

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, June 3, 2019, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, John O'Neill, Patricia O'Rourke, Randy Smith; Clerk/Treasurer, Jodi Dake; Attorney Bill Troy; Planning Board Member, James McCauley; Town Supervisor, Ed LaVigne; Lansing Star Editor, Dan Veanor. Two additional member of the public were present.

Mayor Hartill called the Board of Trustees meeting to order at 7:32pm and opened the public comment period. Carla Marceau of 5 Essex Court stated that she was there as an observer for the Community Party. Marceau stated that she lives in Shannon Park and all the streets in her area just got paved and they are beautiful.

Ed LaVigne stated that he sent emails regarding the Empire State Data Hub. This new enterprise would require turning the existing power plant building in Lansing into a 100 megawatt data center. There are suggested resolutions and endorsements that have been shared. LaVigne feels that the best thing the communities can do is to keep sending letters of support. Cayuga Operating Company representatives are scheduled to give a public presentation of the project at the Lansing Town Hall on Wednesday, June 26 at 6pm. This will be an opportunity for public to ask questions.

With no one else wishing to speak, Mayor Hartill entertained a motion to close the public comment period.

Motion - To Close the Public Comment Period

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

Mayor Donald Hartill-Aye

Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye

Trustee Ronny Hardaway- Aye

Trustee Randy Smith-Aye

The next item on the agenda was the approval of minutes from May 16th and 20th. Dake stated that after she questioned Courtney about the invoice from Core & Main the distribution was reallocated. Originally, he stated that all the material was going to Bolton Point for material we borrowed from them. Then, after the Thursday meeting he said some material was used for road projects and not water and was also part of water stock. This being said, the Core & Main invoice was reallocated so that \$2,838.60 of the invoice paid by the Water Fund for General Highway A5112.2 expenses needs to be transferred to the Water Fund. This will change the amounts in Resolution #6582 to approve Abstract #12. Dake suggested that a resolution be passed that states this change

with the approval of the minutes of May 16th. The correct amounts are \$416,702.10 for Water Abstract #12 and \$50,873.26 for General Abstract #12. Guardian auto out amount was also corrected.

Resolution #6586- To Approve the Minutes from Thursday, May 16, 2019 with an Update to Resolution #6582 to Change the Amounts Approved on the Water and General Abstracts to Reflect the Core & Main and Guardian Adjustments. The correct amounts are \$416,702.10 for Water Abstract #12 and \$50,873.26 for General Abstract #12.

O'Neill made a motion to approve the May 16, 2019 minutes and changes to the Water & General Abstracts. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway- Aye
Trustee John O'Neill-Aye	Trustee Randy Smith-Aye
Trustee Patricia O'Rourke-Abstain	

Motion - To Approve the Minutes from May 20, 2019

Hardaway made a motion to approve the May 6, 2019 minutes. Scott seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain	Trustee Ronny Hardaway- Aye
Trustee John O'Neill-Aye	Trustee Randy Smith-Aye
Trustee Patricia O'Rourke-Aye	

Consider Recreation Partnership Board New By-Laws

On May 22, 2019 the Board was emailed a copy of the new By-Laws for the Recreation Partnership Board. Changes were necessary to coincide with the new approved Intermunicipal Agreement of 2018-2022. Each municipality must approve the new by-laws. Janice Johnson, Coordinator of Youth Services, has requested that the Board review and vote on these by-laws and send her confirmation of the vote.

Troy has reviewed the By-Laws and copies of the proposed changes were distributed to the Trustees. Troy went through and made minor changes. Troy suggested the following changes:

- Paragraph IV. Membership- 7th line down that "a lay" be changed to "unelected".
- Paragraph XIII. Amendments- 3rd line down "AND The" be changed to "and the"
- Paragraph XIII. Amendments- 4th line down change to "must be mailed to all members at least ten days prior to the meeting" at which the proposed...

O'Neill suggested that the Board Approve the By-Laws with the proposed changes.

Res#6587- To Approve the By-Laws of the Recreation Partnership Board with the following Minor Changes:

- Paragraph IV. Membership- 7th line down that “a lay” be changed to “unelected”.
- Paragraph XIII. Amendments- 3rd line down “AND The” be changed to “and the”
- Paragraph XIII. Amendments- 4th line down change to “must be mailed to all members at least ten days prior to the meeting” at which the proposed...

