

VILLAGE OF CAYUGA HEIGHTS

DRAFT

PROPOSED LOCAL LAW C OF THE YEAR 2019

A LOCAL LAW TO PRESERVE VILLAGE ROADS

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I PURPOSE AND INTENT

The intent of this Local Law is to establish rules, regulations and conditions to preserve and protect the condition of the public roads of the Village of Cayuga Heights (the “Village”). The Village’s Board of Trustees (the “Board”) has determined that future development projects in the Village and in the vicinity of the Village may result in extraordinary, high-intensity traffic to and from development sites, causing significant and measurable damage to the Village’s roads that jeopardizes the health and safety of residents and others who use those roads. Damage to Village roads that results from high-intensity traffic must be evaluated and repaired promptly and to appropriate engineering standards. The Village Board further has determined that it is in the best interest of taxpayers of the Village and the general public to assign responsibility for the repair of damage to Village roads attributable to such high-intensity use, and, where necessary, for the improvement of Village roads to a standard appropriate for high-intensity use prior to the commencement of the activity, to those responsible for the damage rather than to all Village taxpayers. The purpose of this Local Law is to maintain the safety and general welfare of Village residents by regulating high-intensity uses of Village roads that have the potential to adversely affect such roads. Well-maintained roads are important to the safety and economic well-being of the Village and its residents. The Board also acknowledges the value and economic benefit of further development in the Village and in the vicinity of the Village, and this Local Law is not intended to regulate such business activity, the intent of this Local Law is to protect the Village’s roads from damage resulting from traffic generated in connection with such development.

SECTION II AUTHORITY

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and 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.

SECTION III DEFINITIONS

1. High-frequency, high-impact truck traffic: Traffic to and from a project site that generates more than five hundred (500) truck trips. For purposes of this Local Law, a truck trip is a trip to or from a project site involving a truck with a gross weight of fifteen (15) or more tons (truck and load combined). A single truck makes two truck trips if it meets the weight limit traveling to the project site and meets the weight limit traveling from the project site.
2. Bond: A commercial bond to ensure that the condition of the Village Roads is not adversely impacted by high-frequency, high-impact truck traffic. The Village Board may accept an equivalent financial guarantee in lieu of bond.
3. Bond Release: A bond release given by the Village Board based on satisfactory road conditions at completion of the high-frequency, high-impact truck traffic.

4. Permittee: The person responsible for the project generating the high-frequency, high-impact truck traffic and who is responsible under this Local Law to obtain a permit, regardless of whether or not the person in fact obtains a permit. In any instance in which another approval or permit is required in connection with the project that is generating the truck traffic, such as a site plan approval or building permit, any person who is required to obtain any such other approval or permit shall be deemed the permittee for purposes of this Local Law. In the event no other approval or permit is required, the owner of any property on which the project is taking place shall be deemed the permittee for purposes of this Local Law.
5. Person: Any individual, public or private corporation, limited liability company, political subdivision, government agency, municipality, industry, partnership, association, firm, trust, estate, or any other legal entity whatsoever.
6. Temporary project: Any non-permanent activity that generates high-frequency, high-impact truck traffic on Village Roads whether or not the project itself is located in the Village. Projects include, but are not limited to, construction projects. With regard to projects that require another approval or permit, such as site plan approval or a building permit, all activities covered by that other approval or permit are considered part of the temporary project for purposes of this Local Law. Agricultural operations as defined by New York State Agricultural District Law and the movement of agricultural products are excluded. Also excluded are school buses, law enforcement vehicles, fire-fighting vehicles, military vehicles, and municipal vehicles engaging in road work on behalf of one or more municipalities.
7. Village Roads: All public roads, to the extent such roads are located within the Village of Cayuga Heights, that are maintained by the Village.

SECTION IV GENERAL PROVISIONS

1. The Village Board has determined that high-frequency, high-impact truck traffic associated with temporary projects may cause damage to Village Roads.
2. Upon a determination by the Village's Superintendent of Public Works or Village Engineer that a temporary project shall generate high-frequency, high-impact truck traffic on any Village Roads, the Village's Department of Public Works shall erect signs on the appropriate sections of Village Roads providing notice that vehicles generating such traffic are excluded, and the Village shall publish notice of such exclusion in the official newspaper of Tompkins County.
3. A permittee may apply to the Village's Superintendent of Public Works for a permit providing for an appropriate exemption for the vehicles to be used on Village Roads in connection with the temporary project. Such permit shall be granted, upon appropriate terms and conditions, if the vehicles are performing essential local pick-up or delivery in connection with the temporary project. For purposes of this Local Law, essential local pickup or delivery shall include, but shall not be limited to, pickup from and delivery to a construction site, whether or not such site is located in the Village, of materials or equipment and traffic associated with New York State-permitted mining or gas-drilling operations, including the transport of products therefrom.

