

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, December 1, 2008, in the Village Office.

Present: Mayor Don Hartill; Trustees Larry Fresinski, Julie Baker and John O'Neill; Clerk/Treasurer Jodi Dake; Attorney David Dubow.

As the Mayor was not present yet, Deputy Mayor Fresinski called the meeting to order at 7:37 P.M. and opened the public comment period. There was no comment.

Motion-To Close the Public Comment Period

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

Trustee Larry Fresinski-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye

Motion-To Open the Public Hearing on the Offer of Dedication of the Extension of Bomax Drive, the New Bomax Circle and the Initial Portion of Nor Way

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

Trustee Larry Fresinski-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye

David Dubow explained that the last time this was discussed at the Board meeting on November 17th; Brent Cross had submitted a memo of open issues that needed to be resolved before final acceptance of these roads could be completed. He indicated that he had spoken with Brent earlier in the day and had been advised by Brent he is not yet in a position to sign off. Consequently, Dubow advised the Board that he had prepared a new resolution for the Board to consider after the public hearing if the Board chooses to proceed, which resolution would confirm acceptance of the offer of dedication with a number of conditions, including final approval from Brent.

Mayor Hartill arrived.

There were no comments from the public.

Motion-To Close the Public Hearing

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye
Trustee Larry Fresinski-Aye

Dubow stated that Brent would also be suggesting a warranty amount and time period. The road has already wintered one season. He added that the Board can either wait until Brent has formally signed off on these open matters or approve the conditional resolution.

The Mayor proposed a resolution confirming the Boards acceptance with whatever conditions are deemed necessary. Once all conditions are satisfied, the road rights of way can be formally conveyed to the Village.

Resolution #5497 -To Reaffirm Action Taken in Resolution #5496
Adopted on November 17, 2008 Authorizing the Village to Accept the
Offer of Dedication of the Extension of Bomax Drive, the New Bomax
Circle and the Initial Portion of Nor Way

WHEREAS, by Resolution No. 5496 adopted on November 17, 2008, the Village of Lansing Board of Trustees (i) conditionally accepted the Offer of Dedication on behalf of Ivar and Janet Jonson / The Heights of Lansing Development LLC, a New York limited liability company ("Jonson/Heights of Lansing"), for (i) the extension of Bomax westerly from the end of the existing Bomax Drive public right of way previously dedicated and conveyed to the Village, (ii) Bomax Circle extending further westerly of the foregoing offered extension of Bomax Drive, and (iii) the initial portion of Nor Way extending northerly from the intersection of the foregoing offered Bomax Drive extension and new Bomax Circle (together with a temporary turnaround easement for the offered portion of Nor Way), all in accordance with the Final Plat approval for the "Lansing Trails II Subdivision" in the Village of Lansing, as well as any water and sewer mains located within the bounds of such premises, and (ii) directed that a public hearing be conducted in regard to the foregoing actions at the next regular meeting of the Board of Trustees of the Village of Lansing, on December 1, 2008, at 7:35 PM; and

WHEREAS, such public hearing was held on December 1, 2008 as required, at which time the Board heard no sufficient expressions of opposition to the Board proceeding as resolved in Resolution No.5496; and

WHEREAS, the Board therefore wishes to reaffirm the actions provided for in Resolution No. 5496;

NOW, THEREFORE, in accordance with Sections 6-610, 6-612 and 6-614 of the Village Law of the State of New York, and for the purpose of reaffirming its previous action as provided for in Resolution No. 5496 adopted on November 17, 2008, be it resolved by the Board of Trustees of the Village of Lansing as follows:

1. The Village of Lansing hereby reaffirms its acceptance of the Offer of Dedication made on behalf of Jonson/Heights of Lansing, subject to full and

complete satisfaction of each of the following conditions:

- a. Confirmation from the Village's engineer that (i) all required work with respect to the proposed road right of way and related improvements has been completed as required and (ii) acceptance of the road right of way and related improvements is thereby recommended;
 - b. Delivery to, review by and approval of the Village Attorney of original and executed copies of each and every document required in order to complete conveyance of the subject property in accordance with all applicable provisions of the State of New York and Village of Lansing laws, rules and regulations;
 - c. Receipt by the Village Attorney from Bomax of a satisfactory and fully updated abstract of title and all related title and transfer documents to confirm that the premises will be conveyed free and clear of all liens and encumbrances other than customary public utility easements of record; and
 - d. Recording and filing of the warranty deed conveying the subject property to the Village of Lansing, and recording and filing of any other documentation necessary to complete the conveyance of such property free and clear of all liens and encumbrances other than customary public utility easements of record.
2. The Village of Lansing's acceptance of the Offer of Dedication is expressly subject to the above-stated conditions, and such acceptance shall not become effective until each of said conditions has been satisfied in full.

Trustee O'Neill moved the foregoing resolution. Trustee Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Larry Fresinski-Aye

Trustee Julie Baker -Aye
Trustee John O'Neill-Aye

The next item on the agenda was to approve Minutes of previous meetings.

Motion - To Approve the Minutes from August 14, 2008

Trustee Fresinski 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 Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Julie Baker -Aye

Trustee Larry Fresinski-Aye
Trustee John O'Neill-Abstain

Motion - To Approve the Minutes from November 13, 2008

Trustee Fresinski 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 Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Julie Baker –Aye

Trustee Larry Fresinski-Aye
Trustee John O’Neill-Aye

Motion - To Approve the Minutes from November 17, 2008

Trustee Fresinski 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 Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain
Trustee Julie Baker –Aye

Trustee Larry Fresinski-Aye
Trustee John O’Neill-Aye

Mayor Hartill presented the Board with a letter and spreadsheet from the Town of Lansing Supervisor, Scott Pinney, regarding snow removal costs. The Town has requested that the Village pay an increased annual amount for snow plowing within the Village. The spreadsheet prepared by the Town was a reflection of the annual budget history for both Village and County roads plowed by the Town. The agreement that the Town has with Tompkins County is to adjust the annual amount of reimbursement up or down based on the prior year’s pricing. The Village’s current agreement with the Town provides for a fixed annual amount of \$25,000 and is adjusted from that base amount each year. There is no inflation built into this formula. Based upon the Town’s calculations as set forth on the spreadsheet, this translates to the Village paying the Town approximately half of what the County pays the Town per mile for snow removal. The Town would therefore like the Village to pay \$60,000 this year which is based upon the County cost calculation. The Mayor indicated that in addressing this request from the Town the Village will need to consider what it would cost to do the snow plowing on our own. It was also explained that Supervisor Pinney had some research done regarding Town capital expenditure regulations and practices and the manner in which taxes are imposed upon Town and Village taxpayers, which issue also needs to be evaluated as part of this process. Don will evaluate the information provided by the Town as well as related budget and tax issues of the Town and Village to better understand how best to address the snow plowing cost increase being proposed.

Larry indicated that he has always felt that paying the Town for snowplowing raises questions related to the manner and fairness in which Town taxes are imposed on Village property owners. Larry asked if the Town plowed sidewalks. The Town does not have any sidewalks and the Village highway department does all the plowing of our sidewalks and cul de sac’s. It was acknowledged that costs are increasing due to the increased price of gas and salt, however, the price of gas has come down significantly.

The Town would like an annual renewal that reflects what their actual costs are. The

Mayor would like to average the last few years to come up with a base fixed fee and then use the Tomkins County escalator. Don will prepare this further analysis and email it to the Trustees.

Don stated that he met with Dave Putnam from TG Miller. Dave is still planning on retiring but will continue to work part time for TG Miller. Paying him directly to do some work for the Village may also be a possibility. Don and Dave discussed plans for Dart Drive. He has done a preliminary design. If we install storm drains they would need to go down both sides of the road. The estimated cost of the project would be approximately \$1.5 million. Another option is to beef up the shoulders, extend the shoulders as far as we can, stripe in bike lanes and install a speed ramp about half way down Dart Drive to slow traffic. Don explained that originally the reason for considering a cul-de-sac at the easterly end of Dart Drive was because the distance from the Dart Drive/Warren Road intersection to Route 13 is too short. People also drive too fast on Dart Dr. The long-term plan has been to create a new road as part of the anticipated subdivision and development of the Dart Estate property that would ultimately create a new intersection further north with Warren Road. The strategy was to divide the traffic that would be coming out on Warren Rd. It's unsure what will happen now that the Dart Estate property has been split up by the three siblings.

