



[Zoom Link 4118425407](#)
Village of Cayuga Heights
Board of Trustees Monthly Meeting
September 21, 2022 7:00 p.m.

EXHIBIT/PAGE

1. Call To Order	
2a. Approval of August 17th, 2022 Meeting Minutes	2023-061 pgs. 2-21
2b. Approval of September 7 th , 2022 Meeting Minutes	2023-062 pgs. 22-23
3. Report of the Fire Superintendent Tamborelle: Submitted Report	2023-063 pgs. 24-25
a. Cayuga Heights Fire Company Letter	2023-064 pg. 26
4. Privilege of the Floor:	
5. Report of Treasurer Dolch: Submitted Report	2023-065 pgs. 27-28
6. Report of Mayor Woodard	
a. Appointment of Jennifer Biloski as a Village Trustee	
b. Public Hearing on 2213 N. Triphammer Rd. Property Maintenance Violation	
c. Public Hearing on 325 Highland Rd. Property Maintenance Violation	
d. Public Hearing on Proposed Local Law - C of 2022 Sewer Rate	2023-066 pg. 29-30
f. Schedule a Public Hearing on Proposed Local Law - D of 2022 Short-term Rentals	2023-067 pgs. 31-32
g. RaNic PDZ	2023-068 pgs. 33-51
7. Report of the Trustees	
8. Report of Police Chief Wright: Submitted Report	2023-069 pgs. 52-53
9. Report of Director of Public Works Wiese: Submitted Report	2023-070 pg. 54
10. Report of Superintendent of Public Works Cross:	
a. Change Order F.P. Kane	2023-071 pg. 55-56
b. GHD Dairy One Study	2023-072 pg. 57
11. Report of Clerk Walker: Submitted Report	2023-073 pgs. 58-61
12. Report of Village Attorney:	
13. Adjournment	

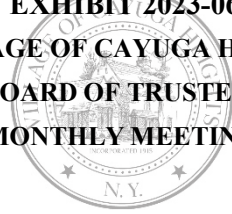
EXHIBIT 2023-061

Minutes

Meeting ID # 4118425407

**VILLAGE OF CAYUGA HEIGHTS
BOARD OF TRUSTEES
MONTHLY MEETING**

Wednesday, August 17, 2022 Zoom



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

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

2. Approval of Meeting Minutes: July 20, 2022 (Exhibit 2023-047)

Resolution # 9239

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves the July 20, 2022 Meeting minutes as presented.

Motion: Trustee Hubbell

Second: Trustee Rennekamp

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

Nays: none

Abstentions: Salton

Motion Carried

3. Report of Fire Superintendent Tamborelle: Submitted Report (Exhibit 2023-048)

•Fire Superintendent Tamborelle states that movie night was very successful even though they had to cancel one night due to extreme heat.

•Mayor Woodard inquires to the possibility of the fire department purchasing an electric pickup truck.

•Superintendent Tamborelle states that the lead time to get one is unknown and there is no inventory available. The Ford F-150 that is currently on order is a hybrid vehicle.

•Superintendent Tamborelle states that the only action item he has is the resolution supporting the purchase of a new chief's vehicle with the Hanselman Trust funds.

Resolution # 9240

WHEREAS The Village of Cayuga Heights Fire Department is the beneficiary of the Hanselman Family Trusts; and

WHEREAS, The Village of Cayuga Heights Fire Department has determined that there exists a need to replace U243 which was originally purchased with funds from the Hanselman Trust; and

WHEREAS, The Village of Cayuga Heights Fire Department has determined that it would best benefit the fire department and Hanselman Trust to sell at auction the existing vehicle apply monies received for U243 directly to decrease the end cost of the new vehicle; and

WHEREAS, The Cayuga Heights Fire Department has received quotes for the purchase of the vehicle at NYS

Contract Pricing and for outfitting the vehicle; and

WHEREAS the Village of Cayuga Heights Public Safety committee recommends the purchase of a 2023 Tahoe.

NOW, THEREFORE, BE IT RESOLVED THAT:

Approval is granted to purchase a 2023 Tahoe at NYS contract pricing plus the cost of outfitting the vehicle for service not to exceed \$51,000, the expenditure will be reimbursed to the Village of Cayuga Heights from the Hanselman Fund proceeds.

Motion: Trustee Hubbell

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

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

5. Report of Treasurer Dolch: Submitted Report (Exhibit 2023-050)

- Village Treasurer Dolch states that the Village Finance Committee has reviewed the INSERO annual audit and is ready to send it to the Office of the State Comptroller (OSC). This will allow them to finalize last year's AUD and also allow us to start this year's AUD.

- Village Treasurer Dolch states that the Village Finance Committee has discussed an audit proposal from another company.

- Village Treasurer Dolch states that she needs the resolution to allocate money received as part of the Road Use Agreement with Cornell University.

Resolution: 9241

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves the creation of expense account A5112.430 (Street Capital Improvement – Pleasant Grove) with a budget of \$285,000 from the Cornell Road Use Agreement.

Motion: Trustee Rennekamp

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

Approval of Abstract # 3

Resolution: 9242

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees approves Abstract #3 for FYE2022 consisting of TA vouchers 16-23 in the amount of \$14,648.79 and Consolidated Fund vouchers 121-195 in the amount of \$775,439.48 and the Treasurer is instructed to make payments thereon.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

•In closing Village, Mayor Woodard states that we are done with the fiscal year 2021-2022.

6. Report of Mayor Woodard:

a. Public Hearing on Proposed Local Law B-2022 Property Maintenance.

•Mayor Woodard opens the Public Hearing at 7:10 p.m.

•Mayor Woodard closes the Public Hearing at 7:11 p.m.

•Village Attorney R. Marcus states that this Local Law is an exempt action under 617.5C section 26 & 33 the adoption of a local law in connection with continuing agency administration and management.

Resolution: 9243

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees adopts Proposed Local Law -B of 2022 as Local Law #2 of 2022 and this is an exempt action under 617.5C section 26 & 33 the adoption of a local law in connection with continuing agency administration and management.

Motion: Trustee Robinson

Second: Trustee Rennekamp

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

Nays: none

Abstentions: none

Motion Carried

**VILLAGE OF CAYUGA HEIGHTS
PROPOSED LOCAL LAW 2 OF THE YEAR 2022
A LOCAL LAW TO AMEND
THE VILLAGE OF CAYUGA HEIGHTS CODE CHAPTER 305, "ZONING,"
ARTICLE XIII, "PROPERTY MAINTENANCE"**

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

SECTION I PURPOSE AND INTENT

The Village’s Board of Trustees has found that, in such cases, as a property owner has violated the requirements of Article XIII, "Property Maintenance," of Chapter 305, "Zoning," of the Village Code, such violation threatens the health, safety, and welfare of Village residents, may create fire hazards, may endanger the environment and groundwater, may lead to infestation by insects, vermin or rodents may cause depreciation of property values, and has a deteriorating and blighting effect upon the neighborhood and community. The Village Board has determined that a violation of said Article XIII constitutes a public nuisance. The Village Board has determined further that the Village should undertake remedial action to abate such nuisances, and that in such instances that the Village undertakes such abatement, the Village should recover the cost of such abatement, and the Village should have the opportunity to do so by placing a lien upon the subject property. The purpose of this Local Law is to modify the text of Village Code Chapter 305, Article XIII as states below.

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 VILLAGE CODE SECTION CHAPTER 305, "ZONING,"
ARTICLE XIII," "PROPERTY MAINTENANCE"**

The following provisions shall be added to subsection 305-96, "Enforcement," of Article XIII, "Property Maintenance," of Chapter 305, "Zoning," of the Village Code.

- C. Upon the failure of the owner to comply with a notice to remedy a violation of Section 305-95 above, the Village Board may hold a public hearing. The public hearing shall be held upon notice posted conspicuously on the subject property and forwarded to the last known address of the property owner, as it appears on the current tax records of the Village, by certified mail, return receipt requested. Posting and service of such notice shall be not less than fifteen (15) calendar days prior to the date of such hearing. The notice posted shall be not less than 11" by 17" in size, affixed to a stake placed in the front yard of the subject property, and shall include a statement of the violation and the date, time, and location of the public hearing,
- D. The Village Board, after the public hearing as provided in subsection C above, may determine that the subject violation of Section 305-95 above must be remediated, and order the owner of the property to complete such remediation within thirty (30) days of the date of such order. Such order shall be delivered to the property owner in the same manner as the notice of the public hearing described in subsection C above.
- E. In the event that the violation has not been remedied in accordance with the order of the Village Board within thirty (30) days of the date of such order, the Village may perform such remediation. Said remediation may be performed by the Village's Department of Public Works or other designee, including a private contractor. The Village Board shall ascertain the total costs of the remediation, and such costs shall be charged and assessed against the owner of the subject property.

The costs so assessed shall constitute a lien and charge on the real property on which such lien is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Village charges against such real property.

- F. If the Village Board determines, in accordance with the foregoing procedures, that the violation must be remediated, the Village Board also may determine that the violation is or may become ongoing or recurring, such as the failure to maintain the height of growth in a lawn area, in which event such ongoing or recurring violation shall be subject to the Village's performance of remediation in accordance with subsection E above on an ongoing or recurring basis, without further notification to the property owner, or posting of such violation, or additional public hearing or further determination by the Village Board. The costs of all such ongoing or recurring remediation by the Village shall constitute a lien on the subject property and collected as provided in subsection E above.
- G. The remediation of any violation of the requirements of Section 305-95 above by the Village or its agents shall not operate to excuse the owner from properly maintaining any premises as required by this article, and such owner shall, notwithstanding such action, be subject to any other penalties provided for herein.

SECTION IV 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 V 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 VI 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.

- Clerk Walker states that he has one quote for lawn maintenance for the two properties that are vacant. He also states that the details of the proposal will have to be sorted out before the Village will agree to hire a mowing company.
- Trustee Marshall asks if there have been any specific details on how often a lawn is mowed or is it entirely up to the mowing service.
- Village Attorney R. Marcus states that the primary focus of this local law is to add to the Villages existing property maintenance law a set of provisions regarding adequate notice to satisfy the constitutional requirements for notice to property owners before the Village enters their property.
- Village Attorney R. Marcus also states that first we need to pass this local law. Then a notice sent to the property owners advising them of the need for maintenance. If they fail to comply, then the Board would schedule a Public Hearing to consider any action that needs to be taken.
- Trustee Salton states that the law states that the grass has to be so long to fall out of compliance. So, if the Village hires someone to mow every week, then the property owner would not fall out of compliance and therefore property

owner would not be responsible for the cost of that mowing service that was completed during the time the grass height was compliant.

- Village Attorney R. Marcus suggests that the Village engage with a mowing service only at the point in which the grass exceeds the height limit.

- Trustee Robinson states that he views this local law that once the Board has issued a notice of violation the Village can hire out to remedy the situation and would only be called back to the property when in this case the lawn fell out of compliance.

- Village Attorney R. Marcus agrees. The Village could hire a contractor to come to mow at the point the lawn reached ten inches or more.

- B. Cross states that he is concerned that we would not be keeping the property to the standards of the neighborhood if we approached this violation in that manner then the normal compliance of the neighborhood will never happen.

- Village Attorney R. Marcus suggests that the Village Board of Trustees revisit the height limitations and reduce them.

- Trustee Marshall asks Village Attorney R. Marcus if there is any precedent for enabling a system that would encourage people to meet the compliance before corrective action by the Board. If the only precedent that can be found requires that the limits be exceeded, then it seems counterproductive to what we want to accomplish.

- Village Attorney states that the Village could not have two separate limits, one for the violators and one for everyone else.

- Mayor Woodard suggests lowering the grass height to five inches.

- Trustee Salton states that is not reasonable.

- Trustee Marshall states that lowering the height of grass would solve the problem as long as we could use discretionary judgment when determining a violation.

- Village Attorney R. Marcus states that the only compromise he could come up with is to arrange with the contractor that their duty is to prevent a violation from occurring.

- B. Cross states that allowing the lawn to go beyond the ten-inch height just to establish a violation is going to cost more to the property owner since the contractor is going to have to spend more time getting the lawn back into shape versus just mowing it consistently.

- Trustee Salton states that he agrees that it will cost more. However at least we will be within the bounds of the law, and we can establish proof that this is not just a regular mowing.

- Mayor Woodard states that we should have the ability to differentiate a situation where we have a vacant property versus an occupied property. Then take care of the property and continue to try to contact the owner while still maintaining the property.

