

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 1, 2012, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Julie Baker, Lynn Leopold and John O'Neill; Clerk/Treasurer Jodi Dake; Attorney David Dubow

Mayor Hartill called the meeting to order at 7:34 pm. and opened the public comment period. Yasamin Miller asked if NRP had asked for anything from the Village or if they had given the Village any update on their application. Mayor Hartill stated that they have not.

Yasamin also asked how one gets on a Village committee. She pointed out that John Dennis was appointed at a previous meeting. Don stated that first of all it is very hard to get anyone to come forward and volunteer to serve on committees. The Village is very happy when someone volunteers to represent the Village of Lansing. Advisory Board Applications are on the Tompkins County Website. The Tompkins County Environmental Management Council position that John Dennis was appointed to is a County Advisory Board. Membership in the Environmental Management Council and the Water Resource Council is open to all Tompkins County residents and is a great opportunity to provide input into decisions about the local environment. There are also positions on the youth boards.

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 Lynn Leopold-Aye
Trustee Julie Baker-Aye

Mayor Hartill proposed a motion to open the public hearing to amend the Cayuga Mall Planned Sign Area (PSA).

Motion- To Open the Public Hearing to Consider an Amendment to the Cayuga Mall Planned Sign Area

Trustee Baker moved to open 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 Julie Baker-Aye

Dubow explained that the Village Sign Law includes provisions for Planned Sign Areas (PSA), and PSA's have been created for the malls in the Village. PSA's need Board of Trustees approval amendments. The PSA for Cayuga Mall has not been significantly modified in years. The Planning Board has now recommended changes and modifications based upon discussions

with and requests from Brixmor Properties, the management company for Cayuga Mall. It is up to the Trustees to review and determine if the changes are appropriate. The proposed changes have been classified as a major amendment. Mike Patenaude with Poyant Sign was present to represent Brixmor Properties. Hartill stated that he was concerned with the size of the proposed pylon sign. He would like to see all the pylons in the Village be a uniform size. This proposed sign is approximately 30% larger than other pylon signs in the Village, but otherwise looks good. Mike stated that the signage is set back due to the infrastructure and trees unlike the other pylons in the Village that are right at the road. Since the sign is set back so far from the road, it needs to be a little bigger to make it readable. The original proposal was 155.76 sq. ft. which they have revised to 130.04 sq. ft. Mike stated that they have some good quality tenants coming in and they should have signage that can be seen.

Lynn stated that at the last meeting the Board discussed keeping the same size pylon as others have in the area. The current sign does not have any tenants listed on it, only Cayuga Mall. John O'Neill stated that he could justify the bigger sign because of the set back. Lynn stated that there are also trees at the road which is also a disadvantage. Lynn is happy with the overhauling of the mall, but has mixed feelings about the pylon. Julie Baker asked what the difference was between the proposed pylon and the one previously presented. The new sign has one less large sign and two less smaller sign slots. The proposed sign has six large and 6 small sign slots. Dan Veaner stated that the Lansing School installed a LED sign which is not big enough to read. He understands being equal and fair, but if you can't read a sign what is the point of having it.

Dubow explained in more detail the newly proposed Sign Development Plan as presented and which the Board has received and reviewed. Yasamin asked if the Board was approving a variance to change the Sign Law. Don explained that we were not changing the Sign Law; we are carefully amending the Cayuga Mall Planned Sign Area that already exists.

Motion- To Close the Public Hearing

Trustee Baker 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 Julie Baker-Aye

Resolution #5902- To Approve the Amended Cayuga Mall Planned Sign
Area Plan

WHEREAS:

A. The Village of Lansing Planning Board, after discussions with the appropriate parties to the previously approved and existing Planned Sign Area plan for the Cayuga Mall (the "Plan"), have determined that new and additional amendments to the Plan would be appropriate; and

B. The Village of Lansing Planning Board have (i) collaboratively worked with the appropriate parties to develop the amended Plan reflecting the proposed amendments; and (ii) recommended the proposed amendments to the Village of Lansing Board of Trustees for their consideration and approval; and

