

Minutes  
Marcham Hall

VILLAGE OF CAYUGA HEIGHTS  
BOARD OF TRUSTEES  
MONTHLY MEETING

Monday, October 21, 2019  
7:00 p.m.



**Present:** Mayor Woodard; Trustees: Biloski, Friend, Marshall, McMurry, Robinson; Police Chief Wright; Village Engineer Cross; Treasurer Mangione; Clerk Walker; Attorney Marcus

Absent: Trustee Salton and Director of Public Works Wiese

**Call to Order:** Mayor Woodard calls the meeting to order at 7:02 p.m.

**2a. Approval of Meeting Minutes: September 16, 2019 (Exhibit 2020-076)**

**Resolution # 8531**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the September 16, 2019 meeting minutes as presented.

*Motion:* Trustee Marshall

*Second:* Trustee Friend

*Ayes:* Mayor Woodard; Trustees: Biloski, Friend, Marshall, and Robinson

*Nays:* none

*Abstentions:* Trustee McMurry

**Motion Carried**

**2b. Approval of Meeting Minutes: October 7, 2019 (Exhibit 2020-077)**

**Resolution # 8532**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the October 7, 2019 meeting minutes as presented.

*Motion:* Trustee Robinson

*Second:* Trustee Biloski

*Ayes:* Mayor Woodard; Trustees: Biloski, Marshall, and Robinson

*Nays:* none

*Abstentions:* Trustees; Friend, and McMurry

**Motion Carried**



# VILLAGE OF CAYUGA HEIGHTS

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

## Board of Trustees Monthly Meeting October 21, 2019

PLEASE PRINT Name/Anonymous	Address	Do you wish to speak? Indicate Yes or No
1. <u>ILENE LAMBIASE</u>	<u>406 E WILSON</u>	<u>YES</u>

**4. Privilege of the Floor:** Village Resident Ilene Lambiase has some areas of concern she would like to address.

- I. Lambiase asks Village Engineer B. Cross about the new Cayuga Medical Office medical and if they are at full capacity since parking at Corners Community seems to be difficult already. B. Cross states that they are at full capacity.
- I. Lambiase is also concerned about the residential aspect impact of this project. She would like to see the project revisit the building setback requirements and more details on the size, and number of units this project will have.
- I. Lambiase also expresses her appreciation for all the hard work the Board put forth in receiving the various grants.

**5. Report of Mayor Woodard:**

**a. Public Hearing on Proposed Local Law D of 2019-Sump Pumps:**

Board Discussion:

- Clerk Walker informed the Board that he notified the Board of Realtors making them aware of this proposed law.
- Trustee Marshall asks how long a inspection will take to complete. B. Cross states he could complete an inspection in two hours.
- Mayor Woodard states that modifying the effective date to January 1, 2020 would allow the Village time to educate the public of this new local law and establish a proper fee schedule.
- Trustee McMurry states that ninety days might not be enough time to correct a illegally connected sump pump. There should be some language offering an extension.

•Trustee Friend asks how difficult it would be to disconnect a sump pump connected to the sanitary sewer line. B. Cross states that is just a matter of disconnecting the line to the sewer line. The bigger issue is reconnecting the sump pump and properly running water lines out away from the house.

•Trustee Marshall suggests the Village Staff contact local home inspection companies to make them aware of this new law.

•The Board agrees to have attorney Marcus incorporate language in the new draft providing a extension past 90 days.

-Mayor Woodard opens the Public Hearing at 7:33 p.m.

-Mayor Woodard adjourns the Public Hearing until the November 18, 2019.

### **3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2020-078)**

•Fire Superintendent Tamborelle states that there are 17 new volunteer firefights recruits that have started training.

•The CHFD will be looking to purchase a new latter truck. There is a 14 month build out for a new latter truck. Fire Superintendent Tamborelle will meet with a Brindley Mountain Fire Apparatus buyer to determine what the current latter truck is worth.

•Village Treasurer J. Mangione reminded the Board that there is a election in March that could impact the Board entering a contract before the election. The 2020 Village Election will be held on March 18, 2020.

