## CITY ADMINISTRATION COMMITTEE AGENDA

**Date:** Wednesday, September 27, 2023  
**Time:** 6:00 P.M.  
**Location:** City Hall, 108 E. Green Street 3rd Floor, Council Chambers  
**Watch Online:** [https://www.youtube.com/@CityofIthacaPublicMeetings](https://www.youtube.com/@CityofIthacaPublicMeetings)

<table>
<thead>
<tr>
<th>ITEM?</th>
<th>Voting Item?</th>
<th>Presenter(s)</th>
<th>Time Alotted</th>
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</thead>
<tbody>
<tr>
<td>1. Call to Order</td>
<td>No</td>
<td>Yes</td>
<td>Chair, Robert Cantelmo</td>
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<tr>
<td>1.1 Agenda Review</td>
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<td>1.2 Review and Approval of Minutes</td>
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<td>August, 2023 minutes</td>
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<td>2.1 Statements from the Public</td>
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<td>2.2 Committee Member Response</td>
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<td>3. Consent Agenda</td>
<td>Yes</td>
<td>Yes</td>
<td>L. McBean-Clairborne, Dir. GIAC</td>
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<td>3.1 Amend GIAC Personnel Roster</td>
<td>Yes</td>
<td></td>
<td>R. Covert, Fire Chief</td>
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<td>3.2 IFD Fire Marshall Resolution</td>
<td>Yes</td>
<td></td>
<td>T. Schwartz, Acting Police Chief</td>
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<td>3.3 Amendment to Personnel Roster – Crime Analyst</td>
<td>Yes</td>
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<td>4. Administration, Human Resources, &amp; Policy</td>
<td>Yes</td>
<td>Yes</td>
<td>T. Schwartz, Acting Police Chief</td>
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<tr>
<td>4.1 Amendment to Personnel Roster – IPD (Local Law)</td>
<td>Yes</td>
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<td>E. Cuddihy, Transp. Engineer</td>
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<td>4.2 Residential Parking Oak Ave.</td>
<td>Yes</td>
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<td>V. Kessler, City Attorney</td>
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<td>4.3 Authorize Execution of Easement Relating to Hydropower Penstock Infrastructure</td>
<td>Yes</td>
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<td>5. Finance, Budget, &amp; Appropriations</td>
<td>Yes</td>
<td>S. Thayer, Controller</td>
<td>5 Min</td>
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<td>5.1 A Local Law to Override the Tax Levy</td>
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<td>Limit Established in General Municipal Law</td>
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<td>6. City Manager Transition</td>
<td>No items submitted</td>
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<td>7. Other Business</td>
<td>M. Thorne, Supt. Public Works</td>
<td>30 Min</td>
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<td>7.1 Discussion on Sidewalk Snow Removal</td>
<td>All</td>
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<td>5 Min</td>
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<td>7.2 November and December Meeting</td>
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<td>8. Meeting Wrap-Up</td>
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<td>8.1 Announcements</td>
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<td>8.2 Next Meeting Date: October 25, 2023</td>
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<td>5 Min</td>
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<td>8.3 Review Agenda Items for Next Meeting</td>
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<td>8.4 Adjourn</td>
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<td>Meeting Length Estimate</td>
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3. Consent Agenda

3.1 Amend GIAC Personnel Roster

REQUEST TO AMEND 2023 PERSONNEL ROSTER OF THE GREATER ITHACA ACTIVITIES CENTER (GIAC)

WHEREAS, GIAC has one funded 35-hour roster Executive Assistant position, and

WHEREAS, as part of the personnel reductions during the height of the COVID-19 pandemic, GIAC Administration reduced the hours of this position to 35 hours per week, and

WHEREAS, this position not only supports the work of the GIAC Director but also the Deputy GIAC Directors and indeed the entire agency, and

WHEREAS, restoring this position to 40 hours a week is crucial to the workload for this position as we often have to cover overtime hours for it now, and

