

## Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, January 7, 2008, in the Village Office.

Present: Mayor Donald Hartill; Trustees, Larry Fresinski, John O'Neill, Frank Moore and Lynn Leopold; Clerk/Treasurer Jodi Dake; Attorney David Dubow; David Putnam, Engineer.

Mayor Hartill called the meeting to order at 7:33 P.M. and opened the public comment period. There were no comments.

### Motion-To Close the Public Comment Period

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

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

### Motion- To Open the Public Hearing on Proposed Local Law A (2008), Village of Lansing Elderly Persons' Real Property Tax Exemption Law.

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

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

David Dubow explained that we currently have an Elderly Persons' Real Property Tax Exemption Law. However, we try and keep in sync with the income levels established by the State Legislature. This proposed law would implement the most recent amendments to the provisions of Section 467 of the Real Property Tax Law of the State of New York to the extent such provisions affect the "sliding scale" of maximum income levels and corresponding percentages of assessed valuation that are to be exempt from real property tax. Jodi has checked with Tompkins County and the Town of Lansing and they have both incorporated these new annual income levels. Basically, all income levels are increased by \$1,000. This is not mandatory. Municipalities can adopt the income level amounts established by the State or lesser amounts.

There were no comments from the public regarding Proposed Local Law A (2008).

Motion-To Close the Public Hearing

Trustee O'Neill moved to close the public hearing. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold-Aye

Trustee Larry Fresinski-Aye  
Trustee Frank Moore-Aye

Resolution #5417-To Adopt Proposed Local Law A (2008) as  
Local Law 1 (2008)

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law A (2008), to be designated Local Law 1 (2008) upon its adoption, to amend Chapter 129 (entitled "Taxation"), Article II (entitled "Senior Citizens Tax Exemption," and known as the "Village of Lansing Elderly Persons' Real Property Partial Tax Exemption Law"), Section 129.17 (entitled "Schedule of partial exemption") of the Village of Lansing Code so as to amend the Village of Lansing Elderly Persons' Real Property Partial Tax Exemption Law [originally enacted as Local Law 3 (1990), and thereafter amended by Local Law 13 (1990), Local Law 14 (1990), Local Law 4 (2000), and Local Law 6 (2006)], and to specifically (i) amend subsection "A" of said Section 129.17 to implement the most recent amendments to the provisions of Section 467 of the Real Property Tax Law of the State of New York, to the extent such provisions affect the "sliding scale" of maximum income levels and corresponding percentages of assessed valuation that shall be exempt from real property tax; and
- B. On December 17, 2007, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law A (2008), and thereupon scheduled a public hearing thereon for January 7, 2008; and
- C. On January 7, 2008, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law A (2008), (ii) 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

- D. On January 7, 2008, the Village of Lansing Board of Trustees determined that the approval of the proposed action is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR); and
- E. On January 7, 2008, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law A (2008), (ii) 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;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:**

The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law A (2008), to be designated Local Law 1 (2008).

Trustee Fresinski moved to adopt Local Law 1 (2008). Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold -Aye

Trustee Larry Fresinski -Aye  
Trustee Frank Moore-Aye

The following is a copy of Local Law 1 (2008):

**AMENDMENT TO VILLAGE OF LANSING CODE - VILLAGE OF LANSING  
ELDERLY PERSONS' REAL PROPERTY PARTIAL TAX EXEMPTION LAW**

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 amend Chapter 129 (entitled "Taxation"), Article II (entitled "Senior Citizens Tax Exemption," and known as the "Village of Lansing Elderly Persons' Real Property Partial Tax Exemption Law"), Section 129-17 (entitled "Schedule of partial exemption") of the Village of Lansing Code so as to amend the Village of Lansing Elderly Persons' Real Property Partial Tax Exemption Law [originally enacted as Local Law 3 (1990), and thereafter amended by Local Law 13 (1990), Local Law 14 (1990), Local Law 4 (2000), and Local Law 6 (2006)], and to

specifically (i) amend subsection “A” of said Section 129-17 to implement the most recent amendments to the provisions of Section 467 of the Real Property Tax Law of the State of New York, to the extent such provisions affect the “sliding scale” of maximum income levels and corresponding percentages of assessed valuation that shall be exempt from real property tax.

