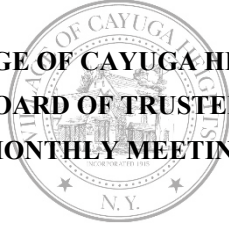


Minutes

Zoom Meeting ID # 4118425407

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING



Wednesday, February 17, 2021

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.

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

2. Approval of Meeting Minutes: January 20, 2021 (Exhibit 2021-046)

Resolution # 8891

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the January 20, 2021 meeting minutes as presented.

Motion: Trustee Salton

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2021-047)

•Fire Superintendent Tamborelle states that one of the CHFD bunkers that traveled to England over break tested positive for COVID-19 and is in quarantine. At this point, all of the bunkers has received the second shot of their COVID vaccine.

•Fire Superintendent Tamborelle further states that On January 31st he lost one of his members. A probationary Firefighter passed away in his dorm room at Cornell from a preexisting medical condition. The Cayuga Heights Fire Council will be donating in his honor.

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

5. Report of Treasurer Mangione: Submitted Report (Exhibit 2021-048)

•Treasurer Mangione states that on Tuesday morning Tompkins Financial returned with an interest rate of 1.6% for one year on the \$400,000 CHFD Fire Truck BAN.

•Mayor Woodard asks Treasurer Mangione why INSERO is taking so long to complete the Village Annual Audit. Treasurer Mangione states that audits that were scheduled before ours have been delayed due to COVID-19 restrictions and staff working from home. It is nothing related to the Village.

•Treasurer Mangione presents the January Abstract for the Board to approve.

Abstract # 9

Resolution: 8892

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #9 for FYE2021 consisting of TA vouchers 93-100 in the amount of \$20,505.28 and Consolidated Fund vouchers 640-722 in the amount of \$438,097.81 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Rennekamp

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

6. Report of Mayor Woodard:

a. Appointment of Bousquet Holstein Law Firm & Labor Attorney John Valentino: Village Attorney R. Marcus informed the Board last month that his firm will be merging with Bousquet Holstein Law Firm.

• Mayor Woodard states that she would like to appoint John Valentino as the Village's new labor attorney. Mayor Woodard informs the Board that the Village Department of Public Works employees (Teamsters) are interested in switching their health insurance coverage to the GTCMHIC Gold Plan just as the Village of Cayuga Heights PBA members did last month. Mayor Woodard would like to have the assistance of a labor attorney to re-negotiate the Teamsters contract a year early. She will be meeting with Attorney John Valentino on Thursday for an interview

Resolution: 8893

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the appointment of Attorney John Valentino as the Village's labor counsel, contingent on the satisfactory results of Mayor Woodard's interview with him.

Motion: Trustee Marshall

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion Carried

• Mayor Woodard appoints the Bousquet Holstein Law Firm as of March 1, 2021, as the Village's Attorney.

Resolution: 8894

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the appointment of Bousquet Holstein PLLC as the Village Attorneys as of March 1, 2021.

Motion: Trustee Robinson

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion Carried

b. Town of Ithaca Tax Increase: Mayor Woodard sat in on the Town of Ithaca Budget Committee Meeting last month, and subsequently Mayor Woodard and Trustee Robinson met with Town of Ithaca Supervisor Rob Howe and Deputy Supervisor Bill Goodman.

- •Because the Village receives, from the County, a payment of sales taxes that is taken from the Town’s share of sales taxes, state law says the Town can only apply for sales tax payments from the County to our Part-Town Funds which would be the General Part-Town Fund (covering our Planning and Codes Departments) and the Highway Part-Town Fund. Over the past few years, the Town of Ithaca had mistakenly applied sales tax money to their General Town-wide Fund, so all town residents, including Village residents, were getting the benefit of lower property taxes in that Fund. That benefit should have been going just to Town residents outside the Village by having the sales tax applied to only the Part-Town Funds. The Town of Ithaca charged Village residents for the amount of the benefit by increasing this year’s Town taxes applied to Village residents by 31%.
- Trustee Robinson states there were two issues with the Town’s 2021 Taxes, the misapplication of sales tax previously mentioned, and the other being the Town’s highway equipment and snow removal costs being included in a town-wide tax. That tax includes the Village of Cayuga Heights. From 2010 it was not included until 2018. Village residents once again, despite the fact that the Village’s DPW does all snow removal within the Village. The second point is on they allocated their sales tax incorrectly for 3 years. Trustee Robinson and Mayor Woodard asked Rod Howe specifically if it was required by the state to collect that lost tax revenue. That question still remains unanswered which leaves the question that if the state did not require the Town of Ithaca to collect all back-tax revenue then why they felt they needed to collect any.
- Mayor Woodard met with Rod Howe and Bill Goodman to see if a compromise could be reached on these issues, but it was clear that the Town of Ithaca was not going to change anything. Instead, the Town stated that they could have charged Village residents a higher percentage.
- Mayor Woodard further states that, as a result, it seems appropriate for the Village to pay the Town of Ithaca for sewage processed by the Ithaca Area Wastewater Treatment Facility (IAWTF) from the “Old Village” for the only last quarter of 2020, which is roughly \$24,000, rather than for a full year.
- Village Clerk Walker states that the office has received an invoice for the whole year of processed sewage for a total of \$124,000 but nothing less than that. Mayor Woodard confirms that the office will not get an invoice for

less than that, but we will supply the supporting documentation on why the Village is only paying the last quarter of 2020.