WHEREAS, GIAC’s 2023 budget as approved has funding to support these additional hours, and

WHEREAS, no additional funds are being requested for this position, now therefore be it

RESOLVED, that the Personnel Roster of GIAC shall be amended as follows:

Increase – one (1) GIAC Executive Assistant Position from 35 hours to 40 hours a week

And be it further,

RESOLVED, that said roster amendment will be made within the existing funds of the 2023 authorized GIAC budget.
3. Consent Agenda

3.2 IFD Fire Marshall Resolution

Amendment to Personnel Roster – Fire – Assistant Fire Chief

WHEREAS, the Ithaca Fire Department currently has one Assistant Fire Chief who holds the title of Fire Marshall and handles all administrative functions and special acceptance testing in the Fire Prevention Bureau; and

WHEREAS, the person who currently holds this position has indicated her intent to retire in the first quarter of 2024; and

WHEREAS, the department and the community would benefit from onboarding a new Fire Marshall for transition training prior to the pending retirement; and

WHEREAS, the department has funded but unfilled Firefighter positions; now therefore be it

RESOLVED, that the personnel roster of the Ithaca Fire Department be amended as follows, effective January 1, 2024:

Add one (1) Assistant Fire Chief

And be it further

RESOLVED, that the seventh Assistant Fire Chief position will remain funded through the transition period, and be it further

RESOLVED, that upon full completion of the transition and retirement of the current Fire Marshall, the seventh Assistant Fire Chief position shall be eliminated, and be it further

RESOLVED, that the above changes be funded using funds in the 2024 IFD budget, derived from current vacant funded position in account A3410 5110 12100.
3. Consent Agenda

3.3 Amendment to Personnel Roster – Ithaca Police Department

WHEREAS, the Ithaca Police Department does not have a Crime Analyst, and

WHEREAS, currently police officers, investigators, and police supervisors are often tasked with trying to gather, interpret, analyze, then disseminate data for an investigation or the public, and

WHEREAS, the aforementioned process significantly decreases the overall efficiency of the Ithaca Police Department, and

WHEREAS, the nearest Crime Analyst Center is in Binghamton, and the analyst there are not able to continually provide data specific to the City of Ithaca, and

WHEREAS, the Ithaca Police Department would like to use data, and better data when deciding on deployment of resources, and

WHEREAS, the Ithaca Police Department values transparency and would like to have an increased ability to provide our community better information, data and statistics,

WHEREAS, the 2023 Ithaca Police Department Budget includes funding for a Crime Analyst; now, therefore, be it

RESOLVED, that the Personnel Roster of the Ithaca Police Department be amended as follows:

Add: One (1) Crime Analyst (40 hours/week)

and be it further

RESOLVED, that the position of Crime Analyst shall be assigned to the CSEA Administrative Unit Compensation Plan at salary grade 12, and be it further

RESOLVED, that for the sole purpose of determining days worked reportable to the New York State and Local Employees Retirement System the standard workday for this position shall be established at eight (8) hours per day (forty (40) hours per week), and be it further

RESOLVED, that funding for this position shall be derived from the approved 2023 departmental budget.
4. Administration, Human Resources & Policy

4.1 Amendment to Personnel Roster – IPD Deputy Chief

WHEREAS, due to staffing availability at the leadership level in the Ithaca Police Department, and

WHEREAS, it is desirable to have more stability by adding a new Deputy Police Chief to minimize the temporary restructuring, now, therefore, be it

RESOLVED, that the personnel roster of the Ithaca Police Department be amended as follows:

Fund: an additional Deputy Police Chief position

and be it further

RESOLVED, that once there is a Deputy Police Chief vacancy the personnel roster of the Ithaca Police Department shall be automatically reduced from three (3) Deputy Police Chiefs to two (2) Deputy Police Chiefs, and be it further

