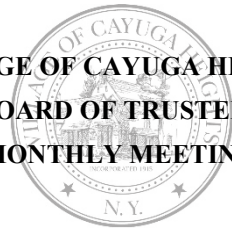


Minutes

Zoom Meeting ID # 4118425407

VILLAGE OF CAYUGA HEIGHTS

BOARD OF TRUSTEES
MONTHLY MEETING



Wednesday, November 18, 2020

7:00 p.m.

Present: Mayor Woodard; Trustees: Biloski, Marshall, McMurry, Rennekamp, Robinson, and Salton; Police Chief Wright; Village Engineer Cross; Director of Public Works Wiese; Clerk Walker; Treasurer Mangione; Attorney Marcus.

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

2a. Approval of Meeting Minutes: October 21, 2020 (Exhibit 2021-015)

Resolution # 8762

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the October 21, 2020 meeting minutes as presented.

Motion: Trustee Salton

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

•Mayor Woodard states that the agenda will be adjusted to accommodate Judy Drake who is the Human Resources Director for Bolton Point. She is here to answer any questions about the Bolton Point UAW Local 2300 contract modifications in Exhibit 2021-018.

3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2021-016)

•Fire Superintendent Tamborelle was not available at this time and presented his report at 7:54 p.m.

6. Report of Mayor Woodard:

a. SCLIWC and UAW Local 2300 Contract: As part of Bolton Point, the Village of Cayuga Heights participates in any union employee contract negotiations.

•Mayor Woodard points out that this contract calls for a 2.5% pay increase each year for most employees.

•Trustee Salton asks why there was an increase in their sick time benefit. J. Drake informs the Board that this was done in part to protect the employees who have maxed out their sick benefit. An additional 10 sick days would decrease employees using sick time at the end of their employment which could affect their NYS retirement package.

•Trustee Biloski asks for clarification on the bereavement benefit and why there was a difference between losing a grandparent verses an aunt or uncle. J. Drake responded that it was based on past history of time used for this bereavement period.

•J. Drake states that one major goal that was accomplished in this contract was to move all employees to the Consortium Platinum Health Care Plan and increase the employee portion of their health care cost to 15% .

Resolution: 8763

Approval of Collective Bargaining Agreement with the United Auto Workers for Southern Cayuga Lake Intermunicipal Water Commission’s Employees for 2021-2023

Whereas, the Southern Cayuga Lake Intermunicipal Water Commission, in good faith, entered into contract negotiations with the United Auto Workers union for a renewed collective bargaining agreement for the contract that expired on December 31, 2020: and

Whereas, on October 28, 2020, the Commission’s negotiating team reached tentative agreement with the union’s negotiating team; and

Whereas, on November 2, 2020, the employees in the union bargaining unit ratified the tentative contract; and

Whereas, the Commission reviewed and approved the tentative contract at the November 5, 2020, Commission meeting; and

Whereas, the Village of Cayuga Heights has reviewed the tentative agreement and determined it to be acceptable as required by the contract and the Public Employees Relation Board; now, therefore, be it

Resolved, the Village of Cayuga Heights Board of Trustees does hereby approve the tentative collective bargaining agreement between the Commission and UAW unit; and, be it further

Resolved, that the Village of Cayuga Heights Board of Trustees authorizes the Commission’s negotiating team to sign said contract as presented.

Motion: Trustee Biloski

Second: Trustee Salton

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

Nays: none

Abstentions: none

Motion Carried

4. Privilege of the Floor: Several members of the public have joined the meeting:

a. Y2709 Water Bill: Ellen Cohen-Rosenthal & Michael Katz of 119 N. Sunset Drive: *Exhibit 2021-024 of the Village Clerk’s Report.

•Ellen and Michael have petitioned the Board for a credit to their VCH Water/Sewer bill because an outside water hose was left on for several days. The request is for a reduction of the sewer charges since the water did not go into the sanitary sewer lines and therefore was never processed by the Village WWTP.

•Mayor Woodard confirmed with Bolton Point that this was an isolated spike in water consumption. She feels it would be fair to deduct the excess and only charge the normal sewer rate for the 8 days that the water was running. This is not the first time the Board has agreed to reduce the sewer charges when water does not enter the sewer lines.

