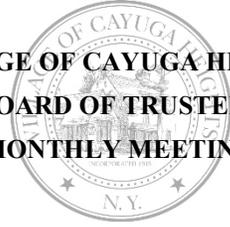


Minutes

Marcham Hall

VILLAGE OF CAYUGA HEIGHTS  
BOARD OF TRUSTEES  
MONTHLY MEETING



Wednesday, July 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 (arrives at 7:06 p.m.)

**1. Call to Order:** Mayor Woodard calls the meeting to order and welcomes the Board back in person at 7:02 p.m.

**2. Approval of Meeting Minutes: June 16, 2021 (Exhibit 2022-036)**

**Resolution # 9015**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves the June 16, 2021, Meeting Minutes as presented.

*Motion:* Trustee Robinson

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* Salton

**Motion Carried**

**3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2022-037)**

- Fire Superintendent Tamborelle states that the department received 70 (a record number) calls this month. The increase was related to the many storms that caused damage in the Village.
- Fire Superintendent Tamborelle states the new ladder truck will be ready for inspection this November.
- The CHFD will be conducting a fall recruit class.
- Trustee Salton inquires if there will be any Village hydrant testing this year.
- Fire Superintendent Tamborelle states that he has been trying for years to get Bolton Point to allow the fire department to test the hydrants. He further states that since Bolton Point provides the water to our hydrants therefor Bolton Point is the only entity allowed to test hydrants.
- Village Attorney R. Marcus states that the inter-municipal water agreement signed by the municipalities that utilize Bolton Point decided for consistency and uniformity to the physical facilities of the water system that only Bolton Point would be allowed to conduct testing.

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

**5. Report of Treasurer Laskaris:**

•Treasurer Laskaris states that she has spent the last month working on the Annual Update Document (AUD).

**Abstract # 2**

**Resolution: 9016**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves Abstract #2 for FYE2022 consisting of TA vouchers 4 -13 in the amount of \$37,456.55 and Consolidated Fund vouchers 35-132 in the amount of \$559,538.12 and the Treasurer is instructed to make payments thereon.

*Motion:* Trustee Robinson

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**6. Report of Mayor Woodard:**

**a. NYCLASS Update:** Last month Village Finance Committee recommends moving some municipal funds into this market fund where municipalities pool their resources to get better interest rates. There are no minimum amounts or minimum time for these deposits to be used and, as a municipality, there is no loss of principal.

•Mayor Woodard states that one idea would be to place all the property tax and ARF's monies into the NYCLASS fund and draw from that as needed.

•Trustee Hubbell is concerned that the Village could lose any principal invested. Trustee Rennekamp informs the Board that because this is money market is only for municipalities and there is no loss of principal.

•Treasurer Laskaris states that she spoke to Tompkins Trust Company (TTC) branch Manager Matt Valaik and he informed her that other municipalities are investing in NYCLASS and if the Village did move some money from their account to this money market account it would not affect our relationship with the TTC.

•Currently we are earning .1% on our savings with TTC. NYCLASS has stated we could be earning up to five times that. Trustee Hubbell would like more details on the yield NYCLASS has paid over the last few years.

**Resolution # 9017**

**WHEREAS,** New York General Municipal Law, Article 5-G Section 119-0 empowers municipal corporations (defined in Article 5-G Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts) to enter into, amend cancel, and terminate agreements for the performance among themselves of their respective functions, powers, and duties on a cooperative or contract basis;

**WHEREAS** the Village of Cayuga Heights wishes to invest portions of its available investment funds in

cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019, and,

**WHEREAS**, the Village of Cayuga Heights wishes to satisfy the safety and liquidity needs of their funds,

**NOW THEREFORE BE IT RESOLVED** that the Village Board of Trustees approves and authorizes Mayor Woodard to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019, and,

**FURTHER BE IT RESOLVED** that the Village Board of Trustees will not fund this account until after the Board of Trustees meeting on August 18, 2021.

*Motion:* Trustee Rennekamp

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* Hubbell

**Motion Carried**

**b. FYE 2020-2021 Fund Balance: (Exhibit 2022-040)**

•Mayor Woodard states that she has completed calculating the fund balance for the General, Water, and Sewer Fund. The General Fund has a year-end balance of around two million dollars. The Water Fund will be closely examined by the finance committee to determine the upcoming water and sewer rate. The Water Fund no longer has any debt attached to that account.

•Treasurer Laskaris states that the Village had a million-dollar water project that provided better water pressure to the lower Village and that bond was paid off this past year resulting in no debt on that fund.

**c. ARFP Update:** Last Month the Board agreed to fund several projects with the ARF money.

•Mayor Woodard states that the Village will be receiving \$184,068.50. At last month's Board of Trustees meeting, the Board ranked several projects that these funds. Mayor Woodard would like to propose adding a Village-wide water pressure study to the list. T.G. Miller conducted one fifteen years ago which resulted in the lower Village million-dollar water infrastructure project.