4. Any such permit shall designate the route(s) to be traversed and contain other reasonable restrictions or conditions deemed necessary by the Village's Superintendent of Public Works. The conditions may include, but not be limited to, requiring the permittee to make road improvements to ensure that the roads have the strength and capacity to handle the anticipated traffic, and requiring the permittee to clean mud and dirt off of Village Roads that vehicles have tracked from the project site onto the roads. Such permit shall be for the duration of the temporary project.
5. In order to obtain a permit, the permittee must submit a permit application to the Village's Superintendent of Public Works, which shall include all information required by the Village's Superintendent of Public Works including, but not limited to, vehicle identification number and owners/operators, vehicle weights, load weights, materials carried, route(s) to be followed on Village Roads, duration of activity (beginning date and end date), frequency of trips and times of operation. The applicant shall pay a permit fee to be established by the Village Board, but in no event shall the fee be less than \$250.
6. The Village's Superintendent of Public Works may require, as a condition of the issuing the permit, that the permittee submit documentation (including, but not limited to, photographs and videos) of the condition of the roads, shoulders and all improvements and structures (culverts, bridges, sidewalks, etc.) that will be traversed by the permitted traffic.
7. In addition to the restrictions on routes and other reasonable restrictions, the Village's Superintendent of Public Works will determine if the scope of work is such that a bond is required, and the amount of any such bond. The determination of the need and amount of any bond shall be based on a determination of potential damage to Village Roads based on the traffic routes, weight of the vehicles, number of trips, seasonal conditions and the type-category (classification) of the roads on the approved routes.
8. A permittee aggrieved by a determination of the Village's Superintendent of Public Works regarding the need for or conditions of a permit may, within ten (10) days of the determination, appeal to the Village Board. No action inconsistent with the determination of the Village's Superintendent of Public Works shall take place pending the determination of the Village Board.
9. The permittee shall be responsible for assuring that the high-frequency, high-impact truck traffic does not prevent any impacted Village Roads from remaining in safe and useable condition for all legal uses of the road throughout the duration of the temporary project.
10. Upon completion of the high-frequency, high-impact truck traffic generated by the project, the permittee will apply to the Village's Superintendent of Public Works for a bond release. Following inspection of the traveled roads, the Village's Superintendent of Public Works may approve the release of the bond. If the release is not approved, the Village's Superintendent of Public Works will document the work that the permittee must complete in order for the bond to be released, which may include, but not be limited to, the payment of money for repair of damaged Village Roads or for the cleaning of mud and dirt off of Village Roads. The permittee must complete such work before the bond may be released.

11. If the permittee does not comply with this Local Law or the terms and conditions of the permit, the Village's Superintendent of Public Works may revoke the permit. In the event that high-frequency, high-impact truck traffic uses any Village Roads without a valid permit issued in accordance with this Local Law, the Village's Superintendent of Public Works, any law enforcement officer or the Village's code enforcement officer has the authority to deny such vehicles access to Village Roads and to shut down the project to the extent that the project is located in the Village. This relief is in addition to any and all damages and penalties.
12. The permittee will be responsible for the repair of any damages that occur to any Village Roads, and for the cleaning of mud and dirt off of Village Roads, that result from high-frequency, high-impact truck traffic when a project proceeds with or without a proper permit, as well as for all fines and penalties specified in this Local Law.
13. In lieu of obtaining a permit, any person who may be responsible to obtain a permit may enter into a road use agreement with the Village, although the Village has no obligation to enter into a road use agreement. If the Village enters into a road use agreement with the permittee, the use of Village Roads shall be governed by the agreement, rather than by permit conditions.

SECTION V ENFORCEMENT

The Village's Superintendent of Public Works shall enforce the provisions of this Local Law and any rules, regulations and conditions made pursuant hereto. Such enforcement shall include, but not be limited to, legal or equitable proceedings, including without limitation an action for specific performance brought in the name of the Village.

