

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, July 7, 2003, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Lynn Leopold, Janet Beebe and Frank Moore; David Dubow, Village Attorney; Maria Stycos, Planning Board Member.

Mayor Donald Hartill called the meeting to order at 7:32 P.M. He opened the public comment period. Lesly and Philip Lempert of 14 Cedar Lane stated that they were strongly in favor of the banning Jet Ski ordinance that was being discussed later in the meeting. They live high above the lake and the noise is a problem for them. Mayor Hartill stated that the ordinance has to do with speed limit issues and distances from the shore and not just the banning of personal watercraft (PWC), and that a total ban is not a legal option. He further explained that the draft ordinance the Village received from Doug McEver in the Town of Lansing is intended to provide for the regulation of watercraft in certain shoreline areas of Cayuga Lake, but the problem is that it is hard to be specific and enforce such an ordinance. He also pointed out that New York State has a noise ordinance of 80 DP. The Lempert's are interested in anything they can get at this point. Larry asked if there was a certain time of day when they noticed the noise. The Lempert's stated that it is usually between 4 and 5 pm. The noise however is from a cigarette boat. The Mayor added that New York State owns the lake and municipalities have control 1,500 feet out.

Dooley Keifer, a member of the Tompkins County Water Resource Council, reported that the Council is doing a report on 2-cycle engines and pollution. The report is in final draft form but not yet adopted. The report addresses safety, recreation and pollution. Dooley suggested that the Village wait until the report is out before making a decision on the adoption of any Village regulations. Mayor Hartill stated that he has seen some of the report and that it is factually incorrect. He stated that one must be very careful when you are attempting to regulate someone else's activities.

A personal watercraft owner was present to state that he has a 2003 Sea Doo, which is a two-stroke engine, and it has direct injection and is environmentally safe. He brought his owner's manual so that others could see all the regulations and safety equipment that his PWC is equipped with. He agreed that the older 1993-94 models were very loud but that is not the case any longer. He feels that there have not been enough pro PWC owners present for these discussions. He has contacted Ithaca Recreation Sports and they will be attending the Water Resource Council meeting in two weeks so that the Council will have the correct facts. It seems that the information is based on 1970 information.

It was also pointed out that New York State has implemented a required boater's safety course. The Mayor expressed his opinion that one should not punish the whole group for a few reckless operators. The Mayor hopes that the Council will keep fairness in mind.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye
Trustee Frank Moore- Aye
Trustee Janet Beebe-Aye

Trustee Lynn Leopold- Aye
Trustee Larry Fresinski- Aye

Motion-To Open the Public Hearing to Consider the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC) Building Addition

Trustee Fresinski moved to open the public hearing. Trustee Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Frank Moore- Aye
Trustee Janet Beebe-Aye

Trustee Lynn Leopold- Aye
Trustee Larry Fresinski- Aye

It was explained that this proposal is to construct a 7616 square foot, two story office and work space addition on the east end of the Bolton Point water treatment facility at 1402 East Shore Drive in the Village of Lansing and renovate 4332 square feet of existing office space. The addition will provide for increased office space for the Commission's Administration and Distribution personnel and provide workshops for the Commission's electrical and mechanical technicians and production department personnel. The total estimated cost of the project is ~\$2,310,000. With the current rates, it was pointed out that it is cheaper to borrow part of the money for the project. The original plan when the building was first constructed was to have this additional office space but in an effort to keep costs down it was never completed. Now the storage and office space is needed.

The proposed resolution would authorize the Town of Ithaca, as the lead member municipality of the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC), to arrange for bonding for this addition in the name of all the municipalities that are part of SCLIWC. Repayment by each municipality will be based on its pro rata share of water consumption with the authorization by the Village to levy a tax if water revenue is not enough to pay the bond. It was explained that the SCLIWC customers will likely see an increase of approximately 10% in the current water rate of \$1.79.

Dooley Keefer asked if the smell of chlorine that you notice when you walk into the building would be alleviated with the new addition and separation. It was explained that the design is intended to separate the water working area from the office and administrative facilities, and it should therefore cut down on the smell in the office area.

Motion-To Close the Public Hearing

Trustee Fresinski moved to close the public hearing and Trustee Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye
Trustee Janet Beebe- Aye
Mayor Donald Hartill-Aye

Trustee Frank Moore-Aye
Trustee Lynn Leopold-Aye

The Board agreed to return to this topic later in the meeting.

