

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, April 1, 2002, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Janet Beebe, Larry Fresinski, Lynn Leopold, Frank Moore; Ned Hickey, Planning Board Chairman; Bill Troy, Village Attorney.

Mayor Donald Hartill called the meeting to order at 7:40 P.M. Mayor Hartill opened the public comment period. There were no comments.

Motion- To Close the Public Comment Period

Trustee Janet Beebe moved to close the public comment period. 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

The Mayor explained that as we were working on the budget we discovered that the water fund is not funded as well as it should be. There is the 1,000-ft. of water line that needs to be replaced on Cayuga Heights Road because we've had 4 ruptures there. The line was not properly installed originally. With this needed repair we can't balance the budget unless we do a Bond Anticipation Note (BAN). This year is the last payment for our present BAN, which was for improvements up by the airport. Therefore, the Mayor feels we should do another BAN to pay for the Cayuga Heights Road waterline replacement. This project will cost ~\$150,000. The Mayor went on to explain that the tax base and user fees are the two ways to get money for operations. User fees are from surcharges on each resident's water bill and the other is by issuing a BAN, which shows up on each residents tax bill. The \$150,000 BAN will be paid back over 5 years and will show up in the budget as \$30,000 principal plus interest each year. It is also clear that the Village is not charging enough surcharge to continue to maintain the water lines. Therefore the proposed budget reflects an increase in water surcharge from 22% to 33%. The same increase for sewer surcharge is proposed. If we were to pay for these improvements through the capital reserve funds we would go broke. It makes the most sense to fund large projects by getting a BAN every 5 years. To pay for this BAN half will be paid by unit and the other half by assessed value.

The next big project that will need to be completed is Burdick Hill Rd. waterline. There have been many problems at the lower end of that line. This project will cost approximately \$500,000. Burdick Hill will be used as a detour for traffic when the County redoes the Asbury Bridge so this line will not be redone until after all the N. Triphammer Rd. projects are complete.

Mayor Hartill presented the following resolution:

**RESOLUTION #3846- AUTHORIZING THE ISSUANCE OF \$150,000 SERIAL BONDS OF THE VILLAGE OF LANSING, TOMPKINS COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF WATERLINES IN CAYUGA HEIGHTS ROAD IN AND FOR SAID VILLAGE.**

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Lansing, Tompkins County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the reconstruction of waterlines in Cayuga Heights Road, including original furnishings, equipment, appurtenances, and incidental improvements and expenses in connection therewith, in and for the

Village of Lansing, Tompkins County, New York, there are hereby authorized to be issued \$150,000 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$150,000, and the plan for the financing thereof shall be by the issuance of the \$150,000 serial bonds authorized pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Lansing, Tompkins County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Lansing, Tompkins County, New York, by the manual or facsimile signature of the Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in full in The Ithaca Journal, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Trustee Larry Fresinski moved this resolution. 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

The trustees have submitted their records of time which they worked in February. After reviewing that information the board proposed that a standard workday would be 8 hours at 2 days per month for a trustee and five 8-hour days a month for the Mayor. This information is only for the purpose of establishing a workday for New York State Retirement benefits.

Resolution #3847-Set Trustees & Mayor's Standard Work Week for New York State & Local Retirement System

BE IT RESOLVED, that the Village Board be and hereby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

TRUSTEES- Two work days per month, with each day an eight-hour day.

MAYOR- Five work days per month, with each day an eight-hour day.

Trustee Lynn Leopold moved to set these standard workdays. 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

The Mayor proposed we approve the minutes of March 13<sup>th</sup> & 18<sup>th</sup>, 2002.

Motion-Approval of Minutes for March 13, 2002

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

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

Trustee Janet Beebe-Aye  
Trustee Lynn Leopold-Aye

Trustee

Motion-Approval of Minutes for March 18, 2002

Trustee Larry Fresinski moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. 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

Next on the agenda was a discussion of the budget. The Mayor proposed we go ahead and set a public hearing for the next Monday night meeting. Frank questioned the budget process. Don explained that tonight the board would review the proposed budget, make corrections then the budget would be available in the office for residents to review and if they have any comments they can speak at the public hearing.

Resolution #3848- To Hold a Public Hearing on Monday, April 16, 2002, at 7:35p.m., in the Village Office, 2405 N. Tripphammer Road, on the proposed Budget for Fiscal Year 2002-2003.

Trustee Lynn Leopold moved to set the budget public hearing. Trustee Larry Fresinski 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

Don didn't get a chance to write up a Budget 101 document that explains the budget. Don and Jodi went through the budget on Thursday. They took all the proposed expenditures and funded them.

As discussed in the previous board meeting, the major changes on the income side of the General Fund are the decrease in interest income, gross receipts and sales tax. The main reason for lowering this line item 10% is NYSEG lowering its rates by 13%. Gross receipts are the utility tax that is paid by NYSEG and phone companies. Sales tax was also decreased because much of that also comes from fuel taxes. The mortgage tax line item was increased because of low interest rates and the belief that many people will be refinancing.

