

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, April 16, 2001, in the Village Office.

PRESENT: Mayor Don Hartill; Trustees Frank Moore, Lynn Leopold, Larry Fresinski, and Janet Beebe; Village Attorney Randy Marcus.

Mayor Don Hartill called the meeting to order at 7:38P.M. He opened the public comment period. Dooley Kiefer, the Tompkins County representative for the Village of Lansing, was present and asked the Board if they had any questions or concerns for her. The question of cell towers arose. Dooley explained that they have received the draft scope comments from the Village. The next step is to meet with vendors to get proposals and then plug this into the DEIS. She hopes this will be done by June. Don was concerned with the Motorola systems, which has failed. He will send Dooley a letter regarding this.

Motion- To Close Public Comment Period

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

Mayor Donald Hartill - Aye	Trustee Janet Beebe- Aye
Trustee Larry Fresinski- Aye	Trustee Lynn Leopold-Aye
Trustee Frank Moore- Aye	

Motion- To Open the Public Hearing on the 2001-2002 Proposed Budget

Trustee Larry Fresinski moved to open the public hearing on the 2001-2002 Budget and Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye	Trustee Janet Beebe- Aye
Trustee Larry Fresinski- Aye	Trustee Lynn Leopold-Aye
Trustee Frank Moore- Aye	

Jodi informed the Board that the Village of Cayuga Heights has raised their sewer rates so line items G2374 and G8189.4 both need to be changed from \$259,945 to \$285,430. The new Village of Cayuga Heights rates are \$127.50 for outside and \$85 for inside sewer unit rents. Dooley asked how capital improvements were financed. Don explained that major projects, such as North Triphammer Reconstruction Project, were funded through the Capital Reserve Funds. Don went on to explain that the employees received a 4.5% increase in salary and an increase in the amount the Village pays towards their insurance. The contingency account is used for any unexpected expenses that may arise. The Village is in very good financial shape; however, reconstruction of N. Triphammer will be the real test. One thing the Village would really like to do is put the utilities underground. Dooley had no other questions.

Motion- To Close the Public Hearing on the 2001-2002 Proposed Budget

Trustee Larry Fresinski moved to close the public hearing on the 2001-2002 Budget and Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye	Trustee Janet Beebe- Aye
Trustee Larry Fresinski- Aye	Trustee Lynn Leopold-Aye
Trustee Frank Moore- Aye	

The Mayor entertained a motion to accept the budget.

Resolution #3749- To Adopted the Proposed 2001-2002 Budget as Amended

Trustee Larry Fresinski moved to adopt the 2001-2002 Budget as amended and Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
Trustee Larry Fresinski- Aye
Trustee Frank Moore- Aye

Trustee Janet Beebe- Aye
Trustee Lynn Leopold-Aye

Next on the agenda was the approval of minutes.

Motion-Approval of Minutes for April 2, 2001

Trustee Lynn Leopold moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Larry Fresinski-Aye
Trustee Frank Moore-Aye

Trustee Janet Beebe-Aye
Trustee Lynn Leopold-Aye

Next on the agenda was the engineer's report. Dave Putnam announced that United Asphalt, the contractors for the Uptown Road Project, has filed for bankruptcy. Attorney Bill Troy is drafting a letter to the bonding company to let them know that United Asphalt is in default and that Uptown Road needs to be finished. It is unknown when the bonding company will arrange to finish the road. Because of the question of who's fault it is that the road is failing, litigation concerning this issue could go on for years. Dave will let the Board know as soon as he hears.

Don asked Dave to get a list of upcoming water projects so that we may think about the BAN process for next year. Dave feels the three main areas that have increased water main breaks are Burdick Hill and two 900-foot sections on Cayuga Heights Road. Dave will get prices for the Mayor. Don also asked Dave to get the cost for taking down the water tank behind the Village Office.

Don was concerned that Cayuga Heights Road will get a lot of traffic when we do N. Triphammer Road and he wants to make sure the road is in good shape. The intersection of Cedar with Beckett Way needs a lot of work this year. Frank was concerned with pedestrian traffic on Cayuga Heights Road. He thinks the when the Village does the overlay on Cayuga Heights Road we should widen the road to allow for paved shoulders for pedestrians. Don feels there are two problems. The first is that the roads it connects to have less space and when you widen the road there's more speeders. There are shoulders on Cayuga Heights Road now, they just aren't paved. Dooley commented that the County had the same concerns with Ellis Hollow Road and they tried having the shoulders colored green. Dave will look into trying this on Cayuga Heights Road.

