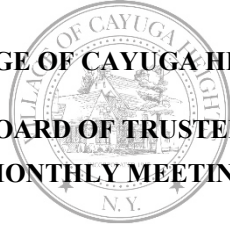


Minutes  
22, 2019

Marcham Hall

VILLAGE OF CAYUGA HEIGHTS  
BOARD OF TRUSTEES  
MONTHLY MEETING



Monday, July

7:00 p.m.

**Present:** Mayor Woodard; Trustees: Friend, Marshall, McMurry, Robinson, and (arrived at 9:55 p.m.) Salton; Police Chief Wright; Village Engineer Cross; Director of Public Works Wiese; Treasurer Mangione; Clerk Walker; Attorney Marcus

**Absent:** Trustee Biloski

**Call to Order:** Mayor Woodard calls the meeting to order at 7:01 p.m.

**2a. Approval of Meeting Minutes: April 15, 2019 (Exhibit 2020-033)**

**Resolution # 8502**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the April 15, 2019 meeting minutes as presented.

*Motion:* Trustee Marshall

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* Trustee Friend

**Motion Carried**

**2b. Approval of Meeting Minutes: June 20, 2019 (Exhibit 2020-034)**

**Resolution # 8503**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the June 20, 2019 meeting minutes as presented.

*Motion:* Trustee Robinson

*Second:* Trustee Friend

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2020-035)**

•The fire station has an internal gutter system that is failing. Last month some flashing work was done and the upper roof will be re-surfaced with a new rubber membrane this month.

•Repair costs will be pulled from the fire department building maintenance fund. These repairs will allow the Village several years to come up with a roof replacement plan.

•Movie night has been well attended since the start time was changed to 6:00 p.m. and food trucks were added.

**4. Privilege of the Floor:** No members of the public wished to speak.

**5. Report of Mayor Woodard: Mayor Woodard changes the agenda order to allow Barry Hamel to address the Board first.**

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

Board of Trustees Monthly Meeting  
July 22, 2019

PLEASE PRINT Name/Anonymous	Address	Do you wish to speak? Indicate Yes or No
1. <u>BARRY HAMEL RA</u>	<u>P.O. BOX 81 - DURORA</u>	<u>YES.</u>

**h. Upland Heights Revisions Drawings:** Architect, Barry Hamel, presents the Board with new drawings of building (A) as a 2-story building - Exhibit 2020-037

•In order to move it away from the wetland, the new drawings reflect that building (A) was shortened by 25'. The new drawings also reflect a building height reduction of 10'.

•Barry Hamel stated that if the other two buildings (B) & (C) were changed from 3 to 2 story it wouldn't be a deal breaker.

•Trustee McMurry states that the overall number of dwelling units has not been adjusted to reflect the smaller building.

•The Upland Heights project would be built in phases: building (A) then (B) & (C)

•Mayor Woodard informed the Board that Fire Superintendent Tamborelle is concerned about the 50' turning radius for firetrucks to get around building (B) & (C).

•Trustee McMurry recommended relocating parking spaces to the back of the retail locations to encourage pedestrian traffic in the front of the buildings.

•Trustee Marshall inquired on the building heights of building (B) & (C) related to building (A). B. Hamel stated that they would build them all to sit at the same height but grading could affect that height.

•The Board would like to see some more detail on the number and the type of dwelling units.

**a. LED Update:**

- The Village will host the first design-phase meeting on August 8<sup>th</sup>, 2019 at 11:00 a.m.
- B.Cross has reached out to NYSEG to confirm that the signed agreement was all that is needed for the Village to continue the buyout. Tad Palmer, from NYSEG, was out of town last week. B. Cross will follow up with them tomorrow.
- Trustee Marshall suggests that this would be a great opportunity to address the “scabs” on the poles. The Board has been informed that NYSEG has conducted a Street Light Condition Survey. The Village is concerned about the health and welfare of the public as there are poles that are not structurally sound.

**b. Bergmann Update:** Mayor Woodard and B.Cross met with Kelly Thompson of Bergmann Associates.

K, Thompson presented 3 traffic plans for the Board to consider.

