

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 20, 2006, in the Village Office.

Present: Mayor Donald Hartill; Trustees, Larry Fresinski, Lynn Leopold, John O'Neill and Frank Moore; Clerk/Treasurer Jodi Dake; Attorney David Dubow; Planning Board Chair, Ned Hickey; and TG Miller Engineer, David Putnam.

Mayor Hartill called the meeting to order at 7:33 P.M. and opened the public comment period. There were no comments from the public.

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-Larry Fresinski -Aye | Trustee Frank            |
| Moore- Aye               | Trustee John O'Neill-Aye     | Trustee Lynn Leopold-Aye |

Dave Putnam gave the Engineer's Report. As requested, Dave had emailed the Trustees about possible radar/speed control protection in the Village. If the Board decides they would like to proceed, he, John O'Neill and John Courtney will look into it further. The proposed radar equipment has data collection information. Once we have this information we can contact the patrols to have them control the problem. Lynn stated that with the nice newly completed North Triphammer Road it is very easy to speed. The Board discussed having our own patrols. Don explained that the down side to this is that we would lose our current coverage by the Sheriff and State Police and that the income generated from the tickets would go to the Town since we do not have a Village court system. He explained that he and then Mayor Ted Wixom had explored this years ago and determined that the cost associated with having one patrol car and would be about \$100,000 a year. We currently get more than \$100,000 in coverage from the Sheriff and State. The Mayor stated that if we had a police force our taxes would likely double and there would also likely be a lot of uproar over that. Lynn stated that in the future we might need this. Larry feels that it is how it is perceived. If residents feel threatened and in danger, then they might be more willing to pay the added cost. It was acknowledged that the Village has taken surveys in the past and this does not appear to be a perceived concern. Larry also informed the Board that the State Police came in once to explain that we would need three local officers to match our current protection. Don doesn't think we can afford this.

Don asked Dave Putnam where we are with Northwood Drive. Dave stated that a dedication map should be done by Christmas. We are looking at construction in 2007.

Next on the agenda was the Cayuga Lake Waterfront Plan. Ned had done a short memo to the Board explaining that "After a brief review of the Cayuga Lake Waterfront Plan, the Planning Board finds that the plan is consistent with the provisions of the Village's Zoning Law, supports the Greenway Plan and possibly may provide monetary support for a Greenway Trail along the lakeshore highlands connecting to the proposed Village park at Bolton Point. Therefore, the Planning Board recommends that Board of Trustees support the Cayuga Lake Waterfront Plan." Ned was present at the meeting and went on to explain that we have very little waterfront, but by supporting this we may be able to get some trail monies. This plan also ties into our Greenway Plan. David Dubow indicated that it is not entirely clear if signing on to the proposed Plan will create any legal obligations on the part of the Village. He believes the Village joining in would simply confirm its support. Lynn stated that the more that sign on the more clout there is.

Resolution #5285-To Adopt the Local Waterfront Revitalization Program:

### Cayuga Lake Waterfront Plan

Whereas, the Village of Lansing worked with the Towns of Ithaca, Lansing and Ulysses, the Village of Cayuga Heights, and the City of Ithaca to prepare a Local Waterfront Revitalization Program (LWRP), pursuant to Article 42 of the Executive Law, and

Whereas, a Draft Local Waterfront Revitalization Program (dated December 2004), entitles “Cayuga Lake Waterfront Plan,” was prepared that examines lands and waters along the entire Cayuga Lake waterfront in Tompkins County, and

Whereas, the Local Waterfront Revitalization Program: Cayuga Lake Waterfront Plan recommends programs, projects and policies to

- Increase public access to the waterfront through trail development and enhancing waterfront parks;
- Control noise from boats and enhance boater safety by strengthening and enforcing boating regulations;
- Dredge the navigable sections of the Cayuga Inlet to enhance boat access and maintain flood protection;
- Stimulate water-dependent and water-enhanced development in the City of Ithaca; and
- Protect and improve the water quality of Cayuga Lake; and

Whereas, the Town of Lansing Planing Board was the lead agency for the purpose of conducting the environmental review of the Cayuga Lake Waterfront Plan in accordance with the requirements of Part 617 of the implementing regulations for Article 8 of the Environmental Conservation Law, and

Whereas, the Town of Lansing Planning Board, on August 22, 2005, adopted a resolution that made a negative declaration of environmental significance in regard to adoption of the Local Waterfront Revitalization Program: Cayuga Lake Waterfront Plan, now therefore be it

Resolved, that the Village of Lansing hereby expresses its support of the Local Waterfront Revitalization Program: Cayuga Lake Waterfront Plan and hereby joins the other waterfront municipalities in its adoption.