RESOLVED, that the above change shall be funded from within the 2023 allocated budget of the Ithaca Police Department.
RESOLUTION City Administration Committee
September 27, 2023

WHEREAS, Chapter 260 of the Municipal Code of the City of Ithaca addresses the Residential Parking Permit System; and

WHEREAS, Parking by residential parking is allowed only within the “residential parking permit zone” (excluding streets within Cornell campus), with the boundaries as defined in 260-2, “Residential Parking Permit Zone”; and

WHEREAS, according to the Municipal Code section 260-3, the Board of Public Works designates the residential permit parking areas, and in the absence of BPW meetings, Engineering is bringing this issue to Common Council for discussion and resolution; and

WHEREAS, The City of Ithaca is currently reconstructing the 400 block of Oak Ave., and the new street configuration creates seven new on-street parking spaces where there were none; and

WHEREAS, The entirety of Oak Ave. is within the Residential Parking Permit Zone, and the 100-300 blocks of Oak Ave., as well as neighboring streets, are designated for residential permit parking, and the City wishes to match the existing regulations on Oak Ave. for the newly created parking spaces on the 400 block of Oak Ave.; then be it

RESOLVED, that Common Council hereby agrees that the City of Ithaca may designate the 400 block of Oak Ave. as a Residential Parking Permit block.
New Parking Spaces (all three oval areas on these drawings)
Chapter 260 of the Municipal Code of the City of Ithaca addresses the Residential Parking Permit System. Parking by residential parking is allowed only within the “residential parking permit zone” (excluding streets within Cornell campus), with the boundaries as defined in 260-2, “Residential Parking Permit Zone”. The City, with the Board of Public Works’ permission, may install signage on blocks within the Residential Parking Permit Zone limiting parking to holders of residential parking permits during certain times of the day, as described in the Code section 260-3.

The City of Ithaca is currently reconstructing the 400 block of Oak Ave., and the new street configuration creates seven new on-street parking spaces where there were none. The entirety of Oak Ave. is within the Residential Parking Permit Zone. The 100-300 blocks of Oak Ave. includes residential permit parking to allow residents to be able to park on street – without it, the parking would likely be primarily used by student/staff commuters to Cornell campus. The Engineering department wishes to match the parking regulations on the 400 block of Oak Ave. to those on the 300 block of Oak Ave. and on the surrounding streets.

As the Board of Public Works is not meeting, and as the proposed parking regulation on the 400 block of Oak Ave. is consistent with the existing regulations on the 300 block of Oak Ave. and throughout the neighborhood, the Engineering department is requesting permission for this action from Common Council.

Please see the attached design drawings for the location of the new parking spaces (on the north side of the street, in the parking pull-off areas), and the attached maps showing the existing residential parking permit zones and streets with residential permit parking.

Thank you,

Erin Cuddihy
Transportation Engineer
City of Ithaca
607-375-7818, ecuddihy@cityofithaca.org
City Administration Agenda Item
Proposed Resolution
September 27, 2023

Authorize Execution of Easement Relating to Hydropower Penstock Infrastructure Located Beneath Fall Creek Drive and Thurston Avenue

WHEREAS, on March 28, 1903, the City of Ithaca acquired certain land for the purposes of constructing and maintaining public streets, including the land on which the present-day Fall Creek Drive is located, and the City further holds a right-of-way over certain land on which Thurston Avenue is located (collectively, the “Property”), and

WHEREAS, at the time of the City’s acquisition of the Property, certain infrastructure relating to the operation of the hydroelectric power facility located in Fall Creek gorge (“Penstock”) was already present beneath the Property, and

WHEREAS, the Penstock is owned and maintained by Cornell University, and

WHEREAS, the Common Council of the City of Ithaca wishes to formalize the existing arrangement regarding the Penstock and the Property between the City and Cornell University and to clarify its terms through a written easement agreement; now, therefore, be it

RESOLVED, that the Mayor, in consultation with the City Attorney, is hereby authorized to execute an easement in a form substantially similar to that attached hereto and any such further documents as may be necessary to effectuate the transfer of the easement.
MEMORANDUM

To: City Administration Committee
Date: September 12, 2023
Re: Proposed Hydropower Penstock Easement

Dear Council Members,

Please find accompanying this memorandum a resolution, proposed easement, and supporting documentation concerning already existing hydropower infrastructure located underneath Fall Creek Drive and Thurston Avenue.