C. The Village of Lansing Board of Trustees have (i) reviewed the recommendation from the Village of Lansing Planning Board, (ii) evaluated the proposed amendments to the Plan, and (iii) held a public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees hereby determines, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act [“SEQRA”]), that execution of the proposed Easement as provided for herein is a Type II action, constituting “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment,” and thus may be processed without further regard to SEQRA; and
2. The Village of Lansing Board of Trustees, after hearing comments, from the public regarding the proposed amended Plan, and after further review, consideration and evaluation thereof, hereby approves the proposed amended Plan, a copy of which has been submitted to the Board; and
3. The Village of Lansing Board of Trustees hereby authorizes the Mayor to execute any and all appropriate Plan documentation on behalf of the Village, and to take such further actions as may be necessary and appropriate to give full force and effect to the Plan and this resolution; and
4. The Village Board of Trustees hereby authorizes and requests that the Mayor, Village Clerk/Treasurer, Code Enforcement Officer and attorney for the Village take such steps as may be necessary, desirable and/or appropriate to effectuate the intent of the foregoing resolutions; and

Any and all actions heretofore or hereafter taken by the Mayor, Village Clerk/Treasurer, Code Enforcement Officer and attorney for the Village within the terms and in conformity with the intent and purpose of the foregoing resolutions hereby are in all respects ratified, confirmed and approved as the proper and authorized acts and deeds of the Village.

Trustee Baker 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 Julie Baker-Aye

Dubow stated that Marty Moseley, Code & Zoning Officer, will amend the Planned Sign Area with these approved changes and implement.

Motion- To Open Public Hearing to Consider a Water Rate Increase Proposed by S.C.L.I.W.C.

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

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

S.C.L.I.W.C. has sent a proposed agreement to all the involved municipalities to change the water rate schedule effective January 1, 2013. Mayor Hartill explained that the Commission has looked at the capital needs for the future and has determined that this increase is necessary. The Commission just went through the bonding exercise to fund the near sited projects. Don feels that the problem is that 15 years ago they decided to spend down the fund balance which is not a good idea. Hartill stated that the last increase by the Commission was significant, and so is the proposed increase. The proposed rate the Commission would charge would jump from \$3.15 to \$4.00 per 1,000 gallons if all municipalities approve it. Hartill is amazed that people will go into a store and pay \$2 for a bottle of water and then turn around and complain about paying \$4 for 1,000 gallons. Lynn asked what the long term capital projects were. Hartill stated that the transmission main system is 40 years old. As part of the current bonding, we are replacing the transmission main from Oakcrest to almost Route 13. We will need to cross Route 13 in the future.

In addition to the rate that the Commission sets, the Village of Lansing also has a surcharge that is added to maintain our piece of the system. Currently that surcharge is 30%. We, as a Village, are caught up on our major projects so we should be able to lower the Village surcharge. Mayor Hartill is part of the Public Outreach Committee which promotes conserving water and the minimum charge is for 10,000 gallons. If you use less than 10,000 gallons by conserving water you really don't get any benefit. Lynn stated that same thing is happening with electric conservation.

Resolution # 5903 -To Approve the Amendment To the Southern Cayuga Lake Intermunicipal Water Commission Agreement Increasing the Water Rate Charges and to Establish Such Amended Water Rate Charges for the Village of Lansing

WHEREAS, the Village of Lansing entered into an agreement of intermunicipal cooperation with several other municipalities creating the Southern Cayuga Lake Intermunicipal Water Commission ("SCLIWC") and authorizing the construction by such Commission of the Bolton Point water treatment plant and related transmission and other facilities, which agreement was restated as of June 5, 1979, and which agreement has been subsequently amended from time to time (such agreement as so amended being hereinafter referred to as the "SCLIWC Agreement"); and

WHEREAS, the SCLIWC Agreement included a schedule of the water rates to be charged, which schedule has been amended from time to time; and

WHEREAS, the parties to the SCLIWC Agreement wish to amend the Agreement to increase the water rates, and a copy of the proposed amendment has been submitted to this Board for its approval; and

WHEREAS, the Village of Lansing Board of Trustees finds it is in the best interests of the Village of Lansing and its citizens to affect the proposed water rate increases;

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Lansing Board of Trustees, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”) and 6 NYCRR Section 617.5, hereby determines that adoption of said proposed amendment and the establishment of water rates constitute a Type II action, constituting “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment,” and thus may be processed without further regard to SEQR; and be it further

RESOLVED, that the Village of Lansing Board of Trustees hereby authorizes on its behalf the execution of the proposed amendment to the SCLIWC Agreement submitted to this meeting, approving thereby the amendment to the rate schedule so as to increase the water rates to be charged under the SCLIWC Agreement generally from \$3.15 per thousand gallons of water to \$4.00 per thousand gallons of water; and be it further

RESOLVED, that upon the approval by all required parties of the proposed amendment to the SCLIWC Agreement setting the increased rate of \$4.00 per thousand gallons of water, and concurrently with the effective date of such amended rate as provided for in the approved amendment to the SCLIWC Agreement, the Village of Lansing Board of Trustees hereby establishes the foregoing increased rate as the base rate chargeable to each owner of property that is provided with water service by connecting to the Village of Lansing Water System, all such water service charges being subject to the additional water rate surcharge (currently 30%) imposed by the Village from time to time by resolution of the Village Board of Trustees.

