



BOARD OF TRUSTEES
DON WILSON, JR., MAYOR
SHANE ELLIS, TRUSTEE
CHELSEA HEATH, TRUSTEE
DIANE DONNELLY, TRUSTEE
JEFF BEDELL, TRUSTEE

**VILLAGE BOARD OF TRUSTEES REGULAR MEETING UNAPPROVED MINUTES
06/14/2023**

Present: Mayor Don Wilson, Jr, Deputy Mayor Shane Ellis, Trustees Jeff Bedell, Diane Donnelly, Chelsea Heath

Staff: Code Enforcement Officer Kevin Foster, DPW Superintendent Dan Patterson, Clerk Jen Ogburn, Attorney Robert Marks

Excused: Treasurer Lisa Schiminske, WWTP Operators Bob Kneaskern, Josh Kneaskern, Fire Chief Stefan Szozda

Public: Will Heindel

1. **Mayor Wilson call to order:** Mayor Wilson called the meeting to order at 7:00pm with the Pledge to the Flag.
2. **Changes/Additions to Agenda:**
 - 2.1. Under 9.2 Codes add Solar Energy Law.
3. **Presentations:** none
4. **Public Comment:**
 - 4.1. Mr. Heindel of 6200 Lake St. is concerned about the safety of others due to a tree that is in the section of property that is between the sidewalk and the road. Mr. Heindel is requesting that the Village removes the tree – he had previously received a quote for the tree removal of \$1200.00 as stated in an email. Mr. Heindel stated that in the past 4 months several dead branches have fallen from the tree and landed on the sidewalk and in his yard, 1 branch did bring down the cable wire to his house. He has picked up the branches as they fell to maintain his property. The tree that is located in front of Mr. Heindel’s property is the only tree that is on the Village stretch of Lake Street. DPW Superintendent did get a quote for this tree from Cranebrook – the quote received was for \$1,000.00. The Code Enforcement Officer did state that Mr. Heindel’s neighbor Mr. Brier had a tree in the same area and was quoted the Village Zoning regarding Yard Maintenance, Mr. Brier had the tree removed himself. The Village Board has some concerns with the Village removing this tree; does the village have the ability to remove other trees within the village that are in the same situation and condition as this tree? The Village Attorney will look into Village Municipal Law and see the legal aspect of removing or not removing this tree. This matter will be tabled until the Village Attorney has looked up the legality in Village Municipal Law and returns his findings to the Village Board.
5. **Executive Session:**
 - 5.1. Employment
 - 5.1.1. **Motion to enter Executive Session to discuss employment at 7:13pm made by Trustee Heath. Seconded by Trustee Bedell. 5/0 approved.**

5.1.2. The Village Board returned from Executive Session at 7:54pm with the decision to set up interviews with 6 of the applicants that applied for the position.

6. **Announcements:**

7. **Approval of Minutes:**

7.1. Approval of May 10, 2023, Board Meeting Minutes

7.1.1. **Motion to approve the Village of Cayuga Board of Trustees Regular Meeting Minutes from May 10, 2023, made by Trustee Bedell. Seconded by Trustee Heath. 5/0 approved.**

8. **Correspondence:**

8.1. CCAV April 25, 2023, Minutes

8.2. Staples Business Account –

8.3. NYCOM – Retirement of Executive Director Peter Baynes & Selection of Barbara Van Epps as NYCOM’s Next Executive Director.

8.4. NYSEG/RG&E Press Release from 6/14/2023

8.5. Audit

9. **Village Departmental Report(s):**

9.1. **Village Treasurers Report(s):** Lisa Schiminske – See Treasurer’s Report

9.1.1. The clerk will look into the percentage that Salato Gardens is paying in their PILOT.

9.1.2. **Motion to approve the Treasurers Report as presented made by Deputy Mayor Ellis. Seconded by Trustee Bedell. 5/0 approved.**

9.1.3. Reserves

9.1.3.1. **Motion to adopt Reserve and savings transfers with the following amounts as recorded by Clerk: \$10,000.00 to DPW Garage Savings, \$5,000.00 to Fire Dept Savings, and \$5,000.00 to Pavilion MMA Savings made by Deputy Mayor Ellis. Seconded by Trustee Donnelly. 5/0 approved.**

9.1.3.2. **Motion to adopt Sewer Reserves as suggested by the Treasurer with the following amounts: \$10,000.00 to Sewer EFC Reserve, and \$5,500.00 to Sewer Admin Reserve made by Deputy Mayor Ellis. Seconded by Trustee Bedell. 5/0 approved.**

