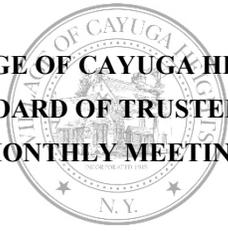


Minutes
Zoom Meeting ID # 4118425407

VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING



Wednesday, January 20, 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.

- 1. Call to Order:** Mayor Woodard calls the meeting to order at 7:03 p.m.
- 2. Approval of Meeting Minutes: December 16, 2020 (Exhibit 2021-035)**

Resolution # 8880

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the December 16, 2020 meeting minutes as presented.

Motion: Trustee McMurry

Second: Trustee Robinson

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 2021-036)

- Fire Superintendent Tamborelle states that the department handled 502 calls for service in 2020.
- Most of the Cayuga Heights Fire Department bunkers have had their first dose of the COVID vaccine.
- Emergency One (the manufacturer of the new ladder truck) has informed Fire Superintendent Tamborelle that the production of the new ladder truck has been pushed back seven months due to decreased staffing levels. Emergency One is willing to lease the current CHFD ladder truck from Command Fire Apparatus (the company buying the current ladder truck) until the new truck is ready.
- Trustee McMurry asks about the shortage of vaccine in the County this week. Fire Superintendent states that there is a shortage from the State but that there is vaccine in the County for those who are due the second dose.
- Mayor Woodard has a County call tomorrow and will provide an update to the Board on what is expected of future vaccine allocations.

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

5. Report of Treasurer Mangione: Submitted Report (Exhibit 2021-037)

•Treasurer Mangione states that, on February 19, 2020, the Village issued a \$511,835.23 Bond Anticipation Note (BAN) to pay its share of the new CHFD Ladder Truck. The BAN must be paid on February 19, 2021. The current budget plan is to pay \$100,000 and issue another BAN for the remainder. Cornell University has donated \$10,000 towards the balance. Command Fire Apparatus is purchasing the 2004 Emergency One 75' Quint

currently in use by the CHFD for \$110,000. Therefore, she recommends that a principal payment of \$121,835.23 be made on February 19th and a BAN of \$390,000 issued at the current Bond Rate to be payable in one year.

- Mayor Woodard states that the current budget is \$100,000 and we should use it.
- The Village Finance Committee recommends paying the budgeted \$100,000 plus the additional \$110,000 from the sale of the CHFD ladder truck as well as the 2021 Cornell Fire equipment donation.
- Fire Superintendent Tamborelle reminds the Board that the Village will owe the Town of Ithaca a portion of the sale from the CHFD current ladder truck. Treasurer Mangione states that is correct; \$40,000 will be owed to the Town of Ithaca
- Treasurer Mangione requests that the Board review the budget calendar in her report. The Board will have to set a date for the Village Budget Workshop and Annual Village Organizational Meeting.
- The 2021 Village Election will be held on March 16, 2021 at the First Congregational Church. Polls will be open from Noon to 9:00 p.m.

Resolution: 8881

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules a public meeting on March 13, 2021, to be designated as the 2021-2022 Budget Workshop from 9:00 a.m. to 12:00 Noon.

Motion: Trustee Salton

Second: Trustee Rennekamp

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

Nays: none

Abstentions: none

Motion Carried

Resolution: 8882

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules the Annual Village Organizational Meeting for April 1, 2021, at 7:00 p.m.

Motion: Trustee McMurry

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion Carried

•In closing, Treasurer Mangione also states that she has calculated that the Village will not exceed the New York State Tax Cap. The Board will need to discuss the possibility of proposing a local law to exceed the tax cap which expressly authorizes a local governing body to override the property tax cap for the coming fiscal year.

Abstract # 8

Resolution: 8883

Approval of Abstract:

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #8 for FYE2021 consisting of TA vouchers 69 -72 in the amount of \$25,660.93 and Consolidated Fund vouchers 559 - 639 in the amount of \$367,166.22 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Marshall

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion Carried

6. Report of Mayor Woodard:

a. LED Update: Installation is still scheduled to begin this month.

- Mayor Woodard states that B. Cross and M. Wiese attended a webinar sponsored by NYPA that promoted “extra” technologies that could be added to the LED fixtures. However, the Village would be responsible for the installation and administration fees.