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 Julie Baker-Aye

After accepting the rate and Board then considered lowering our surcharge percentage, which is currently 30%. Jodi Dake provided the following calculations to the Board:

\$3.15 x 30%= \$.95 this is the current rate
\$4.00 x 30%= \$1.20 surcharge if kept same surcharge percentage
\$4.00 x 25%= \$1.00 would work best
\$4.00 x 20%= \$.80 too low to meet the current budget

The Board decided to lower the surcharge to 25% to help offset most of this proposed rate increase.

Resolution # 5904-To Approve the Adjustment of the Surcharge for Water Services Imposed by the Village of Lansing

WHEREAS, the Village of Lansing has heretofore imposed and collected a surcharge for water services in addition to the water rates charged for water services, such surcharge currently being thirty percent (30%); and

WHEREAS, based upon the Village of Lansing's consideration of a variety of fiscal and budgetary factors, the Village has determined that such water surcharge should appropriately be adjusted from the current thirty percent (30%) to twenty-five percent (25%);

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Lansing as follows:

1. The water rate surcharge imposed and collected by the Village of Lansing shall be equal to twenty-five percent (25 %) of the water rate charges payable by each owner of property that is provided with water service by connection to the Village of Lansing Water System.
2. All water rents and rate schedules adopted by the Village of Lansing prior hereto not inconsistent with the terms and provisions of this resolution shall continue to be binding and effective.
3. The surcharge on water rates set forth in this resolution shall be effective for the Bolton Point quarterly billing on April, 2013, and thereafter until otherwise modified by the Village of Lansing as permitted and/or required by law.

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

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Mayor Hartill stated that it was a bit of sticker shock when the Village received the bids for the new Village office building project. The estimate that was provided to us before the project went out to bid was ~\$200,000 less than the actual bids that came in. The Mayor had already taken the

estimate and added 10%. Mayor Hartill recommended that we reject all bids. The Board will go back to the architect to discuss options. There have been a number of delays in the process. We were optimistic as to when things would be done. Doing site work in the winter is not a good idea anyways.

Resolution#5905- To Authorize the Mayor to Create Documents to Reject All Bids

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 Julie Baker-Aye

Lynn would like a better sense of what is involved with the project. Hartill stated that NYSEG has begun to move the electric line which turns out to be more affordable than first thought. We anticipated that the new building would cost \$750,000, and when all four contracts were added up it was closer to \$1 million. If we would have accepted the bid we would have had to move General Capital Reserve Funds to cover the additional cost. The Village may rebid the project in the winter for a spring start. For the proposed building the cost per square foot is reasonable, but it is all the other constraints that go along with the project that are high. The bids for the project ranged from \$804,000 to \$1,142,000 just for the general contract. NYS Law requires us to abide by the Wicks Law which adds about 20-30% in construction costs. Wicks Law states that any public project over \$500,000 must pay prevailing wage and have a general contractor and separate subcontractors.

The next item on the agenda was to consider proposed modification to Lansing Trail II Subdivision submitted by Ivar Jonson. Lansing Trails II Subdivision was adopted a number of years ago. Now that 19 units have been completed as part of Phase 1 of the Subdivision, it is time to move to Phase 2. The issue is that some of the Phase 2 work has already been done. The road is laid out and the water and sewer lines are in. The question is the financial security that the Board will require for Phase 2. This is an unusual situation because many components are already done. Currently, they are finishing up the stormwater management program. They would like to get it done and dedicated to the Village.

Larry Fabbroni, Jonson's engineer, was present to tie up loose ends and explain in detail what they are proposing so that the Board will have a clear understanding of what development will be next as part of Phase 2. Larry stated that Ivar has gone above and beyond for 25 years, and that he has submitted a letter to the Board regarding "Progress Items Lansing Trails II" which Larry went over.