1. No changes
2. Install roundabouts
3. Designated lanes

- She also suggested a “Do not block” painted box in front of the fire department to prevent traffic from stopping in front of the station.

A final presentation will be presented at the August Board of Trustees Meeting.

**c. Tree Inventory Grant Update:** The Davey Group has completed the tree inventory of Village trees in the right of way (ROW) and any information will be posted to the Village websi

- The final report will be available in the next few weeks.
- Mayor Woodard suggests that the Village adopt and appoint a Tree Health Assessment Advisory Committee to monitor the health of Village trees.
- The inventory did not find any ash borer beetles but they did find 15 hemlock trees infected with woolly adelgid.

**d. TCHC Gold Plan Update:** The Village has until October to switch plans.

**e. Police and Fire aid from Cornell:** Mayor Woodard; Trustees Marshall and Robinson met with Cornell’s VP of Community Relations, Joel Malina, and Associate VP of Community Relations, Gary Stewart.

- Cornell owns \$35,000,000 of untaxed property in the Village.
- The purpose of this meeting is to see if Cornell would consider some financial support for the Fire and Police services that the Village provides. Mayor Woodard will follow up the Board on any outcome.

**f. WQIP Application:** GHD will submit a grant application for Phase 2 of the WWTP expansion.

- The Village applied last year and was told to re-apply. July 26<sup>th</sup>, 2019 is the deadline to submit.

**g. 2019-20 JCAP:** The Village was awarded \$5500 toward air conditioning in the court room this past year.

•B. Cross informed the Board that he is waiting on an energy report on Marcham Hall from Snug Planet. The Board could consider an insulation project for the Court room. Another option would be new chairs and a bench for the Judge.

**i. Smart Climate Communities Grant: Exhibit (2020-038)** Grant application will be submitted to NYSDEC The Village of Cayuga Heights desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of Engineering, ROW, and Construction on Cayuga Heights Road.

•If the Village is awarded this grant it will benefit any future TAP Grant applications.

**Resolution # 8504**

**WHEREAS**, the Village desires to undertake the Cayuga Heights Road Culvert Right Sizing and Walkway Improvements Project to help mitigate flood damage while enabling any future construction of sidewalks along Cayuga Heights Road and,

**WHEREAS**, the State of New York has various grant programs available to help fund such projects and,

**WHEREAS**, on or about May 1, 2019 the State of New York issued a request for applications under Round IX of the Consolidated Funding Application program, and

**WHEREAS**, the Governor has directed over \$750 million in State resources to be made available in 2019 to support the economic development priorities of the regions and spur job creation across the state, and

**WHEREAS**, the Village of Cayuga Heights hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15.

**NOW THEREFORE IT BE RESOLVED:**

The Village Board of Trustees of the Village of Cayuga Heights hereby declares its full support for the project, and

Authorizes Hon. Linda Woodard, as Mayor of the Village of Cayuga Heights, to act on its behalf in submittal of an application through the Consolidated Funding Application for funds from the New York State, Climate Smart Communities Grant Program, in an amount not to exceed \$378,393 for a project total of \$756,786, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Cayuga Heights, Cayuga Heights Road Culvert Right Sizing and Walkway Improvements Project.

The Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign a contract with Michele Palmer from Templeton Landscape Architecture and Planning to complete the grant writing for the NYSDEC Grant Pedestrian Access and Culvert Right-sizing grant. This contract is not to exceed \$7,490 and will come from the Street's Capital Improvement project fund.

*Motion:* Trustee McMurry

*Second:* Trustee Friend

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

*Nays:* none

*Abstentions:*

•Trustee Robinson suggests the finance committee meet and take a look at the cost and commitments of awarded grants.

**Motion Carried**

**6. Report of the Trustees:**

**a. TAP Resolution for the design phase:** The document was reviewed by attorney Oliver Blaise.

**Resolution # 8505**

**WHEREAS**, a project for the Walking Safe: Cayuga Heights, P.I.N. 395069 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

**WHEREAS**, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid -eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal and Marchiselli aid; and

**WHEREAS**, the Village of Cayuga Heights desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of Engineering, ROW, and Construction.