- Trustee Salton states that he agrees and further states that we should be able to exercise our authority through an administrative order through zoning.
- Village Attorney R. Marcus states that this local law does address those issues. Under this new local law, after a public hearing, the Board has the authority to either hire a contractor to remedy the violation or do the maintenance ourselves.
- Village Attorney R. Marcus states that the Board should schedule a public hearing on the two known vacant properties and be ready to hire a contractor to maintain the properties going forward.
- B. Cross states that for the record a member of the public expressed to him their concern that this proposed local law gives the Village Board too much power over private property. The resident was also concerned that the Village Board would have the authority to come at any point in time and mow their law and then send them a bill for the service.
- Attorney R. Marcus states that is certainly far from the case of what the Board is allowed to do under this local law.
- Attorney R. Marcus states that he had a chance to identify the responsible party for the two vacant properties. The 2213 N. Triphammer Rd. has no mortgage. On 325 Highland Rd. Property there seem to be two mortgages through Quicken Loans.

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

Motion Carried

- Attorney R. Marcus states that the Board should now schedule a Public Hearing for both properties.

Resolution: 9244

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules a Public Hearing on a property maintenance violation for 2213 N. Triphammer Road on September 21, 2022, at 7:05 p.m.

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

Motion Carried

Resolution: 9245

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules a Public Hearing on a property maintenance violation for 325 Highland Road on September 21, 2022, at 7:10 p.m.

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

Motion Carried

b. Water Rate: The Village Board of Trustees needs to establish the 2023 water rate. The Commission approved a 4.5% increase to our water rate for 2023. The minimum bill will continue to be based on 5,000 gallons. Effective 1/1/23 the water rate will be **\$6.03/1,000** gallons with a minimum bill amount of **\$30.15** for 5,000 gallons.

Resolution: 9246

WHEREAS, the Village of Cayuga Heights is served by the Southern Cayuga Lake Intermunicipal Water Commission; and

WHEREAS, the Village of Cayuga Heights has entered into an amended, supplemental, restates, and consolidated agreement of municipal cooperation for the construction, financing, and operation of an inter-municipal water supply and transmission system dated as of June 5, 1979 as the same has been amended from time to time (the "Agreement"); and

WHEREAS, pursuant to the Agreement, the Village of Cayuga Heights agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as "Commission"), water revenues based upon, in part, a water rate billing structure based on a quarterly 5,000 gallon minimum; and Bolton Point rate is \$6.03 per 1000 gallons, and the Village of Cayuga Heights surcharge is \$11.58 per 1000 gallons.

WHEREAS, in consideration of the premises and the mutual undertakings of the parties pursuant to the Agreement, the parties agreed to amend the Agreement effective January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED THAT, the Village of Cayuga Heights Board of Trustees authorizes and approves the new Village of Cayuga Heights water rate to \$11.58 per 1000 gallons consumed effective January 1, 2023.

•Mayor Woodard states that the Village Finance Committee agreed to raise the rate by 92% of the Bolton Point rate. Part of the reasoning is that the Village needs to build some fund balance for future lead pipe projects.

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

Motion Carried

c. Schedule a Public Hearing on Proposed Local Law C of 2022 – Annual Sewer Rate: The Village Finance Committee has discussed sewer rates at this month's meeting. The Village still owes the Town of Ithaca \$124,000 for the Kline Rd. Bypass and loan payments for Phases 1 and 2 of the WWTP will begin.

•Mayor Woodard states that the rate is a significant increase. Part of this increase to the outside municipality is due to the request of other users of the WWTP to build in the cost for the GHD I & I Study.

Section I. PURPOSE

The purpose of this Local Law is to establish annual sewer rates of \$4.00/1000 gallons consumed for inside users and a rate of \$6.00/1000 gallons used for outside users, as defined in articles XII, Sewer Rents, of the Village of Cayuga Heights Articles.

Section II. AUTHORITY

This Local Law is enacted pursuant to the grant of powers of local governments provided for in (i) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or 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, (ii) General Municipal Law Article 14-F, (iii) General Municipal Law Sections 451 and 452, and (iv) Village Law Article 14.

Section III. ESTABLISHMENT OF SEWER RATES

As of January 1, 2023, annual sewer rates shall be established at a rate of \$4.00/1000 gallons used for the treatment of wastewater originating from properties located within the Village and a rate of \$6.00/1000 gallons used for the treatment of wastewater originating from properties located outside of the Village.

Section IV. SUPERSEDING EFFECT

All Local Laws, 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.

Section V. VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without the such invalid provision.

Section VI. 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.

Resolution: 9247

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees hereby schedules a Public Hearing on Proposed Local Law C of 2022 – Annual Sewer Rates on September 21, 2022, at 7:02 p.m.

Motion: Trustee Robinson

Second: Trustee Rennekamp

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

Nays: none

Abstentions:

Motion Carried

d. Lake View Cemetery Update: The Walking Safe Cayuga Heights sidewalk project includes keeping the road through the Lake View Cemetery open and maintained by the Village DPW. It has come to our attention that the road has suffered damage from snow plowing and now needs to be re-paved.

- Mayor Woodard states that she has looked at the contract. From her perspective, we are not responsible for the maintenance of the road in Lake View Cemetery.

- Mayor Woodard suggests we stop the police patrol of that section and only use the sidewalk plow to clear a path for pedestrians in the winter months.

- Chief Wright states that the department would like to continue to have access but notes that the Pleasant Grove Cemetery does not get cleared in the winter months.

- Trustee Salton states that the Walking Safe Grant was conditioned on access all the way through the Lake View Cemetery. He recalls that the Board was very concerned that there was a need to then police that section if it was going to be open to kids walking to and from school.

- Trustee Salton also states that there was even talk of lighting the pathway.

- Village Attorney R. Marcus states that if the Village had received grant funding for the cemetery portion, then this agreement would have remained in effect for such a period of time. But since the Village did not get the money then the Village has the right to provide a six-month notice of termination.

- Trustee Salton states that the grant was conditioned to having 100% access to the school and his concern is for the safety of pedestrians.

- Chief Wright reminds the Board that if there is a Fire or EMS response needed in that area then we have to have access in a timely fashion. If we decide to not maintain that section that could be a liability concern especially if we have any kind of agreement already in place.

- Trustee Robinson states that there was a conversation with Director Wiese about putting a plow on a pickup truck.

- Director Wiese states that currently there are no plows or salters on any of the Village pickup trucks. He has concluded that the road was never built to handle a heavy truck and salting. He further states that repaving this would cost around \$30,000.

- Trustee Robinson and Marshall suggest either contracting the work out for someone else to plow and salt or purchasing a small plow and salt box for one of the pickup trucks.

- B. Cross states that we should get through this winter with the understanding we do not know how the Walking Safe Cayuga Heights project budget is going to end up.

e. EFPR Group Audit Proposal: The Village Finance Committee has finalized an agreement for EFPR Group to conduct our internal annual audits.

- Clerk Walker states that there is no formal separation agreement needed for the contract. He also states that he was not successful in reducing the cost of this contract.

Resolution: 9248

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approved Mayor Woodard's signing of the 2022-2023 annual Village Audit to be performed by EFPR Group pending a final review by Village Attorney R. Marcus.

Motion: Trustee Robinson

Second: Trustee Rennekamp

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

Nays: none

Abstentions: none

Motion Carried

f. Sunset Park Design Update: The Board had agreed to hire Michele Palmer to produce a conceptual park re-design.

- Mayor Woodard states that there is a lot of grant money available for historic parks. As our grant writer Michele Palmer informed Trustee Marshall that some grants will cover up to 75% of the total cost.
- Trustee Salton likes the idea that the Village Board is taking action on fixing up the park, but he is against the installation of curbs.
- Mayor Woodard states that this is just the first step. We will have Michele Palmer do a complete presentation to the Board at a future meeting.

g. Airbnb Update: The Town of Ithaca has taken the lead to solicit quotes from four different software companies that can help scrub short-term rentals.

- Mayor Woodard states that Granicus Professional Services stood out and they have put together a proposal for the Village. Exhibit 2023-054
- The base is \$2500 to identify who is operating short-term rentals in the Village. After that then there is \$1500 for ongoing monitoring.
- Mayor Woodard states that we need to discuss changing the permit fee and penalties for failing to register with the Village.
- Clerk Walker states that any changes to the permit fees and penalties would require the Board to amend Local Law 1 of 2018.
- Trustee Marshall states that in terms of enforcement would identification by this company of a property that is not compliant be adequate legal proof if the Village had to go to court?
- Mayor Woodard states that is an excellent question and the answer is yes. They have had to provide this information many times.
- Village Attorney R. Marcus inquired about whether or not this held up in New York State. Mayor Woodard confirmed that they have.
- Clerk Walker states that the fine would go through the court. The Village Code Enforcement Officer has to issue

the violation and issue an appearance ticket.

- Trustee Marshall asks if we could incorporate a levy and a fine and if it is not paid could we also add court and legal fees?
- Village Attorney R. Marcus states that yes, that is an option.
- Trustee Robinson suggested that the permit fee in 2023 should be \$150. Advertising without a permit would be \$300, \$500, and \$1000.
- Mayor Woodard states that this is scheduled to launch on January 1, 2023.
- Village Attorney R. Marcus states that with this change we will actually be reducing the fine structure currently in the existing law.
- Mayor Woodard would like to make the penalties cleaner and offers the following. A \$300 fine for not having a permit. Then \$300 additionally for every night rented without the permit and \$300 for every night over the 14-day limit.
- B. Cross states that he would like some clarification on how this fine would be levied without the Village Court and could the individual go to court to challenge the fine.
- Village Attorney R. Marcus states that yes, but they would have to be challenging the fine on the basis of whatever our charges were.
- Trustee Hubbell suggested that the fines might cause the resident to lose any financial benefit.
- B. Cross states that we should have a mechanism that we can revoke their permit perinatally. Village Attorney R. Marcus states that is within the current short-term rental law.

Village Attorney R. Marcus will draft an amended local law and present it to the Board at the September 21, 2022 Board meeting.

Resolution: 9249

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approved Mayor Woodard signing the Granicus Proposal for the Village of Cayuga Heights to monitor short-term rentals in the Village subject to review by Village Attorney R. Marcus.

Motion: Trustee Marshall

Second: Trustee Hubbell

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

Nays: none

Abstentions: none

Motion Carried

7. Report of The Trustees:

- Trustee Hubbell states that the Cayuga Lake Watershed IO has hired a manager. Next month's meeting will be

in person at Cayuga Lake State Park.

- Trustee Salton states that the Greater Tompkins County Municipal Health insurance consortium (GTCMHIC) Executive Board met and recommended a 6.5% increase next year with a possibility of 7 % for the following two years.

- Clerk Walker states that the GTCMHIC Design Committee whose main focus is to make sure that the actuarial numbers for the metal level plans fall within the federal guidelines voted to increase the deductible on the Silver Plan and thus would remain the same for the next two years.

- Trustee Salton inquired about the design committee's lack of a leader.

- Clerk Walker also states that the committee is currently looking for a labor representative to be Chair of this committee.

- Trustee Marshall asks Trustee Salton how the 6-7% premium increase compared with the rest of the market.

- Trustee Salton states that the Consortium does not like to increase the rates like the other Excellus plans can which are increasing at the rate of 15-20% administrative overhead. The Consortium is able to keep those costs down.

8 . Report of Police Chief Wright: Submitted Report (Exhibit 2023-055)

- Police Chief Wright states that as a follow-up to last month's concerns about the department covering shifts for other agencies, it is rare that would happen based on shift changes only.

- Police Chief Wright states that in his conversations with the director of the 911 center he has seen significant improvements in mutual aid requests.

9. Report of Director of DPW Wiese: Submitted Report (Exhibit 2023-056)

- Director Wiese states that the DPW crew has been working on mainly sidewalk gaps this summer.

- Director Wiese states that the Rightsizing Culvert Project is moving forward.

- Trustee Hubbell inquires about the summer work schedule and whether has it been successful.

- Director Wiese states that the complexities of deliveries and timing of getting supplies it has made completing work difficult. However, in other situations, the 10-hour day has been helpful when emergencies arise.

10. Report of Village Engineer Cross:

a. WWTP Phase 3: The Board recently endorsed a GHD engineering report for a \$10,000,000 phase 3 WWTP project. This has allowed be listed on the EFC intended use plan. Since then, the NYSDEC has called for grant applications through the Water Infrastructure Improvement Act (WIIA).