Resolution: 8764

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves and authorizes the reduction of sewer charges for account Y2706 for water that did not enter the sewer system at 119 N. Sunset Drive. The amount is to be determined by a daily average of the sewer rate before the spike of water consumption. This credit will be applied to the next quarterly water bill.

Motion: Trustee Robinson

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion Carried

- Village resident Denise Ramzy of 511 Kline Rd. states that she is here to talk about the Walking Safe Cayuga Heights sidewalk project. One question she raises, is that after an earlier conversation with B. Cross, it was her impression that the cost differential between Alternative A -sidewalk on the south side versus Alternative B - sidewalk on the north side of Kline Rd. was so drastic that it was unaffordable; however, she notes that there is only about a \$4,000 difference between the two options.
- Trustee McMurry states that the original design option for Alternative B – sidewalk on the north side of Kline Rd. required significant retaining walls which are extremely expensive and cost prohibitive for the project. Since then the new proposal shifts the roadway and eliminates the need for a retaining wall which brings down the cost. Meanwhile, the current iteration of Option A, on the south side, includes shifting the roadway north in an attempt to bring it away from the residence. Unfortunately, however, this modification would increase the cost of the project beyond the scope of our funding, which is budgeted at \$424,000.
- D.Ramzy asks if the Board knew how many feet the new proposal shifted the road. Trustee McMurry states that she does not know but can get that information. D. Ramzy also states that if there are section drawing for the two sidewalk Alternatives and drawings of all the crosswalks that would also help.
- Trustee McMurry states that she will ask the design team to highlight the crosswalks and design components of those crosswalks. Pedestrian safety is the ultimate goal. The more details that can be shared, the better.
- B.Cross joins the meeting at 7:30 p.m.**
- Jon Lewis owner of 903 Wyckoff, who spoke at the Walking Safe public information meeting last night, would like to get a better understanding of how information is shared with the other Board of Trustees who were unable to attend last night's public meeting.
- Mayor Woodard states that the public meeting last night was recorded and will be distributed. There are a lot of projects going on in the Village but not all Board members will participate in the development of every project.
- Trustee McMurry states that she intended to report to the rest of the Board the outcome of the Cayuga Heights Walking Safe public informational meeting during the Trustees Report section, later in the meeting.

•J. Lewis would like to express his concern that there was not an alternative for the Wyckoff Road section of this project. He would like to propose the possibility of putting the sidewalk on the south side which would create a direct path to the entrance of the lake view cemetery.

•B. Cross states that he and Trustee McMurry will be interacting with Fisher and Associates to get the comments addressed and provide information back to Mr. Lewis, the Board and community members.

•Trustee McMurry states that the option of a sidewalk on the south side of Wyckoff was considered at the beginning of the project, quite a few years ago. It was quickly determined that, because of the presence steep slopes, the need for stream mitigation, and banking reinforcements, and environmental concerns, that the option was not feasible. Now due to interests in that option, we can revisit it that decision and give more information on how it was made.

•J. Lewis would like to see elevation or drawings of the Wyckoff section.

•J. Lewis states that he would be interested to know if this would be a good time to connect his property and 100 Sunset Drive property to the Village sanitary sewer system. His home currently in on a septic system but he pays the sewer rates on his water bill.

•Village resident Allen Martinez of 201 Cayuga Heights Road is very excited to see a sidewalk project for the area. However, he states that the Kline Road section of this project is poorly lit, and he suggests that there have been some accidents already. He would like the Board to take a look at proper lighting for kids and the right type of signage to help keep pedestrians and bicyclist safe at the crosswalks.

•B. Cross states that the LED Streetlight project has a contingency fund that could be used for additional lighting for Kline Road and Wyckoff Road, which would have to be looked at towards the end of the project.

•Trustee McMurry states that signage is included in the funding of this project but mainly for the crosswalk sections.

•Chief Wright did a search of automobile accidents in the Kline Road area and did not find anything over the last year. He has expressed his concerns for pedestrian safely in this area.