In 1903, the City acquired the land over which Fall Creek Drive currently runs from Edward and Edith Wyckoff as part of a larger transfer of private roads to public ownership. At the time of the transfer, there was already in place penstock infrastructure feeding water from Beebe Lake to the hydroelectric facility located in the Fall Creek gorge, which was originally constructed in the late 19th century and continues to generate power to this day. The penstock also passes beneath Thurston Avenue, which the City constructed and maintains pursuant to a right of way over a Cornell-owned parcel. The maps accompanying the easement depict the location of the penstock in relation to the current location of the roads as well as the proposed easement area.

In the past one hundred twenty years since the Wyckoffs transferred their land to the City, the City has maintained its public streets and related infrastructure on and near the surface while Cornell has maintained its penstock further underground. The purpose of this easement is to formalize the existing arrangement, clarify the terms on which Cornell may access the penstock for maintenance and related purposes, and to affirm the City’s right to maintain its own roads and infrastructure in the easement area. Our office has coordinated with the Department of Public Works in negotiating the proposed easement; no operational or financial impacts are expected to result from its execution.

Please do not hesitate to contact me if you should have any questions. A member of our office will also be present at the September CA meeting if anything should arise during your deliberations.

Sincerely,

Victor J. Kessler
Assistant City Attorney
**PERMANENT HYDRO-ELECTRIC PENSTOCK AND ACCESS EASEMENT AND RIGHT-OF-WAY**

**THIS INDENTURE** is made this ___ day of ______________, 2023 by and between the City of Ithaca, a municipal corporation of the State of New York, with offices at 108 East Green Street, Ithaca, New York 14850 ("Grantor" or "City"), and Cornell University, an education corporation chartered by the State of New York, c/o Real Estate Department, Box DH-Real Estate, Ithaca, New York 14853 ("Grantee" or "Cornell").

The Grantee is the fee owner of a certain parcel of land identified as Tax Parcel number 30.-1-1.2 (the "Cornell Premises"), located in the City of Ithaca, Tompkins County, New York, and the Grantor is the owner of a right-of-way (the "Right-of-Way") across said parcel of land on which the City built and owns Thurston Avenue.

The Grantor is the fee owner of a certain parcel of land (the "City Premises"), located in the City of Ithaca, Tompkins County, New York, deeded to the City for highway purposes from Edward G. Wyckoff, as more particularly described in Liber 159 of Deeds at Page 200, on which the City built Fall Creek Drive.

**NOW WITNESSETH,** that the Grantor, in consideration of One and 00/100 Dollar ($1.00) and other good and valuable consideration paid by Cornell, the receipt and sufficiency of which are hereby acknowledged by the Grantor and Cornell, does hereby grant, remise, relinquish and release unto Cornell, its successors and assigns forever, a non-exclusive EASEMENT and RIGHT-OF-WAY to excavate, install, lay, construct, operate, make observations of, inspect, maintain, alter, improve, repair, remove, replace or change the size of subterranean hydro-electric penstock infrastructure, together with any and all necessary or desirable related subterranean appurtenances and devices, together with the rights of free ingress and egress in, over, across, upon, and under the below-described Right-of-Way and City Premises, such locations being the area of the permanent easement and right-of-way herein granted, and including the right to trim and/or remove trees, shrubs and other obstructions except as otherwise expressly limited herein, upon the below-described parcels of land situate in the City of Ithaca, County of Tompkins and State of New York, all as more particularly bounded and described as follows:

**EASEMENT A**

ALL THAT PORTION OF THE CITY PREMISES, situate in the City of Ithaca, County of Tompkins and State of New York, consisting of a 20-foot wide strip of land centered on the existing hydro-electric penstock infrastructure located beneath Fall Creek Drive as described on the survey map entitled “Easement Map for Hydro-Electric Penstock Infrastructure Over Fall Creek Drive for Cornell University, City of Ithaca, Tompkins County, New York,” made by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, dated March 11, 2022, incorporated herein by reference, a copy of which map is intended to be filed in the Tompkins County Clerk’s Office concurrently herewith, as more particularly described in Schedule A attached hereto, and
EASEMENT B

ALL THAT PORTION OF THE RIGHT-OF-WAY, situate in the City of Ithaca, County of Tompkins and State of New York, located on part of Tax Parcel number 30.1-1.2, as described on the survey map entitled “Easement Map for Hydro-Electric Penstock Infrastructure Over Thurston Avenue for Cornell University, City of Ithaca, Tompkins County, New York,” made by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, dated March 11, 2022 incorporated herein by reference, a copy of which map is intended to be filed in the Tompkins County Clerk’s Office concurrently herewith, as more particularly described in Schedule B attached hereto.

Reserving unto Grantor all rights accruing from Grantor’s ownership of the City Premises and the Right-of-Way over the Cornell Premises, except to any extent that exercise of such rights and Grantor’s use of the City Premises or the Right-of-Way conflict with the terms of this easement. Without limiting the foregoing, Grantor expressly reserves: (1) the right to cross, recross or otherwise use said easement and right-of-way for utility, telecommunication, or other purposes and to grant future easements consistent with Grantor’s covenants herein, provided that Grantor’s actions do not interfere with, damage or otherwise affect the rights granted herein or with the functioning of the hydro-electric penstock infrastructure or associated facilities, and (2) the right to relocate said easement and right-of-way and the facilities located thereon, in whole or in part, in accordance with plans and specifications approved by Cornell, and subject to the review and approval of the Federal Energy Regulatory Commission. In considering approval, Cornell may consider the effects of the proposed changes on the hydro-electric penstock infrastructure’s operation and costs.

All equipment, materials, and other property belonging to the Grantor, its agents or contractors, stored on or located on the City Premises shall remain the property of and shall be under the control and supervision of the Grantor.

All equipment, materials, and other property belonging to the Grantee, its agents or contractors, stored on or located on the Cornell Premises, as well as the hydro-electric penstock infrastructure located on the City Premises, and other and related appurtenances and devices, shall remain the property of and shall be under the control and supervision of the Grantee.

AND, Grantor further covenants and agrees, for itself and all of its successors and assigns:

1. No buildings or structures, or trees or plants other than those presently installed, shall be constructed or placed within the aforesaid permanent easement and right-of-way which will interfere with complete access by Cornell, its successors, assigns, employees and agents to excavate, install, lay, construct, operate, make observations of, inspect, maintain, alter, improve, repair, remove, replace or change the size of any hydro-electric penstock infrastructure, and other and related appurtenances and devices unless the permission of the Grantee is first obtained.

2. Except to the extent necessary for the construction and maintenance of roads, sidewalks, curbs, drainage, utilities, and other such improvements on the City Premises or within the Right-of-Way, Grantor will not permit or conduct any mining, excavation, construction or
blasting within said easement and right-of-way, or engage in any conduct, directly or indirectly, that blocks, obstructs, or interferes with the ingress and egress rights of Cornell, its successors, assigns, employees, and agents, without permission of the Grantee.