- B. Cross states that the action items tonight are the NYSDEC resolution that identifies SEQR status followed by a Bonding Resolution showing the Village is qualified for funding and authorizing Mayor Woodard to sign the WIIA grant application.

Resolution: 9250

TYPE II SEQRA RESOLUTION
Phase 3 Cayuga Heights WWTP Upgrade Project
Village of Cayuga Heights, New York

Date: August 17, 2022

WHEREAS, the Village of Cayuga Heights (Village) is considered a local agency per Title 6 NYCRR Part 617 Paragraphs 617.2 and 617.3 and the NYS Environmental Conservation Law (ECL), and is responsible to implement the New York State Environmental Quality Review Act (SEQRA), and;

WHEREAS, the Village is proposing to undertake the Phase 3 Cayuga Heights WWTP Upgrade project as described in the May 16, 2022, Engineering Report prepared by GHD Consulting Services Inc., and;

WHEREAS, the scope of work as described in the Engineering Report generally includes the following improvements:

- Constructing a weather enclosure for screenings and grit dumpsters at the Headworks Building
- Renovating primary settling tanks, including concrete repairs for internal tank walls and floor and replacement of chain-and-flight sludge collector mechanisms
- Replacing submersible primary sludge pumps and associated piping and controls
- Replacing trickling filter feed/recirculation pumps and associated suction and discharge piping and valves with new vertical submersible sewage pumps, piping, and valves along with installation of a lifting beam and hoist to facilitate future removal of pumps when repairs or replacement is required
- Renovating bulk chemical storage and feed facilities for phosphorus removal chemical including replacement of the bulk chemical storage tank, reconstruction of spill containment area walls, application of chemical resistant coating to walls and floor in spill containment area, replacement of chemical feed pumps and piping, and installation of a combination eyewash and shower unit, eyewash station, and associated hot water heater
- Replacing an effluent strainer and effluent water pumps with a new automatic backwash strainer, two new effluent water pumps, pressure tank, and associated controls
- Renovating final settling tanks including concrete repairs for internal tank walls and floor and replacement of chain-and-flight sludge collector mechanisms
- Constructing a canopy and seal water drain at the Tertiary Filter Feed Pump Station
- Renovating sodium hypochlorite storage and feed system in the Tertiary Filter Building
- Constructing a passive overflow for emergency Headworks Building bypass
- Re-lining Manhole MH-1 and raising Manhole MH-2 at the WWTP site
- Repaving site access roads, including a concrete slab for the dumpster handling area between the Service Building, Headworks Building and Primary Digester
- Expanding the SCADA system to include programming for automated (timer) control of primary and final settling tank sludge pumping
- Installing solar panels on the roof of the Recirculation Pumping Station
- Repairing/replacing the Sludge Management Building roof
- Replacing the sewage ejector pump in the Sludge Management Building

(hereinafter referred to as “said Action”), and;

WHEREAS, said Action requires consideration under SEQRA per 6NYCRR Part 617, and;

WHEREAS said Action is not listed in 6NYCRR Part 617.4 and does not meet the thresholds specified in 6NYCRR

Part 617.4, and therefore is not considered a Type I Action, and;

WHEREAS said Action is not anticipated to have a significant adverse impact on the environment based on the criteria specified in in 6NYCRR Part 617.7(c), and;

WHEREAS said Action consists of the following Type II Actions as listed in the following subparagraph under Title 6 of NYCRR Part 617 Paragraph 617.5(c):

- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
- (15) installation of solar energy arrays on an existing structure provided the structure is not:
 - (i) Listed on the National or State Register of Historic Places;
 - (ii) Located within a district listed in the Nation or State Register of Historic Places;
 - (iii) Been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to Sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law

NOW, THEREFORE BE IT RESOLVED that on this 17th day of August 2022, the Village Board of Trustees hereby determines that said Action constitutes a Type II Action as defined in Title 6 NYCRR Part 617 Paragraph 617.5 and is not subject to review under SEQRA.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

Resolution: 9251

**BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)
(WWTP Improvements)**

At a regular meeting of the Board of Trustees of the Village of Cayuga Heights, Tompkins County, New York, held at the Village Hall, on the 17th day of August 2022, at 7:00 o'clock P.M., Prevailing Time.

BOND RESOLUTION DATED AUGUST 17, 2022.

A RESOLUTION AUTHORIZING PHASE III WWTP IMPROVEMENTS IN AND FOR THE VILLAGE OF CAYUGA HEIGHTS, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM

ESTIMATED COST OF \$10,200,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$10,200,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Cayuga Heights, Tompkins County, New York (the "Village"), as follows:

Section 1. PHASE III WWTP improvements, in and for the Village of Cayuga Heights, Tompkins County, New York, including incidental costs in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$10,200,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$10,200,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Cayuga Heights, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Motion: Trustee Rennekamp

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

a.Safe Streets Contribution Resolution: The program known as Safe Streets for All (SS4A) has a pool of \$5 billion to distribute to state/local projects, but eligibility is based on the completion of a Safety Study. Therefore, the Village would need to have a Safety Study to be eligible to submit for a grant to fund the Pleasant Grove/Hanshaw/Triphammer Road intersection improvement project.

•B. Cross states that the City of Ithaca has put together that grant application and the Village is being asked to contribute \$6,374. This commitment will qualify the Village for future grants for our projects.

•Trustee Hubbell asks what the uses might be for this grant opportunity.

•B. Cross states that if awarded this grant would cover 80% of the total project cost. The Village would work on the Bergmann Traffic Study which is redesigning the N. Triphammer, Hanshaw, and Pleasant Grove intersections.

•Clerk Walker asks what the timeframe for completion of this study.

•B. Cross states that the deadline to submit the grant is at the end of August with an projection of awards in 2023.

Resolution: 9238

WHEREAS, in 2022, the Bipartisan Infrastructure Law established the new Safe Streets and Roads for All (SS4A) federal grant program, with up to one billion dollars appropriated in FY22, and with a local match of 20% of the project cost; and

WHEREAS, local municipalities are eligible to apply for funding to create a detailed transportation safety “Action Plan”, either individually or in collaboration with other municipalities; and

WHEREAS, the FY22 Notice of Funding Opportunity (NOFO, available here: <https://www.grants.gov/web/grants/view-opportunity.html?oppId=340385>), states that applications with multiple municipalities partnering to create a plan will be more competitive for funding than applications from a single municipality; and

WHEREAS, successful creation of an Action Plan in this grant cycle would make the partnering municipalities eligible to apply for implementation grants in future years of this grant program, either individually or in collaboration; and

WHEREAS, the City of Ithaca has agreed to be the “Lead Applicant” on this planning grant application, with multiple neighboring municipalities expressing interest in applying as “Joint Applicants”, including the following in alphabetical order

- Town of Caroline
- Town of Danby
- Town of Dryden
- Town of Ithaca
- Town of Lansing
- Village of Cayuga Heights
- Village of Lansing

WHEREAS, the role of the City of Ithaca as Lead Applicant will be to complete the online application on behalf of all partnering municipalities for FY22 funding, with an application due date of September 15, 2022; and

WHEREAS, the City of Ithaca is presenting a resolution to its Common Council, requesting a budget to fund the study in whole at \$750,000, to be eventually reimbursed 80% by the grant, with individual municipalities reimbursing the City of Ithaca for its share of the 20% local match. The Village of Cayuga Heights share of the local match will be \$6,374.00; then be it

RESOLVED, that the Village of Cayuga Heights agrees to partner with the City of Ithaca and other neighboring municipalities to jointly apply for the SS4A planning grant opportunity to create an Action Plan that uncovers both regional and municipality-specific transportation safety problems, as well as presents detailed regional and municipality-specific solutions; and

RESOLVED, that the Village of Cayuga Heights agrees to reimburse the City of Ithaca for its share of the 20% local match (\$150,000 total local match for a \$750,000 total project cost), specifically that the Village of Cayuga Heights will reimburse the City of Ithaca the amount of \$6,374.00.

FURTHER BE RESOLVED that the Village of Cayuga Heights Board of Trustees authorizes the Mayor to sign the letter of support for this financial commitment.

Motion: Trustee Hubbell
Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

b. Lead Pipe Service Replacement: The Clean Water State Revolving Fund has opened up an opportunity for the Village to submit a grant.

•B. Cross states that T.G. Miller can use the engineering report that was submitted for the Congressional Application with compliance adjustments for the EFC submittal. The action item needed tonight is to authorize T.G. Miller to proceed with the work and allow Michele Palmer to submit the grant application at the end of the month. The work is not to exceed \$2500.

Resolution: 9252

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approved Mayor Woodard signing the T.G. Miller EFC Grant Application work for \$2500.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

c. Ranic Update:

•B. Cross states that he spoke to the project designer, N. Demarest two weeks ago and it was asked if the Village would be upset if the hotel was moved to the Town of Ithaca and not in the Village. He further states that if the project wants to change to do that the Village does not have an opinion as expressed by Planning Board Chair F. Cowett and others.

•Trustee Salton states that he has expressed that certain people were pretty negative about this project from the beginning and maybe that is why they are moving the project.

•Village Attorney R. Marcus states that Brent's communications with the development team show us why a PDZ is a benefit to the Village to grant a PDZ. Maybe they do not have those components and the Town of Ithaca has more flexibility and would make the project easier for them.

d. Rightsizing Culvert Project Update: A total of 8 culvert locations will be replaced under this project.

•B. Cross states that he would like to have a discussion on the project's unexpected costs during an executive session.

11. Report of Clerk Walker:

•Clerk Walker states that General Code has completed the first step in codifying the Village Employee Handbook and he will be adding the newly formed I.T. Policies.

•Clerk Walker states that the Village Property Tax Collection is now down to less than \$46,000 and Deputy Clerk Perkins has been doing a great job calling residents about their delinquent taxes.

•Clerk Walker also states that Village Annual Newsletter will soon be developed by Deputy Clerk Perkins, and they are looking for articles from the Village Department Heads.

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

13. Executive Session:

Resolution: 9253

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 Marshall

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

Nays: none

Abstentions: none

Motion Carried

Resolution: 9254

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

Motion: Trustee Marshall

Second: Trustee Rennekamp

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

Nays: none

Abstentions: none

Motion Carried

14. Adjournment: Mayor Woodard adjourns the meeting at 10:35 p.m.

EXHIBIT 2023-062

Minutes

VILLAGE OF CAYUGA HEIGHT

Wednesday, September 7, 2022

Zoom ID # 4118425407

SPECIAL BOARD OF TRUSTEES

MEETING



Present: Mayor Woodard; Trustees: Hubbard, Marshall, Robinson; Village Engineer Cross; Clerk Walker.

1. Call to Order: Mayor Woodard calls the meeting to order at 10:00 a.m.

2. Privilege of the Floor: Village resident Julie Stafford inquired to how much Village residents will have to pay for the Lead Pipe remediation in the Village.

•Mayor Woodard and Trustee Robinson state that we are unsure at the amount of grant funding the Village will receive from New York State and the Federal Government. The Village has about 200 unknown properties where lead could be at the curb boxes and or the lateral water lines. The Village will need to investigate and also will be applying for any grants associated with the lead water lines.

•Trustee Robinson states that the grant applications currently open have to do with funding for municipalities and we have not seen anything for residents at this point.

•In Closing Village resident Julie Stafford states that she will reach out directly to Mayor Woodard about a sewer line that was replaced at her residents and the cost associated with a curb at the Village right-of-way.

3. WIIA Grant Application Resolution: 25% of WWTP funding.

Resolution # 9255

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approved Mayor Woodard signing the WIIA Grant application for the Village of Cayuga Heights to submit to NYSDEC as part of the Village WWTP Phase 3 Project.

Motion: Trustee Robinson

Second: Trustee Marshall

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

Nays: none

Abstentions: none

Motion Carried

4. CWSRF Grant Application Resolution: 75% of Phase 3 WWTP funding.

Resolution # 9256

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approved Mayor Woodard signing the CWSRF Financing Grant application for the Village of Cayuga Heights to submit to as part of the Village WWTP Phase 3 Project.