Dubow stated that the eight items on the first page would need approval by the Board of Trustees, and the last two items are more procedural. The Board suggested consulting Brent Cross, the Village's engineer for this subdivision project, for a recommended financial security amount. Hartill stated that he feels we are taking minimal risk for getting something that has taken too long. Ivar Jonson has been very responsible in the past. A guarantee that the road will

get completed is that he can't get a C.O. without a road unless he provides a security deposit. Accordingly, Hartill recommended waiving the current need for financial security for the start of Phase 2 since the provisions of the proposed Subdivision modifications submitted to the Board for approval include certain restrictions that will sufficiently protect the Village and the ability under certain circumstances to impose a later financial security.

Resolution#5906- To Approve the Amendment of the Final Subdivision with Respect to Which the Board of Trustees has Authority, with the remaining items of the Implementation of Modifications Submitted September 28, 2012 to be separately approved as required by the Village Planning Board

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 Julie Baker-Aye

The next item on the agenda was to consider waiving the sewer fee for an outside water leak for Account N1798, Marge Ferguson of 21 Cedar Lane. Marge claims that while she was away for 15 days this summer, her sprinkler was left on in her yard. She had turned on the sprinkler – which has on a timer – in the morning before she left and it shut off automatically. Normally, she also turns off at the cut off valve as well but missed that while preparing for her trip. The sprinkler continued to leak at the fittings, both where the hose was connected to the sprinkler and at the valve. Her daughter was expected to water the plants while she was gone and was staying in the house, but apparently she never saw the need – so never noticed the steady leaks. When Marge arrived home she realized that the sprinkler had been on when she saw the green grass area in the otherwise relatively brown yard. Since the sewer is related to the water consumption, Marge is requesting a modified sewer bill related to the unexpectedly high water usage. The leak was not internal to the house and the water did not pass through the sewer system. She believes an average of her sewer use for the past year would be a more appropriate measure than the current \$185.00 estimated for sewer for this billing cycle. Looking back at the previous bills at 21 Cedar Lane, Jodi found that it looks like this quarter in the past is about double the normal usage which is probably due to the outdoor watering. Taking the highest amount consumed in the last year (12,300) and doubling it to come up with an estimated usage 24,600, the Board agreed to waive the sewer charges for any sewer costs over that or 20,000 gallons. This will be contingent on what the Village of Cayuga Heights allows. Jodi stated that this situation is different than in the past since the Village of Cayuga Heights sewer charge is now based on water consumption and not just a set amount on the tax bill. Jodi has spoken with Mary at the VCH and they have a Board meeting on Oct. 9th where they can discuss this situation.

Resolution#5907 - To Reduce the Sewer Consumption Amount to 24,600 gallons and Credit Account #N1798 for 20,000 gallons or \$83.40. This is Contingent on the Village of Cayuga Heights Waiving their Sewer Fee on 20,000 gallons.

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

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Yasamin Miller questioned if she left her tap running then she could then come to the Village to get the charges waived. Jodi stated that this is a special situation being presented to the Board since the water did not go into her sewer line. Since this is a new billing system, there will be many issues that the VCH will have to decide how to deal with. If the VCH decides not to waive the sewer fee, than the resident will have to pay.

Mayor Hartill stated that the next agenda item is to discuss deer management. He explained that this matter was not included in the agenda due to the Board's effort to get the agenda out earlier so residents have more time to review. Leopold stated that Jay Boulanger has just recently sent a request to hunt on Cornell's land south of Route 13 and east of the medical complex.

Dubow has prepared draft documents for (i) a proposed SEQR Short EAF for the Cornell Integrated Deer Research Management Program in which the Village participates; (ii) a proposed SEQR negative declaration/positive declaration resolution; and (iii) a proposed approval/denial resolution. We have received the customary correspondence from Cornell outlining the proposed deer management program. We may also have to consider additional revisions to the documents if that becomes necessary due to the submissions from Cornell (e.g., the areas designated in the Village) and the new DEC regulations/permitting process which may affect the University's Program and the Village's participation.

The non-Cornell Program deer hunting activities will be handled as in the past with individually requested Village authorizations being reviewed and acted upon by resolutions of the Board in accordance with Section 67-6 of the Village Firearm and Bow Safety Law of the Village Code and the conditions provided for in that section. These authorizations have often in the past been handled at the monthly noon meeting of the Board.