•B. Cross obtained a copy of the T.G. Miller study that was conducted fifteen years ago and shared it with the Board. He states that a new study and is estimated to cost between \$8,000 and \$10,000.

**d. Airbnb Update:**

•The Village is still waiting on the short-term rental monitoring company (LTAS Technologies) to provide information about who might be operating an Airbnb without a permit. Currently, we have 8 issued short-term rental permits for 2021. Based on a phone conversation LTAS Technologies is suggesting there are 28 using the Airbnb platform.

•Trustee Salton states that he believes there are workarounds to this monitoring, the Board agrees, but we need to make every effort to enforce the existing law.

•Village Clerk Walker passes around the Short-Term Rental Permit Log with the names and addresses of those who had or have an Airbnb rental.

**e. Kline Rd By-Pass Update:** the agreement has been made establishing an annual payment of \$10,500 to the Ithaca Area Wastewater Treatment Facility (IAWWTF) for the ability to send sewage to their plant. The Village will also pay \$1,100 per year for the ability to send sewage to the Ithaca plant.

•Mayor Woodard states that she received an email from Cynthia Brock requesting a modification to the agreement presented from the previous month. Mayor Woodard reached out to Bill Goodman from the Town of Ithaca, and he agreed another meeting should take place.

•Trustee Robinson who also attended the last meeting states that it was clear that all parties were on board.

•Mayor Woodard has re-asserted the fact that the Village will shut off the Kline Road By-Pass on August 15, 2021.

**f. Website Redesign-Flourish Design Studio:** The Village Administrative Committee recommends Flourish Design Studio to design and maintain the Village website.

•Mayor Woodard states that we will use the ARF's fund to pay for this. Attorney R. Marcus recommends the Board of Trustees passed a resolution supporting this decision.

•Trustee Marshall asks Clerk Walker what type of timetable for completing the re-design. Clerk Walker states that Flourish Design Studio estimated eight weeks.

#### **Resolution: 9018**

**BE IT RESOLVED THAT:** the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign the contract with Flourish Design Studios to design and maintain a new Village website for one year.

*Motion:* Trustee Salton

*Second:* Trustee McMurry

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

*Nays:* none

*Abstentions:* none

#### **Motion Carried**

**g. LED Update:** NYPA Contractors were in the Village this week to address non-communicating LED fixtures.

•B. Cross states that there were about six non-communicating and six that did not have power. The Village is still waiting for several other fixtures to be delivered and installed.

•Trustee Salton states that the North Triphammer decorative LED lights project light differently and need to be

addressed.

- B. Cross states that there have been several resident requests for some sort of adjustment, luckily those issues have been resolved with dimming. Once all the lights have been installed the Village will be signing a maintenance agreement with NYPA.

- Mayor Woodard states that by buying the streetlights directly from NYSEG versus financing them through NYPA the Village has avoided paying any interest to date.

**h. Appointment of Mark Tate and Daniel Szpiro to the Village ZBA:** The Village Zoning Board of Appeals accepted Jeff Sauer's resignations and Mart Tate will be taking his place. Daniel Szpiro will join the Board as the alternative that has been empty since Mark Eisner resigned.

- Mayor Woodard states that Mark Tate is a long-time resident and is a scientist at Cornell University. Daniel Szpiro is also a long-time resident and is a professor in the Samuel Curtis Johnson Graduate School of Management at Cornell University.

- Mayor Woodard would like to appoint Mark Tate to the Village Zoning Board of Appeals as a full voting member.

**Resolution # 9019**

**BE IT RESOLVED THAT:** The Board of Trustees approves the appointment of Mark Tate to the Village Zoning Board of Appeals to complete the term left vacant by former Board member Jeff Sauer.

*Motion:* Trustee Salton

*Second:* Trustee Robinson

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

- Mayor Woodard would like to appoint Daniel Szpiro to the Village Zoning Board of Appeals as an alternate voting member.

**Resolution # 9020**

**BE IT RESOLVED THAT:** The Board of Trustees approves the appointment of Daniel Szpiro as an alternate to the Village Zoning Board of Appeals.

*Motion:* Trustee McMurry

*Second:* Trustee Marshall

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

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

### **a. Walking Safe Cayuga Heights Update:**

- Trustee McMurry states that she has received the preliminary results of the architectural resources study from Fisher and Associates that the Village was asked to conduct as part of the Walking Safe Cayuga Heights sidewalk project. The results conclude that four of the five properties are eligible to register as historical structures.
- Trustee McMurry further states that once the historic resources office at NYSDOT reviews the study result then they will advise the Village of the next steps. As a result of this process, the Village will be requesting a 24-month extension for this project.
- Trustee Salton states that since we are going to have to wait even longer to start this project shouldn't we re-scope the cost of this project. We approved a project that was going to be done at a certain period of time. How is that approval even relevant anymore.
- B. Cross states that it would be valid to ask for an engineer's opinion of cost and if there is no impact then the design of the plan will not change.
- Trustee McMurry states that the 4 houses eligible are: 913 & 701 Wyckoff, 100 Sunset, 201 Cayuga Heights Road. Ironically 511 Kline Rd property that is already in the historic district was deemed non-historic.
- In Closing B. Cross states that at an NYSDOT Council Meeting it was brought to his attention by an attending DOT regional employee that the Village would not be expected to do any additional for this project to move forward.

