



Present: Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, Robinson, and Salton; Police Sergeant Wright; Superintendent of Public Work Cross; Assistant Superintendent of Public Works Wiese; Treasurer Mangione; Clerk Walker.

Absent: Attorney Marcus, Trustee Friend

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

1.. Report of Fire Superintendent Tamborelle:

Submitted Report.

2. Privilege of the Floor- No members of the Public wished to speak

3. Report of Mayor

a. Mayor Woodard opens the public hearing on Proposed LL - G of 2018 at 7:06 p.m.

Resolution #8261

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees opened the Public Hearing on Proposed LL -G of 2018 at 7:06 p.m.

Motion: Trustee McMurry

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion carried

Discussion:

Connie Kintner has been raising chickens for 15 years in the Village, and she stated she would like to see the proposed law modified to include, free range in the back yard during the daytime and not just in a run or coop all the time.

Dr. Peter Schwartz, raised a question about chickens and if they were free range what kind of problems that might create with neighbors and their pets, especially barking dogs.

Another member of the public asked why can't the proposed law just state a property owner can have chickens as long as the neighbors do not object.

I am Ronald Bors, a former Trustee of this village.

I object to the proposed zoning change to allow chickens in the Residence Zone.

The Comprehensive Plan adopted by this Village had substantial input from Villagers. I have reviewed that plan, but cannot find any section that recommends modifying the Residence Zone to include an Agricultural District. Therefore, I submit that this chicken proposal is inconsistent with the Comprehensive Plan.

Although I have attended many Board meetings, I never heard any discussion of consistency with the Comprehensive Plan, or any discussion of the impact of chickens on property values.

The Village of Trumansburg adopted a very thoughtful and comprehensive chicken ordinance in 2013. Although that Village is more rural than ours, they took the time to include specific provisions to minimize impact on neighbors, and to insure humane treatment of the chickens.

Our proposed ordinance is substantially lacking in several areas. If you are determined to allow chickens in Cayuga Heights, please allow for further review and rewriting of this incomplete proposal.

Ronald H. Bors
121 Texas Lane

Elizabeth Goldberg has chickens and have had a problem with ticks on the pets and kids. Since they brought home chickens the tick issue has seemed to go away. They have communicated with their neighbors and everyone has been informed and no one has a problem with them owning chickens.

Mayor Woodard closed the public hearing at 7:15 p.m.

Discussion: Mayor Woodard feels the proposed Local Law should be more specific, and recognize that “free range” is important.

Trustee Salton is under the impression that this proposed Local Law – G of 2018 was accepted by the Board as written.

Trustee McMurry, suggested there should be a mechanism for complaints that will trigger enforcement.

Trustee Robinson, stated this local law is a compromise, and is the best thing given what we have right now.

Trustee Marshall, Chickens benefit from space, it's better for the chickens and tick control.

B. Cross stated, as the Village Zoning Officer, he has had a few generic complaints about Chickens, but no one has formally come forward to file a specific complaint about a property with chickens.

Resolution #8262

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees adopts Local Law- G of 2018 to amend the current Village of Cayuga Heights Zoning Law under permitted accessory buildings and uses; in the residential zone to permit the keeping of chickens.

Motion: Trustee McMurry

Second: Trustee Robinson

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

Nays: none

Abstentions: Trustee Salton

Motion carried

b. Schedule a Public Hearing on Proposed Local Law -H. 2018, W. Remington Parking

Narrow road, unsafe to park anyway, historically DPW has posted signs just during special events.

Resolution #8263

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves the scheduling a Public Hearing on August 21, 2018 at 7:00 p.m. to accept comments on the Proposed Local Law H-2018.

Motion: Trustee Biloski

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion carried

f. Parking in the Right of Way (ROW):

Masha Fontas- Read the 2 emails she sent to the Village.

1. I live at 811 Hanshaw. There is a sidewalk in front of my house.

Visitors to my house, as well as the houses across the street, have typically parked in the ROW between the white line and the sidewalk. This way, they are not blocking pedestrians and they are not blocking road traffic.

