

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, May 19, 2003, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustee Larry Fresinski, and Frank Moore; David Dubow, Village Attorney; Doris Brown, Planning Board Member; Dave Putnam, TG Miller Engineer

Mayor Donald Hartill called the meeting to order at 7:34P.M. He opened the public comment period. John Oneill was present representing the Community Party.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill- Aye                      Trustee Frank Moore- Aye                      Trustee  
Larry Fresinski- Aye

The Mayor proposed that we open the Public hearing to consider Proposed Local Law A (2003) providing for increasing the Village's building/land use permit fees.

Motion-To Open the Public Hearing on Proposed Local Law A-Amendment of Zoning Law Section 302.04 to modify Fees to be Imposed for Certain Building/Land Use Permits

Trustee Fresinski moved to open the public hearing. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye                      Trustee Frank Moore- Aye                      Trustee  
Larry Fresinski- Aye

Mr. Oneill stated that he was in favor of the fee increase and that the logic was very well supported.

Motion- To Close the Public Hearing

Trustee Fresinski moved to close the public hearing. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye                      Trustee Frank Moore- Aye                      Trustee  
Larry Fresinski- Aye

A short Environmental Assessment Form was completed and it was found that the proposed action will not result in any significant adverse environmental impacts.

Resolution #3968-Proposed Local Law A, Amendment of Zoning Law Section 302.04 (Entitled "Fees For Building/Land Use or Special Permits") To Modify Fees To Be Imposed For Certain Building/Land Use Permits, Will Not Result in Any Significant Adverse Environmental Impacts.

Trustee Fresinski moved this resolution. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye                      Trustee Frank Moore- Aye                      Trustee  
Larry Fresinski- Aye

The Board was advised as follows: Notice of this public hearing was advertised in the Ithaca Journal on May 8, 2003. At their May 12<sup>th</sup> meeting, the Planning Board unanimously recommended the adoption of this proposed law. The proposed law was reviewed by Tompkins County Planning and they determined that it has no negative inter-community, or countywide impacts. The Mayor signed the SEQR form.

Resolution#3969 -Amendment of Zoning Law Section 302.04 (Entitled “Fees For Building/Land Use or Special Permits”) To Modify Fees To Be Imposed For Certain Building/Land Use Permits

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

**SECTION I. PURPOSE AND INTENT.**

The purpose of this Local Law is to modify fees to be imposed for certain Building/Land Use Permits. The modifications are intended to reflect (i) the inflationary effect on Village costs and expenses as a result of the passage of time, and (ii) the increased demands on Village staff as a result of the adoption by the State of New York of the International Building and Fire Prevention Codes and the implementation and administration of such Codes in the Village.

**SECTION II. AMENDMENT.**

A. Village Zoning Law Section 302.04 (entitled “Fees For Building/Land Use or Special Permits”), subsections a (i) and a (iii) are hereby amended in their entirety to read as follows:

(i) For each one-unit or two-unit residential building:

Up to 1,400 S.F. of floor area	\$220.00
Over 1,400 S.F. and up to 2,400 S.F. of floor area	\$300.00
Over 2,400 S.F. and up to 3,400 S.F. of floor area	\$400.00
Over 3,400 S.F. and up to 4,400 S.F. of floor area	\$500.00
Over 4,400 S.F. of floor area	\$600.00, plus \$100.00 for each 1,000 S.F., or fraction thereof, in excess of 5,400 S.F.

N.B. Floor area shall not include cellar, non-inhabitable basement, non-inhabitable attic, but shall include garage or carport, whether or not such garage or carport is attached to the main residential building. Floor area shall be based upon outside dimensions of the building, all floors to be calculated.

