

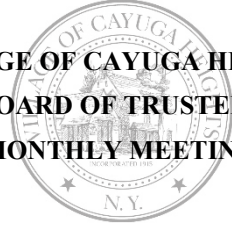
Minutes

Zoom Meeting ID # 4118425407

VILLAGE OF CAYUGA HEIGHTS

BOARD OF TRUSTEES

MONTHLY MEETING



Wednesday, April 21, 2021

7:00 p.m.

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

**1. Call to Order:** Mayor Woodard calls the meeting to order at 7:03 p.m.

**2a. Approval of Meeting Minutes: March 17, 2021 (Exhibit 2022-001)**

•The approval of the March 17, 2021 meeting minutes was tabled.

**2b. Approval of the Annual Organizational Meeting Minutes: April 1, 2021 (Exhibit 2202-002)**

**Resolution # 8973**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the Annual Organizational Meeting Minutes as presented.

*Motion:* Trustee Salton

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**Joint Youth Commission Presentation:** Evie Karnes, Chairperson for the Joint Youth Commission (JYC) is the Cayuga Heights representative, and her daughter, Hope Karnes (the JYC youth representative), presented to the board an overview of the JYC's services in our area.

•The JYC consists of 10 members; the JYC selects and monitors the first-time youth employment programs within the sponsored community. Firstly, the JYC strives to provide programs for first-time employment, training, career exploration, and apprenticeships Secondly, the JYC provides youth development and promotes life skills.

•Trustee McMurry asks how funding works for JYC. Evie Karnes states that the JYC funds specific programs for youth within the municipalities that support the JYC.

**3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2022-003)**

•Fire Superintendent Tamborelle states that in the first week of May a group of firefighters from Vermont will be coming to take a look at the ladder truck that is for sale.

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

**5. Report of Treasurer Laskaris: Submitted Report (Exhibit 2022-004)**

- Treasurer Laskaris states that the INSERO Audit is complete and was circulated to the Board members.
- Treasurer Laskaris presents the February Abstract for the Board to approve.

### **Abstract # 11**

#### **Resolution: 8974**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves Abstract #11 for FYE2021 consisting of TA vouchers 109-117 in the amount of \$20,471.98 and Consolidated Fund vouchers 800-895 in the amount of \$257,481.44 and the Treasurer is instructed to make payments thereon.

*Motion:* Trustee Robinson

*Second:* Trustee Rennekamp

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

### **6. Report of Mayor Woodard:**

#### **a. Revised FYE 2021-2022 Annual Budget Resolution:**

•Treasurer Laskaris states that the tentative FYE 2022 Budget has had some significant changes primarily due to an increase in revenue for NYS Aid through CHIPS, Pave N.Y., and extreme weather recovery through FEMA. The Board also approved a 4% salary increase for the DPW staff, and bringing the Teamsters on board with the Excellus Gold Plan. Therefore, the Board should pass a resolution to adopt the revised FYE 2022 Annual Budget.

•Director of Public Works Wiese states that every municipality saw a 30% CHIPS increase in funding. This was not anticipated since we were anticipating a 20% reduction during the current fiscal year.

•Director Wiese states that CHIPS increased from \$111,000 to \$142,000, Pave NY \$25,000 to \$38,000, and Extreme Winder Recovery was not budgeted but we will receive \$31,000.

#### **Resolution: 8975**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes the revised Annual FYE 2021-2022 Village of Cayuga Heights Budget.

*Motion:* Trustee Robinson

*Second:* Trustee Salton

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

- Mayor Woodard states that, with the current budget, we will have a fund balance of \$2.5 million, which represents 50% of our total budget. The recommended fund balance should not be below 20%. This cushion allows the Village to fund some additional projects for the upcoming fiscal year.

- Trustee Salton has noticed that the exterior of the water tower on Sheldon Road needs some work. B. Cross states that Bolton Point owns the tank and it is inspected often. Originally that tank belonged to the City of Ithaca and when Bolton Point was created, they took ownership. It is not owned by the Village. However, B. Cross will contact Bolton Point to inquire about an maintenance schedule for the water tank.

**b. Public Hearing on Proposed Local Law A of 2021- Tree Removal: Exhibit (2022-006)**

- Mayor Woodard opens the Public Hearing at 7:43 p.m.

