



Village of Cayuga Heights
Board of Trustees
Annual Organizational Meeting
Marcham Hall
Thursday, April 01, 2021, 7:00 p.m.
AGENDA

EXHIBIT/PAGE

1. Affirmation of the Oath of Office by the following officials elected on March 16, 2021.
Trustees: Kent Hubbell, Rich Robinson, and Peter Salton
2. Public Hearing on Proposed Annual Budget FYE 2022 2022 - 001
3. Appointments and Approvals 2022 - 002
4. Annual Resolutions 2022 - 003
5. VCHFD Slate of Officers 2022 - 004
6. Proposed Local Law A of 2021- Tree Removal 2022 - 005
5. Adjournment

EXHIBIT 2022-001

<http://cayuga-heights.ny.us/Treasurer.html>

2021-2022 Budget

EXHIBIT 2022-002

Appointment of Trustee Meloney McMurry as Deputy Mayor by Mayor Woodard for the Official Year 2021-2022.

Appointment by the Mayor and approval by Board of Trustees of the following:

<u>Appointee</u>	<u>Position/Term</u>	
Jeffrey D. Walker	Clerk	(4/2022)
Penny A. Rich	Deputy Clerk	(4/2022)
Joan M. Mangione	Treasurer	(4/2022)
Kristi Rennekamp	Deputy Treasurer	(4/2022)
Jeff Walker	Records Management Officer	(4/2022)
Brent Cross	Building Commissioner	(4/2022)
Brent Cross	Stormwater Mgmt. Officer	(4/2022)
Brent Cross	Engineer	(4/2022)
Brent Cross	Zoning & Code Enforcement Officer	(4/2022)
Bousquet Holstein PLLC	Law Firm: Municipal	(4/2022)
David Klein	Acting Village Justice	(4/2022)
Bousquet Holstein PLLC	Law Firm: Labor	(4/2022)
Thomas Kramer	Village Prosecutor	(4/2022)
Beatrice Szekely	Historian	(4/2022)
Fred Cowett	Village Forester	(4/2022)
George Tamborelle	Fire Superintendent	(4/2022)
Elaine Quaroni	Planning Board Member	(4/2025)

Appointments:

Access Oversight Committee: Wies van Leuken (4/2022)

Bolton Point Water Commission Board of Directors:

Roy Staley and Mayor Woodard (4/2022)

Tompkins County Council of Governments (TCCOG) Board of Directors:

Mayor Woodard; Trustee McMurry, alternate (4/2022)

TCCOG subcommittee on CCA: Trustee Marshall

Greater Tompkins County Municipal Health Insurance Consortium Board of Directors:

Trustee Salton; Mayor Woodard, alternate (4/2022)

Greater Tompkins County Municipal Health Insurance Consortium Joint Committee:

Clerk Walker (4/2022)

Public Safety Committee: Trustees Hubbell, McMurry, and Salton, (4/2022)

Public Works Committee: Trustees Marshall and Robinson; Mayor Woodard (4/2022)

Finance Committee: Trustees, Rennekamp, and Robinson; Mayor Woodard (4/2022)

I.T. Committee: Trustees Robinson, and Salton; Mayor Woodard (4/2022)

Administrative Committee: Trustees Rennekamp, and McMurry; Mayor Woodard (4/2022)

Ithaca Tompkins County Transportation Counsel: Trustee McMurry, Brent Cross (4/21)

*Brent Cross to the Policy Committee & Trustee McMurry to the Planning Committee; each as alternates for the other.

Bike-Pedestrian Committee: Trustee McMurry, Planning Board Member, Jenny Leijonhufvud, and community member Matthew Johnston (4/2022)

Planning Board Liaison: Trustee Meloney McMurry (4/2022)

Historic Preservation Committee: Village Historian Szekely, and Randi Kepecs

Shade Tree Advisory Committee: Trustee Marshall, Village Forester Cowett, Scott Howard, Mayor Woodard

EXHIBIT 2022-003

A. DESIGNATION OF THE VILLAGE’S OFFICIAL NEWSPAPER

WHEREAS: The Ithaca Journal has general circulation within the Village; and

WHEREAS: The Ithaca Journal is not published in the village, but the Board of Trustees determines that it is broadly distributed within the Village; and

WHEREAS: Designation of an official newspaper is generally effective for one year.

