

**EXHIBIT 2024-133
VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING**

**January 17, 2024
7:00 p.m.**

Zoom ID # 4118425407

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

Absent: Trustee Rennekamp

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

2a. Approval of the December 20, 2023 Meeting Minutes (Exhibit 2024-124)

Resolution: 9527

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the December 20, 2023, Board Meeting Minutes as presented.

Motion: Trustee Biloski

Second: Trustee Salton

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

Nays: none

Abstentions: none

Motion Carried

3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2024-125)

- Fire Superintendent Tamborelle states that the department ended 2023 with 624 calls for service which is about seventy-five calls above the previous year.
- Fire Superintendent Tamborelle states he has started the NYS Grant application for the twenty-five air packs that the station is looking to replace.
- Fire Superintendent Tamborelle states that the Annual Installation Banquet will be held on April 13, 2024, at Lake Watch.
- Mayor Woodard asks about the Lansing fire the department was called in to assist with.
- Fire Superintendent Tamborelle states that they were called to Lansing for a working apartment fire on Uptown Road. E203 and we arrived on the scene within 5 minutes after dispatch to find a fully involved second-floor apartment fire with flames extending out of the back of the building.

•Fire Superintendent Tamborelle states that the E203 crews rapidly deployed a handline to the back of the building to initiate an exterior attack while two other crews prepared to attack the fire from the front door. Due to a building design feature that we were unaware of the fire had extended into an exterior architectural feature. of the structure and extended from the second floor to the building past the third floor on the exterior of the building and got into the roof line. This caused the fire to spread to the roof and then involved the third-floor apartments.

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

5. Report of Treasurer Dolch: Submitted Report (Exhibit 2024-126)

•Treasurer Dolch states that the December month-end bank-to-book reconciliation is complete and has been signed off by Deputy Treasurer Rennekamp.

•Treasurer Dolch states that the budget worksheets for FY2025 have been sent to all department heads and BOT members as shared documents for A (General), F (water), and G (sewer) Funds. She would like entries for each account to be made by the person responsible as soon as possible.

•Treasurer Dolch states that The budget workshop will be on Saturday, March 16th at 9:00 a.m. at Marcham Hall.

•Treasurer Dolch states that we have been invoiced from NYPA for the Village LED Streetlights in the amount of \$215,003.22. The Finance team recommends that we pay the budgeted \$30,000 reallocate \$70,000 from ARPA funds and pay the balance from the fund balance.

•Mayor Woodard states that the team looked at financing the whole amount but with interest rates at 7% fixed it does not make sense.

Resolution: 9528

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves reallocating \$60,000 from the ARPA Marcham Hall Chimney project and \$10,000 from ARPA Hydrant Flushing to ARPA Street Lights for a total amount of \$70,000 in ARPA funds.

Motion: Trustee Hubbell

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

•B. Cross states that the Chimney work could be done for much less and it is just a matter of finding a mason company to come give us a cost analysis for the repair.

•Mayor Woodard states that the ARPA money has to be spent before the end of this year.

Motion Carried

Resolution: 9529

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves reallocating \$115,003.22 from the Fund Balance to NYPA Streetlights (A5182.410)

Motion: Trustee Biloski

Second: Trustee Hubbell

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

•Treasurer Dolch states that the only thing remaining on her report is the approval of the Abstract.

Approval of Abstract 8:

Resolution: 9530

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves Abstract #8 for FYE2024 consisting of TA vouchers #54-61 in the amount of \$15,759.96 and Consolidated Fund vouchers #529-606 in the amount of \$568,999.40 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Robinson

Second: Trustee Hubbell

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

6. Report of Mayor Woodard

a.Public Hearing on Proposed Local Law F of the year 2023.

-Mayor Woodard opens the Public Hearing at 7:15 p.m.

•Hearing no one wishing to speak

-Mayor Woodard closes the Public Hearing at 7:15 p.m.

•Mayor Woodard states that some language in the current Village Zoning Law Code is obsolete when it comes to site plan review and subdivisions.