- B. Cross states that the options included cameras, weather stations, and microphones that could detect certain sounds that could be used to dispatch emergency services. B. Cross is not inclined to recommend any of these options and Mayor Woodard agrees that they features are unlikely to be useful for our purposes.

- Trustee Marshall inquires about the possibility that any of this technology could be used to detect surface runoff for I & I needs. B. Cross will look into that and report back to the Village Public Works Committee next month.

b. Town of Ithaca Tax Increase: 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 State Comptroller alerted the Town of Ithaca to the fact that they had misallocated the sales tax and to rectify that the Town made the one-time adjustment to Village residents’ tax bills. Since all Town Residents (including Village residents) benefited from a lower tax rate in the General Town-wide A Fund for the past few years, they had to increase the property taxes collected in that Fund for this year to make up for the Sales Tax that had been misapplied to that Fund for the past few years.

•Mayor Woodard states that our Village does not receive any services from the Town of Ithaca and should not be paying taxes on services that are not provided.

•B. Cross states that the Town of Ithaca has never offered any services to the Village and if the Village did utilize any Town services, the Town will charge for it.

•Village Attorney R. Marcus states that the state law around this issue is based on the concept that most Villages are surrounded by a township within which they lie. Geographically the Village of Cayuga Heights is unique in that only two properties in all of Cayuga Heights need to use a town road.

•Chief Tamborelle notes that the Fire Department’s budget is roughly 30-40% funded by the Town.

•The Village of Lansing had a similar situation with the Town of Lansing. Eventually, the Village of Lansing decided to purchase their trucks and snow removal equipment instead of Village of Lansing residents paying a portion of their taxes to the Town of Lansing for that cost.

•Mayor Woodard plans to attend the Town’s budget meeting next month to address these issues.

c. “Old Village” Sewer Credit: Mayor Woodard informed the Town of Ithaca that she did not believe the Village is obligated to pay this amount due to the Town’s awareness of the issue and failure to act in the past. Mayor Woodard further states that at the November Board of Trustees Meeting the Board agreed to pay for 2020 only. Mayor Woodard suggests that the Village is now only willing to pay for the last quarter of 2020, roughly \$24,000

•Village Engineer, B. Cross has been working with the Town of Ithaca to correct the accounts that should be billed in the "Old Village".

Resolution: 8884

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves payment to the Town of Ithaca for only the last quarter of 2020 for sewage that was processed by the City of Ithaca’s Wastewater Treatment Plant. This payment is in lieu of the payment authorized at the November Board of Trustees Meeting Resolution 8767.

Motion: Trustee Rennekamp

Second: Trustee McMurry

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

Nays: none

Abstentions: none

Motion Carried

•Trustee Robinson would like to hear more on this issue when Mayor Woodard sits in on the Town’s budget workshop next month.

d. Gold Plan Update: The Village Police Benevolent Association (PBA) has agreed to

transition their health insurance coverage to the GTCMHIC Gold Plan with the Village subsidizing 100% of the out-of-pocket maximums, and employees contributing 15% of the Gold Plan premium. The PBA contract will also be amended concerning the use of sick time to pay for retiree health insurance and increasing the shift differential payment.

- Mayor Woodard states that the PBA is now on the GTCMHIC Gold Plan and she is waiting to receive the signed Memo Of Understanding from the PBA's attorney. The next step is a discussion with the Village Department of Public Work's employees about the Gold Plan.

- One of the major savings, to both the Village and DPW employees, is the current Teamsters retirement plan which is a Cobra Plan and very expensive. Several DPW employees are in a position to use their sick time to cover their portion of the health care premium which means the Village would be paying 100% of the premium. For comparison, that would mean \$7,000 for a Teamsters retiree family plan versus \$2,068.19 for a Consortium retiree plan.

- Mayor Woodard will set up a meeting with the DPW next month.

e. Village Clerk, Deputy Clerk, and Treasurers Job Description: The Board of Trustees needs to authorize and approve the updated job descriptions as detailed in Exhibit 2021-038.