3. Grantor will place the following provision in all conveyances of the City Premises or the Right-of-Way or portions thereof covered by this easement, or any rights therein:

“Subject to a hydro-electric penstock infrastructure and access easement and right-of-way to convey rights to Cornell University for hydro-electric penstock infrastructure purposes, including the conveyance of rights to Cornell University to excavate, install, lay, construct, operate, make observations of, inspect, maintain, alter, improve, repair, remove, replace or change the size of hydro-electric penstock infrastructure and other and related appurtenances and devices, together with the rights of free ingress and egress in, over, across, upon and under the below-described permanent easement and right-of-way, and including the right to trim and/or remove trees, shrubs and other obstructions, all of which rights are (1) set forth in said permanent easement and right-of-way granted to Cornell University on [date] and recorded in the Tompkins County Clerk’s Office on [date] as Instrument No. , the terms, obligations and conditions of which are expressly incorporated herein, and (2) assignable by the said Cornell University to any successor or assign.”

Notwithstanding the preceding paragraphs, Grantee recognizes Grantor’s likely need to use, design, construct, evaluate, maintain, repair, remove, and replace roads, sidewalks, curbs, drainage, utilities, and other such improvements on the City Premises and within the Right-of-Way, and to hold such improvements out for public use, provided that such improvements do not interfere with Grantee’s rights under this permanent easement and right of way. Grantee recognizes that its access to the hydro-electric penstock infrastructure and other and related appurtenances and devices may be temporarily limited in whole or part during Grantor’s construction, evaluation, maintenance, repair, removal, or replacement of City-owned roads, sidewalks, curbs, drainage, utilities, and other such improvements on the City Premises and within the Right-of-Way, and that such limitations shall not be deemed a violation of this permanent easement and right of way. Grantor agrees to use reasonable efforts to provide Grantee with access if needed during such periods of time.

AND FURTHER, Grantor and Cornell acknowledge that the easement and right-of-way hereby granted are fully assignable by Cornell to any successor or assign, or to any existing or future improvement district(s), without prejudice or recourse.

TO HAVE AND TO HOLD said right-of-way and easement unto Cornell, its successors and assigns forever, it being the intent of the Grantor to have this easement and all related rights-of-way herein expressed run with the land forever, and be permanent and perpetual.
AND CORNELL UNIVERSITY DOES COVENANT that:

1. Grantee will at all times, at Grantee’s expense, when it enters the City Premises and/or the Right-of-Way for any purpose related to the permanent easement as granted by this instrument, leave the City Premises and/or the Right-of-Way in a neat and presentable condition, returning the City Premises and/or the Right-of-Way as nearly as practicable to its condition before such entry, including grading and reseeding as applicable, subject to any changes in the City Premises and/or the Right-of-Way permitted by the exercise of the rights granted by this easement.

2. Grantee shall provide the City’s Department of Public Works with no fewer than 30 days of advance written notice prior to entering the City Premises or Right-of-Way for the purposes of exercising any of its rights herein described in a manner that would obstruct or interfere with the City’s or public’s use of the City Premises or Right-of-Way. In case of emergency, advance written notice shall not be required, but Grantee shall notify Grantor as soon as is practicable under the circumstances.

3. Grantee shall not allow any claim, lien or other encumbrance arising from its use of the easement area to accrue against or attach to the easement premises or any other portion of the City Premises and/or the Right-of-Way, but if any lien or notice of lien is so filed, the responsible party shall promptly bond and discharge any lien or notice of lien that may be so filed. Grantor shall send to Grantee timely written notice of any lien so filed of which Grantor itself has notice, and Grantee shall send to Grantor timely written notice of any lien so filed of which Grantee itself has notice.

4. Grantee has evaluated title to the City Premises and Right-of-Way without reliance on any representation or warranty of title from Grantor.

5. Grantee shall cause this easement grant to be recorded in the office of the Clerk of Tompkins County, New York, at Grantee’s expense.