**NOW, THEREFORE**, the Village Board of Trustees, duly convened does hereby,

**RESOLVE** that the Village Board of Trustees hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the Village Board of Trustees hereby authorizes the Village of Cayuga Heights to pay in the first instance 100% of the federal and non-federal share of the cost of Engineering, ROW, and Construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum is \$668,755 is hereby appropriated from fund H5140.410 and made available to cover the cost of participation in the Design Phase of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Cayuga Heights shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Treasurer therefore, and it is further

**RESOLVED**, that the Mayor of the Village of Cayuga Heights be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and / or Marchiselli Aid on behalf of the Village of Cayuga Heights with the New York State Department of Transportation in connection with the advancement of approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

*Motion:* Trustee Marshall

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

- Trustee Marshall asks if there was any concern for over-runs in which the Village would be responsible for 100% of the cost associated with the TAP grant.
- B. Cross states that if the project did go over budget then the Village could reach out to Tompkins County Transportation Council for more funds.

#### **b. Bike-Ped Committee Update:**

- The Bike-Ped Survey will be concluded on July 28<sup>th</sup>.
- The Bike-Ped Committee would like to have a bike rack next to the Marcham Hall flag pole. The Board agreed to first let B. Cross contact property owner E. Rubenstein about locating the bike rack in the front lawn next to Hanshaw Road.
- In the future, the Board might want to consider a memo of understanding (M.O.U) with Lime bike to ensure bikes are properly picked up if left in the Village.
- At the June 17, 2019 Board of Trustees meeting, the Board approved the formation of a Walking Safe Cayuga Heights Consultant Selection Committee. Trustee McMurry would like to add Director of Public Works Wiese to that committee.

#### **Resolution # 8506**

**BE IT RESOLVED THAT:** The Board of Trustees approves the appointment of Director of Public Works Wiese to the Walking Safe Cayuga Heights Consultant Selection Committee for one official year (2020)

*Motion:* Trustee Friend

*Second:* Trustee McMurry

*Ayes:* Mayor Woodard; Trustees: Friend, Marshall, McMurry, and Robinson  
*Nays:* none  
*Abstentions:* none

**Motion Carried**

**7. Report of Police Chief Wright: Submitted Report (Exhibit 2020-040)**

- The 2019 Charger should be arriving soon. The Village of Interlaken is ready to take possession of the 2014 Dodge Charger.
- The Village Police Department has been utilizing radar on Rt -13.
- Sergeant Manning will begin attending supervisor training.
- Trustee McMurry acknowledged that what a nice job the officers did at Sunset Park for the 4<sup>th</sup> of July fireworks.

**8. Report of DPW Director Wiese:**

- The DPW roof has been completed.
- The Northway drainage project is almost complete.
- Seasonal employee, Josh Randall, has expressed interest in becoming a full-time employee.

**Resolution # 8507**

**BE IT RESOLVED THAT:** The Board of Trustees authorizes and approves the offer of full-time employment with the Village of Cayuga Heights Department of Public Works to Josh Randall as a laborer at the entry payrate. This offer is contingent of a successful County application and background check.

*Motion:* Trustee Marshall

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

- The Village summer intern is making contact with residents who have placed bulky trash and brush out in the ROW long before allowed time.

**9. Report of Engineer Cross: Submitted Report (Exhibit 2020-041)**

**a. 102 Sunset Drive Address:** 102 Sunset Drive was not included in the street-wide address change last month. The Resident has agreed to have their address changed to conform with the street-wide changes. The new address should be 206 Cayuga Heights Road.

**Resolution # 8508**

**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 the change of 102 Sunset Drive, tax parcel 13.-4-1 to 206 Cayuga Heights Road as the new designated address.

*Motion:* Trustee Robinson

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

**b. 206 Northcross Road Address:** The North Campus Residential Expansion (NCRE) requires a street address for the construction trailer yard. The installed fenced yard entrance will be located just north of the bus stop on Jessup road. The address needs to be changed from 206 Northcross Road to 146 Jessup Road.