The next item on the agenda was to set a public hearing to consider proposed Local Law C which would amend the Zoning Law to clarify and supplement certain permitted uses in certain zoning districts and requirements related thereto.

The purpose and intent of this Local Law is to amend Sections 202.07, 202.08, 202.09, 203.04, 304.06, 602 and 603 of the Village of Lansing Zoning Law so as to (i) clarify the intent as to permitted uses in the Commercial Low Traffic (CLT) District, (ii) clarify the Office/Studio/Service and Sales/Repair/Maintenance categories of uses by removing from such categories all food and beverage related uses, (iii) create two new categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage), (iv) create a third new category of uses providing for certain low level technology activities (Low Impact Technology), (v) clarify the permitted uses in the High Density Residential (HDR) District so as to eliminate any category of food and beverage services; (vi) clarify the permitted uses in the Business and Technology (BTD) District by adding a certain category of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) (vii) clarify and supplement the permitted uses in the CLT District by adding certain categories of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology), (viii) clarify the permitted uses in the Commercial High Traffic (CHT) District by adding certain categories of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) and higher impact food and beverage services (High Traffic Food and Beverage), (ix) clarify the off-street parking requirements for certain categories of uses, (x) clarify the Additional Conditions applicable to certain Special Permit uses related to

a certain category of uses providing for lower impact food and beverage services (Low Traffic Food and Beverage) in the Business and Technology District (BTD), (xi) expand the Chart of Uses to include the newly created categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology), and (xii) more particularly describe specific examples and types of activities which are consistent with the descriptive terms associated with certain generally described uses, including the newly created categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology).

Resolution #3978-To Set a Public Hearing to Consider Proposed Local Law C - Amendment to Zoning Law to Clarify and Supplement Certain Permitted Uses In Certain Zoning Districts and Requirements Related Thereto for August 4,2003 at 7:35pm

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

Trustee Larry Fresinski-Aye
Trustee Janet Beebe- Aye
Mayor Donald Hartill-Aye

Trustee Frank Moore-Aye
Trustee Lynn Leopold-Aye

A copy of the proposed Local Law will be sent to the County for review and to neighboring municipalities. Jodi will put the legal ad in the Ithaca Journal on July 19th.

Lynn Leopold gave an overview of the Town's draft ordinance which provides for the regulation of watercraft in certain shoreline areas of Cayuga Lake. Lynn received a copy of this ordinance from Doug McEver, a member of the Town of Lansing Board. The Towns of Ithaca, Lansing, Ulysses and the City of Ithaca all border the lake and are considering this ordinance. All currently observe NY State Regulations. Lynn explained that this is basically a safety ordinance to insure safer operation. It restricts operation of certain watercraft on the basis age, time of day and distance from shore. Frank commented that the State must already have navigational laws in place. It was acknowledged that the real problem with these types of regulations may be their effective enforcement. Frank indicated that he feels this is too complex to be enforceable and that people need to understand what the rules are. The rules shouldn't be troublesome. David Dubow commented that the rules are very subjective which may add to the problem of proper enforcement.

Mayor Hartill added that a stand up Jet Ski has to go fast to get going, it's a stability issue. He was also concerned about passing restrictive and unenforceable legislation. He also pointed out that the two serious accidents on the lake did not involve jet-skis. One must keep in mind that most Jet Ski accidents are not fatal. A Jet Ski driver must be sensible.

The Board discussed the proposed "Jet Ski Ordinance". The Trustees acknowledged that the residents' main concern is the noise. However, the Board also recognized that the problem may be occurring during a certain time at night and is fact not a Jet Ski but a cigarette boat. It was suggested that this not be called a "Jet Ski Ordinance" since it really deals with all watercraft. Dubow suggested that significant "clean up" to this document would need to be accomplished before its passage. The Board decided to wait until the Water Resource Council report came out and until we had a chance to speak with our sister municipalities. Don indicated that he will speak with Steve at the Town of Lansing.

The Board was advised that the Planning Board has recommended Woodthrush Hollow Lane as a name for the road leading to Coventry Walk. The name comes from the bird that lives there in the hollow. It was explained that part of the road extending beyond the current road coming into Northwood Apartment complex off of Warren Road has been taken over by the Village but has no name. No one lives on this road so no addresses will need to be changed.