- Mayor Woodard states that this is the result of the hard work of Trustees Biloski and McMurry and the Administrative Committee's efforts to redefine responsibilities in the Clerk's Office and streamline annual employee evaluations.

- Trustee Salton states that it is not clear why the Board needs to vote on this topic.

- Trustee McMurry states that the Board has to approve and accept the changes as part of the Human Recourses requirement for the County. If the Board needs more time that is fine, at least now the job descriptions are far more accurate than what is currently filed with the County.

- Village Clerk Walker states that another reason for the need to update these job descriptions is the fact that the Clerk/Treasurer is now two different jobs. Trustee Biloski stated that there were several out-of-date descriptions as well.

- Trustee Robinson is comfortable bringing this to the Board for a vote.

Resolution: 8885

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the Village Administrative Committee's updated job descriptions for Village Clerk, Deputy Clerk, and Village Treasurer as written in Exhibit 2021-038 and authorizes the filing of these updated job descriptions with the County.

Motion: Trustee Biloski

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

7. Report of the Trustees:

a. Walking Safe Cayuga Heights Update: The design report has been submitted to NYSDOT.

- Trustee McMurry states that new simulation drawings of the Wyckoff Road section were shared with the affected residents today.

- B. Cross states that he is still optimistic that we can get this project out to bid and started in 2021. The NYSDOT Contract stipulations require completion of the project by January 2022.

8. Report of Police Chief Wright: Submitted Report (Exhibit 2021-039)

- Chief Wright states that an individual who was charged for an assault and robbery at an apartment complex in the Village was arraigned and later released only to become the main suspect in a shooting that occurred on January 15th in the City of Ithaca.

- Chief Wright states that in 2020 the overall number of tickets issued was down, yet the department received over 300 more calls for service compared to last year. Chief Wright further states that officer overtime was about half of what it was last year, and part-time hours were about 400 less.

- Trustee Salton states that he recognizes that COVID-19 played a role in policing this year and asks Chief Wright if anything else affected the reduction of overtime. Chief Wright explains that his approach is quality of life aspect. Chief Wright has allowed for more flexibility among the full-time officers as well as the part-time officer's schedules.

- Mayor Woodard confirms and complements Chief Wright on his progress.

a. BWC Policy Draft: Chief Wright states that he is still waiting for the Tompkins County Sheriffs I.T. Department to update the system to make it compatible with the County. Chief Wright states that he is confident that they could put the cameras into action by the end of February.

- Trustee Robinson asks Chief Wright what the procedure is for reviewing or releasing video from BWC's. Chief Wright states that the procedure would follow the normal FOIL request process.

- Village Attorney R. Marcus states that the FOIL statute would be the first step before anything could be released to the public.

- Chief Wright states that the Village BWC policy states that every BWC report will get reviewed by the Chief of Police and Police Sergeant.

- Chief Wright informs the Board that he has included the NYCOM Police Reform Survey in the agenda. This helps support a better understanding of the policing process for Village residents. The next step is to solicit community feedback as part of the statewide police reform initiative. The police department has also participated in the Tompkins County reimaging police reform survey.

- Trustee McMurry suggests piggybacking off the County in their submission. Chief Wright is confident that his report to the State will be adequate even though the State has not given any guidance.

Mayor Woodard states that the Board of Trustees should schedule this public meeting. The Village of Cayuga Heights Public Meeting on Police Reform is scheduled for Tuesday, February 23rd, 2021 at 7:00 p.m.

Resolution: 8886

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules a Public Meeting to seek community input on the New York State mandates of Police Reform.

Motion: Trustee McMurry

Second: Trustee Biloski

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

Nays: none

Abstentions: none

Motion Carried

- Clerk Walker will update the website as well as send a notice of this public meeting in the next e-News blast.
- Chief Wright states that the NYCOM Survey was well attended and it was rewarding to see that his department was not lacking in any policies and procedures. Chief Wright further states that this survey is a good opportunity to educate the public on the how and why of policing.

9. Report of Director of DPW Wiese: Submitted Report (Exhibit 2021-042)

- Director Wiese states that Tompkins County did submit an application for FEMA Storm Relief on the Village's behalf but did not meet the threshold.
- Director Wiese states he is still trying to get clarification on when the DPW staff would qualify as essential and be able to receive the COVID-19 vaccine.