The Board completed the SEQR review and the SEQR Short Environmental Assessment Form for Cornell University Integrated Deer Research and Management Program for 2011 and the following resolution was proposed:

Resolution #5908-SEQR Review Related to Authorization of Limited Bow Hunting Within Village Pursuant to Cornell University Integrated Deer Research and Management Program For 2012

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 east of Brentwood Drive (Zone A11), and designated on the map attached to the Cornell University correspondence dated September 28, 2012 in conjunction with the Cornell Integrated Deer Research and Management Program for 2012, 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 October 1, 2012, 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 Baker moved this resolution. Trustee Leopold seconded the motion. A vote was taken:

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

The SEQR review process having been completed, the following resolution was proposed:

Resolution #5909-To Authorize Limited Bow Hunting Within Village Pursuant to Cornell University Integrated Deer Research and Management Program For 2012

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 east of Brentwood Drive (Zone A11), and designated on the map attached to the Cornell University correspondence dated September 27, 2012 in conjunction with the Cornell Integrated Deer Research and Management Program for 2012, 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 September 27, 2012 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 October 1, 2012, 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 October 1, 2012, 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:

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 September 27, 2012, 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 Baker seconded the motion. A vote was taken:

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Dubow reiterated that the Village's local law prohibits any discharge of firearms and bow hunting with certain limited exceptions which require annual permission from the Board. Bernd stated that the process of getting approval yearly is very time consuming, so in the future the Board may consider adjusting the law to state that permission is good until otherwise stated. This could help to streamline the process. Leopold stated that she attended the hunters meeting. These hunters are the eyes and ears of the Village and are to report any trespassers.

Resolution #5910-To Authorize Approved Limited Bow Hunts Within Village

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

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

The next item on the agenda was to talk about what is a Comprehensive Plan. Mayor Hartill stated that his vision of a Comprehensive Plan is an overview of where you want to be in ten years. The detailed local land use provisions developed and adopted over time are based upon the Comprehensive Plan and are incorporated the Village Code and Zoning Law, including the specific terms as to how the Village proceeds. The Comprehensive Plan has no force of law. It is a guide which is recommended but not demanded by the State. It's not necessarily a very detailed document. One should approach the update in that spirit.

Dubow added that the Plan is an outline of what you want the Village to be. Dubow had previously distributed handouts on this subject to the Boards. The goal is to have the Village Code provisions and its land use regulations, as they evolve and as they are approved, generally consistent with the spirit of the Comprehensive Plan. There is also an emphasis on the Comprehensive Plan including regional matters outside the Village. Leopold stated that the Comprehensive Plan used to be worked on by the Planning Board, but now it is a joint effort with Village's legislative body, the Board of Trustees. It was indicated that input and suggestions have been received. We will start reviewing the Plan on October 15th at a joint meeting with the Planning Board. Marty Moseley has previously sent an email on a Comprehensive Plan training program that will take place at the end of October at TC3. Some Planning Board members have already signed up to attend.

Yasamin Miller asked for a timeline. The Mayor stated that that would be set at the next meeting. It could continue for a year. She once again asked about having a survey done. Mayor Hartill stated that how you ask the question can get you any answer you want. If we do a survey, it will be carefully developed and not assigned to an organization. It would have to be a competitive bid process. Yasmin feels that the Board is biased against getting public input. Mayor Hartill stated that is not the case. Before we do a survey we must understand if it is necessary and beneficial. We must follow procedure by law. One must first understand the level of interest. The Mayor's initial goal is to finish going through the current Comprehensive Plan by the end of the year.

Dubow stated that the current Comprehensive Plan has a number of categories and goals to build and aggregate. The Boards should evaluate the goals and see if they should be changed. Leopold stated that it should be structured to get information you actually need from people, relevant information.

The next item on the agenda was to discuss how to proceed with games of chance within the Village. Jodi had previously contacted Dubow regarding the authorization of games of chance in the Village in conjunction with the recent local law adopted by the Town. A copy of General Municipal Law Section 187 was given to the Trustees, the provisions of which do in fact enable the Village to grant authority for games of chance within its boundaries. As the GML provisions indicate, the Village can exercise that authority by resolution or local law, but in both cases the action would be subject to permissive referendum. Repealing the authority at some time in the future, whether by resolution or local law, would also be subject to permissive referendum. The Village has the authority to implement a similar process. This is subject to permissive referendum. This would allow for groups such as Foodnet to do a raffle or the churches to do bingo. A permit would be issued by the Town of Lansing. A similar situation is dog licensing done by the Town for dogs in the Village.

