

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, March 2, 2009, in the Village Office.

Present: Mayor Donald Hartill; Trustee 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 7:33 P.M. and opened the public comment period. John Dennis was observing for the Community Party. John stated that he is disappointed that the Bolton Estate Subdivision Open Space matter that he had previously raised is not on the agenda and that he would again like to suggest that the Village purchase Lot #4 which is a ten acre lot. He reported that Lot #9 was originally listed for \$800,000, but has apparently come down to \$600,000. John Dennis has been walking that area for fifteen years and he stated that there is a waterfall there that is partially on the Bolton Estate Subdivision property and partially on the adjoining Butler property. John would like to see the Village buy the land and create a conservation management area. He would also like to see rules added that would allow the residents of this subdivision to only use organic material on their lawns and gardens. Lot #9 is, according to John, in a Unique Natural Area and he would like to see the Village purchase that entire lot. John urged the Village to spend money on conserving open space. John has spoken with Finger Lakes Land Trust and they are not interested in participating in the purchase of this property unless there is a demonstrated willingness by the Village to secure the entire waterfront area, and to partner with the State.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Trustee Lynn Leopold-Aye
Trustee John O'Neill-Aye

David Dubow explained that Local Law B regarding the Village of Lansing Vehicles and Traffic Regulations originated out of the Planning Board. At the February 2nd meeting the Board of Trustees considered Proposed Local Law B as recommended by the Planning Board and it was decided that no decision should be made until it was further reviewed. It was discussed again at the joint meeting of the Board of Trustees and Planning Board on February 9th. Originally, there was a list of 16 Village streets or portions which the Planning Board felt should be subject to "no parking" restrictions. After further discussion at the joint meeting, it was decided by both Boards that the Proposed Local Law should be revised to reflect the need for only 5 streets or portions thereof. David amended the Proposed Local Law accordingly and it was now being presented again to

the Board of Trustees for further action. Mayor Hartill entertained a motion to set a public hearing.

Resolution # 5508- To Set a Public Hearing on Proposed Local Law B (2009), Amendment to Village of Lansing Code- Village of Lansing Vehicles and Traffic Regulations For March 16, 2009 at 7:35pm

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

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

The next item on the agenda was to approve minutes from the February 2nd & 12th meetings.

Motion - To Approve the Minutes of February 2nd, 2009

Trustee 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 seconded the motion. A vote was taken:

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

Motion - To Approve the Minutes of February 12th, 2009

Trustee 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 seconded the motion. A vote was taken:

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

Don explained that Jodi has spoken with the Town and has come up with March 26 as a date upon which both the Town and Village Boards are available to meet. Lynn stated that she will not be able to attend on that date or may be arriving late.

Resolution # 5509- To Schedule a Joint Meeting with the Town of Lansing For March 26, 2009 at 7:30pm at the Village Office

Trustee Leopold moved to have a joint meeting. Trustee Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Trustee Lynn Leopold-Aye
Trustee John O'Neill-Aye

The next item on the agenda was to set the date, time, place and compensation for the upcoming Village election.

Resolution # 5510-To Set the Village Election for April 28, 2008 from 12pm to 9pm at the Village of Lansing Office at 2405 N. Triphammer Rd. and to Set the Compensation for the Election Inspectors at \$100 Each.

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Trustee Lynn Leopold-Aye
Trustee John O'Neill-Aye

Don stated that Ben Curtis has requested that the Board consider issuing a Temporary Certificate of Compliance for the new CMA Building at 16 Brentwood Drive which is substantially complete. Integrated Acquisition & Development would like to turn the building over to Cayuga Medical Associates on March 15. Ben stated in a memo to the Board that life safety components for the building have been or will be complete and operational prior to issuance. Some work, primarily of a cosmetic nature, remains to be done on the interior and exterior of the building. The binder coat for the paving is in place, but they will need to wait until the weather permits before putting down the top coat and striping. Handicap signage, however is or will be in place. Final grading and landscaping will also have to wait until spring. Storm water runoff protection sufficient to prevent adverse impact to adjoining properties, however, is in place. Ben recommended that the Trustees authorize a Temporary Certificate of Compliance for the CMA Building at 16 Brentwood Drive, which would expire September 1, 2009. He also recommend 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.