SECTION VI PENALTIES FOR OFFENSES

1. Any person who violates this Local Law shall be guilty of a violation and subject to a fine of not more than \$500 and/or imprisonment for not more than fifteen (15) days. Each and every act committed that is prohibited by this Local Law shall constitute a separate violation. On each occasion that a vehicle travels on any Village Roads without a permit as required by this Local Law shall constitute a separate violation.
2. Upon failure of any permittee to comply with the requirements of this Local Law, the permit shall be subject to suspension, revocation and the imposition of conditions.

SECTION VII SUPERSEDING EFFECT

All Local Laws, Articles, 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 VIII PARTIAL INVALIDITY.

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION IX 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.

Motion: Trustee McMurry

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

c. Public Hearing on Proposed 2019-2020 fiscal year budget:

Mayor Woodard opens the Public Hearing at 7:38 p.m.

Mr. Ron Bors reads his letter.

Comments to Cayuga Heights Board on Trustee Salaries 4/15/19

My name is Ronald Bors. My wife and I have lived on Texas Lane for over 40 years.

I have addressed this Board on several occasions, many times offering compliments on a job well done. However, my comments tonight on the subject of Trustee salaries, will not be complimentary.

Ten years ago, I served this village as Trustee, without compensation. My belief is that no Trustee ever received a salary, in the over 100-year history of the Village. Therefore, this is a big deal!

However, I am not commenting on the worthiness or legality of the annual individual Trustee salary of \$3,500. **The issue is one of transparency in government.** When these historic payments were initiated a year ago, there was no notice to the taxpayers. There was no public hearing to solicit comments. Furthermore, although the resolution to initiate the salaries was passed at the June, 2018 Board Meeting, the approved minutes of that meeting were not posted to the Village website until after January 30th of the following year. I only found out about the salaries when I heard a rumor.

When I made an inquiry to the Mayor in mid-January of this year, she confirmed the rumor and provided the dollar amounts. Although I was told that the June meeting minutes had details, there was nothing there except the resolution stating the annual and semi-annual amounts. I therefore urged the Mayor to publicize the issue and provide details. Nothing happened for over two months, until a very brief phrase was included in the eNewsBlast for this meeting, only three days ago.

I was then told that taxpayers needed to attend this meeting in order to find out how money is being spent.

When this Board spends money on sidewalks or road repair, you can afford to tell me after the fact. However, when you take my tax dollars in order to put them in your personal wallets, we taxpayers deserve to know in advance.

Ronald H. Bors
121 Texas Lane (607) 257-5640

Mr. David Donner reads his letter.

Village Board 4-15-19

My name is David Donner, I live at 107 E. Remington Road.

I was elected to this Board in 2008 and shortly after taking office I proposed that we cease our distinction as the only unpaid public officials in the county. My suggestion was politely turned down and I was gently advised that this Board is motivated by a sense of public service and a firm tradition of voluntarism.

Times have changed and having stated my support for paying the Trustees, I now have to point out the regrettable optics of the transition. What should have been a mark of respect for service to the Village and an incentive for recruitment has been buried in the paperwork. This enhancement should be publicized, not hidden.

- Trustee Robinson arrives at 7:45 p.m.
- Mrs. Bors suggests any important information for taxpayers should be publicized more than just a legal notice in the local newspaper. She suggests the fall newsletter would be a great way to inform village residents of Trustee stipends.
- Mr. Donner noted that the Village of Lansing places a legal notice for Trustee salaries. Attorney Marcus is not aware of any Village Law requiring a legal notice. The Village of Lansing might have adopted a local law to pay their Trustees.
- Mayor Woodard appreciates the concern and will make sure that we put the information in the fall newsletter.
- Mr. Bors recalls that a sitting trustee cannot indicate his/ her own salary.
- Village Attorney Marcus stated that you cannot enact a increase or adopt a rate of pay where there is none within the current year, but you can in the next year budget.
- Village Resident Ilene Lambiase states that if fees-for-services doesn't seem to impact property tax, then what happens when the fees-for-services generate extra money. So where is the compensation to the tax payer?
- Mayor Woodard responded that the Village tax rate has remained flat for the last two years.
- Trustee Mangione stated that the water and sewer are completely separate funds. No tax dollars go to support those funds. The garbage tags should be funded the same way.