O’Neill made a motion to approve this resolution. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway- Aye
Trustee John O’Neill-Aye	Trustee Randy Smith-Aye
Trustee Patricia O’Rourke-Aye	

Hardaway asked why the By-Laws removed the Treasurers position. O’Neill stated that function is done by another department. O’Neill added that the By-Laws are reviewed by the lawyers before this edition. The proposed changes will be reviewed by the Recreation Partnership Board at their next meeting.

The following is the approved By-Laws:

**BY-LAWS
Recreation Partnership Board**

- I. Name:** The name shall be the Recreation Partnership Board.
- II. Preamble:** The Recreation Partnership Board is a unique inter-municipal compact created to jointly plan, finance, provide, oversee and coordinate shared, recreational services that supplement and complement those offered by municipalities.
- III. Purpose:** The Recreation Partnership Board shall have the following duties, powers, and responsibilities:
 - Identify a set of shared services to be provided to residents of member municipalities. Authorize additions or deletions of programs.
 - Select providers to implement the programs.
 - Approve a net operating budget that includes the costs of all services, fees, revenues, sponsorship goals, and scholarship guidelines.
 - Recommend a pro-rata share of municipal contributions based on a mutually agreeable cost-sharing formula.
 - Oversee contracted services, monitoring the quality and costs of the service providers.
 - Evaluate the performance of providers.
 - Make regular reports to participating municipalities.
- IV. Membership:** Each participating municipality shall have one seat on the governing board. In addition, the City of Ithaca, Town of Ithaca, and Tompkins

County may appoint one additional member to reflect their greater investment in the Partnership. In addition, each municipality can appoint one voting alternate per municipality. Each participating municipality will strive to fill these seats with elected officials willing and able to make policy decisions. Only if no elected official is willing to fill a seat can a municipality appoint an unelected designee. The Recreation Partnership Board may determine if it wants to create any non-voting at-large seats to add expertise or coordinating links. This may be done by a 3/4 majority vote of the members at a regular meeting of the Board. The at-large seats will be created for a one-year period and if the Board wants to continue the seat it will be re-voted on for another one-year term.

- V. Selection of Members:** Members and alternates will be appointed by resolution at the pleasure of their municipal board for a term of two years.
- VI. Terms of Office:** Terms shall be for one year beginning January 1st and ending December 31st of that year. Vacancies shall be filled as soon as possible for the remainder of the unexpired term.
- VII. Officers:** Each year the Board shall elect a Chairperson and Vice Chairperson among its members. The officers shall be nominated by a nominating committee that shall be appointed in November and present their slate of officers at the December meeting. Officers shall be elected at the January meeting for the term of one year. New names for nomination can be put forth up to and at the January meeting for consideration. Prior to vote nominees must have agreed to serve. At the request of any member the vote can be a secret ballot.
- VIII. Duties of Officers:**
 - Chair:** shall develop the agenda in consultation with the Tompkins County Youth Bureau staff and providers, chair the meetings, represent the Recreation Partnership Board at inter-municipal or public meetings, assist as needed in contract negotiations to implement the wishes of the Recreation Partnership Board.
 - Vice Chair:** shall act in the absence of the chair.
- IX. Quorum:** A quorum shall consist of a simple majority of the filled seats.
- X. Voting:** Each member is entitled to one vote at any meeting for which the member is present. An appointed alternate is permitted to vote when replacing their official municipal representative. Passage of a motion requires a majority vote of those present. There shall be no proxy votes.
- XI. Fiscal Year:** The fiscal year shall be from January 1 to December 31.
- XII. Committees:** The Chairperson shall appoint all committees, subject to the approval of the Recreation Partnership Board. All Committee terms expire at the

end of the fiscal year, but persons may be re-appointed. All members of a committee have equal vote if present.

The Chairperson shall appoint any committee deemed necessary by the Recreation Partnership Board.

The Nominating Committee shall be appointed in November and recommend a slate of officers for the coming year by the following month (December).

- XIII. Amendments:** These by-laws may be amended by a 2/3 vote of members present at any regular meeting, provided that the proposed amendment has been presented for consideration of the Board at the preceding regular meeting and the proposed amendment must be mailed to all members at least ten days prior to meeting at which the proposed change is to be voted upon.

All amendments voted on by the Recreation Partnership Board must then be ratified by 100% of governing bodies of the participating municipalities prior to the amendment being adopted.

- XIV. Saving Clause:** In the event any part of these bylaws shall conflict with any provisions of requirements of the State or Federal Law, or laws of any of the participating municipalities, the provisions of any State or Federal Law shall control, and the other provisions of these bylaws shall not be invalidated by such conflict.

