

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 17, 2005, in the Village Office.

Present: Mayor Donald Hartill; Trustees, Lynn Leopold, Larry Fresinski, and Frank Moore; Attorney David Dubow; Planning Board Member, Phil Dankert; TG Miller Engineer David Putnam. Trustee John O'Neill arrived at 8:35pm.

Mayor Hartill called the meeting to order at 7:35P.M.and opened the public comment period. Edith Albertson of Burdick Hill Road asked for relief on her water bill. She had a leak and the water company had called to tell her of an abnormally high bill. Immediately she called a plumber and had him fix the situation. Jodi had sent her a print out of her account, which she presented to the Mayor. Her normal bill is only the minimum amount. Since she has had it repaired, the Board agreed to only charge her the minimum. Don directed Mrs. Albertson to come in and see Jodi and she would make the adjustment.

Resolution #5190 -To Adjust Edith Albertson's Water Account #N1866 by \$63.55 to Reflect the Minimum Quarterly Charge Due to a Water Leak

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

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

There were no other public comments.

Motion-To Close the Public Comment Period

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

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

Motion-To Open the Public Hearing on Proposed Local Law D

There were no members of the public who spoke.

The Mayor commented that this is a local law that accepts all of our local laws into a codification. We have been working on this for about ten years so it is a very memorable time. Originally the Village had contracted with General Code and this didn't work so the Village ended up paying them about \$10,000 and proceeding on their own with the process. Larry commented that this is another milestone.

Motion-To Close the Public Hearing on Proposed Local Law D

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

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

The Mayor indicated that later in the meeting the Board would do the SEQR review and complete the process for

adopting Proposed Local Law D.

Dave Putnam presented the engineer's report. Dave stated that most of his free time in the last month has been spent on the Town of Lansing sewer route proposed to go through the Village. He was on Triphammer Rd. today regarding the need to relocate a fire hydrant from the originally planned location as part of the North Triphammer Road Project. They are trying to get all of the driveways in before winter and then they will do temporary and final sidewalks. Certain areas of sidewalk will be closed on the east side of the road. The Mayor said there is one stretch of blacktop that still needs to be done. The road won't be striped in the way it is intended upon completion because the traffic light signalization is not yet complete. No paving will be done at the south end of N. Triphammer this year. Suite Kote is trying to get things tightened up and shut down before winter. They have placed asphalt at the end of the Village driveway to help with drainage since they disconnected that stormwater drain. There is a drain for the new driveway that is sticking up that may need to be addressed.

Don spoke with John Courtney, the Village Superintendent of Public Works, this afternoon and they are finishing up shoulder work so most of our roadwork is finished for the season. We've completed a lot this year, which we haven't been doing in the past. Lynn noticed that we resurfaced Esty Circle and it appears very high with a rather big drop off to the shoulder on the west side that could be a problem. Don stated that the Town and John have been working on the shoulders. It should now be completed.

Lynn asked Dave to relay what he has found out on the proposed Town of Lansing sewer routing. There is no three-phase power along a portion of the proposed Route 34 route, so that power will have to be extended. It stops somewhere down by Lake Source Cooling. Don commented that in the context of the total project, this is insignificant. Dave stated that NYSEG may or may not charge to run this extended service. It could be an additional cost. Don still has not heard back from Steve Farkas. A meeting is supposed to be set up with Stearns and Wheler, Dave Putnam, Don and Steve to further discuss the sewer issues. Don will try to contact Steve again tomorrow morning. Lynn asked Dave if he was looking at the issues that the Board had questions about and that they felt weren't being answered satisfactorily by the Town. The questions were regarding crossing the creeks and what to do when you reach the bottom of the hill and how to cross the water. Dave talked to Jim at Stearns & Wheler and also inquired about his unit pricing because Dave feels his unit pricing is low. Frank thought that was probably true of all the pricing. Don commented that with the price of diesel it's even going to get more expensive. Lynn asked what happens when the water & sewer lines cross. Dave stated that the lines will need to be separated by 18 inches. Horizontally, they are supposed to be 10 feet apart. Frank is not sure where the pump station has to go. Frank thinks we should be trying to figure out how we would do Route 34. Dave stated that the design has to be such that it is not an operational nightmare. Don suggested keeping the line as high as we can.

The next item on the agenda was to authorize the Mayor to sign the proposed water agreement providing for water service to be extended to the 134 Burdick Hill Road property located in the Town of Lansing. It was explained that this is a situation where there is a house on Burdick Hill Rd. that is in the Town of Lansing but the water is in the Village. The Town is not in a position to set up a water district so the most reasonable thing is to connect to the Village. Dubow commented that the owner has signed the proposed agreement and that it will be going before the Town Board for approval. The property owner is in a rush to get this completed.