•The Village property at 825 Hanshaw Road needs some upkeep and maintenance. Director of Public Works, M. Wiese will schedule the DPW to complete the repairs.

#### **b. Public Hearing on Proposed Local Law E of 2019-Village Code:**

Mayor Woodard opens the Public Hearing at 7:45 p.m.

•No Members of the public wish to speak.

•Village Attorney R. Marcus states that the official copy of the Village Code will be kept by the Village Clerk.

Mayor Woodard closes the Public Hearing at 7:55 p.m.

#### **Resolution # 8533**

**BE IT RESOLVED THAT:** The Village of Cayuga Heights Board of Trustees has determined that the codification of the local laws, ordinances and certain resolutions of the Village of Cayuga Heights into a Municipal Code; Code of the Village of Cayuga Heights to be a Type II action under SEQR section 617.5.C 26.

*Motion:* Trustee Biloski

*Second:* Trustee Friend

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

#### **Resolution # 8534**

**BE IT RESOLVED THAT:** The Board of Trustees adopt Proposed Local Law E of 2019 as Local Law # 5 of 2019

**PROPOSED LOCAL LAW E OF 2019**  
**Adoption of Code**

**§ 1-1. Legislative intent.**

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Village of Cayuga Heights, as codified by General Code, and consisting of Chapters 1 through 305, shall be known collectively as the “Code of the Village of Cayuga Heights,” hereafter termed the “Code.” Wherever reference is made in any of the local laws and resolutions contained in the “Code of the Village of Cayuga Heights” to any other local law or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing in the Code as if such local law or resolution had been formally amended to so read.

**§ 1-2. Continuation of existing provisions.**

The provisions of the Code, insofar as they are substantively the same as those of local laws and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Trustees of the Village of Cayuga Heights, and it is the intention of said Board of Trustees that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

**§ 1-3. Repealed.**

- A. Repeal of inconsistent enactments. Except as provided in § 1-4, “Enactments saved from repeal; matters not affected,” below, all local laws, or parts of such local laws, inconsistent with the provisions contained in the Code adopted by this local law are hereby repealed as of the adoption and filing of this local law as set forth in § 1-13; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Village of Cayuga Heights which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific enactments. The Board of Trustees of the Village of Cayuga Heights has determined that the following local laws are no longer in effect and hereby specifically repeals the following legislation:
  - (1) Local Law No. 2-1976, Plumbing, adopted 11-12-1976.
  - (2) Local Law No. 3-1990, Bicycles.

**§ 1-4. Enactments saved from repeal; matters not affected.**

The repeal of local laws provided for in § 1-3 of this local law shall not affect the following classes of local laws, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Village of Cayuga Heights prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Village of Cayuga Heights or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Village of Cayuga Heights.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Village of Cayuga Heights.
- E. Any local law of the Village of Cayuga Heights providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Village of Cayuga Heights or any portion thereof.
- F. Any local law of the Village of Cayuga Heights appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Village of Cayuga Heights or other instruments or evidence of the Village's indebtedness.
- G. Local laws authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local law relating to salaries and compensation.
- K. Any local law amending the Zoning Map.
- L. Any local law relating to or establishing a pension plan or pension fund for Village employees.
- M. Any local law or portion of a local law establishing a specific fee amount for any license, permit or service obtained from the Village.
- N. Any currently effective sewer rent rate or charge.
- O. Any local law adopted subsequent to April 1, 2019.

**§ 1-5. Severability.**

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law or resolution included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**§ 1-6. Copy of Code on file.**

A copy of the Code, in loose-leaf form, has been filed in the office of the Village Clerk of the Village of Cayuga Heights and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Village Clerk of the Village of Cayuga Heights by impressing thereon the Seal of the Village of Cayuga Heights, and such certified copy shall remain on file in the office of said Village Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-7. Amendments to Code.**

Any and all additions, deletions, amendments or supplements to any of the local laws and resolutions known collectively as the “Code of the Village of Cayuga Heights” or any new local laws or resolutions, when enacted or adopted in such form as to indicate the intention of the Village to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law or resolution contained herein, and such local laws or resolutions may be amended, deleted or changed from time to time as the Board of Trustees deems desirable.