Resolution #5511- To Issue a Temporary Certificate of Compliance for the New CMA Building at 16 Brentwood Drive with an Expiration Date of September 1, 2009 and a Security Deposit of \$4,000

Trustee Fresinski moved this resolution. 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 next item on the agenda was to begin budget discussions. Mayor Hartill has collected

information and presented a proposed budget which Jodi has entered into our Budget Program and given everyone copies. The proposed budget indicates that the Taxable Assessed Value for the Village is \$420,917,413. The Mayor proposed that we keep the tax rate increase at inflation (3%) or below.

The Mayor indicated that there is a significant amount of highway construction in the budget. There are plans to widen Dart Drive to accommodate pedestrians and an additional \$50,000 to install storm sewers on one side. A topcoat is needed on Cayuga Heights Road, Votapka and St. Joseph Lane. John O'Neill asked if this was just recently done for Cayuga Heights Road. Don explained that we had done the base of Cayuga Heights Road but never the topcoat because we were anticipating further road construction associated with the previously proposed Town sewer project. The intermunicipal sewer project is no longer going to be done so now we need to complete the topcoat. The large amount on the equipment line item is to purchase a new backhoe. Our crew is taking on more projects than we had in the past which saves us money by not having to contract that work out to third parties. For example, last year we did the storm drain work on Bush Lane instead of contracting it out. We have also taken over water main breaks which has also saved us money. There are some issues with our current backhoe and the Mayor indicated that it is time to replace it.

Don has increased the snow plowing line item to \$50,000, although this number may change after our joint meeting with the Town of Lansing. He indicated that the Village used to have a good relationship with the Town, but lately it's been strained. The Town claims that last year they used 1,100 tons of salt on our roads @ \$40/ton. John Courtney has done an analysis of how much should be used and he believes it should in fact be closer to about half that amount. Currently, the Town plows about 80% of our roads. The Village has taken over doing the cul-de-sacs and we also maintain the sidewalks. It would be a big task to completely takeover the snowplowing responsibilities, but we could do it if needed. Don prefers to have a good relationship with the Town. The question arose as to why we even had to pay for plowing when we pay the same taxes as all the Town residents that aren't in the Village. Don indicated that it is true that the Village is 1/3 of the Town's taxable assessed value. Years ago the Village was formed mainly for code and zoning purposes. Originally, there were two different tax rates for those residents that were in the Village and those outside the Village. However, these rates are now the same. Don also explained how the Town uses their sales tax for highway capital improvements.

Don stated that the Board will be discussing personnel compensation issues for the proposed budget in executive session at the end of the meeting. It was reported that Ben Curtis, the Village Zoning and Code Enforcement Officer, plans to retire next year and he will need to overlap with the new person in that position for training and transition purposes. Don plans to budget for 6 months of an overlap for Ben's replacement.

To complete the budget the Mayor looked at the history of each line item. The bottom line of the budget remains pretty much the same. Due to the economic situation we are in, there are some shifts in the expenditures and revenues. Boards will be paid the same. Legal and engineering fees have gone down. We no longer have the publishing expense of the newsletter since we are now doing it electronically. The proposed Northwood

Drive acquisition and upgrade project is not included in the budget because Don is unsure what will happen in this financial environment. If we do get the ok to go ahead with this project we can always use money from the capital reserve fund. The Northwood Project would probably cost around \$200,000.

On the income side Don has estimated the property taxes to be \$505,101. There is a 10% decrease in sales tax revenues. Interest earned on bank accounts is down. The \$30,000 for the sale of equipment is for the current backhoe to be replaced. It will probably go to auction in the fall after we receive our new one. Don anticipates a \$30,000 increase in the mortgage tax due to people refinancing.

