

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, January 5, 2009, in the Village Office.

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

Mayor Hartill called the meeting to order at 7:37 P.M. and opened the public comment period. Carla Marso was present to observe for the Community Party.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye	Trustee Lynn Leopold-Aye
Trustee Larry Fresinski-Aye	Trustee John O'Neill-Aye
Trustee Julie Baker-Aye	

The next item on the agenda was a public hearing on Proposed Local Law A. The Mayor entertained the following motion:

Motion-To Open the Public Hearing on Proposed Local Law A (2009), Amendment to Village of Lansing Code-Replacement of Chapter 75 (Entitled "Uniform Fire Prevention and Building Code Administration and Enforcement"); Deletion In Its Entirety of Chapter 62 (Entitled "Electrical Standards") as Being No Longer Necessary; and Revisions to Certain Provisions of Chapter 145 (Entitled "Zoning") to be Consistent With Said New Replacement Chapter 75

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

Mayor Donald Hartill-Aye	Trustee Lynn Leopold-Aye
Trustee Larry Fresinski-Aye	Trustee John O'Neill-Aye
Trustee Julie Baker-Aye	

Dubow indicated that this is the local law that has been in the works for an extended period of time and with respect to which Ben Curtis, Julie Baker and he have been significantly involved. He explained that the Village has a current Village Code chapter that provides for administration and enforcement of the NYS Uniform Fire Prevention and Building Code that is applicable to all municipalities and that this new local law, which the Board has previously reviewed, provides for updated administration and enforcement provisions that are mandated by the State. The result is a new Chapter 75 of the Village Code to replace the existing Chapter 75 as well as certain additional revisions

for consistency purposes. It was explained that the new Chapter 75 is in large part based upon the NYS model law with certain changes and additions to reflect the Village's local practices and procedures. There were no comments from the public.

Motion-To Close the Public Hearing

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Lynn Leopold-Aye

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

Don asked if a SEQR was required. Dubow stated that since it was a Type II Action it was not necessary.

Resolution #5502 -To Adopt Proposed Local Law A as Local Law 1, 2009

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law A (2009), to be designated Local Law 1 (2009) upon its adoption, to amend the Village of Lansing Code so as to replace Chapter 75 entitled "Uniform Fire Prevention and Building Code Administration and Enforcement" with an entirely new Chapter 75 similarly entitled "Uniform Fire Prevention and Building Code Administration and Enforcement," which new Chapter 75 is generally intended to provide for the updated administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the "Uniform Code") and the State Energy Conservation Construction Code (the "Energy Code") in the Village of Lansing. The new Chapter 75 is adopted pursuant to section 10 of the Municipal Home Rule Law and as mandated by section 381 of the Executive Law (and the rules and regulations promulgated thereunder), and except as otherwise provided in the Uniform Code, other state law, or other section of this Chapter 75, all buildings, structures, and premises in the Village of Lansing, regardless of use or occupancy, are subject to the provisions of the new Chapter 75. It is the further purpose and intent of this local law to further amend the Village of Lansing Code so as to (i) delete Chapter 62 entitled "Electrical Standards" as such Chapter 62 will be deemed no longer necessary upon the adoption of the foregoing new Chapter 75; and (ii) amend certain existing provisions of Chapter 145 (entitled "Zoning") of the Village Code so as to make such provisions consistent with the provisions of the new Village Code Chapter 75 as hereinafter set forth.
- B. On December 15, 2008, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law A

(2009), and thereupon scheduled a public hearing thereon for January 5, 2009; and

- C. On January 5, 2009, 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 (2009), (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 5, 2009, 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 5, 2009, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law A (2009), (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 FOLLOWS:

- 1. The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law A (2009), to be designated Local Law 1 (2009).

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Lynn Leopold-Aye

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

The next item on the agenda was to approve Minutes from the December 15th meeting.