The next item of business was the draft State legislation that would allow Cornell University to become a party of the Agreement of Municipal Cooperation for the S.C.L.I.W.C. Don proposed we pass a resolution authorizing the submittal of the draft legislation.

Resolution #3750- Authorizing Submittal of Legislation to the New York State Legislature that Would Allow Cornell University to Become a Member of the Commission and Party to the Agreement of Municipal Cooperation

WHEREAS, the Commission, on behalf of the Village of Lansing and the other four municipal members of the Commission, desires to formulate an Integrated Water System with the City of Ithaca and Cornell University, and

WHEREAS, the Commission, in conjunction with representatives of the City of Ithaca and Cornell University, is developing agreements to govern the operations of the Integrated Water System, and

WHEREAS, the Village of Lansing and Cornell University desire to have Cornell University become a member of the Commission and party to the Agreement of Municipal Cooperation, and

WHEREAS, the Commission was formed when the Village of Lansing and the other four member municipalities entered in to the Agreement of Municipal Cooperation pursuant to the authority contained in Article 5-G of the General Municipal Law of the State of New York, and

WHEREAS, Article 5-G prohibits a municipality from entering into a joint venture with a private entity, and

WHEREAS, Cornell University’s water system is owned and operated by its privately endowed college, and

WHEREAS, Cornell University’s privately endowed college is a private entity, and

WHEREAS, New York State General Municipal Law must be amended by legislation to allow the Village of Lansing and the other four member municipalities to partner with Cornell University, and

WHEREAS, the Village of Lansing Board has reviewed a draft of proposed legislation to thereby amend New York State General Municipal Law, NOW THEREFORE BE IT

RESOLVED, that the Village of Lansing Board authorizes the submittal of legislation, in the spirit of the draft proposed legislation, to the New York State Legislature to amend New York State General Municipal Law.

PROPOSED LEGISLATION

AN ACT TO AMEND THE GENERAL MUNICIPAL LAW TO AUTHORIZE MUNICIPALITIES IN TOMPKINS COUNTY TO INCLUDE CORNELL UNIVERSITY AS A MEMBER OF A GOVERNING BOARD CREATED BY INTERMUNICIPAL AGREEMENT FOR THE PROVISION OF WATER TREATMENT PLANTS AND DISTRIBUTION SYSTEMS

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general municipal law is amended by adding a new section 119 oo 1 to read as follows:

§119 oo 1. Inclusion of Cornell University as a member of the governing body of an entity created by intermunicipal agreement to construct and operate water treatment plants and water distribution systems in or adjoining the County of Tompkins.

1. Notwithstanding any other provision of law to the contrary, the municipalities in or adjoining the County of Tompkins, including but not limited to the Towns of Ithaca, Dryden, and Lansing, the Villages of Cayuga Heights and Lansing, and the City of Ithaca, and Cornell University may jointly provide for water services in the municipalities in and adjoining Tompkins County and the water districts located within the municipalities in or adjoining Tompkins County.
2. In addition to the powers set forth in Articles 5 B and 5 G of the general municipal law, the municipalities in or adjoining the County of Tompkins and water districts within such municipalities, shall have the power to, jointly with Cornell University
 - (a) Contract, acquire, finance, and sell common water supplies;
 - (b) Construct, operate, maintain, lease, sell, and otherwise deal in and supervise water intakes, water treatment plants, water lines, pumps, storage facilities, distribution facilities, and all other activities normally or reasonably related to the provision of such services which municipalities individually are authorized to undertake;

- (c) Create, continue, maintain and modify by agreement a governing body to supervise and operate such facilities which governing body may be made up of representatives from the participating municipalities and representatives from Cornell University; and
 - (d) Issue debt instruments pursuant to the provisions of the local finance law and in accordance with the provisions of the general municipal law for the purposes of financing the construction, modification or improvement of any of such water treatment and supply facilities.
3. The inclusion of Cornell University as a party to any such agreement and as a joint debtor on any financing issued jointly by the municipalities and Cornell University, and the inclusion of any representatives of Cornell University as members of any governing body, shall not be deemed to change the characterization of such body as a municipal body with all of the benefits, liabilities, immunities, and responsibilities of a municipal body, nor prevent the municipalities from issuing joint indebtedness with Cornell University pursuant to the provisions of the local finance law in the same manner and with the same effect as would exist if Cornell University were not a party to such agreement or indebtedness.
 4. The powers granted by this section shall be in addition to and not in substitution of any other powers granted to the municipalities in or adjoining Tompkins County and Cornell University to provide water services, including, without limitation, the power to jointly contract for obtaining and operating such services pursuant to articles 5 B and 5 G of the general municipal law and the power to issue joint indebtedness with respect to such facilities pursuant to such articles of the general municipal law and the local finance law.

