

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 5, 2001, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Janet Beebe, Lynn Leopold and Frank Moore; Maria Stycos, Planning Board member; Bill Troy, Village Attorney.

Mayor Donald Hartill called the meeting to order at 7:37P.M. He opened the public comment period. There were many students present.

Bob Dattola of 1000 Cayuga Heights Road questioned why bow hunting was allowed on Murray Estates. Bob had read our zoning law on the web and understood that the purpose of a hunt was for the owner to control the deer population on his land. In minutes of the meeting, when the hunt was renewed for this year, there was mention of a letter from Jeff Geiger. Bob asked why Jeff and not Mr. Horowitz, the owner of the property, applied. The Mayor explained that Jeff is the farm manager and is a legal representative. Bob sees no farming being done, which requires control of deer, and wonders why the Board approved the hunt. Mayor Hartill explained that it is an owners right to ask for this opportunity. The farm started out growing corn then garlic and now is a grassland farm. He mows and markets this as far as we know. Coming from a farming background, the Mayor knows that deer cause a problem. Bob's interested in this land and an opportunity for the Village to protect this land. He asked if the Village would purchase development rights to this land. Knowing what the Village's expenses and income are, the Village is not in a position to buy these development rights. Mayor gave Bob a history of this property. Fifteen years ago there was a proposal to develop the property as a golf course and 800 housing units. Bob would like to walk the land. Mayor Hartill suggested contacting Jeff Geiger.

A second concern of Mr. Dattola was Mr. Park's land. There is no hunting allowed there but there are signs posted on the land that state the "land is hunted and patrolled by off duty police officers". The Mayor will look into this. Sorel Gottfried stated that she was walking down Cayuga Hills Road and people were putting a log across the road there at the cul-de-sac. A private individual has no right to block a public road. The Village has to keep the road open by law. Maria Stycos added not only were people parking there but also at the Twin Glens turnaround. Lynn suggested we consider putting up signs that say no parking. Pembroke Lane also sees a lot of people parking. There is a 3-acre piece of property of Pembroke Lane that is owner by the Village and the public is allowed on that land. Mayor Hartill will speak with Dennis Reinhart, Superintendent of Public Works, to find out the law on signage.

Motion-To Close the Public Comment Period

Trustee Larry Fresinski moved to close the public comment period. Trustee Lynn Leopold seconded the motion. A vote was taken:

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|---------------------------|------------------------------|---------|
| Mayor Donald Hartill- Aye | Trustee Frank Moore- Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | |
| Trustee Lynn Leopold- Aye | | |

Next on the agenda was Tim Buhl, however, he will not be present until the November 19th meeting to present the final set of numbers for relocating the utilities underground. Tim has been in contact with Verizon and his electrical contractor to get final numbers. This is not completed yet but should be by the 19th.

Bob Wity, president & CEO of Cornell Federal Credit Union was present to discuss the possible issuance of a temporary certificate of occupancy for the new branch office located at 15 Sheraton Drive. Rocky Gull from HBE was also present. Rocky has completed 99% of the punch list. Cayuga Landscape is doing the landscaping and that should be completed next week. The equipment for the drive up and night drop are being held in a warehouse in Syracuse because Moseler Safe Co. went into bankruptcy after 140 years. The equipment should be installed by December 15th. This doesn't have to be installed for CFCU to open. Their present branch doesn't have either of these services. CFCU

would like to move their phones and computers over the three day weekend so they are requesting a Temporary CO. Ben Curtis, Code & Zoning Officer, has sent a memo to the Board suggesting that a Temporary CO be granted with a \$10,000 security deposit.

Resolution#3813-To Authorize Ben Curtis to Issue a Temporary Certificate of Occupancy to CFCU Branch Building at 15 Sheraton Drive With a Nominal Security Deposit of \$10,000 Which Will Expire May 10, 2002.