Resolution #3979 -To Name the Section of Road From Coventry Walk to Warren Rd. Which is Owned By the Village as Woodthrush Hollow Lane.

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

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

Ben Curtis will update this information with public safety and the post office.

Jodi Dake advised the Board that as we are getting ready to close out the 2002-03 budget year, there are some issues that need to be taken care of as we do each year. She explained further (i) that a budget amendment is necessary in the water fund since we had higher water sales than expected, (ii) that certain budget transfers were necessary to balance the budget at year-end, and (iii) that certain encumbrances were also necessary. Therefore the following resolutions were proposed:

Resolution #3980-To Make the Following Budget Amendment to the Water Fund for 2002-03

Debit Departmental Income, Metered Sales, F2140	\$34,700	
Credit Home & Community Services, Source of Supply, Power & Pumping, Purchases, F8320.44		\$34,700

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

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

Resolution #3981 -To Make Budget Transfers for 2002-03

Modified 2002-03 BUDGET TRANSFERS- GENERAL FUND

Be it RESOLVED to transfer

- \$ 196.00 from General Government Support, Clerk, Equipment, A1410.2, to General Government Support, Clerk, Contractual, A1410.4
- \$.04 from General Government Support, Clerk, Personal Services, A1410.1, to Deputy Clerk, Personal Services, A1415.1
- \$ 35.00 from General Government Support, Clerk, Equipment, A1410.2, to General Government Support, Personnel, Contractual, A1430.4
- \$ 8,414.00 from Special Items, Contingent Account, A1990.4, to General Government Support, Engineer, Contractual, A1440.4
- \$ 925.00 from General Government Support, Building, Equipment, A1620.2 to Shared Services, Building, Utilities, A1620.42
- \$ 10.00 from General Government Support, Building, Equipment, A1620.2 to General Government Support, Building, Village Office, A1620.44
- \$ 0.08 from Transportation Street Administration, Personal Services, A5110.12, to Transportation Street Administration, Personal Services, A5010.1
- \$ 4,292.00 from Transportation, Street Maintenance, Contractual, A5110.4, to Transportation, Snow Removal, Contractual, A5142.4
- \$10,000.00 from Transportation, Sidewalks, Equipment, A5410.2 to Transportation, Sidewalks, Greenway Contractual, A5410.41
- \$ 1,000.00 from Transportation, Sidewalks, Contractual, A5410.4 to Transportation, Sidewalks, Greenway Contractual, A5410.41
- \$ 15,000.00 from Transportation, Permanent Improvement, Capital Outlay, A5112.2 to

A1670.4 Print Codification (Reestablish)	1,400.00
A5410.41 Greenway Contractual-Trail	26,000.00
A8020.2 Planning Equipment-AV equipment	3,000.00
A8020.45 Planning Consultant-Open Space	15,000.00

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Water Fund

F9730.6 BAN Principal	30,000.00
F9730.7 BAN Interest	6,000.00

Trustee Fresinski moved this resolution. Trustee Beebe seconded the motion. A vote was taken:

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

Next on the agenda was the approval of the June 11th & 16th minutes.

Motion-Approval of Minutes for June 11, 2003

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

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

Motion-Approval of Minutes for June 16, 2003

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

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

Ben Curtis has requested that the Village extend the Ornithology Lab Temporary Certificate of Occupancy which expires August 1, 2003 for an additional two months. The work required to be completed under the current TCO has progressed well but there are several items that may not be completed, notably the road conveyance. Based on the fact that Cornell has gone over and beyond the requirements of the Village and the State Building Code, Ben recommended that the trustees authorize the extension of the TCO for the Ornithology Lab at 159 Sapsucker Woods Road. No additional security is needed.

Resolution # 3983- Authorize the Extension of the Temporary Certificate of Occupancy to Cornell for the Ornithology Lab at 159 Sapsucker Woods Road with the Current Terms, Conditions and Security of their Present Temporary Certificate of Occupancy to October 1, 2003.

