

## Village of Lansing

MINUTES of a joint meeting of the Board of Trustees and Planning Board of the Village of Lansing held on Monday, November 2, 2015, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, Gerry Monaghan, Patricia O'Rourke, and John O'Neill; Planning Board members Maria Stycos; Clerk/Treasurer, Jodi Dake.

Mayor Hartill called the Board of Trustees meeting to order at 7:30pm and opened the public comment period. Nick Vaczek of 22 St. Joseph Lane stated that on October 13<sup>th</sup> the new list of "What Every Village of Lansing Resident Needs to Know" was posted on the website. It states that the main reason the Village was formed was to control planning and zoning. Nick asked if it would be good to include that there is a relationship with the Town. He also feels Village people should be encouraged to vote for Town representatives. He would like to see a comment added under elections that there is voting for town representatives. He would like us to encourage voter registration. He also would like to encourage the Town to have more planning as well. He suggested that when there is an upcoming election for Town representatives that the Village invites them to come to talk to our Boards and residents so our Boards can ask questions of them.

Monaghan stated that he is very interested in the process himself. He doesn't want to interfere in Town politics. In 2013 there were 535 Village election participates. The Village is 1/3 of the Town's residents. Village residents should be encouraged to vote in Town elections.

Mayor Hartill stated that the Town has been aware that the Village residents exist. The fact that we pay for their snow plowing is an issue. They don't notice that we are 1/3 of their budget. This year we were just "blown off" and he feels the Town needs to stop treating the Village as a cash cow. Hartill stated that he also heard that there is a write in campaign going on. Dan Veanor of the Lansing Star stated that there are interviews of all candidates online.

O'Neill agrees with Nick's first suggestion.

Dake agreed to make changes to the document to add a little more detail. If Nick didn't understand, then there may be others who have the same issues. This document is a result of frequently asked questions by residents.

Maria Stycos added that she got a flyer that stated the Town wanted to include the Village. They did send a representative to the Greenway Committee meeting.

Hartill stated that there was a lot of bad blood in the Village, but it takes a long time to repair. He feels part of the trouble is there has been some reaching out by the Village and very little response from the Town. This was evident during the budget process. Back in 2000 when the Village took over doing our own snow plowing it was because the Town raised what they charged us by a factor of 3. In Town law you can charge a Village for snow plowing or you can provide the service as part of the Town tax that they pay. So we bought a truck to plow and Hartill believes we pay a little less than what we would have paid the Town.

Hardaway stated that we can add information on Voter registration to our web site and add announcements reminding residents of upcoming elections. If the Village votes for it, votes speak. There has never been a large turnout for Village elections. Monaghan added that there was a “Meet the Town Candidate” night for residents of Shannon Park and only 4 people showed. O’Rourke stated that this may be partly because there are many transient and international students that live in the Village. Hartill stated that the Village has approximately 3500 residents, and with our mix 1,700 sounds like a very good turnout. Getting a third of the voters is good for a local election. Hartill added that in his newsletter article his last sentence stated that Villagers please vote in town election.

Motion - To Close the Public Comment Period

Trustee Monaghan made a motion to close the public comment period.  
Trustee O’Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O’Neill-Aye
Trustee Ronny Hardaway- Aye	Trustee Patricia O’Rourke-Aye
Trustee Gerry Monaghan-Aye	

The next item on the agenda was to approve the October 5<sup>th</sup> and 19<sup>th</sup> minutes. It was noted that Resolution #6208 in the 10/19/15 draft minutes reflects a total decrease of the General Account Fund Abstract No. 5 from \$193,334.92 to \$186,081.42. This was because check #9912 to Tompkins County Youth Services for the Recreation Partnership was voided since half was already paid. Check #9922 was issued for the correct amount of \$7,253.50.

Motion-To Approve the Minutes from October 5<sup>th</sup>

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

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O’Rourke-Aye
Trustee John O’Neill-Aye	

Motion-To Approve the Minutes from October 19<sup>th</sup>

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

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O’Rourke-Aye
Trustee John O’Neill-Abstain	

It was pointed out that highway spending issues were not discussed at the last meeting . Some items that would be allowable in the private sector are not allowable spending of public municipal funds. Hartill suggested this be discussed at our noon meeting with staff. Also, the Board didn’t

pass a resolution to do a budget transfer to cover the deer expenses they authorized. The previous resolution #6198 stated that the Village is willing to contribute funding not to exceed \$6,000 for feeders, supplies and population assessment. Dake asked if the Board wanted to transfer the whole amount from contingency or only \$2,000 to pay for everything but a population assessment. We can always do another transfer if that is done.