Motion - To Approve the Minutes from December 15, 2008

Trustee Leopold 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 Julie Baker-Aye
Trustee Lynn Leopold-Aye

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

Mayor Hartill stated that he has received two letters from Diana Graser, NYSDOT Regional Traffic Engineer, in response to his recent inquiries. Diana is in charge of safety

issues. The first acknowledges receipt of a request to lower the speed limit on Route 34 in the Village between Route 13 and a point one half mile north of Burdick Hill Road. NYSDOT will conduct a formal investigation and then notify the Village of the results and their determination. The second letter states that they have received the Mayor's letter requesting additional pedestrian signage and crosswalk striping for the east side of the intersection of Route 13 and N. Triphammer Road. This second letter again indicates that NYSDOT traffic engineers will conduct a review and then advise the Village of their findings and recommendations. Lynn commented that they said nothing about a timeline. Don feels that it will be awhile before they complete their review given the economic conditions and the resources at the DOT to handle the current workload. Dan Veanor of the Lansing Star asked what the real issue was. Don stated that there are two issues, safety and noise. East Shore Drive is the only entrance to the City of Ithaca that is not 45mph.

Lynn stated that earlier in the day a 40 foot trailer truck was terribly loud today when it came down the hill. There are no postings of noise limits on East Shore Drive. Julie Baker indicated that while out west over the holidays she saw signs that read "Engine Brakes Prohibited". John O'Neill believes he saw a similar sign in Auburn. Don was told that these signs are not allowed. He will look into this further.

Dan Veanor asked if the radar sign was working. John O'Neill thinks it is slowing down traffic.

Lynn reported that she had observed mud all over the road when she was driving down Route 34 in the area where road work is being done in conjunction with the Bolton Estate Subdivision. Lynn feels they should keep the area clean just like we insist that other contractors do in the Village. Don will talk to the Town of Ithaca Engineer who is supervising the road project.

Mayor Hartill indicated that he called Mark Grainer at NYSDOT to see if he had signed off on the N. Triphammer Project. Mark assured Don that he would complete this in the next couple of weeks.

Don stated that his brother was in over the holidays and told him of the radar cameras that they are using in Arizona to catch speeders. The net effect of this is the commute has slowed down causing chaos. Dubow went on to explain the problems with this photo process and associating speeding with a specific car as opposed to the driver.

Don indicated that he plans on drafting a letter to the Town of Lansing Supervisor, Scott Pinney, tomorrow regarding snow plowing. Don explained how the Town of Lansing has two General Funds. Fund A is whole town and pays for such items as administration, salary of DPW Supt., some legal, maintenance, parks, dogs but not capital construction. Fund B is town specific not related to the Village. "A" is funded by town and village taxes while "B" is mainly funded by sales tax. It has always been a question as to why snowplowing expenses come out of "A" which the Village residents' taxes already go to and why we pay an additional amount for snowplowing. Don and David will look carefully at the Town expenditures over the last couple of years to make sure that Village

residents have not been paying for any capital construction. It was suggested that a joint meeting with the Town Board would be very beneficial to discuss this and other matters. Efforts are being made to organize such a meeting in February. John O'Neill stated that he would start to attend the Town of Lansing meetings again.

Don stated that infrastructure spending programs are being considered at both the federal and state levels. He may see if we can get help with replacing the Burdick Hill water line as portions of the pipes on Cayuga Heights Rd., Burdick Hill Rd. and East Shore Drive keep breaking.

The Board was advised that budget time is approaching and the Mayor indicated that he would like to continue with his goal of limiting any increase to the rate of inflation. He hopes to do the Northwood Road project in the upcoming budget year. The Village is also looking at a more affordable approach to Dart Drive. He would also like to incorporate sidewalks into that project since there are many pedestrians on that road.

David Dubow informed the Board that there are still a few outstanding issues with the final acceptance of the offer of dedication of the extension of Bomax Drive, the new Bomax Circle and the new initial portion of Nor Way in the Lansing Trails II Subdivision. He explained that the Village can not plow these roads until all issues are resolved as they currently remain private roads and are therefore the responsibility of the developer.

Lynn asked if Tompkins County was planning on doing the Warren Road Project this year. Don stated that they plan to start construction in the spring. The Village has agreed to pay for half of the traffic signal that will be installed at the corner of Warren and Bomax.

Lynn will not be at the 1/15/09 lunch meeting. Dubow will be gone January 16-23, and then again in April for approximately three weeks.

It was reported that five DMAP tags were used this season for bow hunting on the Leopold Property. Lynn will return the unused tags so that they can be returned with the final report.

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 Lynn Leopold-Aye

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

The meeting adjourned at 8:20 PM.

Jodi Dake, Clerk/Treasurer