6. Grantee, by accepting this easement, agrees it shall indemnify Grantor, Grantor’s officers, employees, agents, successors and assigns (collectively, the “Indemnified Parties”), and hold them harmless from any claims, demands, actions, suits, liabilities, losses, injuries, costs, or judgments (collectively, “Claims”) that arise out of or result from (in whole or in part) the use of the City Premises and/or the Right-of-Way or the exercise of Grantee’s rights hereunder by Grantee, its employees, contractors, agents, or invitees, including (without limitation) reasonable investigatory and legal costs. Notwithstanding the foregoing, to the extent the Indemnified Parties are negligent or act with willful misconduct, Grantee’s duty to indemnify them shall not extend to the proportion of loss attributable to the Indemnified Parties’ negligence or willful misconduct.

This easement and right-of-way, and the covenants contained herein, shall inure to and be binding on the successors and assigns of the respective parties.

[SIGNATURE PAGE FOLLOWS]
IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands and seals the day and year first above written.

CORNELL UNIVERSITY

By: __________________________
    Jeremy Thomas
    Senior Director,
    Real Estate Department

State of New York    )
County of Tompkins   ) ss.:  

On the _____ day of __________, in the year 2023, before me, the undersigned, personally appeared Jeremy Thomas, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

CITY OF ITHACA

By: __________________________
    Laura Lewis
    Mayor

State of New York    )
County of Tompkins   ) ss.:  

On the _____ day of __________, in the year 2023, before me, the undersigned, personally appeared Laura Lewis personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
Proposed Legal Description - Schedule "A"
Hydro-Electric Penstock Easement

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Ithaca, County of Tompkins, State of New York, being bounded and described as follows:

Beginning at a point in the Westerly street line of Wyckoff Avenue, which said point is further located a distance of 200' more or less from the South street line of Thurston Avenue.

RUNNING THENCE N 67°25'39" E a distance of 49.87' to a point;
RUNNING THENCE S 03°02'16" E a distance of 57.13' to a point in the Southerly street line of Fall Creek Drive;
RUNNING THENCE S 76°37'00" W a distance of 141.71' to a point;
RUNNING THENCE with a curve turning to the left with an arc length of 263.7' more or less; with a chord bearing of S 66°21'08" W, with a chord length of 260.91' to a point;
RUNNING THENCE S 78°42'27" W a distance of 20.00' to a point;
RUNNING THENCE N 11°17'33" W a distance of 40.00' to a point in the Northerly street line of Fall Creek Drive;
RUNNING THENCE N 78°41'25" E a distance of 20.56' to a point;
RUNNING THENCE with a curve turning to the left with an arc length of 260.8' more or less; with a chord bearing of N 66°13'50" E, with a chord length of 258.15' to a point;
RUNNING THENCE N 76°37'00" W a distance of 102.04' to a point;
RUNNING THENCE N 03°02'16" E a distance of 8.37' to the point and place of beginning.

Said easement containing an area of 17,715 square feet, 0.407 acres

SUBJECT TO covenants, restrictions, easements and encumbrances of record.

For a more particular description thereof, reference is hereby made to a survey map entitled "Easement Map for Hydro-Electric Penstock Infrastructure over Fall Creek Drive for Cornell University, City of Ithaca, Tompkins County, New York", dated 3/11/2022 prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.
EASEMENT MAP
FOR HYDRO-ELECTRIC PENSTOCK INFRASTRUCTURE
OVER FALL CREEK DRIVE FOR
CORNELL UNIVERSITY
CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

NOTES:
1) FALL CREEK DRIVE FROM ITS INTERSECTION WITH THURSTON AVENUE WESTERLY TO ITS INTERSECTION WITH CAYUGA HEIGHTS ROAD WAS DEDICATED FOR HIGHWAY PURPOSES FROM EDMOND G. WYCKOFF TO THE CITY OF ITHACA HAVING A WIDTH OF 40 FEET PER DEED BOOK 19A, PAGE 200.
2) HORIZONTAL DATUM IS REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, NAVIGATED THROUGH GPS REAL TIME OBSERVATIONS USING HYDNET CONTRUCTIVE OPERATING REFERENCE STATIONS.