Motion: Trustee Marshall

Second: Trustee Robinson

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

Nays: none

Abstentions: none

Motion Carried

5. Adjournment: Mayor Woodard adjourns the meeting at 10:09 a.m.

EXHIBIT 2023-063

September 13, 2022

Honorable Linda Woodard
Board of Trustees
Village of Cayuga Heights

Monthly Report August 2022

There were 37 calls in August. We had 26 calls in the Village of Cayuga Heights, 9 calls in the Town of Ithaca and 2 mutual aid requests. There were 23 EMS calls and 14 fire responses. One of the mutual aid calls to Lansing resulted in a great stop before a fire got out of control. We were requested to Gaslight Village Apartments for a porch fire. E203 arrived quickly and pulled an attack line to rear of the building where they found one of the third-floor porches fully involved in fire. A quick knockdown was done, and we were able to stop the fire spread before it entered the building or involved the roof. A search of the apartment found it unoccupied and only needing some ventilation to remove the smoke from the fire.

There were many offered trainings at the station in August. We started the month with a scene size up and initial radio report training. Lt. Chasman developed a CGI program that displayed fire scenes and the person working at the first arriving officer would have to size up the scene and make the radio call for the initial impression of the incident and for additional resources if needed. This was an eye-opening training for members looking to sit in the first arriving officers seat. There is a lot of responsibility in this role as this person is often on scene making decisions before a chief officer arrives. The next two trainings further developed the placement of the first handlines on the scene and initial attack and then primary search for victims and fire. It was a well-integrated month of training geared to first arriving units. We did an EMS training focusing on initial assessment and treatment of the trauma patient. We, as a department, do more trauma related calls for falls and pedestrian/bicycle trauma then we do for motor vehicle related incidents.

We do have the dates set for the fall recruit class. Currently, we are seeing a decrease in responses for the information dinner in September. It is unclear why this is. We are actively going out into the community and the campus to try to get people interested in our operation. We are participating in Cornell's Service Fair and other gatherings on campus through September. This is not a trend unique to the CHFD as most fire departments struggle with manpower issues.

The HVAC project for the replacement of the air conditioning system did not happen over the summer. HSC got busy with projects, and they were unable to get this started for the station. The current plan is that over the winter, while we are not using the air-conditioning they will come in and replace the coils and line sets and then in the spring come and replace the rooftop units. We are working with an electrician to go through the truck bay electric. Many of the outlets on the walls were not working and the ceiling fans are old and are starting to not work well. The outlets are all functioning now and when they get delivery of the fans, we will rent a lift and they will replace the fans and the cord reels on the ceiling, many of which are also not working after 22 years of service. While we have the lift here, we are also planning to try to clean 22 years of cobwebs from the ceiling and walls as well.

We are now back to full strength with our members, and everyone seems happy to be back in Ithaca. We will be having an appreciation dinner at the station in September to welcome everyone back and finally get together as a group. This will not be a banquet but rather a low-key dinner event at the station. We are doing it over homecoming weekend so that alumni members will be able to attend as well. We have reserved Lake watch, the banquet venue on East Shore Drive, for our 2023 banquet to be held on April 22, 2023.

Sincerely,

George Tamborelle
Fire Chief/Fire Superintendent

EXHIBIT 2023-064

**CAYUGA HEIGHTS FIRE CO., No. 1,
INC**

P.O. Box 4262, Ithaca, NY 14852

(607) 257-2377

Responding from 194 Pleasant Grove Road, Village of Cayuga Heights

In emergency, Dial 9-1-1



Dear Neighbor,

October, 2022

Greetings from the Cayuga Heights Fire Company.

Your fire company has carried on healthy and well. The world may shut down, but people's needs never do! It's such an honor to be at your service! This is your invitation to partner with us - and not just by mail, but also in person, if you would like to join the action! (You can find info for joining at www.chfd.info, "join" tab)

As you read this, we have a new recruit class in progress - It is such a remarkable and heart-warming thing to see women and men from all walks of life making the commitment to serve their neighborhoods, learn new skills, and give of their time and energy to make our community a safer and more secure place. I expect we'll have another class in the Spring.

This letter seeks your support for the Fire Company. Your tax dollars support the durable capital costs of the Cayuga Heights Fire Department, meaning the community fire station, firefighting apparatus, and core equipment.

The Cayuga Heights Fire Company is a 501(c)3 non-profit organization. We supply secondary resources, such as fitness equipment, furnishings for the station, event-related meals, community events, and public education materials for children and adults. It is on behalf of the Fire Company I am writing today. We'd love your encouragement and support.

Please make your tax-deductible check payable to Cayuga Heights Fire Co., No. 1 and return it in the enclosed envelope.

One of my favorite duties is to use this letter to announce our annual Open House. At this time, we are looking at early November - watch for news!

It is our privilege to serve our community in the small things like "tree in the road" to the big ones, such as "patient non-responsive" or "flames showing". With your help, we fulfill our mission.

Thank you for reading this and for your support. Sincerely yours,

Steven Felker, member since 2003; for the Cayuga Heights Fire Company

EXHIBIT 2023-065

**VILLAGE OF CAYUGA HEIGHTS
TREASURER'S REPORT**

AUD: The final pieces of information are in the hands of the OSC to complete the 2021 AUD. They will close that report this week so I can start on the 2021-2022 AUD. Get ready for some more of my AMAZING spreadsheets!!

Revenues and Expenses:

August bank to book reconciliation is complete. They have been reviewed and approved by Trustee and Deputy Treasurer Rennekamp. A copy of the accounting system generated Monthly Treasurer's Report is attached.

Budget:

We received a bill from Granicus, the company that will monitor the Villages Air B&B monitoring program for \$4,000 / year.

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves transfer of \$4000 from Contingency (A1990) into expense account A1460.200 (Record Management-subscriptions).

We underbudgeted G8130.480 (WWT Plant – Purchase Sewer Services). We budgeted only \$5,000. Based on Q1 expenses, a budget \$27,000 is needed to cover expenses.

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves transfer of \$22,000 from Contingency (G1990.400) into expense account G8130.480 (WWT Plant – Purchase Sewer Services)

Approval of Abstract 4:

BE IT RESOLVED THAT: the Village of Cayuga Heights Board of Trustees authorizes and approves Abstract #4 for FYE2023 consisting of:

- TA vouchers 24-31 in the amount of \$13,787.24 and
- Consolidated Fund vouchers 196-280 in the amount of \$824,860.90

and the Treasurer is instructed to make payments thereon.

Respectfully Submitted

Laura W. Dolch

Laura W. Dolch
Treasurer

MONTHLY REPORT OF TREASURER

TO THE VILLAGE BOARD OF THE VILLAGE OF CAYUGA HEIGHTS:

The following is a detailed statement of all moneys received AND disbursed BY me during the month of August, 2022:

DATED: September 13, 2022

		TREASURER			
		<i>KRP 9/16/22</i>			
	Balance 07/31/2022	Increases	Decreases	Balance 08/31/2022	
A GENERAL FUND - VILLAGE					
CASH - CHECKING	2,376,026.15	208,856.40	346,981.13	2,237,901.46	✓
CASH - SAVING	1,259,860.32	79.94	0.00	1,259,940.26	✓
CERTIFICATE OF DEPOSIT	407,711.64	379.96	0.00	408,091.60	✓
NYCLASS GENERAL	1,001,485.36	1,603.70	0.00	1,003,089.06	✓
PETTY CASH	450.00	0.00	0.00	450.00	✓
FIRE COUNCIL CASH ASSETS	679.81	0.00	0.00	679.81	✓
TOTAL	5,046,213.32	210,920.00	346,981.13	4,910,152.19	
CD SPECIAL GRANT FUND					
CASH	114.39	0.00	4,256.63	-4,142.24	✓
CASH - POLICE COMP TIME RESERV	25,032.57	0.00	0.00	25,032.57	✓
CASH - ARPA FUNDS 2021	47,523.40	0.00	0.00	47,523.40	✓
CASH - ARPA Funds 2022	183,314.95	0.00	0.00	183,314.95	✓
CASH - JCAP COURTROOM SEATING	484.75	0.00	0.00	484.75	✓
CASH - DONATIONS & POL TRIAD 2	755.75	0.00	0.00	755.75	✓
CASH - BEAUTIFICATION SPECIAL	1,072.97	0.00	0.00	1,072.97	✓
CASH - CULTURAL & HISTORIANS R	92.23	0.00	0.00	92.23	✓
CASH - DONATIONS FOR BODY CARE	28,065.75	0.00	0.00	28,065.75	✓
RESERVE FOR BANK INTEREST	18.32	12.16	0.00	30.48	✓
TOTAL	286,475.08	12.16	4,256.63	282,230.61	✓
F WATER FUND					
CASH - CHECKING	285,162.85	180,914.38	130,135.22	335,942.01	✓
TOTAL	285,162.85	180,914.38	130,135.22	335,942.01	
G SEWER FUND					
CASH - CHECKING	692,653.93	126,524.33	125,220.41	693,957.85	✓
CASH - SAVINGS	-83,498.53	0.00	0.00	-83,498.53	✓
NYCLASS SEWER	500,742.58	801.84	0.00	501,544.42	✓
TOTAL	1,109,897.98	129,326.17	125,220.41	1,114,003.74	
H CAPITAL FUND					
CASH - CHECKING	-91,775.35	0.00	333,058.24	-424,833.59	✓
TOTAL	-91,775.35	0.00	333,058.24	-424,833.59	
TA TRUST & AGENCY					
CASH - CHECKING	18,704.22	153,416.29	157,352.89	14,767.62	✓
TOTAL	18,704.22	153,416.29	157,352.89	14,767.62	✓
TOTAL ALL FUNDS	6,654,678.10	674,589.00	1,097,004.52	6,232,262.58	

EXHIBIT 2023-066

**VILLAGE OF CAYUGA HEIGHTS
DRAFT
PROPOSED LOCAL LAW C OF THE YEAR 2022**

**A LOCAL LAW TO AMEND THE ANNUAL SEWER RATES, AS DEFINED IN ARTICLE XII,
SEWER RENTS, OF THE VILLAGE OF CAYUGA HEIGHTS ARTICLES**

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

Section I. PURPOSE

The purpose of this Local Law is to establish annual sewer rates of \$4.00/1000 gallons consumed for inside users and a rate of \$6.00/1000 gallons used for outside users, as defined in articles XII, Sewer Rents, of the Village of Cayuga Heights Articles.

Section II. AUTHORITY

This Local Law is enacted pursuant to the grant of powers of local governments provided for in (i) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or 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, (ii) General Municipal Law Article 14-F, (iii) General Municipal Law Sections 451 and 452, and (iv) Village Law Article 14.

Section III. ESTABLISHMENT OF SEWER RATES

As of January 1, 2023, annual sewer rates shall be established at a rate of \$4.00/1000 gallons used for treatment of wastewater originating from properties located within the Village and a rate of \$6.00/1000 gallons used for treatment of waste water originating from properties located outside of the Village.

Section IV. SUPERSEDING EFFECT

All Local Laws, 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.

Section V. VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section VI. 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.

EXHIBIT 2023-067
VILLAGE OF CAYUGA HEIGHTS
DRAFT
PROPOSED LOCAL LAW D OF THE YEAR 2022

A LOCAL LAW TO AMEND
THE VILLAGE OF CAYUGA HEIGHTS CODE CHAPTER 305, "ZONING,"
ARTICLE V, "RESIDENCE ZONE," SECTION 305-17(I), "SHORT-TERM RENTAL"
PROVISIONS

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

SECTION I **PURPOSE AND INTENT**

The Village's Board of Trustees has found that use of residences in the Village as short-term rental units continues to occur, and that in some cases homeowners have failed to comply with the Village Code's requirements for short-term rentals. Additionally, the Village Board has determined that the short-term rental registration permit fee should be increased. Further, the Village Board has determined that the provisions of Section 305-17(I)(5) concerning penalties for violations are unnecessarily complicated and should be revised and simplified. The purpose of this Local Law is to modify the text of Village Code Chapter 305, Article V, Section 305-17(I) as stated below.

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 V, "RESIDENCE ZONE,"**
SECTION 305-17(I)(3), "SHORT-TERM RENTAL REGISTRATION
PERMIT"

Subsection 305-17(I)(3)(c), of Article V, "Residence Zone," of the Zoning Law, is hereby deleted in its entirety and replaced with the following:

(c) The registration permit fee is \$150.00 per year.

SECTION IV **AMENDMENT OF ZONING LAW ARTICLE V, "RESIDENCE ZONE,"**
SECTION 305-17(I)(5), "PENALTIES"

Subsection 305-17(I)(5), of Article V, "Residence Zone," of the Zoning Law, is hereby deleted in its entirety and replaced with the following:

(a) The penalty provisions of § 305-113 below shall not apply to any violation of the provisions of this § 305-17(I), and the following provisions shall apply to any such violation.