Resolution: 9531

**VILLAGE OF CAYUGA HEIGHTS
DRAFT
PROPOSED LOCAL LAW F OF THE YEAR 2023**

**A LOCAL LAW TO AMEND THE CODE OF
THE VILLAGE OF CAYUGA HEIGHTS
CHAPTER 305, "ZONING," ARTICLE XVII, "SITE PLAN REVIEW,"
SECTION 305-116, "APPLICABILITY"**

TO REMOVE THE REQUIREMENT OF SITE PLAN REVIEW FOR ALL SUBDIVISIONS OF LAND

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

SECTION I PURPOSE AND INTENT

The Village's Board of Trustees (the "Board") has been advised that the terms of Village Code Chapter 305, Article XVII, Subsection 305-116(A)(3) conflict with the intent of the 2018 revision to the Village Zoning Law. Prior to its 2018 revision, the Village Zoning Law contained a single Site Plan Review Section, which included Subsections for reviewing the improvement of an existing site and for reviewing a subdivision, each with its own criteria for review. The 2018 revision separated these Subsections into their own Articles, one for Site Plan Review and one for Subdivision Review, each still with its own criteria for review. However, the 2018 revision failed to remove a line of text – Subsection 305-116(A)(3) – that requires Site Plan Review for a subdivision of land in any zoning district. This was not the intent of the Board in passing the 2018 revision as the Village Planning Board does not conduct Site Plan Review when reviewing a subdivision. The intent of this Local Law is to remove the outdated Subsection and to relabel the subsequent subsection. The purpose of this Local Law is to revise the text of Village Code Chapter 305, Article V, Subsection 305-116 to delete Subsection 305-116(A)(3) and to relabel Subsection 305-116(A)(4) accordingly.

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 305-116, "APPLICABILITY"

In Chapter 305 of the Village Code, "Zoning," Article XVII, "Site Plan Review," Subsection 305-116, "Applicability," Subsection (A)(3), is hereby deleted. As a result, the former Subsection (A)(4) shall hereinafter be referred to as Subsection (A)(3).

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.

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees adopts Proposed Local Law F of the year 2023 as Local Law 1 of the year 2024.

Motion: Trustee Biloski

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

b. Budget Schedule:

•Mayor Woodard states that we will follow the same procedure as last year. She would like to propose holding the Village FYE 2024-2025 Budget Workshop on March 16, 2024, from 9:00 a.m. to Noon at Marcham Hall.

Resolution: 9532

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules a Public Meeting on the Proposed FYE 2024-2025 Village Budget to be held on March 16, 2024, from 9:00 a.m. to Noon at Marcham Hall.

Motion: Trustee Biloski

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

c. Sidewalk Projects Update: The Village is close to starting the Walking Safe Cayuga Heights Sidewalk Project

next spring and begin design plans for the Cayuga Heights Road Sidewalk Project.

- B. Cross states that Bothar Construction LLC which was awarded the Walking Safe Sidewalk Project is ready for Fisher and Associates to open discussions on the scope of services for the remaining sections of the project that have not been part of the base bid of \$382,000.

- B. Cross states that the goal now would be to present three options; 1. How much work can be done with the exact amount of the budget that we have agreed to? 2. How much more money over that amount would we have to produce to complete the structural aspect of the work (DPW to do the rest) all the way to Cayuga Heights Road? 3. Would be to have the cost to have the contractor do all the work.

- Mayor Woodard would like to know when this project will be completed and will continue to employ Fisher and Associates to oversee the work.

- B. Cross states that the goal is to complete this project before next September and Fisher and Associates is still working on this project even though we do not have a contract for the scope of services for the remainder of this project.

- Village Attorney R. Marcus inquires why Fisher and Associates have not shown interest in producing a contract.

- B. Cross states that he is not sure why but assumes that one will be drawn up soon.

- Trustee Salton states that he feels like there is more information that is not being talked about and wants to know what the normal timeline is for a project at this stage.

- B. Cross states that the consultant (Fisher and Associates) would provide a scope of services contract for the Board to approve.

- Village Attorney R. Marcus states that his concern is that without a contract there are no indemnification provisions to protect the Village if the contractor does something wrong that burdens the Village financially.

- Trustee Robinson states that Fisher and Associates has not been up to our standards on this project and the question now is do we keep them or not for the last part of this project.