### **8. Report of Police Chief Wright: Submitted Report (Exhibit 2022-041)**

- Chief Wright states that an individual who had a long history with the Village Police Department was arrested on a bench warrant from our Village Court. The subject was taken into custody by CHPD officers, arraigned, and remanded to Tompkins County Jail.
- Chief Wright states that part-time hours are up in order to cover vacations and training. Currently, we have two part-time positions available, and the goal will be to interview six candidates by the end of August.

### **9. Report of Director of DPW Wiese: Submitted Report (Exhibit 2022-042)**

- Director Wiese states that he is going to fill the seasonal employee position with formal employee Josh Randall. There is also a possibility of one or more DPW employees retiring in the near future.
- Director Wiese states that the sewer lines along Pleasant Grove Rd have been videotaped and the footage is being sent to Instiufirm Pipe Lining Technologies. He is hopeful that the sleeving of the sewer line will take place in September.
- The manhole work at the Kline Road bypass is complete and NYSEG will be installing electricity to operate the sewer meter followed by the installation of the diversion weir.
- Director Wiese states that the DPW also fixed a sewer line leak at the intersection of Kline Road and Hanshaw Road.

- Trustee Salton asks Director Wiese how he figured out there was a leak at that location. Director Wiese states that two years ago Drain Brain was hired to video camera off-road sewer lines. Through viewing the video footage it was determined that there was an issue there.

Trustees McMurry and Hubbell compliment the recent paving work. Director Wiese states that Seneca Paving Company does a great job for the Village.

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

- B. Cross states that the DPW staff has completed fixing the storm damage on the Marcham Hall greenhouse.

- B. Cross in an effort to ease any concerns displays a piece of 50-year-old water main pipe. B. Cross states that the pipe looks brand new. He is confident that we should not be as concerned about Village water infrastructure in preparation for the flow testing and T.G. Miller's report on water pressure.

- B. Cross States that the Planning and Design work by TG Miller Engineers continues on the Culvert Right-Sizing project for Cayuga Heights Road. In anticipation of the final design report, the Village will need to obtain 6-12 temporary easements from various landowners. B. Cross is hoping to present those easements at the August Board of Trustees Meeting.

- Trustee Marshall asks what if the landowner does not want to sign the easement. Village Attorney R. Marcus states that this would fall under eminent domain, and it would become a legal proceeding.

- There was a ribbon-cutting ceremony for the completion of phase 1 of the WWTP. That same morning GHD had a phase 2 pre-construction meeting with all the contractors. We did learn in that meeting that the general contractor is not going to do any physical construction in this calendar year. The equipment they will be installing for the digestive covers is very unique and require a significant amount of design time to make sure it works. The next step will be to find a source that can handle the WWTP liquid sludge during the time the current digesters are being replaced.

- Trustee Salton would like to know how long we will need to outsource the sludge B. Cross states that it could be up to 6 months. B. Cross is hoping that the Ithaca Area Wastewater Treatment Facility will be able to process that sludge during that period of construction.

- Village Attorney R. Marcus asks if the IAWWTF is not able to take the WWTP sludge then where is the next nearest facility that could? B. Cross states that Yaw's (who manages the Village WWTP) has reached out to Watkins Glen, Auburn, Cortland, and Corning area.

- Trustee Robinson thanks B. Cross for organizing the ribbon-cutting ceremony at the WWTP.

#### **11. Report of Clerk Walker: Submitted Report (Exhibit 2022-043)**

- Clerk Walker states that to date the Village has collected \$2,895,545.75 in property taxes leaving around \$65,000 remaining.

- Clerk Walker states that the new Kiersten (information aid) is doing a great job familiarizing herself with all aspects of the job and is a quick learner.

•In closing Clerk Walker informs the Board that he has communicated with several audio/video companies and he will be presenting to the Administrative Committee three proposals to set up Marcham Hall for video conferencing.

•Trustee Salton suggests that the Village IT Committee review this information and make a determination to the Board.

**12. Report of Attorney Marcus:**

•Village Attorney R. Marcus states that there is no new information on the topic of last month's Executive Session.

**13. Executive Session:** The Board enters Executive Session at 9:22 p.m.

**Resolution: 9021**

**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 has been conducted for the purposes of subsection (D) discussions regarding proposed, pending, or current litigation.

*Motion:* Trustee Robinson

*Second:* Trustee Salton

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

*Nays:* none

*Abstentions:* none

**Motion Carried**

**Resolution: 9022**

**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**

**13. Adjournment:** Mayor Woodard adjourns the meeting at 10.18 p.m.

DRAFT