9.1.4. Resolution #5-2023 Village of Cayuga Cemetery Perpetual Account

9.1.4.1. **Motion to approve Resolution #5-2023 Village of Cayuga Cemetery Perpetual Account made by Deputy Mayor Ellis. Seconded by Trustee Bedell. 5/0 approved with a roll count vote showing the following:**

Mayor Donald Wilson, Jr	Yea	
Trustee Shane Ellis		Yea
Trustee Chelsea Heath	Yea	
Trustee Jeff Bedell		Yea
Trustee Diane Donnelly	Yea	

9.2. **Codes:** Kevin Foster

May 12

Office Hours

OTR 6188 Lake

Street regarding Garbage (STR)

FOIL Request		Respond to
Salato Apartments for FD also noted hoarder in 123 apt is gone.		Pick up Keys at
Court Street		Inspection
Lake Street Permit		Check progress
May 19	Office Hours	Received
acknowledgement of receipt of Foil Request 255 Wheat Street		Permit 6198
May 26	Office Hours	Questions if an
Lake Street		STR would be allowed 207 Genesee Street advised my concern would be off street parking.
		Follow up 6188
Lake Street Trash		Issue Permit
23-08 6167 Court Street		
June 1	Call from Kristy Burt regarding Zoning at 6200	
Center Street		Answer more
June 2	Office Hours	Reply to Chau
questions on Zoning 6200 Center Street		Advised should
and Victoria regarding INHS Permit Wheat Street		get separate permits for four buildings as they may not be
		completed at the same
time, and we would not be able to give C of O unless		everything was completed. They have
been given separate addresses by the	County for tracking and 911 response.	
June 5	Questioned if we could add administrative fees	
to permit for INHS.		Meet with Fire
Chief to secure Keys to Salato Apartments.		
June 6	Letter for 6200 Center Street	Chau Pham
email about Permit Fees		Email Attorney
Marks Regarding adding administrative fees to permit.		

June 7	Complaint of Deck being built without permits.	
June 9	Office Hours	Email Justin
6200 Lake Street Garbage pickup answers		Stop Work
Order 6357 Willow Drive Building Deck without Permit		Permit
application for 6030 Lake Street Above ground pool		OTR 220
Genesee Street (Weeds)		Was given list
of complaints regarding local zoning and Property maintenance		code verifying and will OTR.
June 12	Text message with video of motorcycle on Lawn	
6188 Lake Street 10:51am		
	Checked Local Law #2 1999 and it applies to the hours	
of 10:00 P.M. and 7:00		
	A.M. Weekdays or 8:00 P.M. to 7:00 A.M. Sundays.	
June 13	Tim Patterson called about Stop Work Order	
Willow Drive.		
June 14	Email from attorney with zoning for solar	
information.		Prepare Report
for Village.		

9.2.1 Permit for INHS can the 10% administrative fee be added onto the cost of the permit fee? INHS did receive invoices for TYLin reimbursement with a 10% administrative fee, paid the Village for the cost of the TYLin Invoices excluded the administrative fee in their payment. The Village can ask for the Administrative Fee, when the application was originally accepted and processed no administrative fee had been confirmed on the application. INHS has reached out to the Town of Aurelius regarding the EDU's at the former Cayuga Elementary School asking for them to be reduced from 11 EDU's down to 1 EDU. INHS has also reached out to the Town Attorney to see how EDU's are configured and agreed on per property. This is not in the Joint Agreement (it does state both municipalities must agree on the # of EDU's annually), the Local Water Law outlines how EDU's are determined. The clerk will send the Attorney a copy of the Village Local Water Law 1-93, Sewer Law, Local Law 1-2016, along with the IMA for Water and Sewer.

9.2.2 Received 2 complaints on STR 6188 Lake Street, one was a video message sent to the Code Enforcement Officer, the other was an email. Complaint was regarding Motorcycles/dirt bikes being ridden around the above-mentioned property all day. The noise shouldn't be disturbing neighbors according to Local Law 2-1999 between the hours of 10:00pm and 7:00am. The State Police were called to the property regarding the noise.