Section 2. This act shall take effect immediately.

Trustee Larry Fresinski moved to accept this resolution and Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
 Trustee Larry Fresinski- Aye
 Trustee Frank Moore- Aye

Trustee Janet Beebe- Aye
 Trustee Lynn Leopold-Aye

Next on the agenda was the naming of the road that runs to the NYSEG substation off Graham Road. The Board decided to name the road "Substation Alley". Letters will be sent to notify NYSEG, Verizon, Tompkins County Assessment Office, fire and emergency management office.

Resolution #3751- To Name the Road which is Located Behind TCTC to NYSEG's Substation as "Substation Alley"

Trustee Lynn Leopold moved to name the road Substation Alley and Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
 Trustee Larry Fresinski- Aye
 Trustee Frank Moore- Aye

Trustee Janet Beebe- Aye
 Trustee Lynn Leopold-Aye

Next on the agenda was the Mayor's comments. The sewer meeting on 4/13/01 was canceled. The next meeting is 5/3/01 at Ithaca Town Hall at 9am. Don will be out of town and he asked Frank and Larry to attend. Frank could not attend because he is teaching a class at that time so Don will try and get the date changed.

Randy informed the Board that Local Law 1 of 2001, which dealt with municipal subdivisions, requires a public hearing in regard to subdividing the Edelman Property. Also the Planning Board asked Randy to draft a law dealing with the issue of lots divided by zoning district boundaries. There are currently about four lots in the Village that are in

both the low density and the medium density residential areas. The Board passed two resolutions to set public hearings for these two issues.

Resolution #3752- To Set a Public Hearing to Consider the Municipal Subdivision of the Edelman/ Kensington Townhouse Property and Acceptance of the Access Road as a Public Street for Monday May 7, 2001 at 7:35pm at the Village Office.

Trustee Larry Fresinski moved to set a public hearing and Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
Trustee Larry Fresinski- Aye
Trustee Frank Moore- Aye

Trustee Janet Beebe- Aye
Trustee Lynn Leopold-Aye

Resolution #3753- To Set a Public Hearing to Consider Proposed Local Law B, Amendment of Village of Lansing Zoning Law Concerning Lots Divided By Zoning District Boundaries

Trustee Lynn Leopold moved to set a public hearing and Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
Trustee Larry Fresinski- Aye
Trustee Frank Moore- Aye

Trustee Janet Beebe- Aye
Trustee Lynn Leopold-Aye

Don added that the next meeting is also our organizational meeting.

Randy gave an update on the N. Triphammer Road property acquisition progress. There are seven purchase offers still outstanding. HSBC & Mobil have not returned Jodi's calls so he will try to reach them. He has revised contracts for Joyce Rendano's two lots complete. Don looked the documents over and there is still an additional change. Randy will make the change and mail the purchase offer to Joyce. He expects to get Bomax, Irv Lewis and Village Campus any day now. The Ridley's want survey markers placed on their parcel. They are also concerned that when the sidewalk goes in they will have to maintain the sidewalk. Finally the Wilhelm's attorney has submitted a bill for \$1,044 which is above the \$500 limit set for reimbursement in the contracts. Don asked Randy to let them know we are considering it. Janet feels we shouldn't set precedence. Don told Larry it is time to get serious about getting a committee together to select an engineer.

Randy asked if he should write a letter to Fred Remillard regarding McDonald's roof lights. Don will wait until next Monday then call Fred.

Dooley asked how the Board felt about the CU Radiation Disposal Site Proposed Remedial Action Plan. The Board hasn't had a chance to review the material. Don feels there is a lot of fuss over a problem with little effects. There is a public hearing April 26th.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye
Trustee Larry Fresinski- Aye
Trustee Frank Moore-Aye

Trustee Janet Beebe- Aye
Trustee Lynn Leopold-Aye

The meeting adjourned at 9:55P.M.

Jodi Dake
Village Clerk