- XV. Conflict of Interest:** Anyone employed in or contracting with a program funded by the Recreation Partnership Board is ineligible to serve as a voting member of the Recreation Partnership Board.

If a member has a potential conflict of interest, they must explain their relationship to the program before the matter is discussed or voted on. Members must abstain from discussing and/or voting on any specific actions that are, or give the appearance of, being motivated by a desire for private financial gain for themselves or others such as those with whom they have family, business, or other ties.

- XVI. Adoption:** These By-laws shall become effective upon adoption by a two-thirds vote of the members present of the Recreation Partnership Board and approval of all the participating municipalities.

Adopted by the Recreation Partnership Board **April 23, 2019** subject to ratification by all participating municipalities.

Mayor's Comments

Hartill stated that he hasn't heard where we are with the sewer upgrade project. There is a meeting Wednesday to get funding to support I&I. Hartill stated that he would be attending that meeting. Hartill is trying to get a radar flow meter so we have sewer monitoring that makes sense. Hartill plans to have Courtney order one. We are in the thick of construction season. The Village will be replacing a water main on Northwoods Road that was previously held up by right away issues. The solution is to just put the water main in the Village right of way so there were no easement issues.

Hartill stated that as reported in the news some New York State waters are polluted but Bolton Point is just fine. You can measure things much more now than you ever could before so more pollution can now be detected and this makes news. We were not included in the list of municipalities not being tested. Hartill hasn't seen the overall conclusion yet but he feels our system is very clean. Bolton Point is watching the algae blooms. The way to handle this is to monitor the algae and make sure your filters are getting all the algae out of the drinking water.

Hartill asked Hardaway how the PSC meeting went. Hardaway stated that he did not attend the Albany meeting but he has heard that the PSC would not impose any new restrictions or demands on NYSEG. Hardaway feels it was a mixed message. NYSEG didn't want to commit to anything because other projects may demand the same in other areas. NYSEG is going to try to pursue measure and the control of methane. There was a second meeting today to figure out the next step.

Hartill stated that we need a bridging energy source and gas is not as bad as coal. The community really needs to face up to that. The electric distribution system is long in the tooth. Hartill went on to tell the Board about the effects that insufficient electric power has had with his other job at Cornell. They lost \$6,000 worth of helium, 5 computers and this is the kind of thing we are facing with electric. We need a bridging vision of how we get from here to there. A new electrical system would be needed and another question is who will pay for that. We are in a delicate situation these days. In Tompkins County we have 25 megawatts of solar installed and divide that by a factor of three with not a lot of sun here. This is a very complex issue, not a simple "we cannot do this."

Hardaway feels that to convert you cannot make it perfect but let's get it started and put plans in motion to achieve it. Hartill feels that everyone needs to be realistic and look at the economic effects.

General Discussion

O'Neill stated that he is worried about the Graham Road situation. There is currently a sidewalk on the south side of Graham Road and nothing on the north side. Hartill stated that for years he has been trying to convince the Shops at Ithaca Mall to give us the road and the Village would fix it. Hartill is at the point where he may exercise eminent domain, even though he doesn't like to do that. O'Neill would like to see the Village exercise their right of eminent domain. Hartill stated that he had tried to contact the owners of the Shops at Ithaca Mall and he hasn't been able to get them. There will be

nothing on the north side until you get to the mall. The Village would like to normalize where people are walking. There is a sidewalk by the YMCA and if the Village owned the Graham Road West property we would install a sidewalk down to that sidewalk. Hartill added that malls all over the country are failing. Hartill stated that we have been trying to take over Graham Road west for 14 years. There originally was a property switch between that parcel and getting Graham Road West but that never happened. Then, when the property changed hands it started again. Hartill stated that he is going to talk to local people at Shops at Ithaca Mall one more time and then will send a letter to the owners from the Mayor. After that, if there is no response he would like to proceed with eminent domain.

O'Rourke stated that she emailed her report on the last Planning Board meeting to the Trustees. For a full report see the Planning Board minutes.

Hartill stated that we need to look at what Low Traffic Commercial means.

O'Rourke will provide lunch next Thursday.

Motion to Adjourn

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

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

Trustee Ronny Hardaway- Aye
Trustee Randy Smith-Aye

The meeting was adjourned at 8:08 pm.

Jodi Dake
Clerk/Treasurer