- Mayor Woodard adjourns the Public Hearing at 7:44 p.m.

- Mayor Woodard states that this Proposed Local Law still needs more discussion and possible changes.

- Village Forrester and Planning Board Chair F. Cowett has concerns about a conflict of interest regarding the decision to remove trees. As the Village Forester he would be the sole person deciding what trees would be removed and as the Planning Board Chari he would oversee site plan review of any lot developed in the Village.

- Trustee Salton asks if every single-family home requires a site plan review. B. Cross states that, since the passage of the 2018 Zoning Law, it is now required for any new development, but not for interior renovations of existing structures.

- Mayor Woodard states that the goal of this Proposed Local Law is to take the wording in site plan review section of the zoning law for a sub-division and have that be the same for site plan review for a new single-family home. Tree cutting should be part of the site plan review. Trustee Salton believes that this will make it very difficult for other aspects of developing a lot.

- B. Cross notes past experiences the Village has had with the clearing of lots before development which damaged the character of the neighborhood by exposing the neighboring houses to noise, removing shade cover, and impacting privacy.

- Trustee Salton is confident that any concerns will be covered by the current site plan review process.

- Village Attorney R. Marcus states that the Proposed Local Law A of 2021 changes seem to parallel with the provision that already exists for the sub-division section. This law would allow the municipality the opportunity to determine what is the best practice that may be suitable to a building lot.

**d. Joy Barr Resolution:** The Board publicly acknowledges Joy’s contribution to the Village of Cayuga Heights Police Department toward the cost of the Village Body-Worn Cameras.

**Resolution: 8976**

**A RESOLUTION OF APPRECIATION TO JOY BARR FOR A DONATION TO THE VILLAGE OF CAYUGA HEIGHTS POLICE DEPARTMENT BODY-WORN CAMERA EQUIPMENT.**

**WHEREAS**, lifelong Village resident, Joy Barr has generously donated \$40,000 to the Village of Cayuga Heights Police Department; and

**WHEREAS** this donation will provide the means for the Village of Cayuga Heights Police Department to provide enhanced services to its citizens with the deployment of a body-worn camera, and

**WHEREAS** this donation expresses the overall support and appreciation for the Village of Cayuga Heights Police Department.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cayuga Heights Board of Trustees does hereby express its sincere thanks and gratitude for this generous donation and enters this resolution into the official minutes of April 21, 2021.

*Motion:* Trustee Hubbell

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

•Police Chief Wright states that he has known Mrs. Barr for over 20 years; it is an incredible gift, and the timing was instrumental to addressing budgeting shortfalls for the next few years.

**e. Schedule a Public Hearing on Proposed Local Law B of 2021- Container Law.**

•Mayor Woodard states that a draft has not been developed, but the idea is to have a local law that limits the time and location of a storage container (Moving PODs) or trash containers and dumpsters can be on a property. The proposed local law will be brought before the Board at the May 19, 2021 Meeting.

•B. Cross informs the Board that there will also be some language in this draft pertaining to the time of day a trucks can service a dumpster. An example is that some garbage services empty garbage containers very early in the morning and the noise from this process has residents complaining.

•Trustee Robinson ask if this would apply to the containers at the Cayuga Heights Elementary School. B. Cross states that there is a fine line on what the Village can enforce on school property.

•Village Attorney R. Marcus states that for those municipalities that have adopted regulations of PODs the language within those laws tend to state restrictions are to be a short-term.

**f. Teamsters Update:** The Department of Public Works will be moving from the Teamsters Healthcare Plan to the GTCMHIC Excellus Gold Plan.

•Mayor Woodard states that as part of this move the Teamsters contract was re-negotiation and those negotiations are almost complete. Mayor Woodard will be asking for the Board to approve the new Teamsters Contract at the May 19, 2021 meeting.

**g. Budget Process:** Mayor Woodard is looking for feedback on how the new Village budget process was received by the Board and staff now that it is in the Excel format.

•Trustee Robinson states that this format was a vast improvement from last year.

•Trustee Salton states that he can imagine it working even better once we are all back to an in-person setting.

•Director of Public Works Mike Wiese states that the file-sharing was confusing and hard to keep track of which Excel file was the most up to date.