LEGEND
b.-COMPUTED POINT
0 MANHOLE
v- UTILITY POLE
... IRON PIN FOUND
\ IRON PIPE FOUND

T.G. MILLER, P.C.
ENGINEERS AND SURVEYORS
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ITHACA, NEW YORK 14850
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607-272-8477

TITLE: EASEMENT MAP
FOR HYDRO-ELECTRIC PENSTOCK INFRASTRUCTURE
OVER FALL CREEK DRIVE FOR
CORNELL UNIVERSITY
CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATE: 3/11/2022
S221
REVISED

DRAWN.
3/11/2022

SCALE: 1:30

LINE
BENDING
CAST/TRUE
L1 B.10'-00" W 07'-12"
L2 B.10'-00" W 21'-00"
L3 W 78'-27" E 20'-00"
L4 N 102'-00" E 07'-12"
L5 N 49'-00" E 25'-12"

FORMER PROFESSOR WAY LOT
PER MAP REFERENCE No. 3
CURRENTLY ASSESSED TO
CORNELL UNIVERSITY
TAX MAP PARCEL No. 30-1-1.2

HATCHED AREA= 17,715 Sq. Feet (0.407 Acre)
PROPOSED PERMANENT EASEMENT
FOR HYDRO-ELECTRIC PENSTOCK INFRASTRUCTURE
TO BE GRANTED TO CORNELL UNIVERSITY

APPROX. LOCATION OF
HYDRO-ELECTRIC PENSTOCK INFRASTRUCTURE
BY INFORMATION PROVIDED BY ONE
ALL THAT TRACT OR PARCEL OF LAND situate in the City of Ithaca, County of Tompkins, State of New York, being bounded and described as follows:

Beginning at a point in the Easterly street line of Thurston Avenue, which point being 6.5' more or less from the present centerline of Credit Farm Drive, which said point is further located a distance of 33' Southeasterly more or less from the centerline of intersection of Thurston Avenue.

RUNNING THENCE with a curve turning to the right with an arc length of 40.08', with a radius of 2459.73', with a chord bearing of S 09° 26' 55" W, with a chord length of 40.08' to a point;

RUNNING THENCE N 84° 06' 06" W a distance of 66.17' to a point in the Westerly street line of Thurston Avenue;

RUNNING THENCE with a curve turning to the left with an arc length of 40.08', with a radius of 2393.73', with a chord bearing of N 09° 32' 48" E, with a chord length of 40.08' to a point;

RUNNING THENCE S 84° 06' 06" E a distance of 66.10' to the point and place of beginning.

Said easement containing an area of 2,645 square feet, 0.061 acres

SUBJECT TO covenants, restrictions, easements and encumbrances of record.

For a more particular description thereof, reference is hereby made to a survey map entitled "Easement Map for Hydro-Electric Penstock Infrastructure over Thurston Avenue for Cornell University, City of Ithaca, Tompkins County, New York", dated 3/11/2022 prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.
NOTES:

1. HORIZONTAL DATUM IS REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 THROUGH GPS REAL TIME OBSERVATIONS USING NYSNET CONTINUOUS OPERATING REFERENCE STATIONS.
5. Finance, Budget & Appropriations

5.1 A Local Law to Override the Tax Levy Limit Established in General Municipal Law

Local Law No. 2023

BE IT ENACTED by Common Council of the City of Ithaca as follows:

Section 1. Legislative Intent
It is the intent of this local law to allow the City of Ithaca to adopt a budget for the fiscal year commencing January 1, 2024, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal law §3-c.

Section 2. Authority
This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override
The Common Council of the City of Ithaca, County of Tompkins, New York, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2024, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability
If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this local law or application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgement shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date
This local law shall take effect immediately upon filing with the Secretary of State.