•D. Ramzy confirms that there are a lot of bicycles and now electric bikes and wonders how the Village will address these issues. She has recommended to B. Cross that the Village take a look at various calming measures to reduce traffic on Kline Road.

•**Fire Superintendent Tamborelle joins the meeting at 7:54 p.m.**

A disinfecting room sprayer was purchased this week and will be used for the fire station and can be used by the Village offices as needed. Trustee McMurry thanks Fire Superintendent Tamborelle for offering use of the fire station for last night's Walking Safe Cayuga Heights Public Information Meeting.

5. Report of Treasure Mangione: Submitted Report (Exhibit 2021-017)

•Treasurer Mangione states that the annual NYS Retirement payment that is included in Abstract #6 is over budget. The budgeted amounts are based on estimates provided by the NYS Retirement System. The Board must approve a budget modification to make that account whole.

Resolution: 8765

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves an adjustment to increase the FYE2021 Budget for account A9015.800 Police/Fire Employee Retirement System to \$176,759.00 from \$160,000.00. The adjustment reduces A9010.800 Employee Retirement System by \$3,916.00 and reduces A1990.400 Contingency by \$12,843.00.

Motion: Trustee Robinson

Second: Trustee Rennekamp

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

Nays: none

Abstentions: none

Motion Carried

•Treasurer Mangione requests a resolution to pay November’s Village Vouchers.

Abstract # 6

Resolution: 8766

Approval of Abstract:

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #6 for FYE2021 consisting of TA vouchers 49-57 in the amount of \$4,989.95 and Consolidated Fund vouchers 391 – 480 in the amount of \$802,652.59 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Biloski

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

b. Gang of Six Update: A portion of water and sewer accounts in the “old Village” have their sewage diverted and sent to the Ithaca Area Wastewater Treatment Facility (IAWWTF) rather than the Village’s Wastewater Treatment Plant. These users then pay the Village sewer rates, although their sewage is not being treated at the Village’s wastewater treatment plant. The Town of Ithaca has not been paid for this arrangement, and the Town is now requesting payment.

•Mayor Woodard states that, with the Board’s approval, the Village would compensate the Town of Ithaca \$124,000 for the 2020 sewage it processed. The open issue is whether the compensation should be paid at the Village’s sewer rate, or at the Town’s sewer rate.

•Trustee McMurry asks what the difference is monetarily between the town’s water rate verses the Village’s water rate. Mayor Woodard states that the difference is around \$5,000.

•Trustees Marshall and Robinson appreciate Mayor Woodard’s negotiation efforts and support this decision to pay the Town of Ithaca for the 2020 year. Trustee Robinson points out that this obviously was not budgeted, but neither was the sewer and water revenue from Borg Warner for this current fiscal year, which helps to offset the cost.

•Mayor Woodard informs the Board that she has proposed to the “gang of six” that the Village will close the Klinewood Rd bypass for ordinary flow.

•B. Cross has suggested the Village install a flow restrictor which will allow a certain volume of flow to continue to our plant and any excess, like a large rain event (I & I), would be diverted to the Ithaca Plant. The technical details will be sorted out next month.

•Trustee Marshall asks if treatment of I & I is cheaper than processing sewage, would the Village pay a reduced rate? B. Cross states that Trustee Marshall’s thought is logical, but it actually works the complete opposite. It is impossible to separate rain (I & I) out from the raw sewage and therefore it has to be processed the same way.

•Mayor Woodard suggests that, with a new flow meter installed, we will be able to determine exactly how much is diverted to the Ithaca WWTP.

•Village Attorney R. Marcus recommends that the Village pass a resolution for the payment to the Town of Ithaca for back 2020 sewer revenues.