•Trustee McMurry states that it would be helpful to move the annual review process to the fall so that it does not interfere with the budget season process. This has been discussed in the Administrative Committee meetings.

**h. American Rescue Plan Funds (ARPF):** The Village is expected to receive over \$200,000 from the federal government as part of federal relief from the COVID-19 pandemic.

•Mayor Woodard has reached out to the Board, Village committees, and Village Departments to compile a potential list of projects under the ARPF. Some suggestions include:

1. A Reserve for water infrastructure projects
2. Reduce the debt on the WWTP
3. Bulletproof vests for the fire department
4. Village tree removal and trimming in the Village ROW
5. Continue studying Infill & Infiltration in the wastewater system
6. Route 13 Sewer main study
7. Courtroom ceiling repair
8. Village-wide sidewalk repair and filling sidewalk gaps
9. Website re-design
10. Village-wide Bike /Pedestrian study
11. Detailed Community Corners Traffic study
12. DPW roof repair
13. Funding the Village's portion of the rightsizing of culverts project
14. Continue culvert rightsizing study
15. Cayuga Height Road pedestrian study
16. Re-wiring Marcham Hall with dedicated internet lines
17. Marcham Hall Windows repair

18. Village fire hydrant re-evaluation and testing

19. Bike racks

- Mayor Woodard states that we will wait for more guidance on any restrictions that might be imposed on this money.

#### **7. Report of the Trustees:**

- Trustee Hubbell inquiries about a TRC Environmental Corporation vehicle that seemed to be taking measurements or photos in the area of Iroquois road. He asked if the Village had commissioned any type of survey. Director of Public Works Wiese states that TRC was probably contracted by NYSEG who is canvassing the Village collecting information on telephone poles that need replacement.

- Trustee Robinson announced that Phase 1 of the WWTP work is complete and will be putting together a tour once the weather gets better.

#### **8. Report of Police Chief Wright: Submitted Report (Exhibit 2022-008)**

- Chief Wright states that the Body-worn Cameras have been in service since April 7, 2021, and everything is working well. Chief Wright further states that the extra personnel time spent on “managing” BWCs can be accomplished with current staff and therefore the department will not need to hire any extra staff.

#### **9. Report of Director of DPW Wiese: Submitted Report (Exhibit 2022-009)**

- Director Wiese states that the DPW staff has completed the stormwater drainage project at the DPW.

- Director Wiese states that last month the County notified him that they were going to be paving Hanshaw Rd. up to the Village line. Director Wiese contracted that paving company to continue their work through the Village, up to North Triphammer Road. This paving process uses heat to warm the asphalt, lift it off the road, remix it, and lay it back down. The cost is very reasonable and if this works out well, he will be using this process in the future.

- Village Attorney R. Marcus asks Director Wiese how this project will interplay with the agreement with Cornell University and their North Campus Residential Expansion (NCRE) construction project. Specifically, the wear and tear of our roads from their construction traffic. Director Wiese states that he has communicated with Cornell and they are aware of the cost and know that this temporary surface fix does not affect the signed agreement for the subsurface damage of the roads used for the NCRE project.

- Director Wiese further states that Pleasant Grove Road has so much damage from the construction traffic at the NCRE project that the Village will have to do sub-surface repairs this summer.

- In closing Director Wiese informs the Board that the NYPA supply container for the LED streetlight project arrived, which means the project should start soon.

#### **10. Report of Village Engineer Cross:**

- B. Cross states that one action item that the Board will need to address is the Brook Land Easement (EXHIBIT 2022-009). Cornell is requesting an easement across an area of their land that was granted to the Village many years ago as a “paper street” for future development if needed by the Village. Over the course of 50+ years, the Village has had no reason to move forward on such a project, but since we have a legal easement for such, they need the Village to sign an easement agreement to allow them to lay their cable across this area.

•Asa Schindler, representing Cornell University, states that a few members of the Wari Cooperative are present to listen to the discussion. B. Cross states that the agreement is pretty straight forward and Village Attorney, R. Marcus, and Cornell University's counsel, Stephanie Sechler have drafted the easement for the Board to approve. A public hearing is schedule for the May 19, 2021 meeting.