**SECTION II. AMENDMENT.**

The schedule provided in subsection A of Section 129-17 (entitled “Schedule of partial exemption”) of Chapter 129 (entitled “Taxation”), Article II (entitled “Senior Citizens Tax Exemption,” and known as the “Village of Lansing Elderly Persons’ Real Property Partial Tax Exemption Law”) of the Village of Lansing Code is hereby deleted in its entirety and replaced with the following amended schedule intended to reflect the maximum income levels of eligibility in accordance with the most recent amendments to Section 467 of the New York State Real Property Tax Law, which amendments modify the annual income limits to be calculated in accordance with said subsections:

<b>ANNUAL INCOME OF OWNER OR COMBINED ANNUAL INCOME OF OWNERS</b>	<b>PERCENTAGE ASSESSED VALUATION EXEMPTION FROM TAXATION</b>
Up to \$27,000.00	50%
More than \$27,000.00, but less than \$28,000.00	45%
\$28,000.00 or more, but less than \$29,000.00	40%
\$29,000.00 or more, but less than \$30,000.00	35%
\$30,000.00 or more, but less than \$30,900.00	30%
\$30,900.00 or more, but less than \$31,800.00	25%
\$31,800.00 or more, but less than \$32,700.00	20%
\$32,700.00 or more, but less than \$33,600.00	15%
\$33,600.00 or more, but less than \$34,500.00	10%
\$34,500.00 or more, but less than \$35,400.00	5%

**SECTION III. SUPERCEDING EFFECT.**

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

**SECTION IV. VALIDITY.**

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective upon (i) its filing in the office of the Secretary of State and (ii) ten (10) days after publication and posting as required by law; provided, however 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.

David Putnam was present to give an engineer's report. First Dave provided the following history and report on the Oakcrest water tank and possible water projects:

The Village has been delaying the demolition and replacement of the Oakcrest Tank for several years at the request of Bolton Point, who had hoped to use it as a buffer tank between the plant and the Oakcrest Pump Station in their system while they painted the Burdick Hill Tank. Bolton Point has come to the conclusion that this will not be practical because of the cost involved in retrofitting the tank and yard piping for a one shot deal. Additionally there would be extra personnel costs to operate the system with Oakcrest as the buffer tank. They are investigating construction of a second tank at the Burdick Hill site.

The Village has the following options for replacing the Oakcrest Tank:

- Option 1 replacing the tank at its present location
- Option 2 purchasing a share of a Burdick Hill "Sister" Tank
- Option 3 replacing the tank in another location

All of the options require the demolition of the existing tank and plumbing modifications in the Oakcrest Pump Station to supply the southern half of the Oakcrest Tank grid (the northern half was placed on the Burdick Hill grid in the mid 1990's and there was discussions of cost sharing at that time, but I do not think it was finalized). Preliminarily, I do not see a great difference in these costs between options and an estimate will be provided at a later date when an option is chosen.

Option 1 replace the tank with a new .5 million gallon (mg) Natgun Tank

.5 mg Natgun Tank	\$500,000
Site work allowance	\$60,000
Contingency	\$50,000
Total*	\$610,000

\* Does not include engineering, legal, administration, existing tank demo, or pump station modifications.

Option 2 replace the tank with a new .9 mg Natgun Tank and share the cost with Bolton Point (this should also take care of the outstanding cost sharing issues)

.9 mg Natgun Tank	\$650,000
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Site work allowance	\$120,000
Contingency	\$70,000
Total*	\$840,000

\* Does not include engineering, legal, administration, existing tank demo, or pump station modifications.

Option 3 replace the tank with a new .5 mg Natgun Tank at a new location

.5 mg Natgun Tank	\$500,000
Site work allowance	\$130,000
Contingency	\$70,000
Total*	\$700,000

\* Does not include engineering, legal, administration, existing tank demo, or pump station modifications.

Option 3 also might require the installation of Pressure Reducing Stations at or near one or more of the intersections of Cayuga Heights Road with Cedar Lane, Twin Glens Road, and Pembroke Lane depending on how the system is configured and where the tank is located.

The Town of Lansing has a water project under construction and the average unit price for the below grade PRV building (similar in design to the vault the Village installed by the gate at Bolton Point to put the north part of the Oakcrest Grid on the Burdick Hill Tank system) is \$79,000.

Don Hartill feels that Option #2 is the best solution. The Burdick Hill tank needs to be painted inside and they could use the current Oakcrest tank as a storage tank, but that would involve significant modifications and cost. It makes more sense to build a tank on Burdick Hill Road because we could get rid of the tank behind the office, increase our storage and enable the tank to be painted. We would have to install a PRV here, but that would be a minimal cost. We would recover the land behind the office and have backup at Burdick Hill. The Village would incur some costs, but we would be planning for the future. The Bolton Point Commission already owns the land where the tank would be constructed, so there would not be a land acquisition issue. Our shared cost would be about \$400,000 - \$500,000. This would be a shared cost because the project would serve the rest of the system. More evaluation and study will be necessary before a final decision is to be made.

Don stated that he had a very nice meeting with Scott Pinney, Town of Lansing's new Supervisor. Lynn suggested that we have a joint meeting with the Town in the near future.