A letter was received from Time Warner Cable that states the FCC has adopted a declaratory ruling and notice of proposed rulemaking finding that cable modem services, such as Roadrunner, are "interstate information service" and not a "cable service". Therefore these fees should not be included in the gross revenue on which franchise fees are based. Taking this into consideration the income line A1170, Franchise Fee Receivable-Cable was lowered from \$7,500 to \$4,000.

Bill Troy added that he had spoken with the attorneys for the company that proposed a cell communication facility in the village. They are not happy with the 6-month revocation clause and it is unlikely that a deal will be consummated. Taking this comment into consideration, A2545, License Fee-Park Cell Communication was removed. To counter these two adjustments the amount transferred to capital reserve was decreased by \$9,500.

The board had discussed the expenditures in the general fund at the last meeting. A couple of changes that have been incorporated are an increase of \$2,000 in the snow removal line item to include the plowing the Village does on Kensington Road. The employees agreed to remain at the same salary since the village joined the NY State Retirement System.

Ned Hickey is working on the planning of development for the Edelman's Property gift the village received in December. The boundaries of the property are unclear when looking at the maps. Bill will get a legal interpretation. Also Ned would like to get going on the footbridge but the easement with Swartout & Ferris is not done. Ned suggested rather than wasting time waiting for this easement, that we just build the bridge on our property. It is also unclear who owns the old Talandis property. Ned remembers it didn't get sold at the auction with the rest of the

property. Bill will research to see whom the property belongs to. Ned will tell Dennis to go ahead with the footbridge on Village property.

On Friday afternoon Ned interviewed Lee Oplinger. Lee is a Community Forestry Consultant who also works for the City of Ithaca. The village would like someone to look at our land and do an inventory of trees. Lee would do this for \$125 per seven-hour day. Lee would drive on the village streets and provide the village with a report. \$1,000 would be enough to budget for this. One point that Lee made which Ned thought the village should consider was to use bare root trees as opposed to bag & burlap. Bare root trees are about 1/3 of the cost and the City of Ithaca has had a much higher success rate with this type of tree planting. The board questioned whether or not we needed a forester. Ned suggested that this report would tell us what we need and how to do it. Bill Troy added that if there are any trees identified as dangerous, the village should remove them promptly.

Ned received an estimate from Dave Fernandez, Cayuga Landscaping of \$3,200 for trees to be planted on the land between Uptown Rd. and the Cinema. The board would prefer to get 1/2 bare root trees and 1/2 bag & burlap if it will not hold up the project. Ned will check with Cayuga Landscape.

Ned suggested that the Esty Family Cemetery on Burdick Hill might be a possible project for youth workers or Boy Scouts. Bill Troy will check to see who owns the cemetery. One problem that we run into every year with having youth workers is that they can't use power tools. Sylvia Smith added that the cemetery is filled with poison ivy.

In the Water Fund the mayor has proposed we increase the surcharge from 22% to 33%. The surcharge pays for maintenance of the water lines. The electricity line item was reduced by 10% since NYSEG has lowered its rates. This pays for the heating of the building and pumping costs.

In the Sewer Fund the Mayor explain the following line items-

G1030 Special Assessment-This pays for the principal and interest on the 34 year bond for \$531,400 that the village took out in 1986 at a 5% interest rate. The village is paying more in interest than principal for the long-term bond for sewer collector. Sylvia Smith stated that a long-term bond was done because Sy Smidt, the mayor at the time, promised the village residents that the price per household wouldn't be over \$30. Don suggested that we learn from this.

G2120 Sewer Rents-this is a percentage of water consumption. It was proposed to increase this surcharge from 22% to 33%.

G2374- This income goes directly to the village of Cayuga Heights and is offset by the expenditure line G8189.4.

G2401-Interest & Earnings- lowered due to the low interest rate

G8120.22-Equipment/Capital Outlay-When we televised the sewer lines we discovered a section by HSBC Bank that has to be replaced. This is outside of the N. Triphammer Project and \$150,000 has been allocated for this project.

In the future the Village will have to participate in a sewer transmission line from the Town of Ithaca. Since we have access, we will have to fund whatever the bond doesn't pay for. Don is pushing for a forced main down Cayuga Heights Rd., which would feed into a gravity system at Cedar Lane. The other option of running it through the existing natural area and then having to restore it would not be cheap.

There is a sewer meeting Thursday morning. The Town of Lansing is still concerned about costs. There is a rigid upper limit set by the State Controllers Office for the amount a municipality can have for special benefits. The board continued to discuss the sewer issue.

Don hasn't been able to reach the NYSDOT. He ask Larry to be ready to select an engineering firm to review the documentation.

Lynn has another commitment and cannot attend the Wednesday night Intermunicipal Organization (IO) meetings and ask if anyone could fill in for her. Lynn stated that Sharon Anderson is the new steward for the Cayuga Lake Watershed Network. The network is focusing on instructing citizens on lake issues. There may eventually be a floating classroom.

Tompkins County has met to discuss possible locations for the emergency response system. They are discussing two sites at the airport. The first is on the existing Sheriffs tower. Ned added that the planning board just approved a special permit for Verizon to collocate on that tower. The second option is to erect a new tower by the Crash & Rescue Building.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion.

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

Trustee Janet Beebe- Aye  
Trustee Lynn Leopold-Aye

The meeting adjourned at 10:10.

Jodi Dake  
Village Clerk