Resolution # 6210-To Authorize a Budget Transfer of \$2,000 for Deer Nuisance  
Control Expenses  
DR-A1990.4-Contingent Account-\$2,000  
CR-A3520.4-Other Animal Control -\$2,000

Trustee Hardaway moved to make a budget transfer. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	

The next item on the agenda was a public hearing to consider a sewer rate increase. With the increase in the water rate, the dollar amount charged for sewer would increase if we continue with a 25% surcharge for sewer. Currently, we charge \$1.09 per 1,000 gallons. With the increase it would be \$1.11 per 1,000 gallons. A proposed Local Law to update this was presented to the Trustees. This is standard procedure for every time we change water rates.

Motion - To Open the Public Hearing for Proposed Local Law 4 (21015)

Trustee Monaghan made a motion to open the public hearing. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Gerry Monaghan-Aye
Trustee Ronny Hardaway- Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	

There were no comments.

Motion - To Close the Public Hearing for Proposed Local Law 4 (21015)

Trustee O'Neill made a motion to close the public hearing. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Gerry Monaghan-Aye
Trustee Ronny Hardaway- Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	

Resolution #6211-To Adopt Proposed Local Law 4 (2015)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law 4 (2015), to be designated Local Law 4 (2015) -- As a follow-up to the prior adoption by the Board of Trustees of Local Law 4 (2012) and Local Law 6 (2012), both of which relating to the amendment of Section 111-21 (entitled “Rents for property owners connected to the Village of Lansing water system”) and Section 111-22 (entitled “Rents for property owners not connected to the Village of Lansing water system”) of Article II (entitled “Sewer Rents”) of Chapter 111 (entitled “Sewers”) of the Village of Lansing Code, and both of which providing for the imposition and collection of sewer rents for the use of the Village of Lansing sewer system and the Village of Cayuga Heights sewer system, it is the purpose and intent of this Proposed Local Law 4 of 2015 to provide for further amendments intended to:**
- (1) increase the current sewer rents payable to the Village of Lansing for the use of the Village of Lansing sewer system based upon the concurrent and like increase in the Southern Cayuga Lake Intermunicipal Water Commission (“SCLIWC”) water rates and the Village of Lansing water rates; and more specifically, to amend accordingly (i) subsection A of Section 111-21 [entitled “Rents for property owners connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code, and (ii) subsection A of Section 111-22 [entitled “Rents for property owners not connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code; and**
  - (2) alter and clarify the manner in which such sewer rents may, from time to time, be modified by further local law adopted by the Village of Lansing Board of Trustees.**
- B. On October 19, 2015, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law 4 (2015), and thereupon scheduled a public hearing thereon for November 2, 2015; and**
- C. On November 2, 2015, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law 4 (2015), (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 November 2, 2015, 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 November 2, 2015, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law 4 (2015), (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 4 (2015), to be designated Local Law 4 (2015).

Trustee Monaghan moved to approve this resolution. Trustee O’Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O’Rourke-Aye
Trustee John O’Neill-Aye	

With the increase to \$1.11/1,000 gallons and the \$3.22/1,000 that the Village of Cayuga Heights charges, our new sewer rate will be \$4.33/1,000 gallons.

The next item on the agenda was to consider an amended resolution for acceptance of Catherwood Road. Hartill explained the process we have gone through with New York State to take over Catherwood Road. He thought all was taken care of two meetings ago but New York State didn’t think we used the proper wording. The Trustees have previously received the resolution that has now has been blessed and approved by the State. Hardaway stated that we can continue doing what we have been doing. Hartill entertained the following motion:

**Resolution #6212-Transfer of Catherwood Road from New York State to the Village of Lansing**

Motion made by: Trustee John O’Neill

Motion seconded by: Trustee Ronny Hardaway

WHEREAS, the Village of Lansing, a municipal corporation of New York State in the County of Tompkins (the “Village”), with offices in the Village and with an address at 2405 North Triphammer Road, Ithaca, New York 14850, is requesting the State of New York (the “State”) to transfer to the Village a road identified as Catherwood Road currently in the possession of the State (“Catherwood Road”), situated in the

Village, and pursuant to Section 10, subsection 32, and Section 345-a of the New York State Highway Law, together with all related and existing improvements, if any, (including, but not limited to, any water mains, sewer mains, and other utility infrastructure located within the bounds of such road right-of-way premises) that may be owned by the State (the “Transfer”); and

WHEREAS, ownership of Catherwood Road is currently in the possession of the State; and