#### **Resolution # 8509**

**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 146 Jessup Road as the new designated address.

*Motion:* Trustee Robinson

*Second:* Trustee Friend

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

- B. Cross is still working on getting quotes for Marcham Hall gutters.
- The WWTP pre-construction meeting is set for July 29, 2019 at 9:00 a.m.



•Trustee Salton arrives at 9:55 p.m.

**10. Report of Treasurer Mangione: Submitted Report (Exhibit 2020-043)**

•In order to close the fiscal year ending 2018-2019, all budget-line items need to be brought to zero before the new fiscal year can be entered. This is an annual resolution.

**Resolution # 8510**

**BE IT RESOLVED THAT:** The Village of Cayuga Heights Board of Trustees approves and authorizes the Treasurer to make final budget modifications as necessary to bring any overdrawn expenditure accounts to zero in the General, Water, and Sewer Funds.

*Motion:* Trustee Marshall

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**Abstract # 2**

**Resolution # 8511**

**BE IT RESOLVED THAT:** The Village of Cayuga Heights Board of Trustees approves Abstract #2 for FYE2020 consisting of TA vouchers 2-14 in the amount of \$19,564.74 and Consolidated Fund vouchers 26-112 in the amount of \$281,450.50 and the Treasurer is instructed to make payments thereon.

*Motion:* Trustee Marshall

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**11. Report of Clerk Walker: Submitted Report (Exhibit 2020-044)**

•Deputy Clerk Skrubis and Rich will be attending the fall NYCOM training courses in Albany.

•Delinquent tax letters will be mailed out on August 2, 2019.

In anticipation that the WWTP Phase II expansion project cost will exceed estimates; the Board has decided to seek the issuance of an additional \$2,000,000 in bonds making the collective total 12,000,000.

BOND RESOLUTION DATED JULY 22, 2019

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE  
ISSUANCE OF AN ADDITIONAL \$2,000,000 BONDS OF THE VILLAGE OF

CAYUGA HEIGHTS, TOMPKINS COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE CONSTRUCTION OF ADDITIONS TO AND RECONSTRUCTION OF THE SEWAGE TREATMENT PLANT, IN AND FOR SAID VILLAGE.

**RESOLUTION # 8512**

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, will not result in any significant adverse environmental impact; and

WHEREAS, the Board of Trustees of the Village of Cayuga Heights, Tompkins County, New York, on August 30, 2018, duly adopted a superseding bond resolution authorizing the issuance of \$10,000,000 bonds of said Village to pay the cost of the construction of additions to and reconstruction of the sewage treatment plant, in and for the Village of Cayuga Heights, Tompkins County, New York, including original furnishings, equipment, machinery, apparatus, and incidental improvements and expenses in connection therewith, and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose and related improvements is \$12,000,000 an increase of \$2,000,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$2,000,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof, together with related improvements; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Cayuga Heights, Tompkins County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the construction of additions to and reconstruction of the sewage treatment plant, in and for the Village of Cayuga Heights, Tompkins County, New York, including original furnishings, equipment, machinery, apparatus, and incidental improvements and expenses in connection therewith, in and for Village of Cayuga Heights,

Tompkins County, New York, there are hereby authorized to be issued an additional \$2,000,000 bonds of the Village of Cayuga Heights, Tompkins County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$12,000,000 which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

- a) by the issuance of the \$10,000,000 bonds of said Village authorized to be issued pursuant to superseding bond resolution dated and duly adopted August 30,2018; and
- b) by the issuance of the additional \$2,000,000 bonds of said Village authorized to be issued pursuant to this bond resolution, subject to permissive referendum; provided, however, the amount of bonds to be issued shall be reduced to the extent of grants received.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first obligations issued therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Cayuga Heights, Tompkins County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are

reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, a summary thereof shall be published in the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law. Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

*Motion:* Trustee Salton

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**MOTION CARRIED**

12. Adjournment: Mayor Woodard adjourns the meeting at 10:28 p.m.