Trustee O’Neill moved this resolution. Trustee Leopold seconded the motion. A vote was taken:

|                          |                              |                          |
|--------------------------|------------------------------|--------------------------|
| Mayor Donald Hartill-Aye | Trustee Larry Fresinski -Aye | Trustee Frank Moore-     |
| Aye                      | Trustee Lynn Leopold-Aye     | Trustee John O’Neill-Aye |

Don explained that each year the Town provides deicing services to the Village of Lansing based on a contractual agreement. The Town of Lansing is applying for a Deicing Material Storage Facility grant to the NYS Department of State Division of Local Government Services Shared Municipal Services Incentives Grant Program, under the Shared Highway Services Incentive Awards. The Town has asked for a letter of support from the Village, which the Mayor has previously written. In this letter he stated that the Board of Trustees would vote on this and then if agreed upon, he would forward a copy of the resolution.

The deicing facility will benefit the Village by reducing costs associated with loss of material from exposure to the elements and by increasing efficiency to mix the sand and salt. It will also prevent salt and sand from entering surface waters that lead to Cayuga Lake. Don entertained the following resolution:

Resolution #5286- To Support the proposal, “Town of Lansing Deicing Material Storage Facility,” being submitted by the Town of Lansing to the NYS Department of State Division of Local Government Services Shared Municipal Services Incentives Grant Program, under the Shared Highway Services Incentive Awards.

Trustee O’Neill moved this resolution. Trustee Fresinski seconded the motion. A vote was taken:

|                          |                              |                          |
|--------------------------|------------------------------|--------------------------|
| Mayor Donald Hartill-Aye | Trustee Larry Fresinski -Aye | Trustee Frank Moore-     |
| Aye                      | Trustee Lynn Leopold-Aye     | Trustee John O’Neill-Aye |

The Board discussed increasing the maximum Elderly Persons Real Property Partial Tax Exemption income levels. Jodi indicated that she had previously received a letter from Jay Franklin, Assistant Director of Assessment, informing the Village that the New York Legislature has increased the maximum income level for eligibility for the "Person sixty-five years of age or over" (RPTL 467) and the "Persons with disabilities and limited income" (RPTL 459-C) exemptions. The previous income limit on the sliding scale of eligibility was \$24,400 and has been increased to \$26,000. The maximum income level was increased to \$34,399. The Board discussed how best to incorporate this into our codification.

David explained that in 2004 the Board passed Local Law 4 to increase annual income components for seniors and also provided a provision to automatically adopt the established limits provided for in the State statutory provisions authorizing the exemption. The problem is that the State authorized amounts were increased in 2004, but the Village did not formally adopt those increases. Also in the Village Code is the original sliding scale number of \$19,500, which was increased by the State in 2004. David suggested that the Code under any circumstance should be changed to reflect the actual sliding scale income amounts to be authorized at the local level. The Board also needs to decide if the income amounts are to be changed automatically when the State makes such changes, or whether the Village should take formal action by amending the Code to reflect the changed income levels. The Board may want to have the right to review any changes rather than have them implemented automatically. It was commented that it might be better public policy to notify the public by a published notice of public hearing each time a proposed change in the income levels is being considered. The Village is not obligated to adopt the State authorized income levels. In 2000 it seemed a good idea to just have the Village's sliding scale of incomes changed every time it was updated by the State, but if we want to continue to do it that way then the chart section in the existing Village Code provisions needs to be eliminated. The Board decided that each time the State changes the authorized income levels the Village will consider those changes and determine then if it would like to adopt a local law to incorporate appropriate changes at the local level. For the purpose of considering changes in the Village Code based upon the recently adopted State income level changes, David presented Proposed Local Law F 2006 for to the Board.

Resolution #5287- Set a Public Hearing on the 4<sup>th</sup> day of December, 2006, at 7:35 p.m. on Proposed Local Law F (2006) to Consider Amending the Village Codification-Village of Lansing Elderly Persons' Real Property Partial Tax Exemption Law

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

|                          |                              |                          |
|--------------------------|------------------------------|--------------------------|
| Mayor Donald Hartill-Aye | Trustee Larry Fresinski -Aye | Trustee Frank Moore-     |
| Aye                      | Trustee Lynn Leopold-Aye     | Trustee John O'Neill-Aye |

The next item on the agenda was to discuss the Lansing Trails II Letter of Credit. David stated that the Letter of Credit requires that all work be completed by September 30, 2006 with the Village having two months thereafter to draw against funds from that Letter of Credit if necessary. Brent Cross, the Village's engineer, has advised Dubow that everything is done except a small amount of remaining work on the detention pond. Brent has spoken with Ivar Jonson and Ottenschot, the contractor involved, and he was assured that the remaining work should be done by the end of the month. It was acknowledged that there has always been a genuine effort by Jonson. The Mayor thinks that the developer has been through enough. David explained that if the nothing further is done by the Board, the Letter of Credit will simply expire at the end of the month. The Board agreed that no further action was required and acknowledged that the letter of credit will lapse as of November 30.

Dubow stated that on 10/26/06 the full length of Bomax Drive from Warren Road to the Lansing Trails II property was deeded to the Village of Lansing. There is also an agreement under consideration to have a turn around for the snowplows on the Lansing Trails II property.

Next on the agenda was approval of minutes from October 12<sup>th</sup> & 16<sup>th</sup>, 2006.