- 9.2.3 Stop work order for deck on Willow Drive – The permit needs to be issued by the Office of General Services due to the lake belonging to New York State. The Office of General Services is the department in charge of issuing the permit and would ensure all proper measures are covered such as going through the DEC, and if needed the Army Corp of Engineers.
- 9.2.4 6228 Lake Street – has filed the STR form with the Clerk, they are permitted to be a STR per zoning code, however the Village Zoning Law states that apartments cannot be Short Term Rentals. To be a STR they would need to go through the ZBA for a variance and they would also need a Special Use Permit. The Code Enforcement Officer will notify the owner.
- 9.2.5 Wheat St had a camper in their yard set up as an Airbnb during the Major League Fishing Tournament. NYS Tax Code states that a property owner may rent their property out for no more than 14 days without needing to claim the income on their taxes. Village Zoning states that STR has to be a main residence.
- 9.2.6 Solar Energy Law: The Village Attorney has given the Village Board the draft of the Solar Energy Law that was put together by the Village Planning Board. The Solar Energy Law will be worked into the Current Village Zoning Law as Section 3-6. Solar is separated by Tiers based on how big of an operation would be put in. How to tell if a Solar Array is Abandoned: The owner would not renew their letter of credit – which is renewed annually. The Village Board will review the Local Solar Energy Law and has set a Public Hearing regarding the Solar Energy Law for August 9, 2023, at 6:45pm.

Motion

to approve Resolution #6-2023 SET PUBLIC HEARING – LOCAL LAW NO.2-

2023 A LOCAL LAW

ADOPTING SECTION 3-6 OF THE VILLAGE OF CAYUGA ZONING

CODE REGARDING SOLAR ENERGY.

Motion made by Deputy Mayor Ellis. Seconded

by Trustee Heath. 5/0 approved.

9.3. **WWTP:** Bob Kneaskern/Josh Kneaskern

The plant has been running well. We have continued to work on preventative maintenance. I have been in contact with Precision Trenchless about our options for preventative maintenance on the sewer mains. They are in the process of putting together what options they would be able to offer us that best fit our budget. We continue to work on rebuilding and testing pumps as well as assisting in multiple pump installations/relocations on River Rd. There are no other issues to report at this time. Please feel free to reach out with any questions or concerns. Thank you.

9.4. **DPW:** Dan Patterson

Streets

- Leaf and Brush.
- Catch Basins – making sure they are clean.

Cemetery

- Pine Tree – Quote from Cranebrook \$2500.00 to remove. The tree had previously been struck by lightning.

- Planted a few of the trees.

gateway, new roof on the gateway (black roof) – Quotes for next month.

Possible projects to do in the Cemetery: Painting the metal

Parks

- Mowing, Cleaning.
- Town Helped remove brush from Park Clean-up Day.

the cemetery to utilize the water for flowers, and the Town will utilize to flush the water as needed.

*Fire Department Stairs are painted

*Frost hydrant will be put in at the Cemetery. Will allow those visiting water for flowers, and the Town will

*Clean-Up Day was not as busy as it had been in previous years.

* Backfill for the boardwalk – on the list of things to be completed.

*Berm behind Railroad Tracks – on the list of things to be completed.

be completed.

*Grade the area where the Cottages used to be – on the list of things to

*Grade the Swim area – on the list of things to be completed

*NW Corner of Genesee St and Rt 90 – there is a tree that is in bad shape, should find out who is responsible for the tree and see if it could be taken care of. (Responsibility falls to State, County, or Resident?)

9.5. **Fire Department:** Chief Stefan Szozda

9.6. **Waterfront Committee:** Chelsea Heath

9.6.1. Waterfront Festival is Saturday, August 5, 2023

9.6.2. Bands are booked, Vendors are booked.

9.6.3. Will start advertising for fishing tournament.

9.6.4. Donation Letters have been sent out.

9.7. **Rec:** Chelsea Heath

9.7.1. The Trail at McIntosh where the culvert pipe was put in a year or 2 ago has had the stone wash away and needs to be covered.

9.7.2. Had a meeting with Aurelius, Springport, and Union Springs regarding a Rec Program. Would like to start with an after-school program a few days a week at the school. 3:30-5:30 for hours. Would like to have High School Students volunteer who may need community service. Trustee Heath will reach out to AJ Smith Principal to try to get something set up.

9.7.3. Park Clean-Up

9.7.3.1. The Boy Scouts cleaned up the Trail.

9.7.3.2. The Gazebo and Picnic Tables were worked on.

9.7.3.3. Weed eating.

9.8. **Village Clerk:** Jen Ogburn

- Tax Collection started on June 1st = to date have collected \$49,809.06 (19.16%)
- Prepared List of Residents for DPW for Village Clean-Up Day
 - Helped at Clean-Up Day with checking Residents in.

- Tax Searches.
- Continuing to study for the Notary Exam.