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 contract extension with Michele Palmer from Templeton Landscape. This extension mirrors the 2020 contract for grant support assistance in the Village WWTP upgrades.

Resolution: 8887

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign the Templeton Landscape proposal as written in Exhibit 2021-043.

Motion: Trustee Robinson

Second: Trustee Salton

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

Nays: none

Abstentions: none

Motion Carried

- B. Cross states that TG Miller has made significant progress on the hydrologic/hydraulic design of the new culverts in the right-sizing project. They used the mapping data to establish the watershed areas of each culvert and then converted this information into the projected water run-off volume. The normal local street design calls for the use of a 25-year storm reoccurrence interval, and state/federal highways are normally designed to a 50-year storm interval. For this state grant-funded project, TGM used the 50-year storm interval for their preliminary design. This has produced very large culverts that look like they could cause the cost to exceed the budget. TGM is going to estimate the price with the 50-year culverts, but if the cost is too high, then they will need to seek guidance from the NYSDEC and Climate Smart to determine what is the storm interval requirement to meet the grant funding criteria.

- All of the WWTP work required by the contract for Blue Heron has been completed (as documented by the establishment of Substantial Completion). This will allow Matco to re-mobilize to do the work that was waiting for the siding to be completed. A "punch list" has already been issued to Matco and Blue Heron (pending) so that they can clean up any outstanding issues before releasing their final payments.

- B. Cross reports that there was a WWTP emergency overflow on 12/24/20. Details were provided in the report that he prepared to the NYSDEC, and they have since been acknowledged by the NYSDEC. Subsequently, we have installed a new water level float sensor in the new headworks building that is connected to an alarm that will call Yaws to respond in the event of an overflow. B. Cross further states that he is working with GHD to understand what the NYSDEC allows for emergency overflow operation to help reduce the amount of time it takes to isolate/remove a blockage at the outlet. Such options could include a bypass valve or an overflow weir that would discharge into a conduit/channel to contain the flow without it spreading out into the driveway.

- In closing, B. Cross states that the contracts with Lecture and Matco for the new flow meters on Remington Road and electrical contracts have been signed, the equipment has been ordered, and a plan has been devised to allow for the initial installation to be done without the need of confined space entry protocols.

11. Report of Clerk Walker: Submitted Report (Exhibit 2021-044)

a. Public Employer Health Emergency Plan:

- Village Clerk Walker states that the Draft Public Employer Health Emergency Plan for the Village has been reviewed by all department heads as well as the Administration Committee. However, it still needs to be reviewed by the collective bargaining groups (DPW Teamsters and Police PBA members) and then again by the department heads before the Board can vote to adopt it.

b. 207 Cayuga Heights Road Water Bill:

- Village Clerk Walker states that he received a request of consideration from Village resident Elizabeth Ambrose. She is seeking relief from the last quarter's water bill which was \$1,909.64. The resident stated to Clerk Walker that Bolton Point has completed an inspected of her property and could not find any leaking water. E. Ambrose also stated it was determined that a hot tub is serviced monthly and water had not been shut off once the tub was filled. Bolton Point provided Village Clerk Walker with several water meter graphs showing the different events where water consumption was way up for 2-4 days at a time.

- Clerk Walker states the Board has in the past granted relief of a water bill when it has been determined that the water did not pass through the sanitary sewer system.

- Trustee Robinson suggests that if the Board does end up granting some relief of the sewer portion of the bill that this would be the only time.

Resolution: 8888

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves the reduction of sewer charges for the account that occurred at 207 Cayuga Heights Road. The amount is to be determined by an average quarterly amount. This credit will be applied to the next quarterly water bill.

Motion: Trustee Marshall

Second: Trustee Robinson

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 his firm will be merging with a larger firm based out of Syracuse, N.Y. named Bousquet Holstein PLLC.

13. Executive Session:

Resolution # 8889

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 according 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 (d) discussions regarding proposed, pending, or current litigation.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion carried

Resolution # 8890

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

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion carried

14. Adjournment: Mayor Woodard adjourns the meeting at 10:43 p.m.