- (b) If the owner of any residence who uses the residence or any part thereof for short-term rental in violation of the requirements of this section, whether in violation of registration permit requirements, in violation of the maximum time limits stated in Subsections (I)(2)(a)-(c) above, or otherwise, each such violation shall be punishable by a fine of \$300.00, and, if the owner has a current registration permit, the registration permit shall be revoked for the current year.
- (c) Each additional violation, including but not limited to, each additional night rented beyond the limits stated in Subsections (I)(2)(a)-(c), shall constitute a separate and new violation, and each new violation shall be punishable by a fine of \$300.00.
- (d) If an owner lists, advertises or markets the residence or any part thereof as being available for short-term rental without having obtained a current registration permit, but the owner has not yet used the residence for short-term rental, the owner shall be subject to any applicable fines set forth in this Subsection 305-17(I), however, if the owner delivers payment of such fines to the Village along with the registration permit application and fee therefor, the owner may obtain a short-term rental registration permit from the Village for the remainder of that calendar year.
- (e) In addition to any penalties imposed by this section, an owner found in violation of this section shall be liable for any costs and reasonable attorney's fees incurred by the Village of Cayuga Heights related to the enforcement of these provisions against the owner.
- (f) All penalties assessed in accordance with this section, including all costs and reasonable attorney's fees, shall constitute a lien and charge on the real property on which such lien is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Village charges against such real property.

SECTION IV 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 V 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 VI EFFECTIVE DATE.

This Local Law shall be effective as of January 1, 2023.

EXHIBIT 2023-068

Rationale for the RaNic Golf Club PDZ in the Village of Cayuga Heights

September 12, 2022

According to Section 305-43.D of the Village Code, a Planned Development Zone shall not be utilized where the objectives or recommendations of the Village's Comprehensive Plan can otherwise be accomplished in accordance with the zoning district regulations. The proposed improvements to the RaNic Golf Club are being pursued with the primary goal of sustaining the existence of the golf course operation which has struggled financially in recent years. Membership numbers have been down since their peak in 2004 which led to the 2021 sale of the property to Sean and Jennifer Whittaker. The new owners are hoping to boost the economic viability of the golf course and preserve the more than 100 acres of recreational open space by adding the following integral features:

1. New housing for a core resident membership base to add to the existing 120+/- current members
2. New boutique hotel to accommodate visitors generating revenue to help pay for maintenance of the facility.
3. Renovated clubhouse with food and beverage services, golf shop, fitness and golf simulators.
4. Renovated golf course to improve infrastructure and the overall quality of play.

None of the above features are feasible without first establishing a PDZ as they are all interrelated and dependent upon each other.

Each of the primary factors to be considered by the Board of Trustees in their decision to establish a PDZ for the proposed improvements to the RaNic Golf Club are listed below along with an initial response from the development team highlighting why the establishment of a PDZ will have a positive net benefit to the Village.

(1) Preserving and enhancing neighborhood character

The Village's 2014 Comprehensive Plan states that Cayuga Heights has historically been a residential neighborhood and advocates that it continues to be one. Village zoning has found a golf course to be consistent with a residential neighborhood and an allowed land use in the Village's Residence Zoning District. The golf club has functioned in this location since the 1950's, and the new owners of this property would like to continue its operation. The PDZ being requested, by allowing for the construction of a hotel and townhomes, will put the club on the sustainable economic footing needed to ensure that it can continue to operate as it has done.

The hotel is envisioned as a high-end, boutique hotel with the number of rooms limited to between 50 and 60. Although a hotel is a commercial land use not allowed in the Residence Zoning District or in any other Zoning District in the Village, it will be located within a short walking distance to the Community Corners

area and the adjacent Commercial Zoning District. It will, in addition, be largely screened from view by trees preserved during construction and its architecture will be compatible with that of the surrounding neighborhood.

Townhomes are a residential land use but not a housing type currently allowed in the Residence Zoning District or in any other Zoning District. Eight townhomes will be located in the Village with the rest located in the Town of Ithaca portion of the site. All townhomes will be linked by creating a local residential neighborhood effect with street trees, sidewalks, and on-street parking for cars. Therefore, the hotel and townhomes will not disturb the existing neighborhood character and, by putting the club on a sustainable economic footing, will thereby preserve the golf course property as open and recreational space and hopefully enhance the neighborhood.

(2) Compatibility with adjacent development and land uses

RaNic is located in the Village's Residence Zoning District. Properties to the north, south, and east are residential. To the west, on the other side of Pleasant Grove Road, is the Village Fire station and the Village's Commercial Zoning District which includes the Corners Community Shopping Center and Carriage House Apartments. The sidewalk network to be developed on the RaNic property will connect to an existing public sidewalk on Pleasant Grove and facilitate pedestrian trips to the Community Corners area. Given their residential character and the neighborhood design context, the townhomes will be compatible with adjacent development and land uses.

The project has functioned as a golf course, private club/restaurant, and event space since the 1950's, making it a long standing feature of the Cayuga Heights community which will hopefully continue to exist long into the foreseeable future.

Adding a boutique hotel in the Village will provide an economic boost to support and preserve the golf course use while increasing the local supply of well-managed rooms for guests, reducing the demand for un-hosted Airbnb or similar short-term rentals throughout the Village.

(3) Mitigating negative impacts on traffic, parking, and stormwater management

The project will increase the intensity of use by constructing a hotel and townhomes when compared to the recent downturn in active membership use. This greater intensity of use will likely increase traffic to and from the site over what has been seen in recent years. A traffic study being conducted by SRF Associates will determine if the proposed development results in any potentially significant adverse traffic impacts to the neighborhood and, in particular, to the intersection of Hanshaw and Pleasant Grove Roads. SRF will make recommendations for any mitigations to these adverse traffic impacts. SRF will also perform an analysis of the proposed parking on site. The parking analysis will indicate if the proposed number of parking spaces will be sufficient to accommodate parking needs, and the development team will adjust the site plan and/or program accordingly.

Townhome and hotel construction will also add impervious surface and therefore increase the amount of

stormwater runoff. The installation of engineered stormwater practices will reduce post-construction stormwater runoff compared to the pre-construction stormwater runoff per NYS regulations.

Traffic, parking and stormwater will each be evaluated by the developer's engineering team and reviewed by the Village engineer for compliance with NYS laws and best practice guidelines. The Village may wish to engage their own independent engineering consultants (paid for by the developer) to evaluate the results of the study.

The traffic analysis required for this project has the potential to help further the planning and perhaps some of the implementation of traffic solutions for the intersection of Pleasant Grove and Hanshaw Roads.

(4) Avoidance of an undue burden on the Village's infrastructure

The golf course and clubhouse currently utilize Village water and sewer. The proposed project will increase the current demands on sewer and water with the addition of the hotel and townhomes. All of the infrastructure needed to support these new uses will be installed and maintained on privately owned land without dedicating any new municipal utilities. The existing infrastructure for sewer and water outside the property boundaries may need upgrades to support the full build out of this proposed project. The developer will work with the Village engineer to identify and make necessary improvements to all utilities required to meet the increased demand.

(5) Protection of natural resources

The golf course provides a natural setting and open space for flora and fauna in the midst of a densely populated residential neighborhood. This is consistent with Cayuga Heights founder Jared E. Newman's conception of the Village as a residential park. Improvement of the property as facilitated by the PDZ will put the club on the sustainable economic footing needed to ensure that the course remains open space for the foreseeable future.

The natural stream course that runs through the property from east to west is bookended by delineated wetlands. The wetlands and stream will be protected and enhanced by this project per DEC guidelines. The existing stream has been buried in underground culvert pipes in certain areas which are clearly too small in diameter to handle the water flow during heavy rain events. This project will provide the opportunity to open these culverts and armor stream banks in adherence with DEC best practice guidelines.

Despite good intentions many trees were added to the golf course over the past 50 years which have since significantly diminished the quality of the golfing experience. The quality of turfgrass has suffered as well as the playability of the course itself. The quality of the golf facility and visitor experience is critical in attracting a stronger local membership, new residents, and hotel guests. A higher quality golf facility will also allow RaNic to host local, regional and state level tournaments which further support the economic viability of the golf course long into the future. All of the trees that have already been removed were badly damaged, diseased, unsightly, nearing the end of their natural life, or directly in the way of the game of golf or detrimental to the ability to maintain turfgrass. More trees are still being evaluated for

removal as the golf course undergoes continued renovation work. Despite the removal of trees, hundreds of mature trees will remain, preserving a park-like setting. Thinning of the densest and most mature areas of the golf course will allow many remaining magnificent oaks and other upland tree species to continue to thrive with less competition for sun, water, and nutrients. Additionally, many trees have suffered from decades of compaction caused by golf carts and foot traffic. A formalized network of dedicated golf cart paths and decompaction techniques will help protect the sensitive root zones of the remaining trees.

New plantings will be included in a way that is more sensitive to the routing of the golf course as to not interfere with the game or create future maintenance challenges. These plantings will be largely focused on functional things like screening and protection of roads, cars and existing homes.

Large swaths of native plantings are also planned to be introduced to reduce the overall area of the more intensely managed turfgrass. These native areas provide habitat for ground nesting birds, beneficial insects, and other fauna.

(6) Promoting environmental sustainability

The owner has committed to pursuing the USGBC LEED for Neighborhood Development certification for the project. LEED ND is a nationally recognized green building standard for neighborhood development that covers several aspects of sustainability including walkability, transit, energy performance, waste management and many more. The project requires an integrative design process with core prerequisites along with several optional credits which all contribute to varying levels of certification from silver, gold to platinum. The project team believes that pursuing LEED ND will provide a comprehensive and robust third-party verified response to environmental sustainability which the Village can rely on.

The former Country Club of Ithaca had participated in the Audubon Cooperative Sanctuary Program for Golf (ACSP). The ACSP is an award winning education and certification program that helps golf courses protect our environment and preserve the natural heritage of the game of golf. By helping people enhance the valuable natural areas and wildlife habitats that golf courses provide, improve efficiency, and minimize potentially harmful impacts of golf course operations, the program serves an important environmental role worldwide. RaNic will renew the voluntary participation in the ACSP to protect flora and fauna and reduce downstream- impacts.

Some specific sustainable features of the proposed project include but are not limited to the following:

1. High-efficient heat pump technology for optimized heating and cooling.
2. Enhanced thermal envelop for new construction that exceeds NYS Energy Code (meeting or exceeding the City and Town of Ithaca Energy Code Supplement).
3. Low VOC materials and finishes
4. Regionally sourced building materials
5. Reduced indoor water usage

6. Rainwater management
7. Reduced heat island effect
8. Electric vehicle charging stations and bicycle parking
9. Environmental Management Practices for Golf Courses per the ACSP for Golf

(7) Provision of safe and convenient vehicular, bicycle and pedestrian circulation

The project will be creating a through driveway with street trees, sidewalks, and on-street parking for cars with accommodations for golf carts and bicycles. The goal is to create a traffic calmed experience with 10-15MPH speed limits and raised crosswalks, which function as speed bumps, which provides alternative routes for people accessing the property from either Pleasant Grove or Hanshaw Roads.

The driveway will be designed to accommodate vehicles, golf carts, and bicycles with separate sidewalks for pedestrians only. The new sidewalk connection along the entry drive will connect directly to the existing TCAT stop and crosswalk to Community Corners.

Preferred parking for electric vehicles and bicycle parking will be provided per LEED ND standards.

(8) Provision of space for recreation and other public use

The project at its core is intended to preserve the park-like golf course as a recreational amenity open to the entire community. Off season walking, birding, cross country skiing have been an informal aspect of this property since its origins and will continue into the future. Dedicated walking paths around the clubhouse, hotel and Townhomes with sidewalk connections to Hanshaw Road, Pleasant Grove Road, and Community Corners will provide a dedicated pathway for dog-walkers, joggers and strollers.

Installation of new signage to provide wayfinding and education about the property will help inform and protect the public from straying into harm's way from errant golf shots.

The introduction of a spa and expanded food and beverage services will add to the existing uses available to the general public.

All of the amenities provided will be accessible to residents of the Village with discounted costs for Village residents.

(9) Coordination with the requirements of county, state, and federal statutes

The project is required to be reviewed under New York's State Environmental Quality Review Act (SEQRA). This review will assess the environmental impact of the project's proposed improvements. It is anticipated that, since the majority of the golf course is located in the Town of Ithaca, the Town will be lead agency responsible for conducting the SEQRA review and making a determination of environmental impact. However, the

Village, as part of the PDZ and site plan review process, will be able to submit to the Town any environmental concerns it may have prior to the Town making its SEQRA determination. In addition, the Village's Planning Board will consider environmental factors in conducting site plan review.