(iii) For any multi-unit residential building:

\$100.00 basic fee plus \$4.00 per \$1,000.00 of estimated cost

B. Village Zoning Law Section 302.04 (entitled “Fees For Building/Land Use or Special Permits”) subsections b (i), (ii), (iii), and (v) are hereby amended in their entirety to read as follows:

(i) For each principal building of non-residential occupancy:

\$200.00 basic fee plus \$4.00 per \$1,000.00 of estimated cost.

- (ii) For each accessory building to non-residential occupancy: (maximum area of 200 square feet, maximum height of 15 feet)  
\$200.00 basic fee plus \$4.00 per \$1,000.00 of estimated cost.
- (iii) For any repairs, alterations or additions:  
\$100.00 basic fee plus \$4.00 per \$1,000.00 of estimated cost.
- (v) For any site improvements or change in use of lands:  
\$100.00 basic fee plus \$4.00 per \$1,000.00 of estimated cost.

C. Village Zoning Law Section 302.04 (entitled "Fees For Building/Land Use or Special Permits"), is hereby amended to add a new subsection (viii) reading in its entirety as follows:

- (viii) For Temporary Commercial Activities:

\$50.00

### **SECTION III. EFFECTIVE DATE.**

This Local Law shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of 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.

Trustee Fresinski moved that this resolution be adopted and Trustee Moore seconded the motion.

Mayor Donald Hartill -Aye  
Trustee Larry Fresinski -Aye

Trustee Frank Moore-Aye

Dave Putnam, TG Millers, reported that he would be meeting tomorrow with Fisher Associates. Sewer flushing started today and they will be replacing a manhole on Thornwood Drive. Bush Lane and Highgate Circle repaving will be completed by the end of the month.

The Mayor asked Dave if he knew where all the heavy trucks that are going up Cayuga Heights Road were going. Dave was unsure but thought they might be related to the ongoing Cornell West Campus construction project. It was commented that this heavy truck traffic is not normal and the Mayor indicated that he would try to get the name of the trucks. The Mayor also noted that on Cayuga Heights Road there are some spots that still need to be filled in. Dave reported that he and Calice Construction have met with both the DeBoers and Zikakis to discuss these issues. Calice was back but didn't have enough fill so they will be returning to complete the task. Frank asked if re-striping was going to be done. Dave reported that Dennis has it arranged.

Dave went on to inform the Board that RC Wilson will return to fix the bad spots on Bush Lane. Suit-Kote will then pave an 18-19 foot wide road. After this is complete we will go back and put in shoulders and drainage. The Mayor asked Dave to make sure the neighbors are informed. Dave stated that the word is already out.

Mayor Hartill stated that there are many potholes on N. Triphammer Road that need to be filled. He was concerned with the alligator cracking and suggested that something be done. Dennis Reinhart is checking into a possible fix.

Next on the agenda was the approval of the May 5<sup>th</sup> minutes. This could not be done because there was not a quorum for that purpose since Larry Fresinski was not present at that meeting..

The Board then reviewed the vouchers. Frank asked for clarification on the insurance reimbursement given to Ben &

Rick. Jodi informed him of the Village's policy to contribute \$1550 per employee annually plus 55% of additional cost of family coverage through a spouse's health plan. This helps to keep the Village's health care costs down.

Resolution # 3970- Abstracts of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the General Fund, in the amount of \$37,612.65, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the Water Fund, in the amount of \$76,531.93 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the Sewer Fund, in the amount of \$772.85, is hereby approved for payment

Trustee Moore moved that this resolution be adopted and Trustee Fresinski seconded the motion.

Mayor Donald Hartill -Aye  
Trustee Larry Fresinski -Aye

Trustee Frank Moore-Aye  
Trustee Janet Beebe-Aye

The Mayor next advised the Board that the Southern Cayuga Lake Intermunicipal Water Commission, Bolton Point, is in need of additional office space. Since the Village of Lansing is one of six municipalities that make up this commission, we need to approve the project. The process will involve completing an environmental impact statement, a public hearing and then final approval. The Mayor stated that the design is substantially completed. It is an approximately \$1 million project. It has been scaled down from the initial elaborate design to a more conventional design. The problem at Bolton Point is that the staff is spread throughout the plant and the laboratory space is inadequate. When Bolton Point was originally built they never did the office wing in an effort to cut costs. The Town of Ithaca will be the lead agency for the project. We will see an increased water rate to fund this project. Frank stated that the Board has no real basis for supporting or opposing this project. Mayor Hartill indicated that he would e-mail additional cost information to the Trustees.