Resolution #5191- To Authorize the Mayor to Sign the 134 Burdick Hill Water Agreement

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

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

Next on the agenda was approval of September 19th minutes. David inquired as to whether the September 15th minutes had been approved. Lynn commented that that was awhile ago but we haven't had that many meetings with all the holidays. This was the only Monday meeting in September.

Motion - To Approve the Minutes from September 19, 2005

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

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

The next item was to consider the Intermunicipal Agreement regarding the Cayuga Lake Watershed Restoration and Protection Plan. Lynn thought that it was strange that they called it the Restoration and Protection Plan because it is just the IO. Lynn informed the Board that in signing the Agreement we are agreeing to cooperate with the other municipalities and to pay our annual fee. We continue to help work towards implementation of the restoration and protection plan. If the IO should fold then the funds would go back to the respective municipalities. The IO has no formal authority to take action. It is a cooperative agreement. People will be hired to work under the plan. That is what Darby Kiley does. She is the one half time staff person of the IO. Doug McEver was the chair of the IO but he left the Town Board. He chose to resign in order to run for the County Board, but he didn't win the primary so Lynn is unsure what happens now. Frank wondered if the IO was dying out. Lynn stated that there was a lot of interest when the plan was originally being put together. Some municipalities don't understand what the group does for them. The Department of State funds the work being done by the IO. Darby writes the grants that pay her salary and provide the funding for the projects that are undertaken. We have funding that carries through next spring. We are the only major Finger Lake that didn't have a watershed protection plan. This is what started the organization in the first place. The Mayor entertained a resolution.

Resolution #5192- Authorizing the Mayor to Sign the Intermunicipal Agreement Regarding The Cayuga Lake Watershed Restoration and Protection Plan

Trustee Leopold moved for resolution Trustee Moore seconded the motion. A vote was taken:

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

Next on the agenda was Mayor's comments. The construction season is winding down. We've done a lot this year at the level we should be doing with a little bit of catch up. Don anticipates keeping this level of activity in the future.

At the November 7th meeting there will be an opportunity for public comment on the proposed Town sewer line. Don will have Jodi send out a letter to all of the adjacent property owners of any of the possible routes informing them of the meeting. He expects a large crowd. The issues are complex. All of the routes will involve at least one pump station. Don talked with Steve Farkas and said we would try to have some determination as to the Village's position at the end of November or sometime in December. We also want to understand the routing issue, after which there may be an opportunity to go back to the DEC and show them that there is a different way of achieving the same goal without installing these transmission mains. We need to know real facts for the transmission lines. The costs Don has seen so far are significantly higher than what we had first anticipated. There is an issue of total project cost.

Lynn asked how we would conduct the public meeting. Don will give an overview and we'll have Dave Putnam answer detail questions. We will have maps available for the public to see. Frank stated that the timeline that the Mayor has given still bothers him. He believes that the Town having their own plant should be pursued further. Don thinks the cost to the Town for running the pumps for the currently proposed transmission lines to the existing plant would pay the debt service on a new plant. The complication for the Town is the collection system. To do any of this the Town will have to have a permissive referendum. The effect of this will be that the vacant land tax load will about double, which will force development. One way to handle this is to not charge until land is developed.

Trustee John O'Neill entered the meeting (at 8:35 PM).

Lynn asked if anyone was planning on attending the DEIS meeting on the Public Safety System.

The Mayor stated that the Board was ready to approve Local Law D. David Dubow handed out a copy of the proposed local law. He had caught a couple of typos and also wanted to consistently set forth certain language throughout the law. He provided the Board with marked copies of the revised law. He also prepared copies of the SEQR Short EAF as well as draft resolutions for their SEQR determination and approval of the local law. Everyone also had received a copy of the letter from the Tompkins County Planning Department indicating that they had determined that the proposed local law has no negative inter-community, or county-wide impacts. It was also confirmed that all the adjoining municipalities had been contacted and no one has responded.

David had completed Part I of the SEQR Short EAF which was then signed by the Mayor, who then went through the questions in Part II with the Trustees and found there were no adverse effects.