THEREFORE, BE IT RESOLVED THAT: That the Ithaca Journal is designated the official newspaper of record for the Village of Cayuga Heights Official Year.

B. RULES OF PROCEDURE:

WHEREAS: New York State law does not establish meeting procedures for village boards of trustees; and

WHEREAS: Village Law § 4-412 provides that the Board of Trustees may determine its own rules of procedure.

THEREFORE, BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees establishes the following Meeting Rules of Procedure:

- I. **REGULAR MEETINGS:** The date, location, and time for regular meetings of the Board of Trustees is established as the 3rd Wednesday of each month at Marcham Hall starting at 7:00 p.m. as follows: Apr. 21st, May 19th, June 16th, July 21st, Aug. 18th, Sept. 15th, Oct. 20th, Nov. 17th, Dec. 15th, Jan. 19th, Feb. 16th, March 16th 2022. Organizational Meeting on April 1st 2022.
- II. **SPECIAL MEETINGS:** Special meetings of the Board of Trustees are all Board meetings other than Regular Meetings. A Special Meeting may be called by the Mayor or any Trustee member of the Board of Trustees by telephone, in person, or email at least 24 hours in advance of the meeting unless an emergency requires the meeting to be held on less than 24-hours’ notice.
- III. **QUORUM:** A quorum of the Board of Trustees must be physically present to conduct business. A quorum is a majority of the total legally authorized membership of the body, regardless of vacancies or absences. Although a quorum is required to conduct a meeting, a majority vote of the total legally authorized membership of the body is still required to pass most measures.
- IV. **EXECUTIVE SESSIONS:** Executive sessions must be held in accordance with NYS Public Officers Law § 105. All executive sessions must be entered by a motion made from a properly noticed and conducted open meeting.
- V. **AGENDAS:** The agenda is to be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda must be provided to the Clerk in writing or via email at least 48 hours before the meeting’s start time. The agenda must be prepared by noon on the day of the meeting. However, items may be placed on the agenda at any time. If necessary, a supplemental agenda may be distributed at the beginning of the meeting.
- VI. **VOTING:** Pursuant to the New York State Village Law and General Construction Law, each member of the Board has one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise

specified by State law. A vote upon any question must be taken by ayes and nays, and the names of the members present, and their votes must be entered in the minutes.

VII. GENERAL RULES:

- a. The Mayor presides at the meeting. In the Mayor's absence, the Deputy Mayor presides at meetings of the Board. The presiding officer may debate, move, and take any action that may be taken by other members of the Board. Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.
- b. Every motion must be seconded before being put to a vote: all motions must be recorded in their entirety in the Board's minutes.
- c. Once recognized, a member may not be interrupted when speaking unless it is to call him/her to order. If a member is called to order, they must stop speaking until the question of order is determined, and, if in order, they must be permitted to proceed. There is no limit to the number of times a member may speak on a question. Motions to close or limit debate may be entertained and require a two-thirds vote to pass.

VIII GUIDELINES FOR PUBLIC COMMENT: Privilege of the Floor guidelines are as established at January 9, 2012 Board of Trustee meeting as follows.

Meetings of the Board of Trustees of the Village of Cayuga Heights take place in accordance with New York State law, for the purpose of Village governance. Meetings are convened by the Mayor or by an appointed deputy.

Discussion takes place among the members of the Board with the Village professional staff. Minutes are recorded by the Clerk. As provided in the New York State Open Meetings Law, all Board meetings are open to the public, and members of the public are very welcome to attend.

Although not required by law, the Mayor and the Trustees of Cayuga Heights offer Privilege of the Floor in order to provide individuals in the audience with the opportunity to voice their opinion on Village affairs.

In the interest of expediting the flow of Village business during its lengthy meetings, Privilege of the Floor is open for 30 minutes only, ordinarily following any scheduled Public Hearings.

Fifteen (15) minutes prior to the commencement of any regularly scheduled Board of Trustee's meeting, a sign-in sheet will be placed on a table inside the meeting room. Upon arrival, all attendees are requested to sign in, indicating if they wish to speak. The speakers may give their name and address if they choose. If a speaker does not want to provide their name, they must sign in as "Anonymous Speaker" and then they are responsible for remembering the number associated with their place on the list.

Attendees will be called to speak in the order shown on the sign-in sheet on a first come, first to speak basis.