Stormwater management and wetland protections are the primary County, State and Federal statutes that apply. Because the existing facility was constructed long before modern stormwater regulations were established, the redevelopment of this property will create the opportunity to bring the facility in line with modern practices. The project team will develop a Stormwater Pollution Prevention Plan (SWPPP) which will be reviewed by Village and Town staff for compliance with state regulations. Work on maintaining and improving the wetland and stream corridor will be done in coordination with the DEC and Army Corps.

(10) Consistency with the Village's Comprehensive Plan.

The PDZ provides the opportunity to accomplish several of the goals and objectives stated in the Village's 2014 Comprehensive Plan.

Goal ES1: Preserve the Village's scenic, naturalistic setting while protecting natural resources and improving recreational opportunities.

The Comprehensive Plan calls for the provision of a wide variety of recreational and fitness opportunities (Objective QL1.4, page 47) while noting the lack of available space within the Village for the development of new parks (page 73). It recommends working with Kendal at Ithaca to investigate ways in which all or part of its property adjacent to Renwick Brook can be permanently protected as public open space and to identify suitable uses for that space (page 74).

When the Comprehensive Plan was written in 2014, the Ithaca Country Club was a private facility. Resurrected now as RaNic, the club is open to the public and provides diverse, all- season recreational opportunities to Village residents.

Goal EC1: Maintain and enhance the economic vitality of the Village and in particular its retail and commercial center.

The Comprehensive Plan calls for the re-invigoration of the Community Corners area as the economic and social hub of the Village (Objective EC1.3, page 54). The redevelopment of the RaNic clubhouse and the construction of the new hotel and townhouses, in close proximity to Community Corners and readily accessible by sidewalks, will increase activity in the area and contribute to its economic and community vitality.

Goal HO1: Ensure that a variety of high-quality housing options are available to persons wishing to reside in the community.

The Comprehensive Plan recognized (page 83) the changing nature of the American household and the need for a variety of housing types to address this change. The proposed townhomes represent a housing type not previously available in the Village and in low supply locally. They will offer Village residents, including empty nesters or snowbirds resident for the summer only, the opportunity to downsize from their current homes to more modest and less maintenance intensive dwellings. It is similar in this respect to Kendal at Ithaca, a much larger development, which was approved by the Village as a Planned Unit Development (PUD) in 1993.

Summary of Benefits

1. Preservation of the park-like open space and recreational activities.
2. Conversion of a private members-only club to a publicly accessible facility with discounts for Village residents.
3. Enhanced stormwater management.
4. Access to well-managed hotel rooms for Village residents' friends and families within closer proximity than other options.
5. Additional and improved food and beverage options for Village residents.
6. Spa and fitness facilities available to Village residents at discounted rates.
7. Increased foot traffic to Community Corners to support local shops and services.
8. New for-sale housing options for Village residents looking to downsize and simplify (snow birds, aging in place, etc.).
9. Commitment to sustainable design of new buildings and environmental management of the golf course.
10. Increased property tax base to support local infrastructure, municipal salaries, police, fire, etc.
11. Hotel room tax collected by the County supports local tourism.
12. Creation of new jobs with living wages.
13. Improvements to traffic flow by providing new access points to Hanshaw Road.

EXHIBIT 2023-06
VILLAGE OF CAYUGA HEIGHTS
DRAFT
PROPOSED LOCAL LAW E OF 2022

**A LOCAL LAW TO AMEND CHAPTER 305 OF THE VILLAGE OF CAYUGA HEIGHTS
CODE TO ESTABLISH A PLANNED DEVELOPMENT ZONE IN ACCORDANCE WITH
ARTICLE VIII OF SAID CHAPTER FOR THE RANIC GOLF CLUB DEVELOPMENT
BETWEEN PLEASANT GROVE ROAD AND WARREN ROAD**

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

Chapter 305 of the Village of Cayuga Heights Code, Article VIII, entitled "Planned Development Zone" is amended by adding the following:

§ 306-2 Planned Development Zone 2 - In accordance with and pursuant to Local Law No. ____-2022 for the area referred to as "RaNic Golf Club"

306-2.1 Introduction

The planned development zone (PDZ) for the area currently referred to as the RaNic Golf Club is intended to enable and guide the development of portions of the RaNic Golf Club property into a compact, walkable, mixed- use community to support the continued operation of the golf course and preserve the park like open space. This

§306-2 uses a form-based zoning approach with objective yet flexible standards, to provide clarity and certainty about site planning and the resulting built environment.

Planning for RaNic Golf Club property follows traditional neighborhood development ("TND") principles. The project is intended to include a variety of housing types and building configurations, a clubhouse for neighborhood commercial uses, hospitality uses including short-term stays, and a small event center. A central driveway with pedestrian courts and an open space network linking to the Community Corners commercial area aim to weave the public realm of RaNic Golf Club into the fabric of the greater Village of Cayuga Heights community.

RaNic Golf Club is located on a 119.80 acre site in the Town of Ithaca of which +/-15.34 acres are located in the Village of Cayuga Heights and 7.19 acres will be located in the Village's PDZ-2. The golf club is located is across Pleasant Grove Road from the Community Corners commercial shopping area.

306-2.2 Planned Development Zone

Planned Development Zone 2 defines portions of the RaNik Golf Club site that will have certain physical and functional characteristics. Figure 1 is an illustrative example of zoning location and allocation.

A. PDZ-2: RaNik Golf Club

- (1) This zone will include attached townhome housing, a golf clubhouse, a hotel, cabins, and complementary uses, in a compact walkable, neighborhood setting.

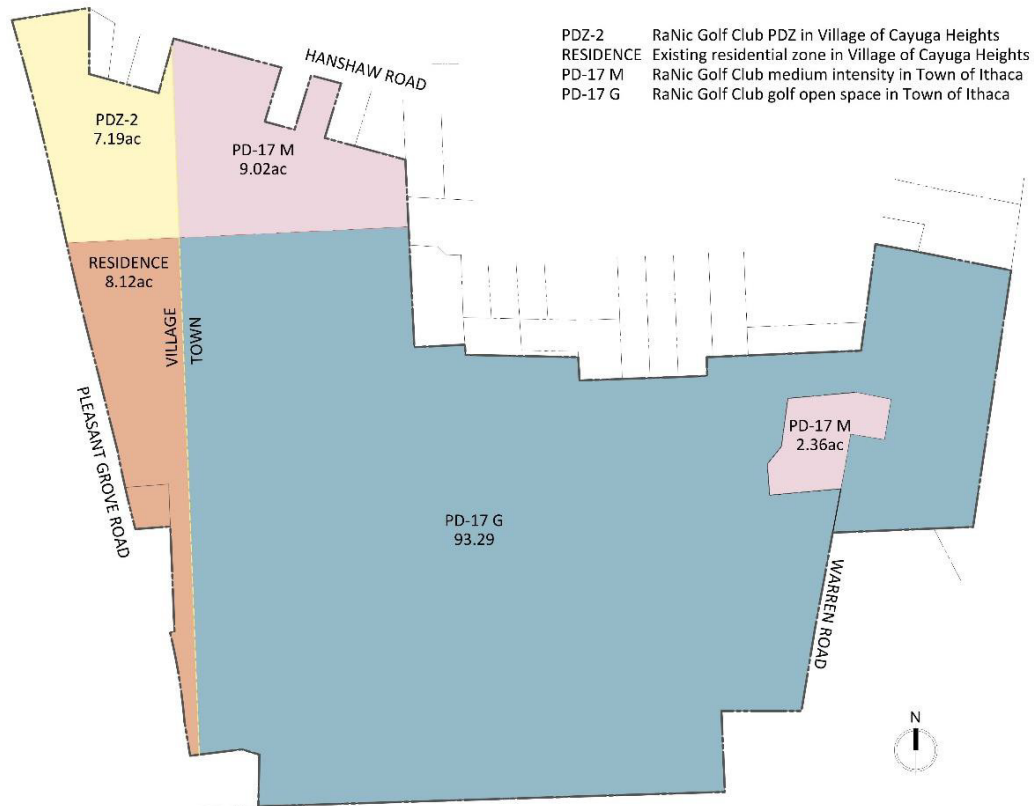


Figure 1: subzone location and allocation.

306-2.3 Permitted principal and accessory uses

The following table shows permitted uses in PDZ-2, with specific location limitations where applicable.

P = permitted use. • = not allowed.

Use	PDZ-2
Golf course: <i>An area of land laid out with 18 golf holes (tee, fairway, green, and roughs), and related ancillary uses, facilities, and open areas (examples: groundskeeping facilities, shelters, practice areas, driving range). This does not include a miniature golf course.</i>	P
Golf clubhouse <i>Facility associated with a golf course that includes any of these visitor or member-oriented amenities.</i> <ul style="list-style-type: none"> • Restaurants, bars, lounges, or concessions. • Meeting rooms, banquet rooms, or ballrooms. • On-site services and businesses that serve visitor and member convenience needs. (Examples: pro shop, gift shop, barber, health club, fitness center, business center, day care) • Other recreational facilities that are typically part of a country club or golf resort. (Examples: pool, tennis or racquetball courts, fitness center, card room, locker rooms) • Related administrative offices. 	P
Residential uses	
Dwelling unit <i>Definition and applicable rules in § 305 apply.</i>	P
Lodging uses	
Hotel <i>Definition and applicable rules in § 306 apply.</i>	P
Short term rental <i>Definition and applicable rules in § 305 apply.</i>	P
Health club/Fitness center	P
Golf club maker/repair	P
Food truck <i>Definition and applicable rules in § 306 apply.</i>	P

306-2.4 Neighborhood design

A. Dwelling units

- (1) Number of dwelling units is \leq 8 units

B. Hotel rooms

- (1) Number of hotel rooms is \leq 56 rooms of which no more than 4 rooms shall be

constructed as detached cabins

C. Clubhouse

- (1) Total gross building area of clubhouse within the Village shall be limited to 15,000 sf

D. Utilities

- (1) Permanent utilities (water, sewer, natural gas [if any], district heating/cooling, electricity, communications, and the like) must be underground. Short-term utility service for construction activities may be above ground.
- (2) A utility easement must be in a location where maintenance or repair work will cause the least disruption. Utility easement location must not prevent or undermine street tree planting.

306-2.5 Site and building design


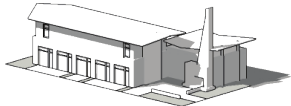
A. Site envelope configuration

Site envelopes define building setback lines for building sites.

Site envelope characteristics	PDZ-2
Width at front (sidewalk or ROW edge)	14' - 170'
Building coverage in site envelope	≤60%

B. Building types and disposition

Principal building types include the following.

Building type ▶	Townhouse	Detached housing	Clubhouse/hotel building
▼ Disposition			
Illustrative example			
Definition	Principal building (built individually or as a connected row), with dwelling units separated vertically by an interior party wall or exterior firewall.	Freestanding principal building for 1 principal dwelling unit.	Principal building built specifically for a golf clubhouse or hotel use.
Siting			
Setback	35' to property line	See Residence Zone	35' to property line

Front façade and main entrance orientation	Must face street or common court / green area	Must face street	n/a
Bulk/ massing			
Height	2 stories and 35'	2 stories and 35'	3 stories and 45'
Gross floor area (GFA)	n/a	n/a	60,000 ft ² -75,000 ft ²
Occupancy			
Dwelling units in building	<ul style="list-style-type: none"> • 1 between vertical party walls (or structurally independent equivalent) • 2-5 for full townhouse row 	1-2	n/a

C. Other buildings

- (1) An accessory building may be located in a rear yard but not in a front or side yard.

D. Building form and design

- (1) Four-sided design

A building must have consistent material treatment, architectural details, proportions, and colors on all of the building's exterior walls.

- (2) Accessory structures

A permanent accessory building must have material treatment, architectural details, proportions, and colors that are consistent or complementary with the principal building.