David Dubow advised the Board that he had rewritten the draft resolution to clarify that it provides only preliminary approval and authorization for the concept of the project. The Board was more comfortable with this resolution as revised.

Resolution #3971- Preliminarily Approving and Authorizing in Concept the Southern Cayuga Lake Intermunicipal Water Commission's Office Space Addition Capital Improvement Project

WHEREAS, the Southern Cayuga Lake Intermunicipal Water Commission (Commission) has identified the need to construct additional office space at its treatment facility, and

WHEREAS, the Commission has identified the office space addition as a capital improvement project, and

WHEREAS, all parties to the Agreement of Municipal Cooperation must approve and authorize capital improvements made by the Commission, and

WHEREAS, the Village of Lansing is a party to the Agreement of Municipal Cooperation, and

WHEREAS, the Village of Lansing Board supports the Commission's need to construct additional office space at its treatment facility and wishes to grant preliminary approval of and authorization for such project, NOW, THEREFORE, BE IT

BE IT RESOLVED, that the Village of Lansing Board hereby preliminarily approves and authorizes in concept the Southern Cayuga Lake Intermunicipal Water Commission's office space addition capital improvement project and the expenditure of feasibility and design costs therefor, final approval and authorization to be considered and acted

upon following the Village of Lansing Board's review and evaluation of the final plans for such project and the anticipated cost thereof.

Trustee Fresinski moved that this resolution be adopted and Trustee Moore seconded the motion.

Mayor Donald Hartill -Aye  
Trustee Larry Fresinski -Aye

Trustee Frank Moore-Aye

Next on the agenda was the Mayor's comments. Don stated that there is a sewer meeting Thursday at 9:30am to see where we are with the Intermunicipal sewer agreement. There will be an update of the schedule and the evolution from here on out.

The Mayor further reported that the Village has repaired a 10,000-gallon per day leak, which translates into receiving 10 more sewer units. There are still a number of other opportunities to fix leaks and get additional sewer units. The sewer flow meters are stable at the moment. Don is trying to get detailed records from Brent Cross to do a comparison.

Don met with Rich from Fisher Assoc. before the last meeting. Since then Rich has met with NYSDOT in Syracuse and they have tentatively agreed to move forward with the North Route 13 off ramp. This would result in 2 left turn lanes. The bad news is that the NYSDOT "grading" requirements for project approval generally provides that a "score" of 5 is necessary, and the additional Route 13 bridge/ramp project has initially been scored at between 3 and 5. There will be another month of study before adding the bridge area to the project. To claim 80% Federal reimbursement, the project needs to have State approval. Don is concerned that N. Triphammer Rd. will not make it through another winter. The Village will need to do some remedial work on it to get through the next year.

Frank Moore reported that he had tried to have a meeting last week regarding trails but a meeting could not in fact be scheduled. He and Dennis met. Frank is concerned that the trail work is being held up because Dennis can't get a third bid for work. He only heard back from 2 of the 3 companies he contacted. Frank was concerned because he only asked three companies to bid. The Board felt he should find someone else to bid the project. Frank will remind Dennis. The Boy scouts are going to build the bridge by Swartout but no one knows when. Frank is worried that this won't happen this summer. Don stated that one way or another, it will get done this summer. The Miller property is still waiting on a site plan. What Frank hopes to do is review the Greenway plan and divide things into feasible and unfeasible plans. Jodi informed Frank that for GASB 34 she has a list of properties owned by the Village and what they are. Frank will come in to go over this and the tax maps with Jodi.