WHEREAS, Catherwood Road, which was originally situated in what was previously the Town of Lansing, is now in the Village pursuant to the incorporation of the Village and subsequent annexation proceedings during the early 1970’s; and

WHEREAS, it has been determined that the Village has prior hereto, and over an extended period of time, assumed repair and maintenance obligations with respect to Catherwood Road; and

WHEREAS, it is understood by the Village that Catherwood Road is no longer needed or useful to the State highway systems; and

WHEREAS, the Village is in favor of (i) the State formally transferring possession of Catherwood Road to the Village as has been proposed, and (ii) the Village continuing its obligations to repair and maintain such road as has been done in the past and is intended to be continued following the formal transfer to the Village; and

WHEREAS, (i) the Village wishes to accept the Transfer of Catherwood Road to the Village by the State; and (ii) the State intends to abandon Catherwood Road by official order in accordance with Section 10, subdivision 32, and Section 345-a of the New York State Highway Law;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village as follows:

1. Pursuant to the forgoing, and in accordance with Section 10, subsection 32, and Section 345-a, of the New York State Highway Law, the Village hereby (i) confirms its request for the State to transfer Catherwood Road to the Village, (ii) agrees to such request, (iii) acknowledges the intended abandonment of Catherwood Road in favor of the Village by an official order of the New York State Commissioner of Transportation; and (iv) confirms and approves the required powers and duties provided for and deemed necessary by the New York State Commissioner of Transportation.
2. 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

3. 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 Monaghan moved this resolution. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	

Dake will prepare a certified resolution. We can then arrange for providing the fully executed resolution to our current contact, Mr. Black.

RESOLUTION #6213-Appointment of Gerry Monaghan as Alternate Member to Tompkins County Council of Government (TCCOG)

Trustee O'Rourke moved to appoint Gerry Monaghan as an alternate to TCCOG. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	

RESOLUTION #6214-Appointment of Marty Moseley to the Stormwater Coalition of Tompkins County Until the Organizational Meeting When it Will be Made Part of Our Yearly Appointments

Trustee O'Rourke moved to appoint Marty Moseley to the SCTC. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	

Hartill stated that Moseley came down ill after the Planning Board meeting last Tuesday. He will be out for 1-2 weeks. Moseley has been carrying on business over his iphone. There have been a few email exchanges to resolve a couple of issues. The Mayor stated that he was at a Twin Glens meeting and someone mentioned the office was closed on Wednesday. Two of us were at a funeral and we assumed Moseley would be here but he was in the hospital. O'Rourke suggested that we may want to have Trustees cover times when staff will not be in.

Hartill stated that this is one of the disadvantages of having a thin lean staff. However, we still have a responsibility to residents.

Mayor Hartill stated that things are going well. We are making good progress on taking over Northwood Road. We are also working on coming to an agreement on the Lansing Trails roadway. We may end up putting oil and stone on it this winter. Graham Road West is being reassessed to improve that road way. The Sheraton Drive drainage way is complete and the water main is installed and working. We've redone the sidewalk in front of Trip Hotel .The Sheraton Drive roadway is stable, but in the spring we will mill and repave that road. We may have the Craft Road traffic signal pole by the end of the week. We have been promised to have it by November 20<sup>th</sup> at the latest. The delay was caused by a change order that sat on the engineering consultant's desk. We have installed the infrastructure for a future pedestrian signal.

O'Rourke gave an update on the 1<sup>st</sup> deer committee meeting which was held on Oct. 26<sup>th</sup>. As of today there have been 20 deer taken. Bernd has asked that we look at the property behind the garage as a possible sight for the program. O'Neill stated that he has spoken with the school and they are in favor of the nuisance hunt because there are many deer up there. Courtney has been against it. He had a safety concern as students walk through our Village. The Montessori School has suggested that there be a hunt that would only take place on weekends when students weren't around. Hartill will talk with Courtney. We need to remind people that if they are not part of the nuisance program then it is illegal. Legal participants have tags and identification that shows they are in the nuisance program.

Hardaway stated that he will not be here for the next Thursday or Monday meetings. Hartill stated that he will be out of town November 5-9<sup>th</sup>.

Monaghan reported on the Ithaca Public Education Initiative Red and Gold Grant that was received for the Global Village-Art in the Park Installation Project. The project, which will be at Dankert Park, will celebrate linguistics with Dewitt students. It focuses on language and celebrates the linguistic diversity of the community which surrounds Dankert Park. Monaghan is working with ENL (English as a New Language Program) on this project.

#### Motion-To Adjourn

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

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

Trustee Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye

The meeting adjourned at 8:20pm.

Jodi Dake, Clerk/Treasurer