**§ 1-8. Code book to be kept up-to-date.**

It shall be the duty of the Village Clerk to keep up-to-date the certified copy of the book containing the Code of the Village of Cayuga Heights required to be filed in the office of the Village Clerk for use by the public. All changes in said Code and all local laws and resolutions adopted by the Board of Trustees subsequent to the enactment of this local law in such form as to indicate the intention of said Board of Trustees to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws or resolutions until such changes, local laws or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

**§ 1-9. Sale of Code book; supplementation.**

Copies of the Code, or any chapter or portion of it, may be purchased from the Village Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the Board of Trustees. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

**§ 1-10. Penalties for tampering with Code.**

Any person who alters or tampers with the Code of the Village of Cayuga Heights in any manner whatsoever which will cause the legislation of the Village of Cayuga Heights to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

**§ 1-11. Changes in previously adopted legislation; new provisions.**

- A. In compiling and preparing the local laws and resolutions for publication as the Code of the Village of Cayuga Heights, no changes in the meaning or intent of such local laws and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor non-substantive changes were made in one or more of said pieces of legislation. It is the intention of the Board of Trustees that all such changes be adopted as part of the Code as if the local laws and resolutions had been previously formally amended to read as such.
  
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws and resolutions as they have been renumbered and appear in the Code.)

**§ 1-12. Incorporation of provisions into Code.**

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Village of Cayuga Heights, such local law to be entitled “General Provisions, Article I, Adoption of Code,” and the sections of this local law shall be numbered §§ 1-1 to 1-13, inclusive.

**§ 1-13. When effective.**

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

*Motion:* Trustee McMurry

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**c. Schedule a public hearing Proposed Local Law F of 2019-Special Events:** The intent of this Local Law to resolve an inconsistency in the terms of Local Law 4 of 2013.

**Resolution # 8535**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees hereby schedules a Public Hearing on November 18, 2019 at 7:20 p.m. to take comments on Proposed Local Law F of 2019 – Special Events

*Motion:* Trustee Robinson

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

### **Motion Carried**

**d. Schedule a public hearing Proposed Local Law G of 2019-Sewer Rates:** The purpose of this Local Law is to establish annual sewer rates of \$2.90/1000 gallons consumed for inside users and a rate of \$4.35/1000 gallons used for outside users, as defined in articles XII, Sewer Rents, of the Village of Cayuga Heights Articles.

- Two factors went into 5% rate change, the loss of Borg Warner utilizing the treatment plant and the Village Waste Water Treatment Plant renovations.

- The Village water rates are still well below the state average. The finance committee reviewed and recommends the above calculation.

### **Resolution # 8536**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees hereby schedules a Public Hearing on November 18, 2019 at 7:25 p.m. to take comments on Proposed Local Law G of 2019 – Sewer Rates.

*Motion:* Trustee Robinson

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

### **Motion Carried**

**e. Urban and Community Forestry Program Grant Application:** This grant complements the tree inventory completed earlier this fall. The Village has a number of trees in the right-of-way that have to be removed. This grant focus is on tree maintenance of the Village trees in the right-of-way.

### **Resolution # 8537**

**WHEREAS,** the Village of Cayuga Heights is applying to the New York State Department of Environmental Conservation for a reimbursement project grant under the Urban and Community Forestry (UCF) Program to be located in the Village of Cayuga Heights, Tompkins County, Region 7, 14850, a site located within the territorial jurisdiction of this Board, and

**WHEREAS,** as a requirement of the UCF program, said Village of Cayuga Heights must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located,”

**NOW, THEREFORE BE IT RESOLVED,** that the Board of Trustees of the Village of Cayuga Heights hereby does approve and endorse the application of André Bensadoun on behalf of the Village for a grant under the Urban and Community Forestry Program for a project known as “ Village of Cayuga Heights Tree Maintenance” located within this community.

*Motion:* Trustee McMurry

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

### **Motion Carried**

**f. Village Election Date:** This year the Village Election falls on St. Patrick's Day There for by NYS Election law the Village Election will be on March 18. 2020.