Motion - To Approve the Minutes from October 12, 2006

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

|     |                          |                              |                      |
|-----|--------------------------|------------------------------|----------------------|
|     | Mayor Donald Hartill-Aye | Trustee Larry Fresinski -Aye | Trustee Frank Moore- |
| Aye | Trustee Lynn Leopold-Aye | Trustee John O'Neill-Aye     |                      |

Motion - To Approve the Minutes from October 16, 2006

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

|            |                              |                              |               |
|------------|------------------------------|------------------------------|---------------|
|            | Mayor Donald Hartill-Abstain | Trustee Larry Fresinski -Aye | Trustee Frank |
| Moore- Aye | Trustee Lynn Leopold-Aye     | Trustee John O'Neill-Aye     |               |

Mayor Hartill stated that the ribbon cutting for the North Triphammer Road Project was Friday at noon. It went very well. Marian Hartill will be doing a CD of pictures. Don will be sending the Ithaca Journal a letter and picture. He is very disappointed that they did not bother to show up even though Jodi had contacted them.

The new streetlights are still not on. Once they are inspected, Don will put a little pressure on NYSEG to energize them. There are three regions of photocells that will control the turning on and off of the lights. Rich Brauer is developing a punch list to close out the project.

Lynn stated that the newly planted trees need to be protected. Deer are already rubbing on them. There is a white plastic wrap that can be put on them, but that is very ugly. We'll look into a different color material to protect them. Lynn suggested wrapping them in chicken wire.

On the sewer issue, Don reported that the Town's project is delayed because of funding concerns and school related issues. Don had a talk with a former NYSDEC Commissioner when he was in San Diego who questioned the sensibility of the current approach and recommended not stopping at the district office, but going to Albany to explore the possibility of a stand-alone plant. Don still has not received a copy of the engineering design documents.

Frank stated that the next sewer meeting at the Town is Saturday, December 9<sup>th</sup> from 10am -1pm. He remarked that the main concern with people is long term planning and what does it mean to the Town. This is a complicated subject.

The next TCCOG meeting is November 30<sup>th</sup>. Don will be out of town, but Larry confirmed that he would attend. Lynn and Frank both attended the last meeting. Frank thought the deer presentation at that meeting was not helpful. There was no remediation suggested. The Town of Ithaca called for a study. Frank feels it really is a County issue. Laws need to be changed. Take is down and herds are up. Management policies need to change at the State level.

A legal ad for bids on a new dump truck needs to go in the newspaper. Dubow has reviewed the specifications and determined that because the proposed vehicle is described specifically by a named brand the Board will either have to adopt a resolution with findings in accordance with the General Municipal Law provisions supporting such brand standardization or add an equivalency clause permitting the submission of bids reasonably equivalent to the brand name set forth. The Board preferred to add an equivalency clause, but would like Jodi to confirm with John Courtney that this is acceptable.

Don stated that the Board needs to make a decision on the GIS Fly-over photos proposal. New York State Orthoimagery Program has been producing digital orthophotos for every County in New York State on a five-year rotation at no cost. The last time it was done in Tompkins County was 2002. The program provides 2-foot pixel natural

color photography for the rural areas and one foot pixel photography for urbanized areas. The question is would the Village like to upgrade this default flying package to higher resolution, and/or infrared rather than natural color. These images are an invaluable resource for mapping. They are typically used to make decisions in the areas of planning, zoning, environmental engineering, economic development, transportation and construction. The cost to the Village to upgrade to a half foot pixel would be about \$4,000. This amount would not be due until mid February.

Resolution#5288 -To Support Tompkins County in Upgrading the NY State Orthoimagery for Tompkins County Urbanized Areas to Half Foot Pixel Resolution in the Upcoming Flight Over of Tompkins County

Trustee O'Neill moved this resolution. Trustee Leopold seconded the motion. A vote was taken:

|                          |                             |                          |
|--------------------------|-----------------------------|--------------------------|
| Mayor Donald Hartill-Aye | Trustee Larry Fresinski-Aye | Trustee Lynn Leopold-    |
| Aye                      | Trustee Frank Moore- Aye    | Trustee John O'Neill-Aye |

Lynn stated that there would be no Planning Board meeting on December 26<sup>th</sup>. She will also not be able to make the November 28<sup>th</sup> Planning Board meeting and asked if any other Trustee could attend.

John O'Neill has looked into lighting on Graham Road and was told that it would cost about \$10 a month per light. Jodi questioned the cost because it wasn't in line with what we are currently paying. John will look into this further.

Motion- To Adjourn

Trustee Fresinski moved for adjournment. Trustee O'Neill seconded the motion. A vote was taken:

|                          |                             |                          |
|--------------------------|-----------------------------|--------------------------|
| Mayor Donald Hartill-Aye | Trustee Larry Fresinski-Aye | Trustee Lynn Leopold-    |
| Aye                      | Trustee Frank Moore- Aye    | Trustee John O'Neill-Aye |

The meeting adjourned at 8:55 PM.

Jodi Dake

Clerk/Treasurer