Resolution: 8767

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves a payment to the Town of Ithaca for the 2020 processed sewage based on the real volume multiplied by the rate that the Village of Cayuga Heights charges the Town of Ithaca for regular sewage treatment.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

•Mayor Woodard states that once she has the final commitment from the “gang of six” she will draft an agreement letter to be signed by all parties, for Village Attorney R. Marcus to review.

c. LED Update: Mayor Woodard states that the installation will begin towards the end of January and should only take two or three weeks to complete. If the Village finds any areas that need more lighting, then there is some contingency money that could be used.

e. Airbnb Update: Mayor Woodard reports that the Town of Ithaca is inching towards a drafting a law to regular short-term rentals. The County has put out an Request For Proposal (RFP) from a company that will provide services and software to determine which residents are hosting an Airbnb to aid in enforcement.

d. Appointment of Jeff Walker to the Environmental Management Council: Brian Eden resigned as the Village Representative and Jeff has agreed to filling that vacancy for the Village.

- Mayor Woodard would like to appoint Jeffrey D. Walker to the Environmental Management Council.

Resolution: 8768

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the appointment of Jeffrey D. Walker to the Tompkins County Environmental Management Council.

Motion: Trustee McMurry

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

- Mayor Woodard informs the Board that she would like to offer a “bonus” for the six Non-Bargaining Unit employees who were transitioned to the Greater Tompkins County Municipal Health Insurance Consortium Excellus Gold Plan. She has not yet finalized the offer, so the Board will vote on this next month.

7. Report of the Trustees:

a. Walking Safe Cayuga Heights Public Meeting Overview: The Walking Safe Cayuga Heights Public Informational Virtual Meeting is now available. To view the meeting [Click Here](#).

- Trustee McMurry states that there were approximately 10 Village residents, most of whom live along the route of the proposed sidewalks, that attended the virtual meeting. The Common theme was “why my side of the street”.

- Trustee McMurry and B. Cross will be contacting Fisher and Associates to discuss why the cost of Option A (south side of Kline) has increased as presented at last night’s meeting. It seems that this is a result of shifting the roadbed away from the 511 Kline Road property which now pushes this proposed alternative over the budget as well.

- Trustee Marshall asks if the pedestrian safety mechanisms between the north and south side of Highland Road has changed. Trustee McMurry states that in the project there is still a safety buffer between the road and the sidewalk for the Southern alternative for the majority of the route.

- Trustee Salton states that, given the new projected costs comparisons between the North and the South side of Kline Road, it makes sense to choose the North side.

- B. Cross replies to the Board that he needs to go back and discuss with Fisher and Associates why the proposed sidewalk alternatives are now over budget in both sidewalk options.

- Trustee Robinson would like to see a third alternative which was the original southside option.

- Trustee McMurry states that a Village resident offered to help fund the sidewalk project if were moved to the other side of the street from the resident's residence.

- Village Attorney R. Marcus and the Board agreed that this is not a possible option from an ethical standpoint.

- Trustee Salton states that to do this project right, it will cost more money than what was estimated at the beginning.

- B. Cross and Trustee McMurry also state that the original costs estimates from two years ago have gone up significantly and the little details and adjustments add up. Moving forward, they will work with Fisher and Associates and request an itemized breakdown of costs for the two options and report back to the Trustees.

b. 5 G Service Update:

- Trustee Marshall states that the Village will have a choice to either join the City of Ithaca and Town of Ithaca in their modified Verizon MLA (Master License Agreement) or sign the current Village MLA and forfeit the ability to negotiate. Verizon would like to eventually have rights to put in 5G at some point. Most likely we will have 3G and 4G on poles in the right of way throughout the Village. At this point the Village will just wait to see how the City and Town of Ithaca move forward.

8. Report of Police Chief Wright: Submitted Report (Exhibit 2021-020)

- Trustee Salton inquires as to the type of probable cause associated with a distracted driving stop in Chief Wright's Report. Chief Wright explains the facts of this stop and that it developed into a sizable charge.

- Chief Wright states that the Public Safety Committee met and discussed the draft policy for the Village's body-worn cameras (BWC). All the equipment and docking stations have been received and are ready for service.

- Chief Wright and Sergeant Manning met with two staff members at the Tompkins County Sheriff's Department who deal with the BWC and BWC polices. Exhibit 2021-021

- Trustee Marshall inquires as to whether or not an officer has access to the video from a BWC to assist in his or her account of an incident.