•Cornell's Asa Schindler states that the fiber optic line will be installed using a directional boring system.

**Resolution: 8977**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees hereby schedules a Public Hearing for May 19, 2021, at 7:15 p.m. to seek comments on the proposed Brook Lane Easement as presented in Exhibit 2022-009.

*Motion:* Trustee Salton

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

•B. Cross states that GHD has drawn up the amendments to the construction administration contracts for Phase 2 of the WWTP. B. Cross requests that the Board approve and authorize the Mayor to sign the contract, contingent on Village Attorney R. Marcus' approval. This proposal included 50% on-site supervision at the beginning of the project and full-time supervision thereafter.

•Trustee Marshall inquires about the amount of money allocated for resident representative services in this contract. B. Cross states that special inspections and specialized testing are a part of that cost, as well as the use of third-party vendors. B. Cross will reach out to GHD for more information and report back at the May meeting.

**Resolution: 8978**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign the GHD Construction Administration Contract amendment as presented in Exhibit 2022-010 upon review and approval by Village Attorney R. Marcus.

*Motion:* Trustee Salton

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

•B. Cross states that the NYSDEC has sent out new water quality standards to the Cayuga Lake Watershed Intermunicipal Organization members and affiliates. This updated Clean Water Plan includes new Total Maximum Daily Load (TMDL) calculations of various pollutants including phosphorus. The draft TMDL has gaps that should be of concern to local governments because the document is unclear regarding who will take the lead on the implementation of the plan, and who will fund the needed changes. B. Cross is requesting the Board write to NYSDEC and request the comment period deadline of May 24, 2021, be extended 90 days.

•Trustee Robinson states that there is also information within this document that relates to Village stormwater sources within the Village. B. Cross states that this could require the Village to engage in some level of effort to manage stormwater.

•B. Cross states that all the more reason we need more time to review this document.

**Resolution: 8979**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign a letter stating that the Village of Cayuga Heights Board of Trustees requests that the NYSDEC extend the comment period for the TMDL by a minimum of 90 days, so that Village can thoroughly review the TMDL draft and develop comments.

*Motion:* Trustee Robinson

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

•B. Cross states that, in closing, he wanted to update the Board on the Rightsizing Culvert Project. T.G. Miller has recalculated the engineering behind the resizing of the culvers because of the over-budgeted projections. Soil boring has provided better information on bedrock located in the project which will bring the cost down. The final contract will be discussed in more detail at the next Public Works Committee meeting.

**11. Report of Clerk Walker: Submitted Report (Exhibit 2202-011)**

•Trustee McMurry asks Clerk Walker for clarity on the Sump Pumps list included in the agenda. Clerk Walker states that this list is compiled of 15 properties that have been inspected since January 2021 and there have been a total of 59 properties inspected since this local law was enacted.

•Clerk Walker attended the NYCOM marijuana legalization resource webinar and reports that the only action the Board would need to take is if the Village wanted to prohibit any retail sales within the Village. The Board agreed to not take action prohibiting retail sales in Village.

•Clerk Walker is interested in the Board’s opinion about opening Marcham Hall. Trustee Salton states that he has heard information that the County Courts will be gearing up to open.

•Trustee Rennekamp asks for guidance on the rules for the members of the public that attend a public meeting that may not be vaccinated.

•Mayor Woodard states that we will have to watch and seek guidance as things open later in May.

•Trustee Hubbell suggests some resources could be spent on a better way to filter the air in Marcham Hall, since there is no ductwork to install a standard type of air filtrations system.

**12. Report of Attorney Marcus:**

•Village Attorney R. Marcus requests that the Board enter Executive Session.

**13. Executive Session:** The Board enters Executive Session at 10:01 p.m.



**Resolution: 8980**

**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 money:

**THEREFORE, BE IT RESOLVED THAT,** An Executive Session of the Village of Cayuga Heights Board of Trustees is conducted for the purposes of subsection (F) the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

*Motion:* Trustee Robinson

*Second:* Trustee Salton

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**Resolution: 8981**

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

*Motion:* Trustee Robinson

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**Resolution: 8982**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign the White Buffalo Inc. contract in the amount not to exceed \$27,610.

*Motion:* Trustee Marshall

*Second:* Trustee Hubbell

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

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