Speakers are asked to stand unless prevented by a disability, to give their name and address if they so choose and must limit their remarks to two minutes of time. Please note that a speaker's time may not be yielded to other speakers.

Speakers are requested to observe standards of courtesy and good taste and may be asked to terminate remarks at any time by the Mayor or another presiding officer. Audience members are asked not to engage with the speaker, or with each other.

The Village Clerk keeps time and gives notice when 30 seconds are remaining. Occasionally, Board members may ask a speaker for clarification.

Speakers are very welcome to submit their comments to the Board in writing for consideration and attachment to the meeting minutes. The minutes will include all the speakers' names, if provided by the speaker, with a brief statement of their positions.

Although the public is only invited to speak during Privilege of the Floor, the Board may, at its discretion, allow the public to speak at other times. Speakers must be recognized by the Mayor or by another presiding officer.

Anyone with an interest in any facet of Village government is encouraged to contact the Mayor, the Board of Trustees and the Village staff through email addresses found on the

Village of Cayuga Heights web site (www.Cayuga-Heights.ny.us).

Adopted by the Board of Trustees, Village of Cayuga Heights, December 12th, 2011

IX MINUTES:

- a. The Clerk is responsible for taking the minutes of the board. Minutes must consist of a record or summary of all motions, proposals, resolution and any other matter formally voted upon and the vote thereon. Minutes must be taken for an executive session of any action that is taken by formal vote. Executive session minutes must consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law (FOIL).
- b. Minutes must also include the following:
 - i. Name of the Board;
 - ii. Date, place, and time of the meeting;
 - iii. Notation of the presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment;
 - iv. Name and title of other village officials and employees present and the approximate number of attendees;
 - v. Record of communications presented to the Board;
 - vi. Record of reports made by Board or other village personnel; and
 - vii. Time of adjournment; and signature of Clerk or person who took the minutes if not the Clerk.
- c. Minutes may contain a summary of the discussion leading to action taken but should not include verbatim comments unless a majority of the Board resolves to have the Clerk do so.
- d. The Clerk is responsible for creating a draft of the minutes within the timeframe provided for under the New York State Open Meetings Law. The Board of Trustees approves the minutes at the next board meeting. Amendments to the Clerk's minutes require approval of the Board of Trustees by a majority vote.

X ORDER OF BUSINESS OF THE BOARD OF TRUSTEES:

- a. Call to order;
- b. Approval of minutes of previous meeting(s);
- c. Public comment period;
- d. Report of officers and committees (Fire, Treasurer, Mayor, Trustees, Police, Public Works, Clerk);
- e. Report of the Attorney;
- f. Adjournment

XI GUIDELINES FOR USE OF RECORDING EQUIPMENT: All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. Recording should be done in a manner which does not interfere with the meeting. The mayor

may determine whether the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the village board, size of the equipment, and the ability of the public to participate in the meeting. If the recording is determined to be intrusive and interferes with the meeting, the mayor may direct that the recording be stopped or undertaken in a different manner or location.

XII ADJORNMENT: Meeting may be adjourned by motion.

XIII AMENDMENTS TO THE RULES OF PROCEDURE: The forgoing procedure may be amended from time to time by a majority vote of the Board.

C. DESIGNATING DEPOSITORY:

WHEREAS: the Board of Trustees has determined that Village Law § 4-412 (3)(2) requires the designation of banks or trust companies for the deposit of all village monies;

THEREFORE, BE IT RESOLVED THAT:

Section 1. That the Board of Trustees designates the Tompkins Trust Company, Ithaca, NY as official depository for all Village funds received by the Village Clerk and receiver of taxes for the Fiscal Year June 1, 2021 – May 31, 2022, with a maximum deposit of \$4,500,000.

Sections 2. That the Clerk is authorized to notify Tompkins Trust Company of the following names to be honored on checks for the Fiscal Year June 1, 2021 – May 31, 2022 with two signatures required for each check.

Mayor Linda Woodard, Deputy Treasurer Rennekamp, Clerk Jeffrey D. Walker, Treasurer Joan M. Mangione

Section 3. That this resolution is effective immediately.

D. DESIGNATING MEETING DATES:

BE IT RESOLVED THAT: The date, location, and time for next regular Board of Trustees meeting is April 21st 2021 at Marcham Hall, 7:00 p.m.