Trustee Larry Fresinski moved to accept this resolution and Trustee Janet Beebe seconded the motion. A vote was taken:

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|---------------------------|------------------------------|---------|
| Mayor Donald Hartill- Aye | Trustee Frank Moore- Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | |
| Trustee Lynn Leopold-Aye | | |

Jim Tull, Pyramid Mall General Manager, was also requesting a Temporary Certificate of Occupancy for the site work for parking for the new Best Buy store at the south end of Pyramid Mall, which plans to open November 9th. The site work includes parking lot lighting, restoration of normal traffic flow on the ring road serving this area and the rest of the mall, completion of the storm water management infrastructure and implementation of erosion controls sufficient to stabilize the disturbed areas for the winter. These items do not affect life safety or code compliance for use of the building. What will not be completed is the topcoat on the parking lot or the landscaping. The binder coat will go down and be striped. The topcoat will be done in the spring when the rest of the work is completed. Landscaping will also have to wait until the spring because anything they would plant would just die this time of year. They will, however, be putting down some erosion protection material. Ben recommended that the Trustees authorize a Temporary CO for the South End Site Work with a \$50,000 deposit.

Jim Tull went over the site plan with the Board. He also clarified that Best Buy and the Common Area are under a separate permit. Best Buy is ready to open on November 9th.

Resolution#3814-To Authorize Ben Curtis to Issue a Temporary Certificate of Occupancy to Pyramid Mall for the South Site Work With a Nominal Security Deposit of \$50,000 Which Will Expire May 9, 2002.

Trustee Larry Fresinski moved to accept this resolution and Trustee Lynn Leopold seconded the motion. A vote was taken:

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|---------------------------|------------------------------|---------|
| Mayor Donald Hartill- Aye | Trustee Frank Moore- Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | |
| Trustee Lynn Leopold-Aye | | |

Next on the agenda was the approval of minutes.

Motion-Approval of Minutes for October 10, 2001

Trustee Lynn Leopold moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Larry Fresinski seconded the motion. A vote was taken:

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|--------------------------|------------------------------|---------|
| Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | |
| Trustee Lynn Leopold-Aye | | |

Motion-Approval of Minutes for October 15, 2001

Trustee Janet Beebe moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Frank Moore seconded the motion. A vote was taken:

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| | Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | | |
| | Trustee Lynn Leopold-Abstain | | |

Next on the agenda was the return of delinquent taxes to the County. The Mayor explained to the Ithaca High School students present that if Village residents do not pay their taxes within 6 months they are forwarded to the County and the County pays us. It then becomes the County's problem and these delinquent amounts appear on the taxpayers County tax bill. Villages do not have the right to foreclose on property.

Motion-To Forward the Delinquent Taxes to the County

Trustee Larry Fresinski moved this motion and Trustee Frank Moore seconded the motion. A vote was taken:

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| | Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | | |
| | Trustee Lynn Leopold-Aye | | |

The Board then signed the delinquent tax affidavit, which will be sent to Tompkins County Division of Budget & Finance. It was a list of 20 property owners who didn't pay their 2001-2002 Village taxes. The total unpaid tax and penalty was \$5,512.62.

Each board member received a copy of the Union Contract for the S.C.L.I.W.C. employees. Some of the S.C.L.I.W.C. employees have decided to join the International Union of Operating Engineers for the purpose of collective bargaining. Each municipality that is part of the commission must pass a resolution to agree with the union contract. The Mayor feels they would have been better off without the union. The employees will continue to have their medical benefits from the Town of Ithaca. The employees at Bolton Point are employees of record at the Town of Ithaca. The commission bylaws say we must pass this resolution. Not all Bolton Point employees joined the union so it is not a union shop.

Resolution #3815-To Approve the Contract Negotiated with the International Union of Operating Engineers on Behalf of the Southern Cayuga lake Intermunicipal Water Commission's Employees that Elect to be represented by the Union for the Purpose of Collective Bargaining.

