

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, February 4, 2002, in the Village Office.

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

Mayor Donald Hartill called the meeting to order at 7:38P.M. Mayor Hartill opened the public comment period. There were no comments.

Motion- To Close the Public Comment Period

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

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

Next on the agenda was the approval of January 16<sup>th</sup> & 21<sup>st</sup> minutes.

Motion-Approval of Minutes for January 16, 2002

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

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

Motion-Approval of Minutes for January 21, 2002

Trustee Larry Fresinski 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:

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

The next item of discussion was the wireless proposal from Independent Wireless (IWO). IWO has presented a proposal to put an antenna on an existing NYSEG pole and have the electricals on the ground near the play area across from Dankert Park. The representative from IWO called the Mayor to let him know they were planning on attending this Board meeting despite the bad weather.

The Planning Board discussed the proposal at their last meeting and Ned Hickey informed the Trustees that there are no future plans to utilize this area of the park. The Board questioned why IWO could not get an easement from the apartment property owners to use their driveway to access their equipment. The long road proposed to the park is undesirable. Frank feels they should find another location altogether. He has a philosophical problem with this being located on designated parkland. Attorney Troy explained that the only way IWO could locate in the park was if the Village issued a revocable license. What this means is if the Village at any time decides to use the parkland they can

have IWO remove their equipment.

Byron Elias of IWO and their attorney Tim Frateschi from Harris Beach arrived. Larry summarized the Board's current discussion for them. Byron pointed out that they were not pressuring the Village for this spot and will take any recommendations that the Board may have. Byron explained that they had attended the Planning Board meeting already and the Planning Board had stated that there were no future plans for this area that they were proposing to put their equipment. There are 3 concerns that the Board has.

1. Financial Risk-How realistic is it to put the equipment there if we back out.  
Frateschi explained that IWO has a responsibility to its customers to provide service and to also work with the municipality.
2. Assess to the Property- The long gravel road to the equipment is very undesirable. This would mean another curb cut close to a sharp bend. It would be desirable to move the road as far south as possible, or better yet, access from the private driveway would get rid of this concern. Byron was concerned with having to get multiple leases but will call the apartment owner to see if this is possible.
3. Electronics- Would they create a lot of noise? They would not. There is a silo in Dryden that the Board may go look at if they would like to see what it looks and sounds like. The concrete pad that the equipment sits on is 9'x 12' with stone around it and a fence.

Byron explained that they have looked around the Village at the different tall existing structures to put their antenna on. In the telecommunications industry they prefer to colocate on existing structures. The NYSEG pole behind the Triphammer Mall at the Substation was not good because of the overhead and underground wires. The next location was at the NYSEG pole on Cinema Dr. that is on Thaler's property and he was not receptive to allowing on this pole. The next NYSEG pole is in the Village Park. Frank is concerned with using parkland. He questioned why IWO could not move the equipment onto the apartment property. Byron was not sure it was technically possible because of the distance of wire that would have to be run. The Board asked him to look into this option and the Village would be happy to grant them underground easement across our property.

The Village is not currently using this portion of the park and can revoke the license when they wish to redevelop. Ned pointed out that this would bring \$6,000 revenue to the Village per year that could be used for future development. The Village should be interested in this revenue especially with an expected shortfall this year. If the Board did decide to let IWO place their equipment in the park area, which is presently covered with brush, they would still have to go through the special permit process. On the special permit Ned would be sure to include conditions that would ensure that if the Village wanted to develop this area of the park they would be able to with no legal problems. Byron will investigate the different alternatives presented by the Board and report back to the Village.

Next the Board discussed the Codification. Don stated that Randy had called him with concerns on the codification but Don has not had a chance to talk to Randy. Don divided up the codification into 5 sections. The issue to decide is what is law and what is policy. He would also like to get rid of sections that change frequently. He feels we can not accept the codification as it is because we don't want some things in it to be law. Don asked to keep it simple and be as non-specific as possible. The sections were divided up as follows:

Sewer-Don  
Zoning-Frank  
Taxation- Larry  
Subdivision- Lynn  
Introduction-Janet

Each board member is to bring their edited section to the Feb. 18<sup>th</sup> meeting.