(3) Exterior materials

- (a) Vinyl siding and prefabricated and pre-engineered metal buildings are not permitted. This does not apply to temporary buildings for construction field offices, temporary storage sheds or similar temporary uses.
- (b) Cladding material on an outside wall may only change at:
 - i. an inside corner;
 - ii. a return $\geq 2'$ from an outside corner;
 - iii. a horizontal plane; or
 - iv. where a projecting feature like a pilaster vertically divides a facade, and separates the different cladding areas.
- (c) A sill or cap must define horizontal material change from masonry or cement-based materials to another material.
- (d) Outside walls with siding must have the following trim.
 - i. Doors and windows: surround $\geq 3.5''$ wide on all windows and doors.
 - ii. Outside corners: ① corner board $\geq 3.5''$ wide on all outside corners, or ② mitered edges that align materials on each wall.
 - iii. Roof overhangs and eaves: frieze $\geq 3.5''$ wide.

(4) Window and door area

- (a) Elevations of principal buildings must have the following window and door area (building elevation area (not counting a roof or non-walkout basement) occupied by windows and entry doors (not including garage doors)).
 - i. Front, street facing side, rear: 15% - 40% on each story.
 - ii. Interior side: 5% - 40% on each story.

(5) Attached garages

- (a) On the front façade of a housing unit, any wall plane with a garage door or carport entry must be:
 - i. even with or set behind other wall planes of the front façade; and

- ii. $\leq 50\%$ of the total front elevation width for the housing unit.

(6) Utility and service areas

- (a) Rooftop or ground-mounted mechanical equipment, utility areas, and trash enclosure or storage areas must have concealment or screening to hide them from view beyond the site envelope. Form of concealment or screening must be architecturally consistent or integral with the host structure. This does not apply to solar panels.
- (b) Wall mounted utility and mechanical equipment, ducts, or related accessories that are visible from must have opaque screening that is integral with the building's form, to conceal them from ① parts of the site that casual visitors can access (example: parking lots, internal driveways, pedestrian passageways), and ② the public realm.

E. Parking

- (1) Required parking spaces should be as defined in Article XII Off-Street Parking of this code except as follows.
 - (a) Hotels shall require one parking space per hotel room.

F. Landscaping

(1) Tree classes

- (a) *Street tree* refers to trees in a tree lawn or tree well alongside a street, or traffic island.
- (b) *Canopy tree* and *short tree* refers to trees in yards, courts, landscaping areas, open space areas, and similar areas.

(2) Thoroughfare tree lawns

- (a) A tree lawn area on a street or internal drive must have ≥ 1 street tree every 20' to 40' along its length, with average spacing of $\leq 30'$ along the block length.
- (b) A maximum of 25% of street trees on the PD site may be from a single tree species.

(3) Off-street parking areas

- (a) Off-street surface parking areas must have tree planting, with a combined

canopy that will shade $\geq 50\%$ of the parking area (parking spaces and drive aisles) at maturity. Solar carport coverage area may substitute for tree canopy area.

- (b) A parking lot landscape island must have ≥ 1 canopy tree for every 160 ft² of landscape island area.

(4) Other landscape areas

- (a) Site envelope areas for residential buildings, and the clubhouse A green, court, or garden (§305-XX.4 B 2) must have ≥ 1 canopy tree for every ≤ 2000 ft² of contiguous open area.
- (b) There must be a landscape and visual buffer area following the length of Hanshaw Rd / Pleasant Grove Rd and along any boundary adjacent to existing residential properties along the PD site. The landscape area must include:
 - i. ≥ 1 canopy tree every 20' to 40' along its length, with average spacing of 30'.
 - ii. ≥ 1 short tree for every 60' of landscape area length. Planting may be alone or in groups.
 - iii. A variety of shrubs and perennial plants that will form a continuous screen of $\geq 3'$ at maturity along $\geq 50\%$ of the landscape area length.
- (c) For $\leq 50\%$ of all required canopy trees in other landscape areas, 2 short trees may substitute for 1 canopy tree.

(5) Tree species for required planting

- (a) Tree species for required plantings must have these traits.
 - i. Native or adapted to upstate New York (USDA hardiness zone 5a, 5b, 6a).
 - ii. Not invasive (according to the most recent Tompkins County *Regional Invasive Species* and *Worst Invasive Species* lists), or species with known parasites or pathogens including ash and hemlock.
- (b) Follow requirements for allowed or prohibited tree species in Village zoning regulations, if applicable. Street tree species must also have these traits:

- i. Mature height of $\geq 40'$.
 - ii. A crown that can grow to shade a sidewalk and street.
 - iii. Downward-oriented root system.
 - iv. Salt tolerant.
 - v. Not brittle, or prone to dropping heavy fruit.
- (c) Canopy tree species must have a mature height of $\geq 40'$.
 - (d) Short tree species must have a mature height of $\geq 20'$.
 - (e) A street tree or canopy tree planting must have a diameter at breast height (DBH) of $\geq 2''$. A short tree planting must have a DBH of $\geq 1.5''$.

(6) Other landscaping requirements

- (a) Exposed ground surfaces must have groundcover planting or mulch to cover otherwise exposed soil.

G. Utility and service areas

(1) Service area screening

- (a) A dumpster, outdoor compactor, common waste collection or recycling area, or outdoor storage area must have screening that conceals it. Screening height must be 6' - 8'.
- (b) Screening materials must be:
 - i. brick or stone (real or simulated/precast);
 - ii. split face block; or
 - iii. vinyl (co-extruded, $\geq 0.150''$ thick).
- (c) If the service area is next to or structurally integrated into a building, screening materials may match the building's cladding.
- (d) Gate materials must be metal; wood or composite material in a full steel frame.
- (e) Screening and gates $\geq 0.5'$ above the ground must be 100% opaque.

H. Signs (2) Ground mounted mechanical equipment

- (a) Landscape planting, screening or wing walls, or inconspicuous siting must conceal ground mounted mechanical equipment as much as possible.
- (b) Screening and gate materials and opacity requirements are the same as for service areas.

- (1) Signs must conform to standards for the Commercial (or successor) zone
- I. Outdoor lighting
 - (1) Refer to Article XI Exterior Lighting Standards
- J. Administration
 - (1) Site plan
 - (a) A final site plan approved by the Planning Board pursuant to Chapter 305 / Article XVII Site Plan Review, is required for development in this PDZ.
- K. Village Code Applicability
 - (1) Except as otherwise specified in this section, all provisions of the Village of Cayuga Heights Code shall apply to all development, structures and uses in Planned Development Zone 2 .

306-2.6 PDZ area

Area rezoned. The area encompassed and rezoned in accordance with this section to be Planned Development Zone No. 1 is described below. The Official Zoning Map of the Cayuga Heights is hereby amended by adding such district at the location described.

Description of Area Rezoned to Planned Development Zone 2

All that tract or parcels of land situate in the Village of Cayuga Heights, County of Tompkins, State of New York, bounded and described as follows:

- A. Meets and bounds
- B. In the event that any portion of this 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.
- C. This local law shall take effect immediately upon its filing with the New York Secretary of State.

306-2.7 Definitions

These words or terms have a special meaning in §306-2 for this PDZ.

Court: open space for civic purposes, passive or active recreation, or connectivity within or through the site. Buildings may define and front on a court.

Food Truck A vehicle from which food for human consumption is sold or dispensed. Such vehicle may be self-propelled or towed by another vehicle.

Gross floor area (GFA) the sum of the gross horizontal areas of the floors of a building, measured from the exterior faces of exterior walls or from the center line of walls separating two buildings.

Hotel A building containing rooms designed and originally planned to be rented or hired out for living or sleeping accommodations for transient occupancy.



EXHIBIT 2023-069
Village of Cayuga Heights
Police Department

9/19/22

To: The Honorable Mayor Woodard
Members of the Board of Trustees
Village of Cayuga Heights

Re: Report of the Police Department for August 2022

In the month of August, the police department received 347 calls for service. In addition to these calls, 74 uniform traffic tickets were issued, and 6 parking violations were cited. A breakdown of the calls for service is as follows:

There were no Felony complaints received.

6 Misdemeanor Penal Law Offenses were observed. 1 for Criminal Mischief, 2 for Fraud and 3 for Petit Larceny. 1 incident of Criminal Mischief was reported for a residential window being broken by a BB from a BB gun. The investigation is ongoing, there are no suspects. 2 Fraud complaints were reported, both involving phone scams. The complainants were advised of the necessary safety precautions; no loss of property was reported. 1 of the Larceny complaints was for a missing bicycle, while another is for just a missing bicycle seat. The incidents are still being investigated and there is a suspect in these cases. A 3rd Larceny complaint was determined to be Civil in nature after investigation.

Investigation into 12 Traffic Stops led to 14 Vehicle and Traffic Misdemeanor charges. 2 charges of Aggravated Unlicensed Operation of a Motor Vehicle 3rd and 12 charges of Suspended Registration.

There were 2 Penal Law Violations reported, 1 for Harassment and 1 for Trespassing. The Harassment complaint involved a resident stating that there was a person going through their recycling and they were not welcome on the property any longer. The Trespass complaint was made by a resident stating that their unsecured motor vehicle had been entered and rummaged through, although nothing was reported missing. This incident is under investigation and there is a suspect in this case.

3 Local Law complaints for Dog Control were received and 1 for Noise. 1 Dog Complaint was for loud barking. The on-duty officer made contact with the dog owner, who after realizing the dog was barking, brought the dog inside the home. The 2nd complaint was of a loose dog. The dog was located and turned over to the SPCA without incident. 1 Noise complaint was received for a loud party. The on-duty officer responded to the location and did observe loud music. The residents were advised to turn the music down or be issued a citation. The residents complied and no further complaints. Were received.

2 Warrant arrests were made after the wanted subjects were taken into custody by a collaborating agency and found to have active warrants out of Cayuga Heights Court. On-duty CHPD officers took custody of the respective suspects and turned them over to the CAP court for arraignment.

1 individual was taken into custody under the Mental Hygiene 9.41 Law after investigation into a check the welfare complaint.

5 Motor Vehicle accident was reported, none involving deer.

There were no other incidents involving deer reported.

In summary 15 people were arrested on the following 17 charges: 2-Warrant Executed, 1- Mental Hygiene 9.41 Law, 2-Aggravated Unlicensed Operation of a Motor Vehicle 3rd, and 12-Suspended Vehicle Registration.

A total of 9 calls for service were completed under the Tompkins County Mutual Aid Agreement involving CHPD officers assisting other agencies.

Over the course of the month, Officers took part in the following trainings and/or events: On 8/24 Chief Wright, Sergeant Manning and Jackie took part in the Extreme Risk Protection webinar training. On 8/16 Officer Langlois conducted a PTS traffic detail. On the 30th Officer Langlois conducted a second PTS traffic detail along with Officer Barr. Officers Langlois and Barr conducted two Commercial Vehicle details, one on 8/12 and another 8/26.

The full-time officers worked a total of 14 hours of overtime and the part-time officers worked a total of 182 hours.

Sincerely,
Chief Jerry Wright

EXHIBIT 2023-070
Village of Cayuga Heights
Mike Wiese – B.O.T Report
September 21st, 2022

Code Enforcement –

No trainings were attended.

Street -

The culvert right sizing project is near finished. We are waiting on some asphalt patching and guard rail to be installed to fully open the roadway

Sidewalk has been repairs are being completed throughout the village.

The crew replaced the sidewalk oh Hillside Drive from Hanshaw Road to Overlook Road. We intend on connecting this sidewalk to the sidewalk on Highland to make it a continuous walkway.

The culvert near the Hanshaw Road entrance to the school has been replaced along with the sidewalk panels near it.

Sewer –

The crew spent time fixing manhole tops along Pleasant Grove Road. This is a lengthy and detailed project however helps to minimize I&I through the failing concrete beneath the asphalt surface.

Palmer woods has been inspected with the DPW camera and no significant I&I has been found.

Personnel –

The crew has returned to regular 8-hour work days on September 6th.

Change Order No. 1

Date of Issuance: September 1, 2022	Effective Date: August 26, 2022
Owner: Village of Cayuga Heights	Owner's Contract No.:
Contractor: F.P. Kane Construction, Inc.	Contractor's Project No.:
Engineer: T.G. Miller, P.C.	Engineer's Project No.: E18-66
Project: Cayuga Heights Road Culvert Right-Sizing	Contract Name: General Construction

The Contract is modified as follows upon execution of this Change Order:

Description: Concrete Box Culvert Removal, Exploratory Excavation, Plugging Precast Openings, Rock Removal.