- Trustee McMurry asks Mayor Woodard if any Village residents are on the Town of Ithaca Board. Mayor Woodard states that there are no residents on the Town Board at this time.

- Trustee Marshall inquires about the definition of "Old Village" and if that delineation of the boundaries has been completed. B. Cross states that he has completed a property analysis and is confident it is accurate now.

c. Kline Road By-Pass Meeting: Mayor Woodard met with the City of Ithaca’s Cynthia Brock, Town of Ithaca Supervisor Rod Howe, and Deputy Supervisor Bill Goodman.

- Mayor Woodard states that the mechanics are almost in place to complete the shutoff of the Kline Road by-pass and not send any more Village sewage to the IAWFT Plant. The harder part will be establishing a cost in the event we need to use the by-pass to accommodate excess flow. Cynthia Brock would like to propose a flat annual fee until more data has been collected.

- Trustee Salton states that a per-gallon rate would be the simplest.

d. “Gang of Six” Meeting: Mayor Woodard then met with the rest of the municipalities that utilize the IAWFT plant. (City of Ithaca, Town of Ithaca, Town and Village of Lansing, and the Town of Dryden.

- Mayor Woodard states that the group is getting closer to resolving the I & I concerns now that meters are in place to monitor these events. B.Cross suggests that the progress he has seen over the last 18 months will result in some significant data for coming up with a resolution to this long-standing issue.

Director of Public Works M. Wiese states that he has everything lined up for the Kline Road by-pass and meter installation once the snow is gone. Mayor Woodard states that once that is complete, we will shut it off.

e. Performance Reviews: To streamline this process Trustees Biloski and McMurry have revamped the Non-Bargaining Unit employee review process.

- Mayor Woodard thanks Trustees Biloski and McMurry for all of their efforts. All the reviews should be complete by the end of the month.

f. Teamsters Update: The Village DPW staff has expressed interest in switching to the GTCMHIC Gold Plan which is the same health care plan the Village PBA converted to in December.

- Mayor Woodard states that the driving force for this change is that several DPW employees are eligible to retire soon. When they retire, they will be moved to the Teamsters retirement healthcare plan which is a Cobra plan with very high premiums. Mayor Woodard further states that those employees are vested, and the Village would be paying 75% of the cost of that plan and in some cases a 100%.

The next step is for Mayor Woodard to enter into negotiations starting in March and if all goes well, they will move over the GTCMHIC Gold Plan on June 1, 2021.

g. Budget Process: This year Mayor Woodard has developed a working spreadsheet to examine the budget lines of each department. The goal is to have a "Master" budget for the Trustees by next Monday. This should help streamline the budget workshop on March 13th, 2021. The final step will be to put together the Capital Budget and NBU salaries.

•B. Cross states that if the process is more transparent for the department heads and they have a chance to participate with the Board on final numbers then it will be successful. Director of Public Works M. Wiese agrees.

•Mayor Woodard states that the 2021-2022 Budget Workshop will be held on March 13th, 2021 from 9:00 am to Noon via Zoom.

7. Report of the Trustees:

a. **Walking Safe Cayuga Heights Update:** NYSDOT Environmental Division reached out to the Village requesting more information on the impact of the sidewalk on 511 Kline Road which is within the historic district.

•Trustee McMurry states that there is plenty of information the Village can share showing we have considered and mitigated all environmental impacts to this area.

•B. Cross states that Fisher and Associates' Tim Faulkner, has determined that, as long as we start the construction portion of this project within 24 months, we will have completed with project within the required contract term.

•Trustee McMurry states that the schedule delays has triggered another issue related to tree clearing which can only be done before March 31st, 2021 due to the possibility of endangered bats nesting in those trees.

•B. Cross will coordinate with the Director of Public Works, M. Wiese for the tree removal portion of this project.

•Trustee Salton asks for an assessment of the bidding timeframe. B. Cross states that this project will not fall into the "good" bidding season, but sidewalk work is pretty simple. M. Wiese adds that we might find ourselves in a "great" bidding season with contractors looking for fill-in work later in the season.

8. Report of Police Chief Wright: Submitted Report (Exhibit 2021-049)

•Chief Wright states that Officer Langlois interviewed with the Tompkins County Crisis Team and was accepted to that team. This will help the department grow and learn more with regards to mental health calls.

•Chief Wright states that Trustee McMurry developed a survey to seek comments on how the Village Police Department is viewed. The results will be shared at the Village Public Meeting on Tuesday the 23rd. The survey is on our website and will go out in the next Enewsblast.