John Dennis asked why the budget didn't have money budgeted for open space. Don informed him that the budget had \$200,000 set aside for the Park & Recreation Capital Reserve Fund. The Village has not decided on the expenditure of the funds in that capital reserve fund, it is planning for the future. To expend money from that capital reserve fund would be subject to a permissive referendum. Dubow explained the general procedure for withdrawing monies from capital reserve funds, and the Mayor indicated that this process was recently done when capital reserve monies were used for the North Triphammer Road Project.

In preparing the 2008-09 Water Fund Budget, the Mayor explained that he has planned for a large capital outlay for the Village sharing in the building of a new water tank on Burdick Hill Road. This project would be undertaken by the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC). If this project moves forward, it will allow the Village to take down the water tank behind our office which is in bad shape. Given the current timing, this project will not happen in this budget year, therefore the \$187,058 that was previously provided for in this year's budget will end up in the appropriated cash surplus and we will plan for it's expenditure in the upcoming budget this year. We also plan to replace the Burdick Hill Water Main. If the Federal Stimulus Package money comes through for the water tank project the SCLIWC costs will be reduced and the Village's actual capital reserve cost will also be less. The construction drawings for the new tank are complete and SCLIWC decisions and action related to the project are moving forward. There is also some discussion as to whether the old existing sister tank at the Burdick Hill site should be removed and replaced with a new tank or if it should just be refurbished. The SCLIWC Commission will discuss this at their upcoming Thursday meeting.

Don indicated that Bolton Point increased their water rates this year from \$2.32 to \$2.58/1,000 gallon, and that once the budget is finalized the surcharge that the Village charges may also have to be increased.

In the Sewer Fund we still don't know what the Village of Cayuga Heights (VCH) will charge us for sewer rents. Don met with the Mayor of the VCH last Friday. The VCH has indicated that it has a \$130,000 shortfall due to the Kline Road Bypass for which they had to credit the City/Town Plant for 700 units and the failure of the proposed Town of Lansing sewer project going forward. The Mayor explained that before the Kline Road Bypass was completed the Cayuga Heights Plant was periodically in violation of their

flow limits. Though we haven't been reimbursed for it yet, the Kline Road Bypass did eliminate the moratorium on the Village of Lansing which was a significant advantage. Originally, we were supposed to get monies for this through the Intermunicipal Sewer Agreement. The installation of new sewer on Warren Road will add 120 units to the VCH Plant. Don has asked Dave Putnam to examine the capacity of our pipes to see if they can handle these additional units. This will be at the expense of the Town of Lansing. Don explained to the Board inflow and infiltration (I&I) issues that occur in sewer systems and their effects on sewer system operations.

Dan Veanor asked if Don thought our sewer lines could handle the proposed Cayuga Farms Subdivision by Asbury Drive. Don stated that it wouldn't work because it is over a mile uphill. Don thought that they were planning a package plant.

Don suggested that the Board extend their upcoming meeting on Thursday, March 12, by 30 minutes to finish the initial budget review.

The next item on the agenda was Mayor's Comments. Don reported that he had attended the TCCOG meeting and there seems to be a lot of hope regarding the American Recovery and Reinvestment Act (ARRA). The new water tank on Burdick Hill is on the list submitted. There was a press conference with Congressman Hinchey on this but there has been no real update of information since then. It is very hard to understand all the rules that go with these funds.

There was also a meeting last Thursday of the ITCTC Policy Committee to review the prioritized list of highway projects that are being submitted for funding from the ARRA. The bottom line is that approximately \$60 million will appear in NYSDOT Region 3 which we are in. The first half of the projects will need to be shovel ready in 120 days. There is a priority list of which the only project in the Village is the Warren Road Project which is being done by the County. The Village has agreed to pay for half of the new traffic light to be installed at the Bomax Dive/Warren Road intersection. It was explained that the long term plan is to have Dart Drive be a cul-de-sac at the easterly end where it now intersects with Warren Road if and when the Dart property to the north is developed. This is because it is so close to the Route 13 intersection. ITCTC expects to get \$8 million. The second half needs to be in the design stages and ready to go in the next three years.