Don asked Dave Putnam how we were coming with the Northwood Property. David stated that John Courtney was working on finalizing the Bomax sewer and will get appropriate paperwork to David Dubow so that easement documents can be prepared. Dave stated that Northwood has signed off on a map but he still needs to do a few small revisions.

Valeria Coggin, Director of Tompkins County Assessment, was present to talk about the 2008 Countywide Revaluation. Valerie advised the Board that has been with the County Assessment Department for 21 years, and gave the following report: The Assessment Department is doing a public information campaign in conjunction with the 2008 county-wide revaluation. Prior to the last two years, the County was on an annual revaluation program. The County went to a triennial program two years ago. There are 34,000 parcels that have to be looked at in Tompkins County. The real estate in our county is increasing in assessed value. Because the assessed value increases, that doesn't necessarily mean your taxes will increase. If a municipality's levy is consistent, you would actually see a decrease in the tax rate if there is an increase in assessed value.

On January 25<sup>th</sup> they will be mailing out impact notices. Once a property owner receives a disclosure notice they can schedule a hearing if they don't agree with the increase. Grievance is a formal procedure that takes place on the fourth Tuesday of May. New York State Real Property Tax Law reads that the burden is on the property owner to prove an assessor wrong. There are different techniques used to determine assessed value. The Assessment Department is interested in creating equality. The system is very transparent. You can go onto the Tompkins County Assessment website and find comparables. You can use sales reports or assessment equity reports. The Assessment Department has put together a booklet to answer frequently asked questions. This is also available on the internet. A condensed version will be sent out with the impact notices.

Frank asked if the new assessments were based on comparable properties. Valeria explained that there are different methodologies. Trending is an increase in general market area. When a revaluation is done they look at each parcel. They field review every single sale. The Assessment Department has 9 certified appraisers. The computer picks the comparables. Don asked if all sales were part of their database. Valerie indicated that to be exposed it has to be listed for sale in some formal manner and be an arms length transaction. What this means is that it has to be on the open market and not a closed sale between family members or related parties or rent to own type transactions.

John O'Neill stated that people in his neighborhood hired appraisers to justify a decrease in their assessed value. Valeria reminded him that appraisals are done for different purposes. If an appraiser was doing an appraisal for financing it would be likely be different than an appraisal to contest an assessment. Again she reiterated that they are trying to create equity.

Ned Hickey asked what percentage does location play in their decision. She stated that there is no set percentage. Each property has to be looked at separately. Sometimes it is an advantage to be next to commercial property, and sometimes it is a disadvantage. Each case has to be looked at separately.

Valeria reminded the Board that the exemption deadline is March 1<sup>st</sup>. The standard STAR exemption is automatic and doesn't have to be applied for every year. However, the enhanced STAR, veterans and senior exemptions are based on income and therefore must be applied for annually.

The next item on the agenda was to consider the Contract with the International Union of Operating

Engineers for SCLIWC's Employees. Don explained that since we are part of the SCLIWC we must also approve the union contract. A fraction of the Bolton Point employees are unionized. The Board had previously received a copy of the union contract to review.

Resolution #5418-To Approve the Contract with the International Union  
of Operating Engineers for Southern Cayuga Lake  
Intermunicipal Water Commission's Employees

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, in December 2004, the Commission and the employees in the union bargaining unit approved a successor agreement to the original contract; and

WHEREAS, the successor agreement expires on December 31, 2007; and

WHEREAS, the Commission, in good faith, entered into contract negotiations with the union for a renewed contract for the contract that expires on December 31, 2007; and

WHEREAS, on November 1, 2007, the Commission's negotiating team reached tentative agreement on a contract with the union's negotiating team; and

WHEREAS, the Commission reviewed and approved the tentative contract at the November 1, 2007 meeting of the Commission; and

WHEREAS, on November 13, 2007, the employees in the union bargaining unit ratified the tentative contract; and

WHEREAS, the Village of Lansing Board of Trustees has reviewed the tentative contract and determined it to be acceptable;

NOW, THEREFORE, BE IT

RESOLVED, the Village of Lansing Board of Trustees does hereby approve the tentative contract; and, be it further

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



Trustee Leopold moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold-Aye

Trustee Larry Fresinski-Aye  
Trustee Frank Moore-Aye

Mayor Hartill entertained the following motion:

Motion - To Approve the Minutes from December 13<sup>th</sup> & 17<sup>th</sup>, 2007.

Trustee Moore moved that the draft meeting notes, as reviewed and revised by the Clerk/Treasurer and the Board, are hereby adopted as the official minutes. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold-Aye

Trustee Larry Fresinski-Aye  
Trustee Frank Moore-Aye

The next item on the agenda was Mayor's Comments. Mayor Hartill stated that probably the most important information he has is on the Oakcrest Tank situation discussed previously in the meeting. He continues to have discussions with the Village of Cayuga Heights regarding the sewer situation and rates. Don sees no major changes for the Village of Lansing. The biggest action will be between the Village of Cayuga Heights and the Town of Ithaca. The phosphorous removal design is complete and should go out to bid. Don is still working with Bolton Point to resolve the issue of the loud pump next door.