Resolution#5193 - SEQR REVIEW OF PROPOSED LOCAL LAW D (2005)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law D (2005), to be designated Local Law 4 (2005) upon its adoption, providing as follows: In accordance with Subdivision 3 of §20 of the Municipal Home Rule Law, the local laws, ordinances, and certain resolutions, regulations, policies and codes of the Village of Lansing [as they may be amended by such Local Law 4 (2005)] are to be codified into a document to be known as the "Code of the Village of Lansing" consisting of chapters 1 through 145 (together with appendices), all such local laws, ordinances, resolutions, regulations, policies and codes of the Village of Lansing to thereafter be deemed and referred to as Chapters or Articles of such Village Code; and
- B. This proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is an involved agency for the purposes of environmental review; and
- C. On October 17, 2005, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Short EAF, Part II;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Short EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance ("**NEGATIVE DECLARATION**") in accordance with SEQR for the above referenced proposed action, and determines that neither a Full Environmental Assessment Form, nor an Environmental Impact Statement will be required; and:
2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Short EAF, Part III, confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

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

Mayor Donald Hartill-Aye Trustee Larry Fresinski-Aye Trustee Frank Moore-Aye
Trustee Lynn Leopold-Aye
Trustee John O'Neill-Aye

The Mayor was authorized to sign the SEQR Short EAF Part III to confirm the Negative Declaration.

Resolution #5194- ADOPTION OF PROPOSED LOCAL LAW D (2005) CODIFICATION AS
LOCAL LAW 4 (2005)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law D (2005), to be designated Local Law 4 (2005) upon its adoption, providing as follows: In accordance with Subdivision 3 of §20 of the Municipal Home Rule Law, the local laws, ordinances, and certain resolutions, regulations, policies and codes of the Village of Lansing [as they may be amended by such Local Law 4 (2005)] are to be codified into a document to be known as the "Code of the Village of Lansing" consisting of chapters 1 through 145 (together with appendices), all such local laws, ordinances, resolutions, regulations, policies and codes of the Village of Lansing to thereafter be deemed and referred to as Chapters or Articles of such Village Code; and
- B. The Village of Lansing has undertaken a long and extensive process intended to consolidate its local laws, ordinances, and certain resolutions, regulations, policies and codes of the Village of Lansing into a single document to be known as the "Code of the Village of Lansing;" and
- C. The Village of Lansing Planning Board and Board of Trustees have each participated in the review and preparation of such proposed "Code of the Village of Lansing" as presented in its final form; and
- D. On October 17, 2005, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law D (2005), (ii) the proposed "Code of the Village of Lansing" as presented in its final form, (iii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and
- E. On October 17, 2005, the Village of Lansing Board of Trustees determined that the proposed action is an Unlisted Action for which the Board is an involved agency, and thereupon, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), the Board (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), (iii) completed the Short EAF, Part 2; and (iv) made a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the above referenced proposed action and determined that an Environmental Impact Statement would not be required;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

- 1. The Village of Lansing Board of Trustees hereby adopts Proposed Local Law D (2005), to be designated Local Law 4 (2005).

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

	Mayor Donald Hartill-Aye	Trustee Larry Fresinski-Aye	Trustee Frank Moore-
Aye	Trustee Lynn Leopold-Aye		
	Trustee John O'Neill-Aye		

Sorel Gottfried, a member of the public, asked what the codification is. The Mayor explained that it is an electronic form for all our laws. David stated that this is one document that will reflect all of the Villages laws, regulations and codes. Larry related the history of the codification effort and described it as “changing the tires on a moving car” because of the ongoing need during this process to update the code as new local laws have been adopted. Through the whole process we went through three different lawyers of the Barney, Grossman, Dubow & Marcus firm. When each new local law is passed it will be important to get that update to the State in a timely manner. The update will also have to be incorporated in both the written and electronic versions of the code. The Law that was just adopted will be filed with the Secretary of State.

Sorel asked if the Village has any say regarding lighting in the Town that affects the Village. The reason Sorel asked was that there is 24 hour lighting being proposed in Kendall.

Motion- To Go Into Executive Session to Discuss Personnel Matters

Trustee Fresinski moved to go into executive session to discuss personnel issues. Trustee Leopold seconded the motion. A vote was taken:

	Mayor Donald Hartill-Aye	Trustee Larry Fresinski-Aye	Trustee Frank Moore-
Aye	Trustee Lynn Leopold-Aye		
	Trustee John O'Neill-Aye		

The Board went into executive session at 8:55

Motion- To Come Out of Executive Session

Trustee Fresinski moved to come out of executive session. Trustee Leopold seconded the motion. A vote was taken:

	Mayor Donald Hartill-Aye	Trustee Larry Fresinski-Aye	Trustee Frank Moore-
Aye	Trustee Lynn Leopold-Aye		
	Trustee John O'Neill-Aye		

Motion- To Adjourn

Trustee Fresinski moved for adjournment. Trustee Leopold seconded the motion. A vote was taken:

	Mayor Donald Hartill-Aye	Trustee Larry Fresinski-Aye	Trustee Frank Moore-
Aye	Trustee Lynn Leopold-Aye		
	Trustee John O'Neill-Aye		

The meeting adjourned at 9:38 PM.

Dake

Jodi
Clerk/Treasurer