BE IT RESOLVED THAT: The date, location, and time for regular meetings of the Planning Board is established as the 4th Monday of the month at Marcham Hall starting at 7:00 p.m.

BE IT RESOLVED THAT: The date and time for regular meetings of the Zoning Board of Appeals is scheduled on an as needed basis (historically held the 1st Monday of the month at 7:00 p.m.).

E. CODE OF ETHICS:

BE IT RESOLVED THAT: The Mayor must ensure that a copy of the Code of Ethics is distributed to each officer and employee of the village. In addition, the Village Mayor must ensure that a copy of General Municipal Law §§ 800-809 is posted in each public building under the Village's jurisdiction. Failure to either distribute or receive a copy of the local Code of Ethics does not affect an

officer's/employee's duty to comply with the code, nor does it affect the enforcement of provisions of the code.

F. ADVANCE APPROVAL OF CLAIMS:

WHEREAS: The Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and

WHEREAS: all such claims must be presented at the next regular meeting for audit; and

WHEREAS: this resolution is consistent with the Village of Cayuga Heights Procurement Policy; and

WHEREAS: the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount of Board of Trustees disallows.

THEREFORE, BE IT RESOLVED THAT:

Section 1. That the Board of Trustees authorized payment in advance of audit of claims for public utility services, postage, freights and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount of Board of Trustees disallows.

Section 2. That this resolution is effective immediately.

EXHIBIT 2022-004

RESOLUTION:

BE IT RESOLVED THAT: The Village of Cayuga Heights Board of Trustees approves the following Cayuga Height Fire Department Slate of Officers as voted on by the Cayuga Heights Fire Company and approved by the Cayuga Heights Fire Department Fire Council.

Assistant Fire Chief Joe Price

Assistant Fire Chief John Putnam

Assistant Fire Chief Mike Garrett

Lieutenant Brendan Bloodnick

Lieutenant Sophie Janowsky

Lieutenant Nick Supron

Lieutenant John Gregory

EXHIBIT 2022-005

VILLAGE OF CAYUGA HEIGHTS

DRAFT

PROPOSED LOCAL LAW A OF THE YEAR 2021

A LOCAL LAW TO AMEND THE CODE OF
THE VILLAGE OF CAYUGA HEIGHTS

CHAPTER 305, "ZONING," ARTICLE XVII, "SITE PLAN REVIEW,"

SECTION 305-118, "SITE PLAN REVIEW PROCEDURES"

TO PROHIBIT TREE REMOVAL PRIOR TO SITE PLAN REVIEW

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

SECTION I PURPOSE AND INTENT

The purpose of this Local Law is to prohibit property owners from removing trees greater than a specified size from their property in anticipation of development of their property. The intent of this Local Law is to add provisions to Section 305-118, "Site plan review procedures," of Article XVII, "Site Plan Review," of Chapter 305, "Zoning," (the "Zoning Law") of the Village of Cayuga Heights (the "Village") Code. The Village's Board of Trustees has determined that the requirements of Section 305-118 should include restrictions similar to those stated in Section 305-123(H)(1), "Street Trees, for minor and major subdivisions," of Article XVIII, "Subdivisions," of the Zoning Law.

SECTION II AUTHORITY

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal home Rule Law.

SECTION III AMENDMENT OF ZONING LAW ARTICLE XVII, "SITE PLAN REVIEW," SECTION 304-118, "SITE PLAN REVIEW PROCEDURES"

In Section 305-118, "Site plan review procedures," of Article XVII, "Site Plan Review," of the Zoning Law, subsection A is hereby deleted in its entirety and replaced with the following:

§ 305-118. Site plan review procedures.

(A) Prior to the filing of an application for site plan review:

- (1) The applicant for a proposed project requiring site plan review shall schedule a pre-application discussion with the Zoning Officer, at which time the applicant should present, in sketch form, the proposed project and other features and information necessary to explain and/or supplement the sketch layout.
- (2) No living trees with a trunk diameter at breast height (DBH) of six (6) inches or greater shall be removed from an area in anticipation of development, prior to site plan review, unless approved by the Village Forester.

SECTION V SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of the Zoning Law of the Village of Cayuga Heights are deemed to be in conflict with the requirements of this Local Law, the terms of this Local Law shall govern and control.

SECTION VI PARTIAL INVALIDITY.

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

SECTION VII EFFECTIVE DATE.

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.