WHEREAS, the majority of the Southern Cayuga Lake Intermunicipal Water Commission's (Commission) non-managerial employees in the Production and Distribution Departments voted affirmatively on January 31, 2001 to be represented by the International Union of Operating Engineers for the purposes of collective bargaining, and

WHEREAS, on October 1, 2001, the Commission's negotiating team reached tentative agreement on a contract with the union's negotiating team, and

WHEREAS, on October 4, 2001, the employees in the union bargaining unit ratified the tentative contract, and

WHEREAS, the Commission has reviewed and approved the tentative contract, and

WHEREAS, the Village of Lansing Board has reviewed the tentative contract and determined it to be acceptable, NOW THEREFORE BE IT

RESOLVED, that the Village of Lansing Board approves the tentative contract, AND BE IT FURTHER

RESOLVED, that the Village of Lansing Board authorizes the Commission's negotiating team to sign said contract as presented.

Trustee Larry Fresinski moved this motion and Trustee Lynn Leopold seconded the motion. A vote was taken:

| | | |
|--------------------------|------------------------------|---------|
| Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee |
| Janet Beebe- Aye | Trustee Larry Fresinski- Aye | |
| Trustee Lynn Leopold-Aye | | |

Negotiations to form the Water Commission involving the City of Ithaca, Cornell University and the Bolton Point plants is held up in the Cornell legal department. The City of Ithaca doesn't want to do anything until Cornell does something. CU should act by January 1st. The Mayor explained to the students that government moves in a complicated way. Legal agreements between public and private entities to engage in a joint venture are complex. TCAT is one of these types of agreements.

Don also explained how the Ithaca sewer plant and the Village of Cayuga Heights sewer plant were trying to join and form a regional sewer entity. So far only 10% of funding is being allocated. The Mayor is meeting with Dave Herrick and Steve Farkas to try and develop a strategy for proceeding. Don has considered going to the DEC to discuss the possibility of the Town of Lansing building its own plant and then run all 3 plants together. Phosphorous and sediment are the two biggest problems with the lake. Frank will be interested to see how this plays out. The effect on the Village is still no sewer units. The Town of Ithaca did fix a problem area, which we thought would get us some additional sewer units, but there seems to be another area leaking so there aren't any available yet. The next sewer meeting is Thursday.

Lynn Leopold has spoken with Mikel Shakarjian from the TC Planning Office regarding the possibility of using our water tower for a cell tower. Mikel has a copy of our municipal ordinance and she feels there some things we can do to tighten it up. Don feels that we have a good ordinance. Don added that by law, we can't prevent a cell tower from coming but we can regulate location and area around a tower. Our ordinance states that the fall zone around a tower must be twice the height of the tower. The water tower is on Cornell's land; the Village has an easement for a water tower only. Sprint has contacted the Village wanting to use an existing NYSEG pole as an antenna location and locate a control house in Uptown Park.

Larry is still unhappy with the timing of the traffic light on the north side of the bridge near the gas station especially when heading south on N. Triphammer Rd. He feels it is taking too much time to sequence on weekends and suggests the timing should be closer to the setting for the business day. Larry will write a letter to the NYSDOT.

Lynn stated that she was pleased to have Maria Stycos on the Planning Board. She thanked Maria. It's not easy to find good people.

The Planning Board recommended that the Board of Trustees adopt the Landscape Policy as a part of the Village's Comprehensive Plan. Carol Klepack developed the Landscape Policy. The Planning Board had Cayuga Landscaping come in and do a seminar on this. This policy would be made available to developers of commercial property within the Village. The policy includes checklists to be used by the Planning Board in their review of the special permits or site plans, evaluation sheets to be used by the Planning Board in its review of the installment of approved landscaping, and references for use by developers and the Planning Board. It was explained that when the Planning Board meets with developers it is a "negotiation" from the beginning. Attorney Bill Troy stated that from a legal prospective he would prefer that the Village have this in writing. Having a policy will make it easier and fairer. When the Planning Board meets with developers they get a positive response when they see the Village actually has a vision. The trustees will review and discuss at the November 19th meeting. A copy of the Landscape Policy will be emailed to Larry to put on the Village webpage.

The Mayor suggested that the Board delay the discussion on joining the NYS Retirement System until he's had a chance to review it further. Contributions may be more due to the stock market and Sept. 11th. He is still positively

inclined but wants to review this information.

Motion- To Adjourn

Trustee Janet Beebe moved adjournment. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

The meeting adjourned at 9:25pm.

Jodi Dake
Village Clerk