- B. Cross states that we might want to enter into an executive session to discuss this in more detail.

- Village Attorney R. Marcus states that the Village can enter into Executive session for reason (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

- The Board enters into Executive Session at 7:29 p.m.

Resolution: 9533

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 (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 Salton

Second: Trustee Hubbell

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

Resolution: 9534

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees exits Executive Session and returns to an open meeting at 7:50 p.m.

Motion: Trustee Marshall

Second: Trustee Salton

Ayes: Mayor Woodard; Trustees: Biloski, Hubbell, Marshall, Robinson, and Salton Nays: none

Abstentions: none

Motion Carried

•B. Cross states that the Cayuga Heights Road Sidewalk Project is moving forward. Last week they had a project kick-off meeting with Hunt Engineering and NYSDOT.

•B. Cross states that Hunt Engineering has a consultant (Lou Engineering) who will be responsible for the environmental field surveying.

•B. Cross states that we are still looking to complete the design plan by August of 2025, which builds in time for the temporary Right of Way easements and construction done in 2026.

d. Property Maintenance Taskforce Update:

•Mayor Woodard states that the group is hoping to have a final draft of the changes available to the Board at the February meeting and then schedule the Public Hearing for March 20th, 2024.

•Mayor Woodard states that next month the group will be working on definitions of meadows, pollinator gardens, and where if anywhere they would be allowed.

e. Street Light Maintenance Contract:

- Mayor Woodard states that the NYPA maintenance contract is up for renewal.
- Mayor Woodard states that the Village Public Works and Finance Committee have both discussed this renewal and have decided not to renew this agreement. The groups agreed to find someone local who could be available in a timely manner.
- Trustee Salton states that his concern would be if we do not use NYPA will the Village miss modern technology or upgrade to the LEDs we currently have?
- Mayor Woodard states that NYPA is more of a middleman in this process. We are now at the point where we need to use them.
- B. Cross states that the next evolution in street lighting will be when the Public Service Commission (PSC) decides they are going to force NYSEG or other suppliers to all billing through individual meters.

7. Report of the Trustees: No reports at this time.

8. Report of Superintendent of Public Works Cross:

a. Culvert Project on Cayuga Heights Road (Renwick Brook)

- B. Cross states that the large diameter culvert that conveys Renwick Brook under Cayuga Heights Road is in serious need of replacement. Last year, the Village applied for an NYSDOT Bridge-NY grant (100% reimbursement program) to help pay for an estimated \$1,250,000 cost for a full replacement project. Unfortunately, the NYSDOT did not have enough funds to pay for projects over \$1,000,000, so our project did not get funded.
- B. Cross states that since then, NYSDOT has announced another round of Bridge-NY funding programs for projects up to \$1,500,000. T.G. Miller was the consultant who previously helped us put the application together. They are available to help us again and think it will only take about \$1,000 of their time to re-package the documents so that they will be updated to the new application.
- B. Cross states that he will need a resolution authorizing him or Mayor Woodard to sign the application.

Resolution: 9535

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard and or Village Engineer Brent Cross to sign the NYSDOT Bridge NY Grant Program Application

Motion: Trustee Biloski
Second: Trustee Hubbell
Ayes: Mayor Woodard; Trustees: Biloski, Hubbell, Marshall, Robinson, and Salton
Nays: none

Abstentions: none

•B. Cross states that he is confident that our application is more robust than last year with the updated work T.G. Miller has completed and letters of support from neighbors adjacent to the project.

Motion Carried

b. Intermunicipal Code Enforcement Contract with the City of Ithaca: This agreement has been in place since 1995 and is up for renewal.

•B. Cross states that this agreement allows the City of Ithaca to conduct fire inspections for certain properties that cross Village boundaries.

Resolution: 9536

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves and authorizes Mayor Woodard to sign the Intermunicipal Fire Safety Inspection with the City of Ithaca with a new agreement to include fixing the typographical errors and a clause that the contract will automatically renew each year.

Motion: Trustee Hubbell

Second: Trustee Marshall

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

9. Report of Police Chief Wright: Submitted Report (Exhibit 2024-130)

•Chief Wright states that Sergeant Manning has painted all the trim and walls in the patrol office. The flooring should be delivered in a couple of weeks.