The ROW on the non-sidewalk side of the street does not have enough room for cars to park FULLY beyond the white line, because of ditches and hedges.

If the Village police ticket cars parked in this way, where CAN the cars legally park? The driveways on this block are not large enough to accommodate visitors and contractors.

And as a note...Regarding the photo in the e-newsletter - ... the line of vehicles parked on the grass between the sidewalk and the white line appear to be parked in the only way that does not interfere with moving vehicles and pedestrians. Are you saying that they are actually parked illegally? Where should they be parked?

Thank you for your kind attention to my concerns.

Masha Fontes

2. I am responding to the statement in the village e news

"... this does not mean your guests can park in your neighbor's ROW without their permission. "

The ROW does not belong to me or any other village resident. It is owned by the village and is in fact an extension of the roadway. I believe that only the village can forbid parking on village land.

I have been a Village resident and homeowner for 27 years. I live at 811 Hanshaw Road. People have always parked in front. They also stroll there. They also "walk" their dogs there. The strip is part of the road which is owned by the Village, and, like the road, available to the public.

When I purchased my house 27 years ago, it was very clear to me that my property ends at a line defined by stakes that were placed in the ground and described in my deed. This line is indeed some distance from the road center, and between this line and the road's edge there are plantings, a sidewalk, a fire hydrant and a grassy/gravelly shoulder. It would never occur to me that members of the public should ask my permission to park or walk on this land. They also do not seek my permission to walk their dogs or to allow their dogs to relieve themselves. The land does not belong to me.

It seems absurd that anyone should seek my permission to use public land that is located in front of my house, *or that I should do the same when visiting another village resident.*

Please do not encourage other homeowners to behave as if they own the ROW. The ROW is not an easement over private property. It belongs to the Village. No homeowner should have the right to forbid parking on Village property.

Sincerely,
Masha Fontes

Mayor Woodard reminded the public that residents are required to maintain the ROW. The goal of this discussion is to find out where the residents stand on this issue.

Dr. Peter Schwartz stated he maintains the ROW, has people park in the ROW, many people park throughout the village in this way. We should have the right to park if we maintain the ROW. Snowplows, USPS, Trucks all have contributed to the damage, and each time he fixes the damage.

Mayor Woodard stated, one of the main issues that has come to the Board's attention are the "things" people are putting in the ROW to prevent parking.

Village resident Paul Ginsparg stated, he has great sympathy for those trying to stop or block people from parking in the ROW. He lives next to the Cornell University Presidents house, which host's large gatherings a few times a year and cars always parked in his ROW.

Rons Bors: I don't think the landowner should have to fix damage to the ROW, snowplows tend to cause a lot of damage. Some kind of marker in the ROW would be helpful to prevent damage.

Paul Ginsparg asked why on Highland Rd. is the no parking signs? Which is inconsistent with the rest of the Village.

B. Cross stated, that no parking issue is an unintentional discrepancy due to a road structure change. The idea is to have consistency with the side of the road with a sidewalk and has some form of curb mechanism, is the side specifically prohibited from parking.

Dr. Peter Schwartz suggested the Board look into a permit process for parking in the ROW. Or Passage of a standardize devise (Pole Marker) to prevent parking in the ROW.

Trustee Robinson stated, markers or other types of barriers in the ROW is what led to parking issues and parking laws.

The Cayuga Heights Police Department has been issuing parking warning over the last 3 weeks.

Mayor Woodard stated the Board will continue the discussion at next month's Board of Trustees Meeting. At this point we cannot clearly define the parking in the ROW which led to issuing warning tickets. Sergeant Wright stated the main focus of the ticketed vehicles was safety concerns, not hazards. Trustee Robinson recommends the need to suspend the warning tickets until the Board can all agree to a better understanding of the ROW.

Trustee McMurry asked, prior to the vote on Proposed LL -G of 2018 was the MGL 239 sent to the municipalities. Further investigation revealed the Village had not sent it. A Revote of Proposed LL -G of 2018 will be postponed until the August Board Meeting.