Mayor Woodard closes the Public Hearing at 7:59 p.m.

RESOLUTION # 8458

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves the tax rate of \$6.49/1000 for Fiscal Year Ending May 31, 2020 and approves the Proposed Budget as discussed.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

- Mayor Woodard notes that even if we do not need to over-ride the tax cap under the proposed budget, as a matter of asserting home rule, we should still vote to do so.
- The Board returns to vote on the tax cap. Trustee Salton feels there is no need to pass this law.

RESOLUTION # 8459

BE IT RESOLVED THAT: The Board of Trustees adopts Proposed Local Law -B of 2019 as Local Law #2 of 2019

VILLAGE OF CAYUGA HEIGHTS

DRAFT

PROPOSED LOCAL LAW B OF THE YEAR 2019

**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 2019 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 2019 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.

Motion: Trustee McMurry

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Marshall, McMurry, and Robinson

Nays: Salton

Abstentions: none

The local Tax Cap Law requires a super quorum, the motion failed.

d. Garbage Tags: Continued discussion from 7:05 p.m.

- B. Cross feels it is unclear as to how the cost is determined and how the Board can determine a correct amount to charge for a tag.
- Trustee Robinson suggests increasing the tag capacity (weight) along with the fee increase.
- Mayor Woodard stated that a fee-for-service is a good thing to have because the more you use the service the more you would pay for that service.

RESOLUTION # 8460

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees authorizes and approves increasing the Village of Cayuga Heights 15 lb. garbage tag from \$1.00 to \$1.50 starting on June 1, 2019.

Motion: Trustee Marshall

Second: Trustee McMurry

Ayes: Mayor Woodard; Trustees: Marshall, McMurry, and Robinson

Nays: Salton

Abstentions: none

Motion Carried

B. Cross stated that the Tompkins County Flow Control Law was established in order to cover County revenue loss from the old County dump closure and help to finance the new transfer station.

Trustee Robinson concluded that a fee increase will also help with sustainability and make users more aware of the amount of trash they produce.

- Village Treasurer Mangione checked the calculations for the tax cap and the Village exceeded the tax base growth factor.

The Board will need to pass Proposed Local Law B of 2019 in order to pass the current budget. Therefore, the Board will re-vote on Proposed Local Law - B of 2019.

RESOLUTION # 8461

BE IT RESOLVED THAT: The Board of Trustees adopts Proposed Local Law - B of 2019 as Local Law #2 of 2019

VILLAGE OF CAYUGA HEIGHTS

DRAFT

PROPOSED LOCAL LAW B OF THE YEAR 2019

**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 2019 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 2019 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.

Motion: Trustee McMurry

Second: Trustee Salton

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

Nays: none

Abstentions: none

Motion Carried

The Board will need to re-vote on the Proposed 2019-2020 Village Budget.

RESOLUTION # 8462

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorize the tax rate of \$6.49/1000 for Fiscal Year Ending May 31, 2020 and approves the Proposed Budget as discussed.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

e. Bergmann Update: The Village traffic counts were completed last week by David Tuttle from Pittsford Traffic and Radar.

f. North Campus Residential Expansion: Due to a stormwater runoff situation, the Planning Board determined that a temporary construction worker parking lot on a 12% slope was going to create extra stress on the stormwater drainage on Triphammer Road. The project planners have since removed that proposed lot. On April 26, 2019 Mayor Woodard will be meeting with Cornell's Gary Stewart to discuss any concerns about the NCRE.

Attorney Marcus added, that the Jessup parking lot drainage still needs to be addressed.

•B. Cross updated the Board on the Town of Lansing's proposed contract that re-defines the Warren Road redistricting is almost ready for the Board to vote on at the Trustee's meeting in May. The Town of Lansing is installing new flow meters for sewage entering the Village of Lansing which then will continue on to our WWTP plant.

h. Village Brochure: This will be a insert for the fall newsletter. Copies will also be sent to local realtors. The Administrative Committee will review all suggestions and present a completed version to the Board at the May meeting.

•As part of the brochure, Assistant Superintendent of Public Works Wiese asked the Board for clarification on the proper timing of putting out bulky trash and brush.

•The Board does not feel a local law is needed but a policy should be established.