### **Resolution # 8538**

**WHEREAS,** the general election law states general village elections will be held on the third Tuesday in March and,

**WHEREAS,** the next general village election is Tuesday, March 17, 2020 which is St. Patrick's Day, and under New York State Election Law any election must take place the following day.

**THHEREFOR BE IT RESOLVED,** that the Village of Cayuga Heights Board of Trustees designate Wednesday, March 18, 2020 as the general Village Election Day. The Village of Cayuga Heights Board of Trustees also authorize the March 18, 2020 election to be held at Kendal of Ithaca, 2230 N. Triphammer Road, Ithaca, N.Y. from 12:00 noon to 9:00 p.m.

*Motion:* Trustee Friend

*Second:* Trustee Biloski

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

*Nays:* none

*Abstentions:* none

### **Motion Carried**

**g. Gold Plan:** Mayor Woodard presents the Board with a power point slide show showing the comparisons between the current Excellus PPO Plan & the Excellus Gold Plan.

- The Village will subsidize 75% of the in-network and out-of-network cost first.
- The Village will guarantee that an employee will not pay more out-of-pocket on the new gold plan than they would have on the current PPO plan.
- The Village will utilize the Benefit Resources Company to administer the Village employee Health Reimbursement Accounts (HRA).
- Mayor Woodard states this is an experiment, and the potential saving could be a benefit to the Village and the Village employees. There will be an administrative time to manage the Gold Plan HRA's.
- Clerk Walker asks if the Board had any questions from those affected by this change. The Board did not have any questions. Clerk Walker also states that the current health care plan was the leading factor in accepting his position at the Village.
- Mayor Woodard states she has drafted a Memo of Understanding (MOU) with the Village Police Department to change the PBA contract and allow this change.

**Resolution # 8539**

**THREREFOR BE IT RESOLVED**, that the Village of Cayuga Heights Board of Trustees approve and authorize to move eligible current employees from the current Tompkins County Health Consortium Teamsters Excellus PPO Plan to the Tompkins County Health Consortium Excellus Gold Plan.

*Motion:* Trustee Biloski

*Second:* Trustee Friend

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**h. Upland Heights:** B. Cross has submitted an analysis of Upland Heights Proposal.

- The building height is now 35 feet, which brings it inline with the commercial zoning regulations.
- M. Mecenaz will be submitting answers to the 10 factors to be considered by the Board of Trustees in its decision to establish a Planned Development Zone.
  1. Preserving and enhancing neighborhood character;
  2. Compatibility with adjacent development and land uses;
  3. Mitigating negative impacts on traffic, parking, and stormwater management;
  4. Avoidance of an undue burden on the Village’s infrastructure;
  5. Protection of natural resources;
  6. Promoting environmental sustainability;
  7. Provision of safe and convenient vehicular, bicycle and pedestrian circulation;
  8. Provision of space for recreation and other public use;
  9. Coordination with the requirements of County, State, and federal statutes; and
  10. Consistency with the Village’s Comprehensive Plan.
- Trustee McMurry asks B. Cross if M. Mecenaz has addressed the wetland regulations on this property.
- B. Cross believes the Villages Zoning Law already addresses that issue. The question is whether or not this particular wetland is identified and therefore would fall under our Village restrictions or federal restrictions.

**6. Report of the Trustees:** No Report.

**7. Report of Police Chief Wright: Submitted Report (Exhibit 2020-086)**

- The Cayuga Heights Police Department was awarded a National Highway Traffic Safety Grant in the amount of \$2560. The department will be concentrating extra patrol time to enforce school Zone and bus safety and teen distracted driving.

**8. Report of Director of Public Works Wiese: Submitted Report (Exhibit 2020-087)**

- Director of Public Works Wiese was not in attendance.
- Village leaf pick-up has started and will run through December 13, 2019
- Mayor Woodard reports that the NYS Public Service Commission responded to her letter of frustration with NYSEG and how they are delaying our buy-out of the street lights in the Village.

**9. Report of Engineer Cross:**

- B. Cross states that GHD has received 3 quotes from the current contractors for completing the work of installing a new door and associated work to install the new WWTP boiler.
- GHD will draw up an official change order to the contract of Phase 1 of the WWTP expansion project in order to allow this expense to be reimbursable from the grant.
- Blue Heron, the general contractor on this project has a verbal order of \$22,000 for the construction part of this project.

