

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, September 20, 2010, in the Village Office.

Present: Mayor Donald Hartill; Trustees John O'Neill, Lynn Leopold, Patricia O'Rourke and Julie Baker; Attorney David Dubow; Planning Board Member, Richard Durst

Mayor Hartill called the meeting to order at 7:39 pm and opened the public comment period.

Tob DeBoer introduced himself as an observer for the Community Party. There was no public comment.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye	Trustee John O'Neill -Aye
Trustee Julie Baker-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

Next on the agenda was to approve the minutes from July 19th August 2nd and 18th.

Julie Baker raised a question about the Minutes from July 19, 2010; the Board decided to wait until Jodi Dake was available before approving the draft Minutes as the official minutes.

Motion - To Approve the Minutes from August 2, 2010

Trustee Baker 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 Julie Baker-Aye	Trustee Lynn Leopold-Abstain
Trustee Patricia O'Rourke-Abstain	

Motion - To Approve the Minutes from August 18, 2010

Trustee O'Neill 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 Patricia O'Rourke-Aye

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

Although on the agenda, Jen Handy of Ithaca Youth Bureau was not present to provide a presentation on the Youth Council.

The next item on the agenda was to consider Proposed Local Law C, Amendment to the Village of Lansing Code-Ground Cover Requirements that has been recommended to the Trustees by the Planning Board. The following is a copy of the proposed law that the Trustees had previously received by email and which was formally presented to the Board at this meeting.

Proposed Local Law C (2010)
Amendment to Village of Lansing Code-Zoning Law-Ground Cover Requirements

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law to clarify and confirm the requirements for the establishment of ground cover on parcels in the Village of Lansing on which construction and/or development occurs, and to amend Chapter 145 (entitled "Zoning") of the Village of Lansing Code accordingly so as to:

- (i) provide such ground cover requirements in Section 145-11 of Article III (entitled "General Use Regulations") of Chapter 145, which ground cover requirements are intended to be applied and enforced in conjunction with and consistent with all provisions of the Village of Lansing Code related thereto, including, but not limited to, (i) such Article III of Chapter 145 of the Village of Lansing Code; (ii) subsection B (entitled "Landscaping") of Section 145-83 (entitled "Performance standards") of Chapter 145 of the Village of Lansing Code; and (iii) all applicable provisions of Chapter 124 (entitled "Stormwater Management, Erosion and Sediment Control Law") of the Village of Lansing Code; and
- (ii) revise Subsection B (entitled "Landscaping") of Section 145-83 [entitled "Performance Standards"] of Chapter 145 [entitled "Zoning"] of the Village of Lansing Code to be consistent with the new provisions in such Section 145-11.

SECTION II. AMENDMENTS TO THE VILLAGE OF LANSING CODE.

- A. Section 145-11 [currently identified as "Reserved"] of Chapter 145 [entitled "Zoning"] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

§ 145-11 Ground cover.

Where a parcel of land has been disturbed by construction and/or development, appropriate ground cover shall be established and maintained on such parcel as provided for in this Chapter 145, and, if applicable, as provided for in Chapter 124, such ground cover being intended for the purposes of (i) preventing soil erosion and maintaining sediment control, and (ii) maintaining sightly and well-kept conditions.

- B. Subsection B (entitled "Landscaping") of Section 145-83 [entitled "Performance Standards"] of Chapter 145 [entitled "Zoning"] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

- B. Landscaping and Groundcover. All required yards and undeveloped open space areas must either be open landscaped and green areas or left in a natural state. If any such yards and/or undeveloped open space areas are to be landscaped, they must be landscaped attractively with lawn, trees, shrubs, etc. Any areas left in a natural state must be properly maintained in a sightly and well-kept condition. Parking areas must also be maintained in a sightly and well-kept condition.**

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 superceded 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.

After a brief explanation of Proposed Local Law C (2010) by David Dubow and discussion by the Board, it was determined that the proposed law should be scheduled for a public hearing.

Resolution #5657- To Set a Public Hearing on Proposed Local Law C (2010) for October 18, 2010 at 7:35pm

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

Mayor Donald Hartill-Aye

Trustee Julie Baker-Aye

Trustee Patricia O'Rourke-Aye

Trustee John O'Neill-Aye

Trustee Lynn Leopold-Aye

Before considering the Cornell Deer Hunt request which was next on the agenda, David Dubow mentioned that Trustee Leopold had inquired earlier in the afternoon about the current Village Code provisions that prohibit hunting within 500 feet of a structure with no exceptions to that restriction. David explained that the State legislation is more lenient on this restriction by providing for certain limited exceptions. Based upon Lynn's concerns and suggestion that the Village's local provisions be consistent with those of the State, David prepared for the Board's consideration a draft local law that incorporates the suggested changes. The following is a copy of the proposed local law that was formally presented to the Board at this meeting.