•Chief Wright further states that the individual who was charged with an assault and robbery at an apartment complex in the Village was arraigned and later released became the main suspect in a shooting that occurred on January 15th. He was finally apprehended without incident on February 12th and remains in the Tompkins County Jail.

a. **BWC Policy Draft:** Chief Wright states that he would like to present the draft for the Village Board of Trustees to vote as presented in Exhibit 2021-050.

•The only revision to this policy is a small change in language brought to Chief Wright's attention by Trustee Salton. Officers may have the discretion to turn the BWC audio off in the booking or processing area. Chief Wright would like to eliminate the word “may” thus removing the ability of an officer to turn off the audio regardless of the situation.

Resolution: 8895

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees adopts the Proposed Village of Cayuga Heights Police Body-Worn Cameras Policy as presented in Exhibit 2021-050.

Motion: Trustee Salton

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion Carried

9. Report of Director of DPW Wiese: Submitted Report (Exhibit 2021-051)

- Director Wiese states that the DPW crew had a total of 175 hours of overtime and did a great job with the 3-day snowstorm.
- Director Wiese reports that the staff then had to deal with a large water main break on Iroquois Road. Mayor Woodard attests that all the Village Departments did a great job to resolve the water main break under such raw and cold conditions.
- The Cayuga Heights Fire Department was on the scene at the vacant house on Triphammer Road that had internal water pipes burst.
- B. Cross states that he did meet with the owner and contractor and is hopeful that mediation work will start soon.

10. Report of Village Engineer Cross:

- B. Cross states that the only action item that he is presenting to the Board tonight is the proposed Phase 2 pre-bid estimate which is based on the latest set of plans that GHD submitted and B. Cross circulated last week. The plans are considered final enough that they have been sent to NYSDEC for final review/approval. The estimate of \$9,000,000 was included in the Engineer's Report done by GHD Engineers before the Village authorized them to begin the design phase.
- B. Cross has requested that GHD provide us with a summary of all contractual obligations that have been made to date on the project including the Phase 1 construction project. Since the bids for the Phase 1 project were higher than the estimate that was used to seek the NYSDEC Grant, the project's total cost may exceed the original \$11.1 million estimate and the current \$12.0 million bond authorization that was approved by the Trustees last year.
- The next step in the process is to have GHD proceed with the bidding process to get the actual bids/costs that the Trustees will need in order to make a final decision about committing to construction contracts to perform the Phase 2 work. The cost of managing the bidding process is already included in the current contract with GHD. If

the bids are accepted, GHD will provide a scope of services proposal for the construction administration phase of the Phase 2 project.

- Village Treasurer Mangione states that the Bonding Resolution procedures will need to take place.
- In closing, B. Cross states that with the possibility of the total project cost exceeding the \$12 million bond authorization, the Village Board of Trustees would need to revise the bonding resolution to increase the authorization amount. The Board should also approve the GHD Phase 2 which is ready to be sent out to bid.
- Trustee Salton inquires whether there is anything B. Cross has seen or has had questions about before we make a motion to approve Phase 2 of the Village Wastewater Treatment Plant and put it out to bid. B. Cross states that there is one component of the job that has been discussed which is the waste gas burner location. Some discussion had it away from the building but due to physical constraints that it now will be located on the lawn area on the west side of the property.
- Trustee Robinson states that there will also be a Phase 3 which will include several items that were discovered during the design aspects of Phase 2.

Resolution: 8896

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the design plans and estimates for Phase 2 of the Village of Cayuga Heights Wastewater Treatment Plant produced by GHD and authorizes GHD to advertise on the Village's behalf for bids and manage the bidding process.

Motion: Trustee Salton

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

- B. Cross concluded by stating that T.G. Miller is putting together cost-saving measures for the Cayuga Heights Rightsizing Culvert Project since the current proposal is over budget.

11. Report of Clerk Walker: Submitted Report (Exhibit 2021-052)

a. COVID-19 Vaccination Resolution: This resolution came from Robert Lynch from the Town of Enfield as a topic of discussion for the Village Board of Trustees to consider.

- Mayor Woodard states that she thinks the County is doing the best they can given the current situation of the supply of the COVID-19 vaccine.
- Trustee Salton cannot support this resolution; the reality is there is not enough vaccine.
- Fire Superintendent Tamborelle states that he has been involved with the vaccine role out, and the County is giving out every single dose they get. Tompkins County has been recognized over and over again for its outreach to get the public educated and encourage avenues to get vaccinated.
- Trustee McMurry cannot support this resolution as written but would support a toned-down version.

- Trustee Rennekamp states that every dose that comes to the County is being administered and she feels that the County is not being prevented vaccinating anyone; it just comes down to supply.

- The Board tables this proposed resolution.

- Clerk Walker states that his office has now mailed out short-term rental permit reminder letters to those residents who have not renewed their permit.

Mayor Woodard confirms that the Village will be able to piggyback off the County's relationship with an Airbnb management company.

12. Report of Attorney Marcus:

- Village Attorney R. Marcus states that he has evaluated the GHD Phase 2 WWTP upgrade and the changes that he recommended were addressed.

13. Adjournment: Mayor Woodard adjourns the meeting at 9:07 p.m.