DRAFT



## Boiler replacement CHWWTP ELECTRICAL PROPOSAL

Date: 10/17/19  
To: Jason McGibbon  
From: Will Simmons

**Included:**

All Electrical requirements as follows

- A. The main power 3 phase 60 hertz 460-480v ac
- B. The control circuit supply single phase 60 hertz 115 volt AC
- C. Wiring to starter of the digester recirculation pump
- D. Wiring of normally open contact for raw pump
- E. Wiring for building heat pump
- F. Wiring for building thermostat
- G. Wiring for remote E-Stop X2
- H. Proved 2 new circuits one for Combustion air damper with AUX contacts and on for new unit heater
- I. Disconnect of current wall mount exhaust fan along with circuitry in its entirety.

**Excluded:**

Permit  
Inspection  
Excavation and Backfill  
Concrete and Rebar  
Fireproofing  
Dumpsters  
Toilets  
Utility fees  
Temporary service  
Temporary heat  
Temporary generators  
Temporary to trailers  
Cutting, Patching or Painting  
Fire alarm (none shown)  
VFD's or Starters  
HVAC control wiring (none shown)  
Allowances  
Overtime  
Shiftwork  
Special insurances  
Tax  
Bonds  
M/WBE Requirements  
BIM Modeling

Lot Cost..... \$9,978.00

**Resolution # 8540**

**THREERFOR BE IT RESOLVED**, that the Village of Cayuga Heights Board of Trustees approve and authorize the mayor to sign the GHD change orders for Blue Heron Construction, Danforth Company, and Matco Electric to do the work for the installation of the new boiler at the Village of Cayuga Heights Waste Water Treatment Plant.

*Motion:* Trustee Robinson

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

- B. Cross states that the Marcham Hall gutter project will be on hold until the spring.
- Trustee Robinson announces that he is still working on a date to have the Board visit the WWTP.

**10. Report of Treasurer Mangione: Submitted Report (Exhibit 2020-089)**

- Treasurer Mangione states that the Village did not receive the Aid and Incentives for Municipalities (AIM) payment of \$17,351 as stated in her report.

**Abstract #5**

**Resolution # 8541**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves Abstract #5 for FYE2020 consisting of TA vouchers 32 - 40 in the amount of \$17,124.47 and Consolidated Fund vouchers 267 - 358 in the amount of \$410,279.02 and the Treasurer is instructed to make payments thereon.

*Motion:* Trustee McMurry

*Second:* Trustee Biloski

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

*Nays:* none

*Abstentions:* none

**Motion carried**

**11. Report of Clerk Walker: Submitted Report (Exhibit 2020-090)**

- Clerk Walker reports that the Village has completed the Sexual Harassment Training.
- The Clerks office will be meeting with Williamson Law Book to discuss their payroll services. Clerk Walker will report more on this at the November Board Meeting.

**12. Report of Attorney Marcus:**

- Village Attorney R. Marcus states that the Board should enter into executive session for reason (d) - discussions regarding proposed, pending or current litigation;

**Resolution # 8542**

**WHEREAS:** The NYS Open Meeting Law §105 prescribes matters for which a public body may conduct an executive session; and,

**WHEREAS:** Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered; and,

**WHEREAS:** The conduct an executive session for these enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:

**THEREFORE, BE IT RESOLVED THAT,** An Executive Session of the Village of Cayuga Heights Board of Trustees is conducted for the purposes of subsection (d) discussions regarding proposed, pending or current litigation.

*Motion:* Trustee Robinson

*Second:* Trustee Friend

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

*Nays:* none

*Abstentions:* none

**Motion carried**

### **Resolution #8543**

**BE IT RESOLVED THAT:** The Village of Cayuga Heights Board of Trustees exits the Executive Session and returns to an open meeting.

*Motion:* Trustee Robinson

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

**Motion carried**

**14. Adjournment:** Mayor Woodard adjourns the meeting at 10.17p.m.