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PROPOSED LOCAL LAW D (2010)-

AMENDMENT TO VILLAGE OF LANSING CODE – FIREARM AND BOW SAFETY LAW

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law to amend Chapter 67 (entitled “Firearm and Bow Safety”) of the Village of Lansing Code so as to modify the restriction in Section 67-6 (entitled “Exceptions”) that prohibits the discharge of a longbow within five hundred (500) feet of any dwelling house, farm building or farm structure actually occupied or used, school building, school playground, or occupied factory or church, the modification thereof to provide exceptions to such restriction and prohibition applicable to a dwelling house, such exceptions to permit such discharge within five hundred (500) feet of a dwelling house under certain limited conditions consistent with the provisions of New York State Environmental Conservation Law Section 11-0931, subsection 4.b.(1); it having been determined that the foregoing modification and amendment will better serve the overall purposes of Chapter 67 as stated therein.

SECTION II. AMENDMENT TO THE VILLAGE OF LANSING CODE.

- A. Subclause (7) of Subsection A of Section 67-6 (entitled “Exceptions”) of Chapter 67 (entitled “Firearm and Bow Safety”) of the Village of Lansing Code is hereby amended so as to modify the restriction in Section 67-6 (entitled “Exceptions”) that prohibits the discharge of a longbow within five hundred (500) feet of any dwelling house, farm building or farm structure actually occupied or used, school building, school playground, or occupied factory or church, such that Subclause (7) of Subsection A of Section 67-6 shall read in their entirety as follows:

- (7) Such longbow discharge may not (i) occur within five hundred (500) feet of any dwelling house, farm building or farm structure actually occupied or used, school building, school playground, or occupied factory or church, or (ii) result in the arrow passing over a public highway or any part thereof; provided, however, that the prohibition above as to a longbow discharge within five hundred (500) feet of a dwelling house shall not apply to the owner or lessee of the dwelling house, or members of his immediate family actually residing therein, or a person in his employ, or the guest of the owner or lessee of the dwelling house acting with the consent of the owner or lessee; provided further, however, that nothing herein shall be deemed to authorize such persons to discharge a longbow or any other firearm within five hundred (500) feet of any other dwelling house or a farm building or farm structure actually occupied or used, school building, school playground, or occupied factory or church;**

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 superceded 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 its filing in the office of the Secretary of State.

After a brief explanation of Proposed Local Law C (2010) by David Dubow and discussion by the Board, it was determined that the proposed law should be scheduled for a public hearing.

Resolution #5658- To Set a Public Hearing for Proposed Local Law D (2010) on October 18, 2010 at 7:40 pm

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 Julie Baker-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

It was explained that Cornell is interested in the integration of Lansing Village and Cornell Deer Research Program again this year. Jay Boulanger, Extension Associate & Deer Program Coordinator, has requested permission for archery deer hunting on Cornell Deer Research Program lands within the Village of Lansing for the 2010 season. In addition to the parcels that were hunted last year (Zone A11), they wish to open another archery-only zone, A12, located at the southwest corner of Rt. 13 and Warren Rd. Three Cornell parcels comprise about 30 acres at this new location. However, due to 500 foot discharge restrictions, there is only room for two bow hunters at this time. Jay has sent a map that depicts proposed 2010 Cornell archery deer hunting parcels that fall within the Village of Lansing, 500-ft discharge boundaries, and parking/access areas.

This limited bow hunt pursuant to Cornell University Integrated Deer Research & Management Program was first approved at the Oct 5, 2009 Board of Trustee's meeting. At that time a SEQR review was undertaken and a negative declaration determination was made. Due to changes in the proposed Program for this upcoming hunting season, the Board undertook a new and current SEQR environmental review based upon an updated Short Environmental Assessment Form (EAF) that was prepared by David Dubow. After confirming the information to be included on Part I of the Short EAF and responding to the questions/criteria in Part II, the Board completed its SEQR environmental review.

Resolution #5659-SEQR Review Negative Declaration Related to Limited Bow Hunting Within Village Pursuant to Cornell University Integrated Deer Research and Management Program for 2010.

WHEREAS:

- A. This matter involves consideration of the following proposed action: Authorization for limited bow hunting for deer in the Village of Lansing within the areas situated south of Route 13 and (i) east of Brentwood Drive (Zone A11) and (ii) west of Warren Road and north of Uptown Road (Zone A12), and designated on the map attached to the Cornell University correspondence dated June 17, 2010 in conjunction with the Cornell Integrated Deer Research and Management Program for 2010, which program is to be authorized by the Village Board of Trustees in accordance with Chapter 67 (entitled "Firearm and Bow Safety") of the Village Code, and specifically Section 67-6 of said Chapter 67; and
- B. The 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 September 20, 2010, 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 FOLLOWS:

- 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 O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Having completed the SEQR determination, and having further reviewed the application materials submitted in support of the Cornell University Integrated Deer Research & Management Program for 2010, the Board considered approval of the proposed plan.

Resolution #5660- To Authorize Limited Bow Hunting Within Village Pursuant to Cornell University Integrated Deer Research and Management Program for 2010.