The Village plans to install a traffic light at the intersection of Bomax and Warren at the Post Office. The Village has agreed to pay for half of the signal.

Don indicated that it is still unclear what is happening with Northwood Road and its possible dedication to the Village. Currently, Northwood is a private road over which the public has right-of-way access. Dave Putnam advised Don that with the current economic situation, the new owners of Northwood Apartments are apparently having trouble with their lenders with respect to getting them to sign off on dedicating the roadway property to the Village even though giving the Village the road would eliminate their liability and maintenance obligations. In the next couple of months we will need to know if we'll be going ahead with the Northwood Project so that we can plan our budget.

Don still has not heard anything from the Town of Lansing on if we will be receiving the Kline Road monies. If we do, this money will be used to lower the Villager's sewer rate.

Jodi stated that she has received a letter from Ruth Lewis requesting that their water penalty be removed. She has always promptly paid her bills but this last quarter there was a mix up with their mailing address since they live in Florida.

Resolution #5498-To Waive the \$5.58 Penalty on the Lewis's
Water/Sewer Account #N3956

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

Mayor Donald Hartill-Aye
Trustee Larry Fresinski-Aye

Trustee Julie Baker -Aye
Trustee John O'Neill-Aye

Jodi informed the Trustees that she has given them a copy of the letter from the Department of Assessment informing them that the New York Legislature has increased the maximum income level for eligibility for the “Persons sixty-five years of age and over” and the “Persons with disabilities and limited income” exemptions. Jodi has called the Town of Lansing to see if they had acted on this and they have a public hearing set for December 17, 2008. Since the Village usually is consistent with the Town, the Board will wait until after Town action to make a decision.

The Trustees have also received a copy of a letter from the Ithaca Youth Bureau requesting additional funding for a new teen leadership initiative called Ithaca Youth Council. Jodi has requested information from the Ithaca Youth Bureau on participation by Village of Lansing youths in these programs. This information will be analyzed to see if this continues to be a responsible way to spend Village tax dollars. The funds that the Village contributed to the Northeast Seniors program also needs to be reevaluated. We have received newsletters stating that their enrollment is very low. Don added that TCAT will probably ask for more funding. As budget time approaches we will also need to consider the likely reduction in the amount of sales tax revenue to be received by the Village. Jodi stated that she has compared the sales tax revenue for the last couple of years and the amount is about the same. She sees no significant decrease at this point. Don stated that it is quite likely that the sales tax amounts have remained steady due to the spike in the cost of fuel and heating oil, and that the current reduction in those costs will now result in a decrease in sales tax revenues.

Dubow stated that he spent time on the phone with Ben Curtis this afternoon discussing the proposed Building Code Administration and Enforcement Local Law and additional revisions and additions to be considered. Ben has started the process of reformatting the proposed new provisions into our Code format. The Board will discuss this further with Ben at the next noon meeting. The Board may want to set a public hearing on this for the January 5th meeting.

Don still hasn't heard from the State on closing out the N. Triphammer Road Project.

Larry stated that he is experimenting with facebook as a way to reach out to people in the Village. The Board discussed whether the electronic newsletter was working. Many people did not know about the fall brush pick up because they did not sign up to receive the electronic newsletter. Jodi suggested that in the future an article should also be placed in the Ithaca Journal to inform the residents, and that maybe the Village should consider sending a card to the residents informing them of the brush pick up and a reminder that they can sign up for the newsletter. This would only need to go to the homes and not to the apartments or businesses. The Village continues to be concerned with keeping their residents informed.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye
Trustee Larry Fresinski-Aye

Trustee Julie Baker -Aye
Trustee John O'Neill-Aye

The meeting adjourned at 8:57 PM.

Jodi Dake
Clerk/Treasurer