Dubow explained that the Town of Lansing has passed a Local Law to authorize games of chance in the Town of Lansing. That local law must be approved at the next general election, that being October 6th. Dubow has suggested that the Board discuss whether they want to proceed, in which case a determination can be made as to moving forward by resolution or local law. Unless there is some benefit to adopting a local law, Dubow believes it would be less cumbersome to go the resolution route. The Board agreed that it would be easiest to do this by resolution.

Resolution #5911 - Authorize the Town of Lansing to Authorize Games of
Chance in the Village Subject to Permissive Referendum

WHEREAS:

A. The Town Board of the Town of Lansing, in accordance with General Municipal Law §188, adopted Local Law Number 3 of 2012 entitled "Local Law to Authorize Bingo and Games of Chance Within the Town of Lansing" to be effective on November 6, 2012, which Local Law Number 3 was filed as required with the Department of State on August 28, 2102; and

B. Such Local Law Number 3 provides, in accordance with General Municipal Law §188, that it shall not become operative or effective unless and until it shall have been approved at the next general election on November 6, 2012, within the Town of Lansing by affirmative vote of a majority of the qualified electors of the Town voting upon the proposition; and

C. Such Local Law Number 3, in accordance with General Municipal Law §187, provides that it shall apply to the territory of the Town within the Village of Lansing only if, after adoption of such Local Law 3, the Board of Trustees of the Village of Lansing adopts a local law or resolution in accordance with General Municipal Law §187 authorizing the Town to issue licenses for games of chance within the Village, such local law or resolution to be subject to a permissive referendum; and

D. The Village of Lansing Board of Trustees, following review, discussion and consideration, has determined that it would be appropriate and beneficial to adopt this resolution in accordance with General Municipal Law §187 for the purpose of authorizing the Town to issue licenses for games of chance with in the Village;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees hereby determines, pursuant to General Municipal Law §187, that this resolution shall serve to confirm the Village of Lansing's grant of authority to the Town of Lansing to issue licenses for games of chance within the Village of Lansing in accordance with Local Law Number 3 of 2012 of the Town of Lansing; and
5. This resolution shall be subject to a permissive referendum in accordance with General Municipal Law §187 and Article 9 of the Village Law; and
6. This resolution, and the authority granted hereunder, shall not become operative or effective unless and until Local Law Number 3 of 2012 of the Town of Lansing shall have been approved at the next general election on November 6, 2012, within the Town of Lansing by affirmative vote of a majority of the qualified electors of the Town voting upon the proposition; and
7. The Village Board of Trustees hereby authorizes and requests that the Mayor, Village Clerk/Treasurer and the attorney for the Village take such steps as may be necessary, desirable and/or appropriate to effectuate the intent of the foregoing resolutions; and
8. Any and all actions heretofore or hereafter taken by the Mayor, Village Clerk/Treasurer and the attorney for the Village within the terms and in conformity with the intent and purpose of the foregoing resolutions hereby are in all respects ratified, confirmed and approved as the proper and authorized acts and deeds of the Village.

Trustee O'Neill moved this resolution. Trustee Leopold seconded the motion. A

vote was taken:

Mayor Donald Hartill-Aye
Trustee John O’Neill-Aye
Trustee Patricia O’Rourke-Aye

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Dubow will send Jodi the legal ad to be published in the Ithaca Journal.

The next item on the agenda was to approve the minutes from August 16, 20 and September 20, 2012.

Motion- To Approve the Minutes from August 16, 2012

Trustee Leopold moved to approve the 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 Julie Baker-Abstain

Motion- To Approve the Minutes from August 20, 2012

Trustee O’Neill moved to approve the minutes. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O’Neill-Aye

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Motion- To Approve the Minutes from September 20, 2012

Trustee Leopold moved to approve the 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 Julie Baker-Abstain

Lynn stated that Tobe DeBoer has volunteered to send out the article that Jodi wrote entitled “Why is My Sewer So High?” to his Village email list. John O’Neill handed out an article written by his neighbor, Elvina, which summarizes what is going on in the housing market. The Board thought this would be an appropriate article to add to the Fall Newsletter. John will have Elvina forward the information to Jodi. The Village newsletter will go out by the end of the week.

Motion- To Adjourn

Trustee O’Neill moved for adjournment. Trustee Baker seconded the motion. A vote was taken:

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

Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

The meeting adjourned at 9:30 pm.

Jodi Dake
Clerk/Treasurer