- Staples will be closing the Staples Business Account (Credit Card) as of 7/31/2023 due to the program with Citibank ending. There are 2 options:
 - Option 1: continue using Staples Business Account and charge purchases to CLNB credit card.
 - Option 2: Sign up for Staples Advantage
 - Save 10% on staples orders.
 - Payment can be either credit card (CLNB Card), or invoice and paid for by check.
 - Next day delivery in 98% of the country.

Both options will still be Tax Exempt, as

well as the Staples Rewards Program.

➤ The clerk will compare Staples and other Office Companies for next month.

10. Approval of Vouchers:

10.1. Abstract #13 Total Claims \$8,760.78

Abstract # 13	
A	\$8,760.78
G	\$0.00
TA	\$0.00
TOTAL	\$8,760.78

10.1.1 Abstract #1 Total Claims \$45,861.83

Abstract # 1	
A	\$38,883.33
G	\$3,970.56
TA	\$3,007.94
TOTAL	\$45,861.83

Motion to approve Abstract #13 with claims totaling \$8,760.78 and Abstract #1 with claims totaling \$45,861.83 made by Deputy Mayor Ellis. Seconded by Trustee Donnelly. 5/0 approved.

11. Old Business:

11.1. **LWRP**

11.1.1. Aileen McNabb Coleman from Senator Rachel Mays office reached out to New York State to find out the status of the LWRP. New York State has hired more staff in the State Department so the Village should be seeing movement soon.

11.2. **Joint Water Agreement**

11.2.1. INHS – EDU handled under Codes 9.2.1.

11.2.2. What is needed to proceed with an Audit on District 3? The attorney will reach out and find out what is needed.

11.3. **NY Forward/DRI:**

- 11.3.1. Had a meeting for Airbnb's and businesses within the Village – nobody showed up.
- 11.3.2. Private Property Owner Projects are needed.
 - 11.3.2.1. The individual projects go through the State for approval/funding.
 - 11.3.2.2. Not for Profits can have a project, but they need to own the land for the project they proposed.
- 11.3.3. Question for NY Forward/DRI project – Could a lease get approved for a project?

*The Clerk will post on Facebook and the Village Website

*July 1, 2023, in Aurora there will be a DRI meeting with Union

Springs.

11.4. Possible Grant Opportunities for 2023 –

- 11.4.1. Erin Norris from Cayuga Lake Watershed shared Tim Schneiders info – he is with Cayuga County Soil & Water. They are currently applying for a grant and looking for small projects that are a 75-25 match grant.
- 11.4.2. Assemblyman Gallahan will be coming to look at the waterfront.
- 11.4.3. Cayuga County Planning (Kari and Greg) will be here for the Waterfront Festival.

11.5. Procurement Policy -Tabled for July 12, 2023

11.6. Dog Law – Tabled for July 12, 2023

12. New Business:

12.1. Lawn Mower Quotes

- 12.1.1. Clifton Equipment – Clay
 - Stagg Brand - \$13,000
- 12.1.2. Finger Lakes Power Equipment – Skaneateles
 - \$18,000
 - \$15,700
- 12.1.3. Auburn Chain & Mower
 - 12.1.3.1. Stihl model RZ972iKEFI 38.5hp, Kawasaki EFI engine with a 72" deck, 4-wheel suspension: \$16,643.00
 - 12.1.3.2. Hustler model X-ONE 941971 29.5hp, Kawasaki EFI engine: \$11,332.00
 - 12.1.3.3. Hustler model Super Z 942896 38.5hp Kawasaki EFI engine: \$13,665.00

*Delivery from Auburn Chain & Mower

– X-One is currently in stock; the Super Z is not but would not be long to come in.

*Using ARPA funds for purchase.

*Currently Soccer is mowing the Soccer

Fields at McIntosh Park.

Motion to purchase Hustler model Super Z 942896 38.5hp Kawasaki EFI engine from Auburn Chainsaw & Mower for \$13,665.00 with ARPA Funds made by Trustee Bedell. Seconded by Trustee Donnelly. 5/0 approved.

Deputy Mayor Ellis will contact Auburn Chain & Mower to proceed with the Purchase of Hustler model Super Z 942896.

13. Comments by Trustees:

13.1. Mayor Wilson: The Village office Roof should be completed by the end of the week.

13.2. Mayor Wilson: Next Step is getting the Office Painted. Quotes for painting – Mike Besner, Mike Parker.

14. Adjournment:

Motion to adjourn the Village of Cayuga Board of Trustees Regular Meeting at 9:45pm made by Trustee Heath. Seconded by Trustee Bedell. 5/0 approved.

Respectfully submitted by

Jen Ogburn

Village Clerk