WHEREAS:

- A. This matter involves consideration of the following proposed action: Authorization for limited bow hunting for deer in the Village of Lansing within the areas situated south of Route 13 and (i) east of Brentwood Drive (Zone A11) and (ii) west of Warren Road and north of Uptown Road (Zone A12), and designated on the map attached to the Cornell University correspondence dated June 17, 2010 in conjunction with the Cornell Integrated Deer Research and Management Program for 2010, which program is to be authorized by the Village Board of Trustees in accordance with Chapter 67 (entitled "Firearm and Bow Safety") of the Village Code, and specifically Section 67-6 of said Chapter 67; and
- B. The Village of Lansing Planning Board has performed a review of the proposed action and the documents and materials submitted with respect thereto, including, but not limited to the correspondence from Cornell University (and attachments thereto) dated June 17, 2010 requesting the proposed action and confirming Cornell University's agreement to comply as required to the terms, provisions, requirements and restrictions provided for in Chapter 67 (entitled "Firearm and Bow Safety") of the Village Code, and specifically Section 67-6 of said Chapter 67; and
- C. On September 20, 2010, 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; and
- D. On September 20, 2010, the Village of Lansing Board of Trustees completed its review of the proposed action, all information and materials rightfully before the Board related thereto, and all issues raised in the course of the Board's deliberations related thereto;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees, pursuant to Chapter 67 (entitled "Firearm and Bow Safety") of the Village Code, and specifically Section 67-6 of said Chapter 67, hereby grants authorization and approval for the proposed action in accordance with and subject to the correspondence from Cornell University (and attachments thereto) dated June 17, 2010 requesting the proposed action, and confirming Cornell University's agreement to comply as

required to the terms, provisions, requirements and restrictions provided for in said Chapter 67 and Section 67-6.

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

Mayor Donald Hartill-Aye

Trustee Julie Baker-Aye

Trustee Patricia O'Rourke-Aye

Trustee John O'Neill-Aye

Trustee Lynn Leopold-Aye

The next item on the agenda was the Workplace Violence Policy. Mayor Hartill explained that since the Village has fewer than 20 employees, we are not required to have a written Workplace Violence Policy. David Dubow suggested addressing the questions of whether part time employees should be included or just full time, and whether the Village needs to mention a training program. He would like to discuss these items and a few other clarifications with Jodi before the Board formally adopts the plan.

Mayor Hartill reported that things are generally going steadily. We are finished with most of the road work. He expects that part of the drainage improvements on Dart Road will be completed this year. The work on the Village garage will go to bid in a couple of weeks so that it can be completed by snowfall. There will be a brush pickup in October, and the newsletter will have the specific information.

The water tank will come down next year. It has been verified that the concrete is okay; it does not contain asbestos.

Don will participate in a TCCOG meeting and expects the budget to be the main topic.

Our new Code Enforcement Officer, Marty Moseley, is doing a good job.

During General Discussion, a question was raised about whether we needed a policy for fireworks in the Village. David Dubow said that the state regulates fireworks displays, but they require local permitting based on the state's regulations. The Village does not need a local law, but it does need to have someone designated to administer the issuance of permits. It was suggested that the Code Enforcement Officer can do this.

David Dubow commented that the State will no longer be involved with the issuance of dog licenses as full responsibility for this process has been handed down from the State to local municipalities. Therefore, the Town, which currently administers the collection of permit fees, will have to manage the whole process starting on January 1, 2011.

John O'Neill reported that there will be a meeting about the County's budget on September 27 at 7 p.m. in the Tompkins County Public Library Borg Warner Room.

John O'Neill posed a question, based on the recent gas line problem in California, whether we should be concerned about Village underground gas infrastructure. The Mayor answered that we do not have any transmission lines like the one that exploded in

California. He went on to say that we do have a lot of sewer infrastructure that is fairly new and we maintain it well. The main problem area is the jail, which has had three occasions in which the sewer stopped up from the trash (heavy weight paper towels, non-digested food, etc.) that the jail residents put into the toilets. The options are to either put a grate on the sewer to prevent the improper trash entering the Village sewer system or requiring the jail to install a grinder which will diminish the size and nature of the improper materials to be passed into the Village system. The Mayor indicated that he will be communicating the Village's concern and the need for remedial action to the appropriate parties.

Lynn Leopold commented about the Lansing Meadows PDA project: She reported that Jim Bolt and the Village's Lighting Commission have met and that there appears to be some disagreement regarding the lighting plans for the proposed commercial development area of the PDA, approval of which plans is a condition of the special permit granted by the Planning Board. In particular, the Lighting Commission questioned the need for and extent of uplighting. The Commission has scheduled a further meeting with Jim on Wednesday to address the concerns.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye

Trustee Julie Baker-Aye

Trustee Patricia O'Rourke-Aye

Trustee John O'Neill-Aye

Trustee Lynn Leopold-Aye

The meeting adjourned at 8:50 pm.

Julie Baker

Trustee