Next on the agenda was to consider providing additional NYS retirement plans to the village employees. Don had Jodi introduce the subject. Jodi contacted Kevin Mack at NYS Retirement and asked about Tier 1 membership when she heard that Dennis was a Tier 1 Member. NYS Retirement sent over a resolution that would allow the Village to provide the additional pension benefits of Section 75-c; Section 75-e; Section 75-g and Section 75-i of the Retirement

and Social Security Law. Of these sections the only one that applies to our employees is 75-i. This was never offered to the Village before because NYS Retirement did not think we had any Tier 1 members. It turns out that Dennis is Tier 1 from his previous work in Rochester in the 1970's and Carol could transfer over from the Teachers Retirement in Tier 1. Election of this noncontributory plan will not effect Tier 4 members. (Ben, Jodi & Rick)

Adding the New Career 75-i program for Tier 1 members is a win-win situation. Not only does it lower our deficiency payment but also Dennis and Carol, if she decides to transfer over her teacher's retirement, will not have to pay 3% or buy back time. It will decrease our deficiency payment by ~ 20% if both Carol & Dennis go this route. What the village pays yearly for Tier 1 is higher than what it would pay on Tier 4 members but that is only .6% higher right now. Even with NYS Retirement's projection that the eventual additional annual cost for this plan will be 8.3% it's still over a 10% saving and a nice benefit for those two employees. After our deficiency payments are complete we more than likely will have no Tier 1 employees so it won't matter. Frank questioned whether this information was correct. Jodi had Kevin Mack research this to make sure he was giving her correct information and he confirmed it in the letter dated Jan 24, 2002. The Mayor was confident with this information.

The following resolution providing a 1/60<sup>th</sup> Pension Under a Non-Contributory Plan, Section 75-c; a Non-Contributory Plan with Guaranteed Benefits Under Section 75-e; a Career Retirement Plan Under Section 75-g; and a New Career Retirement Plan Under Section 75-i was presented at a meeting of the Board of Trustees of the Village of Lansing held at 2405 N. Triphammer Road, Ithaca, New York, on February 4, 2002. The Mayor offered the following resolution:

Resolution #3831 –To Provide a 1/60<sup>th</sup> Pension Under a Non-Contributory Plan, Section 75-c; a Non-Contributory Plan with Guaranteed Benefits Under Section 75-e; a Career Retirement Plan Under Section 75-g; and a New Career Retirement Plan Under Section 75-i.

BE IT RESOLVED: that the Trustees of the Village of Lansing does hereby elect to provide the additional pension benefits of Section 75-c; Section 75-e; Section 75-g; and Section 75-i of the Retirement and Social Security Law, as presently or hereafter amended.

BE IT FURTHER RESOLVED: that the effective date of such shall be the 5<sup>th</sup> day of February, 2002

Trustee Lynn Leopold moved to accept this resolution. Trustee Janet Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye  
Trustee Janet Beebe- Aye  
Trustee Lynn Leopold- Aye

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

The Village also needs to establish a Standard Work Day for Elected Officials. Lynn has expressed an interest in joining the NYS Retirement since she is already a member through her other job. In order to do this the Board needs to establish a standard workday for elected officials. To do this all elected officials should maintain a record of activities for a period of one month. The board members will do this for the month of February. Then the first meeting in March the Board can establish a standard workday. This information must be on file in the Village office.

The Village needed to appoint a Trustee to the Recreation Partnership Board. The Mayor entertained a motion to appoint Janet Beebe.

Resolution#3832- To Appoint Janet Beebe to the Recreation Partnership Board for a Two Year Term.

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

Mayor Donald Hartill- Aye

Trustee Frank Moore- Aye

Trustee

Lynn Leopold- Aye                      Trustee Larry Fresinski- Aye  
Trustee Janet Beebe- Aye

During the Mayor's comments he asked the Board to start thinking about the budget. He anticipates a 10% sales tax shortfall and another shortfall in interest income. He would like a budget that increases no more than the inflation rate. One implication will be to look very hard at the underground utility situation. In the water and sewer areas we are in good shape because of capital reserves. The Water BAN is up this year.

There was a lot of progress made at the last sewer meeting. The meetings are now held at the Village of Cayuga Heights so that Mayor Anderson can attend. There was a major break-through in knowing the worth of the Cayuga Heights Sewer Plant. Brent Cross took the Ithaca engineers through the Cayuga Heights Plant and they were favorably impressed with the condition of the plant. Sewer meetings are now an hour longer in an attempt to have a draft by early March. Don will not be able to attend the next sewer meeting but will email his comments to our legal representative, Susan Brock. Dennis has identified a large sewer leak and as soon as the extent of leak is verified and fixed we should get some more sewer units. On the water side, the City of Ithaca wants to become a partner in Bolton Point.

Frank has spoken with Ned Hickey about improvements in the Greenway Plan. Frank feels we should put this on an agenda to revise the plan. Frank feels we shouldn't passively wait for property to be set aside for greenspace. Frank would like to start a committee to work on this. Lynn and Ned also volunteered to be part of this committee. Don suggested that there are things that could be done right away like developing our sewer right of way, complete the bridge over the stream at Swartouts property and the sidewalk up Graham Road. Frank thinks they should develop a mission statement.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye  
Trustee Lynn Leopold-Aye

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

Jodi Dake  
Village Clerk