RESOLUTION # 8463

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees establishes the policy that authorizes that bulky trash can be placed curbside no earlier than noon that Saturday preceding the pickup.

Motion: Trustee Salton

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion Carried

•Brush should follow the same policy and the DPW will monitor the leaves and brush piles over the next month and report back at the May Board meeting.

•It is also intended that contracted landscaping companies are to remove debris from the property and not leave it for Village monthly pickup.

i. GHD Resolution: The construction phase of the WWTP is ready to go to bid.

RESOLUTION # 8464

WHEREAS, the NYSDEC recommended the replacement of the existing “headworks” grit removal at the WWTP, and

WHEREAS, the Village Board of Trustees hired GHD Engineers to design and prepared the needed documents to achieve the replacement, and

WHEREAS, the estimated cost of the new headworks project will be \$3,100,000, and

WHEREAS, the NYSDEC/EFC has agreed to provide a grant of 25% of the construction cost, and

WHEREAS, GHD Engineers have completed the design/plans which are now ready to seek bids from contractors, and the Village entered into an agreement with GHD Engineers to provide bid/construction administrations services, and

NOW, THEREFORE BE IT RESOLVED THAT, the Village of Cayuga Heights Board of Trustees hereby authorizes GHD Engineers to “let out” the plans/specifications to potential contractors for consideration of submitting sealed bids to the Village, and

BE IT FURTHER RESOLVED THAT, the bid documents will be made available (both electronically and hard copy) to the bidders through Data Flow Printing for a fee of \$300/set, and

BE IT FURTHER RESOLVED THAT, GHD Engineers will administer/manage the bid process to be opened on May 29, 2019 and provide the Village with an evaluation of the bids for consideration of contractor award at the June Trustee meeting.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

6. Report of the Trustees:

a. General Code: The manuscript is complete and going back to General Code. The Board will set a Public Hearing for the July Board of Trustees meeting to take comments on the proposed codification law.

7. Report of Police Chief Wright: Submitted Report

•Field training continues for the 2 new part-time officers

•The Village of Interlaken would like to purchase car # 124 when the new police vehicle (2019 Charger) arrives in June.

•The Sergeants exam list has been posted and interviews will begin in May.

8. Report of ASPW Wiese:

- Dig Safe is now requiring every DPW employee to be trained and certified. Training will be taking place next week.
- DPW has been short one SMEO (Senior Motor Equipment Operator) since DJ Snyder resigned in March. ASPW Wiese would like to promote Matt Townsend from MEO (Motor Equipment Operator) to SMEO to fill an vacancy and also to promote Tim Diller from CEO (Laborer W/CDL) to MEO.

RESOLUTION # 8465

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves the promotion of Matt Townsend from MEO to SMEO at the wage rate of \$26.83, the rate after year one for SMEO.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

RESOLUTION # 8466

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves the promotion of Tim Diller from CEO to MEO at the wage rate of \$22.07, the rate after year one for MEO.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

9. Report of Engineer Cross:

- a. Summer Intern:** Every 5 years a road surface management survey is conducted by the Cornell Local Roads Program. The Village could employ a Cornell student who has been trained in road surface Management and needs to fulfill his/her internship. This intern will concentrate on capital improvement projects related to road resurfacing.

10. Report of Treasurer Mangione: Submitted Report

RESOLUTION # 8467

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #11 for FYE2019 consisting of TA vouchers 93 – 101 in the amount of \$23,255.65 and Consolidated Fund vouchers 744 - 810 in the amount of \$215,489.23 and the Treasurer is instructed to make payments thereon

Motion: Trustee Salton

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion carried

11. Report of Clerk Walker: Submitted Report (Exhibit 2019-133)

•**The Administrative Committee will review** the policies and present to the board as a group.

12. Executive Session: The Board enters Executive Session at 10:03 p.m.

RESOLUTION # 8468

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 Marshall

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

Nays: none

Abstentions: none

Motion Carried

RESOLUTION # 8469

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees exit 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 and return to an open meeting at 10:29 p.m.

Motion: Trustee Salton

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

RESOLUTION # 8470

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves and authorizes the new annual salary for Assistant Superintendent of Public Works Michael Weise to be \$90,000, effective as of the next fiscal year, June 1, 2019.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

13. Adjournment: Mayor Woodard adjourns the meeting at 10:30p.m.

DRAFT