Trustee Fresinski moved this resolution and Trustee Beebe seconded the motion. A vote was taken:

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

The Board returned to the SCLIWC bond issue. Attorney Dubow presented an 8 page bonding resolution, an

amendment to the SCLIWC Agreement, and related documents, all of which will be acted upon by each of the five SCIWC municipalities at meetings over the next two weeks. At the request of the Mayor, he gave an executive overview of the materials. Dubow pointed out that following the adoption of the resolution, a notice will have to be published in the Ithaca Journal, and that the resolution is subject to permissive referendum. He explained that the Village Planning Board, in approving the Special Permit for this project, reviewed the environmental issues and adopted a SEQOR negative declaration determining that the project will have no negative environmental impact, which negative declaration and its findings the Board of Trustees then re-affirmed for itself with respect to the funding of the project as set forth in the proposed bond resolution. He explained further that (i) there is a not to exceed amount stated for the project cost along with a percentage of debt calculation for each municipality, (ii) all five municipalities will be jointly and severally obligated for all of the debt, (iii) the bond obligation will be paid for out of SCLIWC operational proceeds, but if those proceeds aren't sufficient, the Village will be required to pay its pro rata share from proceeds of a special tax to be levied by the Village, and (iv) the bond obligation will not exceed 20 years.

Resolution # 3984- Authorize the Expansion of Southern Cayuga Lake Intermunicipal Water Commission Addition, Publication of Notice and the Mayor to Sign the Supplemental Agreement

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

Mayor Donald Hartill- Aye
Trustee Larry Fresinski- Aye
Trustee Janet Beebe- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold- Aye

The Mayor reminded the Board that at its last meeting it had asked John Bailey for an estimate of the cost to increase our liability insurance. He indicated that John had provided additional information as requested and that the cost would be \$390 per each million dollars of additional umbrella coverage up to \$10 million. It was acknowledged that that is not a significant cost and that the Village may want to consider the need for such additional coverage. The Board was advised that John had previously indicated that he is comfortable with the \$4 million coverage the Village currently has. David Dubow suggested that the Board give this matter further consideration to determine if additional coverage is warranted. It was agreed that Jodi will check with the neighboring municipalities to see how much coverage they have.

Mayor Hartill advised the Board that he had a meeting regarding the North Triphammer Road Project with John Ettinger and Steve Vetter the previous Thursday to go through the proposal which Rich Baur has developed for the Route 13 ramps that are owned by New York State. He indicated that the solution will elevate the problems. John was very enthusiastic about the proposal and was very surprised at the congestion in this area. The traffic count is flat between 10am and 5pm at 2300 cars per hour. Most congested areas have peaks but ours is flat. Don feels they are interested in discussing this seriously with us. The SHIPO assessment was negative.

The Trustees were advised that there is a community forum on wastewater treatment at the Ramada Inn on Tuesday July 15 from 8-9:30am. The NYS Department of Environmental Conservation will present the Draft Environmental Impact Statement (DEIS) regarding intermunicipal wastewater proposals.

There is also a business before hours hosted by Cayuga Wooden Boatworks on the Handael, the floating classroom. Their hopes are to raise public awareness of water quality issues affecting Cayuga Lake. They are committed to minimizing their impact on the lake while providing as much opportunity for hands on education with the least impact on the lake as possible.

The Mayor then advised the Board that two sewer leaks have been repaired, so he now will be requesting 35-40 additional sewer units from the Village of Cayuga Heights.

Lynn reported that the Stormwater Resource Fair and Conference will be on July 26, 2003, 9-3pm at the Department of Social Services on 320 W. State St. Dave Zorn, Genesee Fingerlakes Regional Planning and Development Board member, will be presenting a model ordinance and watershed local laws project. This is co-sponsored by Cayuga Lake Intermunicipal Organization (IO). Lynn will not be able to make the IO meeting and would like to appoint an alternate.

Lynn will check to see if alternates have to be elected officials.

Janet Beebe reported that Tompkins County has taken away some of their funding for recreation programs provided by the City of Ithaca. They have withdrawn \$9,000, and next year they plan on decreasing the amount they contribute by \$30,000. The county wants to get out of the recreation business.

Mayor Hartill stated that TCAT has asked for additional funding. The Village used to give \$10,000 to Northeast Transit. We need to keep this in mind at budget time.

Lyn advised that the planter has been built around the Village office. She indicated further that some of the beautification grant money has been spent on the garden around the sign by Tompkins Trust Company. Janet suggested that something be done at Dankert Park. Lynn will go over and check it out.

Motion-To Adjourn

Trustee Fresinski moved adjournment. Trustee Leopold seconded the motion.

Mayor Donald Hartill-Aye
Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye

The meeting adjourned at 9:45pm.

Jodi Dake
Village Clerk/Treasurer