Attachments: Refer to Contractor's Work Orders 1-20

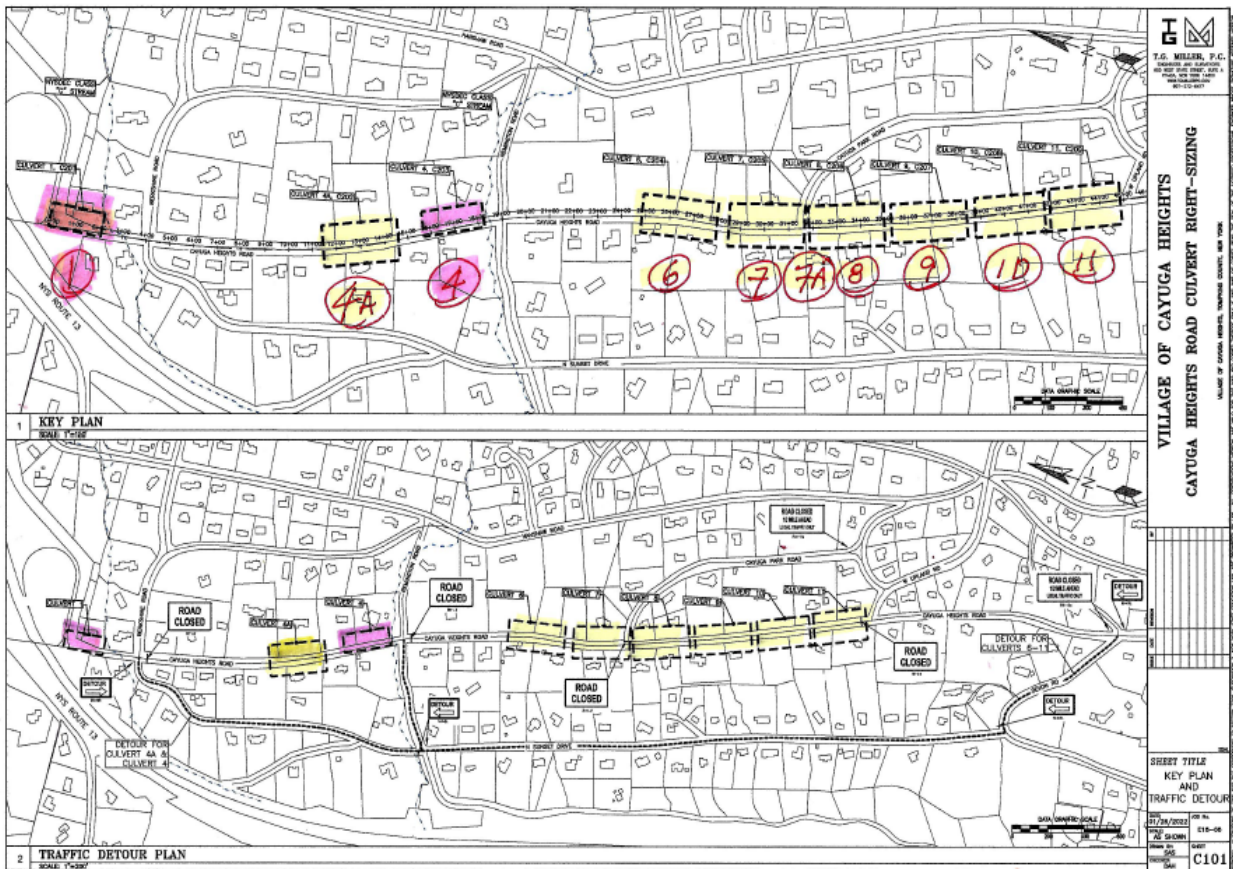
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 546,000.00	Original Contract Times: Substantial Completion: <u>August 15, 2022</u> Ready for Final Payment: <u>September 30, 2022</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : \$ 0.00	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial Completion: <u>N.A.</u> Ready for Final Payment: <u>N.A.</u> days or dates
Contract Price prior to this Change Order: \$ 546,000	Contract Times prior to this Change Order: Substantial Completion: <u>August 15, 2022</u> Ready for Final Payment: <u>September 30, 2022</u> days or dates
Increase of this Change Order: \$ 95,426.79	Increase of this Change Order: Substantial Completion: <u>September 15, 2022</u> Ready for Final Payment: <u>September 30, 2022</u> days or dates
Contract Price incorporating this Change Order: \$ 641,426.79	Contract Times with all approved Change Orders: Substantial Completion: <u>September 15, 2022</u> Ready for Final Payment: <u>September 30, 2022</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u></u>	By: _____	By: <u></u>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>P.E.</u>	Title _____	Title <u>Vice President</u>
Date: <u>September 1, 2022</u>	Date _____	Date <u>9/7/2022</u>

This map that shows the location of the individual culverts that were part of the Culvert Right Sizing project. The original design and grant application was based on inclusion of sites 1, 4, 4A, 6-11. During the time between the grant application and the bidding process, it was determined that site 1 has ROW issues with the NYSDOT (to be resolved later), site 4 is no longer needed because of other drainage improvements upstream, and that 7A was added because of downstream impacts. The contract was awarded for sites 4A, 6-11, plus 7A.

During the project, most all of the sites encountered more rock than was known at the time of the bids, therefore the contractor billed hourly for labor and equipment. The total accumulated expenses for rock and other unforeseen conditions came up to \$95,426.69. Between having a \$40,000 contingency and other good project management (including the Village purchasing the pipe materials in advance of the project), the final cost of the project came out to \$45,984.31 over budget.

Fortunately, with some of the pipe materials saved on the project, we will be able to return some of the pipe for credit which will effectively offset the budget over run.





Q1150

Professional Services Agreement (North America)

This Professional Services Agreement (hereinafter “Agreement”) is effective September 21, 2022, (“Effective Date”) between GHD Consulting Services Inc. (hereinafter “GHD”) and the Village of Cayuga Heights, NY (hereinafter “Client”) (which are collectively referred to as the “Parties” or individually as a “Party”). In consideration of the mutual promises set forth herein, the Parties agree as follows:

SCOPE OF SERVICES

1. Task 1 - Assist Owner with the review of wastewater discharge information and evaluate the need for IWPP permitting for the existing commercial laboratory facility, Dairy One Cooperative, Inc. GHD shall review the available information, conduct a site visit of the facility, and provide the Owner with a technical determination regarding the need for an IWPP permit for the facility. The following information and resources shall be utilized as part of the evaluation process.

- USEPA National Categorical Pretreatment Standards
- NYSDEC documentation
- Village of Cayuga Heights Local Law

A headworks analysis is not included in the Scope of Services.

2. Task 2 - Assist Owner with the development of a new IWPP permit for the Dairy One Cooperative facility, if determined to be necessary based on the finding from Task 1.

PERIOD OF SERVICE

1. Task 1 – Duration of up to 90 days.
2. Task 2 – Duration of 90 days from authorization to proceed by Owner.

PAYMENTS TO THE ENGINEER

The above Scope of Services will be completed on an hourly basis not to exceed \$8,000.00

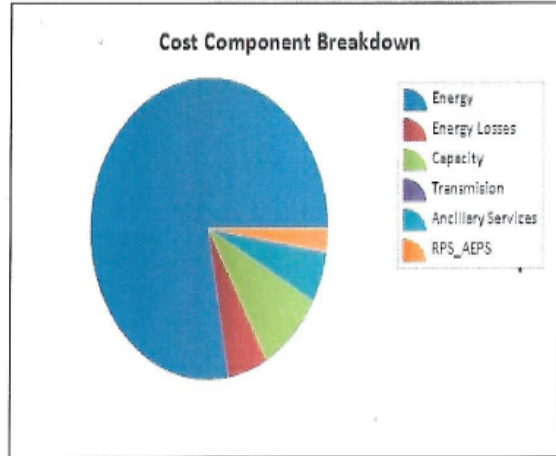
Clerks Report:

Exhibit 2023-073
Supply Energy Contracts



Proposal For:	Village of Cayuga Heights	Contact:	Jeffrey S Hills
Proposal Date:	08/29/2022	Direct Line:	Cell Phone:
Utility:	NYSEG	Email:	jeffrey.hills@constellation.com
Zone:	ZONE C		

Fixed Price Solutions				
Months	12	24	36	48
Offer Number	OF-0000121762	OF-0000121762	OF-0000121762	OF-0000121762
Scenario	12	13	14	15
Run ID	42358197	42358198	42358199	42358200
Start Date	10/01/2022	10/01/2022	10/01/2022	10/01/2022
End Date	10/27/2023	10/27/2024	10/27/2025	10/27/2026
NTOU Price	0.088310	0.078380	0.075020	0.073690
Term kWh	1,552,070	3,108,199	4,659,296	6,215,901
Average Monthly kWh	129,339	129,508	129,425	129,498
Covered Bandwidth %	100	100	100	100
Green Energy %	0	0	0	0
Number of Accounts	5	5	5	5



Estimates of Pass Through Charges and Estimated Spend				
Fixed in Price:	Energy, Energy Losses, AEPS, Ancillary, Capacity, TOTS, ZEC, Congestion			
Pass-Through Charges:	Public Policy Transmission, New York Tier 2			
Months	12	24	36	48
Fixed in Price	0.088310	0.078380	0.075020	0.073690
Pass-through Estimates	0.000220	0.000220	0.000220	0.000220
Total Estimated Charge	0.088530	0.078600	0.075240	0.073910
Est. Total Expense	137,405	244,304	350,565	459,417
Average Monthly Expense	11,450	10,179	9,738	9,571



NEW YORK CUSTOMER DISCLOSURE

Price	Fixed Price : \$8.938 per MMBTU Variable Price : \$1.272 per MMBTU
Fixed or Variable and, if variable, how the price is determined	Nymex: Refer to Purchase Price on Transaction Confirmation and Special Provisions section on Transaction Confirmation
Length of the agreement and end date	12 Months
Process customer may use to rescind the agreement without penalty	Rescission without penalty not permitted
Amount of Early Termination Fee and method of calculation	Non - defaulting party has the right to terminate and liquidate all Transactions, calculate a settlement amount by calculating the Liquidation Value for each Transaction and aggregate all amounts owing - See the Remedies section of the CMA for more information
Amount of Late Payment Fee and method of calculation	Interest will be assessed on the late balance at the lower of 1.5% per month or the maximum amount permitted by law See the Billing and Payment section of the CMA for more information
Provisions for renewal of the agreement	Automatically renews in successive one-month terms unless affirmatively renewed or terminated by either party.
Conditions under which savings to the customer are guaranteed	Savings compared to the Utility rate are not guaranteed



NEW YORK CUSTOMER DISCLOSURE

Price	Fixed Price : \$7.774 per MMBTU Variable Price : \$1.031 per MMBTU
Fixed or Variable and, if variable, how the price is determined	Nymex: Refer to Purchase Price on Transaction Confirmation and Special Provisions section on Transaction Confirmation
Length of the agreement and end date	24 Months
Process customer may use to rescind the agreement without penalty	Rescission without penalty not permitted
Amount of Early Termination Fee and method of calculation	Non - defaulting party has the right to terminate and liquidate all Transactions, calculate a settlement amount by calculating the Liquidation Value for each Transaction and aggregate all amounts owing - See the Remedies section of the CMA for more information
Amount of Late Payment Fee and method of calculation	Interest will be assessed on the late balance at the lower of 1.5% per month or the maximum amount permitted by law See the Billing and Payment section of the CMA for more information
Provisions for renewal of the agreement	Automatically renews in successive one-month terms unless affirmatively renewed or terminated by either party.
Conditions under which savings to the customer are guaranteed	Savings compared to the Utility rate are not guaranteed



NEW YORK CUSTOMER DISCLOSURE

Price	Fixed Price : \$7.273 per MMBTU Variable Price : \$0.989 per MMBTU
Fixed or Variable and, if variable, how the price is determined	Nymex: Refer to Purchase Price on Transaction Confirmation and Special Provisions section on Transaction Confirmation
Length of the agreement and end date	36 Months
Process customer may use to rescind the agreement without penalty	Rescission without penalty not permitted
Amount of Early Termination Fee and method of calculation	Non - defaulting party has the right to terminate and liquidate all Transactions, calculate a settlement amount by calculating the Liquidation Value for each Transaction and aggregate all amounts owing - See the Remedies section of the CMA for more information
Amount of Late Payment Fee and method of calculation	Interest will be assessed on the late balance at the lower of 1.5% per month or the maximum amount permitted by law See the Billing and Payment section of the CMA for more information
Provisions for renewal of the agreement	Automatically renews in successive one-month terms unless affirmatively renewed or terminated by either party.
Conditions under which savings to the customer are guaranteed	Savings compared to the Utility rate are not guaranteed