The Mayor reported that a contract is out to repair the N. Triphammer Road Bridge this summer.

Don will do an agenda for the Joint meeting with the Town of Lansing and send it to Bud Shattuck as requested.

John O'Neill stated that he attended the last Town Board meeting. He gave the Board a memo of what happened. He asked the Mayor if he had spoken with anyone about TCAT getting rid of the Route 31 bus that goes down Graham Road. Don stated that it was on his list to do.

Jodi stated that Steve Locey from Locey & Cahill would be coming to the April 20th meeting to talk to the Board about the Greater Tompkins County Municipal Health Insurance Consortium.

First Niagara Bank has requested that we pass an updated Municipal Deposit Resolution. This will need to be done each time the signers on our bank accounts change. Dubow explained that this is a standard agreement which is done by banks for entities with multiple parties who are authorized to sign checks. The Board confirmed its current policy that checks in excess of \$2,000 require two signatures and the new Municipal Deposit Resolution is to reflect that requirement.

Resolution #5512- To Authorize the Execution of a Municipal Deposit Resolution For First Niagara Bank

"RESOLVED, that First Niagara Commercial Bank, Lockport, New York is designated an authorized depository of this corporation; and

"FURTHER RESOLVED, that all drafts, checks, or other instruments or orders for the payment of money drawn against the account or accounts of this corporation with said depository shall be signed by any one of the following unless the amount is over \$2,000 then it would require two signatures:

CLERK/TREASURER – JODI DAKE
TRUSTEE – LARRY FRESINSKI
TRUSTEE - JOHN O'NEILL

MAYOR- DONALD HARTILL
TRUSTEE – LYNN LEOPOLD
TRUSTEE – JULIE BAKER

"FURTHER RESOLVED, that said depository is authorized to place to the credit of the account, or any of the accounts, of this corporation, funds, drafts, checks or other property by whomever delivered to said depository or agent thereof for deposit to the accounts of this corporation, endorsed with the name of this corporation, by rubber stamp, facsimile, mechanical, manual, or other signature (and any such endorsement by whomever affixed shall be the endorsement of this corporation), or otherwise endorsed, or unendorsed, provided that if any such item shall bear, or be accompanied by, directions (by whomever made) for deposit to specific account, then such deposit shall be to the credit of such specific account: and

"FURTHER RESOLVED, that said depository is hereby directed to accept, and/or pay and/or apply any draft, check, instrument or order for the payment of money, or any proceeds thereof, drawn on such account or accounts when signed as required by these resolutions by manual, rubber stamp, facsimile, or other mechanical signature (by whomever affixed) without limit as to amount, without inquiry, and without regard to the disposition of any such item or any proceeds thereof. Further, said depository shall not be liable in connection therewith notwithstanding that such item may be payable to the order of a person whose signature appears thereon or of any other officer or officers, agent or agents of this corporation, or such items or any proceeds thereof may be used or disposed of for the personal credit or account of any such person or persons, officer or officers, agent or agents with the depository or otherwise."

Trustee Fresinski moved this resolution. 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
Trustee Lynn Leopold-Aye	

Motion- To Go Into Executive Session to Discuss Personnel Compensation Issues

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

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

The Board went into executive session at 9:16pm.

Motion- To Come Out of Executive Session

Trustee Fresinski moved to come out of executive session. 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
Trustee Lynn Leopold-Aye	

The Board came out of executive session at 9:50pm.

Motion- To Adjourn

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

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

The meeting adjourned at 9:51 PM.

Jodi Dake
Clerk/Treasurer