Frank also reported that he had spoken with Ben Curtis about sidewalks on Miller's property in conjunction with the pending subdivision proposal. Frank feels that a suburban development needs sidewalks. It was explained that the Village doesn't have a definite plan on sidewalks, and that generally the Village is responsible for all sidewalks. It was agreed that this policy would be reviewed to see if it should be changed. The Mayor stated that an advantage of managing our sidewalks is that we set the use standards. Moore & Leopold will talk to the Planning Board and to David Dubow to see what makes legal sense. Doris Brown added that we cannot consider ourselves rural any longer. We need to consider safety first. She expressed her opinion that in new developments we need to push for sidewalks. The Board continued to discuss ways to make our roads more pedestrian friendly.

John Oneill asked if when N. Triphammer Road is being done the bus stop in front of the Mobil station would be moved. He feels it is very dangerous. The Mayor indicated that the Village is continually negotiating with New Plan Realty Trust (the owner of the Cayuga Mall) to put in a bus circle so that the busses could load and unload off the main road.

With respect to the Village budget previously approved by the Board, Jodi advised the Trustees that she had discovered, unfortunately, that the Village cannot, in New York State, refinance the existing sewer bond with a Bond Anticipation Note (BAN). A BAN cannot be used to pay off a bond but you can do a refinance of bonds with new bonds. This process is lengthy and expensive once you include your financial analysis, accounting and legal fees. Jodi spoke with Tom Rothman at Wilkie, Farr & Gallagher, the Village's bond counsel, and he said as a rule of thumb refinancing anything under a million dollars is usually not worth what you save. While in the budget process, we had

decided to refinance with a BAN but now that we can't, Jodi explained that the Board needs to adjust the budget. At the suggestion of David Dubow, Jodi will call our accountants to see how best to do this. In the meantime, our tax bills need to be printed so we need to pass a resolution that authorizes the Mayor and Treasurer to change the amount of the special assessment sewer tax. The new amount for the special assessment tax (G1030) will be \$41,413, Serial Bond Principal (G9710.6) will be \$18,700 and Serial Bond Interest (G9710.7) will be \$16,486.

Resolution # 3972- To Adjust the Special Assessment Sewer Tax on the Tax Roll to be \$17.62 Per Unit and \$.12 Per \$1,000 of Assessed Value to Reflect the Change of Not Getting a Bond Anticipation Note to Replace Our Current Serial Bond and to Adjust the Budget to Reflect the Change in Amounts for Principal, Interest and Special Assessment Subject to Confirmation from Appropriate Officials

Trustee Fresinski moved that this resolution be adopted and Trustee Moore seconded the motion.

Mayor Donald Hartill -Aye  
Trustee Larry Fresinski -Aye

Trustee Frank Moore-Aye

David Dubow asked if the Board could refocus its attention on getting the codification completed and approved. He indicated that not having this document finalized has caused a number of complications. Most recently, confusion arose with respect to the Triad Foundation project approved by the Planning Board and certain parking issues related to that project. He advised the Board that the "draft" codification on the Village's web site should really not be used because it may in some cases not be accurate and/or up to date. Mayor Hartill will speak with Dave Herrick and Dave Putnam to see where we are. It was acknowledged that the codification will need another thorough review before it is finalized and formally adopted. The goal is to complete the codification by September.

Larry asked the Mayor if at the engineer's meeting on the North Triphammer Road Project he had seen photos with the utility boxes in place. The Mayor indicated that he had, and stated that the powerlines will look better with mature trees. Larry suggested we try to minimize the number of cross road lines.

Motion- To Adjourn

Trustee Fresinski moved adjournment. Trustee Moore seconded the motion.

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye

The meeting adjourned at 9:16pm.

Jodi Dake  
Village Clerk/Treasurer