- Chief Wright explains that it is really a two-pronged approach. (1) An officer's account of a situation should be detailed without viewing the BWC video footage. An example would be in a situation in which deadly force was used. (2) The accuracy of an event by the officer in a traffic stop or accident viewing the BWC video could be a vital tool in obtaining more information on a case that moves to a higher jurisdiction.

9. Report of Director of DPW Wiese: Submitted Report (Exhibit 2021-022)

- Director Wiese states that Exhibit 2021-022 is the Tompkins County winter storm Stella storm relief Federal Emergency Management Agency Certification. This form is the final step in getting federal money from winter storm Stella, which occurred in 2019.

•Village Attorney R. Marcus suggests that the Board adopt a resolution to support Village Superintendent Brent Cross signing the FEMA Project Completion and Certification Report.

Resolution: 8769

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves Village Superintendent Brent Cross signing FEMA Project Completion and Certification Report as in Exhibit 2021-022

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

•Director Wiese states that there is some activity with a sub-contractor marking telephone poles that are scheduled to be replaced. Trustee Robinson noticed that a pole located near his residence was recently painted brown. The Board discusses painting the “temporary support scabs” that NYSEG has placed on the failing poles in the Village. Director Wiese will address that in the spring.

10. Report of Village Engineer Cross:

•B.Cross states that the Cayuga Heights Road Sidewalk/Drainage/Culvert Project: TG Miller continues to make progress on the preliminary work that is needed to get the project “shovel ready” so that when the state/local grant agreement is signed, that we will be on schedule to possibly have this work bid out for construction in 2021. Their progress to date includes surveying and soil testing.

•B.Cross states that WWTP Phase 1: Almost all work on Phase 1 has been completed with the exception of metal clad siding/roofing. The subcontractor for this task has indicated that they are behind schedule due to COVID impacts on their labor force. The good news is that the operation of the WWTP, including the new headworks equipment, can continue at 100% during the metal cladding delay.

WWTP Phase 2: GHD has estimated that they will have 60% completion of construction documents by the end of this month and 90% completion by the end of the year. Although they have not been able to verify 100% completion to commit to “early” bidding, they are continuing to meet the accelerated schedule to bid in early 2021.

•In closing B. Cross states that TG Miller has made good progress with the design and coordination of the Inflow and Infiltration Meters “bidding” of the work. Since the work is to meet compliance with all of the other systems that are being deployed in the other Group of 6 sewer systems, the equipment falls into the following categories of procurement that allow us to negotiate with the same vendor as has done the data management work at the IAWWTP, including sole source specifications, price extension from other municipal contracts, and inextricably integrated. Therefore, the Village will be contracting with LECTRE Development, Inc for the metering equipment. Some of the sewer main work will be done by the Village DPW and assistance from Matco Electric, who has also been working on the installation of sewer meters in the IAWWTP system.

•Trustee Robinson states that the tour of the Village WWTP will have to wait and might even become a virtual presentation.

11. Report of Clerk Walker: Submitted Report (Exhibit 2021-024)

•Village Clerk Walker states that the Board of Trustees will need to approve and sign the annual Certificate of Trustees to roll over the remaining unpaid Village Property Taxes to Tompkins County.

Resolution: 8770

WHEREAS, Diligent efforts to collect unpaid taxes by the Village of Cayuga Heights of the Town of Ithaca in the County of Tompkins have been made; and

WHEREAS, The Collector of Taxes has certified a list consisting of the taxes remaining unpaid upon the Village Tax Roll; and

WHEREAS, Pursuant to the Real Property Tax Law of the State of New York Section 1442, an alternative method for collection of delinquent village taxes exists.

NOW, THEREFORE, BE IT RESOLVED THAT: The Board of Trustees requests the collection of delinquent Village of Cayuga Heights real property tax in the amount of \$22,284.04 on (8) properties with \$1782.73 in penalties, totaling \$24,066.77 to be submitted to Tompkins County.

Motion: Trustee Salton

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion Carried

12. Report of Attorney Marcus: Attorney Marcus states that there has been no response to the Village letter sent to Attorneys R. Schlather.

13. Adjournment: Mayor Woodard adjourns the meeting at 9:38 p.m.

DRAFT