•Chief Wright states that he is appreciative of the building upgrades to his department through the Marcham Hall budget line.

•Chief Wright states that there is no update on when the new patrol vehicle will be completed from Bush Electronics.

•Chief Wright states that the department has put in for a grant to replace the patrol radios. They will know the outcome in the next few days.

•Mayor Woodard asks Chief Wright why there was a noise violation for children playing outside.

•Chief Wright states that the officers use their discretion on calls like this. We have to gather as much information as possible before we respond to the parties involved.

10. Report of Director of DPW Wiese: Submitted Report (Exhibit 2024-131)

- Director Wiese states that P. Potter retired from the DPW at the end of the year with sixteen years of service. He was a dedicated employee, and we will all miss him.
- Director Wiese states that with P. Potter retired he would like to promote Terry. O’Pray from his current position as a laborer with a CDL to the position of Motor Equipment Operator.

Resolution: 9537

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves promoting Terry O’Pray from Village Laborer with a CDL to the position of Motor Equipment Operator at the hire rate of \$26.24.

Motion: Trustee Marshall

Second: Trustee Robinson

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

- Director Wiese states that there will be a company coming in next week to line nine manholes that are allowing groundwater to seep into the sanitary sewer lines. The manholes involved are primarily in the old part of the Village.
- Director Wiese states that T.G. Miller has completed the report for the I-Trackers. This is a move in the right direction for determining the sources of our I & I.
- Director Wiese states that he has a new plan for the aging Village Garbage Truck. There is a larger plow truck that is due to come this summer (F-650) and the plan is to keep the older truck it is replacing, remove the box on that truck, and add a new garbage hopper instead of a standard dump box.
- Director Wiese states that he would like to ask for a resolution approving a Purchase Order for the hopper
- Trustee Robinson states that he would like to know the expected life of the truck with the new hopper and what would be the expected life of the hopper itself.
- Director Wiese states that a hopper can last thirty years or so. The only reason the one truck has a bad box is because when it was installed, they never installed a fender well to protect the hopper. Since noticing that we have made sure all our vehicles have some sort of plastic wells to protect the boxes and hoppers.
- Director Wiese states that this money will come from next year’s budget.

Resolution: 9538

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves the Purchase Order to Hacker's Packers for one garbage truck hopper in the amount of \$71,402.00 P.O. Number 6038.

Motion: Trustee Salton

Second: Trustee Robinson

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson, and Salton

Nays: none

Abstentions: none

Motion Carried

•Director Wiese states the DPW is still working on a recent technology for the cutting-edge for the plow trucks. The original idea did not work for our roads, so we are now trying to use a firm rubber that has plastic built into it. The idea for this process is to have a better way to move snow off the roads which will allow us to use less salt on the Village roads.

11. Report of Clerk Walker: Submitted Report (Exhibit 2024-132)

•Clerk Walker states that he does not have any action item for the Board tonight.

•Clerk Walker states that this will allow all participants to have on file a general resolution supporting the additional members or for any MCA changes.

•Clerk Walker states that the office will be launching a Public Clerk QuickPay link for our website soon. This will allow us to receive payments for permits at the time of submission.

•Clerk Walker states that we are participating in the National Nutrition Month (March) where we will have a food drive and collect donations here at Marcham Hall. This is in conjunction with the Greater Tompkins County Municipal Health Insurance Consortium.

•Clerk Walker states that March 15th, 2024 will be Village Employee Appreciation Day. We will hold lunch in the CHFD Bays from 11:00 a.m. to 1:00 p.m. At this gathering, we will also honor Justice Galbreath, Court Clerk P. Kannus, Trustee J. Marshall, and former DPW member P. Potter. We will also be acknowledging other staff members for their years of service.

12. Report of Attorney R. Marcus: No report at this time.

13. Executive Session:

Resolution: 9539

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 (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

Marshall

Second:

Trustee

Hubbell

Ayes: Mayor Woodard; Trustees: Bilsoki, Hubbell, Marshall, Robinson,
and Salton

Nays: none

Abstentions: none

Motion Carried

14. Adjournment: Mayor Woodard adjourns the meeting at 8:54 p.m.