- c. Board of Trustees meeting change to August 21st at 7:00 pm

Resolution #8264

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves changing the Board of Trustees monthly meeting to August 21, 2018 at 7:00 p.m. at the Cayuga Heights Fire Department.

Motion: Trustee Salton

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion carried

- d. \$5000.00 NYSEDA Grant

B. Cross noticed the exterior wood and framing is deteriorating on Marcham hall and could be a source of the energy loss. Another possibility is a cooling system for the meeting room of Marcham Hall. Mayor Woodard suggested the money be put towards the windows at Village Hall.

e. Firewood Changes: The Board will discontinue to add or change any language dealing with firewood in the current Zoning Law at this time.

4. Report of the Trustees

Trustee Robinson attended an NYSEG Outreach and Discussion and Smart Meter experiment meeting. The Installation of the meters went well, however the post installation and impact of the advisory group was an issue. NYSEG took a big publicity hit.

Trustee McMurry stated she will get TAP draft review feedback this week, and the submission date is due Friday August 10, 2018

Trustee Biloski informed the Board that we will be sending General Code the language on unsafe buildings.

5. Report of Police Sergeant Wright

Submitted Report.

The new 2018 Chevy Tahoe will start to be equipped later this month.

6. Report of ASPW Wiese

The Subbase on the Parkway is to be installed tomorrow, drainage will be going in the next two weeks. Upland intersection will take the drainage. Mechanisms are going into place to make sure the water drains off properly.

Highland Rd. Project is completed. Sidewalks are finished. A question was raised about putting in solar lights for walkway over the creek. There are 30 posts and could alternate posts with a solar light. Cost should be around \$300.00

Drain Brain spent some time last week to camera a few off road sewer lines. Mike will email the Board with the results sometime next week.

Mayor Woodard reported on July 30th SCLIWC will meet and discuss the I&I report and Mike should submit that findings from Drain Brain.

There will be some cross walk stripping and sidewalk repairs will be done over the next few weeks.

7. Report of Engineer Cross

- a. NYSEG Buyout- Terry Carroll from NYSERDA is converting to information from NYSEG to excel and conducting his own street light inventory in the Village. The City of Ithaca moving forward to replacing their street lights and hopefully they will be able to work through all the issues. There will more to report at the August BOT meeting.
- b. Airbnb update: About 17 listings have either paid the permit or are in the process of taking the add down. There are still about 3 locations that have not been found. Fines will be the next thing to mailed. More and more municipalities are following up and creating regulation to control of short term rentals in residential communities.
- c. HSC has quoted the heater / AC unit in the older side of the Police Station. The unit is working fine but has a condensation issue.

8. Report of the Treasurer

a. Mortgage tax revenue- The reports is generated by the number of properties sold in the village.

b. July Abstract:

RESOLUTION #8265

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #2 for FYE2019 consisting of TA voucher 2 - 10 in the amount of \$17,331.07 and Consolidated Fund vouchers 26 - 101 in the amount of \$273,979.43 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Salton

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion carried

9. Report of the Clerk

a. Constellation Contract: After review of the variable rate, the average is a lot less than the fixed rate offered.

b. 1010 Triphammer Resolution: Board approval is required to add a new address to establish a 911 designation. The owners of 1012 Triphammer Rd. requested that their newly subdivided property be designated as 1012 Triphammer Rd.

RESOLUTION #8266

WHEREAS, the Tompkins County Department of Emergency Response (DoER) oversees emergency dispatch and communications systems that allow residents to dial 911, and;

WHEREAS, 911 is the number to report a police, fire, or medical emergency that requires the immediate presence of police officers, fire fighters, or emergency medical personnel, and;

WHEREAS, new address designations are approved by a municipality’s governing body.

NOW, THEREFORE, BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves 1012 Triphammer Rd. Tax Parcel 10-3-6.1 as a new designated address.

Motion: Trustee Salton

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion carried

10. Executive Session

RESOLUTION: #8267

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 Robinson

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion carried

RESOLUTION #8268

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees exits from an executive session at 10:03 p.m.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion carried

11. Adjournment: Mayor Woodard adjourns the meeting at 10:04 p.m.