The Board was given a letter from Ben Curtis, Village of Lansing Code & Zoning Officer, asking for their approval of a Temporary Certificate of Compliance. In the letter Ben explained that the construction of the Arleo Eye Institute at the corner of Uptown Road and Warren Road is nearing completion. They would like to occupy the building at the end of January. Life safety components for the building have been or will be complete and operational prior to issuance of a TCC. Some work, primarily of a cosmetic nature, may remain to be done. Most of the landscaping is done including the trees planted as a buffer, but the remaining work which pertains to the establishment of the permanent storm water management practices will have to wait until spring. Interim storm water runoff protection sufficient to prevent adverse impact to adjoining properties, however, will remain in place.

Based on the above, Ben has recommended in his letter to the Trustees that they authorize a Temporary Certificate of Compliance for the Arleo Eye Institute at 100 Uptown Road, which would expire June 24, 2008. Work on this project has proceeded smoothly and the owner has generally exceeded the requirements of the Village. In the interests of consistency, however, Ben also recommended that a nominal security of \$4,000 be required to be placed on deposit with the Village

pending completion of the work and issuance of a Final Certificate of Compliance. The issuance of the Temporary Certificate will be contingent upon satisfaction of all other code and life safety issues.

Resolution #5419- To Issue a Temporary Certificate of Compliance for Arleo Eye Institute at 100 Uptown Road with a \$4,000 Security Deposit and Expiration Date of June 24, 2008.

Trustee Leopold moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold-Aye

Trustee Larry Fresinski-Aye  
Trustee Frank Moore-Aye

During general discussion, Ned Hickey stated that Phil Dankert, Planning Board member, is home recovering well from his hip replacement. At the next Planning Board meeting they will be looking at widening of a portion of Arrowwood Drive at its intersection with Warren Road for better access in the case of an accident or emergency. Ned has previously met with the fire chief and discussed widening the shoulder on the south side to handle fire trucks. They also will discuss more signage to identify areas in that area.

Ned also informed the Board that the Town of Ithaca was doing a drainage study at the northeast corner in the Ornithology area. The Town of Ithaca has put a nine month moratorium on building so that they could study that area. Ned suggested that since this borders on the Village of Lansing, we should take a look at this report.

John O'Neill asked the Mayor if he had had a chance to look at the Flood Insurance model law. It was suggested that Ben Curtis take a look at it because he would be the one who would have the reporting responsibilities.

John would also like to further discuss the issue of peddlers in the Village. The Board has received a copy of the Village of Cayuga Heights law to review. John feels that the enforcement is beyond our ability, but would like to revisit it at the next Monday night meeting.

Because there will not be a quorum for the regular Thursday noon meeting, Jodi asked if the Board would like to reschedule the meeting for Wednesday.

Resolution #5420- To Reschedule the Thursday January 17, 2008 meeting for Wednesday January 16, 2008 at Noon.

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

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold –Aye

Trustee Larry Fresinski -Aye  
Trustee Frank Moore-Aye

Lynn asked if anyone had seen the recent article in the local Business Journal explaining how sales tax is distributed. Jodi had cut the article out to post in the office. Don explained that having the Shops at Ithaca Mall in the Village was actually a net loss due to the manner in which sales tax is distributed and what it costs for maintenance of our infrastructure. The largest generator of sales tax actually comes from fuel tax.

Lynn would like to work on the Route 34 corridor speed issue and get that resolved this year. Don stated that this will require a petition and safety assessment. It will be an intermunicipal issue because part of this route is in the Town of Lansing. Since this road has been designated a scenic byway, this will also help.

Mayor Hartill requested an executive session.

Motion- To Go Into Executive Session to Discuss Property Acquisition  
and Personnel Issues

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

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold –Aye

Trustee Larry Fresinski -Aye  
Trustee Frank Moore-Aye

The board went into executive session at 9:10 pm.

Motion- To Come out of Executive Session

Trustee O'Neill moved to come out of executive session and Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold –Aye

Trustee Larry Fresinski -Aye  
Trustee Frank Moore-Aye

The Board came out of executive session at 9:38 pm.

Motion- To Adjourn

Trustee O'Neill moved for adjournment. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye  
Trustee Lynn Leopold –Aye

Trustee Larry Fresinski -Aye  
Trustee Frank Moore-Aye

The meeting adjourned at 9:38 PM.

Jodi Dake  
Clerk/Treasurer